

## **HOMESEEKER POLICY (FINAL November 2016)**

### **1. Introduction: Background and Scope**

1.1 There is a high demand for rented homes in Torfaen, which is likely to increase, so a robust policy for allocating social housing is required. This policy sets out how the social landlords, who are members of the Homeseeker partnership, will prioritise applicants for the homes they rent. It explains how the eligibility of applicants wishing to join the partnership's "common housing register" will be assessed and how available homes will be advertised.

1.2 Homeseeker is a partnership between:

- Torfaen County Borough Council
- Bron Afon Community Housing
- Charter Housing Association
- Hafod Housing Association
- Melin Homes
- Linc Cymru
- United Welsh Housing Association

1.3 Members of the Homeseeker partnership have adopted this document as a joint policy between the Council and the RSL partners. This enables social landlords and the Council to work closely together to meet housing need in the Borough. Working in this way will assist partner landlords in complying with the regulatory requirements of the Housing Wales Act 2014 section 95 – Co-operation which places a duty on RSL's and Private Registered Providers of Social Housing (Housing Associations) to co-operate with the Local Authority in exercising their homelessness duties. They are essential partners and have a vital role to play in preventing and alleviating homelessness and supporting the Local Authority in the delivery of its strategic housing role. The policy will enable the partnership to support key groups of people in need of housing such as young people leaving care, people needing to leave hospital and other vulnerable groups. This policy covers the transfer of existing tenants (of partner landlords) as well as the allocation of homes to new tenants.

### **2. Policy Objectives**

2.1 Homeseeker partners will work together to :

- Use limited housing resources to best effect by meeting the greatest housing need in the Borough.
- Fulfil statutory and legal requirements.

- Support the Council in preventing homelessness and providing housing to applicants to whom the Council owe a duty to secure accommodation.
- Provide an open, transparent and accountable system of prioritising applicants that is easily understandable by applicants.
- Allow applicants to exercise choice in their accommodation where possible and appropriate.
- Contribute to the creation of sustainable tenancies and communities.
- Have flexibility within the policy to deal with genuine emergencies and emerging priorities, where this will support the creation of cohesive communities and reduce anti social behaviour and crime.
- Ensure that the application process and operation of the policy is straightforward for all who want to use it so that vulnerable people are not disadvantaged.

### **3. Administration of the Policy**

3.1 The Homeseeker partnership will administer this policy through the Homeseeker Team. This Team will be hosted and managed by the Council and jointly funded by the partners in accordance with an agreed business plan.

3.2 The day to day decisions required on individual cases will be determined by the Homeseeker Team, supported by a manager, in accordance with the policy. Team members will have received the correct level of training to ensure the consistency of the decision making process.

3.3 Decisions required in response to requests for Reviews will be undertaken by a Senior Officer in the Homeseeker Team. Appeals against the policy will be determined by a panel of senior staff from across the partnership.

3.4 A Steering Group of senior partnership staff will supervise and monitor the operation of this policy and the associated Homeseeker business plan. Each partner will have one representative on the Steering Group.

3.5 This policy will be reviewed by the Steering Group on a quarterly basis. The Steering Group will make recommendations for any changes required which can only be made with the collective approval of the Council's Cabinet and partner landlords' Boards subject to the provisions of 3.6 below.

3.6 In the event of exceptional circumstances, legislative change or if it should become apparent that the policy is not achieving its objectives then delegated authority may be sought from the Council's Executive Member for Planning and Public Protection together with Board Chairs from across the Homeseeker Partnership to undertake urgent revision.

### **4. Who can join the Homeseeker Housing Register?**

- 4.1 Anyone over the age of 16 is eligible to join the Housing Register unless they fall within one of the groups of ineligible applicants set out in paragraph 5.
- 4.2 Two people who are married, in a civil partnership, or are a cohabiting couple, siblings, a parent and son or daughter or two people where one is a carer for the other can apply together to join the register and obtain housing together as joint tenants.
- 4.3 Joint applications will also be accepted from groups of two or more friends who wish to live together.
- 4.4 People from abroad may apply to join the Housing Register and will be considered for housing in line with this policy provided they:
- Have exceptional or indefinite leave to remain in the UK, or;
  - Have been granted refugee status, or are habitually resident in the UK, Channel Islands, Isle of Man or Republic of Ireland
  - Do not belong to one of the groups set out in paragraph 5
- 4.5 Applications that are accepted will be reviewed on an annual basis by the Homeseeker Team and applicants will be asked to advise whether they wish to remain on the Housing Register. Those who do not respond within 28 days of their review will have their application cancelled. Applicants who may have difficulty maintaining their registration (for example, those with a learning disability or mental health issues) will be identified, and appropriate support arrangements put in place. If a cancelled applicant re-applies to join the Housing Register at a later date they will not be re-registered from their original application date unless there are mitigating circumstances.
- These would include:-
- Being away from their home to attend hospital, nursing home, residential home or other medical/support/care service or;
  - Being away from their home to support/care for a family member or friend.
  - Other exceptional circumstances considered reasonable by the Homeseeker Team.
- 4.6 Where someone requests re-instatement to the Housing Register from their original date the Homeseeker Team will need to see clear evidence of one of the above reasons before granting re-instatement.
- 4.7 Applicants have the right to request a review and to appeal against decisions.
- 4.8 Applicants will be advised that it is a criminal offence to knowingly or recklessly give false information to, or knowingly withhold information from the Council. It can carry a fine of up to £5000, and this will result in the

current housing application being cancelled. Homeseeker Partnership landlords will also be able to take possession proceedings against any tenant who has been offered accommodation on the basis of false information.

