



Worthing Borough Council

Register of Housing Need

and

Choice Based Lettings

Policy

6 February 2014
(original Policy 30 November 2009 and updated 30 July 2012)

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1. Introduction

The Register of Housing Need and Choice Based Lettings Policy is intended to make the best use of social housing in Worthing, match available housing to those in the highest housing need, and give people more personal choice about where they wish to live. This policy has been adopted by Worthing Borough Council and sets out the purpose of the Register of Housing Need and the operation of a Choice Based Lettings Scheme.

Worthing Borough Council is part of the Sussex Homemove Partnership operating a sub-regional Choice Based Lettings scheme. Each local authority within the partnership has its own policy but the assessment of applicants and the principles of each scheme are broadly similar. This creates more consistency in the allocation of social housing across Districts and Boroughs in Sussex.

The Council is required by section 167 of the Housing Act 1996 to have a system of allocating properties that gives choice to applicants¹. This policy sets out the priorities and procedures for the Council's nominations to Registered Providers (RP's). The Register of Housing Need and Choice Based Lettings Policy applies to existing RP tenants in Worthing who want to transfer to another RP tenancy and to new applicants applying for housing.

This policy meets the requirements set out in Part VI of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011) and relevant Statutory Guidance². The policy gives reasonable preference to those applicants in the greatest housing need. It also aims to ensure that the allocation of social housing is carried out in a way that is efficient, cost effective, customer focused, and accessible. This is achieved by increasing access to services via the internet, and having more transparent information available to customers about social housing. In addition, a partnership approach to Choice Based Lettings across several authorities in Sussex provides more cost effective and efficient services by sharing development and running costs.

Choice Based Lettings give greater personal choice to all those seeking housing and enable individuals to make informed choices about their housing options. The Choice Based Lettings Scheme is the set of rules by which we aim to treat everyone fairly and give the appropriate priority for housing. Choice Based Lettings encourage better use of the housing stock with Registered Providers by maximising the length of tenancies (as people have chosen their properties) and encouraging residents to have a stake in their community.

This policy sets out how people's circumstances are assessed when applying for housing. A banding system, made up of four bands, is used to assess and prioritise housing need. All applicants receive information to advise them how to search for a property through the scheme, which is called Homemove. Available properties with Registered Providers are advertised and applicants can use different methods to express their interest in the properties they want. This is referred to as 'bidding' and full details of the 'bidding' process are explained later in this policy.

¹ Section 167(1) and (1A) of the Housing Act 1996 as amended by the Homelessness Act 2002

² Fair and flexible: statutory guidance on social housing allocations for local authorities in England, published in December 2009; the Allocation of accommodation: guidance for local housing authorities in England, published in June 2012; Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England, published in December 2013.

2. Choice and Empowerment

2.1 Statement of Choice

All applicants eligible to join the Register of Housing Need (see Section 3 of this policy) can exercise choice over which part of the Borough they wish to reside in. Applicants are able to apply their preferences by bidding for the properties they want. However, all properties are let by a Registered Provider on the basis of household size and any other proven specialist requirements, e.g. a proven medical need for ground floor accommodation.

A Choice Based Lettings Scheme empowers applicants to make personal choices about where they want to live. The system offers transparency about properties that are available so applicants can be realistic about the choices they make. Some applicants may need greater assistance to understand and actively participate in Choice Based Lettings. The Council aims to guide and support applicants applying for housing and participating in Choice Based Lettings. Consideration is given below to equality, diversity and vulnerability issues.

2.2 Equality and Diversity

Worthing Borough Council is committed to providing and promoting services that are fair and equitable to all its customers. The Council seeks to ensure that services are accessible to all, and that no one applying for housing is disadvantaged on the grounds of age, disability, gender, race, religion/belief, or sexual orientation.

The process for allocating accommodation outlined in this policy is intended to be fair and transparent. The banding system allows people to identify why they are placed in a certain band as it is based on their current circumstances. Available properties are advertised and information is available about properties that have been let (for example, which band the successful applicant was in, how long they had been waiting in that band and how many bids were received).

Regular monitoring can be carried out to identify those people who have applied for housing but who have not registered an interest in any properties that have become available. Contact is made with those people to make sure they know how to access the Choice Based Lettings Scheme or to arrange for appropriate support to assist them. This covers all groups of people and provides a safety net to ensure that the scheme is accessible to all.

A summary of this policy is available, on request, in other formats, for example, large print or other languages. Alternatively, interpretation services can be arranged, on request, for staff to verbally explain the policy to applicants. The Scheme User Guide that explains how the Choice Based Lettings Scheme works across Sussex is sent to all applicants and is also available on request in other formats and in other languages.

No particular group(s) of people should be disadvantaged by this policy (see 21.2).

2.3 Vulnerability

Social exclusion can arise where social, economic and cultural factors combine to exclude individuals and groups from accessing economic, cultural and social resources and from participating in the community. A person or group of people can be considered vulnerable when appropriate support is needed to enable or promote independent living and active participation in the community. When a vulnerable person does not receive support, social exclusion of a person or group can occur.

Although no particular groups of people are identified as being disadvantaged by this Policy, some people may need help to apply to join the Register of Housing Need and participate in Choice Based Lettings. Help is available from Housing Services staff to assist applicants to complete the Register of Housing Need application form. Home visits are carried out to those people unable to come to the Council office. Regular monitoring takes place to ensure that people with the highest housing need are actively participating in the Choice Based Lettings Scheme.

People requiring help to participate in Choice Based Lettings receive the level of support appropriate to their needs. The questionnaire attached to this Policy at Appendix 1 gives examples of the type of help people may need. People who need help, and do not already have support in place, are identified if they have not expressed an interest in available properties, from their application form, or by contacting the Council. Assistance is available from Housing Services at Worthing Borough Council and from other services who work with people who are in housing need, for example, housing related support services.

3. Register of Housing Need

3.1 What is the Register of Housing Need?

The Register of Housing Need is the register of people who want to be housed in the Borough of Worthing.

3.2 Who can apply to join the Register of Housing Need?

The Register of Housing Need is open to people who are 16 years of age and over who are eligible and who qualify in accordance with this policy. There are certain classes of people that are excluded from joining this register and details of who qualifies and who does not qualify are set out in section 3.3.3.

To apply, a Register of Housing Need application form must be completed and certain information is requested to confirm the details of those applying (for example, proof of identity and details of current and previous accommodation). An application will usually need to be submitted to Housing Services in person with original documents to be able to verify the identity of those applying. This ensures that applications are assessed fairly in accordance with this policy and that only those who are eligible to apply are able to do so.

3.3 Who cannot join the Register of Housing Need?

Certain groups of people are ineligible because of their immigration status and the Council may disqualify applicants because of their unacceptable behaviour. In addition, the Localism Act 2011 enables Local Authorities to use their own qualifying criteria and the Statutory Guidance published in December 2013³ encourages Councils to include a residency requirement as part of their qualification criteria⁴.

3.3.1 Persons from abroad who are subject to immigration control

Some persons from abroad fall within government regulations as being a person who is 'subject to immigration control'⁵, and cannot be nominated to a Registered Provider for accommodation. They are therefore excluded from entry on the Register of Housing Need and referred to as 'ineligible'.

The Housing Act 1996 (as amended by the Homelessness Act 2002) specifies the classes of people who are 'subject to immigration control' and who cannot be given assistance with housing.

³ Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England, Department for Communities and Local Government, December 2013

⁴ The Secretary of State believes that a reasonable period of residency would be at least two years before applicants qualify for an offer of social housing.

⁵ Within the meaning of the Asylum and Immigration Act 1996

Special provisions in relation to immigration control may be introduced from time to time due to specific situations occurring in a country or in a particular area of a country. This means that the classes of people who are subject to immigration control are subject to change. Therefore, a complete list of all the categories of those that are ineligible at any one time cannot be provided in this policy. However, the general classes of people who are ineligible and excluded from the Register of Housing Need are:

- A person registered with the United Kingdom Border Agency as an asylum seeker;
- A person or visitor to this country (including overseas students) who has valid leave to enter or remain in the UK on the condition that they do not have recourse to public funds;
- A person whose only right to reside in the UK, Channel Islands, Isle of Man or the Republic of Ireland is because they are 'economically active';
- A person who is not habitually resident in the Common Travel Area;
- A person who is a national of a non-European Economic Area;
- A person who is a national of a European country who has the right to reside in the UK but is deemed not to be eligible for an allocation of social housing by relevant enacted legislation (e.g. by a statutory instrument);
- A 'sponsored person' who has been in the country less than five years and any other person who is in the UK illegally or who has overstayed their leave.

3.3.2 Serious unacceptable behaviour

An applicant will be excluded from the Register of Housing Need when he or she (or a member of his or her household) has demonstrated unacceptable behaviour. This unacceptable behaviour must be such that if the applicant was a tenant of the Council, the Council would be entitled to a Possession Order (in accordance with Part 1 of Schedule 2 of the Housing Act 1985).

This behaviour includes the following and any such amendments made to Schedule 2 of the Housing Act 1985:

- Rent arrears or breach of tenancy conditions;
- Involvement in serious nuisance or annoyance to neighbours;
- Conviction for using accommodation or allowing its use for illegal or immoral purposes;
- Conviction of an arrestable offence committed in the locality;
- Domestic abuse causing a partner or other family member to leave the property;
- Causing damage to the property or allowing the property to be seriously damaged or neglected;
- Obtaining a tenancy on the basis of a false statement;
- Eviction from social housing for nuisance or harassment (racial or otherwise) where this behaviour is apparent at the time of application;

The unacceptable behaviour must be serious enough to make the applicant unsuitable to be a tenant.

The applicant must be unsuitable at the time the application is considered. Each application is assessed on its merit and consideration is given to the length of time that has elapsed since the unacceptable behaviour occurred and whether there has been any change in circumstances.

3.3.3 Qualification criteria

The following categories of people qualify to join the Register of Housing Need:

- a) People who are currently residing in Worthing and have resided in Worthing for at least the last two years on a continuous basis. This residence must be proven and verified.
- b) People who do not reside in Worthing but are employed in Worthing and this employment has been ongoing on a continuous basis for at least the last two years and is likely to continue on an ongoing basis. Employment must be proven and verified and must be paid employment which is regular and significant in nature and be for a minimum of 15 hours per week on average. Zero hours contracts will not be considered as regular employment for the purposes of this policy.
- c) Serving members of the British armed forces (or those who have served in the previous five years), and bereaved spouses or civil partners of those serving in the armed forces, who are residing in Military of Defence accommodation and serving or former members of the British armed forces who have a serious injury, illness or disability as a result of their service.
- d) People who do not live in Worthing but live in accommodation that is not suitable for their housing needs, and have a local connection to Worthing Borough Council as defined in Section 22 of this Policy, and who have an overriding proven need to move to the Worthing area, and there is accommodation likely to become available in Worthing that is suitable to meet their housing needs (people who qualify in this category will not take priority over people who already live in the area so will only be assessed in Band C or D and will not qualify to be in Band A or B). People wanting to move to receive or give support to immediate family members must demonstrate the levels of support that will be provided and why this cannot be provided in their current accommodation.
- e) Current tenants of Adur District Council or current tenants of Registered Providers in Adur District Council or Worthing Borough Council who have an identified housing need, for example, there is a need to move to smaller or larger accommodation or there is a need to move for medical reasons. Tenants who are living in accommodation that has adaptations that are no longer needed for the household will also qualify.
- f) People who are currently living outside of Worthing on a temporary basis (who had previously lived in Worthing and have a local connection to Worthing, or people living in accommodation provided by or arranged by Worthing Borough Council, or other such exceptional circumstances, as approved by the Housing Services Manager (or equivalent)).

The following categories of people do not qualify to join the Register of Housing Need:

- g) People who do not reside in Worthing and do not have a local connection to Worthing.
- h) People who reside in Worthing but have not resided in Worthing on a continuous basis for at least the last two years and do not have a local connection to Worthing.
- i) Current tenants of Registered Providers in Adur or Worthing whose accommodation meets their housing needs (in accordance with this policy).
- j) Current tenants (or people who live with current tenants) of Local Authorities or Registered Providers and the tenancy is not in either Adur or Worthing (except those who would qualify under criteria 3.3.3b and 3.3.3d).
- k) People who are owed a statutory housing duty by another local authority (either District or Borough Council or County Council) or people who are living in accommodation in Worthing that has been provided or arranged by another local authority.
- l) People who own a property or have an interest in a property, either in the UK or abroad, and that property reasonably meets their housing needs or there is sufficient equity to be able to sell the property and purchase or rent suitable alternative accommodation to meet their needs.
- m) People who have a combined household income of £50,000 (gross per annum) or more.
- n) People who have a significant amount of savings or capital that would enable them to secure suitable accommodation to meet their housing needs.

3.4 Can people reapply once they have been excluded from the Register of Housing Need?

Where a person is excluded from the Register of Housing Need, a fresh application will be considered if:

- the immigration status of the applicant has changed; or
- the applicant can demonstrate that there has been a significant improvement in their behaviour; or
- outstanding rent arrears have been paid in full or an arrangement to clear outstanding rent arrears over a reasonable period has been established and maintained for at least the last six months; or
- there has been a material change in the circumstances of the applicant or a member of their household (for example, an illness or disability has developed or an existing medical condition has worsened); or
- twelve months have passed since the date of exclusion; or
- the applicant did not previously meet the qualification criteria but the criteria is now met .

There is a review procedure if a person is excluded from or removed from the Register of Housing Need. This procedure is set out in section 19 of this policy.

3.5 What happens when a person applies to join the Register of Housing Need?

- ❑ An application form is completed and assessed in accordance with this policy.
- ❑ The applicant is placed into one of four bands: A, B C or D.
- ❑ The prospects of rehousing depend on an applicant's housing need compared to others.

Priority is given according to:

- ❑ The applicant's housing need, reflected by the band they are placed in.
- ❑ A local connection to Worthing. Local connection is defined in section 22 of this policy.
- ❑ The length of time an applicant has been in that band.

The aim of this policy is to house those most in need first. This is done by using the banding system which is summarised in section 5 of this policy.

Once the completed application form has been assessed, an acknowledgement letter is sent to advise the applicant of their banding, registration number and registration date. The following information is provided:

- Priority Band and reason for it.
- Priority date.
- What size property the applicant can bid for (based on how many bedrooms the applicant is entitled to in accordance with this policy).
- Mobility group (physical disability level) if applicable.

