Cheshire East Choice Based Lettings

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CHESHIRE HOMECHOICE
Common Allocation Policy

VERSION 5 - 2024

Cheshire East Choice Based Lettings Partnership

"Providing housing solutions in Cheshire East through choice"

Contents	Page
Section One - The Common Allocation Policy	**4**
Background	4
Our vision	5
Key aims and objectives	5
Equality and fairness	5
Domestic Abuse	6
Section Two - The Common Housing Register	**7**
Introduction	7
Who can apply	7
Eligibility	7
Age	7
Persons from abroad	7
Unacceptable behaviour	7
Joint applications	8
Multiple applications	8
Transferring tenants	8
Mutual exchanges	8
Applications from Elected Members, Board Members and employees	8
How to apply	8
Advice, support and information	9
Home visits	9
Changes in circumstances	9
Housing Register Renewal	9
Closed applications	10
Deliberately Withholding information/providing false information	10
Decisions	10
Reviews	10
Appeals	11
Cheshire Homechoice Panel	11
Cheshire Homechoice Board	12
Making a complaint	12
Section Three - Assessing Housing Need	**13**
Reasonable preference groups	13
Priority Band assessment	13
Housing Needs Assessment	14
Homelessness prevention and relief	14
Owed a full housing duty	15
Under a homelessness relief duty and accommodated	15
Under a prevention or relief duty and likely to qualify for TA	15
Under a prevention or relief duty and NOT likely to qualify for TA	15
	15
Homeless or at risk of homelessness but not under a CEC duty	15

Unable to occupy current accommodation	15
Armed forces personnel	16
Downsizing	16
Living in unsanitary conditions	16
Households in supported accommodation	16
Urgent housing need	17
Care Leavers	17
Overcrowding	17
Under occupation	18
Housing impact on a medical condition	18
Housing impact on a households welfare	18
Households with children or pregnant women	19
Reduced preference	19
Local connection	19/20
Section Four – Advertising, Bidding, Short-listing & Tenant Selection	**21**
Advertising properties	21
Extra care housing	22
Affordable housing developments	22
Bidding	22
No bids or suitable applicants	22
Support for vulnerable applicants	23
Bidding control - Homelessness & prevention	23
Short-listing & tenant selection	24
Shortlisting out of band order	24
Properties with adaptations	24
Community connection – rural lettings	25
New build priority – new build lettings	26
Multiple unit allocation	26
Local lettings	26
Houses to children	27
Capital limits and income checks	27
Viewing properties and receiving offers	27
Feedback on results	27
Direct lets	28
Nominations	28
Future development of the scheme	28
Appendix 1	**29**
Contacts	29

SECTION ONE
THE COMMON ALLOCATION POLICY

Background

In 2010 Cheshire East Council launched their choice-based lettings partnership with the aim of developing a common allocation policy, a common housing register and a choice-based lettings scheme. The following organisations are members of the Partnership:

- Cheshire East Council
- Plus Dane Group
- Peaks & Plains Housing Trust
- The Guinness Partnership

The Partnership "Cheshire Homechoice" use a system of advertising properties and expressions of interest (bids) alongside this Common Allocations Policy to determine how properties are allocated.

In addition to the partners the following organisations advertise 100% of their available homes in Cheshire East with Cheshire Homechoice:

• Great places	• Jigsaw
• Muir	• Honeycomb Group
• Riverside	• Staffordshire Housing Association
• Halton	• Regenda
• Your Housing	• Weaver Vale
• Onward	• Sage Housing
• Southway Homes	• Bolton at Home
• One Vision Housing	• Trafford Housing Trust
• Southway Homes	• Aspire

Further to these, a small number of providers advertise a proportion of their available homes with Cheshire Homechoice:

• Sanctuary	• Johnnie Johnson
• Places for People	• Anchor
• Torus Homes	• Magenta Living
• Livv Housing Group	• Legal and General Affordable Homes
• Clarion Housing Group	•

This policy is subject to periodic review. Reviews to date include:

- 2012 – Version 2
- 2015 – Version 3
- 2018 – Version 4
- 2024 – Version 5

This document is version 5

Our vision

"Providing housing solutions in Cheshire East through choice ".

Key aims and objectives

The overall aim of the policy is to ensure that all social/ affordable housing is allocated fairly and objectively to those in the greatest housing need, having regard to any legislative requirements and Codes of Guidance issued by the Department of Levelling up Housing and Communities (DLUHC)

This policy has been developed with a view to meeting the following principles and key objectives:

- To operate a choice-based lettings system which is simple; easy to understand; transparent; open and fair
- To operate an allocations system that offers realistic, informed choice for all
- To improve mobility within Cheshire East
- To encourage balanced and sustainable communities
- To ensure that every application is dealt with fairly and consistently irrespective of race, disability, gender, sexual orientation, religion and belief, and age
- To give adequate priority to applicants who fall within the "Reasonable Preference" categories
- To give adequate priority to prevent homelessness whilst maintaining a balance between the needs of the homeless and other applicants in housing need
- To empower applicants by giving them more opportunity to express choice and preferences about where they want to live whilst having regard to the availability of housing resources and the high demand for housing
- To assist those applicants who are vulnerable to access the service.

Equality and fairness

Cheshire Homechoice will ensure its policies, procedures and practices are non-discriminatory and will promote equal opportunities by preventing and eliminating discrimination on the grounds of race, disability, gender (Inc. reassignment), sexual orientation, pregnancy/ maternity, religion/ belief, and age.

