

Appendix 1



**Sevenoaks District Housing Register
Allocations Scheme 2022 - 2027
Second draft May 2022**

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1. Introduction

This Scheme sets out the Council's priorities for how social housing in Sevenoaks District is allocated and the guidelines that determine entitlement and eligibility to join the Housing Register. This will supersede any existing and former scheme relating to the allocation of housing and is in accordance with the requirements of Section 167 of the Housing Act 1996 (as amended).

The Scheme explains what help people can expect from the Council in meeting their housing needs and sets out the system and processes by which social homes are allocated and information on nomination agreements with housing owned and managed by housing associations and other approved Providers.

If an applicant does not meet any of the priority criteria set out within this Scheme, they will be excluded from joining the Housing Register because they have no identified housing need for social housing. If an applicant's circumstances change, they will need to submit a new application.

The Council will consider all applications for social housing in accordance with this scheme, which sets out:

- who qualifies to be included on the register
- how to apply to get on the register
- how we determine an applicant's priority on the register
- how to bid for available properties
- how available properties are allocated
- how we keep the register up to date
- how applicants can seek a review of decisions made regarding the application assessment and allocation process

The demand for housing from people in need of social housing in Sevenoaks, or wishing to move to Sevenoaks, is significantly higher than the number of homes available. There is an insufficient supply of social housing owned by housing associations to offer a home to everyone who would want it, or even to everyone who needs a home.

This allocation scheme ensures that we allocate the limited number of social homes available as fairly as possible and to those in the greatest need. The scheme is designed to ensure we comply with our legal obligations and to support the objectives of the Sevenoaks Housing Strategy.

Some homes have a Local Lettings Plan applying or they may be located on a Rural Exceptions Housing Scheme. This means these homes may not be to those in greatest housing need.

Specific allocation policies may be implemented and apply to supported housing schemes or other specialised accommodation.

Commented [LC1]: e.g. the Council's traveller site at Hever Road

2. Aims and objectives

The broad objectives of the scheme are to:

- to ensure we are letting properties in line with housing law
- determine the priority of applicants in a clear, transparent and consistent way
- ensure that homes are allocated fairly and to those in greatest need
- provide accurate and timely advice and information to allow applicants to make informed choices about their housing options
- create sustainable communities by the use of local lettings plans
- make the best use of the housing stock within Sevenoaks, working with our housing association partners to ensure that vacant homes are let quickly and efficiently
- to give applicants a choice of housing accommodation, or the opportunity to express preferences about housing accommodation, where this is reasonably practicable, by using choice-based lettings through Kent Homechoice

3. Local Connection Criteria

You will not be able to join the Housing Register if you do not have a local connection with the Sevenoaks District. A local connection under this scheme means you are:

- currently living in the District and have been resident for a continuous period of three years at the point of application. This does not include households placed in temporary accommodation under the homelessness legislation or Children Act 1989;
- currently employed in the District, and your place of work is within the District and you have been working within the District continuously for the last three years at the point of application;
- self-employed, where documentary evidence shows at least 50% of your work is within the District, and this has been the case continuously for the last three years at the point of application;
- an applicant for whom we have accepted the main housing duty under the homelessness legislation (s193 Housing Act 1996);
- a serving member of the Regular Armed Forces or a former member within five years of discharge (or a bereaved or separated spouse or civil partner of such a member);
- a serving or former member of the Reserve Armed Forces within five years of discharge who needs to move because of a serious injury, medical condition or disability sustained as a result of their service.

Commented [LC2]: Clarification for applicants

In exceptional circumstances, applicants will not need to demonstrate a local connection. This can include (but is not limited to) applicants who:

- have had a break in the period of continuous residence or employment due to circumstances beyond their control. For example, a temporary move to escape

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violence or threats of violence, or a temporary change to their usual place of work;

- are currently residing outside Sevenoaks District but need to move into the District to provide or receive significant and ongoing care or support to, or from, a close family member (i.e. children, parents or siblings, only). A care giver/receiver must currently live a minimum one hour's journey time away. This is measured by shortest car journey or, if the applicant does not have access to private transport, the shortest timetabled public transport route
- need to move to receive significant and ongoing care or support from regulated providers
- are at risk of violence or harassment (including domestic abuse or hate crime) and that risk would be substantially reduced by a move to a permanent home in the District
- have fled from another local authority due to domestic abuse and are currently placed in a refuge or other form of temporary accommodation by the District Council
- are Sevenoaks residents temporarily displaced because they are currently residing in a supported housing or rehabilitation scheme outside the district
- are aged 55 years or over and wish to apply for ~~have been assessed as suitable for housing within a designated older persons' housing scheme~~
- applicants who are unable to demonstrate a local connection because they are travellers who have been pursuing a nomadic lifestyle in accordance with their cultural tradition

Commented [LC3]: Clarification of position for those fleeing DV.

Commented [LC4]: There is no specific assessment of need, except for Extra Care housing.

Different local connection criteria will apply to new social housing provided on Rural Exceptions Housing schemes and other schemes in rural parishes where local needs nomination arrangements have been approved by the District Council. Here, priority will be given to applicants with a local connection to the host Parish. Full criteria is set out in the legal agreement applying to each scheme. Details of these schemes and the local connection criteria applying, can be obtained from housing.policy@sevenoaks.gov.uk

4. Qualifying Persons

Section 160ZA Housing Act 1996 (as amended) gives power to Local Authorities to define classes of applicants that will be considered as qualifying persons. Qualification must be met at both point of application and point of offer. The Secretary of State may prescribe who are or who are not, qualifying persons.

Commented [LC5]: Statutory definition

Anyone aged 16 or above is able to join the Housing Register, unless they are ineligible or disqualified. You will be ineligible if you are a person the Government says cannot be on the list (this includes people who are subject to immigration control and do not have permission to be in the United Kingdom (UK), or whose immigration status does not allow them to benefit from government help)

5. Ineligible due to immigration status

The Government states that normally we will not be able to allocate social housing to persons who are not already social housing tenants and who need leave to enter or remain in the UK. This applies to all persons except British citizens or persons with a right to reside in the UK under the Withdrawal Agreement entered into between the UK and the EU.

If you need leave to enter or remain in the UK (regardless of whether you have leave) you will only be eligible to join the housing list if you are a person who falls into one of the following:

- recorded by the Secretary of State as a refugee
- granted Exceptional Leave to Remain outside of the Immigration Rules who is not subject to a condition of non-recourse to public funds
- granted unconditional and unlimited leave to remain in the UK, is habitually resident in the Common Travel Area (UK, Channel Islands, Isle of Man or Republic of Ireland) unless they are sponsored, have been resident for less than 5 years and at least one sponsor is still alive
- granted Humanitarian Protection
- granted limited leave to enter or remain in the UK on family or private life grounds under Article 8 of the European Convention of Human Rights under 12 paragraph 276BE (1) or 276DG or Appendix FM of the Immigration Rules who is not subject to a condition of non-recourse to public funds
- habitually resident in the Common Travel Area and who has been transferred to the United Kingdom under section 67 of the Immigration Act 2016 and has limited leave to remain under paragraph 352ZH of the Immigration Rules
- habitually resident in the Common Travel Area and who has Calais leave to remain under paragraph 352J of the Immigration Rules (Effective from 1 November 2018.)
- limited leave to enter and remain in the UK as the family member of a 'relevant person of Northern Ireland' by virtue of Appendix EU of the Immigration Rules
- habitually resident in the Common Travel Area and who has limited leave to remain in the UK as a stateless person under paragraph 405 of the Immigration Rules
- has limited leave to enter or remain in the United Kingdom by virtue of Appendix Hong Kong British National (Overseas) of the Immigration Rules, is not subject to a condition of non-recourse to public funds and is habitually resident in the Common Travel Area
- has been granted leave to enter or remain under the Afghan Relocations and Assistance Policy or the previous scheme for locally-employed staff in Afghanistan
- has leave to enter or remain who left Afghanistan in connection with the collapse of the Afghan government, but not if not subject to a condition of non-recourse to public funds or if the person has been given leave to enter or remain in the United Kingdom upon an undertaking given by their sponsor

Commented [LC6]: Section 5 clarification as per advice from Legal Services

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and has been resident in the Common Travel Area for less than five years and whose sponsors have not died

The Government also states that we cannot allocate housing to anyone unless they are habitually resident in the Common Travel Area, subject to certain exceptions for persons with rights of residence under the Withdrawal Agreement and persons who are in the UK as a result of being deported or expelled from another country.