## **5. Who is ineligible to join Homeseeker?**

5.1 The law provides that certain people who are subject to immigration control may not be provided with housing through Homeseeker and will not be registered. These include the following groups:

- People with restrictions or conditions on their leave to enter or remain in the UK.
- People who have entered the UK illegally or who have overstayed their leave.
- People who are not habitually resident in the UK, Channel Islands, Isle of Man or Republic of Ireland

5.2 The term "habitually resident" is used to indicate the country where the applicant resides permanently. This means the country where the applicant normally lives and has connections such as bank or savings accounts, furniture, personal belongings, past and/or current employment, accommodation, family, etc. If the applicant has come to the UK in the last two years, they will be asked to provide information to enable the Homeseeker partnership to assess if they are habitually resident and can be considered for housing.

5.3 Even if an applicant has exceptional leave to remain in the UK, this may be subject to a condition that they have no recourse to public funds for themselves and their dependents. This will also make them ineligible for housing with Homeseeker partners.

5.4 Even if an applicant has indefinite leave to remain in the UK, this may be subject to a condition that they remain habitually resident in the UK, Channel Islands, Isle of Man or Republic of Ireland. If they are not habitually resident this will make them ineligible for housing with Homeseeker partners.

## **6. Applicants who may join Homeseeker but who will not be able to bid for housing**

6.1 Applicants who join Homeseeker may receive no preference for housing if they become subject to the 'Test of Unacceptable Behaviour'

6.2 Unacceptable behaviour means the behaviour by the applicant or by a member of his or her household that would, if the applicant had been a secure/assured tenant of a Homeseeker Partnership landlord, have entitled the landlord to an outright possession order under the Housing Act 1985.

Examples include rent arrears owed to the landlord and various forms of anti-social behaviour.

6.3 Decisions about eligibility under this Test will be made by a Panel of Senior Staff from the Homeseeker Partnership, who will decide on the merits of each individual circumstance. The Panel may decide that an applicant should have no preference for housing under this policy only if:

- He or she or a member of his/her household, has been guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant of a partnership landlord and
- The Panel is satisfied that, in the circumstances at the time the case is considered, he/she deserves not to be treated as a person who should be given priority within the Homeseeker Scheme
- The Panel may determine that an applicant should be suspended for up to a maximum period of 12 months
- Where, following review by the Panel, there is no evidence to continue with the suspension, applications will be reinstated. Reinstatement will be to the date of the applicant's original registration and previous priority, unless their circumstances have changed to the extent to which this would have resulted in their priority changing. In such cases, the application will be awarded the relevant priority from the date the applicant's circumstances changed.

Applicants will be informed in writing of the reasons why they have not been given any preference

## **7. Applicants who may join Homeseeker and whose application will be awarded reduced preference**

7.1 Applicants whose current or previous conduct was such that a Homeseeker Partnership landlord would not have obtained an outright possession order but who are not acting responsibly, either by owing debt to a partnership landlord or by their current behaviour, may receive reduced preference. This may apply to those households who:

- Have rent arrears
- Owe other debts to a partnership
- Have breached their current tenancy or license conditions
- Have deliberately worsened their circumstances
- Have refused 2 reasonable offers of housing from the Homeseeker Partnership

7.2 Applicants will not be declined preference indefinitely and each case will be reviewed periodically. Before any restriction is removed, the applicant will have to demonstrate and evidence improvements in behaviour to a Panel of senior staff from the Homeseeker Partnership. For example, in the case of rent arrears, there is likely to be a condition that a regular pattern of

payments must be established and maintained for at least 12 weeks, before the restriction is removed.

- 7.3 The applicant can appeal against the restriction or the period of the restriction or the conditions. (See section 18 for further details).
- 7.4 In exceptional cases, Homeseeker Partnership landlords may accept applicants originally suspended or awarded reduced preference by the Panel because of housing related debts, if the applicant agrees to enter into specific legally binding agreements on repayment, has a track record of regular repayments and/or can provide satisfactory sureties for repayment of sums due.
- 7.5 In exceptional cases, Homeseeker Partnership landlords may accept applicants originally suspended or excluded by the Panel because of anti social behaviour, if the applicant acknowledges that past behaviour was inappropriate and needs to change and the applicant agrees to enter into specific legally binding agreements on improved future behaviour, engagement with support arrangements (such as parenting classes) and/or a programme of recompense for those affected by their past behaviour.
- 7.6 Homeseeker Partnership landlords recognise the importance of supporting the Council to discharge its statutory homelessness duties where it has determined, following necessary enquiries, that a duty to secure accommodation is owed (under the Housing Wales Act 2014). Partner landlords will consider such applicants for permanent re-housing provided that the applicant agrees to specific conditions or legally binding agreements prior to re-housing. In such cases the decision to re-house is entirely at the discretion of the landlord.

