

City of London Corporation

**Housing Allocation Scheme
2015**

1 Introduction

- 1.1 This document sets out the City of London Corporation (the City Corporation) Housing Allocation Scheme. This determines the basis for allocating vacancies within the City Corporation's social housing stock, and housing association vacancies within the Square Mile to which it has nomination rights.
- 1.2 The aims of this Scheme are to:
- achieve a balance between the housing needs of existing City of London tenants and those applying to be new tenants
 - make the best use of our housing stock in this time of extremely high demand for social housing
 - be clear about who can go on our housing register, how we will prioritise households on the register, and the process for allocating homes
 - efficiently let our properties to reduce the amount of time properties are empty
 - help achieve our Business Plan aim to provide safe, stable and vibrant communities.

2 Legal Framework

- 2.1 The policies set out in this document are shaped by a framework of legislation including the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011). It also reflects regulations and guidance issued by government relating to allocations. The City Corporation is required by s.166A(1) of the Housing Act to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and must allocate in accordance with that scheme (s.166A(14)).

3 Equalities

- 3.1 The City Corporation promotes equal opportunities and opposes all forms of unfair discrimination. Providing a clear and consistent policy for housing allocation supports the City Corporations to treat all applicants fairly. All applications and decision relating to them will be made in line with this policy and irrespective of their gender, colour, marital status, race, nationality, ethnic origin, disability, sexual orientation, age or faith.

4 Policy changes and discretion

- 4.1 New government guidance and newly arising circumstances can require amendment to policies during their proposed lifetime. To make sure this allocation policy remains current and operates fairly and within the law, the Director of Community and Children's Services in consultation with the Chairman of Housing Management and Almshouse Sub Committee for Housing will be able to approve minor amendments. Major revision – such as that driven by legislative change - will be approved by the Sub Committee

4.2 This document aims to provide comprehensive information to ensure applicants are informed and understand the decision making process that will apply to the allocation of social housing. However, the allocation scheme cannot cover every eventuality. The City Corporation recognises that some exceptional needs may arise that are not addressed by this scheme. In such cases the Director of Community and Children's Services has discretionary power to award additional priority and approve offers of housing, taking into consideration all factors relevant to housing and social needs.

5 Eligibility

5.1 To support the application of its Allocation Scheme the City Corporation holds a "Housing Register" of applicants who are eligible to qualify for social housing – whether a council property or a housing association home.

5.2 Housing allocations can only be made to those who are both eligible for housing and a qualifying person.

5.3 Applicants over the age of 18 years are can apply to the City Corporation for housing. Those under the age of 18 may be considered in exceptional circumstances: the City Corporation will provide advice on housing options with these applicants and consider any exceptional circumstances in conjunction with children's social care services.

5.4 The following are applicants eligible:

- those who are resident in the City of London for a minimum period of 24 months, or who have been placed in temporary or supported accommodation provided by the Corporation for a minimum of 24 months
- those employed by the City Corporation for a minimum of 24 months (including interim or supported employment)
- those employed within the City of London for a minimum 24 months and who have been working for at least 16 hours per week (including interim or supported employment)
- those who are a child of a current City Corporation secure tenant and who has lived continuously within the household
- those who are a young person looked after by the City Corporation and placed in care.

5.5 The following are **not** eligible to join the Housing Register:

- those who are not entitled to access to public funds due to immigration status because:
 - they are subject to immigration control
 - only have the right to reside in the UK because they (or a member of their household) are a jobseeker
 - are not habitually resident in the UK

- have a right to reside in the UK of less than three months
 - Where an applicant who is eligible and qualifies for the Housing Register has a partner who falls into one of the above groups, they cannot, if successful in bidding for a home, have a joint tenancy with their partner.
- anyone who owns a property in the UK or abroad, unless exceptional circumstances apply.
 - households who have previously exercised their right to buy or have received a cash incentive for a mortgage and subsequently sell their property (unless a homelessness duty is accepted by the City Corporation under Part VII of the Housing Act 1996)
 - those who have an annual household income of £60,000 or more (before tax)
 - those who have household savings or capital of £30,000 or more
 - unless exceptional circumstances apply, applicants will be excluded from the City Corporation's Housing Register if their behaviour as a tenant of the Council, or the behaviour of a member of their household, has not been acceptable and there are reasonable grounds to believe that the applicant will not be a suitable future tenant.

