



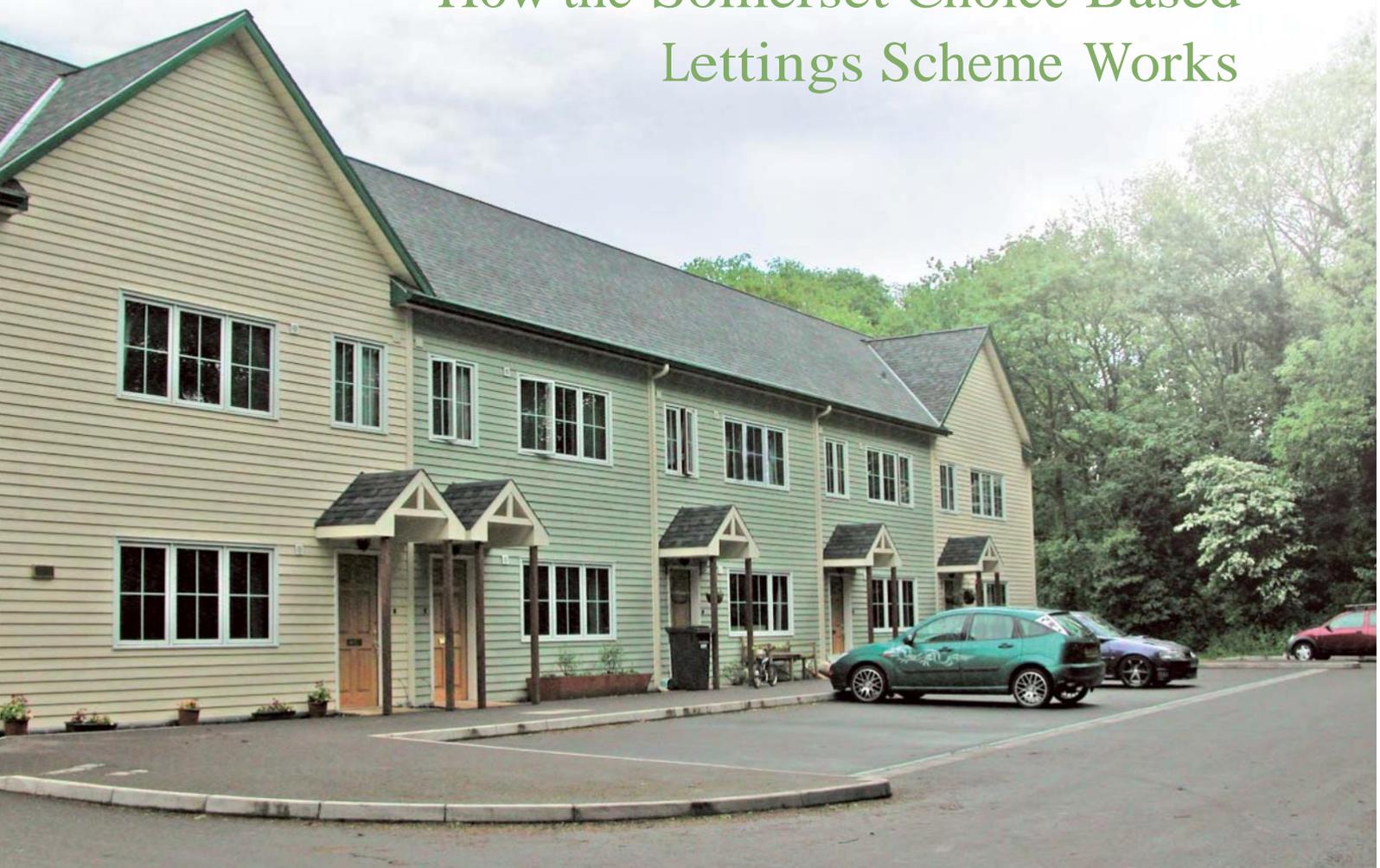
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# Homefinder Somerset Common Lettings Policy

April 2016

How the Somerset Choice Based  
Lettings Scheme Works





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## Homefinder Somerset - Common Lettings & Assessment Policy

### I. Introduction

I.1. This document describes the Homefinder Somerset Choice Based Lettings Scheme (CBL) and Common Housing Allocation Policy run by the five Somerset district councils in partnership with the majority of housing associations operating within Somerset. It has been drawn up with regard to the following documents:

- Somerset Strategic Housing Framework
- Somerset Homelessness Strategy
- Somerset Tenancy Strategy

I.2. We believe that such schemes involving a partnership of housing authorities and registered providers of social housing working together with private landlords wherever possible is the best way to achieve the greatest choice and flexibility meeting applicant's needs.

The scheme's key objectives are:

- To deliver a customer-led choice based lettings system.
- To widen the choice of housing outside traditional local authority boundaries.
- To ensure the scheme is open, fair and accountable to applicants and staff.
- To increase understanding and satisfaction in the lettings system.
- To give new tenants a feeling of ownership of their property.
- To help create 'sustainable' communities.
- To make more efficient use of the available housing stock.
- To help tackle low demand.
- To reduce 'void' turnaround times.
- To reduce the number of refusals on 'hard to let' properties.
- To create a single point of access to all social housing in the County.
- To bring together a larger pool of available housing, giving applicants more choice and helping to ease localised problems of high demand.
- To enable greater regional mobility.
- To meet the legal requirements for the allocation of social housing as set out in the Housing Act` (1996) as amended by the Homelessness Act (2002).

### 2. The Scheme in Brief

2.1. All applicants for social housing across Somerset will complete the same application form and will be assessed against the same clear set of criteria laid out in the 'Banding' structure (see section 6). Depending on their circumstances, applicants will be placed into one of four Bands, Gold, Silver, and Bronze or in a very small number of cases an Emergency Priority Band.

2.2. Once the application has been registered, applicants will be advised of their banding, application date, the size of property they are eligible for, together with a personal reference number which will enable them to express an interest for social housing vacancies being



advertised across the whole of Somerset. Affordable housing including shared ownership and accredited private sector vacancies may also be advertised using this same process.

- 2.3. Expressions of interest for properties can be made, by using an automated phone line, the Homefinder Somerset website (via the Internet), or in person by visiting an office of one of the partner landlords. Applicants will be able to monitor the success of their expressions of interest and their history of expressions of interest via the website.
- 2.4. Once the deadline has passed for expressions of interest to be made, the successful applicant will usually be the person in the highest band with the earliest application date. An offer will then be made subject to the potential landlord confirming the details on the original application form and the current circumstances of the applicant. Incorrect information may result in the offer being withdrawn and the band being re-assessed.
- 2.5. Applicants for sheltered or supported housing will also have an assessment of their support needs. Applicants with identified support needs that express an interest for sheltered or supported housing vacancies will have priority over other applicants within the same band irrespective of whether those with no identified support needs have an earlier application date.
- 2.6. The banding and application date of the successful applicant, together with the total number of expressions of interest made for each property will be published. This enables applicants to develop realistic expectations regarding their chances of success and likely waiting period.

### 3. Application Procedure - Who Can Apply?

- 3.1. The Homefinder Somerset Register is open to almost any one. It may include existing tenants looking to transfer to another property, homeless families looking for a permanent home and other applicants who either rent in the private sector, own or are buying a property or lodging with family and friends. Married couples and civil partners will receive equal treatment under the policy. Social landlords normally allocate properties to families in order to make the best use of stock – please refer to section 13 (property size) for more information.
- 3.2. The main applicant is the individual named as such on the Homefinder Somerset application form. The application may include anyone that is reasonably expected to live together as part of the same household; this may include friends of the applicant. If a friend is included on the application then they will normally be expected to be a joint applicant and a joint tenant on any tenancy granted at the discretion of the landlord.
- 3.3. Where the main applicant names a joint applicant on their Homefinder Somerset application they will be treated as joint applicants. Where the policy refers to applicants this includes the main and joint applicants.



- 3.4. To apply for a property, applicants must be registered on the Homefinder Somerset Register and that application must reflect their current circumstances.
- 3.5. Application packs are available from the offices of all the partners within the scheme and include details of how the scheme works and how to find and express an interest for a home
- 3.6. Who Cannot Participate?
- 3.6.1. The Homefinder Somerset Register is open to all applicants except the following:
- 3.6.2. Persons from abroad who fail the 'habitual residence' test, UNLESS they have refugee status, exceptional leave to remain or indefinite leave to remain. Habitual Residency provides details about an applicant's right to stay in the UK and any eligibility for public housing.
- 3.6.3. There are certain regulations laid out by statute that govern the allocation of properties to persons from abroad and these will be referred to when assessing applications.

#### **Persons between 16 and 18 years of age**

- 3.6.4. It should be noted that a tenancy will not usually be given to applicants under the age of 18 years without a 'guarantor' (e.g. Social Services, parent, guardian, litigation friend). Partner organisations may have different policies in dealing with persons under the age of 18. For more details please contact the individual landlord.

#### **Non Qualifying Persons**

- 3.6.5 Applicants who do not have a local connection to one of the five local authority partners within Homefinder Somerset (as defined in section 22.4 below) will not qualify to join the Homefinder Somerset Housing Register.