Home visits may be carried out to assist an applicant to complete an application form and to verify the circumstances of applicants.

3.6 Medical needs

The following factors are taken into account when an assessment is carried out to determine which band is appropriate:

- Illness / medical condition
- Physical disability
- Mental health problems
- Care needs
- Support needs

The assessment looks at whether the above are affected by the current housing situation of an applicant, or whether there are specific requirements in relation to alternative accommodation. When carrying out an assessment any treatment, care or support an applicant may be receiving is taken into account to decide the appropriate level of priority given to an application.

Applicants can supply additional information from a GP or other relevant health professional(s) in support of their application if they so chose. However, if the health professional charges a fee to provide this information, it is the responsibility of the applicant to pay the fee. The Council may choose to make its own enquiries into the medical needs of an applicant and will meet reasonable charges where appropriate.

A manager within the Housing Services team or an alternative officer at an equal or higher position within the Authority, carries out the assessment of medical information provided in support of an application. This officer is referred to as the 'Medical Assessor' for the purpose of this policy. The medical information provided may enable the Medical Assessor to decide the level of medical priority given to an application. Alternatively, the Medical Assessor may conclude that further enquires are needed before a decision can be made. The Medical Assessor may seek advice and guidance from the Council's medical adviser in making a decision.

3.7 Change of circumstances

Applicants are responsible for telling the Council of any changes in their circumstances that may affect their application, for example, change of address, family size, income (including savings and investments). The Council must be notified of any change of circumstances in writing. Applications cannot be amended without a signed authority (which includes electronic communication). Applicants who do not inform the Council of changes may miss the opportunity of being considered for suitable vacancies that become available.

3.8 Re-registrations

All applications are renewed on an annual basis (or sooner if changes occur). The Council writes to applicants to ask them to confirm that they still wish to be on the Register of Housing Need. If an applicant does not respond within the time specified, their application is removed from the Register of Housing Need. An applicant can re-apply later but the application will only be registered at the date of the new application and their priority date is based on their new application. Therefore, any time priority, linked to an earlier priority date from a previous application, is lost.

4. Choice Based Lettings

4.1 The Guiding Principles of the Choice Based Lettings Scheme

- To balance housing need and the requirement for customer choice in lettings;
- To harmonize the criteria between Housing and Transfer Registers to create a single Choice Based Lettings Scheme.
- To ensure that access to tenancies with Registered Providers is possible on a fair and needs related basis.
- To provide information and advice freely, openly and in an accessible and clearly understood way.
- To ensure that all services are delivered in accordance with the Council's corporate policies in respect of Equality and Customer Care.

5. The Banding Structure

5.1 How Are Applications Banded?

There are four bands – A, B, C and D. These enable applicants to see the priority they have and their likely prospects of rehousing.

5.2 How do the Bands give priority for housing?

Each Band has a number of different categories which reflect housing need. Applicants in Band A are assessed as having the highest levels of housing need and have the highest priority for housing. Applicants in Band D have the lowest priority for housing and are those assessed as having no housing need at the current time or their priority has been reduced.

Priority is given within each Band to applicants living in Worthing with a local connection to Worthing. Local connection is defined in section 22 of this policy.

The Band categories give priority to applicants who are homeless or threatened with homelessness, applicants who need to move on medical grounds, those moving on from supported housing (who were living in Worthing for at least twelve months prior to moving into Supported Housing) and existing tenants of Registered Providers who have a property that no longer meets their needs (for example, tenants who are under-occupying accommodation or tenants living in a property which has adaptations that they no longer need). These priorities reflect the local situation in Worthing where emphasis is placed on prevention of homelessness and making best use of existing housing stock (including supported housing). Applicants are given priority when they are living in accommodation that is no longer suitable for them and when their existing accommodation would meet the needs of other applicants.

Applicants in the higher Bands have the highest priority when they bid for a property. However, Choice Based Lettings encourages applicants to exercise choice over which properties they choose to bid for. Applicants in Bands A and B may bid less frequently for advertised properties either because the properties are not suitable for their needs, or because they are exercising choice. Applicants in the lower Bands will therefore be successful when bidding for properties that applicants in the higher Bands do not want.

All housing applicants are assessed and placed into one of the four bandings, A, B, C or D, depending on the urgency of their need to move. When an applicant's situation fits into more than one banding, the application will be registered in the higher band (with the exception of applicants who are given reduced priority and placed in Band D).

5.3 The four priority Bands

The four Bands (A, B, C and D) and the categories within each Band ('Band reasons'⁶) are set out below.

Band A – Urgent/emergency (restricted to applicants who currently reside in Worthing)

- A1** Homeless households owed the main housing duty by Worthing Borough Council placed in emergency temporary accommodation where the only prospect of meeting the households' needs is in permanent accommodation (e.g. the applicant has obtained employment and is experiencing severe financial hardship, or the household has severe medical or disability needs).
- A2** Homeless households owed the main housing duty by Worthing Borough Council placed in temporary accommodation where the landlord requires the property back or the property is wholly unsuitable to meet the applicant's needs (or a member of the household's needs) and it is not possible to adapt the accommodation to meet those needs.
- A3** Successors, non-statutory successors and lawful occupiers of Registered Provider tenancies in Worthing who are approved by the Housing Services Manager (or equivalent) for an offer of smaller or more suitable alternative accommodation in agreement with the Registered Provider.
- A4** Households threatened with homelessness who would be owed the main housing duty by Worthing Borough Council, where the household is making their own temporary arrangements in agreement with Housing Services, or having to live apart (having previously lived together) due to a genuine lack of accommodation that would meet their needs, and an offer of social housing would be the only way to prevent homelessness.
- A5** Releasing an adapted property, or to make best use of adapted stock, in Worthing, at the Council's discretion, where the tenant does not require adaptations or where the existing property cannot be adapted to meet the applicant's needs.

⁶ Some of the band reasons will not be applicable due to the qualification reasons that are implemented in this policy. However, they have been retained for reference purposes and to allow for cases when exceptional circumstances may be applicable.

- A6** High medical priority awarded where the housing conditions are having such a major adverse effect on the medical condition of the applicant, or member of the household, or there is an overriding medical need for settled accommodation in Worthing as to warrant emergency priority.
- A7** Tenants of Registered Providers in Worthing under-occupying family sized accommodation and where Worthing Borough Council can nominate to the vacancy that arises.
- A8** Households living in Worthing who are statutorily overcrowded (based on the Housing Act 1985 standard) and where the overcrowding has not been caused deliberately or could have been avoided.
- A9** Applicants moving on from care, or leaving supported housing in Worthing, evidenced with relevant care plan, references where appropriate and plans in place to meet future care or support needs, where there is an overriding need for social housing and Worthing Borough Council will have nomination rights to the vacancy arising or where there are exceptional circumstances or need as agreed by the Housing Services Manager.
- A10** Priority transfer of Registered Provider tenant in Worthing, e.g. severe ongoing harassment, exceptional circumstances due to significant and insurmountable problems associated with the tenant's occupation, where there is imminent personal risk to the household if they remain, or where there are exceptional circumstances resulting in an urgent need to move (supporting information from other agencies is required).
- A11** Severe need of households living in Worthing and needing to continue to live in Worthing – exceptional circumstances and/or multiple complex needs, which warrant emergency priority – to be agreed by the Housing Services Manager (or equivalent).