The Government also states that we cannot allocate housing to a person **from abroad** whose only right to reside in the UK is based on their status as a jobseeker or an initial three months' right of residence, or is a derivative right of residence based on being the principal carer for a British citizen.

The Council is not allowed to allocate housing to an ineligible person by granting them a joint tenancy with another eligible person.

These rules do not apply to a person who is already a Secure or Introductory Tenant or an Assured Tenant of a Private Registered Provider. In that case, you are free to apply for a transfer regardless of your immigration status.

The detailed provisions of these rules are complex and the above is only a summary of them. They are also subject to change by statutory instruments issued by Government from time to time.

6. Unacceptable Behaviour

Unacceptable behaviour is behaviour that is sufficiently serious enough for us to consider you to be unsuitable to be a social housing tenant. You will not usually qualify to be included on the Housing Register if you or a member of your household, has behaved in an unacceptable manner in the preceding two years on the date of your application.

Examples of unacceptable behaviour include, but are not limited to the following:

- eviction or otherwise lost accommodation as a result of anti-social behaviour or rent arrears
- conviction of criminal offences in or near your home and we are satisfied you still pose a threat to neighbours or the wider community
- threatening or aggressive behaviour towards our staff or contractors
- racial, sexual or homophobic harassment, or harassment due to sexual orientation.

The decision to disqualify you will be made by the Housing Register Panel. They will take into account any supporting information from you, your current or previous landlords, and the police, the Community Safety Unit, Probation or any other relevant professional body

7. Assessment of Need – the banding system

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To be as fair as possible in deciding who should be offered social housing, we use a banding system to determine priority for re-housing. Assessment is based on an applicant's housing circumstances, suitability of the property and any long-term medical problems.

Persons eligible to join the housing register will have their application assessed by the District Council's Accommodation Team and placed into one of four bands, in accordance with the 'fair and flexible' statutory guidance. The bands are referred to as 'A, B, C and D'. Applications in band A will be given the highest priority for re-housing, band B the next highest, then C with band D applicants having the lowest priority.

All references to "transfer applicant" means, existing tenants of a housing association partner/Provider who are currently living in social housing the District.

Band A

Applicants in Band A have the highest priority for social housing. However, other housing options may still need to be considered so that Applicants can move more quickly and the Housing Advice Team will discuss this with you.

This band includes the following:

- Those with an urgent need to move as their current accommodation is unsuitable for their medical or disability needs and due to this they are unable to be discharged home from hospital or other clinical or respite facilities (e.g. "bed blocking");
- Where an applicant has a terminal illness and the current accommodation is unsuitable for their medical needs and end-of-life care or cannot be suitably adapted (such suitability/capability is as assessed by KCC Occupational Therapy and/or the District Council's Private Sector Housing team);
- Where an applicant or a member of their household has an urgent medical condition or there is an emergency medical situation, and the current home is not suitable for their medical needs or is not capable of being adapted to be able to meet these needs (such suitability/capability is as assessed by KCC Occupational Therapy and/or the District Council's Private Sector Housing team);
- Transfer applicants currently living in a designated wheelchair accessible home or a home with significant and useable adaptations (as assessed by the landlord housing association/Provider) but those adaptations are not required by any member of the household;
- Transfer applicants who need to move because their home is scheduled for redevelopment;
- Applicants who have been assessed by the Housing Register Panel as needing a move under the National Witness Mobility Programme (NWMP) or other similar vulnerable person protection scheme;
- Where the Private Sector Housing Team have assessed there are one or more Category 1 hazards (as assessed under the Housing Health and Safety

Rating Scheme) or other severe property conditions that impose an imminent risk of harm to the occupants and remedial action is considered unreasonable or impractical for cost or other reasons;

- Applicants who have been assessed by the Housing Register Panel as needing a move due to an immediate, urgent or exceptional need;
- Where there is a rehousing obligation because a demolition, prohibition or compulsory purchase order has been served in respect of the applicant's current accommodation;
- Transfer applicants who are looking to downsize and move to a home with at least one bedroom fewer than in their current home;
- Applicants who have been assessed as requiring 3 more bedrooms to meet the needs of their household and are classed as statutory overcrowded;
- 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;
- The bereaved spouse or civil partner of a member of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner;
- A member of the Armed Forces who is a tenant occupying HM Forces service accommodation, who is threatened with homelessness because they have been served with a valid notice to vacate their tenancy, or those who are otherwise leaving said service accommodation;
- An applicant who is being made redundant from, or is retiring from, a job that includes tied accommodation and their departure from the job means they are required to give up their tenancy;
- Homeless applicants who are fleeing domestic violence or abuse, where we have accepted the full rehousing duty to secure accommodation under part 7 of the Housing Act 1996, and who are assessed by the Housing Register Panel as being at imminent risk of harm in their current accommodation (such current accommodation may include temporary accommodation arranged by the District Council);
- Homeless applicants (including those who are fleeing domestic violence or abuse and who are assessed by the Housing Register Panel as not being at imminent risk of harm in their current accommodation) where we have accepted the full rehousing duty to secure accommodation under part 7 of the Housing Act 1996 and who have been placed by the District Council in nightly paid accommodation for a period of at least 6 months (or other period that may be set by the District Council) and where no suitable accommodation (including private sector accommodation) has been identified by the Accommodation Team during this period in order to discharge the council's homelessness duty;
- Applicants who have been assessed by the District Council's Private Sector Housing Team as statutory overcrowded (Housing Act 1985) and requiring an additional bedroom(s) to meet the needs of their household in accordance with "suitable size of accommodation (Section 9); ;

Commented [LC7]: This category is being cross checked for consistency

Commented [LC8]: Moved from Band C as essentially Service Accommodation = tied accommodation. This is equitable with the category below

Commented [LC9]: A new category for those fleeing DV and who are at imminent risk based on their current accommodation

Commented [LC10]: Clarifying position for those fleeing DV who are not at imminent risk, i.e. SDC has placed them in safe temporary accommodation

Commented [LC11]: Statutory overcrowding is a set at a very high bar and represents a position of extreme overcrowding. Reference to number of bedrooms required has been deleted. Very few cases of overcrowding meet this high bar.

Band B

Applicants in Band B have a high priority but are still likely to have to wait some time to be re-housed. Alternative housing options should therefore be discussed with the Housing Advice Team.