#### **3.7. What Other Factors Are Taken Into Account?**

- 3.7.1. An application can be affected where there is evidence that an applicant has broken their existing or previous tenancy conditions (including rent arrears and anti-social behaviour) for which there are statutory grounds for possession, or who have committed acts of physical violence against staff or other residents. Grounds will not be used as a 'blanket ban' against all such people, but will be considered alongside each applicant's relative housing need. See Selection Procedure 24.3.
- 3.7.2. Where possible, such grounds will be identified at the initial application stage of the Homefinder Somerset process and the applicant will be informed in writing that any expression of interest for a property may be unsuccessful. All partners of Homefinder Somerset will also be notified of this decision. Applicants will be informed, on request, of decisions about the facts of the case that may affect whether to allocate housing.



3.7.3. Any applicant has the right for a review of the following decisions:

- a) That they are ineligible.
- b) That all priority will be suspended because of unacceptable behaviour.
- c) About the facts of their case: e.g. banding or eligibility for a property.

A Housing Officer who has not been involved in the original decision will carry out such reviews.



#### 4. Protocol for Housing Dangerous Offenders and Potentially Dangerous Offenders

- 4.1. All five District Councils within the scheme have entered into an agreement to use the Somerset Multi-Agency Protocol in dealing with dangerous offenders in order to exchange information on any applicant who has been convicted of a serious offence. Any applicant who confirms on their application form, or who is suspected, or accused, of being a dangerous offender, will be subjected to the provisions set out in the information exchange protocol.
- 4.2. There is not a blanket ban preventing dangerous offenders from being included on the housing register. However, before any known offender is offered housing, full consultation will be undertaken with the relevant support agencies to assess the risks involved. Some dangerous offenders will be given a high priority so that the relevant agencies can continue to monitor them. The Somerset Multi-Agency Protocol is only for specific offender group and only covers referrals from the Public Protection Team and Avon and Somerset Constabulary and does not guarantee the provision of a tenancy.
- 4.3. Re-housing of dangerous offenders will be carried out in consultation with the relevant agencies to minimise the risk to the public and with the long term aim of influencing the successful accommodation and resettlement of the offender, thus minimising the risk of re-offending and protecting the public and victims of offenders. The Local Authorities or Probation will express an interest on behalf of any applicant who falls within this category.
- 4.4. In the interests of public protection, it is essential that the Police and Probation Service are able to control and monitor the behaviour and activities of dangerous offenders. This task is made more difficult if such offenders do not have a fixed address or are housed in circumstances that make it difficult for the agencies to monitor them appropriately.

#### 5. Transfer Policy

- 5.1. All existing tenants of the partners have the right to apply for a transfer, subject to any restrictions that apply to their tenancy. Tenants' housing needs will be assessed and placed in the relevant band on the register together with all other applicants.
- 5.2. Some advertised properties will be labelled giving preference to transfer applicants to ensure that each landlord makes the best use of their housing stock.



## 6. Assessment of Applications

- 6.1. The scheme will assess all applications according to the level of housing need of individual applicants. All applications will be placed into one of four Bands - Gold, Silver or Bronze or in exceptional circumstances placed into Emergency Priority Band (section 7 refers).

### **Applicants financial resources**

- 6.2 Social Housing provided throughout Homefinder Somerset is for people who are considered to have insufficient resources to meet their housing need.
- 6.3 The resources available to each household will be assessed to determine whether they are sufficient to meet their housing need in accordance with this policy.

### **Household Income**

- 6.4 Applicants with a gross household income more than five times higher than the relevant Local Housing Allowance level (or successor) prevailing in the relevant Somerset local authority area at the time will normally be considered to be able to meet their housing need, through either renting privately or owner occupation. Local affordability issues will be taken into account given that some areas of Somerset have especially high property values. Such applicants will therefore be placed in the Bronze housing need band unless the applicant falls within the circumstances set out at 6.8 below.
- 6.5 Further information on the financial assessment and the Local Housing Allowance rates that apply across Somerset are available from local authority housing teams.

The following types of income are fully disregarded:

- Attendance Allowance
- Disability Living Allowance

### **Capital, Savings and Equity**

- 6.6 The capital, savings, property, land and equity available to an applicant's household will be assessed. If it is determined that, given:
- The applicant's household capital, savings, property, land and equity;
  - The size and composition of the applicant's household;
  - The local housing market (for example prices to buy or rent privately);

that an applicant can resolve their own housing need within their local housing market, they will be placed in the bronze housing need band.

- 6.7 Applicants can contact their local authority housing teams for details of how this assessment is made.



6.8 The following types of applicants may be exempt from the requirement for a financial assessment:

- a) Applicants who have an overriding medical or support need;
- b) Applicants applying for extra care housing from a Homefinder Somerset partner landlord;
- c) Applicants applying for sheltered housing Homefinder Somerset partner landlord;
- d) Applicants who are under occupying a Homefinder Somerset partner landlord property type that is in high demand in a specific area (excluding private rented tenants);
- e) Applicants that need to be decanted from Homefinder Somerset partner landlord accommodation;
- f) Applicants that are left in a Homefinder Somerset partner landlord property where the tenancy agreement states that the Homefinder Somerset partner landlord will provide the applicant with another property when the tenant dies.

These exemptions will be dealt with on a case by case basis.

6.9 Partner landlords within Homefinder Somerset may have different policies relating to the levels of income and other assets of those households that they will accommodate. Whether an expression of interest for a home is accepted will therefore be subject to the policies of the each partner landlord. More information is available from each Homefinder Somerset partner.

6.10 Applicants may be required to demonstrate that they can afford the rent on any prospective tenancy before being allowed to sign for it.

### **Banding Criteria**

6.11 Note that an applicant who accepts an offer of housing that does not fully meet their housing needs and then subsequently reapplies to the housing register with no change in their circumstances, will normally be placed in the bronze band.

6.12 The criteria for being placed within each band is as follows:

### **Gold Band**

#### **Homeless/Threatened with Homelessness:**

Applicants accepted as homeless by a local authority within the Homefinder Somerset area under Part VII of the Housing Act 1996, (as amended by the Homelessness Act 2002) including Rent (Agricultural) Act Cases.

#### **Lack of bedrooms / Overcrowding:**

Applicants who lack 2 or more bedrooms, (Section 13 refers) or have been confirmed as overcrowded (defined as a category 1 hazard and/or Statutory overcrowded) by a Local Authority officer, UNLESS evidence exists that proves the overcrowding is deliberate.

Where an applicant is sharing facilities please also see Silver band Lodger/Shared Accommodation.

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## **Harassment:**

The applicant is a victim of harassment or violence (including racial harassment) at their current property within the Homefinder Somerset area, providing evidence exists to substantiate the claim (e.g. from Police/Housing Officers). This band will last for three months and may be extended for a further three months if the harassment or violence is continuing and evidence is provided to confirm this. Applicants must express an interest on properties away from the area where the harassment or violence is or has been occurring.

## **Medical/Welfare:**

The applicant is awarded a 'high' medical/welfare priority (see section 14).

Note that where public monies have been committed or works begun to adapt the applicants property to meet the applicants housing needs the applicant may be moved to bronze band.

## **Disrepair:**

Based on the conditions identified, the local authority has deemed your home to have the presence of Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CANNOT be resolved or reduced to a Category 2 hazard within 6 months. In all cases the landlord must be informed of the hazard for this banding to apply.

## **Supported Housing:**

The applicant resides within a short-term Supported Housing project within the Homefinder Somerset area (usually up to a maximum of two years) and is seeking to 'move-on' into independent accommodation. NB: The Project Manager of the scheme must confirm in writing that the applicant is ready for such a move and has acquired reasonable skills to sustain a tenancy. Until this time, the applicant will be placed within the Bronze Band. The effective date will be the date they entered the Supported Housing, or the date a homeless application was made, where the earliest date will apply.

## **Care Leavers:**

Where a young person who has been looked after, fostered or accommodated and has had a duty of care accepted under the Children Act in the Homefinder Somerset area, and is ready for independent living, they should be awarded gold band to enable a planned move on to independent suitable accommodation providing a support plan is in place. The application date will be the date of the applicants 16<sup>th</sup> birthday.

## **Combined Medical/Welfare:**

The applicant has been awarded a 'medium' medical priority, combined with a 'medium' disrepair award from the Silver Band (See Appendix 1&2).

## **Cumulative need**

The applicant is awarded three or more silver band housing needs with the exception of those applicants that are found to be intentionally homeless by the relevant local authority.



### **Decants**

Social Housing Tenants of a Homefinder Somerset landlord whose existing properties are subject to major works for rebuilding/renovation or re-designation and are within the Homefinder Somerset area and need to move to another location, will be placed into the gold band to enable them to move quickly. Applicants will be placed into gold band up to 12 months before the proposed start date of the scheme/works (this date has to be confirmed by the landlord) and will be given an effective date 1 year prior to their actual application date.

### **Tenancy Succession**

Where the Local Authority receives written support from a Homefinder Somerset landlord that an applicant has been living in a social housing property within the Homefinder Somerset area but has no legal right to succession on that property and the landlord confirms that they intend to pursue possession of the property, or the applicant needs to move to a different property in order to make best use of stock, then the applicant may be placed into gold band. The applicant will be subject automatic expressions of interest after a 9 month period. Please refer to section 26.8 for further details.

### **Silver Band**

#### **Medical/Welfare:**

Applicant awarded a 'medium' medical /welfare priority (see section 14).

#### **Disrepair:**

Based on the conditions identified by the local authority, it has been shown that your home has Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CAN be resolved or reduced to a Category 2 hazard within 6 months and/or has shown that your home has Category 2 hazards, Band D (Housing Health & Safety Rating System).or at least 4 Category 2 Hazards of any rating. In all cases the landlord must be informed of the hazard in order for this banding to apply.