Band B – High Housing Need

- B1** Households living in Worthing and lacking 2 or more separate bedrooms (see table T1 below and exception in Band reason C1), except for those living in supported housing or accommodation provided in accordance with the homelessness legislation.
- B2** Former tenants of Registered Providers in Worthing, or applicants who previously had temporary accommodation in Worthing, where Worthing Borough Council has given an undertaking to accommodate. For example, where a tenancy has been relinquished following the tenant going into an institution or care setting and they are now ready for release or discharge from that institution or care.
- B3** Priority transfer of a Registered Provider tenant in Worthing, agreed by the Housing Services Manager (or equivalent) and the relevant housing manager of the Registered Provider, where the tenant needs to move on social or welfare grounds.
- B4** Private sector households occupying properties in Worthing which have Category 1 Hazards under the Housing Act 2004 Housing, Health & Safety Rating System (report

required from Environmental Health) and where the Category 1 Hazards cannot be remedied within a reasonable period.

- B5** Medium medical priority or priority on social and welfare grounds. This Band reason includes serving members of the armed forces (or bereaved spouses or civil partners of a recent serving member of the armed forces) who are leaving accommodation provided by the Ministry of Defence within the next six months and where there is a need to resettle in Worthing.
- B6** High priority hardship as agreed by the Housing Services Manager (or equivalent) – housing applicants with multiple or complex needs, living in insecure accommodation in Worthing, not having a bedroom or lacking amenities, with a need for accommodation in Worthing.
- B7** Applicants registered and confirmed by Worthing Borough Council as regularly sleeping rough in the Worthing Borough but not owed the main housing duty, or applicants provided with emergency accommodation on a discretionary basis, and working with a recognised agency that supports their application, and where the only prospect of meeting their housing need is by an offer of accommodation with a Registered Provider.

Band C – an Identified Housing Need

- C1** Households lacking one separate bedroom (see table T1 below), or lacking two bedrooms but it would not be appropriate to give additional priority (for example, applicants who have moved into accommodation that is too small for their household).
- C2** Tenants of Registered Providers in Worthing who are under-occupying accommodation but who are requesting specific accommodation that is not readily available or have been in Band A and successfully bid for and been offered three properties but refused each one or where Worthing Borough Council cannot nominate to the vacancy that arises.
- C3** Homeless households placed by Worthing Borough Council in interim or temporary accommodation, including those owed the main housing duty by Worthing Borough Council, or at the discretion of the Housing Services Manager households living in private rented accommodation assisted by Worthing Borough Council to prevent homelessness.
- C4** Households identified in a Care Plan where accommodation is required to assist in delivering the Care Plan or to relieve other social/welfare hardship as agreed between Adult Social Care, Children’s Social Care (or other relevant agency, e.g. mental health services) and Housing.
- C5** Low medical priority or priority on social and welfare grounds.
- C6** Living in housing where support is provided, or households who have previously lived in supported housing but moved on to alternative accommodation in a planned way agreed with the support provider and the Housing Services Manager.

- C7** Other unsatisfactory housing conditions (e.g. those with no fixed address, living with family or friends, lacking or sharing facilities, disrepair that cannot be easily remedied).
- C8** Applicants for sheltered housing with a low medical priority and where no higher need exists.
- C9** Applicants who need to move to a particular area in the Worthing Borough where failure to meet that need would cause hardship, e.g. to give or receive support.

Band D – no Housing Need or applicants given reduced priority

- D1** Transfer applicants with no other housing need.
 - D2** Housing applicants with no other housing need.
 - D3** Applicants with substantial savings, capital or investments, or owner occupiers with sufficient equity in their property, who are able to obtain their own accommodation to meet their needs either in the private rented sector or by purchasing alternative accommodation. Decisions to place applicants into this Banding category are based on each applicant's individual circumstances, taking into account other relevant needs, for example, medical needs and the type of property required.
 - D4** Housing applicants or transfer applicants given reduced priority in accordance with this policy (see section 6) for reasons R1 to R12 below.
-
- R1** Applicants that have housing related debts owed to Worthing Borough Council, another local authority or Registered Provider. These debts may have accrued from the Council's rent in advance and deposit guarantee scheme, charges associated with the cost of Bed and Breakfast, emergency or temporary accommodation (including storage charges) or recharges in relation to current or former tenancies. Each case is assessed on an individual basis and the Council will consider any arrangements that have been made to repay any debt and whether the arrangement has been adhered to.
 - R2** Applicants who have deliberately worsened their own housing circumstances which would result in a greater need for a social housing allocation, and those circumstances would place them in a higher Band.
 - R3** Applicants who have or had alternative accommodation available to them, in the UK or abroad, but they have chosen not to live in that accommodation when it would have been reasonable to continue to reside in that accommodation.
 - R4** Applicants guilty of serious unacceptable behaviour (set out in section 3) who are not excluded from joining the Register of Housing Need but where it would not be appropriate to give them priority over other applicants. For example, an applicant who has a history of significant rent arrears but currently has a clear rent account, or an applicant evicted from social housing due to extreme nuisance or harassment.

- R5** Applicants living in supported housing or temporary accommodation (owed the main housing duty) who are not ready for move-on (confirmed by relevant agency) or who have rent arrears or have been served notice due a breach of tenancy or licence condition.
- R6** Applicants living in interim or temporary accommodation arranged by another local authority or agency (not arranged by Worthing Borough Council).
- R7** Applicants who have been made a direct offer and have unreasonably refused the offer of accommodation.
- R8** Applicants who have successfully bid for several properties that are suitable for their needs but have unreasonably refused each property. Each case will be considered on its merits taking into account the number of properties refused and the period the properties are refused over, the type of property needed and any special circumstances of the applicant.
- R9** Applicants who have moved to accommodation in Worthing that is not suitable to meet their housing needs.
- R10** Applicants with a housing need but who are not currently residing in Worthing or applicants who have no local connection to Worthing.
- R11** Applicants with a housing need who have been assisted to secure accommodation in Worthing by another agency, statutory service or local authority, and where they were not previously residing in Worthing.
- R12** Applicants who applied to join the Register of Housing Need on or before 6 February 2014 and are currently living in Worthing but have done so for less than 2 years.

5.4 What size properties can applicants bid for?

Table (T1) for assessing required bedroom provision for each household member (for the purpose of assessments on the Register of Housing Need). Bedroom provision is based on the severe shortage of accommodation and to ensure that best use is made of all available housing stock within the Worthing Borough:

A single independent adult (16yrs +)	Bedsit/studio or 1 bedroom
Co-habiting couples	1 bedroom
A single dependent child or non dependent adult	1 bedroom
Two dependent children or non dependent adults of the opposite sex where one child is aged 10yrs +	2 bedrooms
Two dependent children of the same sex or non dependent adult siblings	1 bedroom

Dependent children are defined as those who are ordinarily resident with the applicant, who do not appear on another person's application or have an application in their own name (if 16 years and over), and who do not have accommodation elsewhere available to them.

Non dependent adults are defined as those who are 18 years of age and over who are ordinarily resident with the applicant and are reasonably expected to reside with the applicant, who do not appear on another person's application or have an application in their own name and who do not have accommodation elsewhere available to them.

Dependent children and non dependent adult siblings include step brothers and sisters.

