



# Housing Allocations Policy

# BRACKNELL FOREST COUNCIL ALLOCATIONS POLICY

## Introduction

This document sets out Bracknell Forest Council's Allocations Policy which determines the basis for allocating (RSL)\* homes in the borough.

The aims of this policy are to:

- Ensure social rented housing in the borough is let to those in greatest need
- Make the process of allocating tenancies as transparent as possible
- Make best use of the social rented stock in the borough
- Encourage sustainable communities
- To make sure the housing needs of vulnerable applicants and those in priority need are given reasonable preference
- Ensure through the use of Choice Based Lettings that applicants exercise greater control over their choice of housing, increasing the likelihood that tenancies will be sustained.

Bracknell Forest Council promotes equal opportunities and opposes all forms of unfair discrimination. All applicants will be treated fairly irrespective of their gender, colour, marital status, race, nationality, ethnic origin, disability, sexual orientation, age or faith.

\*Registered Social Landlords

## Housing Advice and Assistance

Anyone needing advice or assistance with their housing situation should contact the Housing and Welfare Service where a Caseworker will be able to provide information about applying for an RSL home, finding accommodation in the private rented sector, what to do if you are homeless or facing eviction or buying a low cost home such as shared ownership housing.

## Housing Register Eligibility

The Housing Register is open to anyone over the age of 16 years who has a housing need and has lived in the borough continuously for 4 years, unless they come within the "ineligible" categories set out in the Housing Act 1996, Part VI and VII as amended and the Homelessness Act 2002 and do not meet the local allocations criteria.

Applicants who are eligible persons under 18 years of age may be required to have an adult or organisation acting as a guarantor for rent until they reach the age of 18, as a condition of being allocated a property.

The following are not eligible to join the housing register:

- Those persons from abroad prescribed by Regulations to be ineligible;
- Where the applicant or a member of the household is considered to be guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant and at the time of application for housing they are still considered unsuitable to be a tenant by reason of that behaviour.

Unacceptable behaviour is defined as behaviour which would, if a person was a secure tenant or member of their household, entitle a landlord to possession under any of the Grounds 1 to 7, Schedule 2 of the Housing Act 1985. Unacceptable behaviour includes:

- Owing serious rent arrears and failing to comply with a current or past tenancy agreement with a Council, housing association or private landlord.
- Conviction for illegal or immoral purpose.
- Causing nuisance and annoyance to neighbours or visitors.
- Committing certain criminal offences in or near the home and still posing a threat to neighbours or the community
- Being violent towards a partner or members of the family.
- Allowing the condition of the property to deteriorate.
- Allowing any furniture provided by the landlord to deteriorate due to ill treatment.
- Obtaining a tenancy by deception, for example, by giving untrue information.
- Paying money to illegally obtain a tenancy.
- Having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.

An applicant's eligibility to join the housing register will be kept under review during the application process. If, for example, new information about an applicant's behaviour comes to light after an initial assessment, they may be removed from the housing register.

Applicants who are not eligible to go on to the housing register will be notified of the decision and reasons in writing within 20 working days. They have the right to request a review of this decision within 21 days.

### **Joining the housing register**

Before joining the housing register, applicants are required to complete a My Advice on-line assessment. If social housing is identified as a housing option, an applicant may complete an on-line pre-qualification questionnaire to determine if they are eligible to join the housing register. If applicants are eligible to join the housing register an on-line application form must be completed and where appropriate, medical or social need assessment forms. The on-line forms can be found at [www.bfcmychoice.org.uk](http://www.bfcmychoice.org.uk). Applicants who need help with completing the on-line form should contact the Welfare and Housing Service by emailing [Housing.Register@bracknell-forest.gov.uk](mailto:Housing.Register@bracknell-forest.gov.uk) Applicants will be asked to provide information and evidence necessary to enable officers to check their eligibility and housing need. This will usually include:

- Photo identification
- Proof of identity for all household members and evidence of their right to live in the UK if they are not British Citizens
- Proof of current address
- Proof of income
- Proof of savings, or the means to pay at least one week's rent in advance.

Applicants will not normally be visited at their home address. It is expected that applicants will provide sufficient information for their eligibility to be assessed at the point of application.

If the Council is satisfied that the applicant is eligible to be on the housing register, an initial assessment will be made based on the information on the application form and any other information provided. Applications will normally be assessed within 20 working days, once all the required information has been provided in the requested form.