#### **Lodgers/Shared Facilities:**

Applicants that have dependent children and are lodging with friends or family or in accommodation with shared living facilities. This will take precedence over any lack of bedroom requirements.

#### **Lack of bedrooms:**

Applicants who lack one bedroom in their current home.

#### **Other Homeless:**

Homeless/threatened with homelessness applicants not accepted by the Homefinder Somerset partners under Part VII of the Housing Act 1996 or who have nowhere to live (e.g. No Fixed Abode 'NFA'). This band will be awarded 2 months before the expiry date of a valid notice to quit.



## **Split Families:**

Applicants who, not by choice are living in separate households due to the lack of suitable accommodation available, and cannot live together and wish to be re-housed and have not been accepted by the Homefinder Somerset Partners under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002). This includes those who may not have been living as part of the household at the time of the application, but whom it would be reasonable to expect to live with the applicant, as part of his/her household. An application form should be completed by the household living in the worst property out of the households applying, to ensure the application is placed in the correct banding.

## **Work/Support**

Applicants who are able to demonstrate the need to move nearer their place of work within, the Homefinder Somerset area because they have secured or has permanent employment (over 16 hours) in the area (evidence of the employment must be provided). Also applicants who are able to demonstrate the need to move nearer local facilities or relatives, in order to receive, or give, essential and critical medical or other support or care within the Homefinder Somerset area where significant harm would result if this was not provided.

## **Bronze Band**

### **Adequately Housed:**

Applicants who, at the time of their application, live in a property which is adequate for their needs in terms of size and facilities. This applies to applicants who live in social housing, are owner-occupiers or tenants of private landlords. Note an applicant that lives in a self contained bedsit/studio flat or apartment where no facilities are shared will be banded in bronze unless they have other housing needs.

### **Owner occupiers:**

Applicants who are owner-occupiers (this includes shared equity properties), whose home is not suitable for their needs and who have sufficient equity within the property to obtain suitable alternative accommodation. The Local Authority will consider each application on an individual basis. (Note: high medical needs or disrepair problems may over-ride this rule and place the applicant in a higher band).

### **Medical/ welfare:**

Applicants awarded a low medical/welfare assessment. (See Section 14)

### **Disrepair:**

No significant hazards identified justifying enforcement action by the local authority. (See Appendix 1).



**Move-on:**

Applicants who are living in short term supported housing within the Homefinder Somerset area or are care leavers, prior to confirmation received by the Project Manager of the scheme or relevant care leavers protocol arrangements that the applicant is ready to move on, (at which point they will be placed into the Gold Band whilst maintaining their original application date).

**Lodgers/Shared Facilities:**

Applicants with no dependent children that are lodging with friends or family or in accommodation with shared living facilities. This will take precedence over any lack of bedroom requirements.

**Adequate Financial Resources**

Applicants that are deemed to have adequate financial resources that can meet their own housing needs.

**Accepted An Offer That Doesn't Meet Needs**

The applicant has accepted a tenancy and moved into accommodation that does not meet their housing needs.

**Previous use of Under Occupation**

The applicant has previously made use of the underoccupation banding and has reapplied to the register with no other change in circumstances.

**No Housing Need**

The applicant has no identifiable housing need.

**Deliberately Worsened Circumstances**

Households that have been assessed as having deliberately worsened their housing circumstances by moving into accommodation that is unsuitable for their needs and /or by taking no action to improve their circumstances which can be evidenced may be placed into bronze band.

**Sheltered Housing/Extra Care No Local Connection**

Applicants applying for sheltered housing or extra care housing that have no local connection and no other housing needs.



## 7. Emergency Priority Band

- 7.1. An 'Emergency Priority Band' will only be issued to any applicant who requires an 'urgent' move to ensure the applicant's safety and welfare for whatever reason. Substantial evidence must exist before such a priority is awarded. This priority may be awarded where circumstances could include:
- a) The award of an 'urgent' medical assessment as defined in appendix 2 or
  - b) The award of an 'urgent' disrepair inspection by a Housing Standard Officer or Environmental Health Officer (EHO), or
  - c) In extreme cases where the Police or other relevant agency recommend an urgent move to escape violence or threats of violence. Applicants must express an interest on properties away from the area where the violence or threat is or has been occurring) , or
  - d) Where the applicant, or a member of their household, has suffered a sudden 'traumatic event' which is linked to their home and living within their home will cause considerable distress (e.g. serious sexual assault), or
  - e) Where there are extreme cases of cumulative need and where it is unacceptable for the applicant to remain in the current banding (subject to the discretion of the Assessment Panel).
- 7.2. Please note that awarding of 'Emergency Priority Band' can only be made by the Assessment Panel except where confirmation has been received from a hospital that an applicant is bed blocking and they are unable return to their home due to its unsuitability or where the circumstances referred to 7.3 below apply. Where an immediate decision is required, the Senior Manager within the respective local authority administering the housing register will consult two other members of the Assessment Panel, one of which must be from another partner organisation in order for a decision to be made. The case, and subsequent decision, must be reported to the next Assessment Panel meeting.
- 7.3. Emergency Priority Band is time limited and will last for 28 calendar days. If the applicant has not applied for a property suitable for their needs within that time their Emergency Priority Band will be reviewed by the Assessment Panel and if not renewed the applicant will be placed in the appropriate band for their needs. If no suitable vacancy has arisen within this time then the Emergency Priority Band will be renewed automatically.



## 8. Application Date & Effective Date

- 8.1. All applications will be given an 'Application Date', this is the date the application is **treated** as being received. This date determines how long an individual has been on the housing register and is usually the date the application is made.

All applications will also be given an 'Effective Date' this is the critical date for allocation purposes. The Effective date is the date the applicant was placed in their current band, for most applicants this will be the same as their application date (see 8.1 (a) to (c) and 8.2(a) to (d) for exceptions). If an applicant's circumstances alter resulting in a change of banding their Effective date would be amended (see 9.2 for details).

a) Applicants in short term supported housing will be given an effective date of the date they moved into the scheme.

b) Homeless applicants accepted under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) will be given an effective date of the date the formal homeless application is taken by the Local Authority, unless they are already in Gold band for other needs.

c) Care leavers with a care plan in place and confirmation they are ready to move on will be given an effective date of the date they reach their 16th birthday.

- 8.2 In order to give additional priority to the following groups:

- (a) Serving members of the armed forces or those that have served in the last 5 years.
- (b) 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
- (c) bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service
- (d) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

In these cases the effective date will be backdated two years from the date of application. The backdating can only be used once by any applicant.



## 9. Change of Circumstances

- 9.1. A change to the information supplied on the initial application could result in a change of banding and, or bedroom eligibility. Once registered for housing the applicant has a responsibility to promptly report any change of circumstance to the local authority in writing or by completing a paper or online change of circumstance form.

Examples of changes in circumstances that an applicant must report are:

- Change in household members
- Change in medical condition of any household member
- Changes/alterations to the condition of the property they live in
- Changes in income of any household member
- Changes in capital including the inheritance of any capital or property of any household member
- The inclusion or exclusion of domestic pets
- They no longer wish to remain on the housing register
- Where a landlord has carried out improvements to remove previously identified hazards

If an applicant **changes address** and wishes to remain on the register a new housing register application must be completed within 28 days of the date of the change of address occurring.

- 9.2. After the initial banding of an application where the application and effective date are usually the same. If there is a change in the applicants' circumstances resulting in a move to a higher band; the effective date will be amended to the date the change is reported. If an application is moved into a lower band the effective date will be amended to the application date.
- 9.3. In circumstances where registered 'Joint' applicants subsequently separate, the Homefinder Somerset scheme reserves the right to apply the original registration date to the household affected.

## 10. Application Renewals

### 10.1. Annual Renewal

Within 12 months from their initial registration date, all applicants may be sent a renewal letter. If the renewal information is not returned within 28 calendar days a cancellation letter will be sent.

If the applicant has been identified as potentially disadvantaged, including prison leavers, a letter will be also be sent to the carer/agency specified. Failure to respond may result in a cancellation of application. Applications that are cancelled are subject to the review process.



## 10.2. No Expression of Interest Renewals

Where an applicant has not expressed an interest in any available properties for one year, from their date of application, they may be contacted to see if they still wish to remain on the Homefinder Somerset Register. If there is no response within the required time limit of 28 calendar days from the letter being sent, the application may be cancelled. The applicant will be notified of the cancellation in writing. If the applicant contacts the Local Authority within 28 calendar days of their application being cancelled and indicates that they still wish to be considered for housing the application will be reinstated from their last application date in band.

## 11. Cancelling Applications

### 11.1. An application will be cancelled from the Homefinder Somerset Register in the following circumstances:

- At the request of an applicant,
- Where an applicant does not respond to an application review, within the specified time limit,
- Where a Local Authority or a Registered Social Landlord has housed the applicant,
- When a tenant completes a mutual exchange,
- Where an applicant does not maintain their application through the review process, or where the applicant moves and does not provide a contact address,
- Where the applicant has not supplied the relevant information requested within 28 calendar days.

### 11.2. When an application has been cancelled (except where an applicant is housed by a Homefinder Somerset partner landlord) , the applicant or their representative will be notified in writing. Where an applicant has been highlighted as potentially disadvantaged, the Local Authority will contact the applicant to check their circumstances before cancelling the application.