Table (T2) illustrates the maximum property size applicants can bid for based on the composition of their household (for the purpose of assessments on the Register of Housing Need):

Household composition	Property size The property type can be a flat, house or bungalow
Single person	Studio or one bedroom property
Couple	One bedroom property
Single person or couple with a confirmed pregnancy	One bedroom property (until the baby is born)
One adult or a couple with one child or adult family member	Two bedroom property
One adult or a couple with two children or two adult family members of the same sex	Two bedroom property
One adult or a couple with two children of different sexes, both children under 10 years old	Two bedroom property
One adult or a couple with two children or adult family members of different sexes, at least one child over 10 years old	Three bedroom property
One adult or a couple with three children or three adult family members	Three bedroom property
One adult or a couple with four children or four adult family members	Three bedroom property where it has three double size bedrooms and one child over 10 years old would not have to share with a child of the opposite sex, or Four bedroom property
One adult or a couple with more than four children or more than four adult family members	Four bedroom property (this could be a three bedroom house with two living rooms where one of the living rooms could reasonably be used as a bedroom)

Some exceptions may occur to the details table T1 and T2, for example, where an additional bedroom is deemed essential on medical grounds or where a property has specific adaptations or a minimum age restriction applies.

6. Reasonable Preference

6.1 Do Certain Applicants Get Preference Over Others?

Local Authorities have to give 'reasonable preference' to certain types of applicant in accordance with the Housing Act 1996 (as amended by the Homelessness Act 2002)⁷. However, each Local Authority can exercise discretion⁸ to decide the priority between applicants.

Housing applicants are placed into the most appropriate band, which represents their housing need. The band indicates the 'reasonable preference' they are given. Their priority within the band in which they have been placed is determined by length of time in that band and local connection criteria.

Applicants are able to move from one band to another if their circumstances change and the new circumstances place them into a different band. If any change of circumstances results in a Band change, Housing Services write to inform the applicant of the new Band and their new priority date if applicable.

The principle of the scheme is that no one should overtake existing applicants in a Band. If an applicant moves into a higher Band, their priority date is the date they entered that higher Band or the date they acquired a local connection. If an applicant moves into a lower Band, their priority date reverts to the date that applied when the applicant was previously in that Band, or an earlier date they had from being in a higher Band.

The Housing Services Manager (or equivalent) may authorise a change of Band where an applicant has severe multiple needs that mean exceptional circumstances and/or multiple needs warrant emergency priority.

6.2 Reduced priority

Where applicants have a housing need which would place them in Band A, B or C, but there are circumstances that mean it would not be reasonable to give them priority over others, their priority may be reduced.

The categories of people whose priority may be reduced are set out in section 5.3 under Band reason D4.

Applicants, whose priority is reduced due to any of the reasons R1 to R11, may ask for their priority to be reviewed if:

- a housing related debt has been paid in full; or
- there has been a material change in the applicant's circumstances; or
- they have been in Band D for a minimum of twelve months (due to Band reason D4).

⁷ Section 167(2) and 167(2A) of the Housing Act 1996 as amended by the Homelessness Act 2002

⁸ Section 167(6) of the Housing Act 1996 as amended by the Homelessness Act 2002

7. How properties are advertised

7.1 How available properties are advertised

Available properties are advertised in the following ways:

- On the Homemove website for those people able to access the internet.
- By contacting Housing Services either in person or by telephone.

7.2 The eligibility criteria for each property

The eligibility criteria for each property are stated in the property advert and include:

- The minimum and maximum number of persons in the household.
- If there is an age limits or a requirement for a household without young children.
- The mobility group, if applicable (see definition in section 22).
- If applications are restricted to special cases such as a priority transfer.
- If pets are allowed.
- Whether it is sheltered housing.

The advert also specifies:

- The Registered Provider which owns the property.
- The weekly rent, including any other charges.
- The tenure type of the property being advertised and whether the tenancy is being offered on a fixed term basis.
- The date the property is expected to be ready for occupation (in some cases).

All adapted properties are advertised with a mobility classification and, in addition, with notes where the potential for adaptation or further adaptation exists. The advert will state if the property is:

- Suitable for a wheelchair user indoors and outdoors.
- Suitable for people who cannot manage steps or stairs and may use a wheelchair some of the time.
- Suitable for people who are independent but can only manage one or two steps.

If a property is advertised but there are no suitable applicants who have bid, the property may be offered as a direct let to applicants in Band A, B or C. In cases where households have been accepted as homeless under the Housing Act 1996 Part VII and have been awarded the relevant Band, a direct let will constitute a final offer to bring the Council's duty under the homelessness legislation to an end. If there are no suitable applicants for a property with a mobility classification, the property may be used to provide temporary accommodation to a homeless household in accordance with Part VII of the Housing Act 1996.

In addition:

- No applicants can bid for properties that would result in over-crowding or under-occupation.
- Supported housing will only be offered to people who have support needs and if the supported housing scheme would meet their support needs.

The Council aims to maximise the use of available social housing to provide as many solutions to housing need as possible. For example, a three bedroom property may be offered to an existing Registered Provider tenant where it would create a suitable vacancy to let to another household in housing need. The property advert will clearly state if priority will be given to existing Registered Provider tenants.

If an applicant or member of their household is awarded medical priority for ground floor accommodation, they would not normally be considered for any houses that become available. It is considered that a recommendation for ground floor accommodation on medical grounds means that the applicant or family member cannot manage stairs either inside or outside a property, without specific adaptations.

8. Bidding for properties

8.1 The bidding process

Applicants can bid for properties in the following ways:

- Send in a completed coupon
- By telephone
- On line via the website
- In person at the Council offices

Full details of how to bid are set out in a Scheme User Guide, which is sent out to all new applicants.

Applicants with support needs and those who have difficulty with written English can be supported by Housing Services staff or an appropriate care or support provider.

Applicants who urgently need to move and who do not bid for properties may receive a direct allocation by the Council.

All bids for a property are checked against the eligibility rules. Ineligible bids are excluded from consideration. Applicants who regularly bid for properties they are not eligible for will be contacted and offered support.

Applicants can bid for up to three properties they are eligible for per fortnight. Once an offer has been made the applicant has the choice to refuse the property. Applicants who refuse a property they have bid for can bid again in the following bidding cycle.

9. Selection of applicants

9.1 The selection process

All eligible bids for each property are placed in priority order which is decided by:

- Band, then by
- Local connection, then by
- Priority date within the Band, then by
- Random selection if there is a tie.

Every bid is assigned a random number when the bid is made. This number is used to resolve a tie; the highest number gets the priority.

If there are no eligible bidders for a property, a direct allocation may be made to a person with a high priority in band A, or the property may be re-advertised.

9.2 Viewings by successful bidders

- The Council sends up to three prospective nominees to the Registered Provider, advising of the priority order.
- To minimise delays multiple viewings can be carried out for up to three applicant households per property. Applicants are required to take proof of identity to the viewing.
- The Registered Provider will offer the applicant with the highest priority the option to accept the property and invite them to sign for the tenancy or agree a decision within 24 hours.
- If the applicant chooses to refuse the property, the Council will note the reasons for refusal and the Registered Provider will offer the tenancy to the person with the second highest priority.
- If the second applicant refuses, the tenancy will be offered to the third applicant.
- If the third applicant refuses, the Council may provide further nominees in priority order from those that have bid for the property. The reasons for refusal will be reviewed.
- Applicants who have bid for properties are not penalised for refusing offers unless the applicant refuses several properties (see section 6.2, R8), or is an accepted homeless household in Band A, B or C.
- Applicants who do not provide proof of identity at the viewing will be given 24 hours to provide proof to the Registered Provider or at the Council's office prior to signing for the tenancy.