This band includes the following:

- Homeless applicants where we have accepted the full rehousing duty to secure accommodation under part 7 of the Housing Act 1996 and they have the following additional needs:
 - Long-term health conditions that are unlikely to improve as assessed by the Housing Register Panel,
 - Households where there is a need to place them in Sevenoaks due to Child Protection Plans under Children Act 1989,
 - Households with children who have an Educational Health and Care Plan;
- Homeless applicants (including applicants fleeing domestic violence or abuse, who are assessed by the Housing Register Panel as not being under imminent threat of violence in their current accommodation) where we have accepted the full rehousing duty to secure accommodation under part 7 of the Housing Act 1996 and who have been placed in temporary accommodation other than nightly paid accommodation, for a period of at least 6 months (or other period that may be set by the District Council) and where no suitable accommodation (including private sector accommodation) has been identified by the Accommodation Team during this period in order to discharge the council's homelessness duty;
- Homeless applicants (including applicants fleeing domestic violence or abuse, who are assessed by the Housing Register Panel as not being under imminent threat of violence in their current accommodation) where we have accepted the full rehousing duty to secure accommodation under part 7 of the Housing Act 1996 and this duty has been in existence for a period of at least 12 months (or other period that may be set by the District Council), who have not been placed by the District Council in any form of temporary accommodation, and where no suitable accommodation (including private sector accommodation) has been identified by the Accommodation Team during this period in order to discharge the council's homelessness duty;
- Where an applicant or a member of their household has a high medical condition and the current home is not suitable for their medical needs or is not capable of being adapted to be able to meet these needs (such suitability/capability is as assessed by KCC Occupational Therapy and/or the District Council's Private Sector Housing Team);
- Where the Private Sector Housing Team have assessed that there are one or more Category 1 hazards (as assessed under the Housing Health and Safety Rating Scheme) which are having a negative impact on the medical, disability

Commented [LC12]: Clarifying position for those fleeing DV who are not at imminent risk

Commented [LC13]: Clarifying position for those fleeing DV who are not at imminent risk

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or welfare needs of a member of the household and remedial action is considered unreasonable or impractical for cost or other reasons;

- Applicants living in supported housing schemes within the District (or temporarily displaced to a supported housing scheme in another borough or district) who have been assessed as ready to move on into independent living;
- Young people (16 – 25 year olds) in care accommodation and considered ready to move out of care by KCC Social Services;
- Young people (16 -17 year olds) who are threatened with homelessness;

Commented [LC14]: This category is being cross checked for consistency.

Band C

Applicants in Band C can expect to wait a long time to be re-housed. They should proactively look at other housing options to resolve their housing difficulties.

This band includes the following:

- Homeless applicants (including applicants fleeing domestic violence or abuse, who are assessed by the Housing Register Panel as not being under imminent threat of violence in their current accommodation) where we have accepted the full rehousing duty to secure accommodation under part 7 of the Housing Act 1996 but who are not assessed as having additional needs;
- Applicants who are lacking a bedroom(s) and require an additional bedroom(s) to meet the needs of their household in accordance with "suitable size of accommodation (Section 9);
- Verified rough sleepers who have a local connection to Sevenoaks;
- Where an applicant or a member of their household has a medical condition ("other condition") and the current home is not suitable for their medical needs or is not capable of being adapted to be able to meet these needs (such suitability/capability is as assessed by KCC Occupational Therapy and/or the District Council's Private Sector Housing Team);
- Households where one or more members are awarded a priority on medical, disability or welfare grounds, as the current housing conditions are having a negative impact on the medical, disability or welfare needs of a member of the household. This includes where care is given or received (See Section 11);

Commented [LC15]: Clarifying position for those fleeing DV who are not at imminent risk

Commented [LC16]: Lacking in bedrooms is a less serious form of overcrowding compared with statutory overcrowding. Reference to number of bedrooms lacking has been removed. Retain at Band C

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Band D

Applicants in Band D can expect to wait a very long time to be re-housed, unless they are applying for **designated older person's housing**. They may wish to look at other housing options to resolve their housing difficulties.

This band includes the following:

- Homeless applicants who have a housing need but where we do not owe a duty to secure accommodation, such as:-
 - non-priority homeless households or
 - households assessed as having become homeless intentionally;
- Applicants who meet none of the criteria in Bands A – **C** above, but are eligible, only, to be considered for properties on rural exception sites or accommodation in rural parishes where local needs housing nomination arrangements have been agreed by the Council;

*Explanatory note: Applicants will only be eligible to bid for the above categories of **rural housing** and then only for vacancies that arise in their local parish **or specified neighbouring parishes**. They will not be eligible to bid for any other social housing. Their inclusion on the Housing Register means the District Council does not need to hold a separate register for local needs rural housing. We know that applicants and Providers, as well as our own Housing staff, value the benefit and fairness of a single point of application for social housing.*

- Applicants **age 55 years and over who wish to be considered for designated older persons' housing, and who are not currently residing in such accommodation, and who may, or may not have, a local connection to Sevenoaks District.**

*Explanatory note: A local connection is not necessarily required for **designated older persons' housing**. This is to ensure there is a ready pool of eligible applicants for whenever vacancies arise. Traditionally, vacancies occur more frequently in older persons' housing and lettings tend to take longer. Wherever possible, the District Council wants to ensure vacant homes are re-let as quickly as possible, as this makes the most efficient use of the social housing stock. **If applicants age 55 years and over have a local connection to the District and have other housing needs, they will be placed in the highest Band applying. Applicants who do not have a local connection to the District will only be eligible to be placed in Band D.***

Commented [LC17]: Reference to "assessed as needing such accommodation" has been removed. As per Older Persons' Housing Study, we wish to assist older people to downsize and move to more suitable accommodation, whatever their level of need.

Commented [LC18]: Clarifying higher banding may apply for those with a local connection if additional housing need demonstrated.

8. Medical and Welfare Priority

The level of medical need, urgent, high or other, will be assessed and determined by the Accommodation Team. The assessment will be based on:

- **Band A (Urgent medical need):** A person will be awarded Band A if the household contains one or more members with a currently life-threatening illness or disability, and whose housing circumstances are affecting their health very severely.
- **Band B (High medical need):** A person will be awarded Band B if one member of the household or more has a serious illness or disability and their present living conditions are affecting their health to a marked degree and where a move is recommended to improve the health of the individual.
- **Band C (Other medical need):** A person will be awarded Band C if one or more of the household has an illness or disability of a moderate nature which is affected adversely by their living conditions, and where a move is recommended to improve the health of the individual.

Our assessment is not based on the nature or severity of any medical condition or disability but is focused on the direct impact that the current housing has on any condition or disability, and whether this could be alleviated by a move to a more suitable home.

For example, priority may be awarded if you have mobility issues which make it difficult for you to climb stairs and you are unable to access your bedroom or bathroom facilities on a different floor as these are only accessible by stairs. In this situation, you would benefit from a move to a property that provides level living. We will only assess your priority on medical and/or welfare grounds if there is evidence that your current housing impacts directly on your medical condition, disability, or welfare. We will not usually assess your priority on medical or welfare grounds if your household is already in Band A as an assessment cannot increase your priority.

Priority on medical or welfare grounds is assessed based on the information you submit. If you consider that anyone in your household has a medical condition that is adversely affected by your current housing, you must provide independent verification. This may be from your GP, Nurse, Hospital Consultant, Occupational Therapist or other health care professional. In welfare cases you should provide independent verification of your circumstances from your Social Worker, Support Worker or other professional involved in your case. For medical cases we may ask you to provide further evidence or refer your case for independent medical advice. For welfare assessments we may ask you to provide further evidence or (where appropriate) we may make a joint assessment with Social Services, or an appropriate support agency.

We assess your priority by looking at your current housing. If it meets the medical and welfare needs of you and all members of your household there will be no change in your housing priority. We look at whether your current housing makes a medical condition or disability worse, and whether it is possible to make relevant adaptations, such as providing a stair lift or wet room to your home. In mobility cases we look at

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the severity of your difficulties in relation to your property. Factors such as the number of steps inside and leading to a property, width of internal doorways and circulation space, and whether you have a lift or ramp may be relevant. The assessment will consider whether a move to more suitable housing would either improve the medical condition or substantially improve your quality of life. If you have medical needs, but a move would not significantly improve the situation, there will be no change in priority based on medical grounds.