All those eligible will be assessed and placed in the appropriate bedroom category for their household size and in one of the four bands in date order. Applicants will be sent a letter explaining what Band they are in and their date of application.

If an applicant feels that their application has been assessed incorrectly under the scheme and relevant circumstances have not been taken into account, they may request a review of the decision and must be able to provide supporting evidence. To request a review, the applicant should write to the Council by either messaging via their BFC My Choice account or by email to [Housing.Register@bracknell-forest.gov.uk](mailto:Housing.Register@bracknell-forest.gov.uk) setting out reasons for requesting a review within 21 days of their notification letter.

### **Who can be considered as part of the household?**

The Council will consider the following in requests for housing:

- Partners
- Dependent children – including children coming out of social services care, children who have been adopted, the applicant having care and control of children (sleeping in the home for 4 or more nights a week and in receipt of child benefit).
- Dependent relatives – where a relative of an applicant has had to join the applicant to receive care and there are no other housing options for the family
- Carers – where the applicant can demonstrate that they are now in need of a live in carer (4 or more nights a week).
- Where an applicant is an approved foster or adoptive parent, as verified by Children Services in the Bracknell Forest borough only
- Prospective adopter parents or foster parents as verified by Children Services in the Bracknell Forest borough only
- Children who have lived with the applicant but are staying at university or college for a period of time.
- Children who have lived with the applicant but who have been taken into care, providing there is a realistic chance, supported by the Chief Officer: Children's Social Care, that they will be able to return to live with the applicant.

### **Right to Move**

The Right to Move regulation enables social housing tenants to move to another authority to take up a job or live closer to employment or training.

Existing social housing tenants living outside Bracknell Forest may apply to join the housing register in cases where:

- The social housing tenant has a need to move to Bracknell Forest to avoid hardship, and
- The social housing tenant has a need to move to the borough because the tenant works or has been offered work in the borough and has a genuine intention to take up the offer.

Anyone wishing to apply under this regulation must provide evidence of employment/training in Bracknell Forest **and** reasons why they would experience hardship if they were not able to move into the borough.

The employment should be long-term – at least 12 months and should be for at least 16 hours per week. The work must be based in Bracknell Forest, not just requiring the applicant to travel to Bracknell occasionally. Voluntary work is not eligible, apprenticeships are eligible.

Where an applicant has received an offer of a job, there must be genuine intent to take it up.

Applicants must provide evidence to confirm employment. This may include:

- A contract of employment
- Wage/salary slips
- Bank statements (for zero hour contracts)
- Proof of working tax credit
- A formal offer letter

Verification of on-going employment in the borough will be sought at the point of making an application active, and at the point of allocation.

### **Application update and renewal**

All housing register applicants are required to re-register once a year and will receive a reminder and information on how to do this on the anniversary of the date of their application.

Applicants must notify the Council of any changes in their circumstances as they arise, such as, but not limited to, a relationship breakdown, a child leaving home or a new child being born. When an applicant's change of circumstances has been re-assessed, this may result in a change in the applicant's band or bedroom need. The applicant's position in the new band will run from the date that the Council was informed of the change in circumstances, and not from the date of the original application.

### **Giving false or misleading information**

Under Section 171 of the Housing Act 1996, it is a criminal offence for an applicant to knowingly give false information or to withhold information relevant to their application. A fine of up to level 5 on the standard scale may be imposed by the courts if the applicant is found guilty.

This applies if:

- An applicant knowingly gives false information; or
- Knowingly withholds information which the Welfare and Housing Service has reasonably requested.

This applies at all stages of the application. If there is a significant change in the applicant's housing circumstances then there is an obligation on them to inform Welfare and Housing Service of this.

It is also an offence if an applicant allows a third party to provide false information on their behalf or at their instigation, or they mislead a third party into giving false information.

Bracknell Forest Council reserves the right to remove an applicant from the housing register if there is evidence that they, or a person acting on their behalf, have given false information or withheld information relevant to their application.

### **Removal from the Housing Register**

Applicants may cancel their housing register application at any time by messaging via their BFC My Choice account or by email to [Housing.Register@bracknell-forest.gov.uk](mailto:Housing.Register@bracknell-forest.gov.uk)

Applications will also be cancelled in the following circumstances:

- no response to a renewal reminder;
- the applicant has accepted an offer of accommodation;
- contact with the applicant is lost;
- the applicant ceases to be eligible;

If an application is cancelled, the Council will write to the applicant at the last known address giving a reason for the cancellation.