### 11.3. Any applicant whose application has been cancelled has the right to ask for a review of the decision.

## 12. Rejoining the Homefinder Somerset Housing Register

### 12.1. Where an applicant wishes to re-join the housing register at a later date their new date of registration will be the date they re-apply. Their date in band will be the date that they are placed in the housing needs band following assessment of the new application. This will apply to all applicants unless the applicant falls within the provisions of section 8.2 in which case those provisions will apply.



## 13. Size of Property

- 13.1 Applicants will be able to express an interest for selected properties that match the needs of their household. A maximum of two people can share a bedroom. Household members living together as a couple will be assessed as requiring one bedroom unless there are exceptional circumstances.

To calculate the bedroom eligibility we normally allow one bedroom for:

- A single applicant or couple (married or unmarried)

We normally allow one additional bedroom for:

- Any two children of the same sex under the age of 16
- Any two children under 10 irrespective of sex
- Any other person aged 16 or over
- Any other child, (other than a child whose main home is elsewhere)
- A carer who does not live in the household but provides a household member with long term overnight care

The bedroom calculation awards a separate bedroom for any other person over the age of sixteen. If the household has two same sex household members that wish to share a bedroom the applicant must sign a 'bedroom reduction declaration form' to confirm this. This would allow applicants to express interest on properties smaller than the standard bedroom calculation. The applicant will be made aware that their current banding could be affected and should they need to reapply for social housing this declaration will be taken into account when calculating the bedroom requirement.

When letting houses, priority will normally be given to households with children under the age of 16. Individual landlord's letting policies or local planning policies can affect the size of the households that may apply for particular properties. Any such restrictions will be included in the property advert.

- 13.2 Because of the very high demand for properties within Somerset, additional bedrooms cannot be given to applicants who do not have children who normally live permanently with them as their full time principle home. Partner landlords may choose to allow applicants to express an interest for properties that are larger than their needs but this will be on a property by property basis and is at the landlord's discretion.
- 13.3 For any current tenant of a partner landlord downsizing to smaller accommodation there are restrictions on the size of property they can move in order to prevent overcrowding. The new property has to have at least one bedroom less than their current home. However in certain circumstances, where an applicant for example is moving from a house to a flat with the same number of bedrooms, then the number of bedrooms in the new property maybe disregarded.
- 13.4 Where tenants of a partner landlord are overcrowded within their accommodation account should be taken of the room sizes in determining an applicant's banding. For example, where a tenant is living in 2 bedroom, 3 bed space unit, if there is a couple and 2 children living within the property, these applicants should be viewed as one bedroom overcrowded, Silver Band, eligible
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to apply for a 2 bedroom property, as they are one bed space overcrowded. The bedroom eligibility is not changed.

- 13.5 Applicants who are overcrowded by 2 bedroom spaces or more should be 'Gold Banded'. See section 6.1 – gold band for further information.
- 13.5.1 When calculating bedroom entitlement **members of the main or joint applicants household not currently living** as part of the household can be taken into consideration if any of the criteria detailed in sections 13.5.2 to 13.5.4 below are met:
- 13.5.2 The main or joint applicant has **adult child/children in the armed forces** and the child/children's main and principle home is with the main or joint applicant. Evidence for this will be required (e.g. Forces paperwork).
- 13.5.3 The main or joint applicant has **adult child/children in full time education** and their main and principle home is with the main or joint applicant. Except where the child /children is in rented accommodation for the purposes of attending their full time education course where an additional bedroom cannot be granted (except where this accommodation is for term time only). Evidence for this will be required (e.g. halls of residence letter, tenancy agreement).
- 13.5.4 The main or joint applicant has been given the **custody of a child/children currently in care, a foster placement or living with another family member** and the child/children will be returning to the main or joint applicants household on a permanent basis. Evidence will be required for this (e.g. a court order or confirmation in writing from Social Services).
- 13.5.5 The main or joint applicant is **pregnant**. If the expected baby would mean a change to the existing bedroom need of the household an additional bedroom can be granted on receipt of evidence of expected delivery date. If the award of an additional bedroom would affect the banding of the application this will not take effect until confirmation of the birth is received.. Evidence will be required for this (e.g. the main or joint applicant adding new child's details to the application by completing an online change of circumstances or receipt of a birth certificate.).
- 13.6 An **additional bedroom** over and above the calculated bedroom need of an applicants' existing household as detailed in 13.1 may be granted if one of the criteria detailed in 13.6.1 to 13.6.6 are met. Evidence of the need for an additional bedroom must be provided by or on behalf of the main or joint applicant. For the purposes of points 13.6.2 and 13.6.3 a medical professional is considered to be a General Practitioner, Consultant, Specialist, District or Specialist Nurse.
- 13.6.1 The main or joint applicant is an approved **foster carer/adopter** or is in the process of gaining approval. Only one additional bedroom may be granted under this criterion. Evidence will be required for this (e.g. a letter from the relevant adoption or foster agency).
- 13.6.2 There is evidence that a member of the main or joint applicant's household has the need for **regular overnight care**. Under normal circumstances an additional bedroom will not be given for short periods of incapacity or for recovery periods from serious operations /illness. Only one additional bedroom may be granted under this criterion. Evidence for this could include a care plan, occupational therapist report/letter, medical professional report/letter.



- 13.6.3 There is evidence from a medical professional that there is a **medical or safety reason** for a member of the household to have their own bedroom. Under normal circumstances an additional bedroom will not be given for short periods of incapacity or for recovery periods from serious operations /illness. The receipt of a qualifying benefit may be taken into account. When undertaking this assessment each case will be looked at on its merit. Evidence for this may include occupational Therapist report/letter, medical professional report/letter.
- 13.6.4 There is evidence that a member of the household is dependent on **large or essential medical equipment** that cannot be kept elsewhere in the property. This does not include the storage of mobility scooters or wheelchairs. Only one additional bedroom may be granted under this criterion. Evidence for this may include occupational therapist report/letter.
- 13.6.5 There is evidence that a substantial **Disabled Facilities Grant** will be made to adapt the property for a member of the household and awarding an additional bedroom would prevent a future move due to the age change of a household member resulting in a change in bedroom eligibility. Evidence for this may include occupational therapist report/letter.
- 13.7 Applicants who have adult children in the armed forces where the child's main and principle home is with the applicant may be granted an additional bedroom.
- 13.8 Applicants who have adult children that are in full time education where the child/children's main and principle home is with the applicant may be granted additional bedroom(s) except where the child is in rented accommodation for the purposes of attending their full time education course. Any such additional bedrooms would not qualify for Housing Benefit.

## 14. Medical & Welfare Assessments

(For the purposes of the medical and welfare assessments the applicant or the member of the household affected will be referred to as the individual).

- 14.1 The approach when banding under medical and welfare is to focus on how the individual's medical and welfare issues and their general well-being could be improved by a move to alternative accommodation. Account will be taken of:
- (i) The individual's medical or welfare condition;
  - (ii) The affect the current property / environment has on the individuals medical or welfare condition; and
  - (iii) How moving to an alternative property would help the individual's medical or welfare issues or improve their general well-being.
- 14.2. The Homefinder Somerset schemes reserves the right to request supporting evidence when banding under the medical or welfare criteria. Evidence from a third party is mandatory when considering the award of Gold or Emergency band. Any evidence submitted should be from a professional person who has first-hand knowledge of the individual and the environment they live in. The professional should advise of the individual's medical or welfare condition and give their professional opinion on the affect the current property / environment has on the individuals medical or welfare condition.



14.3 A medical professional could include an Occupational Therapist, a Doctor, a Community Psychiatric Nurse or a Consultant. A professional worker could include a Social Worker, Environmental Health Officer, Health Visitor or Housing Officer. The Homefinder Somerset scheme is aware that professional time is at a premium and do not expect applicants to specifically request medical professionals to write letters. Reports and letters from the applicant's consultant to the applicant's Doctor for example may be sufficient. It should be noted that any fees that applicant's incur to provide this information cannot be reimbursed. and do not expect applicants to specifically request medical professionals to write letters. Reports and letters from the applicant's consultant to the applicant's Doctor for example may be sufficient. It should be noted that any fees that applicant's incur to provide this information cannot be reimbursed. The final decision on applicable banding will be made by housing officers from the relevant local authority.

14.4. The medical and, or welfare issues of any individual can be assessed as follows:

### **Medical**

#### ***(i)Physical condition/illness:***

An assessment will be made taking account of the information provided by the applicant and any medical professional who has knowledge of the individual, their conditions and the effect the current property is having on their conditions.

#### ***(ii)Mental Health***

An assessment will be made taking into account the information provided by the applicant and any professional worker who has knowledge of the individual, their mental health conditions and the effect the current property or local environment is having on their mental health.

### **Welfare**

#### ***(i)General Welfare***

An assessment of the property and the local environment the individual is currently living in will be made to establish whether the individual has access to reasonably comfortable, affordable and secure living standard based on the information provided by the applicant and any professional worker who has knowledge of the individual and the environment the individual is living in. Consideration of the general housing circumstances in the district, the availability of facilities, resources and services in the property and the local environment where the individual lives in will be taken into account as well as the ability of the individual to access them.

#### ***(ii)Financial hardship***

A full assessment of the household's income and expenditure will be undertaken to determine if the cost of the current accommodation is affordable or if it is creating financial hardship that cannot be resolved within a reasonable period of time.

