



**West
Northamptonshire
Council**

WNC Housing Allocation Policy Draft Review

November 2025



Review – Draft WNC Housing Allocations Policy

1. Introduction

All local housing authorities are required by law to have a policy for determining priorities and procedures when allocating social housing. This policy sets out how West Northamptonshire Council allocates social and affordable housing in accordance with Part 6 of the Housing Act 1996. It explains who can apply, how applications are assessed and prioritised, and how offers of accommodation are made to ensure homes are allocated fairly, transparently and in a way that meets local housing needs.

West Northamptonshire, like many areas nationally, is facing increasing demand for social housing, which exceeds supply. The policy, therefore, offers households with a housing need (as defined by the policy) some choice in bidding for a home while giving reasonable preference to those in the greatest housing need and with a local connection to West Northamptonshire.

The housing allocation policy applies to the following:

- New applicants
- Existing social rented housing tenants who have a need to transfer from one tenancy to another with their current landlord
- Existing social rented housing tenants who have a need to transfer from one tenancy to another with a different social landlord

The accommodation allocated through this policy includes housing for social and affordable rent which is owned by the Council and is managed by Northamptonshire Partnership Homes and by Registered Providers/landlords who manage social housing properties in the West Northamptonshire area.

The housing allocation policy provides a single point of access, to good quality, affordable housing for people who are in need, and it aims to ensure that the task of applying for social housing is as easy as possible. Landlords advertise daily, their vacant properties on the West Northamptonshire Website, and applicants, who would like to live in these properties, can register their choice on the WNC website at [OPENAccess | Login](#) . Properties are then allocated in accordance with the procedures and the four priority bandings, which are set out in this housing allocations policy.

The Council also operates a Housing Options service, which works to prevent homelessness and provides housing applicants with advice on a wide range of other housing solutions, which may include:

- Mutual exchange
- Low-cost home ownership
- Renting in the private rented sector
- Options to remain in the current home.

2. Aims & Objectives

The housing allocations policy seeks to ensure that the Council meets its statutory duty to provide good quality, affordable housing to those in the most need, whilst promoting sustainable tenancies and communities

The objectives of the policy are:

- To have a clear and transparent housing allocations policy, to assist people who are in need, to find a social housing home, which is available, for them to make realistic, informed and affordable housing choices.
- To support all landlords in making the best use of their housing stock in West Northamptonshire, ensuring that larger homes, homes adapted for disabilities, older person accommodation and specialist homes, are made available to those applicants who have the most need.
- To support other landlords in being able to manage their homes effectively, by ensuring that properties can be let quickly and that tenants are given the best chances of sustaining their tenancies for the long term.
- To help prevent homelessness and facilitate the discharge of the Council's statutory homelessness duties, reducing the use of temporary accommodation.
- To promote and ensure equality of opportunity in accessing safe, secure and affordable housing, both to local people in housing need and to other categories of people that do not satisfy a local connection to West Northamptonshire, including those that have served in the armed forces, care leavers, those fleeing domestic abuse and people who are looking to continue or take up employment

This policy will be monitored and reviewed when necessary (at least every two years) to ensure that it continues to meet local needs, that it responds to changes in the local housing market, that it meets the Council's strategic objectives and that it remains legally compliant.

As part of the development of this WNC Housing Allocation Policy, the council has consulted with existing social housing tenants in the West Northamptonshire area, applicants on the WNC Housing Register Scheme, landlords and other interested client groups and partner agencies.

This policy is implemented in line with the Equality Act 2010, the Public Sector Equality Duty and West Northamptonshire Council's Equality, Diversity and Inclusion Policy. The Council will make reasonable adjustments for applicants who need support to access or communicate with the service, following the Council's Accessible Information Standards.

3. The Regulatory Code & Legal Framework

The 'Allocation of Accommodation: Guidance for Local Authorities in England' is the statutory guidance, December 2020 (updated July 2025), issued to Local Authorities in England (Section 169 of the Housing Act 1996).

The primary legislation which governs the allocation of social house is set out in Part 6 Housing Act 1996 (as amended). Any reference to legislative sections that are contained within this housing allocations policy, are sections contained within the 1996 Housing Act. This legislation requires stock maintained local authorities, to make all allocations and nominations in accordance with a published housing allocation policy, which will determine priorities between applicants for housing and will set out procedures to be followed when allocating housing.