### **Reinstating applications**

Applications may be reinstated in cases where they have been cancelled. However this will normally only apply within three months of cancellation. If an application is reinstated it will retain its original date of registration. If reinstatement is not agreed, applicants will need to complete BFC My Advice and the pre-qualification questionnaire if eligible, and then complete a new on-line application form.

### **Low Cost Home Ownership Register**

Housing applicants on the Council's Housing register may also apply for consideration for low cost home ownership options. Low cost home ownership options include shared ownership, BFC My HomeBuy, and Cash Incentive Scheme.

Low cost home ownership may be an option for any household earning between £20,000 and £60,000 where it prevents them from purchasing a property on the open market that would meet their housing needs. Applicants will need a deposit of at least 5% of the total purchase price and will also need to have savings that cover the costs of solicitors and other fees such as stamp duty.

The Council works in partnership with a Help to buy Agent to nominate households for low cost home ownership properties as they arise. Priority for nomination will be given first and foremost to existing RSL tenants and Housing Register applicants living in the borough, and secondly to applicants on the Housing Register working in the Borough.

Anyone that is interested in BFC My Homebuy or low cost homeownership should contact the Welfare and Housing Service by e-mail at [Housing.Register@bracknell-forest.gov.uk](mailto:Housing.Register@bracknell-forest.gov.uk). Information is also available at [www.helptobuysouth.co.uk](http://www.helptobuysouth.co.uk)

### **Mutual Exchanges**

It is Council practice to encourage and facilitate mutual exchanges wherever possible and Welfare and Housing Caseworkers can offer advice on this option.

The transfer applicant's landlord is responsible for approving mutual exchanges and an applicant should refer to their landlord's policies to ensure any eligibility criteria are met.



## **Housing Related Debt and Rent Arrears**

Applicants who have a housing related debt will not be nominated unless they have a payment plan in place and there is evidence of at least six months consistent regular payments. In cases where a repayment plan is not in place, or regular payments are not being maintained, an applicant will be suspended from bidding.

Applicants registering for housing with rent arrears will be reviewed in accordance with the eligibility criteria.

The council has its own arrears policy but our RSL partners also operate their own policies relating to rent arrears. We therefore advise RSL transfer applicants to seek advice from their landlords if they are in arrears with their rent prior to applying for re-housing. It is very important that all applicants ensure that they have a clear rent account as this may affect the result of a nomination.

## **Help with registering and bidding for properties**

Some applicants may need help with registering for housing and bidding for properties. In most cases applicants needing assistance will be identified via their Housing Register application form. Officers will work with the applicant to identify someone appropriate who will act as their nominated helper. People considered appropriate to provide help will be a professional person, such as a Care Manager, Welfare and Housing caseworker, Support Worker etc or a family member, or representative.

The Housing Register application form includes a question asking whether an applicant may have difficulty in applying and bidding for properties themselves and whether they have a care manager or someone who could help them. The Council will hold a record of applicants who have been identified as needing help and details of the person agreed to be their helper.

Applicants will be notified in writing of the arrangements that have been agreed for providing them with assistance. Where a bid has been made on behalf of an applicant and has been made in line with the bidding agreement, the property will be considered to be a suitable offer in the event that an applicant subsequently refuses the property. Welfare and Housing Caseworkers will monitor bids that are made on an applicant's behalf to ensure that they are appropriate and in line with the applicant's preferences.

## **Priority for housing**

### **Reasonable Preference**

The Homelessness Act 2002 states that a Local Authority's allocations scheme should ensure that reasonable preference is given to:

- Applicants who are homeless within the meaning on part VII of the Housing Act 1996. Note that any such offers made to applicants who are considered to be homeless under the Housing Act 1996 may include suitable Private Sector housing.
- Applicants who are owed a duty by any local authority under section 190(2), 193(2) or who are occupying accommodation secured by such an authority under section 192(3)
- Applicants occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- Applicants who need to move on medical or welfare grounds

- Applicants who need to move to a particular locality in the district of an authority, where failure to meet that need would cause hardship (to themselves or others)

### Composite Need

Where a household falls into more than one reasonable preference group, cumulative preference will be given. The banding scheme allows for applicants with multiple housing needs to move between bands, according to level of need.

### Additional Preference

Where an applicant has an immediate need for re-housing, additional preference will be awarded. The banding scheme allows additional preference to be given to those households identified as having the most urgent need or multiple needs. The types of circumstances likely to be eligible for additional preference are set out in Band A of the Banding Scheme.