This policy will be accessible, responsive, and sensitive to the diverse needs of individuals. Where necessary reasonable adjustments will be made to this policy to ensure that it promotes equality of opportunity to individuals and minority groups. To achieve this, all applicants will be asked to provide relevant information when they apply to join the register and through the process of allocation.

Cheshire Homechoice will ensure all potential applicants have equality of information about the service and equal opportunity to apply, bid for and receive offers of accommodation. We will:

- Advertise the service widely in a variety of accessible media.
- Provide practical assistance to those who may have difficulty in understanding the requirements of the system.
- Provide practical assistance, where the applicant may have difficulty completing an application.
- Provide tailored assistance to those who may have difficulty in bidding for properties.
- Monitor the profile of those who are applying and placing bids to ensure that minority and hard to reach groups are actively engaged in the service.

Domestic Abuse

Under the Domestic Abuse Act 2021 domestic abuse is defined as any incident or pattern of incidents between those aged 16 years or over who are personally connected to each other. This includes people who are, or have previously been married, in civil partnerships or in relationships; or have a child together; or are relatives. Abuse can be a single incident, but is more often a pattern of behaviours, and it takes many forms including:

- physical or sexual abuse
- violent or threatening behaviour
- controlling or coercive behaviour
- economic abuse
- psychological, emotional, or other abuse

The Domestic Abuse Act 2021 recognises children under the age of 18 years who see, or hear, or experience the effects of the abuse, as a victim of domestic abuse if they are related or have a parental relationship to the adult victim or perpetrator of the abuse.

Whilst this policy aims to reflect the overarching approach to supporting survivors of domestic abuse, every case is different, and flexibility can be operated within this policy to protect survivors and their families.

SECTION TWO
THE COMMON HOUSING REGISTER

Introduction

The Common Housing Register is a single list of all applicants for housing across Cheshire East. It includes new applicants and existing tenants wishing to transfer. Applicants who apply to join the Register need only apply once to be considered for vacancies across the whole of the Cheshire East borough.

Who can apply?

The register is open to all apart from those who are ineligible due to immigration status or classed as non-qualifying due to unacceptable behaviour as defined in the following sections.

Eligibility

Age

Anyone age 16 or over can apply to have their housing need registered, however tenancies are usually only offered to people of 18 years of age and over.

Persons from Abroad

A person (defined by s13 (2) of the Asylum and Immigration act 1996) may not be allocated accommodation under Part 6 if he or she is a person from abroad who is ineligible for an allocation under section 160ZA of the 1996 Act. There are two categories for the purposes of s.160ZA:

(i) *a person subject to immigration control* - such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the Secretary of State (s.160ZA(2)),and,

(ii) *a person from abroad other than a person subject to immigration control* - regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (s.160ZA(4)).

All allocations made by Cheshire Homechoice will be made in accordance with the most current legislation, considering any qualifying rights to reside or immigration control limitations.

Unacceptable behaviour

Under s.160ZA of the Housing Act 1996, any applicant (or a member of their household) who is guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant, will be classed as non-qualifying for an allocation. In most circumstances this means anti-social behaviour or significant/persistent rent arrears.

Joint applications

In Line with s.160ZA of the Housing Act 1996, a joint application will not be accepted from two or more people if any one of them is a person from abroad who is ineligible. However, where two or more people apply and one of them is eligible an application will be accepted from the person who is eligible, as a sole applicant.

Multiple applications

Multiple applications will not be allowed. If multiple applications do exist, the application which is a most accurate reflection of the applicant's circumstances will be kept open. Any other applications will be cancelled.

Transfers/ Existing tenants of social landlords

Any tenants of social landlords (registered providers) in the first 12 months of their tenancy will be excluded from registering for a move unless they can evidence an urgent need to move or significant risk of harm.

Tenants of social landlords will be permitted to register after the first 12 months of their tenancy however to be considered for an alternative tenancy from their existing landlord they will have to meet the transfer criteria outlined by their landlord.

Common reasons for tenants being overlooked are:

- Rent arrears.
- Poor property condition
- A poorly maintained garden
- A recent history of anti-social behaviour

Moves to other landlords will be considered in alignment with general lettings criteria.

Mutual exchanges

Mutual exchanges are advertised outside of Homechoice, through the registered providers own channels and will be dealt with outside the policy. A link to relevant websites will be provided on the Cheshire Homechoice website or details of the scheme can be sent to applicants on request.

Applications from Elected Members, Board Members and Employees

Applications can be accepted from employees, elected members, board members and their close relatives. Applicants must disclose any such relationship at the time of application.

How to apply

An application can be made by completing a Cheshire Homechoice application form online and providing the information requested. The registration of an application may be delayed or cancelled if the information requested is not provided.

The purpose of the Cheshire Homechoice application is to correctly identify the housing priority for each applicant, which is expressed as a Priority Band. Once an application has been registered applicants will be notified of their:

- Date of registration
- Priority band assessment
- Priority date
- Application reference number

Advice, information, and support

Advice will be provided by Cheshire East Council; information will be available online or on request in other formats and support in accessing the service will be provided to a bespoke level, on request. Where a household contains the victim of Domestic Abuse the partnership recognises and will ensure access is provided to specialist domestic abuse support services.

Home visits

Home visits may be carried out to assess some applications where appropriate and required.

Changes in circumstances

Applicants who move to a new address or whose circumstances change after they have been accepted onto the Housing Register (e.g., someone joining or leaving their household) should immediately contact the Cheshire Homechoice Team at Cheshire East to notify them of the change. A new application may be required.

