

Housing Allocations Policy

Frequently Asked Questions (FAQs)

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| 1 | What is a Housing Allocations policy? | <p>A Housing Allocations policy sets out who is eligible to be considered for affordable housing by the London Borough of Bexley, how their housing needs will be assessed, and what relative priority their application will be given.</p> <p>It also determines how Bexley's housing register will operate and how affordable housing in the borough will be allocated and let.</p> |
| 2 | Why do we need one? | <p>The Allocations Policy is produced to ensure that the assessment and allocation of housing is delivered in a fair and transparent way and that the properties that are available are allocated to those people with the highest level of need.</p> |
| 3 | What is the governing legislation? | <p>S166A Housing Act 1996 (as amended by the Localism Act 2011) requires local authorities to make all allocations and nominations in accordance with a published allocation policy.</p> <p>Under Part 6 of the Housing Act 1996 Local Authorities are required to give reasonable preference to certain applicants. The scheme must also be framed so as to give additional preference to a person with urgent housing needs. Taking into account:</p> <ul style="list-style-type: none">a) Homeless Reduction Act 2017b) Localism Act 2011 <p>This Policy has been drafted considering:</p> <ul style="list-style-type: none">c) The Statutory Guidance – Allocation of accommodation: guidance for Local Housing Authorities in England 2012d) The Council's Homelessness Strategye) The Council's Housing Strategy 2020f) The Mayor of London's Housing Strategy 2018g) Equality Act 2010 and Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017h) All relevant legislation |
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- 4 What has changed since last time?
- The priority groups that fall under each of the specified priority bands (band 1 – band 4) have been reviewed. The proposed changes to the **Priority Bands** include the following:
- Underoccupiers to move down from band 1 (emergency priority level) to band 2 (urgent priority level).
 - Management Priority Cases to move into Band 1 (emergency priority level).
 - Members of the Armed Forces with additional needs are now placed in priority band 1
 - Members of the Armed Forces without any additional needs will be included in Band 4
 - The removal of band 2 priority given to tenants needing to move as a result of housing association redevelopment and regeneration schemes (unless there are exceptional circumstances).
 - The banding has not changed for young people leaving care. Young people will be provided with priority when they are ready for independent accommodation – this is in order to best prepare applicants for maintaining their tenancies.
 - Priority will be removed for those who have provided a community contribution and are in employment, volunteering or vocational training and do not have any other priority.
 - The Council also intends to use more '**direct offers**' when looking to support people move on from temporary accommodation in line with relevant legislation.
 - The Council will enhance its prevention capacity within its housing team with even stronger support for Personal Housing Plans
 - The Council will also look to direct more people into the private rented sector (when an appropriate housing solution is available) to avert the need to move into temporary accommodation.
 - The Council will use **Local Lettings Plans** more regularly for schemes in areas where a more balanced approach in lettings is needed that better reflect the wider community, for example adjacent to a current sheltered housing scheme.
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| 5 | What is a Choice Based Lettings Scheme (CBL)? | <p>The homes to which the Council have nomination rights are let through the Choice Based Letting System (CBL). A list of available properties is advertised every week on CBL and applicants who have been accepted on to the Housing Register can bid for suitable properties.</p> <p>Once the bidding period is over a shortlist of applicants is drawn up. The shortlist is produced by placing the applicants in priority order based on priority band and then those in the same priority band will be prioritised according to their priority within the band. This is usually date order from the date of approval within the band.</p> <p>The final decision to award a tenancy will be made by the social housing provider.</p> <p>The Council will continue to ensure a significant proportion of the properties available are allocated via the system.</p> |
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| 6 | What is the Private Rented Sector? | <p>The Private Rented Sector is property owned by a private landlord (not the Council or Housing Association) and leased to a tenant. The landlord, in this case, could be an individual, a property company etc. and the tenants would either deal directly with the individual landlord, or alternatively with a management company or estate agency caring for the property on behalf of the landlord. Legislation allows a local authority to discharge its housing duty by using a property in this sector.</p> |
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| 7 | What is a Local Lettings Plan? | <p>A Local Lettings Plan is an agreement between Housing Services and a housing provider such as a Housing Association. It sets out an agreed local plan for the allocation and letting of homes within an agreed community / location or across a type of property. The aim of these plans is to encourage sustainable and balanced communities and is used most often on new schemes.</p> |
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| 8 | What is a Priority Band? | <p>This is a way to set out which groups are priorities in order. To see the details of the Bexley Allocations Policy proposed priority bands – please refer to the table at the end of the FAQs.</p> |
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9	What is a 'direct offer'?	'Direct offers' is a system of allocating housing whereby the Council actively approaches those on the waiting list with an offer of housing. Homes are offered to people with the most priority on the waiting list as suitable housing becomes available. When the offer is made, the client is not in any form of bidding process. This option will be used for cases such as when a household has lived in temporary accommodation for more than six months.
10	How many offers will I get?	You will only receive one direct offer.
11	What would the criteria be for a direct offer?	Direct offers can be made to the following: <ul style="list-style-type: none">• Homeless households• Urgent transfers (e.g. life threatening circumstances, cases nominated under the Police Witness Protection Scheme, emergency cases where homes are damaged by fire, flood or other disaster)• Social needs referrals (applicants approved as having social needs and whose cases are supported by Social Services)• Reciprocal offer (when another local authority or a housing association request their tenant is housed by the Council in return for which they will offer a Bexley Council applicant a similar home from their own housing stock)
12	What If I say no to a direct offer (other than homeless applicants)?	For all cases where an Applicant refuses a direct offer (other than homeless cases), the Allocations Officers will fully consider the reasons for refusal. If the Council consider the offer is suitable for the applicant and their household needs then the Applicant will be advised of the decision in writing and will be removed from the Housing Register.