### Local Housing Policies

Section 167(2E) of the Housing Act 1996 enables local authorities to establish local lettings priorities in order to achieve the best use of the housing stock in the borough and meet other housing policy objectives.

Local housing policies have been established to allow:

- Movement between bands based on how long applicants have been waiting;
- Residents that have lived in the borough for four years continuously to have priority for their applications to be considered
- Households who are working and meet the criteria for working to be prioritised above those who are not working when bids are received for properties
- The council to manage applications from households who are considered to have deliberately worsened their housing situation to be placed in a band below the need that they presented
- Households who move to resolve overcrowding to bid on the maximum sized property that they are eligible for.

### Choice

The Housing Act 1996 requires local authorities to offer choice of accommodation, or to give an opportunity to express reasonable preference in relation to accommodation. Bracknell Forest Council will offer a choice of accommodation in line with our Choice Based Lettings scheme, which provides the opportunity to choose accommodation by expressing an interest in properties that are advertised on a dedicated website.

### How needs are assessed

The Council operates a banding scheme which takes into account applicants who should be given “reasonable preference”, additional preference groups and local lettings priorities.

There are four bands:

Band A – Emergency

Band B – Urgent

Band C – High



## Band D - Medium

Band A is a time limited band and all applicants in this band will be kept under review. This will also include RSL tenants who have been approved for a Management Transfer by their RSL and re-housing will be on a like for like basis in accordance with their lettings policy. The expectation will be that applicants bid for appropriate vacancies when they arise. In cases where applicants fail to bid for appropriate vacancies, a direct offer may be made by officers or their priority status will be reviewed and may be reduced by being moved to a lower band. In cases where an applicant is moved into a lower band, the applicant will retain the date placed into the previous band.

Band B to Band D are for applicants with housing needs that are prioritised as urgent to medium.

### Medical priority

Applicants who indicate that they or anyone in their household have an illness or disability which is affected by their current home will be asked to complete a medical self-assessment form. A Welfare and Housing Caseworker will consider this information, together with any relevant information from the GP, hospital consultant or other health practitioner as appropriate to establish how the medical condition is affected by their housing. The level of medical priority will be determined by a panel of officers and or a Senior Officer.

Medical priority will be kept under review and may change if:

- The applicant moves to alternative accommodation
- There is a material change in the medical condition of an applicant or other member/s of their household
- The condition is acute and the applicant had been awaiting treatment and the treatment has now been completed, thereby resolving the medical need

Priority for a property will be awarded on the following basis:

Applicants will be able to express an interest in a vacancy by making a bid. Where more than one applicant expresses an interest in a vacancy, they will be placed on a shortlist.

Shortlisted applicants will be prioritised in the following way:

- Applicants in the highest band starting with Band A through to Band D
- Within each band, priority will be given
  - by date of placement in band. (This may be different to the date of registration in cases where an applicant has moved bands).
  - in cases where applicants have 2 or more children, families with children of different genders and where one child is over the age of 10 years will be prioritised over families where children are the same gender or are younger than 10 years.
  - the main applicant and or partner is accepted by the council as being in employment under a written contract of employment which requires at least 16 hours work per week
  - applicants who are members or former members of the armed forces including bereaved spouses and civil partners applying within five years of discharge
  - applicants without financial resources to meet their own housing need will be prioritised above those applicants that have their own financial resources to meet their own housing need.

If the applicant with the highest priority on a shortlist refuses the offer, the property will then be offered to the next eligible applicant on the shortlist.

Applicants will not be able to express an interest in a vacancy for which they are not eligible. An applicant will be excluded from a shortlist on the following grounds:

- The applicant is not eligible in accordance with the Bedroom Standard and type of accommodation in Appendix 2
- The applicant does not satisfy the advertising criteria included in the advert
- They have had a change of circumstances that they have not disclosed that directly affects their housing
- The information on which the application has been assessed has subsequently been found to be inaccurate

In cases where applicants have bid for more than one property and one of their bids has resulted in an offer of accommodation, all other bids will be suspended.

Officers will monitor the bidding activity of all applicants to ensure applicants are using the choices available to them and to provide applicants with more information about their re-housing prospects.