Part 6 of the Housing Act 1996 (as amended) requires local authorities to frame their housing allocation policies to give “reasonable preference” to certain categories of people namely:

- i. People who are homeless as defined in Part 7 of the Housing Act 1996 (as amended)
- ii. People who are owed a particular statutory duty by any local housing authority under certain provisions of homelessness legislation
- iii. People occupying insanitary, overcrowded or otherwise unsatisfactory housing.
- iv. People who need to move on medical or welfare grounds, including grounds relating to a disability
- v. People who need to move to a particular locality within the district to avoid hardship to themselves or others.

Additional guidance ‘Providing Social Housing for Local People.’ was issued in 2013, (updated in September 2021) to assist housing authorities to make the best use of their flexibilities within the allocations legislation to better meet the needs of their residents and their communities. In developing the housing allocations policy, the Council has also had regard to its Homelessness & Rough Sleeping Strategy and Tenancy Strategy

This housing allocations policy has been developed to align with other relevant legislation, regulations and guidance including, but not restricted to:

- Housing Act 1985
- Housing Act 1996
- Homelessness Reduction Act 2017
- The Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025
- Allocation of Accommodation: Guidance for Local Housing Authorities in England (MHCLG)
- The Equality Act 2010
- The Human Rights Act 1998
- The Data Protection Act 2018
- The Freedom of Information Act 2000
- Children (Leaving Care) Act 2000
- Children Act 2004
- The Localism Act 2011
- Armed Forces Covenant & Armed Forces Act 2021
- Care Act 2014
- Domestic Abuse Act 2021
- Public Sector Accessibility Regulations 2018
- Crime & Disorder Act 1998

Information collected under this scheme will be processed in accordance with the UK GDPR, Data Protection Act 2018 and West Northamptonshire Council’s Privacy Notice and Information Governance Policy, including the Corporate Records Retention Schedule

A summary of this housing allocation policy is available free of charge to any person who asks for a copy. It can also be downloaded free of charge from the West

Northamptonshire Council website. If requested a hard copy can be provided on payment of a reasonable fee (to be confirmed at time of request)

4. Scope of the Policy

The following allocations are included within this policy:

- The selection of an applicant to be a secure or introductory tenant of council accommodation; or
- The nomination of an applicant to be a starter or assured tenant of Registered Provider (Housing Association) accommodation.

However, the policy does not apply to the following:

- Succession of Tenancy
- Assignment of a tenancy through a mutual exchange
- Assignment of a tenancy to a person who would be qualified to succeed to the tenancy.
- Assignment of a tenancy in pursuance of a relevant court order
- Progression from an introductory to a secure tenancy
- Sole to joint tenancy changes and vice versa
- Temporary decants to complete repairs.
- Allocations made by Registered Providers outside of the West Northamptonshire Housing Allocations Policy nomination agreement.
- Properties leased to a partner agency (e.g., support provider)

5. Registration & Eligibility

Any person can approach the Council for advice and assistance with regards to housing, however, due to the high demand for social and affordable housing, the council when considering an application will first assess if an applicant is eligible for accommodation, and secondly, assess whether an application qualifies for an allocation of accommodation. Those applicants who are assessed as either not eligible or does not qualify, will not be considered for an allocation of and will therefore not have access to the WNC Housing Allocations Policy register.

All applicants will be required to complete a Pre-Application Assessment before they are able to continue with their application. This pre-application assessment will advise potential applicants whether they are likely to qualify or not.

5.1 Applicants who are not eligible:

There are certain groups of people who are not eligible for social housing. Should an applicant already be a secure, introductory or assured tenant of a registered provider, including housing association and councils, these eligibility checks do not apply.

The legislation and accompanying regulations regarding eligibility for housing are complex and subject to regular change. This section provides an overview of the main rules. The main law on eligibility in England is contained in the Housing Act 1996 (as amended) which allows the government to introduce regulations about eligibility for allocations.