14.5. All medical or welfare applications will initially be assessed by an appropriate member of the Housing Team based on the medical & welfare assessment notes in Appendix 2.

14.6. Following a medical or welfare assessment, the applicant will be informed in writing of the outcome. If the applicant does not agree with the assessment a senior officer will review the



banding. If the applicant still disagrees with their banding their case will be considered by the Choice Based Letting Operational Group at the next monthly meeting.

14.7. Where an individual's medical or welfare circumstances changes, these details should be submitted in writing together with any supporting evidence as soon as the change occurs.

## 15. Disrepair Assessments

15.1. The application form asks applicants about the condition of their current home this information will be used by other officers to assess any hazards and an additional inspection of the property may be carried out. If the applicant resides outside of the Homefinder Somerset area, then the Homefinder Somerset Partnership will contact the respective Local Authority to arrange an inspection, if required.

15.2. Following the inspection, and depending on the condition of the property, a level of priority will be allocated - either nil, low, medium, high or urgent, which will determine the band in which the applicant is placed. If the applicant is an existing social housing tenant the relevant landlord will be notified of the problem.

## 16. Notification

16.1. Once you have been verified as eligible to join the register, your fully completed application form will then be assessed. We aim to undertake this assessment within 15 working days. You will then receive a letter confirming your application details. This letter will notify you of the following ;

- a) The Band in which the applicant has been placed (bronze, silver or gold or emergency)
- b) The reason for their banding
- c) The size of property the applicant is eligible for,
- d) The Application Date,
- e) A reminder about informing us of any change in circumstances,
- f) The Homefinder Somerset review procedure (see section 17),
- g) A personal reference number to allow expressions of interest for properties.

16.2. Applicants will also receive notification of their application details within 15 working days if they have submitted a Change of Circumstances' form.



## 17. Review Procedure

- 17.1. Once an applicant has been notified in writing of the band in which they have been placed or their ineligibility, they will have a right to request a review against the assessment. Reviews must be submitted in writing, to the local authority housing office within 28 calendar days of the date on the notification letter and include the reason why the applicant believes their banding or ineligibility is wrong, together with any additional information that the applicant believes is relevant.
- 17.2. The request for a review will be acknowledged by the Local Authority within 7 calendar days of its receipt. An officer who played no part in the original assessment will carry out the review and respond in writing to the applicant within 28 calendar days of the receipt of the review letter. Following the review, the applicant will be informed of the outcome in writing.
- 17.3. If the applicant is dissatisfied with the outcome of the review then they can request a further review through the relevant local authorities reviews procedure.

## 18. Finding a Home

- 18.1. Once applicants have been entered on the Homefinder Somerset Register and notified of banding and reference number, they can start to look for a property of their choice.

## 19. Advertising

- 19.1. All partner landlords are committed to advertising their available properties as widely as possible. Properties can be advertised on a weekly/fortnightly basis and may be advertised in one or more of the following ways:

### a) Newsletters

Adverts may also be placed into free Homefinder Somerset newsletters, which will be available in a number of localities across Somerset.

### b) Website

A dedicated Homefinder Somerset website is available ([www.homefindersomerset.co.uk](http://www.homefindersomerset.co.uk)) and is accessible to anyone with Internet access. The website will allow applicants to view all available properties across the whole of Somerset and apply 'on-line' for properties of their choice.

### c) Local Offices

Computers will be placed in some landlords' offices for applicants to view and express an interest for available properties. Other sites may also be considered.



## d) Hotline

A local number is available for applicants to call to hear what properties are available. Applicants will hear an options menu where different size properties can be selected and heard. This service is important to the Homefinder Somerset service and our efforts to assist disabled applicants, particularly those who are blind or partially sighted to access the service. The Hotline service will also benefit those applicants who are unable to read.

## 20. Advertisement Deadlines

20.1. All advertisements will carry a deadline by which time expressions of interest for particular properties must be received. This will normally be one week from the date of the advert. Any applications received after the deadline has been reached will not be considered for the property.

## 21. Property Descriptions

21.1. Properties advertised will carry (where possible) a photograph of the property and a full description. As a minimum the description will include:

- a) Type of property
- b) Number of bedrooms
- c) Location of property
- d) Any adaptations (e.g. disabled facilities)
- e) Services provided (e.g. support, caretaker, cleaning)
- f) Heating type
- g) Rent charged/service charges

## 22. Labelling Properties

22.1. Adverts will also give information on who will be eligible to apply for the property. For example, an adapted property suitable for someone in a wheelchair may be labelled to say that applicants must require such a property.

22.2. Properties will only be available to applicants in certain 'Bands' according to the size and type of the property, the number of annual vacancies and level of demand. For example, a three-bedroom property in a high demand area may only be advertised to 'Gold' Band applicants, areas where there is low demand may be offered to both Gold and Silver Band applicants, or in some cases, all bands. In addition certain properties may only be available to applicants that meet specific eligibility criteria (e.g. eligible for supported housing, or having certain age requirements for household members).



### 22.3. Supported Accommodation (e.g. sheltered)

In addition to the banding system, all partner landlords may wish to ensure that supported accommodation is allocated to those who have not only a housing need but also a 'support' need (as detailed in the application form). Landlords will therefore be looking to accept expressions of interest from applicants in the highest band and who may have an identifiable

support need in addition to the earliest application date. This support need will be verified at the time of the home visit.

### 22.4. Local Connection

The Homefinder Somerset housing authorities usually only accept applications to join their housing register where the main or joint applicant has a local connection to the Homefinder Somerset area (with some exceptions). Local connection can only be established by the main or joint applicant. Where applicants feel that their circumstances are so exceptional that they should be allowed to join the housing register with no local connection to the area, such applications will be assessed by the Local Authority Operational Group on a monthly basis.

The Homefinder Somerset policy defines Local Connection as:

- The main or joint applicants are normally resident in the Homefinder Somerset area. Local Government Association guidelines define this as having resided in the relevant area for six of the last twelve months, or three out of the last five years, where residence has been out of choice.

The main or joint applicant has work in the Homefinder Somerset area. The Local Government Association guidelines define this as employment other than of a casual nature. For the purposes of this policy this will be defined as having had permanent work with a minimum of a 16 hour contract per week, and without a break in the period of employment for more than three months.

- Note that residency in a property where treatment or rehabilitation of any kind whilst working will not count towards establishing a local connection.
- The main or joint applicant needs to move to take up an offer of permanent employment (over 16 hours and evidence will be required) within the Homefinder Somerset area and commuting to their new place of work from their existing home would be unreasonable.
- The main or joint applicant have family connections in the Homefinder Somerset area. The Local Government Association guidelines define this as immediate family members (parents, siblings and non-dependent children) who have themselves lived in the area for five years and with whom there has been frequent contact, commitment or dependency.



- The main or joint applicant can demonstrate a need to move to the Homefinder Somerset area to give or receive essential and critical medical or other support where significant harm would result if this was not provided.

Main or joint applicants that fall within the following categories will be deemed to have a local connection to Somerset.

- (a) Serving members of the armed forces or those that have served in the last 5 years.
- (b) 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
- (c) bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service
- (d) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- (e) Applicants applying for extra care properties only (note that in the absence of any other housing need these applicants will be placed in bronze band and will only be able to bid on extra care vacancies.)
- (f) Applicants applying for sheltered housing only (note that in the absence of any other housing need these applicants will be placed in bronze band and will only be able to bid on sheltered housing vacancies.)

Preference may be given to local residents who may be economically or socially driven from their community due to a lack of affordable housing. This may be due to planning restrictions (Section 106 Agreements) or to ensure sustainability of the parish where there is a clearly proven local housing need.

## 22.5. Transfer Applications

All the partner landlords are keen to ensure that they make the best use of their own stock. To achieve this, it is likely that a certain proportion of properties advertised will be labelled giving preference to transfer applicants or transfer applicants in a specific band, for example the silver band and in some cases preference will also be given to existing tenants of that landlord. The number of properties labelled as such will be monitored on a regular basis.



## 22.6. Accepted Duty Homeless Cases

In order to fulfil its statutory duties towards the homeless and to create a through flow of temporary accommodation a Local Authority may label properties allowing only households who have been accepted by that Authority as unintentionally homeless and in priority need, to express a preference or give preference to this group.

## 22.7 Sensitive Letting – individual properties

Occasionally there may be a requirement to assist in dealing with issues that impact on a small, specific location that may be only 1 dwelling on an estate or within a block. This may be to:

- Reduce the concentration of certain needs groups which are impacting on housing management
- Promote a mixed and sustainable community by seeking to select/not select households with particular characteristics

On these occasions certain property labels (e.g. minimum age of household members) may be used following a discussion between the local authority and the relevant landlord (where the local authority is not the landlord itself). The decision to apply particular requirements will be made by the relevant Homefinder Somerset local authority where such labels can be justified by clear evidence.

## 22.8. Labelling Caution

The general effect of labelling can be seen to compromise the extent to which vacancies will be let to the highest priority applicant as described under the banding system. It is therefore important for each landlord to minimise such labelling in order to maintain transparency to the allocation system.

## 22.9. Complaints

Any complaints about the applicant's banding should be directed to the Local Authority. Complaints regarding the labelling of the property e.g. size, amenities, should be referred to the individual landlord of the property. If a successful applicant is not offered the accommodation for any reason then any complaints regarding this should be directed to the landlord making this decision.