## **8. The Application Process**

- 8.1 Homeseeker Partners aim to make the application process as easy as possible for the customer. There will be a straightforward online application form for people to complete. People who are unable to submit an application online will be able to do so by telephone, through a conversation with a member of staff from the Homeseeker Team (or other arrangements as required).
- 8.2 Appropriate arrangements will be made to assist and support vulnerable people wishing to apply for housing through Homeseeker, to ensure they do not suffer disadvantage. The effectiveness of these arrangements will be monitored by the Homeseeker Team and reviewed periodically by the Homeseeker Steering Group.
- 8.3 Once an application has been received, the Homeseeker Team will verify the information provided, request any supporting documentation that is required and provide the applicant with advice and information about potential housing options and solutions.

8.4 All written information will be provided in a variety of 'easy read' formats and in Welsh. Language Line or other appropriate translation services will also be made available to applicants whose first language is not English.

8.5 When processing applications the Homeseeker Team will:

- Verify that the applicant is eligible
- Establish whether the applicant has any immediate support needs
- Complete a simple checklist to record basic personal and household information for service monitoring purposes
- Offer a range of housing advice and information to help the customer to decide whether Homeseeker is going to be helpful to them, including:
  - The applicants likely priority band
  - What the priority banding means
  - Average waiting times for the type of home they are eligible for in the area they want to live
  - Advice on other housing options that may be available to them and appropriate in their circumstances
  - What their responsibilities and rights will be as a social housing tenant

8.6 Following submission of the application, the applicant will have 28 days in which to confirm their identity and that of anyone else applying with them, and to provide any other information that the Homeseeker Partnership reasonably requires before their application is activated and they can begin bidding for housing. In the event that this information is not forthcoming (without good reason), after 28 days the application will be cancelled.

8.7 New applicants to Homeseeker who have not been made active (due to pending confirmation of identity and reasonable checks) will be subject to the Test of Unacceptable Behaviour in section 6 of this policy and the Reduced Preference check in section 7. Suitable data sharing arrangements will be in place between Homeseeker Partners to facilitate these checks.

8.8 When all the information is received, the Homeseeker Team will write to the applicant advising them of the outcome of their application. Where an application has been accepted onto the Housing Register, this information will advise the applicant of the priority band awarded to them and their effective date of registration. It will also explain how to bid for properties via Homeseeker. Applicants will also be advised of their right to request a review and to appeal against decisions.

## **9. Assessing Priority**

9.1 All eligible Homeseeker applications will be awarded a priority band by the Homeseeker Team, following satisfactory registration and a date to which

that priority applies (i.e. their effective registration date). This information will be relayed to the applicant in writing or by electronic transfer.

- 9.2 If an applicant's priority increases (e.g. if they move from Bronze to Silver band) their effective date of registration will be from the date they enter their new band. If an applicant's priority is reduced, their effective date remains unchanged or in the case of applicants reduced to Bronze Band, their effective date will reflect their date of registration.
- 9.3 Priority band decisions made by the Homeseeker Team will be based on an applicant's eligibility within the scheme and the priority band criteria set out in this policy.
- 9.4 Applicants are responsible for informing the Homeseeker Team of any material changes in circumstances that may affect their current priority band and their eligibility under this policy.
- 9.5 Applicants (or their advocates) seeking an award of high priority must comply with the requirements of Homeseeker and complete and return relevant information requested to enable their application to be processed. Whilst not an exhaustive list, such information may include a completed medical questionnaire, an overcrowding assessment or a landlord reference. The Homeseeker Team will take into consideration supporting advice and statements from professionals, for example social care or environmental health professionals.
- 9.6 For medical assessments that require a professional opinion applicants will be required to provide sufficient medical evidence obtained from an appropriate professional e.g. GP, occupational therapist etc.
- 9.7 When applying for higher priority, applicants must not have deliberately made their circumstances worse for any reason, for example by deliberately allowing their home to be overcrowded (except in exceptional circumstances e.g. to provide or receive care). Any case made for higher priority must be pertinent to the home they currently occupy and how this adversely affects them and/or a member of their household on their application and must evidence why they cannot reasonably continue to live there.
- 9.8 In reaching a decision, the Homeseeker Team will consider whether there are other options available to resolve or alleviate these difficulties and allow the applicant to remain in their own home. This may, for example include the provision of support, aids or adaptations or the completion of reasonable improvements required under Category 1 of the Housing Health and Safety Rating System.
- 9.9 The Homeseeker Team will have regard to an applicant's specific housing circumstances and may reasonably determine the specific type of housing



they can bid for. For example, only people requiring adapted properties may be eligible to bid for them.

9.10 Owner Occupiers will normally be placed in Bronze Band and they will be expected to use their own assets and other resources to source alternative housing. Consideration for higher priority will however be given where an exceptional need is demonstrated or their application is being considered against the criteria for a local letting scheme that is in place under the provision of this policy.

9.11 Where additional priorities have been identified (for example an applicant may be lacking a bedroom and also have an urgent medical need) the Homeseeker Team will apply the highest beneficial priority to the applicant.