Overcrowding may impact on the health and well-being of some or all members of your household and/or the needs of any dependent children. This is taken into account in the banding priority awarded due to overcrowding, and usually no further priority will be awarded.

Similarly, when assessing priority on welfare grounds we will consult with other people involved in your care, as this may identify ways to help you stay in your current home with appropriate ongoing support. If this resolves your support needs, you will not be awarded any priority on welfare grounds. Otherwise, we look at whether your needs are made worse by your current housing. If so, we will consider whether a move to more suitable housing would improve things for you. If you have welfare needs, but a move would not significantly improve the situation, there will be no change in priority on welfare grounds.

If you need to move into the district in order to provide or receive significant and ongoing care or support to or from a close family member (children, parents, or siblings, only) you will need to meet to satisfy the conditions given in section 11. You will not normally be eligible to join the housing register if you want to move within the district to provide or receive significant and ongoing care or support to or from a close family member.

If you are currently living in supported housing (including refuge) and have been assessed by the support provider as ready to move on into independent living, you will usually be awarded Band A priority on welfare grounds.

If you are experiencing difficulties in accessing your home due to non-medical matters such as carrying children, shopping, prams or pushchairs on external or communal stairs or do not have access to a private garden, you will not usually be awarded any change in priority based on medical or welfare grounds.

9. Suitable Size of Accommodation

Generally, social housing is offered in line with the following guide:

Table of suitable size accommodation depending on household

Household composition	Type and size of home
A single person	<ul style="list-style-type: none"> ▪ Shared accommodation ▪ Bedsit ▪ Studio flat ▪ One bedroom flat/house ▪ Or designated older persons' housing, if appropriate
A couple	<ul style="list-style-type: none"> ▪ One bedroom flat, house or bungalow ▪ Or designated older persons' housing, if appropriate
Two adults (or couple with verified need for separate bedrooms)	<ul style="list-style-type: none"> ▪ Two bedroom flat, house or bungalow ▪ Or designated older persons' housing, if appropriate
A couple or single parent with one child	<ul style="list-style-type: none"> ▪ Two bedroom flat, house or bungalow
A couple or single parent with two children	<ul style="list-style-type: none"> ▪ Two or three bedroom flat, house or bungalow (depending on the age/sex of children)
A couple or single parent with three or more children	<ul style="list-style-type: none"> ▪ Three or four bedroom house (depending on the age/sex of children)

Exceptions to this guide, depending on individual circumstances, which include (but are not limited to) applicants where:

There is a medical recommendation for a bigger home for example:

- To meet a medical or disability need for an extra bedroom;
- To accommodate a carer;
- The available home has special adaptations which you need and there are no other applicants of the correct household size available that need those adaptations.

Other reasons include:

- The home is offered as the result of an emergency;

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- The home is offered to a homeless applicant as temporary accommodation;
- The home is offered under the specific terms of a Local Lettings Plan;
- The home is offered to a Band A transfer applicant, where the applicant has reached the qualifying age for Pension Credit (i.e. the under-occupation restriction, or “Bedroom Tax”, does not apply) and the applicant is downsizing from a home with at least 3 bedrooms, then such applicant is eligible to be considered for a 2 bedroom home or less, irrespective of the size of their household.

Bungalows will usually only be allocated to households where the applicant or a member of their household has been assessed as needing single level living accommodation.

10. Shared responsibilities for children

We acknowledge that many separated or divorced parents continue to share responsibilities for their children including providing a home for them. Where any dependent children live with you some of the time and at other times with their other parent/guardian at a separate address, we will assess whether your address is their main home so that they can be included as members of your household.

We will consider the following:

- the financial support you receive including Child Benefit, Universal Credit/tax credits, disability benefits (if appropriate) and maintenance from their other parent/guardian
- any Family Court Order(s) under the Children Act (1989) in respect of parental responsibility, contact or residency
- supporting evidence from Social Services in respect of fostering, guardianship or adoption placements. Whether the children currently reside with someone else for all or part of each week

Regardless of the amount of time that your children spend with you, if we decide that their main home is not with you, they will not be included on your Housing Register application; and they will not be considered when assessing overcrowding/under-occupation or the size of property (number of bedrooms) that you can apply for or be offered under this scheme.

11. Carers

A carer is someone who looks after and supports a partner, friend, relative or neighbour who would not be able to manage without their help. This could be due to age, physical or mental illness or disability. It does not mean a professional care worker or personal assistant who gets paid for their work.

In terms of this Scheme, a care giver/receiver can be only be a partner/spouse, sibling or child. A care giver/receiver must currently live outside the District and be a minimum of one hour's journey time away by car, for **each one-way journey**, or, if

Commented [LC19]: Clarification for applicants

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they do not have access to private transport, the journey time will be measured by the shortest timetabled public transport route.

To be considered for Band C priority due to care needs, the care giver must be in receipt of Carer's Allowance or can demonstrate they provide care for at least 35 hours per week (this will be assessed by the Housing Register Panel) and the care receiver must be in receipt of at least one of the following;

- Disability Living Allowance (Care component);
- Personal Independence Payment (Daily living component);
- Attendance Allowance;
- Industrial Injuries Disablement Benefit;
- Employment and Support Allowance.

If you have requested to be re-housed in order to provide a bedroom for your carer, this will be considered by the Housing Register Panel who will take into account the following:

- whether your care needs have been assessed as including overnight support
- whether you have been awarded benefits because of illness or disability including
- the level of care that you need and whether this is likely to change in the future
- the ability of your carer to provide the level of care required
- your current accommodation, and where your carer currently resides

12. Exceptional Priority

To assist the national police force to tackle serious crime and to support witnesses in the legal process, the council works in partnership with colleagues in the National Witness Mobility Programme (NWMS) and will, as required, accept referrals from this source.

Such cases will have been assessed and verified by the NWMS managers and referrals will only be accepted with the agreement of the Service Manager (Housing Options). There are confidentiality considerations for such cases and no personal information will be taken until the applicant accepts a direct offer of accommodation in the district. Any proposed offer will be checked for suitability by the NWMS before the offer is made and details of successful lettings may not subsequently be made available to the public.

13. Direct Lets

Certain properties are excluded from choice-based letting (bidding) and are allocated by making a direct offer to an applicant. This includes (but is not limited to) the following applicants:

- with an immediate need to move on health or welfare grounds, where the current home is unsuitable, or where there is an immediate threat of violence
- who are subject to current multi-agency public protection arrangements (MAPPA), and who pose a very serious risk to the community, where the type or location of properties that are suitable may need to be restricted
- who have been temporarily decanted from their current housing to enable demolition or redevelopment work and who need to transfer to a suitable property within the new development
- with a need for a bespoke adapted/wheelchair accessible home which is to be provided within a new development (as agreed assessed by the Housing Register Panel)
- to discharge our duty to provide accommodation to some homeless households under the Housing Act 1996 (as amended)

Wherever possible the direct letting of a property will match the applicant's assessed need in terms of number of bedrooms needed or floor level, and any essential requirements on health and welfare grounds. Other factors such as non-essential preferences regarding the location or type of housing will not normally be considered.

14. One offer/refusals

Only one offer of housing will be made to applicants under this Scheme, except in the case of applicants who are applying for designated older persons housing or for existing social housing tenants who are seeking to downsize. which applicants will be expected to accept.