Accommodation will not be allocated to persons from abroad who are ineligible for housing if:

- Subject to immigration control (unless in a class re-included by regulations made by the Secretary of State – see reference to Regulation 3 in section below)
- Not habitually resident in the UK, Channel Islands, the Isle of Man, or the Republic of Ireland
- Other persons from abroad excluded by regulations made by the Secretary of State including:
 - EEA nationals whose only right to reside is derived from their status as an EEA jobseeker or as the family member of an EEA jobseeker.
 - EEA nationals whose only right to reside is the initial three-month period under Regulation 13 of the EEA Regulations
 - Non-EEA nationals whose only right to reside is as the parent of a UK citizen child who has no other rights to reside in the UK (known as a 'Zambrano carer')
 - Persons granted limited leave ('pre settled status') under the EU settlement policy where their only other right to reside is a non-qualifying right (i.e., as a jobseeker, is within his/her first three months or as a Zambrano carer)
 - Required to leave the UK by the Secretary of State
 - Ineligible due to changes contained in the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020:
<https://www.legislation.gov.uk/ukpga/2020/20/contents/enacted/data.htm>

5.2 Applicants who are eligible

The following categories of people do not require leave to enter or remain in the UK:

- British citizens
- Certain Commonwealth citizens with a right to abode in the UK.
- Irish citizens, who are not subject to immigration control in the UK because the Republic of Ireland forms part of the Common Travel Area with the UK which allows free movement.
- Classes of persons subject to immigration control who are eligible for an allocation of accommodation as set out in Regulation 3 of the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, as amended. These groups include but are not limited to:
 - people granted refugee status.
 - people granted exceptional leave to enter or remain without a 'no public funds' condition.
 - people granted humanitarian protection.
 - EEA nationals who have been granted settled status under the EU Settlement Policy and who are 'habitually resident' in the British Isles or Ireland
- EEA nationals, and their family members, who have citizen's rights under the European Union (Withdrawal Agreement) Act 2020
- Persons who are exempt from immigration control under the Immigration Acts

All potential circumstances cannot be included in the policy. The UK Border Agency provides a service to housing services to confirm the Immigration Status of an

applicant from abroad. If there is any uncertainty regarding eligibility, enquiries will be made before accepting an application.

A joint tenancy cannot be granted, where any of the applicants are ineligible. However, if one of the applicants is eligible, the tenancy may be offered to that applicant only, as the sole tenant. Ineligible members of the household may be taken into account, when determining the size of accommodation that is to be allocated.

All applicants accepted by West Northamptonshire Council as homeless will be eligible.

5.3 Who can be Included on an Application

The main applicant should include everyone who is to be housed with them, on their application. All household members who will be living in the new tenancy must be included on the application in order that qualification checks can be conducted. Applicants and household members can only be on one West Northamptonshire application. The following can be included on the application, if they normally live with the applicant(s) or could reasonably be expected to do so:

- Partner or spouse
- Children dependent on the applicant / joint applicant
- Adult children
- Other adults who are dependent on the applicant / joint applicant

Other individuals will only be considered under exceptional circumstances, such as providing or receiving substantial care, with supporting evidence. The Council will determine, on a case-by-case basis, whether a person can be included as a member of the household.

6. Qualification

The Localism Act 2011 enabled local housing authorities to decide which classes of persons are, or are not, qualifying persons for the purposes of allocating housing. This section sets those persons who are considered to be qualifying persons and will therefore be accepted to join the West Northamptonshire Housing Allocation Policy register for an allocation of housing.

To join the register, applicants must:

1. Be aged 18 years and over, unless due to the following exceptional circumstances
 - Homeless Young People to whom a duty is owed under Housing Act 1996, Part 7
 - Care Leavers with a recommendation from Children's Services
 - Teenage Parents

Any tenancy granted to a person under the age of 18 will be held in trust for them by a responsible adult, appointed to act on their behalf.

2. Having a local connection to West Northamptonshire will be established by the main or joint applicant meeting any of the criteria set out below:
 - **Residence** – Having lived in the West Northamptonshire area continuously for **three years** during the **previous five-year period** and that residence was of their choice.

- Those people who currently live in an institution, hospital or are serving a custodial sentence outside of the area but were resident in the area for at least 3 out of the last five years prior to entering that institution, hospital, or custody.
- **Employment** – The applicant or the partner is in permanent employment within the West Northamptonshire area. Employment is defined as permanent employment of 16 hours or more and having been in employment for more than 6 out of the last 12 months. Regularly means 16 hours per week or more, and either have a permanent contact (and passed any probationary period) or be able to demonstrate they have worked for at least six months and there is no reason to believe this arrangement is due to cease.
- **Self-Employed** – Must demonstrate that:
 - They work in the Local Authority's area, and
 - Cannot be performed from home, and
 - They have been self-employed for a continual period of at least 6 months, and
 - Their self-employment work is not work that is considered to be temporary or seasonal.

In both cases, the applicant must be in work at the time a tenancy is offered and accepted.