9.12 Applicants in high priority Gold and Homeless bands will be expected to bid regularly for suitable advertised properties. Applicants awarded Gold Band priority will be for an initial period of 13 weeks. Applicant's bids will be monitored and where they fail to bid for suitable properties that are advertised, they may have their level of priority reduced. In the case of applicants awarded Homelessness priority, their bids will also be monitored and where an applicant fails to bid for suitable properties that are advertised they may;

- Have bids placed on their behalf and or,
- Be made a direct offer of accommodation

An offer of housing will be deemed to be the Council's final offer of suitable accommodation under the Housing Wales Act 2014 to end its statutory duty.

9.13 Applicants with no local connection to Torfaen will normally be placed in Bronze Band. For the purpose of this policy an applicant will have a local connection with Torfaen if they or one of their household members can provide evidence;

- That the person is, or in the past was normally resident in Torfaen, and that residence was of the person's own choice
- That the person is employed in Torfaen
- That the person has family associations with Torfaen
- Because of other special circumstances

## **10 Priority Bands**

10.1 A Priority banding system applies to determine who will be allocated homes. In a small number of exceptional situations applicants may be directly matched to a suitable property. These exceptions are referred to in sections and of this policy.

10.2 There are five bands of priority housing need which are defined in detail below. These are:

- Platinum, Gold and Homeless Band all with High Priority

- Silver Band with Moderate Priority
- Bronze Band with Low Priority

### **10.2.1 Platinum Band – High Priority**

10.2.2 Platinum Band priority will be awarded to those households who are existing tenants of Homeseeker Partnership landlords who are under occupying their current home and face financial hardship as a consequence of the housing benefit bedroom size criteria putting their tenancy at risk.

10.2.3 Preference within this category will be dependent upon the tenant agreeing with their landlord that they wish to move to a smaller property that is affordable to rent and meets their housing need and the landlord approving the priority award having first assessed that such accommodation would be available and the tenants housing circumstances and needs would be met.

### **10.2.4 Homeless Band – High Priority**

10.2.5 Homeless Band will be awarded on one of the following criteria:

- a) An applicant has been accepted as homeless within the meaning of section 75 of the Housing Wales Act 2014 by Torfaen County Borough Council. This means the Council has accepted the applicant is homeless, in priority need and unintentionally homeless.
- b) The applicant has been accepted as being owed a duty under section 73 of the Housing Wales Act 2014 and is likely to be owed a section 75 duty (in priority need and unintentionally homeless). The effective date will be backdated to the date the Section 73 duty was accepted.

### **10.2.6 Gold Band – High Priority**

10.2.7 A Gold Band priority will be awarded on any one of the following criteria:

- a) An applicant awarded high medical priority by the Homeseeker Team following assessment and/or substantial adaptations are needed to the applicants existing home and they have agreed to move to a property which is suitable to meet their housing or support needs.
- b) An applicant who is a tenant of a Homeseeker Partnership landlord, is under-occupying their current home and who wishes to move to smaller accommodation but does not meet the Platinum Band criteria. This priority only applies to tenants currently living in Torfaen.
- c) An applicant who is a tenant of a Homeseeker Partnership landlord and must transfer under an approved re-designation or regeneration programme.

- d) An applicant awarded a priority for urgent re-housing by the Homeseeker Team or by the appropriate Senior Manager of a Homeseeker Partnership Landlord on substantial hardship, welfare or social grounds. Assessments will be made on an individual basis.
- e) An applicant who is a licensee or shorthold tenant of a Homeseeker Partnership landlord, the Council, other registered social landlord or voluntary agency providing supported housing, who needs 'move on' accommodation. In these cases, written submissions are to be made by the support provider evidencing the requirement and suitability of the applicant for accommodation. In these cases the award of Gold Band will be backdated to the date the applicant moved into supported housing in order to facilitate move on quickly.
- f) An applicant who is a care leaver. Gold Band will be awarded following written submissions from Social Services evidencing the requirement and suitability of the applicant for accommodation. In these cases Gold Band will be backdated to their 16th birthday to help facilitate a quick move on. This priority will not apply to care leavers to whom Torfaen County Borough Council does not owe a duty or to other care leavers placed within the County Borough by other Councils.
- g) The applicant's current accommodation is overcrowded as defined by the Housing Act 1985 or where a Category 1 hazard has been identified under the provisions of the Housing Act 2004 which cannot be removed in a reasonable time.
- h) The applicant's current property is in disrepair and poses a significant risk to the occupants. This may be due to the type of hazards identified (e.g. category 1 hazards) or the nature and level of works required and the applicant is unable to get it repaired or made fit within a reasonable period of time.
- i) Two or more applicants are giving up two or more separate existing Homeseeker Partnership landlord tenancies and requesting a move to a single tenancy as joint applicants.
- j) The applicant is living in a flat on or above the first floor and has 3 or more children under the age of 10.
- k) Armed forces personnel occupying accommodation supplied by the armed forces and who are being honourably discharged from the armed forces and have no accommodation to which they own or lease and are likely to be homeless. Their date of registration for this Band will be backdated to the date from which they have continuously occupied armed forces accommodation.
- l) A tenant of a Homeseeker Partnership landlord who has been accepted as a foster or adoptive parent by Torfaen County Borough Council and

requires a larger home to provide accommodation for the child/children placed in their care with the intention that the placement is permanent and/or prevents that child from entering Local Authority care placements.