Homeless applicants will only receive one suitable offer of accommodation and this will be the final offer..

Where we have accepted a homelessness duty, the offer of accommodation could be a property the applicant has bid through Kent Homechoice, or a property bid for by a Housing Officer on behalf of the applicant, or a direct offer made to end the Council's homelessness duty. The final offer will be confirmed in writing stating that the Council's duty to the applicant under part VII of the 1996 Housing Act (as amended) will be ended. Every homeless applicant has the right to request a review of suitability of the accommodation offered in discharge of the Council's Part VII duty.

Commented [LC20]: Clarification on how a final offer may be given to end homelessness duty.

Auto bidding on Kent Home Choice is automatically enabled for all homeless applicants and can be arranged for any other applicant on request. Any successful bids through auto bidding by this method will count as the final offer of accommodation.

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An offer of suitable accommodation, which is arranged by way of a nomination to a housing association or private sector property, will be considered to be a reasonable offer. ~~and will discharge the Council's homelessness duty.~~

In all cases, offers will be seen as suitable if they reasonably meet the housing and medical needs of the household. Factors taken into account include property size, location, affordability and, where predetermined by the Accommodation Team, any areas that are considered unsafe. In considering suitability, the Council will give regard to the overall supply and availability of accommodation and the demands placed on it by all priority groups.

Commented [LC21]: Clarification on suitability

If an offer is refused, the reasons for refusal will be considered by the Housing Register Panel who will decide if the property offered was suitable. If the property offered was unsuitable, then one further offer will be made. However, if the property offered was suitable then no further allocation will be made, and the applicant will be removed from the Housing Register and disqualified for 12 months.

See Section 26 for how to ask for a review of an offer if you feel the property is unsuitable for you.

15. Determining Priority

Assessment and Priority List Date

We assess all of the information you provide to support your application and may ask you to provide further evidence to support your application.

If you are eligible and not disqualified, the two main factors that determine priority on the register are your assessed need (Bands A to D) and your priority date. Your priority date will usually be the date that your online application is verified, unless your application is rejected if you fail to provide the information we need to assess it within 28 days of applying.

Where there is a subsequent relevant change in your circumstances that affects your priority band assessment, your priority date will usually be changed to the date we were notified of the change. We will email to tell you whether or not you have been included on the register. If you have been included, we will tell you the size of property you are eligible to bid for and in which priority band you have been placed. You have the right to request a review of the facts of your case that we have used in this assessment.

You must tell us of any change in your circumstances within 14 days of the change. We will email you to let you know if the change affects your level of housing need and/or your priority band. The banding reflects broad levels of housing need, so some changes in your circumstances may make no difference to the band you are in. However, sometimes a significant change in circumstances, such as a move to

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another address, the birth of another child, a change to your household income or savings or a substantial change in mobility may result in a reassessment of your priority. Your application will usually be suspended and you will not be able to bid for any properties until you have provided enough written evidence to allow us to verify the change and reassess your priority, regardless as to whether your priority banding actually changes.

Your household will be placed in the appropriate band according to its highest need, not the accumulation of its needs. For example, if you are awarded priority on the grounds of overcrowding and are lacking two or more bedrooms, you will be placed into Band B regardless of whether you also have another need such as a non-essential medical or welfare reason for moving.

Overcrowding/Under Occupation

We assess overcrowding and under-occupation by comparing the number of bedrooms in your home against your household's needs and in acknowledgement of the minimum standards set out in the Allocations Code of Guidance. You will be assessed as needing one bedroom for the following:

- Every adult couple
- Any other adult aged 18 or over
- Any two children of the same sex aged under 18
- Any two children under aged 10

Households will also be assessed as needing one bedroom for each of the following if they are assessed by the Accommodation Team as being included as part of the household:

- A member of your household who is temporarily absent from your home because they are attending a full time University or higher education course;
- A tenant requiring a non-resident overnight carer - It must be demonstrated that it is essential that applicants require both day and night care. This will be assessed by the Accommodation Team based on a care needs assessment provided by Kent County Council adult social services;
- A disabled child who cannot share a bedroom with their sibling due to their disability - to award this we will require confirmation of the need for an additional bedroom from a medical professional and proof of Disability Living Allowance with care awarded at middle or high rate. The Accommodation Team will assess the information provided and their decision will be final;
- An adult child who is serving away with the armed forces;
- A room for a foster child or children - only one room will be awarded and is subject to confirmation of approved foster status from Kent County Council. Children who are on weekend or holiday visits do not count as being fostered;

Commented [LC22]: Detailed clarification to assist applicants

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- Pregnancy will be included in the room calculation from 22 weeks gestation, although it will not be included in any overcrowding calculation until the baby is born.

A bedroom is defined as any room intended to be used as a bedroom, in line with what is stated on any tenancy agreement and to reflect the level of rent charged. If your current home has two separate living/reception rooms it is probable that one of these could be considered as suitable for use as a bedroom.

For the purposes of assessing overcrowding:

- Two children of the same sex would be expected to share a bedroom until the eldest reaches 18 years of age
- Two children of the opposite sex would be expected to share a bedroom until the eldest reaches 10 years of age
- A couple or single parent would not be expected to share their bedroom with a child
- A room measuring less than 50 sq. ft. (4.65 sq. m) would not be treated as a bedroom.

Deliberately worsening circumstances

If we consider that an applicant has acted unreasonably to make their housing circumstances deliberately worse in their previous accommodation without good reason, or with the aim of qualifying for a higher banding, no additional priority will be awarded.

This applies where an applicant or member of their household has committed anti-social behaviour that would render them unsuitable for re-housing. Cases will be reviewed once the applicant can demonstrate that this behaviour has been addressed. Where applicable, applicants will retain the banding and priority they held before worsening their circumstances.

Commented [LC23]: Additional section to better inform applicants

16. Property Condition

If you rent your current home from a private landlord and you state that your reason for seeking social housing is due to problems with the condition of your home, a member of our Private Sector Housing team will contact you and your landlord or managing agent responsible for the property. You must cooperate with this and any subsequent property inspection that may be required. No priority will be awarded if you withhold your consent to allow us to contact your landlord or prevent works being carried out, for example by refusing to let contractors into your home to undertake the works.

If a visit is determined necessary by the Private Sector Housing team, they will inspect and assess your home using the Housing Health and Safety Rating System (HHSRS). We use this to identify and categorise any hazards to health and safety. A crowding and space hazard is included within the housing needs assessment of overcrowding and, if present, no additional priority will be awarded under property condition grounds.

Band A priority will only be awarded to applicants who currently occupy a property which has at least one Category 1 hazard (excluding crowding and space) where the conditions present an immediate threat of serious injury or are life threatening and where remedial action is considered unreasonable or impractical for cost or other reasons.

Examples of where remedial action is considered unreasonable or impractical is where:

- Work cannot be carried out to remedy a serious hazard with the applicant in residence and no alternative accommodation is available to the applicant to assist in progressing remedial works.
- The risk from the hazard in the property is greater because of being an elderly person or having a young child but the property would be relatively safe for occupation by others.

Band B priority will only be awarded to applicants who occupy a property which has at least one Category 1 hazard (excluding crowding and space) where:

- The hazard(s) identified pose a threat to the health and wellbeing of the occupants but where there is no immediate danger or it is not life-threatening, and remedial action is considered unreasonable or impractical.
- You do not have access to one or more of the basic facilities: bathroom, kitchen, inside toilet, cold or hot water supplies, or gas/electricity and this cannot be remedied within a reasonable timescale. (This does not apply if you live in shared accommodation and share facilities with another household.)

Any priority awarded on the grounds of property condition will be removed if the necessary remedial works are completed before you are offered social housing.