If the previous tenant of a property has reported that he or she was a victim of racial or other harassment, the Registered Provider will advise a prospective tenant of this fact before they formally offer the tenancy.

10. Shortlisting of applicants

10.1 How shortlisting takes place

Offers are made to applicants who match the property type (including any priority given to specific household types) in the order they appear on the shortlist.

In some circumstances, an applicant on the shortlist for a particular property may be by-passed for the following reasons:

- To ensure that wider objectives are met as set out in the next section (local lettings plans and sensitive lets).
- If the property is withdrawn by the Registered Provider at short notice, for example, the existing tenant has not moved or the property is damaged and requires major works.
- If the property is required to meet an applicant who has specific needs or an urgent need and the property on offer matches those needs.
- If an offer to an applicant with lower priority will result in the availability of an alternative property that can be used to meet an urgent housing need of another applicant.
- If the applicant has rent arrears or a housing related debt owed to the Council or another housing authority.
- If the applicant is transferring from a social housing tenancy and their current social landlord anticipates significant recharges will apply due to the condition of the property or the tenant has been asked to rectify non standard work or poor decoration in the property and has failed to do so.
- When the circumstances of the applicant have changed and the change is likely to result in them moving into a lower band.
- If further investigation is required into the circumstances of the applicant or a member of their household, which were not apparent at the time of the application.
- When an applicant cannot reasonably be contacted or is not available to take up an offer of accommodation.
- When an applicant has bid for a property that does not meet their housing needs (for example, they have a mobility recommendation and have bid on a property with stairs).

11. Local Lettings Plans and Sensitive Lets

The majority of available properties will be advertised and applicants will be shortlisted in priority order within their band. However, there are times when exceptions need to be made to ensure the best use of social housing, and that communities are balanced. These exceptions are set out below.

11.1 To ensure that communities are as balanced as possible

A Local Lettings Plan may be adopted for specific areas. This plan would take into account the needs of the local area and would consider any evidence of problems that need addressing. A Local Lettings Plan may be adopted when a new build development is being let for the first time to ensure a balanced community, and to ensure the area is not over or under populated from the outset. Properties subject to Local Lettings Plans would be clearly advertised and priorities given to those that meet the agreed criteria.

11.2 To ensure that allocations are sensitively made

There are occasions when particular problems may occur in relation to a property or properties within a specific area. To avoid ongoing problems or a recurrence of similar problems, an allocation may need to be made sensitively, for example, it may not be suitable to allocate a property to a particular group based on age, gender or race. Therefore, in exceptional cases, the person at the top of the shortlist may not be offered the property when a sensitive allocation is required. Some properties may be subject to maximum and minimum age restrictions and these are clearly labelled in the property advert.

11.3 To make the best use of social housing and to reduce under-occupation

From time to time a property may be advertised for those who are releasing larger social housing properties or reserved for those who need to move urgently where a social housing vacancy will arise.

12. Time limits

12.1 Time Limits for Bidding on Properties

The Council may advise applicants of a time limit for bidding. This will occur where an applicant has a housing need (in Band A, B or C) and they have not bid for properties that have been suitable for them or there is a need for them to move quickly. Examples of the categories of applicants who may be given time limits for bidding are:

- Statutory homeless households.
- Former tenants of Registered Providers that the Council has given an undertaking to house, for example, following release or discharge from an institution.
- Non-statutory successors.
- Priority transfers from existing social housing.
- Applicants moving on from care or supported housing.
- Under-occupiers who have succeeded to the tenancy when the Registered Provider has grounds for seeking possession and suitable alternative accommodation is required.

The applicant will be notified of the time limit and it will be made clear to the applicant when the time limit will start and end.

13. Properties not advertised – direct lettings

13.1 Direct Lettings

In limited circumstances the Council will allocate properties directly as set out below:

- Special circumstances, e.g. an applicant referred through the National Witness Mobility Service or where the Public Protection Panel recommends that a Register of Housing Need applicant with high priority should be excluded from bidding. The Council will make one reasonable offer and if refused the applicant will be given reduced priority and moved to Band D.
- Homeless households in Band A, B or C who have failed to exercise choice through the bidding process within a set timescale (see section 12) or homeless households with an urgent need to move (for example, they have to move out of their temporary accommodation through no fault of their own). The Council may make one reasonable offer of accommodation before its duty is discharged, or priority reduced and the applicant is moved to a lower Band.
- Existing tenants of Registered Providers in Worthing living in a property on the first floor or above and who need to move to ground floor accommodation within the same block or area.

- Former tenants of Registered Providers when an undertaking to rehouse has been given by the Council, who fail to bid successfully within the timescale, may be made one reasonable offer before priority is reduced.
- Non-statutory successors may be made one direct offer.
- Priority Transfers cases in Band A who fail to bid successfully within a set timescale may be made one direct offer.
- Applicants in Band A, B or C ready for move-on from care or supported housing who fail to bid successfully or have an urgent need to move may be made one direct offer.
- Applicants who have succeeded to a tenancy but are underoccupying the property, and need suitable alternative accommodation, may be made one direct offer.
- Applicants in Band A, B or C when a property has been advertised but has not attracted any suitable bids in Band A, B or C and the property would meet the needs of applicants who have failed to bid.
- Applicants living in the Adur District and who qualify to be on Adur District Council's Housing Register and where there is no suitable accommodation available to meet their needs in the Adur area but there is suitable accommodation in the Worthing area. In these circumstances a reciprocal arrangement may be agreed and approved by the Housing Services Manager (or equivalent) and the applicant may be made one direct offer.

Properties offered as a direct let will be in an applicant's area of choice whenever possible.

14. Refusals

14.1 Refusals Following Direct Lettings

In the categories set out in section 13 of this policy, the Council will make one reasonable offer which, as far as possible, matches the size and type of property the applicant is eligible for and is not in an area known to be unsafe for the household. The applicant must give the reasons for refusing. The property will not be held empty while the refusal is reviewed but will be let to another applicant.

If the offer is to a homeless household a manager will review the case to consider whether the refusal is reasonable, and whether the offer constitutes a final offer in accordance with the homelessness legislation.

14.2 Reasonable Offers and Refusals

When considering the types of property that are suitable for applicants, it is important to remember that more flats become available than houses and bungalows. Generally, single people and couples are considered for studio/one bedroom properties respectively.

Properties with 2 bedrooms are normally let to a couple or single person with one child or two children of the same sex.

Properties with 3 bedrooms are normally let to a couple or single person with three or more children.

There are very few four bedroom properties and these are almost always let to a couple or single person that has four or more children.

If an additional bedroom is required on health grounds, supporting information must be provided to enable an assessment to be carried out. A decision is made by the Housing Services Manager (or equivalent) in consultation with the Council's Medical Adviser to decide whether an additional bedroom is essential on medical grounds.

15. Feedback

15.1 Feedback on Let Properties

All properties let are listed in a future copy of the electronic Homemove magazine (available on the Sussex Homemove website) showing the number of bidders for each property and the Band and priority date of the successful applicant.