5.6 Unacceptable behaviour includes:

- owing serious rent arrears and failing to comply with a current or past tenancy agreement with a local authority (including the Corporation), housing association or private landlord
- conviction for illegal or immoral purposes
- causing nuisance and annoyance to neighbours or visitors and which results in court proceedings
- committing certain criminal offences in or near the home and still posing threat to neighbours or the community
- being violent towards a partner or members of the family
- paying money illegally to obtain a tenancy
- having lost accommodation provided in connection with employment due to conduct making it inappropriate for the person to reside there.
- obtaining a tenancy fraudulently
- committing tenancy fraud.

5.7 If an applicant is not eligible to go on to the housing register we will aim to notify of the decision and reasons in writing within 30 working days. They have the right to request a review of the decision within 10 working days.

5.8 In allocating its housing, the Corporation is committed to ensuring that certain categories of people have access to appropriate accommodation. This allocation scheme therefore ensures that the requirement for a local connection does not apply to the following persons so as to disqualify them from an allocation of social housing:

- those who are currently serving in the regular armed forces or who were serving in the regular forces at any time in the five years preceding their application for an application of social housing.
- bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner and (ii) the death was wholly or partly attributable to their service
- existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.

6 Reasonable Preference

6.1 The City Corporation's Allocation Scheme is required by legislation when determining allocation priorities to ensure that reasonable preference is given to the following categories of people:

- people who are homeless within the meaning of Part 7 of the 1996 Act (including those who are intentionally homeless and those not in priority need)
- people who are owed a duty by any housing authority under section 190(2), 193(2) 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 insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- people who need to move on medical or welfare grounds, including grounds relating to a disability, and
- 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 others).

6.2 The City Corporation will give additional preference to applicants in one of the reasonable preference priority groups and you are:

- at risk of domestic abuse in your current home

- a witness or victim of crime and at risk of intimidation
- harassed, threatened or attacked in the local area because of your race or sexuality.

6.3 The City Corporation will also give additional preference to a person with urgent housing needs who falls within one of the reasonable preference categories above who:

- is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
- formerly served in the regular forces,
- has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

7 Qualifying categories

7.1 The City of London will accept onto the Housing Register applicants who fall into one of the following groups:

I. existing City of London tenants who are under-occupying:

tenants who wish to transfer to another City of London property and who are 'down-sizing' by 1 or more bedrooms

II. low-paid City workers

people who have worked for a minimum of 24 months in a job(s) within the 'square mile' whose total household income is less than £26,000 per year (includes City of London Corporation employees wherever they may be based).

III. Sons and Daughters of current City of London tenants

Band 3 will be awarded unless an applicant qualifies for higher priority by meeting any of the other criteria in this policy

IV. Retiring City of London workers who have been in tied accommodation

V. Those carrying out a caring role (including adoption / fostering) with City children

8 Joining the Housing Register

- 8.1 To join the Housing Register applicants must complete a housing application form and where appropriate, medical and social need assessment forms.
- 8.2 Applicants who need help with completing the form can request an appointment with the Housing Needs Team (see below for contact details) who will be able to help them.
- 8.3 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 live in the UK if they are not British Citizens
 - proof of current address, for the last five years
 - national insurance number
 - proof of their residency or employment connection to the City
 - proof of savings
 - proof of earnings.
- 8.4 If the City Corporation 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.
- 8.5 Applications will normally be processed within 30 working days, once all the required information has been provided in the requested form.
- 8.6 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, the points awarded to them and their date of application and guidance on how to bid for properties.
- 8.7 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 Housing Needs Team setting out reasons for requesting a review within 10 days of their notification letter.