Commented [LC24]: This area is being cross checked for consistency.

17. Financial Criteria

If you have a total household income or capital (including savings) above the thresholds described below, you will not usually be included on the Housing Register. The current thresholds for households are:

- Without dependent children, a total gross annual income of up to £40,000
- With dependent children, a total gross annual income of up to £56,000
- Total capital assets or savings of £16,000 or more, except where the applicant is a Band A transfer applicant who is downsizing from a home that is too large for their needs or is freeing up a wheelchair-adapted home, or is an applicant from any Band who is moving a Band D applicant, who is applying for designated older persons' housing, in which case the total capital assets or savings threshold is £50,000 or more.

When looking at gross income, everything will be taken into account including earnings, overtime payments, benefits, child maintenance and any other relevant income. The gross income level and the asset level will be based on average private rents or the level of deposit required to buy an average priced property in the area and will be reviewed as part of the annual review of this Scheme

Commented [LC25]: Further clarification to assist applicants

Current payments of the following are disregarded as income for the purposes of this assessment:

- Disability living allowance
- Attendance allowance and any benefit treated as attendance allowance
- Personal Independence Payments (PIP)
- Armed Forces Independence Payment
- War pensioner's mobility supplement
- Payments in compensation for non-receipt of the above

The financial thresholds do not apply to homeless persons to whom the Council owes the main housing duty under section 193 of Housing Act 1996 or transfer applications from Secure Tenants/Assured Tenants of housing associations e.g. tenants who wish to downsize.

If you own, or jointly own a property (including under a shared ownership arrangement), whether or not you currently live there, you will not usually be eligible to join the Housing Register. Homeowners who need to move on medical or welfare grounds, or grounds relating to a disability, may be eligible to join the Housing Register if their needs cannot be met by the purchase of a suitable property, funded by the proceeds of the sale of their current property or by using their current income and capital, including savings. All applications from home owners will be considered by the Housing Register Panel.

Commented [LC26]: Clarification for home owners

If you exceed the income/savings limits but wish to apply to join the Housing Register due to exceptional circumstances, all such cases will be considered by the Housing Register Panel. If you are unable to join the Housing Register, you may wish to

Commented [LC27]: Clarification re. exceptional circumstances applications

consider alternative affordable housing options. For information on First Homes and Help to Buy options, such as shared ownership, view our [affordable homes webpage](#).

18. Outstanding housing related debt

It is essential for our partner housing association landlords and private sector landlords to collect rent and other housing-related debt.

Applicants who have an outstanding housing-related debt owed to another Council, housing association or private sector landlord, including, but not limited to, rent arrears, council tax arrears, Housing Benefit or Universal Credit over-payments and rent deposit scheme arrears, will usually be disqualified from joining the Housing Register, unless they have entered into a repayment plan and have made continuous repayments in accordance with the plan for a minimum period of six months. In assessing an application to join the Housing Register, the Council will take into account the size of the debt, the means to pay and the degree of need.

Once their application has been accepted onto the Housing Register, repayments should continue to be made on a regular and sustained basis until the debt is cleared. If the applicant breaches their repayment plan, they will be suspended from receiving any offer of accommodation. If the applicant is successful in bidding for a social home, any outstanding debts must usually be cleared in full before a property will be allocated.

In some cases where an applicant would otherwise be offered accommodation but for such a debt and where it is considered that although regular repayments are in place there is no reasonable prospect of them repaying the debt within the time frame required because they are unable to gain employment because of physical or mental illness, learning or physical disability, or are considered to be unable to adequately manage their finances due to health or disability reasons, the offer may still be agreed. This decision will be made by the Housing Register Panel.

Applicants who have been cautioned or convicted of housing or welfare benefits related fraud where that conviction is unspent under the Rehabilitation of Offenders Act 1974, will usually be disqualified from joining the Housing Register. Any person may apply to join once this conviction is spent.

Commented [LC28]: Clarification for applicants

19. Allocations exceptions

The allocation of housing by a local housing authority (Sevenoaks District Council) is defined in s.159 of the Housing Act 1996 and includes nominating a person to be an assured tenant of housing accommodation held by a registered social landlord / Registered Provider/Housing Association.

The following are not “allocations” under this Scheme:

Commented [LC29]: Legal clarification

- An offer of accommodation to an existing social housing tenant (transfer applicant) with no reasonable preference. Under the Localism Act 2011 such cases are no longer subject to the Allocation rules set by section 166 of the Housing act 1996 Part 6:
 - Succession to a tenancy on an existing social housing tenant's death pursuant to s89 Housing Act 1985, or
 - Assignment of a tenancy to 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
 - An introductory tenancy becoming a secure tenancy. or
 - Mutual exchanges (a swap of homes), unless these relate to Rural Exceptions Housing or accommodation in rural parishes where local needs housing nomination arrangements have been agreed by the Council.
- A housing association initiated transfer (e.g. decant to alternative accommodation to allow for major works).
- Provision of non-secure temporary accommodation in discharge of any homelessness duty or power.
- Allocations which housing associations make outside of their nomination agreement commitments with Sevenoaks District Council.
- Allocations where there may be public protection risks
- Where a Court makes a decision about a tenancy (such as an order under the Children Act).
- Where we let a property directly to someone as temporary accommodation only:
 - Where the tenant is returning to the property after refurbishment or improvement.
 - Tenancies granted under section 39 of the Land Compensation Act 1973 or sections 554 and 555 of the Housing Act 1985.
- ~~Allocation of pitches on traveller sites within the district.~~

Commented [LC30]: Deleted as proposal to Members seeking approval to require applicants for vacant pitches to apply under the Housing Register Scheme with allocations made according to a bespoke policy.

20. Making an application

Everyone who wants to be considered for inclusion on our Housing Register must carry out the application process set out below:

- Follow instructions on how to apply for housing on the online application form.
- Provide original documents to verify your identify and current housing circumstances
- Complete any supplementary forms that we may send or answer further questions that we ask you.

This process ensures that all applicants are assessed in a transparent and consistent manner. That we have all the information needed about your household and current circumstances to determine whether you qualify to join the Housing Register and if so, what priority banding is appropriate.

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You can complete an assessment form to record your household's housing needs if you are 16 years of age or over. You can be included on only one application for housing in this district. This can either be your own personal application or you can be included as a household member in another person's application.

You must complete the assessment form fully and accurately. We will use it to decide your priority on the Housing Register so that housing can be allocated fairly on the basis of the greatest need. We will carry out home visits and interviews to confirm housing needs.

If you are between 16 and 18 years of age, before you are offered social housing, your ability to manage a tenancy will be assessed, usually via a referral to Social Services or other support services, to identify any need for support. You will need a guarantor, usually your parent, legal guardian or other relative as any tenancy granted will be held in trust until you reach 18 years of age.

You are required to sign declarations to confirm that you:

- Have provided true, accurate and complete information
- Will notify us of any change in your circumstances within 14 days of the change.
- Understand that information given on the assessment form will be shared with housing association landlords, other council departments, data matching companies and other relevant parties.
- Consent to us making relevant enquiries to verify the information given on the assessment form.
- Consent to the disclosure of relevant information by third parties to us, or by us to third parties.
- Understand that information provided may be used to help in the detection and prevention of fraud.

If you do not have access to the internet, the Accommodation Team can help you make an application.

Who can be included on your application?

You can include members of your household who are currently living together with you, including:

- Your partner, whether you are married, in a civil partnership or cohabiting
- You and your partner's dependent children under the age of 18, including adopted children
- Relatives, which under this Scheme means adult children, parents or sibling, who have a need to live with you for which evidence is provided.
- Someone who currently lives with you as your caregiver.