- 13 I am a homeless case, what If I say no to a direct offer?
- If the Applicant is an accepted homeless case, the offer letter will set out that they can:
- Accept the property
 - Accept the property and seek a review
 - Refuse the property and seek a review.
 - Refuse the property and find their own accommodation.
- If the Applicant refuses the offer of permanent accommodation, then the Housing Options officers will fully consider the reasons for refusal. If the offer was suitable for the Applicant and their household needs, then no further offer will be made. The Applicant will be informed verbally and in writing that the Council has discharged housing duty under Housing Act 1996. In the case of applicants currently occupying temporary accommodation that have declined a direct offer that is deemed to be 'suitable', their temporary accommodation will be terminated giving reasonable notice. The applicant will then be expected to find their own accommodation (it should be noted that a reasonable offer is deemed to be up to 1 hours travel from the borough).
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- 14 What happens if I apply for housing prior to a proposed review of the Housing Register?
- Up until the review of the Housing Register (currently projected to start in August 2021 if the Allocations Policy is adopted), you will need to complete an on-line Housing Register Application Form (which can be found together with additional explanatory information at www.bexleyhomechoice.org.uk), applicants will be requested to provide supporting documentation in order to enable their application to be properly assessed. Applicants must provide information within a reasonable timescale. Failure to do this may lead to their application being cancelled. Applicants who require assistance to complete an application should contact the Citizens Advice Bureau. From the start of the three-month review period (proposed to start in August if the policy is adopted), housing register applications can continue to be received under the new policy, but they will not be processed until the housing register reopens. Once processed, they will be backdated to the date the application was received. Those applicants approaching the authority as homeless or threatened with homelessness will still be assessed under the Housing Act 1996 Part V11 and receive temporary accommodation if they meet the eligibility criteria.
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15	What happens if I am already on the waiting list?	<p>You will be able to continue to bid on available properties on the Choice Based Lettings system up until the suspension of the Housing waiting list to bring it up to date with the new policy (expected to occur between August-November 2021).</p> <p>You would need to renew your application in the event of a review of the register.</p> <p>During the period of review, Homeless applications will continue as normal and temporary accommodation will be provided if needed under our homelessness duties.</p>
16	What is a Personal Housing Plan (PHP)?	<p>The Council provides you with a Personal Housing Plan after your assessment.</p> <p>The aim of the plan is to tailor options to you/ your households needs and make sure you have somewhere suitable to live for at least the next 6 months.</p> <p>It sets out the steps that you and the Council must take to:</p> <ul style="list-style-type: none">• stop you becoming homeless• find housing if you've already lost your home <p>The Council asks you to agree to any steps included in the Plan. If you don't agree, the Council decides what steps you must take and records the reasons you disagree on the plan.</p>
17	Why do I need one?	<p>A Personal Housing Plan is a document which clarifies the steps that are going to be taken to help prevent you becoming homeless or help to secure you accommodation.</p>
18	Who will explain this all to me?	<p>The Council's Prevention and Assessment Officers will explain the PHP to you.</p>
19	If the changes to the Allocations Policy are adopted, will the Council write to everyone on the Housing Register?	<p>If the Allocations Policy is adopted the Council will be writing to confirm the need to suspend the Housing Register for a minimum period of three months, so that it can be reviewed in light of the new policy. This is likely to happen between August 2021 and November 2021.</p> <p>No new housing applications or change of circumstances will be processed during the suspension period.</p> <p>This review of the list will make it easier to assess who is most in need of housing in the borough.</p>

20	What happens if I need help with accommodation while the list is paused?	<p>All existing housing register applications will stay at their current position on the housing register at the date the housing register is suspended and remain at that position until the review is completed.</p> <p>All allocations made during this period will be based on an applicant's position on the register during the review period. Applications and changes in circumstance can still be recorded while the list is suspended, but they will not be dealt with until after the suspension.</p> <p>Emergency homeless cases will still be dealt with in the usual way.</p>
21	How can I complain about the allocations procedure?	<p>Complaints about the way the Council has administered its allocations policy and its associated procedures should be made using the complaints form found on the Council's website.</p>
22	What could cause me to be removed from the Register?	<p>An Applicant will be removed from the Housing Register if:</p> <ul style="list-style-type: none">• You are found never to have been, or have ceased to be, an eligible person• You fail to renew your application following a review of the register• You display unacceptable behaviour including persistent abusive or racist language directed at Council staff or other partner organisations.• You have successfully bid for and subsequently received three offers of accommodation and have refused all three reasonable offers.• If owed a homelessness duty and have received a direct offer of accommodation or bid for and received an offer of accommodation and refused the one reasonable offer• You have been re-housed
23	Is it possible to re-join the Housing Waiting list after being allocated housing?	<p>Where a bid is successful or a direct offer of accommodation has been made and the corresponding tenancy is secured, the household concerned will have its registration details and registration number removed from the Housing register.</p> <p>Once removed from the register, applicants may not register for 24 months commencing the date of the offer of accommodation unless their housing priorities are as set out in Priority Bands, One, Two, Three or Four.</p>