Cheshire Homechoice reserves the right to reconsider an applicant's priority band assessment on the grounds of change of circumstances at any time until an offer of accommodation has been accepted and a tenancy agreement signed.

If an applicant's circumstances have changed prior to the allocation of a property and records held by Cheshire Homechoice have not been updated the partners reserve the right to overlook an applicant's bid or to revoke an offer. It is an applicant's responsibility to keep Cheshire Homechoice updated with any circumstances relating to housing.

Housing register renewal

Applicants must keep their application details up to date and place bids on adverts for properties that meet their requirements. Cheshire Homechoice reserves the right to close inactive applications. At a minimum of annually, Cheshire Homechoice will require applicants to renew and update their application. If applicants wish to remain on the register, they must contact Cheshire Homechoice within 28 days. Providing none of the housing circumstances have changed and the previous assessment remains valid the application will be re-opened promptly, and the previous priority of the application will remain unaffected. Where circumstances have changed an application will be re-assessed in accordance with this policy.

In Bands A & B there will be more regular monitoring and reviews; Cheshire Homechoice will encourage applicants in all Bands to keep their details current and will contact applicants regularly to ensure we hold current and relevant information.

Closed applications

Applications will be closed in the following circumstances:

- A request has been received from the applicant (or their advocate)
- The applicant has accepted a tenancy as a sole or joint tenant.
- The applicant has bought a property.
- Notification has been received from an executor or personal representative that the applicant is deceased, and s/he was the sole applicant.
- It is discovered that the applicant has given false or misleading information in their application.
- Information is obtained that gives reason to believe that the applicant is no longer eligible.
- If a response to correspondence is not received within 10 working days (2 weeks).

Applicants can request an explanation of the reason/s for their application closure and can request a review of the decision (see Reviews and Appeals).

If the applicant makes a request to reopen their application within 20 working days (4 weeks) of it being closed it will be reopened (where eligible) and receive the original assessment of Band and priority date provided no relevant circumstances have changed.

Deliberately withholding information or providing false information

Legal action could be taken against any applicant who provides false information when applying for housing (including a fine of up to £5,000). Under Section 171 of the Housing Act 1996 it is an offence to:

- Deliberately provide false information; or
- Deliberately withhold information that should have been given.

Where an applicant has been found guilty of making a fraudulent applicant, they will automatically have their application closed as above. Possession proceedings can be instigated if a tenancy was obtained by giving false information and the tenant may be classed as non-qualifying for the Housing Register

Decisions

Reviews

Applicants have the right to request a review against decisions made in the assessment process. These include:

- A decision to reduce preference.

- A decision about the priority band assessment.
- A decision about eligibility to make an application.
- A decision to close an application.
- A decision to overlook a bid on a shortlist.
- A decision to withdraw an offer/ reject an applicant's application.

The applicant's request for a review of the decision should be made in writing, to the partner who made the decision, within 20 working days (4 weeks) of the original decision being made with supporting evidence why they require a review of the original decision. Where an applicant has a confirmed difficulty with writing and needs support with writing a review, they will be encouraged to see independent advocacy, where this this not possible there will be telephone support available to transcribe the detail of a review request.

A more senior officer, independent of the original decision making, will carry out reviews. The officer will not have been involved in the original decision. The officer will consider the evidence provided and decide whether to overturn or support the original decision. The applicant will be informed in writing of the decision within 20 working days (4 weeks) of receipt of the request for a review. The reply will contain the decision made, the reasons for the decision and the facts considered when making the decision.

Appeals

If the applicant is not satisfied with the decision made by a reviewing officer, they can appeal against the decision. Applicants will need to do this in writing within 20 working days (4 weeks) of the review letter being sent. For the purposes of assessment decisions, the Homechoice Panel (see below) will conduct the appeal and for the purposed of allocation decision Homechoice Board (see below) will conduct the appeal. A decision on appeal will be completed within 40 working days (8 weeks) and a final decision will be delivered in writing.

Where an appeal relates to an allocation of social housing, it is unlikely a property would be held back from allocation whilst the review and appeal process takes place.

Cheshire Homechoice Panel

Cheshire Homechoice is committed to equality of opportunities and therefore will monitor all processes robustly to ensure that there is open and fair access to social/ affordable housing and to ensure allocations of accommodation are made to those in the greatest housing need. This will be done through the Cheshire Homechoice Panel. Operational managers from all Cheshire Homechoice partners will attend the panel on a regular basis to make decisions on, and monitor the following:

- Reviews of decisions.
- Customer satisfaction/complaint levels.
- Accessibility for vulnerable groups.
- Reduced preference applicants.
- Ineligible or unqualified applicants.

- Allocations to ensure they have been carried out fairly and transparently and in line with this Policy.
- The number of direct/management lets and the reasons they were made.
- Refusal of offers.
- Community, new build, and local lettings to ensure that need is being met.

Cheshire Homechoice Board

Future developments and alterations to this Common Allocation Policy, or the overall scheme, will be decided by the Cheshire Homechoice board, which consists of strategic managers from each of the participating organisations.

Making a complaint

If an applicant wishes to make a complaint, they should contact Cheshire East to be informed to which partner the complaint should be directed and advise them of the partner's complaint procedure.

All applicants who make a complaint will be treated fairly and objectively. A reply to any complaint received will be delivered within the timescales set out in each partner organisation's complaints policy. Copies of these can be obtained from the individual partners (see Appendix 1)

If the applicant has gone through the complaints procedure and remains dissatisfied, they can write to the Housing Ombudsman or the Local Government Ombudsman or apply for a judicial review.