We will also consider including partners, carers and dependents who are not currently living with you if you are:

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- No longer able to live independently because you need care and support that they can provide (or they need care and support that you can provide) and you are unable to live together as your current accommodation does not meet any needs arising from a disability (see Section 10).
- Unable to live together as neither you nor any other member of your household have accommodation available which is large enough to accommodate your whole household together
- Where you are applying to set up an independent home for and your household

Advice and information about your application

If you are homeless or threatened with homelessness, you should contact housing@sevenoaks.gov.uk for immediate advice and assistance. Further information can be found on our website www.sevenoaks.gov.uk.

Advice and information about your application to join the housing register can be obtained by emailing accommodationteam@sevenoaks.gov.uk. All applicants accepted onto the Housing Register are entitled to see their registration and receive a copy of their application. An applicant also has the right to request general information to assess how their application is likely to be treated under this housing allocation scheme and whether and when housing appropriate to his/her needs is likely to become available.

Waiting times depend on number of factors:

- Your personal circumstances including your priority banding and the size and type of property needed to meet your household's need
- The number of properties available for letting
- the number of bids placed on each property
- Changes in the law, regulations or guidance, or the rules of this Housing Allocation Scheme.

Only a very general indication can be given as to how long an applicant may have to wait to be successful by using historical allocations data. There is no guarantee of housing by a certain date regardless of the priority band awarded. Households with a relatively low need are likely to wait a very long time and many have no realistic prospect of receiving an offer of social housing.

21. How to Bid

Social housing within the Sevenoaks District is allocated through the Kent HomeChoice (Choice Based Lettings) scheme <http://www.kenthomechoice.org.uk/choice/>. Our housing association partners are members of Kent Homechoice, which is a partnership of local councils and housing associations in Kent.

Applicants who are eligible to join the housing register can express a preference over the area and type of accommodation in which they would like to live.

Commented [LC31]: Clarification/information for applicants

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When properties are advertised on the Kent Home Choice website, applicants are able to express an interest (bid) for the appropriate size of home but with type and location of their choosing. CBL enables applicants to apply for suitable housing in their district via an online bidding process.

After a property is let, feedback about the number of households that made a bid, the priority band of the successful applicant, and their priority date is available to view to bidders on Kent Homechoice. This helps applicants to understand the availability of suitable properties, their likelihood of success when applying and to gain an indication of the time they could be waiting.

Using CBL is in accordance with the District Council's partners' policies of offering people who are to be allocated housing accommodation; a choice of housing accommodation, or the opportunity to express preferences about housing accommodation, where this is practicable.

When your application has been accepted onto our Housing Register you will receive confirmation of your priority banding and details of how to access the Kent Homechoice bidding process. All housing offered by our housing association partners within the district is generally advertised on Kent Homechoice and each property will be available for applicants to place bids for a period of five calendar days.

The advertisements show photographs and give basic details of the properties including:

- The area
- Number of bedrooms
- Floor levels
- Mobility levels
- Weekly rent
- Service charges
- Any pet or age restrictions
- Any specific criteria e.g. Rural Exception Housing and/or Local Lettings Plans

There are no restrictions on the number of properties that you can bid for and you can place bids on any property that meet your household's needs as and when they are advertised.

If you prefer, we can set up auto-bidding on your account which means that a bid will automatically be placed on all properties that meet your needs by the close of bidding so that you will be included on all of the relevant shortlists and do not miss any opportunities to be offered affordable housing. Auto Bidding will be set up for all homeless applicants.

If you do not have access to the internet, the Accommodation Team can help you place bids.

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Certain properties will not be advertised on Kent Homechoice and will be offered as direct lets, or will only be open for bids from certain applicants, e.g. designated older persons' housing and properties that have been adapted for wheelchair users, including direct lets. Properties that have been adapted for wheelchair users and those within designated older persons' housing schemes, are usually offered only to those who would benefit from them. Properties made available under local lettings plans, Rural Exception Sites or accommodation in rural parishes where local needs housing nomination arrangements have been agreed by the Council, will be open to general bidding but will only be allocated to applicants meeting the specific criteria set.

22. How homes are let/allocated

After an advertisement closes on Kent Homechoice, a shortlist is produced. In most cases, the property is offered to the household on the shortlist with the highest position in the highest band. This ranks all the bids placed in priority order, with applicants in Band A first, Band B second and so on. Within each band, the order of bids is ranked by the applicant's date of registration on the housing register, starting with the earliest. The more type and area choices an applicant makes the greater the chance the applicant will be successfully housed.

Different shortlisting rules apply to Rural Exception Sites or accommodation in rural parishes where local needs housing nomination arrangements have been agreed by the Council. In these cases, the applicant's local connection to the host Parish is considered first, followed by Band order and date of registration. An applicant's local connection to the Parish will be verified by the host Parish Council (this will be done in anonymised form).

Commented [LC32]: Additional information for applicants. Important in relation to GDPR.

If two or more applicants share the same priority date within the priority band, the system will place them in order of priority. The applicant at the top of the shortlist will be verified to check that the information they have given is correct and that the property is suitable. Once verified, the highest priority applicant will usually be offered the property, subject to any additional criteria that apply such as a local lettings plan, age restriction or suitability. If an applicant is not verified, does not respond to an offer or the offer is refused, the property will be offered to the next applicant in the shortlist, and so on, until the property is successfully let.

The relative position of bidders on the shortlist for a property may change between the close of bidding and when the property is offered. This will only happen where there is a change in the priority band awarded for one or more bidders on the shortlist, this would normally be as a result of the verification process. In such cases, the property will usually be offered to the applicant with the highest priority at the time the offer is made.

If there are no successful bidders the property will usually be re-advertised or it may be offered as a direct allocation to another applicant on the Housing Register. Once you are shortlisted and nominated for a property you will not be considered for any other properties that you have placed a bid on.

Our housing association partners may have their own lettings policies which prevent a property being offered to an applicant.

Specific allocation policies may apply to supported housing schemes and other specialist accommodation, and these will determine how such homes are let/allocated.

In exceptional circumstances, we may decide to restrict bidding and allocations to certain categories of applicant, e.g. homeless households. This restriction will be time limited and our website will show how long it will remain in force before it is reviewed. The decision to impose restrictions will be made by the Portfolio Holder for Housing & Health.

23. Keeping the register up to date

It is our intention to renew all applications annually, or earlier as and when required. Failure to respond within 28 days to a request to renew your application, will result in your application being removed. If good reason can be shown why there was a failure to respond, then your application may be reinstated at the discretion of the Accommodation Team.

Commented [LC33]: Clarification/information for applicants

We will also remind you to tell us about any changes in your circumstances. If you fail to respond, or fail to provide any further information we ask for within 28 days, we will assume that you no longer wish to be on the register, and your application will be removed. If you notify us of a change of circumstances, you must also supply evidence of the change within 28 days so we can reassess your application.

Your application will be removed from the Housing Register if you:

- Accept an offer of accommodation made from the Housing Register
- Accept a private sector tenancy, including when we have provided financial assistance by way of a rent deposit, and no longer have a qualifying housing need
- Do not respond to the annual review
- Do not respond to correspondence from the Council asking you to provide information
- Are no longer eligible to be included on the register
- No longer wish to be re-housed
- Have left temporary accommodation that we arranged for you and we do not have your forwarding address
- Have moved without notifying us of your new address

24. Local Lettings Plans

National and regional policies encourage new housing schemes to be mixed tenure, catering for a range of needs and aspirations. Alongside this we may use Local Lettings Plans to make social housing available to a wider range and variety of households, rather than concentrations of those with particular support needs, to contribute towards balanced and sustainable communities. This may include giving priority to Local Essential Workers (see Appendix 1) **or other categories of applicant.**

Local lettings plans will set out the criteria and priorities for letting homes within a specific housing development or area. Local Lettings Plans have to be approved by Portfolio Holder for Housing and Health and confirmed by the Head of Housing and the partner housing association.