16. Homelessness

If an applicant has been accepted as homeless by the Council and in particular, if the applicant is living in temporary accommodation arranged by the Council, they cannot wait indefinitely to bid for properties. This is because the property that they have been placed in will be needed for another homeless household. When an applicant is accepted as homeless they are told that the Council will cease to be under a duty to assist them if they refuse an offer of reasonable and suitable accommodation. Applicants in this section may be given a time limit in which to bid and if an applicant does not choose a property within the time specified, a direct letting will be made.

Once a homeless applicant is made an offer of accommodation, if refused, Worthing Borough Council no longer has a duty to accommodate the applicant in temporary accommodation or offer alternative permanent accommodation. If the applicant does not consider the accommodation suitable, they may ask for a review of the decision even though they may have accepted the offer. If, however, the applicant does not accept the offer and the review is

unsuccessful, the Council will not be able to provide any further assistance with accommodation.

17. Other Housing Solutions

17.1 Alternatives to rented accommodation with a Registered Provider

Applicants who are seeking alternatives to traditional rented accommodation with a Registered Provider, e.g. low cost home ownership, sheltered housing with extra care schemes or relocation, should make this clear on the application form. Applicants' details are shared with other providers that may work in partnership with the Council to provide other types of accommodation.

17.2 Private Sector Housing Options

The Council provides advice and assistance to applicants seeking alternative accommodation in the private rented sector.

Discretionary assistance may be in the form of a loan for rent in advance or a deposit or deposit guarantee, or matching with a suitable private landlord. Priority for discretionary assistance may be given to people moving on from supported housing when this will release a vacancy in a supported housing project that is needed for another person nominated by the Council.

17.3 Help for Home Owners

The Council provides advice and assistance to homeowners who may be at risk of losing their homes due to repossession or other financial problems.

There are a number of options that can assist home owners. These range from negotiation with lenders and exploring the lenders hardship tools to assistance under a Mortgage Rescue Scheme if applicable and if available. It is not always possible to prevent someone's home from being repossessed but it is important for applicants to seek advice at an early stage so the maximum options are available to them.

17.4 Supported Housing Schemes

Applicants can apply to be considered for particular supported housing schemes that would meet their needs. These schemes are usually for specific groups of people, such as supported housing for young people, or housing for older people. Some housing that has support linked to the accommodation, such as sheltered housing, is advertised in accordance with this policy. Other housing where the criteria are more specific, such as extra care housing, is not advertised under the Choice Based Lettings scheme. There are alternative

arrangements in place in Worthing to allocate supported housing which is not let under the Choice Based Lettings Scheme.

18. Registered Provider partners and policies

18.1 Registered Providers in Worthing

The following Registered Providers (RPs) operate in Worthing:

- Ability Housing Association
- Affinity Sutton
- Guinness Trust
- Hanover Housing Association
- Home Group
- Housing 21
- Hyde Martlet
- Places for People
- Raglan Housing Association
- Rosemary Simmons
- Sanctuary Housing
- Southdown Housing
- Southern Housing Group
- Viridian
- Worthing Homes Limited

18.2 Registered Providers' policies

Registered Providers may have individual policies which prevent them making an offer of a tenancy even when an applicant has successfully bid for a property.

Common policies, which exclude people from being offered a tenancy, are:

- Applicants under 18 years, unless they have a guarantor;
- Applicants with outstanding rent arrears in their current accommodation or with a housing related debt owed to them or another Registered Provider or local housing authority;
- Applicants who have demonstrated anti social behaviour;
- Applicants who have previously held a tenancy with a local authority or Registered Provider and been evicted from that tenancy or voluntarily left it;
- Applicants who have a tenancy (either solely or jointly) with another Registered Provider and the applicant does not live there or the joint tenant is remaining in the property;
- Applicants who own a property (either solely or jointly), or have an interest in a property;

- Applicants with substantial savings, investments or other assets;
- Applicants with significant levels of debt and the Registered Provider has assessed them as not being able to meet their rental liability;
- Applicants with high support needs who are assessed by the Registered Provider as not being able to manage a tenancy.

When a Registered Provider (RP) does not make an offer of a tenancy to an applicant who has successfully bid for a property, the RP will provide the applicant with full details of the reason for refusal. Any right of review or appeal regarding the refusal by the RP is dealt with by the RP in accordance with their policies and procedures. There is no right of review or appeal to the Council as the decision to refuse the applicant is not a decision of the Council.

19. Other information and review

19.1 Rights to Information and Review

Applicants have the right to request general information to enable them to assess how their application is likely to be treated, for example, whether housing accommodation appropriate to their needs is likely to be made available. This information includes whether an applicant is likely to be regarded as a member of a group which has been awarded reasonable preference.

- The Register of Housing Need and Choice Based Lettings Scheme give applicants the following rights about decisions which are taken in respect of their applications:
 - The right to be notified in writing of any decision to:
 - a) exclude an applicant from the Register of Housing Need (see section 3)
 - b) give reduced priority (see section 6)
 - c) make a direct offer (see section 13)
 - An applicant has the right to request a review of any decision made in accordance with a), b) or c) above.
- A request for a review must be made within 21 days of the date of the letter which notifies the applicant of the Council's decision. The Council has discretion to extend the time limit if it considers this is reasonable.
- A review request must be submitted in writing. If a person has difficulty writing Housing Services staff will complete a written request on behalf of the applicant which the applicant must then sign.
- The review will be carried out by a Manager within the Housing Services team or other officer at an equivalent or higher level within the Authority. Further enquiries may be necessary and the Manager carrying out the review may ask an officer at a lower level to carry out these enquiries.

- The applicant will be advised of the review decision and the reasons for the decision, in writing, within eight weeks of receiving the review request. This time limit may be extended by mutual agreement if further enquiries need to be made before a decision can be given.
- The decision made on review is the final decision of the Council. There is no further right of review and no right to appeal against the decision on review.
- If there is a change in the applicant's circumstances following the review decision, the applicant may submit a fresh application for consideration in accordance with sections 3, 6 and 13 of this policy.

20. Data Protection and False Information

20.1 Data Protection

Details of those applying for housing are processed and held on a computer and in a filing system. All applicants are asked to sign a declaration, which acknowledges that their data is processed in accordance with data protection legislation. In addition, applicants must provide consent to allow their details to be verified and shared with other statutory bodies and other agencies working in partnership with the Council.

20.2 False Information

Section 171 of the Housing Act 1996 (as amended) makes it an offence to withhold information that is reasonably required to assess an application or to provide false or misleading information to obtain a tenancy.

Appropriate action will be taken against anyone who obtains a social housing tenancy by knowingly providing false information. This action can result in a fine and / or the termination of the tenancy that has been granted as a result of the false information given.

21. Consultation and Equality Impact Assessment

21.1 Consultation regarding changes in relation to qualification criteria

Consultation was carried out prior to the Council adopting Choice Based Lettings. Further consultation was carried out between November 2013 and January 2014 prior to the implementation of this revised policy.