SECTION THREE
ASSESSING HOUSING NEED

Reasonable preference groups

All qualifying applications will be assessed under this policy, to ensure that those in greatest housing need are given preference for an allocation of accommodation. Cheshire Homechoice gives reasonable preference to applicants as set out in section 166A(3) of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017). These are:

- People who are homeless including those who are intentionally homeless and those who are not in priority need.
- People who are owed a duty by a local authority under section 190(2), 193(2), (189b) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s.192(3).
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- People who need to move on medical or welfare grounds, including grounds relating to disability.
- People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or to others)

In addition, section 166 A (3) gives local authorities the power to frame their allocation schemes to give additional preference to particular descriptions of applicants who fall within the reasonable preference categories and who have particularly urgent housing needs.

To ensure that local priorities are met, the scheme may provide for other factors, other than those set out in section (2) of the Housing Act 1996, in determining which categories of applicants are to be given preference for an allocation of accommodation within the scheme, providing they do not dominate the scheme over those listed in the statutory preference categories listed in section 166A (3).

Priority band assessment

Band A

- Under a homeless relief or full housing duty and accommodated by Cheshire East Council.
- Unable to occupy their current accommodation.
- Armed forces personnel with a housing need and serious disability.

Band B

- Under a Cheshire East Council homeless prevention or relief duty and likely to qualify for an allocation of emergency accommodation.
- Downsizing.

- Living in unsanitary conditions.
- Statutory overcrowded.
- In supported accommodation and ready to move on.
- Urgent housing need.
- Care Leavers or armed forces personnel with additional housing need.

Band C+

- Under a Cheshire East Council homeless prevention or relief duty and NOT likely to qualify for an allocation of emergency accommodation.
- Homeless or at risk of homeless but not under Cheshire East Council duty.

Band C

- Overcrowded.
- Tenants of registered providers who under occupy a property in Cheshire East.
- Housing is impacting on a medical condition.
- Housing is impacting on welfare.

Band D

- Do not meet any of the reasonable preference criteria and/or are otherwise adequately housed.

Band E

- Reduced preference.

Housing needs assessment

Housing need is not cumulative. The housing needs assessment will take account of all household circumstances, and the highest priority circumstance will determine the priority Band. The only exception to this is band E which will override all other assessments.

Homelessness, Prevention & Relief

Owed a full homeless duty by Cheshire East Council

The Local Authority has a legal duty under Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) to ensure that homeless Households owed a full housing duty by Cheshire East Council under s.193C (4) are provided with suitable accommodation. Homeless Households to whom the full duty is owed and have been placed in emergency accommodation by Cheshire East Council will qualify for band A priority.

Households awarded this priority under the scheme should receive an offer of an allocation within a short period of time, therefore the priority awarded on the grounds of homelessness will only be permitted for a limited period and subject to bidding control or direct offers.

Under a homeless relief duty and accommodated by Cheshire East Council

Customers who have been assessed as qualifying for the Homelessness Relief Duty s.189(b)(2), in accordance with the Homelessness Reduction Act 2017, and have been placed in emergency accommodation by Cheshire East Council will qualify for band A priority. This priority will be time limited and subject to bidding controls or direct offers.

Under a Cheshire East Council homeless prevention duty, relief duty or full homeless duty and likely to qualify for an allocation of emergency accommodation.

Households who are owed a s195(2) prevention duty, a s189(b)(2) relief duty or a s.193C (4) full housing duty by Cheshire East Council in accordance with the Homelessness Reduction Act 2018 **AND** are likely to qualify for an offer of emergency accommodation, will be placed into Band B. This priority will be time limited and subject to bidding controls or direct offers.

Under a Cheshire East Council homeless prevention or relief duty and NOT likely to qualify for an allocation of emergency accommodation

Households who are owed a s195(2) prevention or s189(b)(2) relief duty by Cheshire East Council in accordance with the Homelessness Reduction Act **AND** are **NOT** likely to qualify for an offer of emergency accommodation, will be placed into Band C+. This priority will be time limited.

Homeless or at risk of homeless but not under Cheshire East Council duty

Band C+ will be awarded to applicants who have:

- Received a non-priority or intentional homeless decision, by Cheshire East Council.
- Had their prevention or relief duty, owed by Cheshire East Council, discharged due to the refusal of an offer.
- Had their full homeless duty, owed by Cheshire East Council, discharged due to the refusal of an offer.
- Have elected not to be assessed under the homelessness reduction act.
- In short-term supported accommodation provided by a non-commissioned provider and ready to move on.

AND remain homeless or at risk of homelessness.

Those with homelessness duties owed by another LA but have a connection to Cheshire East borough will be placed in band C for reasonable preference.

Unable to occupy current accommodation.

Households who cannot physically access their accommodation (long term) or who are in hospital or respite care and have been medically assessed as being unable to return permanently to their current home will be placed in Band A.

Armed forces personnel

Current and former armed forces personnel who are already adequately housed will be placed in Band D. Where a household of current or former armed forces personnel has any additional housing need, they will be placed in Band B. (For example: If an applicant is confirmed as having served in the armed forces and is overcrowded, they will be assessed as Band B). Where an applicant is in housing need AND has a serious disability resulting from service in the armed forces applicants will be placed in band A.

Downsizing

Current tenants who occupy larger homes belonging to one of the partner Registered Providers **AND** who are experiencing issues with affordability maybe placed in band B. **Applicants will need to obtain the support of their landlord before being awarded this priority.** This assessment differs significantly from the under-occupation priority; sponsorship for this priority would come from and be monitored by the Registered Provider and will be time limited and could be subject to bidding controls or direct offers.