- m) A requirement for urgent re-housing of a household following a recommendation to Homeseeker Partners from MARAC (Multi Agency Risk Assessment Conference).
- n) Where following a case conference and on the recommendation of the Council's responsible officer for child protection there is urgent need to accommodate a household containing a child likely to be accommodated by the Local Authority for protection should suitable alternative-housing not be found.
- o) Staff of Homeseeker Partnership members who are tied tenants who require urgent re-housing.
- p) An applicant who following assessment has been deemed to be in financial difficulties and there is no prospect of resolving those difficulties without moving to more affordable accommodation.
- q) Two or more Silver Band criteria apply.

### **10.2.8 Silver Band – Moderate Priority**

10.2.9 Silver Band will be awarded on one of the following criteria:

- a) The applicant is lodging with friends and non immediate family members and sharing facilities. This priority will not apply to those applicants living with parents, siblings, and grandparents. Included within this category will be step and half family relationships.
- b) The applicant is a key worker who has been offered a full-time job in Torfaen and needs accommodation. (This will only apply if there is an agreed and recognised Key Worker scheme).
- c) The applicant needs to move closer to give or receive essential support/care services to assist them or their family with day-to-day living.
- d) The applicants' relationship with their spouse/partner has broken down and they want to live separately.
- e) The applicant lacks one or more bedrooms in their home but does not meet criteria for overcrowding under 10.2.7 (g). Applicants can only bid for properties of sufficient size to address the overcrowding issue as per the Home Size matrix.

- f) The applicant has a medical need for rehousing which is not considered to be urgent.
- g) The applicant is owed a duty under section 66 or section 73 by Torfaen Council under the Housing Wales Act 2014. The effective date of the band will reflect the date that the relevant duty was accepted. This priority will also apply to applicants where their section 73 duty has come to an end, they remain homeless and are not owed the full section 75 duty.
- h) The applicant has one or two children under 10 and lives in a flat above ground floor level (without a lift).
- i) An applicant awarded priority for re-housing by the Homeseeker Team on hardship, welfare or social grounds which is not considered to be urgent. Assessments will be made on an individual basis.
- j) Two or more applicants make a joint application to secure a joint tenancy in order to house-share. This priority does not apply where the joint applicant is a partner/spouse.
- k) An applicant previously awarded higher priority but who has had their priority reduced.

#### **10.2.10 Bronze Band – Low Priority**

10.2.11 Bronze Band will be awarded on one of the following criteria:

- a) Applicants who are currently in accommodation that is deemed suitable for their needs and no other criteria apply from the higher bands. This includes Owner Occupiers as per 9.10.
- b) Applicants who meet a higher priority criteria but have had their preference/priority reduced.

#### **Emergency Priority**

10.2.12 **The Homeseeker Panel may determine that a registered applicant** who is in exceptional need or who has 3 or more Gold Band priorities and who needs to move as a matter of urgency should be awarded an Emergency Priority. Emergency priority would be very rare and will be based on the special circumstances of a particular household and reviewed regularly to ensure consistency with the applicant informed of the outcome.

Due to the nature and urgency of such cases the Homeseeker Panel in consultation with relevant professionals and the landlord's delegated officers may make a decision to direct match to the next suitable vacancy. Such decisions shall be recorded and also have regard to other applicants who may be in the same or similar housing circumstance. They could for

example include resolving delayed transfers of care from hospital where the applicant's existing home cannot be suitably adapted.

## **11 Advertising homes for letting**

11.1 All homes that become available through Partnership landlords will be advertised by the Homeseeker Team other than homes required to house the following people:

- a) Homes required for housing a tenant temporarily in an emergency to enable essential repair or improvement works to be carried out to their existing home where the tenant cannot remain in occupation whilst the works are undertaken.
- b) Homes required for re-housing someone being harassed at their current home, which is evidenced or substantiated by a professional body/individual including the Police or other agency, and the move will protect the person(s) from danger. It may not be possible for an applicant to retain choice where that choice may impact on their safety and welfare.
- c) Homes required for re-housing someone who needs accommodation of a particular type and size or in a particular location to protect them or other persons from danger.
- d) Homes required enabling the occupant(s) to secure suitable alternative accommodation where a Homeseeker Partnership landlord is seeking possession and must secure suitable alternative accommodation e.g. a successor to a tenancy whose home is too big or where a home is intended to be demolished and the tenant must be re-housed.
- e) Homes required to re-house a person accepted by the Council as statutory homeless and owed a full homelessness duty through section 75 Housing Wales Act 2014 who has refused to bid for a suitable property or has refused a suitable offer through the bidding process.
- f) Homes required to rehouse staff who are tied tenants of the partnership and employment ceases.
- g) Homes required for temporary re-housing in the event of a major incident e.g. flooding or major fire.
- h) Homes required to re-house existing tenants of Homeseeker Partnership landlords whose existing home needs substantial adaptations but who has agreed to move to a home that is suitable for their needs.
- i) Homes required by the Council for use as non secure temporary tenancies to discharge their temporary accommodation duties.