- Applicants on leave due to maternity or sickness who remain employed will qualify for this criterion if there is no reason to believe their employment is due to cease.
- **Immediate Family Connection** – Immediate family members must be current residents in West Northamptonshire and have lived in the area for a minimum **of five (5) years** continuously prior to acceptance on to the register. (This includes parent, legal guardian, sibling or adult son & daughter, only) The Applicant must provide proof that there is a need to be in the Local Authority's area to give or receive welfare and wellbeing support from close family.

Residency can be verified by way of tenancy references, electoral roll or information held on any local authority database. Relationship may be verified by Birth Certificates or information held on any local authority database.

6.1 Exemptions

The following persons may be exempted from having a local connection:

- **Right to move** - This applies to current social tenants in England who are employed, or who have been offered permanent employment in West Northamptonshire AND who need to move to avoid hardship.
- **Care Leavers** - If an applicant is a care leaver, then the local connection criteria as specified above, is not applicable. An applicant who is defined as an eligible child, relevant child or a former relevant child.
 - 'Eligible child' has the meaning given in paragraph 19B of Schedule 2 to the Children Act 1989
 - 'Relevant child' has the meaning given by section 23A(2) of the children Act 1989

- 'Former relevant child' means a person aged under 25 years who falls within the meaning given by section 23C(1) of the Children Act 1989

This will only apply where there is a corporate parenting responsibility, and the application has been completed in accordance with the principles laid out in the agreed protocols with Northamptonshire Children's Trust.

However, if they are a care leaver from a council that is outside West Northamptonshire area, and who are not placed in any care situation within the West Northamptonshire area, they will be awarded Band D (*Allocation of Housing (qualification criteria for Victims of DA & Care Leavers) (England) Regulations 2025*)

- **Domestic Violence Victims** – Applicants who are homeless and require urgent rehousing as a result of violence or threats of violence, including those who are escaping domestic abuse. If an applicant is fleeing domestic abuse, then the local connection criteria as specified above, is not applicable. (*Allocation of Housing (qualification criteria for Victims of DA & Care Leavers) (England) Regulations 2025*)
- **Armed Forces** – Certain members of the Armed Forces community are exempt from any residency / local connection requirements, by virtue of regulations made under section 160ZA (8), which prevents the Council from applying a local connection test to disqualify such applicants.
- **Applicants owed a homeless duty** - Applicants who have been accepted as homeless and provided with the following duties:
 - S193(2) - Main Duty
 - S195(2) - Prevention duty
 - S192(3) - Power to secure for non-priority and not intentionally homeless
 - S189B - Relief Duty - S190(2) - Intentionally homeless
- **Local Connection to a Section 106 / Village** - Applicants who satisfy an established local connection to a Section 106 or village exception site (as defined in relevant legal agreements) and that do not meet any of the other local connection qualifying criteria. Verification of an applicant satisfying this criterion will be required at point of application and at point of nomination. Applicants accepted as qualifying due to this criterion will only qualify to bid on properties within the village development to which they satisfy a local connection.

6.2 No Local Connection & No Housing Need

Applicants who do not establish a local connection to West Northamptonshire will not qualify to join the housing register.

Applicants who have no housing need as defined in the priority bands in **section 11**, will not qualify to join the housing register.

Applicants to whom another local authority has accepted a rehousing duty under Section 193 of the Housing Act 1996 or any other duty to suitably accommodate are regarded as having no housing need and will therefore not qualify to join the housing register.

6.3 Earnings & Savings

Applicants who have the financial means to purchase a property within West Northamptonshire that meets their housing needs (and who do not meet any of the exemptions) or who could access the private rented market will not qualify for the Housing Register.

- Earnings
 - Single applicants who have a total annual household income of over **£40,000** will not be eligible
 - Single/lone parents who have a total annual household income of over **£50,000** will not be eligible
 - joint applicants where there is a household income of over **£60,000** or more (couples / couples with children / other household types) will not be eligible

The following passported benefits will not be included for the purposes of income in this definition:

- Personal Independence Payment
- Disability Living Allowance
- Attendance Allowance
- Savings
 - Applicants who have total household savings, investments and/or assets of **£16,000** or more will not qualify for the housing register.

Certain compensation payments may be disregarded as savings when assessing an applicant's financial resources.