### Suspensions

If an applicant's application is subject to further investigation, their application will either be suspended or placed under review until the investigation has been completed

If applicants fall into arrears or housing related debt and do not make an arrangement to clear the debt they will be suspended for 6 months

If applicants refuse 2 permanent offers of accommodation they will be suspended for 12 months and their priority band will be reviewed

Applicants who become ineligible due a change in circumstances such as, unacceptable behaviour as defined within the Housing Act 1985 Grounds 1 to 7, Schedule 2

### **How vacancies will be advertised and let**

Vacancies will be advertised every week in a variety of locations:

- On the BFC My choice website (also accessible by mobile phone)
- In public buildings such as libraries and family centres

The Council will make the advertisements available to other relevant organisations and agencies to enable them to assist their clients in seeking a home.

Each vacancy will have information on the location, size and type of property, and any criteria that applicants must satisfy in order to be eligible for short-listing. For example, a vacancy in a sheltered housing scheme will normally be restricted to applications from people over pensionable age and a property with an adaptation will be restricted to a household in need of that facility. Larger properties may state that applicants must have a minimum number of children.

Results will be published on a weekly basis.

## **Allocation of accommodation**

When an empty property is allocated to somebody several factors will be taken into account:

- What size the property is and what size/type of household would be eligible
- Whether the property is for households with special needs/ support requirements
- Whether the property is to be held for a specific household and not advertised
- Which household is highest on the shortlist of all households who have made a bid for a property
- Whether the allocation to a household can free up another property for allocation thus making best use of the housing stock overall

The Council will agree an annual allocation plan. This will target the number of allocations made between the three main routes into a new home; first time applicants, homelessness and tenants who are transferring. It may be that properties are advertised specifically for one of those groups to make sure a balance of housing goes to each of the three groups. The Welfare and Housing Service will decide if a property needs to be advertised to a specific group based on the factors set out above and the number of allocations that have been made to each of the three main groups during the year.

There are a number of housing schemes in Bracknell Forest which provide specialist support. Allocation of the vacancies in those schemes will be managed to make sure they go to the household in greatest need at any point in time.

Vacant properties in supported housing schemes will only be made to households who have the relevant support needs. Applicants for these schemes will be assessed and prioritised by the Young Persons Accommodation Panel. Referrals to the panel may be made by a Welfare and Housing caseworker, a care manager or other support worker, or a voluntary sector agency representative.

As part of the allocation plan annual move on quotas will be negotiated for supported housing schemes. This will allow schemes to work with individuals and prepare them for independence. The Council will be flexible in the operation of the move on quota and will offer rent in advance and deposit loans if households would prefer and are capable of securing a home in the private rented sector.

The move on quota will generate vacancies in the supported housing to which the Council will nominate households.

## **Allocations made outside policy**

The Council will aim to maintain the integrity of the allocation of properties as set out above.

However, there will be occasions where properties are directly allocated where they have not been advertised and applicants have not made bids. Such circumstances will include specialist housing where an applicant has been identified and there is a need to house the applicant as soon as possible.

So as to manage the supply of temporary accommodation and enable the Council to meet its statutory homeless duties properties will be allocated directly to homeless households outside the allocation scheme. Homeless households will be able to bid for properties at any time and will be

placed in the band appropriate to their housing needs. They will be directly matched to a property that meets their housing need as resources allow.

## **Local letting plans**

Section 167 (2E) of the Housing Act 1996 (as amended by the Homelessness Act 2002) enables Housing Authorities to adopt Local Lettings Policies and Plans. The Code of Guidance states that these lettings plans could enable a Housing Authority to allocate to specific groups of people, whether or not they fall into the reasonable preference categories. However, it also states that reasonable preference categories must be taken into account overall and that local lettings plans should not discriminate either directly or indirectly on any equality grounds.

Sites which the Council will consider appropriate for Local Lettings Plans are as follows;

- Sites of a specific nature (i.e. Eco Homes developments, Live Work etc.)
- Sites where the location of the scheme presents limitations in terms of the type of nominations which can be accepted
- Sites where there are issues with hard to let properties
- Sites where management issues are of significant impact

RSL's should identify the requirement for Local Lettings Plans upon commencement of the development and should begin discussions with the Welfare and Housing Service at this time to allow proposals to take shape.

RSL's will be required to provide clear justification and evidence for requesting a Local Lettings Plan, along with the detail of the plan, at least six months in advance of nomination requests. In considering the detail of the plan, the RSL will need to show that consideration has been given to the following factors;

- Meeting identified housing needs
- Assisting the Council in dealing with its Homelessness Duties
- Steps which the RSL can take to mitigate risks

The Council will consider the request and will work with the RSL to reach agreement one month from the original request.