- j) Homes required to house a patient in a hospital who is medically fit to leave hospital but unable to move back to their original home. The Partnership will consider each case on an individual basis and will provide either temporary or permanent housing dependent upon whether the applicant is able to secure suitable housing using their own means e.g. by selling their existing home and purchasing a more suitable property to meet their needs. The partnership will also have due regard to other applicants with similar priorities and needs.
  - k) Homes required urgently for someone with a terminal illness who has particular housing needs, and those needs would be met by the property to be allocated - The Partnership will consider each case on an individual basis and will provide either temporary or permanent housing dependent upon whether the applicant is able to secure suitable housing using their own means.
- 11.2 Homeseeker adverts will include details of the property type, size and location together with other relevant marketing information that will help applicants to understand what is on offer so they can make informed choices about bidding. Where appropriate this will include information about adaptations and accessible housing as well as any restrictions (e.g. to point out that there is limited access to some upstairs flats in sheltered and retirement housing schemes).
- 11.3 Where properties have had substantial or other adaptations that make them particularly suitable for an applicant with particular needs e.g. in a wheelchair, then they may be advertised on the basis that priority will be given to people needing accommodation that has been adapted in this way and bidding may be restricted to those who have or whose family have these specific needs. The advert description will clearly identify preference.
- 11.4 Where properties are particularly suitable for older people or people with limited mobility (e.g. bungalows or identified ground floor properties) then they may be advertised on the basis that priority will be given to people needing accommodation of that type. The advert description will clearly identify preference.
- 11.5 Landlords within the Homeseeker Partnership may on occasion decide to vary the eligibility criteria for individual properties when advertising in response to particular local circumstances e.g. by allowing a difficult to let home to be under occupied.
- 11.6 Partners will identify smaller 1 and 2 bedroom properties in the communities that tenants adversely affected by the size criteria wish to move to. Platinum band applicants will be given preference ahead of other bands for 50% of the appropriately sized vacancies that become available in these communities.

- 11.7 All Platinum properties will be advertised and households with this priority will be expected to bid alongside other applicants in the usual way. Platinum Band bids will be shortlisted in date order, with priority being given to the applicant who has had their status awarded to them for the longest period. If no applicants in Platinum Band bid other eligible bidders will be shortlisted and ranked in band and date order.
- 11.8 When placing adverts the Homeseeker Team will identify where preference will be given to Platinum, Gold, Homeless, Silver or Bronze Band applicants.
- 11.9 Properties will be advertised weekly on the Homeseeker website at [www.torfaenhomeseeker.org.uk](http://www.torfaenhomeseeker.org.uk), in paper format at identified partner customer outlets and through other mediums should they become available and where there is evidenced need. Homeseeker will take a pro-active approach to finding out whether applicants require alternative formats.
- 11.10 The Homeseeker Partnership will try to reduce its carbon footprint by minimising the use of paper products. The Partnership understands however that not everyone will have access to a computer or other web based browser or be able to visit a partner customer outlet. In these cases applicants will be sent adverts by post if other arrangements cannot be put in place e.g. through an advocate
- 11.11 Applicants and their authorised advocates will be able to apply for properties through the Homeseeker web site or by telephoning or emailing the Homeseeker Team.
- 11.12 Properties will be advertised on a weekly basis. At the close of each advert, an automated short list will be provided to partners for letting purposes.
- 11.13 Adverts will be open to application for 6 days (Thursday – Tuesday). There may be exceptions for example if essential maintenance needs to be carried out to the website. In these instances the Homeseeker Partnership will make every attempt will be made to advise service users in advance.
- 11.14 Where properties have been advertised and have not been let either because of no bids or no suitable applicants placing a bid on 2 or more occasions, the local authority can request to direct match the property to a suitable applicant who is in Homeless Band. Partner RSLs will have the option to advertise any such properties through other media, outside of this policy should the Council not take up its option or if the proposed direct match is reasonably refused by the RSL.

## **12 Bidding for housing**



- 12.1 Applicants (or their advocates) can bid for up to 4 Social Housing properties in each advert. Bids must be received within the advertised timescales and before the advert closes.
- 12.2 The size of home that an applicant can bid for depends on household size. If the household needs an extra bedroom(s) for medical, pregnancy or other reasons, (e.g. if they have a full time carer) the decision about the size of home the applicant is eligible for will be taken by the Homeseeker Team when awarding the priority Band.
- 12.3 Unless there are exceptional reasons agreed by the Homeseeker Team the size of property that an applicant can bid for and be offered is outlined in the Home Size Matrix.
- 12.4 The Homeseeker Partnership considers that with a limited supply of houses single people and couples (with no dependant children) will not be able to apply for houses and preference for houses will be advertised and let to those families with dependant children. Applicants who have no dependant children but where the applicant or a member of the household is pregnant will also be able to apply for houses (appropriate evidence of pregnancy must be provided confirming that the applicant/household member is at least 20 weeks pregnant).
- 12.5 Where a divorced or separated applicant is not the primary child carer but has evidenced either joint custody or a responsibility for providing essential overnight support and accommodation to a child/children for a minimum of 4 nights per week they will be eligible for an additional bedroom(s) in line with the Home Size Matrix criteria for parents with children and subject to 13.5 & 14.1.
- 12.6 Applicants may apply for any property for which they are eligible regardless to the band the property is advertised in, however upon short listing the preference band will always be ranked ahead of other bands (i.e. if a property is Gold preference, all Gold priority holders will be considered ahead of other bands, but other bands may apply). This allows all eligible people to apply for homes that are in a location and of a size that meets their needs whilst ensuring people in the high priority bands can access suitable housing.
- 12.7 Where properties have had substantial or other adaptations that make them particularly suitable for an applicant with particular needs (e.g. in a wheelchair) they will be advertised on the basis that priority will be given to applicants needing accommodation that has been adapted in this way and they may be directly matched with individual applicants should the Homeseeker Panel and relevant senior officer of the housing provider determine this to be appropriate.