9 Who can be considered part of the household?

- 9.1 An application to join the Housing Register should include those people who normally live with the applicant as a member of their family.
- 9.2 In considering the size and type of housing need, the Corporation will only consider households members who reside with the applicant at the time of application, or who subsequently need to join applicant as they are dependent (not financially) on them to receive care.
- 9.3 A partner will be considered where they live in a permanent relationship with the applicant for at least 12 months, or for any period where they are married to the applicant or in a civil partnership.
- 9.4 Dependent children are those under to whom the applicant has a legal care responsibility (e.g. guardianship or a residence order) amounting to more than 50 per cent of the time.
- 9.5 A dependent relative is one who is unable to live independently and there are no other options available for their care. The City Corporation will seek an assessment and recommendation from its independent medical assessor or the Head of service of Adult Social Care to confirm this.

10 City Corporation's bedroom standard

- 10.1 Applicants on the housing register can only bid for properties that meet their assessed need. The City Corporation assess the number of bedrooms needed as follows:
- one bedroom for the applicant, and partner/spouse
 - one bedroom for any additional adult couple
 - one bedroom for any two additional people of the same sex under 16
 - one bedroom for any two additional people of the opposite sex aged nine and under
 - one bedroom for any additional person.
- 10.2 Single applicants qualify for a studio property. However, single applicants over 45 years old who are current City Corporation tenants seeking a transfer, or applicants who have care or custody for children who do not live with them qualify for a one bedroom property.
- 10.3 The City Corporation does not have any properties with over five bedrooms

11 Application update and renewal

- 11.1 Applicants must notify the Corporation 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, a change of address or employment.
- 11.2 When an applicant's change of circumstance has been re assessed, this may result in a change in the applicant's band or bedroom need. If an applicant

loses their local connection, increases their household earnings to more than £60,000 per annum, or owns a property, their application will be cancelled.

12 Giving false or misleading information

12.1 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.

12.2 This applies if:

- an applicant knowingly or recklessly makes a statement which is false in a material particular
- knowingly, withholds information which the Corporation's housing team has reasonably required the applicant to give in connection with the exercise of its functions.

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

13 Help with registering and bidding for properties

13.1 Some applicants may need help with registering for housing and bidding for properties. In most cases applicants needing assistance will be identified through the application process. Officers will work with the applicant to identify someone appropriate who will act as their nominated helper.

13.2 The housing register application form includes a question asking whether an applicant may have difficulty in applying and bidding for a property themselves and whether they have someone who can help them.

13.3 Applicants who need help with registering or bidding for properties should contact the Housing Needs Team.

14 Priority for housing

14.1 Households accepted onto the Housing Register are awarded a band and points level that reflects their priority for housing. Priorities reflect the aims of this policy and preference the City Corporation is required to give by law to certain household types as set out above (see Reasonable Preference).

14.2 Where a household falls into more than one reasonable preference group, cumulative preference is recognised in the points awarded (as outlined above). The banding scheme allows for applicants with multiple housing needs to move between the bands described below, according to level of need.

14.3 In some exceptional circumstances the City Corporation will provide additional preference to 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 the Emergency Band described below.

15 How needs are assessed

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

15.2 There are **four bands**:

Emergency Band

This is a time limited band and all applicants in this band will be kept under review. This band is limited to City of London tenants. Only one reasonable offer of accommodation will be made under this scheme.

Band 1- High

Band 2 - Medium

Band 3 – Low

15.3 Points and priority for a property will be awarded in the following way:

Emergency Management Transfer Band (4000 points)

- urgent need to move due to violence, harassment, protection issues
- severe or life threatening medical need

Band 1 – High (3000 points)

- 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 accommodation
- moving on from supported housing / living
- care leavers
- under occupying City Corporation tenants
 - downsizing by 2 or more bedrooms
 - moving to older people’s accommodation
 - or whose household is affected by the removal of the “spare room subsidy”.

Band 2 – Medium (2000 points)

- homeless households for which the City Corporation has a statutory duty
- low income City workers with household incomes less than £23,000 per annum
- former members of the armed forces with a local connection to the City of London, through employment or residency
- overcrowded by 1 bedroom as defined by the bedroom standard

Band 3 – Low (1000 points)

- sons and daughters of secure City of London tenants who have resided continuously with their parents
- Members of the reserved forces without connection to the City of London or their bereaved spouses who need to move because of serious injury, medical condition or disability sustained as a result of their service
- qualifying homeless applicants found to be intentionally homeless

Discretionary Banding Criteria

The City Corporation recognises that there may be exceptional circumstances where the only way a housing need can be resolved is through the use of discretion. This will only be agreed if there are no other options available or feasible or if the applicant is in urgent need of housing.