The responses to the consultation carried out in relation to the qualification criteria is summarized below:

- a) 71.8% agreed that people who do not have a local connection should be excluded from the Housing Register.
- b) 77.4% agreed that people should be living in Worthing before being allowed to join the Housing Register.
- c) 76.6% agreed that if people are not residing in Worthing but are working in Worthing, they need to work for 6 months in Worthing before being allowed to join the Housing Register.
- d) 64.3% agreed that existing tenants of Registered Providers in Worthing should only be allowed to join the Housing Register if they need to move to smaller or larger accommodation or need to move due to medical reasons.
- e) 56.9% agreed that existing tenants of Councils or Registered Providers not living in Worthing or Adur should not be allowed to join the Housing Register.
- f) 90.3% agreed that households with an income of £60,000 per annum or more should not be allowed to join the Housing Register.

A clear majority of respondents to the consultation agreed with the qualification criteria. The lowest majority was in relation to whether existing tenants of Councils or Registered Providers who do not live in Adur or Worthing should be allowed to join the Housing Register. The qualification criteria in relation to existing tenants provides for exceptions (see 3.3.3.j) so that those with an overriding need to live in Worthing are able to join the Housing Register.

21.2 Equality Impact Assessment

An Initial Equality Impact Assessment was carried out prior to the implementation of this Policy. In addition, an Equality Impact Assessment was carried out by Brighton and Hove City Council on behalf of the Sussex Homemove Partnership.

The impact of this policy is not significant on one group compared to another group so no adverse impact is identified.

The implementation of specific qualification criteria has no impact on one group compared to another and no adverse impact is identified to any particular group. Therefore, a full Equality Impact Assessment is not necessary in relation to implementing qualification criteria as set out in this policy.

22. Terms and Definitions

22.1 The terms referred to in this policy are defined below

Term	Definition
Anti-Social Behaviour	Any intimidating or threatening activity that scares you or damages your quality of life. Examples include rowdy/noisy behaviour, vandalism, graffiti, fly-tipping, aggressive begging and street drinking.
Applicant(s)	A person applying to join or who is already on the Register of Housing Need. Within Sussex Homemove, applicants are divided into two categories; Transfers (existing social housing tenants living in Worthing) and Homeseekers (all other applicants who are not transfers).
Band	Each Band has a number of categories which reflect housing need. The band is used to prioritise applicants according to their level of housing need.
Bidding / Bid Successful bid	Expressing an interest in an available property. A successful bid is a bid placed by an applicant, which results in the applicant being invited to view that property.
Choice Based Lettings	The allocation and lettings of properties that enables applicants to have choice or express a preference in relation to the accommodation they want.
Direct Lets	A property offered directly to an applicant. The property may not have been advertised.
Homeless households	Applicants who have been assessed by the Council as homeless in accordance with Section 175 of the Housing Act 1996 (as amended by the Homelessness Act 2002).
Homeowner	A person who owns a property, either on their own or with other persons.
Housing Related Debt	A sum of money owed to the Council or a Registered Provider related to housing, for example, rent arrears, contributions to service charges, Housing Benefit overpayment, removal expenses, loans for rent in advance or a deposit, payments made following a deposit guarantee claim.

Term	Definition
Local Connection	<p>Applicants who are ordinarily resident in Worthing for either: 6 months out of the last 12 months 3 years out of the last 5 years</p> <p>Ordinary residence means residence secured by the applicant which is their usual place of residence or their own choice. Residence must be proven by the applicant and verified by Worthing Borough Council.</p> <p>Ordinary residence for the purpose of the Register of Housing Need and Choice Based Lettings Policy excludes the following: Hospital, Respite Care, Residential Placements or Residential Care, accommodation provided under the Mental Health Act 1983, any other institution, any other medical setting, accommodation provided by a Care provider, Supported Housing (unless the applicant was resident in Worthing for a continuous period of twelve months immediately prior to the commencement of the care or supported housing provision).</p> <p>In addition, an applicant residing in Worthing but owed a statutory housing duty by another Local Authority (Districts, Boroughs and County Councils), or placed in accommodation in Worthing pending a decision by another local authority does not have a local connection for the purposes of this Policy.</p> <p>Local Connection includes applicants who have a family member (mother, father, brother, sister or adult children) currently residing in Worthing and have done so for at least the last five continuous years (the residence and family connection must be proven by the applicant and verified by Worthing Borough Council).</p> <p>Local Connection includes applicants who have established employment based in Worthing (established employment is permanent in nature and likely to continue on an ongoing basis). Employment must be proven by the applicant and verified by Worthing Borough Council.</p> <p>Local Connection is lost in the following situations:</p> <ul style="list-style-type: none"> • when an applicant who was previously living in Worthing moves out of the Borough; or

Term	Definition
	<ul style="list-style-type: none"> • when an applicant has a local connection by virtue of their employment in the Worthing Borough and that employment ceases; or • when an applicant has a local connection by virtue of a family member living in the Worthing Borough and that family member ceases to live in the Borough.
Local Lettings Plan	A plan to allocate particular properties to people of a particular description, whether or not they fall into the reasonable preference categories.
Medical Priority	<p>Medical priority is given when an applicant or a member of their household has an illness or disability that is affected by their current housing situation or when they are in need of settled accommodation on physical or mental health grounds or due to overriding social and welfare (including financial hardship) circumstances. There are three categories of medical priority:</p> <p>High – the applicant or a member of their household has a serious (including life threatening) medical condition and their current housing is having a major adverse affect on the medical condition, which warrants emergency priority for housing being given.</p> <p>Medium – the current housing conditions are having a major adverse affect on the medical condition of the applicant or a member of their household.</p> <p>Low – the current housing conditions are having an adverse affect on the medical condition of the applicant or a member of their household which creates a particular need for them to move.</p>
Mobility Levels / Codes	<p>Codes to identify the suitability of properties that are advertised for people with mobility problems.</p> <p>Mobility Level 1 – suitable for someone who needs a wheelchair indoors and outdoors.</p> <p>Mobility Level 2 – suitable for someone who may need a wheelchair outdoors but does not need to use a wheelchair indoors.</p> <p>Mobility Level 3 – suitable for someone with restricted mobility who may not be able to manage steep gradients or several steps.</p>

Term	Definition
Priority Date	The date given when an applicant enters a Band or when a local connection is acquired. The priority date (along with local connection) determines an applicant's priority over other applicants within the same Band.
Private Sector Housing	Housing owned by private individuals or companies that you rent or own.
Qualification Criteria	Criteria that sets out who does and who does not qualify to be included on the Register of Housing Need as set out in section 3.3.3 of this policy.
Reasonable Preference	Certain categories of people set out in Section 167 of the Housing Act 1996, who must be given reasonable preference when determining priority for housing.
Register of Housing Need	A register holding details of applicants who are eligible for social housing, prioritised according to housing need.
Registered Provider (previously referred to as Registered Providers)	Government regulated not-for-profit organisations that provide affordable housing. These include Housing Associations, Trusts and Co-operatives. Registered Providers work with local authorities to provide homes for people on the Register of Housing Need. They develop land, build homes and manage accommodation including maintaining properties and collecting rent.
Re-registration	The requirement for existing applicants to confirm that they still wish to remain on the Register of Housing Need. Applicants who do not re-register have their applications cancelled but can reapply in the future.
Sensitive Allocations	Allocations which need to be made to people of a particular description to balance the community, or where there have been problems in the surrounding area. For example, a property advert may specify that priority will be given to applicants over a certain age.
Social Housing	Housing provided by Registered Providers or Local Authorities.
Supported Housing	A project or scheme that provides accommodation and housing related support for people who need some help with housing matters, such as budgeting, form filling and understanding tenancy conditions.