## 23. Expressing an interest in a Property

- 23.1. Where an applicant meets the eligibility criteria, and is placed within the stated band or bands given in the advert, they may express an interest for that property within the deadline given.



23.2. Applicants are limited to three expressions of interest per advert cycle, however, this will be monitored by the Homefinder Somerset Scheme on each advert cycle. Where an applicant expresses an interest for more than one property successfully, they will be given a time period (normally 48 hours) in which to decide which property they will accept.

23.3. Applicants may apply for properties via [www.homefindersomerset.co.uk](http://www.homefindersomerset.co.uk) or via the telephone. Computer facilities for expressing an interest in properties are available at the local authority offices shown below:

a) Mendip District Council, Cannards Grave Rd, Shepton Mallet  
BA4 5BT  
Tel: 0300 303 8588 web:- [www.mendip.gov.uk](http://www.mendip.gov.uk)

b) Sedgemoor District Council  
Bridgwater House, King Square, Bridgwater, Somerset  
TA6 3AR  
Tel: 0845 4082540 web:- [www.sedgemoor.gov.uk](http://www.sedgemoor.gov.uk)

c) South Somerset District Council  
Housing Advice Centre, Petters House,  
Petters Way, Yeovil, Somerset  
BA20 1EA  
Tel: 01935 462462 web:- [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk)

d) Taunton Deane Borough Council  
The Deane House, Belvedere Road, Taunton,  
Somerset, TA1 1HE  
Tel: 01823 356356 web:- [www.tauntondeane.gov.uk](http://www.tauntondeane.gov.uk)

e) West Somerset Council  
West Somerset House,  
Killick Way,  
Williton  
TA4 4QA

*And:*

1 Summerland Road, Minehead  
TA24 5BP  
Tel 01643 703704  
web:- [www.westsomersetonline.gov.uk](http://www.westsomersetonline.gov.uk)



## 24. Selection Procedure

- 24.1. Once the advert deadline has passed, landlords will review the prioritised list of applicants (the shortlist) that have expressed an interest in each property. The successful applicant(s) will normally be the applicant(s) who is in the highest band with the longest effective date. In the situation where there are two households with the same band and effective date the landlord will contact both households to assess who is in the greatest housing need and will take into account cumulative preferences and who is most suited to the property. Where an advert has been placed with more than one preference setting and no applicant meets all the preference criteria the shortlist will be ordered in accordance with the remaining preferences set for the property. The landlords will only offer the property to those applicants who meet the stated criteria and pass verification of their application.
- 24.2. Each individual landlord is responsible for the verification of the successful applicant and discrepancies in your application will be referred back to the local authority and this may result in a change to your banding. Each applicant will be given the opportunity to view the property before making a final decision on whether to accept or refuse. Applicants will be expected to view a property within 48 hours (following contact from the landlord) and will be expected to make a decision on any offer within 48 hours of receiving the offer.
- 24.3. If an applicant has been identified as being unsuitable to be a tenant due to the grounds described in section 3.7, and has made no attempt to rectify the situation then the applicant may not be allocated the property despite a successful expression of interest. The applicant can make an application if they consider that they should no longer be treated as ineligible for an allocation of social housing, e.g. because the rent arrears have been cleared or an agreement has been reached and maintained over a reasonable period of time or because the person who had been guilty of anti-social behaviour is no longer part of their household.
- 24.4. If a property is subsequently withdrawn after an applicant has successfully expressed an interest, because for example the tenant of that particular property has failed to vacate the property or the property has been incorrectly labelled, the landlord will inform the successful applicant that the property is no longer available. If the property is not ready for occupation following a successful expression of interest and the applicant is likely to wait some considerable time before moving in, the landlord will inform the applicant and give them the option to express an interest for any other suitable properties.
- 24.5. If an applicant is banded in the Emergency band under 7.1 (c) where a relevant agency has recommended an urgent move to escape violence or threats of violence or are in the Gold band due to harassment in a specific area and expresses an interest on a property in the same general area. The landlord or the Local Authority may choose not to offer that property to the applicant if they are top of the shortlist if in their opinion it is unlikely to address the issues.
- 24.6. When offering properties landlords should have regard to the housing needs of the applicant as per their banding reason.



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- 24.7 A small number of properties advertised through the partnership are excluded from the selection procedure as described in section 24.1. These properties will be allocated using the criteria within the landlord's own individual allocation policy that will be detailed in the property advert.
- 24.8 It is the landlord's responsibility to explain their reasons for not offering properties to applicants including any landlord allocations policies
25. Feedback
- 25.1. An important part of the scheme is giving applicants feedback on who has recently been allocated properties. Accompanying each advert will be a feedback section giving details of the properties allocated.
- 25.2. Applicant's personal details will not be included. However, it is envisaged that the feedback form will include:
- a) Property size and type
  - b) Property location
  - c) Number of applicants who applied for each property
  - d) Band of successful applicant
  - e) Application date of successful applicant
- 25.3. An overview of this information will be regularly monitored.
- 25.4. Using this information, applicants will be able to see where properties are more likely to become available and where they may have the best chances of making a successful 'expression of interest'. It is essential that with any choice-based lettings scheme, applicants have as much information as possible in order to help them make an informed evaluation of their housing options.



## 26. Refusals

26.1. If an applicant decides to refuse an offer of accommodation, either at the accompanied viewing, or when an initial verbal offer is made, the property will be offered to the next eligible applicant.

26.2. If a homeless applicant refuses an offer of suitable accommodation, the Local Authority may decide to discharge its duty under the Homeless Legislation.

26.3. Homeless applicants have the right to request a review of certain decisions made by the

local authority in respect of their homeless application. Within the Homefinder Somerset Common Lettings Policy this includes the decision to discharge the main homeless duty to secure accommodation by providing suitable accommodation for the applicant.

26.4. If a homeless applicant wishes to request a review of the suitability of accommodation offered, this should be requested before the end of the period of 21 calendar days beginning with the day on which they are notified of the housing authority's decision to discharge its main homeless duty.

26.5. A homeless applicant who is requesting a review about the suitability of accommodation will be advised to accept and move into the accommodation pending the outcome of their review request. The Local Authority's Homeless Section will inform the appropriate officer as soon as a decision has been made, normally within 7 calendar days as to whether or not the property will remain available through the review process. It should be noted the property will only be held open in exceptional circumstances. If a non statutory review is conducted and the offer withdrawn by the Homeless Officer on grounds of suitability then the second placed applicant will be made an offer of the property. If the outcome of a review is overturned in favour of the homeless applicant, the alternative accommodation will be provided as quickly as possible. However if the review of suitability of the offer is upheld the applicant will still have accommodation to live in whilst they consider their further options.

26.6. Applicants approved as being, or threatened with being homeless are placed in the gold band; and are expected to use their three weekly expressions of interest against any suitable properties advertised through the Homefinder Somerset scheme. If an applicant has been unsuccessful in securing a property within four weeks of the date the applicant was accepted as being, or threatened with being homeless; the Local Authority may decide to place expressions of interest on the applicant's behalf. The Local Authority will ensure the properties are suitable for the household in line with the Homelessness (Suitability of Accommodation) (England) Order 2012. If the homeless applicant refuses a suitable offer of accommodation, the Local Authority will consider its duty towards them as a homeless household discharged, subject to the statutory review process. The Local Authority may decide to use its power to discharge the homeless duty with a suitable Private Rented Sector Offer. In either case the gold band status for accepted as being, or threatened with being homeless will end.



- 26.7. Records will be maintained on the number of refusals for each property and the reason why the applicant decided to refuse. With the exception of applicants who are in gold band because they are homeless or threatened with homelessness, applicants who refuse three formal offers for suitable accommodation will have their case reviewed by the local authority managing their case. They will be offered advice and assistance regarding the Homefinder Somerset scheme. If they subsequently refuse one further offer they will be suspended from bidding for a period of 3 months from the date of the last refusal. After 3 months the applicant will be reassessed and placed in the appropriate band and may lose their original effective date.
- 26.8 Where an applicant is placed in gold band for tenancy succession, if after a period of 9 months applicants are not actively expressing an interest for suitable accommodation then automatic expressions of interest may be placed on their behalf. Before automatic expressions of interest are placed the relevant local authority will carry out an assessment as to what type of property would be suitable and in what location. Automatic expressions of interests will be limited to the areas where the applicant has expressed a preference to move to.
27. Difficult to Let
- 27.1. If a vacancy cannot be filled via the CBL scheme, the property can be re-advertised on a wider basis in conjunction with the Local Authority.
28. Excluded Properties
- 28.1. All the partner landlords are committed to advertising as many of their vacant properties as possible through the CBL system. There will be occasions when certain properties will not be advertised and the reasons for these exclusions will be monitored. An example would be extra care vacancies which are allocated jointly with Somerset County's Community Directorate (Social Services).
29. False Information and Deliberately Worsening Circumstances
- 29.1. Applicants who are found to have deliberately given false information on their Homefinder Somerset Register application form will have their application reviewed immediately. This may result in the 'Band' awarded being changed as a result. If an applicant is re-housed through false information, steps may be taken to end the tenancy and court action may be taken which could result in the applicant receiving a fine up to a maximum of £5,000 and/or a prison sentence.



29.2. An immediate review of an application may also be under taken if an applicant is found to have deliberately changed or worsened their housing situation in order to be placed into a band higher than they would normally have been awarded. Households that have been assessed as having deliberately worsened their housing circumstances by moving into accommodation that is unsuitable for their needs and /or by taking no action to improve their circumstances which can be evidenced may be placed into bronze band.