Additional points

15.4 In addition to the bands above, additional points are awarded under the following:

Sharing

- sharing with family 5 points
- extra priority for sharing with non-family 1-4 people 10 points
- extra priority for sharing with non-family 5-9 people 15 points

Lack of accommodation

- bedroom 20 points per room

Preference points

- without tenancy 5 points

Welfare grounds

- domestic violence / harassment; other special reason for moving to city estates; near relatives/friends for support or special needs; property deemed unsuitable 0-30 points
- split family 20 points
- downsize - standard 30 points
- downsize - due to removal of spare room subsidy 50 points

Medical

- no medical priority 0 points

- low medical priority 20 points
- medium medical priority 50 points
- high / urgent medical priority 4000 points

16 Medical Priority

16.1 Applicants who indicate that they or anyone in their household has an illness or disability which is affected by their current home will be asked to complete a medical self assessment form. This is assessed and given a priority by an independent medical assessor.

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

- the applicant moves to another property
- there is a material change in the medical condition of an applicant or other member of the household
- the condition is acute and the applicant had been awaiting treatment and the treatment is now complete, thereby resolving the medical need.

17 Transfer applicants

17.1 Current secure tenants of the City of London can apply to join the Housing Register for a transfer. Priority for such a move will be awarded in line with the applicant's assessed housing need. It should be noted the City Corporation does not permit like for like transfer moves where there are no other welfare, medical or emergency needs.

Applicants with rent arrears will not be eligible to transfer and may be disqualified.

18 Choice

18.1 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. The Corporation will offer a choice of accommodation in line with its Choice Based Lettings scheme, which provides the opportunity to choose accommodation by expressing an interest in properties that are advertised on the home connections website (see below).

19 How vacancies will be advertised and let

19.1 Applicants who are accepted onto the housing register will be able to express an interest in a vacancy by making a bid. A guide to choice based lettings explaining the bidding process will be sent to these applicants.

19.2 Vacancies will be advertised every week in the following locations:

- the City Home Connections website
- the City of London Corporation Estates Offices

Each vacancy will have information on the location, size and type of property, and any other criteria that applicants must satisfy in order to be eligible for shortlisting.

19.3 Each bidding cycle begins every Thursday morning and closes the following Monday at one minute to midnight.

19.4 Applicants who bid for a property will be prioritised on the basis of their band and points. Applicants in the same band will be distinguished by the points awarded to them. Where their points are equal, priority is given to the applicant who has been in that band for the longest period.

19.5 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.

19.6 Applicants will not be able to express an interest in a vacancy for which they are not eligible.

19.7 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
- the applicant does not satisfy the advertising criteria included in the advert.

20 Allocation to housing association homes

20.1 Housing association homes to which the City has nomination rights will be advertised alongside City Corporation vacancies. Where an applicant is successful they will be subject to the lettings policies and procedures of that housing association, including their assessment of bedroom needs.

20.2 Applicants who take up a tenancy with a housing association will have their application to the Corporation's Housing Register closed and removed.

21 Allocations made outside of this process

21.1 The Corporation will aim to maintain the integrity of the allocation of property as set out above.

21.2 However, there will be occasions where direct allocations of properties are made where they have not been advertised and applicants have not made bids or where applicants will be required to submit a separate application. 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.
- sheltered accommodation where applicants have reached the state retirement age for women.

- so as to manage the supply of temporary accommodation and enable the Corporation to meet its statutory homeless duties, some properties may be allocated outside this allocation scheme.
- those occupying extreme insanitary or unsatisfactory housing conditions
- those with a City connection who face a critical or immediate need to move

21.3 The City Corporation may be approached by a tenant in social housing without a connection to the City of London, but who is seeking a move to the City of London to avoid hardship in order to take up work or be closer to work. The City Corporation will in any single financial year make up to one per cent of its voids available to meet the needs of this group where hardship can be demonstrated and employment or the offer of employment verified. Where such a household is accommodated a direct offer will be made for a property suitable for the household.