The final decision in terms of Local Lettings Plans will be made by the Chief Officer: Housing. All decisions will be made in accordance with the principles of the Local Lettings Plan protocol.

Where an RSL can provide evidence of a particular scheme or estate where difficulties are experienced with demand and therefore, lettings, the Council will consider requests for Local Lettings Plans which directly deal with this

Where an RSL can provide evidence of a particular scheme or estate where management issues are having a significant impact on the quality of life of their tenants, the Council will consider Local Lettings Plans.

Once Local Lettings Plans are agreed, properties will be advertised, showing specific details according to the plan. The Welfare and Housing Service will then make nominations according to the plan.

## **Making offers to applicants**

The RSL who owns or manages the vacant property that has been advertised will be responsible for writing to the successful applicant once notified by the Council. The RSL should provide the applicant with additional detail of the property, a potential tenancy commencement date and details of how to view the property.

The RSL will seek a tenant reference and will undertake an affordability assessment before making a formal offer of a tenancy. A minimum of at least one weeks rent in advance will be required at the point of signing a tenancy and applicants will be required to demonstrate that they have these resources available.

## **Refusal policy**

Applicants who refuse two offers of suitable general needs accommodation in a twelve month period which they have bid for will be suspended and will not be able to bid for properties for a twelve month period. The twelve month suspension period will begin at the date the Council is notified of the refusal of the second property or any decision on appeal.

Applicants who refuse three offers of suitable sheltered accommodation for older people for which they are eligible will not be able to bid for six months.

Applicants who have been placed in a band based on urgent need to move who refuse two offers of suitable accommodation will have their application reconsidered and the urgency of their need to move will be removed. This will result in them being placed in a lower band.

Homeless applicants who refuse one offer of suitable accommodation will be removed from the band recognising their homelessness and the Council will have discharged its statutory homeless duties. This may require an applicant to leave their temporary accommodation.

Applicants will have the right to appeal against any decisions to suspend bidding or remove priority.

## **Review of housing register and allocation policy decisions**

Applicants can request a review of a decision concerning their housing register application or suspension from bidding. Applicants must make a request for the review within 21 days from the date of the decision.

Applicants must request a review in writing stating the following;

The reason for the request for a review

Identify where they believe existing information concerning the application or circumstances have not been properly taken into account

Identify new information which should be taken into account.

The request should include any new documentary evidence to support the request for review

If applicants wish to make oral representations to the officers undertaking the review they should request this in advance. Arrangements will then be made to hear the representations.

Representations will be heard from a third party if signed authorisation is received from the applicant.

The review will be undertaken by a Senior Officer/s. If a Senior Officer has prior involvement with the applicants, another Senior Officer will undertake the review with one other officer.

Reviewing officers will make further enquiries as necessary to determine the review. The review can take legal and other expert advice as necessary to determine the review.

The review should be completed within 28 days of the request. If the review will take longer due to investigations the applicant will be written to stating the date by which the review will be concluded.

Applicants will receive the decision of the review in writing stating the reasons for the decision. There will be no further right of appeal against the decision.

## Appendix 1

### BANDING SCHEME

<b>Band A – Emergency</b>
• Urgent need to move due to violence, harassment, protection issues;
• Severe or life threatening medical need;
• Statutory notices;
• RSL Management Transfer – like for like basis in accordance with RSL policy
• 3 or more categories of need from Band B.
• RSL Decants for major works or re-development (where scheme has been agreed with the Council)
• RSL under-occupying successors
<b>Band B – Urgent</b>
• Movement between bands for time waiting
• Overcrowded by 2 bedrooms or more as defined by the bedroom standard
• Medical need has a severe impact on normal life and likely to deteriorate;
• Need for adapted housing;
• Household has avoided homelessness 5 or more times since being on the Housing Register by securing alternative private rented accommodation
• Need to move to a locality to give/receive support to maintain independent living;
• Under occupying RSL tenants moving to 1 bed or older persons accommodation
• Releasing an RSL adapted property;
• Moving on from Supported Housing;
• 3 or more categories of need from Band C;
• Approved Foster Carer within the borough and approved by the Chief Officer for ASC
<b>Band C – High</b>
• Homeless* defined as: <ol style="list-style-type: none"> <li>a) People owed the Section 193(2) main homelessness duty or</li> <li>b) People owed a section 189B (2) Relief duty and the applicant is, at the point of that 189B duty being accepted, considered likely to be in priority need and unintentionally homeless, whether a decision to that effect has been made or not, and the applicant is in temporary accommodation provided by the Council to meet a section 188 interim accommodation duty, or</li> <li>c) Homeless prevention meaning:</li> <li>d) If the applicant has been assessed as threatened with homelessness within 56 days and owed the section 195(2) prevention of homelessness duty, they will be eligible for a Band C for up to 56 days prior to losing their accommodation, and for 1 month afterwards which may, depending on the circumstances, be extended, but not for longer than a period of 6 months</li> </ol>
• Overcrowded by one bedroom as defined by the bedroom standard
• Medical need is stable and has a significant impact on normal life
• High social / welfare needs (identified by external agency);
• Household has avoided homelessness 4 times since being on the Housing Register by securing alternative private rented accommodation
• Need to move to a locality to be close to specialist facility;
• Movement between bands for time waiting
• 3 or more categories of need from Band D.
• Right to Move