29.3. All landlords in this agreement are committed to taking legal action against any applicant found to have gained a tenancy based on false information in their application form. (Section 171 of the Housing Act 1996).

### 30. Access to Personal Information

30.1. Individuals are entitled under the Data Protection Act (1998) to request details of their personal data held by the five Local Authorities. A charge may be made for providing this information.

30.2. The information received, in conjunction with housing applications, may also be used for housing management and research purposes.



## 31. Monitoring

31.1. A number of areas within the CBL system will be monitored on a regular basis to ensure that the system is operating in the most effective way. Areas to be monitored may include:-

- Number of registrations received
- Percentage of applicants registered and notified within 15 working days
- Number and percentage of applicants registered within each band
- Number of properties advertised by type, area, landlord
- Number of properties advertised with local connection label
- Number of properties, with reasons, excluded from CBL system, by landlord (e.g. decants)
- Number of expressions of interest and method of expressing
- Number of expressions of interest for each property by band
- Profile of those expressing an interest (e.g. waiting list, transfer, homeless, disabled, ethnic background)
- Number of applicants bypassed for breach of tenancy conditions
- Number of accepted offers by band
- Number of tenancies refused at sign up
- Number of properties re-advertised due to difficulty in letting
- Number of review requests
- Number of complaints
- Number of applicants in short term supported housing awaiting active re-housing (following confirmation by scheme of readiness to move)
- Number of homeless applicants in 'Gold Band' awaiting re-housing (not expressing an interest)
- Number of 'Gold Band' applicants who have not expressed an interest in a property for more than 6 months
- Number of Emergency Priority applicants awaiting re-housing
- Number of applicants from outside the Homefinder Somerset area being re-housed
- Banding the property is advertised in
- The use of labelling
- Number of people housed by band

## 32. Equal Opportunities

32.1. All partners of Homefinder Somerset are committed to a fair and equitable housing policy and to providing equal opportunities for all when allocating available properties. All housing applicants will be assessed according to their housing need and in accordance with the published lettings policy.

32.2. All partners of Homefinder Somerset are opposed to direct and indirect discrimination and recognise the need for systems to actively prevent discrimination on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. <http://www.equalityhumanrights.com/private-and-public-sector-guidance/guidance-all/protected-characteristics> Any allegations or concerns that an organisation



has not acted appropriately should be made directly to that organisation. All partner landlords are publicly accountable and must have a complaints policy and an independent Ombudsman.

### 33. Social Inclusion

33.1 All partners of Homefinder Somerset believe that applicants should be given every assistance to access the housing register and search for suitable properties. For example, the provision of the Homefinder Somerset 'Hotline' number will assist those applicants who experience literacy problems or who are blind or partially sighted and unable to read the adverts.

33.2. Applicants that lack capacity in decision making, particularly around changes in accommodation or who have learning difficulties may be assisted in the following ways:

- If the applicant agrees, staff may contact any professional or voluntary workers from health or Social Services with whom the applicant is involved to ensure they understand the procedures and that necessary support is provided. All agencies funded via Local Government should be in a position to provide their clients with help on housing issues.
- Disadvantaged applicants are able to nominate a person (including family members, friends or professional worker) to express an interest on their behalf or to help them express an interest for suitable properties..
- In the small number of cases where the applicant has no support Homefinder Somerset staff could set auto bidding up so the computer system would automatically place expressions of interest for suitable vacancies.

33.3. All partners of home finder will make sure that the system is as accessible as possible. This will be achieved through the usability of the system, its interaction with accessibility software and the language used in Homefinder being in clear plain English. The system will be reviewed annual to make sure these standards are kept and improved where possible..

### 34. Policy Review

34.1. The Homefinder Somerset Scheme is regularly reviewed to ensure that the policy meets its stated objectives and complies with legislative changes. Any changes to the Common Lettings Policy are implemented only after prior notice to members and the majority agreement amongst the partner landlords.

### 35. Complaints

35.1. Any complaints regarding the scheme should be directed initially to the organisation processing an applicant's claim.



## 36 The Housing Ombudsman

36.1. If an applicant is not satisfied with the action taken by either the Local Authority or a Registered Provider of social housing and has exhausted the complaints procedure available, they can send a written complaint to the ombudsman.

For complaints relating to landlords:

The Housing Ombudsman Service can be contacted at:

Housing Ombudsman Service  
81 Aldwych London WC2B 4HN

Tel: 0300 111 3000  
Minicom 020 7404 7092  
Fax 020 7831 1942

Email [info@housing-ombudsman.org.uk](mailto:info@housing-ombudsman.org.uk)

Web address [www.ihos.org.uk](http://www.ihos.org.uk)

For complaints relating to local authorities:

The Local Government Ombudsman  
PO Box 4771 Coventry CV4 DEH

LGO Advice Team on 0300 061 0614  
[www.lgo.org.uk](http://www.lgo.org.uk)



## APPENDIX I

### Disrepair Guidance

#### Gold: High

Based on the conditions identified the Private Sector Housing Team has deemed your home to have the presence of Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CANNOT be resolved or reduced to a Category 2 hazard within 6 months.

#### Silver: Medium

Based on the conditions identified the Private Sector Housing Team has shown that your home has Category 1 hazards, Bands A - C (Housing Health & Safety Rating System) that CAN be resolved or reduced to a Category 2 hazard within 6 months and/or has shown that your home has Category 2 hazards, Band D (Housing Health & Safety Rating System).

#### Bronze: Low

No significant hazards identified justifying enforcement action by the local authority.

Please note that with regard to Category 2 rated hazards Environmental Health staff are under no obligation to take any action with regard to these issues.



## APPENDIX 2

### Medical & Welfare Considerations

When ill health, disability or welfare is aggravated by housing conditions' including the location of the property; and the ill health, disability or welfare would improve if other accommodation were offered; the banding awarded will be dependent on two crucial factors:

- The link between the identified medical or welfare issue(s) and the individual's current housing situation.
- The realistic expectation that the identified medical or welfare issue(s) would improve if alternative, more suitable accommodation was made available.

When determining what banding to award, staff will assess what degree of need exists and, what adverse effect this need has on the lifestyle of the household as a whole. To achieve consistency in the allocation of banding under this heading a schedule is detailed below in tables 2A & 2B that sets out the different levels of need:

**Table 2A – Medical considerations**

<b>Medical Considerations</b>	<b>Impact current property has on medical issues</b>	<b>Band</b>
<b>Low</b>	Minor impact, where the existing housing circumstances have a low impact on an individual's medical issues.	Bronze
<b>Moderate</b>	Moderate impact where there is a clear relationship to an individual's medical issues and the existing housing circumstances.	Silver
<b>Significant</b>	Significant impact where the individuals medical issues makes it unreasonable to remain in the current accommodation; or where the property cannot be adapted to meet the applicant's needs or funds are not available for such adaptations or landlord permission cannot be obtained.	Gold
<b>Severe</b>	Severe impact where the individuals medical issue is life threatening or which is causing bed blocking with hospital / care facility	Emergency



Examples of circumstances that may fall into each banding category are shown below but please note that this is not an exhaustive list and each case will be reviewed on its merits. Supporting evidence would be expected in order to award Gold or Emergency band.

<p style="text-align: center;"><b>Severe</b></p> <p>Medical specialists will not allow the individual to be discharged from hospital to their current property.</p> <p>All other cases need referral to the medical/emergency assessment panel.</p> <p>Individual lives alone and has chronic mobility and, or medical issues; or is living with another frail individual who has serious mobility or medical issues and with virtually no support or contact with family or neighbours.</p> <ul style="list-style-type: none"> <li>• Is reliant on walking aids or a wheelchair and the property necessitates the climbing of steps/stairs to gain access to the property and, or steps/stairs within the property itself and is effectively housebound.</li> <li>• Is reliant on walking aids or a wheelchair but cannot manage in the property due to the lay out not being compatible with the aids required.</li> <li>• Is reliant on oxygen and has to manoeuvre oxygen cylinders up and down the stairs to access the building or within the property.</li> </ul>	<p style="text-align: center;"><b>Significant</b></p> <p>Individual has serious mobility or medical issues and has no access to a lift/stair lift and:</p> <ul style="list-style-type: none"> <li>• Is reliant on walking aids or a wheelchair but has difficulty in the property due to the lay out not being compatible with the aids required (unable to access bedroom or bathroom).</li> <li>• Has difficulty in managing the layout or size of property (toilet, bathing facilities).</li> <li>• Is confined to the existing property as dependant on assistance to leave/return to the property.</li> <li>• Lives in a property which necessitates the climbing of stairs to gain access to the property and, or steps within the property itself and has medical issues which make it difficult to managing this.</li> </ul>
<p style="text-align: center;"><b>Moderate</b></p> <p>Individual has moderate mobility or medical issues and has access to a lift/stair lift and:</p> <ul style="list-style-type: none"> <li>• Is reliant on walking aids or a wheelchair and has some difficulty in the property due to the lay out not being compatible with the aids required.</li> <li>• Has some difficulty in managing the layout or size of property (toilet, bathing facilities).</li> <li>• Lives in a property which necessitates the climbing of stairs to gain access to the property and, or steps within the property itself and has medical issues which means there us some difficulty to manage this.</li> <li>• Is not confined to the existing property and does not need assistance to leave/return to the property but would benefit from living on a ground floor/level access property.</li> </ul>	<p style="text-align: center;"><b>Low</b></p> <p>Individual has low mobility or medical issues who do not require a lift/stair lift or are already living in a level access, ground floor property.</p> <ul style="list-style-type: none"> <li>• An individual suffering from generalised symptoms of asthma and eczema aggravated by the cold.</li> <li>• Minor problems relating to recurring colds/asthma or regular depression or unusual allergies could be pointed under this heading providing a link to the existing accommodation could be demonstrated.</li> </ul>



**Table 2B – Welfare considerations**

Social welfare is concerned with the [quality of life](#) that includes [factors](#) such as the [quality](#) of the [environment](#), [services available \(gas, electric, water, public transport\)](#), level of [crime](#), extent of [drug abuse](#), [availability and distance](#) of essential [social services](#), individuals place of work, education as well as religious and spiritual aspects of life. The age, physical or learning disability, behavioural difficulties and threats to the individual should be considered as well as the impact on the rest of the household.