### **13 Determining who is offered homes that have been advertised**

- 13.1 At advert close, a shortlist is generated by the Homeseeker system which partners can directly access, enabling properties to be offered and let in band and date order.
- 13.2 Partnership landlords will use the short list (containing all eligible applicants) to make offers to applicants in the order they are ranked and prioritised in. Unless there are exceptional circumstances (which will be determined by the landlord's designated senior officer) applicants who are transferring from an existing Homeseeker Partnership home will only be allowed to transfer if they have no outstanding debt to their landlord and their landlord is satisfied their existing home meets its lettable standard.
- 13.3 If Partnership landlords are unable to offer the vacancy to the highest ranked applicant they will continue to offer in rank order through the list until it is exhausted at which point the property may need to be re-advertised.
- 13.4 Bids from applicants with Emergency priority status will take priority over all other applicants. The Homeseeker Panel will determine the priority between competing bids from applicants with Emergency priority status. All claims for this status must be evidenced.
- 13.5 The final decision on all allocations will remain with the appropriate Homeseeker Partnership landlord. In cases where a home is likely to be under occupied by a successful applicant when judged against the prevailing bedroom size criteria for housing benefit Homeseeker Partnership landlords will take appropriate steps to ensure that their prospective tenant is able to make an informed choice about affordability before accepting any offer of tenancy. This will help to reduce the risk of financial hardship arising and tenancies being put at risk because of debt.
- 13.6 Because of the very limited number of properties with 4 or more bedrooms Homeseeker Partnership landlords may seek to make best use of this scarce resource by maximising occupancy meaning that for example a Gold Band applicant with a more recent registration date but with a larger family would be offered the house ahead of a Gold Band applicant with more waiting time but a smaller family. Decisions on such cases will be referred to the Homeseeker Panel for determination based on evidenced need.

## **14 Allocating homes**

- 14.1 Prior to being allocated a property, all applicants will undergo a pre-tenancy assessment which will be carried out by the Homeseeker partnership landlord. This will establish the applicants housing / support needs and suitability for maintaining a tenancy (Including an affordability assessment).
- 14.2 Landlords will offer properties to the highest ranked eligible applicant on the shortlist in accordance with their letting process. If an applicant on the shortlist is deemed by the landlord to be ineligible and is consequently

overlooked the landlord will record the event and reason on the Homeseeker IT system.

- 14.3 Details of properties and tenancies allocated directly by Homeseeker Partnership landlords under 11.1 of this policy will be recorded on the Homeseeker IT system.
- 14.4 Applicants will be given a reasonable amount of time (no less than one working day) to make a decision following the viewing of the property unless there are exceptional circumstances which the Partner landlord will record.
- 14.5 Applicants who have bid for a home and have been successful in their bid will not be eligible to bid for further properties that are advertised until they have decided to accept or refuse this property.
- 14.6 If the applicant accepts the property, the tenancy commencement date will be agreed and all relevant paperwork completed by the Partner landlord. If they refuse a property offered applicants must provide a reason.
- 14.7 Partner landlords will diligently and promptly update Homeseeker records with the outcome of the offer process for each property they let.
- 14.8 If an applicant bids, is offered and then refuses two properties without good reason (excluding Homeless Band applicants where one offer of accommodation will be made) then their application will be reviewed. Key factors will be taken into consideration when determining whether the refusals were reasonable e.g. the ability to give/receive essential care and support. If the refusals are deemed unreasonable, the applicant will have their band reduced, but they will not need to reapply to the scheme. It is the partner landlord's responsibility to notify the Homeseeker Team to reduce preference to ensure the Common Housing Register is accurate.

## **15 Allocating homes under 11.1**

- 15.1 Where properties are required to rehouse people within the categories identified in 11.1, these will be allocated and let by the landlord in line with the Home Size Matrix and section 13 above.
- 15.2 Where the accommodation is provided on a temporary basis, the tenant will usually be required to return to their home on completion of remedial works or to alternative accommodation that has been purchased or rented to meet their housing requirements.

## **16 Special and local lettings arrangements**

- 16.1 There may on occasion, in certain circumstances for a requirement for individual or a group of properties to be considered and let under a local letting policy agreement for a time limited period. This will be done for a

specific identified purpose such as to promote community safety and community cohesion or improve tenancy sustainability. This will not be the norm and must take account of the prevailing housing conditions at the time e.g. demand for certain property types where age restrictions may be an issue. Any such policy must be approved in accordance with the current Welsh Government regulatory requirements and by partnership boards and will be subject to a full Equality Impact Assessment, prior to its implementation.