This assessment will not confirm eligibility to any other downsizing schemes held by the partners, nor does it mean that the Registered Provider will finance a move.

Living in unsanitary conditions and statutory overcrowding

If Cheshire Homechoice can confirm that an applicant has 'no access' to toilet, washing or cooking facilities; or the applicant is statutorily overcrowded, the applicant will be placed in Band B.

For the definition of 'no access' to facilities, Cheshire Homechoice will consider shared access or access to facilities outside of the home to be access. Running water will be enough for the assessment of washing facilities and a microwave is considered sufficient for cooking.

Households in supported accommodation

Applicants living in short-term supported accommodation services in Cheshire East will be placed in Band D.

However, when applicants are confirmed as ready to move on by their supporting service the priority will be increased to Band C+ for those in non-commissioned service and band B for commissioned services.

Definition of short term supported accommodation – Placements must be short term in nature. Sheltered or home-based support would not qualify. The support service must be commissioned by Cheshire East housing services and the available placements must be exclusive to applicants with a connection to Cheshire East.

Applicants living in longer-term supported accommodation services that no longer qualify for a funded placement or the support provided and have capacity to manage a tenancy

independently will be considered under the prevention of homelessness criteria with a view to the suitability of their accommodation.

Urgent housing need

Additional priority may be awarded where an applicant cannot access their washing or bathing facilities safely due to a physical disability and where adaptations cannot be done to the property to facilitate access. Subject to further assessment by the partners and or the Occupational Therapy Team (where appropriate) applicants will be placed in Band B.

Households with a requirement for equipment to manage a disability which cannot be accommodated in their current home will be placed in Band B.

Where there are pending convictions or intensive ongoing investigations that indicate a significant risk of harm to a member of a household and the police or an ASB co-ordinator (or equivalent) are in support of the fact that a move is the only resolution, applicants will be placed in Band B.

In alignment with the Domestic Abuse Act 2021 cases meeting following criteria will be placed in Band B:

- cases referred to Multi-Agency Risk Assessment Conference (MARAC) where there is a risk outside the property, of domestic abuse.
- where a perpetrator of domestic abuse remains a risk to a person/ family that cannot be controlled long term by the police as a matter of public protection.
- a move is the only solution.
- More serious issues may be considered in line with Homelessness Legislation.

Other significant risks of harm including those relating to mental health will also be considered under these criteria.

Care leavers

For the purposes of assessing priority, a young person will be considered under the care leaver's policy if they can prove they are, or have previously been, a "Cared for Child" by Cheshire East Council AND are under the age of 26.

Young people who are care leavers of Cheshire East Council under the Children (Leaving Care) Act 2000 and are already adequately housed will be placed in Band D. Where a "care leaver" (as defined above) has any additional housing need they will be placed in Band B. (For example: If an applicant is confirmed as a care leaver and is overcrowded, they will be assessed as Band B). The only exception to this is if the care leaver meets any of the assessment criteria in Band A or Band E

Supporting documentation will be required from the appropriate Local Authority department.

Overcrowding

If a Household is overcrowded more than the bedroom standard or overcrowded as defined in Part 10 of the Housing Act 1985, they will be placed in Band B.

The table below outlines the assessment criteria for band C overcrowding. The overcrowding priority does not increase with the number of rooms lacking.

Under occupation

Tenants of Registered Providers within Cheshire East whom under occupy a property and have a need to move to a smaller property, will be assessed as Band C.

If an applicant applies for a property of the same size or larger than their current home their bid may be overlooked by a Registered Provider as this would be considered an abuse of this priority.

For the purposes of assessing band C overcrowding/ under occupation the following criteria will be applied:

Household	**Bedroom Need**
Single Applicant	Studio/One bedroom
Couple	One bedroom
Person aged 21 or over	One bedroom
Single child from birth	One bedroom
Two children, both under 10 years old	One bedroom
Two children of the same sex, aged 10-20	One bedroom
Two children of opposite sex, one or both over 10 years old	Two bedrooms

To evidence child occupants in a property child benefit eligibility will be used as a measure. Where an applicant is a survivor of domestic abuse additional evidence may be considered i.e., support from local domestic abuse services, school records, and legal orders. Where households are over the higher earning threshold, dependency will be considered using bank statements and financial assessments.

Housing impact on a medical condition

Where an applicant's current accommodation is having an adverse effect on a diagnosed medical condition of any member of the household who intends to move, band C.

Housing impact on a household's welfare

Circumstances that will be given consideration for band C under the welfare criteria:

- Anti-social behaviour.
- Experiencing domestic abuse.
- Financial hardship.
- Property condition.
- Living in refuge accommodation.
- Moving closer to support from relatives where there is an assessed eligibility for social care support and the move will lessen the dependency on social care.

Households with children or pregnant women

Households with children or pregnant women will be placed in Band D unless additional housing need is identified.

Reduced preference

A reduced preference assessment overrides all other priority assessments.