22 Statutory homeless households

22.1 The City Corporation will give households to whom it owes a full homelessness duty (under Part VII of the Housing Act 1996) will be given reasonable preference within this policy. Those found to be homeless but intentionally so will be placed in the lowest band.

22.2 The City Corporation's full homeless duty will be discharged if a homeless applicant successfully bids for a property. However, in line with its Homelessness Strategy, the City Corporation will also seek to discharge its full homelessness duty where it can secure a reasonable offer of accommodation in the private rented sector. In this circumstance the household's Housing Register application will be suspended for two years, after which it will be closed, or reactivated should the private rented sector tenancy come to an end during this period, through no fault of the tenant.

23 Local Lettings Plans

23.1 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, 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.

23.2 The City Corporation may seek to develop local lettings plans for new build properties to allow flexibility to make lettings outside of the overarching allocations policy in line with the agreed local lettings plan.

23.3 Where the City Corporation considers that there is specific need to respond to local conditions, it will engage in and support the development of local lettings policies within its housing stock.

23.4 These policies will normally be time limited and the objectives may include targets to:

- increase the number of lets to those in employment or training
- lower child density
- balance the number and ages of children to avoid a large concentration of older or younger children
- make the best use of stock allowing a level of under-occupation / over-crowding
- enable new schemes to be allocated to a mixture of tenants in order to develop a sustainable community
- enable the City to manage particular business needs
- enable households to return to an area they left for redevelopment to take place.

23.5 This list is not exhaustive and local lettings plans may be agreed in other circumstances where there is evidence that the local community would benefit from such a plan and there is no significant adverse impact on other communities.

23.6 All local lettings and scheme-specific plans will be subject to formal approval. Each will have clear criteria and possibly their own qualification requirements, which are openly published. When a property which is being advertised is subject to a local lettings plan, this will be stated clearly.

23.7 Any local lettings plan will be agreed for a limited time, after which it will be reviewed, and lettings will revert to the main allocations scheme if appropriate.

24 Making offers to applicants

24.1 The Housing Needs Team will be responsible for contacting successful applicants, within 5 working days with additional detail of the property, a potential tenancy commencement date and details of how to view the property. Nominations under a housing association or in the private rented sector will be subject to the policies of that body.

24.2 If an applicant cannot be contacted or if they are unable to view a property within 5 working days, the nomination rights for that property will pass to the next priority applicant.

25 Refusal Policy

25.1 Applicants are expected to accept or reject an offer of a property at the time of viewing. Applicants who refuse two offers of suitable general needs accommodation, for which they have bid, will have their application reconsidered and will either not be able to bid for properties for a twelve month period or have their application cancelled. The twelve month period will begin at the date of the refusal of the second property or any decision on appeal.

- 25.2 The Corporation will discharge its statutory duty if applicants who have been placed in temporary accommodation, provided by the Corporation refuse one offer of suitable accommodation.
- 25.3 Applicants who have been placed in a band and awarded additional welfare points due to their current unsuitable accommodation and who refuse a suitable offer of accommodation will have their application reconsidered and their need to move removed. This will result in them being placed in a lower band.
- 25.4 Applicants have the right to appeal against any decisions to suspend bidding or remove priority.

26 Review of housing register and allocation scheme decisions

- 26.1 Applicants can request a review of a decision concerning their housing register application or suspension from bidding. Applicants must make a request in writing, to the Housing Needs Team at the address below:

The Senior Housing Needs Officer
Housing Needs Team
Barbican Estate Office
3 Lauderdale Place
London
EC2Y 8EN

27 Complaints

- 27.1 The City Corporation is committed to providing you with the best possible service and to working with you to find a solution to your housing need. If, however, you are not happy with the service you have received from us, you can find Information about how to make a complaint and our complaints procedure at:

<http://www.cityoflondon.gov.uk/services/housing-and-council-tax/council-housing/contact-us/>

28 Housing advice and assistance

- 28.1 Anyone needing advice or assistance with their housing situation can contact the Housing Needs team to discuss their housing options:

- by email - hadvice@cityoflondon.gov.uk
- by telephone – 020 7332 3452/1237/1654
- in writing

The Housing Needs Team
Barbican Estate Office
3 Lauderdale Place
London
EC2Y 8EN