24	Will I be informed if I am going to be removed from the Housing Register?	<p>Yes, all applicants will be notified in writing if the Allocations Service is intending to remove them from the housing register and will be given the reasons for removal.</p> <p>If the applicant subsequently gives reasons why they believe they should not be removed from the register a formal review of their case will be undertaken.</p>
25	Why can't the Council build more properties to meet the needs of Bexley residents?	<p>We're doing everything we can to tackle the housing crisis and are working closely in partnership with our partner Housing Associations to enable the delivery of as many affordable homes as possible.</p> <p>However, as we do not own or manage our own housing council stock as, in 1998, the stock was transferred to two housing associations: Orbit and L&Q. This means that we cannot directly deliver estate regeneration to increase the delivery of additional homes</p> <p>This means that, although the Council will continue to enable the delivery of as many genuinely affordable homes for local people as possible, the changes to the allocations policy are still needed to manage the current demand.</p>
26	How can you have your say?	<p>You can have your say by completing the online questionnaire found on the LB Bexley website by Friday 18th June 2021.</p>
27	What happens next?	<p>Following the closure of the consultation on Friday 18th June 2021, responses will be collated during Summer 2021. A report will be written setting out the Council's recommendations. This will be submitted for approval to Public Cabinet, the elected councillors who represent the people of Bexley, in July 2021.</p> <p>If adopted, then the Council's Housing waiting list will be paused to account for a period of review in light of the adoption of the new policy.</p>

Summary of the Allocations Policy Bands:

The LB Bexley Housing Allocations policy uses a banding system to establish the boundaries of the allocations policy and to clearly define who is considered in the greatest need for housing. Band 1 is for people with the greatest priority and Band 4 is for people with the lowest priority. As such, those placed in a higher band will usually be housed quicker than those placed in a lower band.

The Bexley Allocations Policy proposed priority bands are as follows:

Band	Category of Need	Criteria
1	Emergency Medical or welfare needs in accordance with the Council's medical assessment process.	Granted in exceptional circumstances where the applicant or a member of the applicant's household has a life-threatening condition which is seriously affected by their current housing
	Unsanitary or overcrowded housing or otherwise unsatisfactory housing conditions	The property has a legal order enforced requiring it cannot be used (see full definition below)
	Armed Forces with additional needs	Those who have left the armed forces, or other categories relating to service in the armed forces in the past five years, having served for a minimum of one year, AND also have a priority need
	Management Priority Cases	Agreed at the discretion of the Head of Housing
2	People who are homeless within the meaning of Part V11 of the Housing Act 1996; and who are owed a homeless duty by the local authority under Part V11 of the Housing Act 1996	Homeless persons who are Eligible, Unintentionally Homeless and in Priority Need.
	Urgent Medical Grounds	Urgent medical priority will be awarded where the applicant's or a member of the household's has an extremely urgent and immediate need to move for medical reasons or due to a disability, which is being exacerbated by their current housing situation.
	Releasing an Adapted Property	This priority will be awarded to Housing Association tenants occupying a majorly adapted property (where that property is no longer required) and the adapted property is offered to the Council for nomination

	Under occupiers	Housing Association tenants for which the Council has nomination rights, that are prepared to move to a property with fewer bedrooms than their current property will be awarded this priority
3	Overcrowded	This priority will be awarded where an applicant's living in overcrowded conditions as defined by the bedroom standards
	Homeless People owed a prevention or relief duty	Applicants owed a S195 Prevention duty or S189B Relief Duty for as long as that duty is owed to the applicant
	Moderate Medical Need	This priority will be awarded where an applicant suffers with a moderate medical condition which is being adversely affected by their current housing situation to a more than minor degree
	Young People Leaving Care	Young People leaving Care who are fully supported by the Council's Children's services and there is evidence that the young person leaving care is tenancy ready for independent accommodation
4	Armed Forces	Those who have left the armed forces in the past five years after a minimum of one year's service and other categories relating to service in the armed forces.
	Applicants for Sheltered Housing	Applicants who are applying for sheltered housing who have no other priority need.
	Hardship	Applicants who qualify under 'hardship grounds'
	Homeless People	Homeless persons who are Eligible and Intentionally Homeless Homeless persons who are Eligible and unintentionally Homeless who have refused a reasonable offer of accommodation.