- Exemptions
 - Applicants who qualify for older person's sheltered accommodation policies
 - Applicants who have a need for specialist accommodation that is not available or affordable in the private sector within West Northamptonshire, for example wheelchair standard accommodation
 - Applicants who are unable to safely access their property or finances, for example because they are fleeing domestic abuse, and who are taking legal action to recover their funds/share of the funds
 - Other exceptional circumstances (such cases will be referred to a Senior Officer for consideration and if approved will require final authorisation from the Head of Housing Solutions & Strategy)
 - Also applies to Armed Forces personnel

7. Non-Qualification

The Localism Act 2011 allowed local housing authorities to decide which classes of persons are, or are not, qualifying persons for the purposes of allocating housing. The following sets out the classes of persons which are not considered to be qualifying persons and will therefore not be accepted to join the West Northamptonshire housing allocation register.

- **Homeowners** – All applicants must declare whether they own a home or have a legal interest in any land or property in the UK or abroad, so that it can be assessed whether this home is suitable for their needs and considered reasonable to occupy. They will **not qualify** for the housing register unless they have an urgent housing need to move (Bands A and B) and have insufficient equity, capital, or assets to resolve their housing difficulties. This

will include the possibility of adapting their current home. A financial assessment will be required to assess the level of equity. An Occupational Therapists' report will be needed to establish if adaptations are required.

Exceptions may include:

- Homeowners who live in conditions of disrepair or in unsuitable accommodation who are vulnerable due to age, long-term medical condition or disability and cannot resolve or adapt their property to make this suitable. Supporting evidence will be required
- Homeowners who experience a change of circumstances so that losing their home is at risk. Applicants must have approached their local Housing Options Team or have received independent housing advice, and their potential homelessness cannot be prevented
- Homeowners who cannot remain in their home due to safety concerns such as fleeing domestic abuse
- An Applicant of state pension age and over who cannot stay in their own home and need, based on medical and or welfare to move into sheltered, supported or assisted living accommodation where the nature of their current accommodation does not meet their needs, and they do not have sufficient resources to meet their housing need elsewhere. Applicants under these circumstances will not be able to bid on general needs or older persons accommodation bungalows
- **Unavailable to Occupy** - Applicants will not qualify if they are not available to occupy accommodation, if they were to be offered a property. This includes prisoners and those in tied accommodation. In these circumstances applicants should reapply when their circumstances change.

8. Armed Forces

Additional preference must also be given to:

- Those who are currently serving or who were serving as a member of the Armed Forces within **5 years** preceding their application to the housing register
- Serving members of the Armed Forces, who need to move due to a serious injury, medical condition or disability sustained as a result of their service
- Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- Divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence
- An Applicant who are adult children of Armed Forces personnel who are no longer able to remain in the family home due to the impact of their family moving from base-to-base
- The applicant is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service

However, upon assessment, additional preference will be given to these applicants who do not meet the criteria as set out in **Band A**, by awarding one band higher than if their application was assessed solely on their other circumstances. For example, if the application is assessed as Band C but is a former member of the armed forces their application will be awarded Band B.

9. Verification

At the time of applying to the Housing Register, applicants will be expected to provide the following supporting documents, to ensure that the application is processed accurately:

- Photographic proof of ID (valid passport or driving licence) for main and joint applicant
- Birth certificate for main and joint applicant
- Proof of ID for other members of the household (valid passport, driving licence or birth certificate)
- Proof of current address for all applicants and adult household members, dated within the past 3 months (e.g.; utility bills)
- Proof of income for all applicants and adult household members, for the past 3 months (e.g.; wage slips, benefit letters, UC payments)
- Proof of child benefit, if applicable, showing name of child & who payments are made too ([Prove you qualify for Child Benefit - GOV.UK](https://www.gov.uk/government/organisations/hm-revenue-and-customs))
- Minimum 3 months bank statements for all applicants and adult household members, for all accounts held
- Proof of pregnancy (must show the Expected Due Date - EDD) a scan photo or a letter from the hospital for maternity appointments will not be accepted
- Proof of housing need (GP letter, OT assessment, Hospital discharge letter, Adult / child social care referral, Police incident number)
- Financial information, including any interest in property
- Proof of current tenancy (unless applicant is an NPH tenant)
- Any other documents or information that may be necessary to assess the application

The council may make additional enquiries with current or former landlords, or other relevant agencies. Council officers may also need to arrange a home visit or office interview. Where this is necessary, an applicant will be contacted to arrange a convenient appointment.

If, after a 28-day period, applicants have not provided information that has been requested and has not provided an appropriate reason for its delay, the Council will cancel the application.