- 16.2 Where a local letting arrangement is in operation, only those applicants who qualify under the local letting criteria may be considered for properties within the arrangement.
- 16.3 Partnership Landlords who require the introduction of such a local lettings scheme will be required to develop a policy report to support the schemes introduction.
- 16.4 Special arrangements will apply when advertising new build developments by Partnership landlords. In such cases all advertising will be equally split across the bands.

## **17 Lettings Plan**

- 17.1 The Homeseeker Partnership will agree a Lettings Plan that will be regularly reviewed and updated as often as the Homeseeker Steering Group consider necessary. This will form part of the ongoing process of monitoring of the impact and outcomes achieved through the operation of this policy against the objectives set out in section 2. Where objectives are evidently not being achieved or need to be modified it will inform recommendations for change, through the administration processes referred to in section 3.
- 17.2 The Plan will set out the property types and locations that are expected to become available over the period of the Plan and will identify a fair and appropriate proportion of those predicted to become available for which reasonable preference will be given. Reasonable preference groups by law include:
- People who are homeless within the meaning of Housing Wales Act 2014
  - People who are owed a duty under s73, and s75 of the 2014 Act or who are occupying accommodation secured by any Housing authority under s68.
  - 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 disability.

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

## 18 Reviews and Appeals

18.1 All applicants have a right to review and appeal under this policy if they disagree with any decision the Homeseeker Partnership has made that may disadvantage their application. Some examples include:

- Their application to join the Housing Register has been refused
- They have been restricted to the Bronze category because of behaviour or rent arrears.
- They disagree with their current banding
- Their priority is withdrawn
- They disagree with their eligibility for property
- They disagree with the limitations on the type of property they can bid for
- Priority is reduced due to reasonable refusals

Any mitigating circumstances e.g. mental health or learning disabilities that may have influenced the behaviour, or a lack of appropriate support, must be clearly stated in the review/appeal.

18.2 Applicants and tenants will have no right to review or appeal if they provide or knowingly give false information.

18.3 **Reviews** – Applicants who disagree with a decision made by the Homeseeker Team may ask for that decision to be reviewed. Any request for a review must be made in writing by the applicant (or by their advocate) to the Homeseeker Team within 21 days of them being notified of the decision they disagree with. The request must clearly indicate the reasons for disagreement. Reviews will be undertaken by a manager (“the Reviewing Officer”) within the Homeseeker Partnership not involved in the original decision. The Reviewing Officer may request additional information and will notify the applicant of their decision at the conclusion of their enquiries. This notification will include information about rights of appeal.

18.4 **Appeals** – Should an applicant and/or advocate disagree with the Reviewing Officers decision they have a final right of appeal to the Partnership Panel made up of no less than 3 members of the Homeseeker Partnership who have not previously been involved in decision making. Applicants who wish to appeal can do so in writing or request an oral hearing. Applicants making an appeal must do so within 21 days of being notified of the Reviewing Officer’s decision. The appeal panel will be chaired by a landlord member of the Partnership and the applicant notified at the conclusion of enquiries.

18.5 Any documents to be relied on at the appeal must be made available by both parties in advance and no document will be introduced into the proceedings without the consent of the Chair of the appeal panel. The appeal panel may request additional information from the applicant to assist the appeal process. If the appeal is not upheld, there is no further right of appeal. The applicant will be advised to seek legal advice.

## **19 Monitoring**

19.1 The Homeseeker Policy is monitored quarterly by the Steering Group. A quarterly report is prepared for each Steering Group which analyses applicants, bids and allocations to ensure that it is fair and equitable and successfully achieves its aims.

19.2 An Equality Impact Assessment will be carried out on this policy to ensure that it does not discriminate against any applicant or group of applicants in accordance with the Equality Act 2010.

19.3 The Equality Impact Assessment will be reviewed every three years (or after any significant policy change) to ensure continued equity.

## **Appendix A: Home Size Matrix**

<b>Family Size</b>	<b>Bedsit/ Studio</b>	<b>1 Bed Flat / Bungalow</b>	<b>2 Bed Flat, Bungalow or Maisonette</b>	<b>2 Bed House</b>	<b>3 Bed Flat/ Maisonette</b>	<b>3 Bed House/3 Bed Bungalow</b>	<b>4 Bed + House</b>
Single Person	Yes	Yes					
Couple		Yes					
Couple/single person who is pregnant			Yes	Yes			
*Parent/couple with 1 child			Yes	Yes			
*Parent/couple with 2 children			Yes	Yes	Yes	Yes	
*Parent/couple with 3 children					Yes	Yes	
*Parent/couple with 4 + children						Yes	Yes
2 or more single adults			Yes				

If you are disabled then you are eligible to bid for appropriately adapted properties within the above matrix. Where bungalows are mentioned in this matrix it refers to non adapted properties.

\*Where child, this refers to at least 1 dependent child (under the age of 18). See 12.4 of this policy for further information on applicants who can be offered houses.

On occasion landlords may choose to let a property to a household who will under occupy it, for example where there is low demand from larger households. Where this is the case property adverts will make it clear.