## **Band D – Medium**

- Homeless\* defined as
  - a) People that have been verified as rough sleeping in Bracknell Forest district regardless of whether they have made a homeless application with a Local Connection to the borough under Section 199 (1) Housing Act 1996 as amended. The Local Connection criteria under Part VII Housing Act 1996 as amended applies (6 out of the last 12 months rough sleeping in Bracknell or 3 out of the last 5 years.
  - b) Applicants owed the 'relief of homelessness duty under Section 189B(2) by Bracknell Forest Council only and do not meet the criteria to be awarded Band C. (Note: applicants owed a relief duty and are likely to be in priority need, unintentionally homeless and are in temporary accommodation will be placed in Band C)
  - c) Applicants where the relief duty has been brought to an end and an applicant has been assessed at that point as not being in priority need or is intentionally homeless.
  - d) Applicants owed the 193 C (4) main duty where the prevention or relief duty was ended by the Council due to their deliberate non-cooperation
  - e) Applicants who were awarded Band C and have refused a suitable offer of accommodation under either the prevention or relief duties will be downgraded to Band D for a period of 12 months from the date of the decision.

- Households with children under 10 years living in a flat 1<sup>st</sup> floor or above with no lift
- Household has avoided homelessness up to 3 times since being on the Housing Register by securing alternative private rented accommodation
- Living with family / friends or other sharing arrangement
- Medical need has an impact on normal life
- Need to move to a locality to give/receive support to reduce social isolation N/A outside of the borough
- Moving between bands time waiting

\* The details for Bands C or D for homeless applicants owed any of the duties set out by the Housing Act 1996 as amended by the Homelessness Reduction Act 2017 are set out below.

Note:

- a) In the case of homeless prevention, relief or main duty accepted applicants, the "effective date" within the band allocated is the date that Bracknell Forest Council accepts that particular duty.
- b) Applicants who meet the qualification criteria and are owed a statutory homeless duty by another local authority other than Bracknell Forest will be awarded Band D
- c) In circumstance 6 above, where a legal 'final offer' of suitable social housing or private rented housing is made, any refusal of that offer will bring the homeless duty to an end meaning an applicant will lose any priority banding through being owed a homeless duty.

## **Band C – High housing need (see notes 1 and 2 below).**

Band C will be awarded in the following homelessness circumstances.

- 1) People owed the Section 193(2) main homelessness duty or
- 2) People owed a section 189B (2) Relief duty and the applicant is, at the point of that 189B duty being accepted, considered likely to be in priority need and unintentionally homeless, whether a decision to that effect has been made or not, and the applicant is in temporary accommodation provided by the Council to meet a section 188 interim accommodation duty, or
- 3) Homeless prevention meaning:

If the applicant has been assessed as threatened with homelessness within 56 days and owed the section 195(2) prevention of homelessness duty, they will be eligible for a Band C for up to 56 days prior to losing their accommodation, and for 1 month afterwards which may, depending on the circumstances, be extended, but not for longer than a period of 6 months (See note 1 below)

This will include for example where:

- a) The applicant is a tenant and a landlord has issued a valid section 21 and the Council is satisfied that it cannot prevent homelessness through enabling the household to remain in the property
- b) The applicant lives with family or friends and has been asked to leave within 56 days (and has no legal right to remain) and the Council is satisfied that it cannot prevent homelessness through enabling the household to remain in their property
- c) The applicant lives in a caravan or on a boat (or other moveable structure) and there is nowhere for them to pitch or moor their home,
- d) The applicant lives in a hostel or hotel where their Licence to occupy has been withdrawn.