<b>Welfare Considerations</b>	<b>Impact current property has on welfare condition</b>	<b>Band</b>
<b>Low</b>	Minor impact, where an individual’s welfare issues has a low impact on the existing housing circumstances.	Bronze
<b>Moderate</b>	Moderate impact, where there is a clear relationship to an individual’s welfare issues and the existing housing circumstances.	Silver
<b>Significant</b>	Significant impact, where the individuals welfare issues makes it unreasonable to remain in the current accommodation	Gold
<b>Severe</b>	Severe impact, where the individuals welfare issue could be life threatening	Emergency

**Examples of circumstances that may fall into each banding category are shown below please note that this is not an exhaustive list and each case will be reviewed on its merits. Supporting evidence would be expected in order to award Gold or Emergency band.**

<p style="text-align: center;"><b>Severe</b></p> <p><b><i>For cases where an individual’s welfare could be life threatening</i></b></p> <p>All cases need referral to the medical/emergency assessment panel.</p> <ul style="list-style-type: none"> <li>• Individual suffers dizzy spells and arthritis lives alone in old caravan in grounds of a house in rural area. Only mains service is electricity. Fetches water from an outside cold water tap and uses an Elsan bucket toilet situated some distance from the caravan. Dangers include cold during the winter and potential falls when collecting water or using the outside toilet.</li> </ul>	<p style="text-align: center;"><b>Significant</b></p> <p><b><i>For cases where an individual’s welfare has a serious impact on their housing need making it unreasonable to remain in their current property</i></b></p> <ul style="list-style-type: none"> <li>• The existing home seriously limits the care and support that can be provided to the individual</li> <li>• The environment in and around the home has a serious detrimental effect on the quality of life of the household</li> <li>• Remote location of property resulting in isolation and it can be demonstrated a move to an area with greater facilities will significantly improve quality of life, health &amp; wellbeing</li> <li>• High financial hardship created by the cost of the current property which is unsustainable and cannot be resolved</li> <li>• Significant cumulative need to move due to several welfare factors for one or all members of the household that are not be covered elsewhere in the policy.</li> </ul>
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**Moderate**

**For cases where an individual's welfare has a moderate impact and a clear relationship to existing housing circumstances.**

- The existing home moderately limits the care and support that can be provided to the individual
- The environment in and around the home has a moderate detrimental effect on the quality of life of the household
- Moderate isolation whereby it can be demonstrated a move to an area with more facilities will greatly improve quality of life, health & wellbeing
- Moderate financial hardship created by the cost of the current property which may be resolved within 6 months with debt intervention.
- Moderate cumulative welfare need to move due to some welfare factors for one or all members of the household are not covered elsewhere in the policy.

**Low**

**For cases where an individual's welfare has a low impact on the existing housing circumstances**

- The existing home has little impact in the care and support that can be provided to the individual
- The environment in and around the home has a low detrimental effect on the quality of life of the household
- Low isolation whereby it can be demonstrated a move to an area with more facilities will greatly improve quality of life, health & wellbeing
- Low financial hardship created by the cost of the current property which can be resolved within 6 months.
- Low cumulative welfare need to move due to some welfare factors for one or all members of the household are not covered elsewhere in the policy.

**Referrals by the housing team for advice / information to third parties**

In the rare event that information contained within the application makes the assessment of an applicant's medical priority for re-housing unclear the applicant's circumstances and available medical information may be referred to an independent third party for advice to be given to officer's in relation to the applicant's medical issues and thus the applicant's need for re-housing. Upon receipt of a response officers will consider this information in order to assist them in making a decision as to the applicant's priority for re-housing.

**Referrals to the Councils assessment panel.**

In limited often complex cases officers may be undecided about which band (priority) to award the applicant for re-housing on medical grounds. In such cases the matter can be referred by officer's to the Council's assessment panel. The panel will form a view considering all information available from the application (which may include information from relevant third parties) and reach a decision as to the client's banding priority for re-housing on medical grounds.



## APPENDIX 3

### Glossary of Terms about Choice Based Lettings

**Advertising Period** - The number of days in which a applicant has the opportunity to express an interest' in a home once it is advertised.

**Cancellation of applications** – this will mean the closing of an application on the system.  
**Choice Based Lettings (CBL)** - A new system being introduced for the allocation of social housing. CBL is designed to offer more choice and involvement for applicants in selecting a new home. It is a much more open, transparent and customer-based approach in the allocation of properties.

**Consultation Period** - A period of 6 weeks in which Mendip District Council, Sedgemoor District Council, South Somerset District Council, Taunton Deane Borough Council and West Somerset District Council consulted with all interested parties and stakeholders about its plans to introduce Choice Based Lettings. The initial consultation period was from May 2007 to August 2007. A subsequent consultation took place between October 2010 and December 2010 with a further period in June and July 2013.

**Express an Interest** - - To be considered for an available home, applicants are required to contact us to 'express an interest' or 'bid' for a property. No money is involved in 'making a bid' or 'expressing an interest' in a property.

The Housing Health and Safety Rating System is a way of assessing properties to calculate the level of hazard (category 1, 2 etc.) or risk to health of a vulnerable household living or residing in that property. <http://www.communities.gov.uk/housing/rentingandletting/housinghealth/> and <http://www.communities.gov.uk/publications/housing/hhrsoperatingguidance>

**Housing Register** - A list of applicants for housing accommodation.

**Banding Scheme** - The system currently used by the Homefinder Somerset Scheme to determine the priority of a applicants housing need. Banding is allocated to the applicant to reflect their current circumstances and future housing need. The banding allocated determines the applicant's position in the waiting list for a particular type/size/location of a home.

**Property Label** - A description of the property being advertised as available to let. The label will generally include a photograph, location, type of property, number of bedrooms, type of heating, any disabled adaptations, whether there is a garden or not, if pets are accepted and other features. The label will indicate who may be eligible to express an interest for the property. This could include, for example, where a local connection may be required, if there is an age restriction or the property has adaptations.

**Registered Provider** – This is a term introduced by the Housing and Regeneration Act 2008 applying to housing associations registered with the Homes and Communities Agency. Registered Providers have access to Social Housing Grant public funding for the capital costs of providing housing.



Shortlist - Once the deadline has passed for registering an interest in a property, a list of those that have expressed an interest, who have met the advertising criteria for each individual property is generated by the computer system. Generally, the applicant offered the property will be the person who has been in the highest housing needs band for the longest period of time.

Social Rented Housing - Housing of a high standard, which is provided at below market cost for households in housing need by local Authorities and Registered Providers. It operates on a basis of accepted and regulated standards of good practice in relation to physical conditions, management, allocation, equal opportunities and accountability. The Homes and Communities Agency sets the maximum rent levels.

Supported Housing – Each partner Local Housing Authority will decide on the criteria that defines supported housing within their own area for the purposes of this policy.



## APPENDIX 4 – Eligibility Guidance

The Homefinder Somerset partnership will exclude from the scheme people who are not resident in the United Kingdom at the date of their application. In line with Government legislation the HFS partnership will also exclude people who are subject to immigration control or who are not habitually resident in the Common Travel Area or who only have limited rights of residence in the Common Travel Area under European Union law, unless they have been prescribed as eligible by regulations, or unless they are already secure, introductory or in certain cases assured tenants. The Homefinder Somerset partnership will have due regard to any future changes to European Union law / Rights to Reside legislation.

Please see [http://england.shelter.org.uk/get\\_advice/homelessness/eu\\_and\\_eea\\_nationals](http://england.shelter.org.uk/get_advice/homelessness/eu_and_eea_nationals) and annex 2-4 of <http://www.communities.gov.uk/documents/housing/pdf/2171391.pdf> for further guidance.



## Appendix 5 – Statement on Decision Making Process

All applications are banded and given a bedroom eligibility by a member of the Registration Team based on the information provided at the time of registration by the applicant or applicant's representative and the applicant's household make-up. The applicant is notified in writing of the Registration Teams decision.

If an applicant wants the band or bedroom eligibility awarded by the Registration Team reviewed a written request they must be made within 28 days of being advised of the decision. The decision will be reviewed by another Officer who was not involved in making the original decision.

If additional information is received with the review request a review may not be required as the new information will be treated as a change in circumstances and in the first instance the banding/bedroom allocation will be reconsidered by the Registration Team.

If the applicant is not satisfied with the other Officers decision the Local Authorities complaints procedure may be followed.