In certain circumstances, section 167(2A) of the Housing Act (1996) as amended by the Homelessness Act 2002 allows local authorities to take certain other factors into account when determining priorities between applicants. This can result in the applicant being awarded a lower priority than they would otherwise receive according to their housing needs alone.
Reduced preference may apply when the applicant, or member of the household, has demonstrated unacceptable behaviour which was not serious enough to justify a decision to treat the applicant as ineligible, but which can be considered in assessing the applicant's level of priority. Examples include: -

- Property related debts.
- Current or former rent arrears.
- Acts of anti-social behaviour that have caused or are likely to cause serious nuisance to neighbours.
- Property damage.
- Assaulting, abusing, or harassing officers or elected members.
- Households who have no local connection to Cheshire East.
- 2 unreasonable refusals of written/verbal offer or wasting the time of partners.
- Intentionally worsening housing circumstances with the intent of increasing priority.
- Those applicants who wish to remain on the list but have no intention of bidding presently.
- Withholding information that should have been provided.
- Providing false information.
- No local connection.

This list is not exhaustive. Applicants who are given reduced preference will be placed in Band E.

A decision to reduce preference will be reviewed, where circumstances have changed, upon written request from the applicant. Each case will be considered on its own merits.

Local connection

Applicants who fulfil **any** of the following will be considered as having a local connection:

- Currently live, or have lived, in settled accommodation within Cheshire East and have done for at least 2 consecutive years.

- Have immediate family (mother, father, brother, sister, adult child, adoptive parents) who are currently living in Cheshire East and have done for at least five years or more.
- Have a permanent contract of employment where the place of work is within Cheshire East borough.
- Members of the armed forces living outside of the borough on application who are:

    a) members of the Armed Forces and former Service personnel, where the application is made within five years of discharge.
    b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner.
    c) 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.

- Have a specific and significant reason to reside in Cheshire East:

    a) To support the discharge of homelessness duties owed by Cheshire East Council.
    b) Accessing hospital or health care services that are only available in Cheshire East.

Applicants without a local connection will be placed in Band E. An applicant fleeing Cheshire East to secure temporary refuge from an incident of Domestic Abuse, with a view to make a return to the borough, will not lose their local connection due to time spent in refuge accommodation.

SECTION FOUR
ADVERTISING, BIDDING, SHORT LISTING & TENANT SELECTION

Cheshire Homechoice is a Choice Based Lettings scheme that enables applicants to bid for properties they are eligible for. The successful applicant will be decided in line with this policy.

Advertising properties

Property adverts will be clearly presented to show the charges, property features and local neighbourhood information.

Applicants will be able to view online, the properties for which they are eligible. There will sometimes be restrictions as to which applicants are eligible for a property. Any such restrictions will be made clear in the advert, for example where:

- A property is only suitable for applicants who need adaptations such as a level entry shower.
- A property that is ring fenced to certain age groups.
- A property that permits wheelchair access.

Bids from applicants may be allowed if they cannot match the requirements in an advert, applicants make the decision to place a bid and there is an expectation that they will have read all the advert content including the detailed description. Registered Providers are only able to overlook a bid if restrictions are disclosed in an advert. For example: overlooking applicants that do not have a local or community connection, there must have been a statement in the advert to advise customers that a local or community connection is required.

Property adverts will clearly display the maximum number of household members that a property can accommodate. Registered Providers will aim to maximise the occupancy of a property and under or over occupancy will only be considered if there are no bids from an applicant who can fully occupy all the rooms in a home. In deciding to under occupy a home the Registered Provider must fully consider long term affordability before making an offer.

For the purposes of eligibility, suitable property size will be determined in alignment with Local Housing Allowance guidance and this policy.

Houses will be prioritised to households with children under 18 and bedrooms allocated as a minimum to the criteria below:

Household	**Bedroom Need**
Single Applicant	Studio/One bedroom
Couple	One bedroom
Person aged 21 or over	One bedroom
Single child from birth	One bedroom
Two children, both under 10 years old	One bedroom
Two children of the same sex, aged 10-20	One bedroom

Two children of opposite sex, one or both over 10 years old	Two bedrooms

To evidence child occupants in a property child benefit eligibility will be used as a measure. Where an applicant is a survivor of domestic abuse additional evidence may be considered i.e., support from local domestic abuse services, school records, and legal orders. Where households are over the higher earning threshold, dependency will be considered using bank statements and financial assessments.

Pregnant women will only be considered for an additional room for baby after baby is born.

Extra care housing

Properties with extra care facilities may be advertised as part of the scheme. The service providers will directly match vacant properties to qualifying applicants that meet the eligibility criteria following a detailed assessment of their housing, care, and support needs. Although some extra care facilities will also operate their own waiting list and application process.

Affordable housing developments

Affordable housing may also be advertised through the scheme. When new housing developments are built within rural areas a Section 106 agreement may state that applicants who are allocated the properties must have a direct local connection to that specific rural area. When this is the case properties advertised on the Cheshire Homechoice website will make clear what the eligibility criteria are for the property.

Bidding

Available properties will be advertised daily, and applicants can bid for up to 2 properties at any one time. All vacant homes will be advertised in the first instance for a minimum of 5 days to include a Saturday, Sunday & Monday.

Bids can be placed on properties via the telephone, email, the website, and auto bid. Visitors to Cheshire East Offices will be directed to an internal phone line. Advice and support will be provided to applicants who need it; to ensure they are able to access and use the scheme.

Where a provider has made an offer to an applicant and pending the signing of the tenancy an applicant will no longer be permitted to place bids and any previous bids for other homes should not be considered. Registered Providers are not permitted to offer a home to an applicant who has received an offer.

No bids or suitable applicants

If a property is not let on the first advert, providers must re-advertise the property as a "home available now" and consider opening the restrictions (i.e., considering permitting a wider age range, or under occupation or reducing non-working limits). At this time other

media can be considered but applicants with a Homechoice application must be given priority or those sourced externally.