25. Housing Register Panel

The Housing Register Panel comprises a group of three or more officers with at least one representative from the Accommodation Team, the Housing Options Team and an independent senior manager from the District Council who is not connected to Housing Services. They will meet on a regular basis to make and review decisions. The Panel will normally be chaired by a senior manager who will be responsible for notifying the applicant of the outcome.

The panel may also invite other relevant partners to attend, including but not limited to, the Community Safety Team and partner housing associations landlords. There is no right to review a decision made by the Housing Register Panel.

26. Consideration of offers and refusals

After the shortlisting and checking processes, the successful bidder will be contacted to arrange for them to view the property and attend a verification interview. If you are offered a home, then you would normally be expected to accept or refuse it within 24 hours of the viewing.

If you refuse an offer, your application will be removed from the Housing Register and you will be disqualified for 12 months. **You may apply to join the Housing Register again after 12 months.** See section 14 for more details.

If you feel the property you have been offered does not meet your needs, you can ask for a review as to the suitability of the property and you will need to provide detailed reasons for your refusal.

Your request will be considered by the Housing Register Panel who will consider the suitability of the offer in accordance with your assessed needs taking into account (but not limited to):

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- The size, floor level, space and arrangement of the property, and whether it meets the housing needs of the household
- Any medical or welfare grounds for re-housing
- Any risk of domestic or other violence.

We will not hold the property for you during the review period; it will be immediately re-offered to another applicant and you will not receive any further offers during this time. If the review confirms the property was suitable your refusal will result in your application being removed from the Housing Register and you being disqualified for 12 months. If your reasons for refusal are accepted by the Housing Register Panel and the property offered is considered to be unsuitable for your needs, you will be able to continue bidding without any penalty.

27. Reinstatement of exceptional cases

In exceptional circumstances the Council may reinstate applications which have been disqualified or suspended for a particular reason. Applicants should write to the Housing Register Panel who may reinstate the applicant or make an offer if they are satisfied, and it can be proved that disqualification from the Housing Register would cause exceptional hardship to the applicant and their household. There will be no further right of review of the decision of the Housing Register Panel.

The effect of a decision to reinstate a disqualified application on the grounds of exceptional hardship will be that the application is treated as having been made on the date it was originally made, not the date on which it was reinstated.

28. Ineligible or disqualified from the register

We will write to you to notify you if we decide that you are not eligible or disqualified from the housing register. You have a right to review the decision, details of how we carry out the review can be found at Section 30 of this Scheme.

29. Inaccurate information provided

The Council is under a duty to protect the public funds it administers and to this end may use the information you provide for the prevention and detection of fraud. It may also share this information with other Council departments, other local authorities, Government agencies and credit referencing agencies for the detection and prevention of crime.

It is an offence under the Housing Act 1996 and/or the Fraud Act 2006 for anyone seeking help from the Council to:

- give false or misleading information
- withhold information that we have asked for on an assessment form or other correspondence

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- fail to tell us of a relevant change in circumstances which could affect the priority of housing awarded

This may result in prosecution, your application being suspended or cancelled and/or any tenancy granted to you being terminated. Prosecution by the Council could result in a sentence of up to ten years in prison.

It is your responsibility to inform us of any change that could affect the priority that has been awarded. If we offer affordable housing to you and, on further investigation, it appears that your circumstances had changed before the offer in a way that affected your housing priority, we reserve the right to withdraw the offer. While the investigation is ongoing the property will not usually be held for you and will be reallocated to the next person on the shortlist.

When housing has been allocated on the basis of false or misleading information, legal action may be taken to obtain possession of the property. We will decide when these provisions apply and when to begin criminal proceedings.

The Housing Register is registered under the current data protection legislation. Information on it is received, held, and disclosed only for registered purposes. For Rural Exceptions Housing schemes and accommodation in rural parishes where local needs housing nomination arrangements have been agreed by the Council, applicant details may be shared with the host Parish Council prior to an offer of housing being made.

Applicants have the right to see information on their file relating to their application except where this involves confidential third-party information. If an applicant is not eligible or does not meet the qualifying criteria for inclusion on the register or respond to an annual review of their entry on the register or is otherwise removed from the register, their records will be kept for five years before being confidentially deleted.

30. Right to review

You have the right to request a review of any decision:

- To treat you as ineligible because of your immigration status
- To exclude or suspend you from the register because you do not qualify
- Setting out the facts of your case which have been, or are likely to be, considered in determining your priority on the register.

The notification of the decision will give clear grounds for the decision based on the relevant facts of your case. To request a review of a decision you must make a request in writing within 21 days of receiving it and clearly state why you do not agree with the decision. We may ask you to provide more information and/or attend an interview. Reviews will usually be carried out by the Housing Register Panel.

The review will look at your case based on the rules in our Scheme, any legal requirements and all relevant information. This includes information you have

Appendix 1

provided and any changes since the original decision was made, for example paying off arrears or setting up a repayment plan, or where someone responsible for anti-social behaviour has left your household. We will not carry out a further review of the decision unless there is a material change in your circumstances.

31. Equality and diversity

Sevenoaks is a diverse district and home to people from a wide range of backgrounds and communities. We are committed to all our residents having the opportunity to reach their potential and seek to ensure our services meet all their needs.

We seek to ensure that no section of our community is excluded from the benefits and opportunities available and that we always have regard to the need to eliminate discrimination, harassment, and victimisation.

This housing allocation scheme will be applied consistently to everyone who applies to or is on the housing register, regardless of race, gender, disability, age, sexuality, sexual orientation, religion or belief.

32. Scheme maintenance

The Scheme will remain in place and in operation for 5 years from the date of adoption.

Sevenoaks District Council's Housing Service is responsible for this Scheme and will review its operation every 12 months and follow any changes to the relevant legislation or regulations.

It may sometimes be necessary to make minor amendments, which do not represent a major change of Scheme. This will include an annual review of income thresholds. Authority to introduce such minor amendments is delegated to the Chief Officer - People and Places, in consultation with the Portfolio Holder for Housing and Health.

We will seek to inform all applicants of any changes to this scheme by publicising details on our website and on Kent Homechoice.

Commented [LC34]: Review period recommended on an annual basis.

Appendix 1.1 – definition of Local Essential Worker

A Local Essential Worker is defined as someone employed/**self employed** in the Sevenoaks District (as set out in Section 3) and who works in one of the following occupations:

- Public sector employees providing frontline services in areas including health, education and community safety, including NHS staff, teachers, police, firefighters, military personnel, social care and childcare workers;
- School support staff in the public sector;
- District Council employees who provide frontline services;
- Kent County Council and Town/Parish Council employees (from the 31 Town/Parishes located within the District) who provide frontline services;
- Private sector employees and the self-employed*, providing frontline services in care, including teachers and school support staff, health care, social care and childcare workers;
- Private sector employees and the self-employed who provide frontline services in amenities, including cleaners, kitchen/catering staff, shop workers, hairdressers, local transport, food processing/production and agriculture; and
- Any other frontline occupational group experiencing recruitment or retention issues - such issues being first evidenced to the satisfaction of the District Council.

Any changes to the definition will be at the sole discretion of the District Council, as approved by the Portfolio Holder for Housing & Health. Any changes will be shown on the District Council's website.