**Note 1:** The circumstances where the Band C Prevention award may be extended for up to 6 months are:

A pregnant woman or applicant with a child or children who are sharing a home with family and where:

- a) They have no ownership or tenancy rights and the arrangement is short term and very insecure and only available whilst the applicant is actively seeking an offer of social housing or alternative accommodation with friends or in the private rented sector, and
- b) They were owed a prevention of homelessness duty as they were assessed as likely to become homeless within 56 days, and that duty has ended because they have been allowed to remain at home whilst they bid for social housing with their Band C priority or seek alternative accommodation to rent, or with other family or friends and it is likely that they can remain for at least 6 months.
- c) The family member/person with the interest in the home where they are accommodated has agreed to allow the applicant to remain for at least 6 months.

The 6-month period is dependent on the applicant engaging with the Local Authority with any signposting done and taking steps to alleviate their housing need through the private rented sector and engaging with any reasonable assistance provided. If the applicant fails to engage in support, the Local Authority has the right to close down the application and remove the Band C priority. This will reduce the banding of the family to Band D priority category "Living with family/friends or other sharing arrangements."

If the Local Authority works with an applicant in resolving the applicant's homelessness with an offer of private rented property that is suitable and meets the requirements of the Housing Act 1996 as amended, the Housing register application will accordingly be closed as there will be no housing need thereafter.

**Note 2:** Where the Local Authority is satisfied through further enquiries that a verified rough sleeper in the borough falls within the category for the 'Armed Forces Covenant', they will be given additional preference within the Band C criteria where the application is made within five years after discharge.

By law, a local authority in England cannot disqualify any of the following because they do not have a local connection to the local authority's district:

- (a) serving members of the Armed Forces
- (b) former Service personnel, where the application is made within five years after discharge
- (c) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner (where the death was attributable to their service)
- (d) serving or former members of the Reserve Forces suffering from a serious injury, illness or disability sustained as a result of their service

### **Band D – Medium Housing Need (see note 3 below).**

Band D will be awarded in the following homelessness circumstances:

- 1) People that have been verified as rough sleeping in Bracknell Forest district regardless of whether they have made a homeless application with a Local Connection to the borough under Section 199 (1) Housing Act 1996 as amended. The Local Connection criteria under Part VII Housing Act 1996 as amended applies (6 out of the last 12 months rough sleeping in Bracknell or 3 out of the last 5 years.
- 2) Applicants owed the 'relief of homelessness duty under Section 189B(2) by Bracknell Forest Council only and do not meet the criteria to be awarded Band C. (Note: applicants owed a relief duty and are likely to be in priority need, unintentionally homeless and are in temporary accommodation will be placed in Band C)
- 3) Applicants where the relief duty has been brought to an end and an applicant has been assessed at that point as not being in priority need or is intentionally homeless.
- 4) Applicants owed the 193 C (4) main duty where the prevention or relief duty was ended by the Council due to their deliberate non-cooperation
- 5) Applicants who were awarded Band C and have refused a suitable offer of accommodation under either the prevention or relief duties will be downgraded to Band D for a period of 12 months from the date of the decision. (See note 3 below)

**Note 3:** Any Band D priority banding is dependent on the applicant remaining homeless. If their circumstances change and they are no longer homeless the Band D priority award will be removed. If an offer of accommodation was to be made and, upon verification, the assessment is that the applicant is no longer homeless, that offer would be withdrawn.

## Appendix 2

### Size of accommodation you may be eligible for.

	Single person	Childless couple	Single OAP	Couple OAP	1 child family	2 child family	3 child family	4 child family	5 child family	6 child family	7 child family
Bedsit	√		√								
Bedsit Bungalow	√		√								
Warden assisted Bedsit	√		√								
Warden Assisted 1 Bed flat	√	√	√	√							
Warden Assisted 1 Bed cottage			√	√							
Warden Assisted 1 Bed Bungalow			√	√							
Warden Assisted 2 Bed Bungalow				√							
1 Bed flat	√	√	√	√							
1 Bed House	√	√									
1 Bed Bungalow	√	√	√	√							
2 Bed Flat					√	√					
2 Bed Maisonette					√	√					
2 Bed Bungalow		√		√							
2 Bed House					√	√					
3 Bed Flat						√	√				
3 Bed Maisonette						√	√				
3 Bed House						√	√				
3 Bed Bungalow						√	√				
4 Bed Flat							√	√			
4 Bed Maisonette							√	√			
4 bed House							√	√	√		
5 Bed House									√	√	√

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