Bidding support for vulnerable applicants

Cheshire Homechoice places demands on applicants. It gives people an active role in the lettings process and encourages them to place bids on empty properties.

Applicants will need to:

- Receive information on the housing options available.
- Have access to and ability to use the technology necessary to apply to Cheshire Homechoice and place bids for properties.
- Have the capacity to make decisions based on the information provided.

Broadly speaking vulnerability can mean anyone who cannot be actively involved in the choice-based lettings process, for example:

- Older people.
- People with learning difficulties.
- People with mental health issues.
- People fleeing domestic abuse.
- People with drug or alcohol issues.
- People with medical needs.
- People with sensory impartment.

Cheshire Homechoice will ensure vulnerable applicants are able to access the Cheshire Homechoice website. When a vulnerable applicant is identified every effort will be made to assist and support them through the process. In all cases the level and type of support will be decided on an individual basis. Several measures will be put in place to ensure that vulnerable applicants are not disadvantaged for example through:

- Providing appropriate advice and assistance.
- Providing information in other formats.
- Partnership working with support agencies.
- Translating documents on request.
- Ensuring appropriate support is available for applicants using the system.
- Using auto-bidding and property alerts to improve accessibility.

Wherever possible Cheshire Homechoice would like applicants, whatever their background or presumed ability, to become active participants in the choice-based lettings process. However, it is recognised in limited circumstances it may be necessary to assist certain vulnerable people outside of the choice-based lettings process and to allocate properties to them.

Bidding control for homelessness & prevention

Applicants who are awarded priority on the grounds of homelessness or the prevention of homelessness will be closely monitored and reviewed by Cheshire East Housing Options and Homechoice case workers.

Short listing & tenant selection

Bids on property adverts will be placed in the order of priority e.g., Band A highest priority, then Band B, Band C+ Band C, Band D and finally Band E.

If two or more applicants within the same Band have bid for the same property for which they qualify, the date they entered their current Band will be used to determine the higher priority. If the Band date is the same, the original housing register application registration date will be used to determine priority.

If an applicant is ranked first for more than one property and provided the eligibility criteria are met, they will be contacted to decide which property they wish to consider and no further offers on additional properties will be made.

Once an applicant has accepted an offer of a property, they will no longer be permitted to place any bids. Equally, Registered Providers are not permitted to approach applicants who have accepted an offer with another provider, even if historic bids have been placed.

Shortlisting out of band order

In certain circumstances shortlists may be allocated out of band order and applicants may see that a home they bid for is allocated to an applicant with a lower priority.
Reasons for this include:

- Properties with adaptations.
- Community connections – rural lettings.
- New property priority – new build lettings.
- Multiple unit allocations.
- Local lettings.
- Houses prioritised for children.

Properties with adaptations

Adapted properties are homes, which have been designed for or significantly adapted to meet the needs of applicants with physical or sensory disabilities. In most cases, adapted homes will be advertised along with all other vacant homes to ensure that applicants assessed as needing this type of accommodation are given the widest possible choice. On occasion providers may use a bespoke search of applicants on the housing register to make direct offers.

Applicants with a need for adapted accommodation that has been determined by Cheshire East (CE determined need) will be given priority for adapted homes over others in the same priority Band who do not need adaptations.

In some cases, properties are advertised with an age restriction, e.g., bungalows; where it Is likely that these homes are suitable for an applicant with a disability, providers will permit bids from applicants that have a (CE determined) need for adaptation. For the purposes of assessing a (CE Determined) need for adaptation applicants will be asked to supply evidence of their eligibility for the mobility element of the personal independence Payment (PIP) or Armed Forces Independence payment (AFIP).

Where a house might be better suited to meet the needs of a disabled household but there are no children under 18 in the household, there can be flexibility shown, evidence of PIP payments, AFIP payments, DLA payments and Occupational Therapy reports will be required.

In selecting an applicant for an adapted property from the short-list, the full circumstances of each case will be considered when deciding who will be offered the property. In some circumstances a property may be allocated out of priority order if a property is particularly suitable for the needs of an applicant.

Applicants with a need for adaptations can also bid for properties without appropriate adaptations, however the applicant must understand that they are likely to be required to fund their own adaptations or to have funding in place from an external source; registered providers are unlikely to fund adaptations.

Community connection – Rural lettings

Properties in rural areas may be let under the Cheshire Homechoice policy for meeting local need. Advertisements for these properties will stipulate that those with a community connection will be given preference within the terms of the policy.

The partners of Cheshire Homechoice are mindful of the concerns of residents for stability and sustainability within their communities, but also of the need to foster diversity within those communities and facilitate geographical mobility within the Cheshire East Borough.

In some rural areas we may require applicants to demonstrate a community connection to that settlement. Cheshire Homechoice will make any such requirement clear in the advertisement for the property. In these instances, any applicant currently registered with Cheshire Homechoice may bid; however, preference will be given to the household in the greatest housing need demonstrating the community connection. In the absence of a bid from any applicant with a community connection, the property will be let to an applicant with no community connection.

In these cases, a person will be deemed to have a community connection if they fulfil one or more of the criteria below. If there is more than one applicant with a connection, they will be considered in the order of their priority Banding and priority date.

- Currently live, or have lived, within the boundaries of the parish or adjoining parish and have done for at least 2 consecutive years.
- Have immediate family (sibling, son, daughter, parent, stepparent, or adoptive parents) who are currently living within the boundaries of the parish or adjoining parish and have done for at least five years.
- Have a permanent contract of employment based within the parish or adjoining parish.

An adjoining parish is defined by another rural parish with an adjoining boundary to the parish in which the vacant property is located. The adjoining parish must also fall within the boundaries of Cheshire East Borough.

Allocations will be conducted considering all reasons in their own merit, not comparing against people who can demonstrate a stronger connection. The connections are not tiered.

All applicants will be required to have evidence of their connection to a parish on file before the close of the bidding cycle in which a property is advertised.

New property priority - new build lettings

There will be a cascade priority for all new build developments on **first let only**.

A shortlist for a new property will be re-ordered to ensure that the following cascade of priority is followed:
1st priority – Applicants demonstrating a local connection to the town/ village in which the property is being built.
2nd priority – Applicants who can demonstrate "Working Plus" criteria.

Working Plus criteria are:

- Applicant(s) in work (full or part time).
- Applicant(s) committed to 5+ weekly hours of regular long term voluntary work (with a reference).
- Applicants with a disability and in receipt of PIP. AFIP or attendance allowances
- Applicants providing frequent and regular care for a friend or relative with carers. allowance in payment.
- Current or former armed forces personnel.
- Those enrolled on and attending full time further education.

To qualify for a new build priority the evidence of connection or Working Plus criteria must be on file before the close of the bidding cycle; this is the applicants' responsibility.

**Where a new property is built within the confines of one of the rural communities the community connection criteria will replace the local connection criteria.

New build properties designated for older people will only include the connection criteria and not the Working Plus criteria.

Multiple unit allocation

Re-lets (not new build) in multiple unit blocks of flats or maisonettes will be allocated on a 50-50 basis. Lettings will be made in accordance with:

50% to singles over 25, couples and families in employment
50% to applicants in the highest priority band

Local lettings

Certain properties may be let in accordance with a Registered Provider's local lettings policy. When properties are advertised on the Cheshire Homechoice website, they will be clearly labelled with the eligibility criteria. Any local lettings policies will be reviewed by

Cheshire East before being implemented and annually (where relevant) to ensure that tenant selection is fair, and need is still being met.

Houses to children

In respect of public health recommendations and the benefits demonstrated to children though access to outdoor space, in addition to the requirement for young people to remain in education until 18, houses will be prioritised to households with children under 18.

Capital limits & income checks

In some instances, Registered Providers may overlook a bid placed by an applicant if they have sufficient income, equity and/or savings to be able to afford to rent or purchase a property on the open market.

Assessments may be conducted by Registered Providers to ensure that applicants can afford to pay the rent for a property before an offer is made. If an applicant cannot afford to pay the rent, their bid for a property might be overlooked.

Where an applicant is deemed not to be able to afford a home, despite being eligible for the housing related benefits to support the rent, Registered Providers should be providing access to or referring to financial support services.

The procedure for assessments will be shared with the Local Authority and monitored to ensure that access to social/ affordable housing by vulnerable applicants is not being restricted. Registered providers will be responsible for promoting financial inclusion for all applicants.

Viewing properties and receiving offers

Registered Providers may request additional information to support the allocation process.

A formal offer of accommodation will not be made until the information and/or supporting evidence has been provided and failure to do so may lead to an application being closed.

Applicants who unreasonably refuse 2 verbal/written offers within a 12-month period will have their priority reduced to Band E for a period of 12 months. Applicants accepted as Statutorily Homeless will be assessed in line with current housing legislation that applies to refusing offers.

If an applicant does not agree with their priority being reduced, they can request a review.

Feedback on results

Lettings results will be made available to the public via the Homechoice website (feedback). Results will include:

- Lettings results for property type and neighbourhood.

- The total number of bids made for the property.
- The successful applicant's registration date and/or priority Band.
- Properties described as a management let, where an offer was made, and the property was not advertised/ or the property advert was no successful in facilitating tenant selection.
- The results of customer satisfaction surveys.

Direct lets

The partner Registered Providers will advertise ALL vacant properties via Cheshire Homechoice. There will be certain occasions when a property cannot be advertised, for example:

- An emergency move for an existing tenant.
- Where a property has specific adaptations, and a tenant has been sourced from the register via a bespoke search.
- Where a shortlist for a similar property has been used.
- Where a property has not been let to an applicant from a shortlist and the provider used alternative media.
- To assist the Local Authority in the discharge of Homelessness Duties.

The Cheshire Homechoice Panel will monitor all lets made outside of the choice-based lettings process to ensure fairness and for transparency all properties let directly will be recorded online, for public information.

Nominations

Registered Providers (not formal Cheshire Homechoice partners) operating within Cheshire East will provide at least 50% of their vacancies (excluding transfers) for nominations via the scheme. The Local Authority will monitor to ensure compliance with the nomination agreements in their area.

Future development of the scheme

Cheshire Homechoice is committed to continually reviewing its practices and procedures associated with this policy, to ensure a consistent and joined up approach in the delivery of a first-class choice-based lettings service.

Appendix 1

Contacts

Cheshire East Council
Town Hall
Macclesfield
Cheshire
SK10 1EA
www.cheshireeast.gov.uk
Tel: 0300 123 5017 option 1

The Guinness Partnership
1 Stable Street
Oldham
OL9 7LH
www.guinnesspartnership.com
Tel: 01270 506200

Plus Dane Group
Shepherds Mill
Worrall Street
Congleton, Cheshire
CW12 1DT
www.plusdane.co.uk
Tel: 01260 281037

Peaks & Plains Housing Trust
Ropewalks
Newton Street
Macclesfield
SK11 6QJ
www.peaksplains.org
Tel: 01625 553553