It is not possible to list every document required. When an application is received, it will be assessed by the Allocations Team and further documentary evidence that may be required, will be requested. Once all information and supporting evidence is received a full investigation will be completed as to whether the applicant can be accepted onto the list, this includes previous convictions or anti-social behaviour.

Upon receipt of all the relevant documents, an application will be assessed within **42 calendar days** of all the relevant documents being received and placed into the appropriate band. The applicant will be notified that their application is now live, the band that they have been placed into, the type of property that they are being considered for and that they are able to place bids on properties available.

Applicants with additional support needs will be supported and assisted to provide the necessary information

9.1 Housing Debt

Applicants with housing debts of **£1000** or less and a repayment plan in place, that has been adhered to for a minimum of 12 weeks, will be eligible to join the register and eligible to bid, unless there is clear evidence of a future risk of non-payment. If no payment plan is in place, the applicant will be assessed as Band D, until they are able to prove that they have made the minimum 12 weeks' payment towards the debt.

Applicants to whom the Council owes a statutory homelessness duty and who have housing-related debts exceeding the prescribed threshold shall be subject to an assessment. In exceptional circumstances, such applicants may be granted an exemption from this criterion. Where an exemption is approved, the applicant must enter into a formal repayment agreement and ensure that payments are initiated and maintained in accordance with the agreed schedule. Compliance with this requirement serves as evidence to the Council and prospective landlords that the applicant is actively and responsibly addressing outstanding financial obligations.

The Council, however, does not operate a blanket policy in relation to qualifying criteria for housing allocations. Each application will be assessed on its individual merits. Applicants identified as having an urgent housing need, as defined under Priority Bands A and B, may be required to submit evidence demonstrating a positive change in circumstances. Such evidence may include, but is not limited to:

- Proof of consistent payments towards any previous housing-related debt.
- Formal documentation from a recognised support agency confirming completion of training designed to develop tenancy management skills.
- Evidence indicating readiness to transition from supported accommodation to independent living.

Submission of the above evidence does not confer automatic eligibility. The Council reserves the right to exercise discretion in determining acceptance on a case-by-case basis.

9.2 Related Party

Applicants will be asked to declare if they are a 'related party', these are applicants who are either:

- Staff of any of the partner registered providers
- Local Authority elected members
- Partner registered providers board members
- A relative of any of the above

Applications from related parties will be verified in the same way as other applicants but the banding and any offers of accommodation will be approved by the Head of Housing Solutions & Strategy or Assistant Director for Housing & Communities in their absence

10. Effective Date

The registration date is the date that the application was first received by the Council. For allocation of property purposes, the effective date is the date that the application was activated following all checks, verifications having been completed, all supporting documents having been received and has been accepted onto the housing register.

The 'effective date' is used to prioritise between applicants within the same band. If there is a change in circumstances after initial registration, then the application will be reassessed, and the following may occur:

| Change in Circumstance | Change to Effective Date |
|--|---|
| Placed in a higher priority band | The date when the application has been placed into the higher band is applied |
| Assessed as being in the same band | The original effective date will still apply |
| Placed in a lower priority band | The original effective date will still apply |
| May no longer qualify to be included in the register or assessed as ineligible | The application will be closed and removed from the housing register. Applicants may reapply later should their circumstances change, and a new effective date will then apply. |

11. Assessment of Need (Banding)

Applicants who have been assessed as eligible and who qualify will have their housing need assessed.

West Northamptonshire Council is required to determine the relative priority that housing applicants are awarded. This is particularly important as the demand for social housing is greater than the availability of homes.

The law, as it applies to local housing authorities, requires that reasonable preference for housing must be given to those in the categories set out in the Housing Act 1996 (as amended). Applicants with reasonable preference must be given a reasonable head start in terms of accessing housing over those who do not have reasonable preference. Reasonable preference does not mean that applicants will have an absolute priority over all other applicants.

The statutory reasonable preference categories in section 166A (3) (a) to I of the Housing Act 1996 (as amended) are:

- a) People who are homeless (within the meaning of Part VII of the 1996 Act)
- b) People who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under section 192(3)
- c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- d) People who need to move on medical or welfare grounds, including grounds relating to a disability
- e) People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or others).

Additional Preference – Housing authorities have the power to frame their allocation policy to give additional preference to descriptions of people who fall within the statutory reasonable preference categories and have urgent housing needs.

All housing authorities must consider, in the light of local circumstances the need to give effect to this provision. People with urgent housing need include:

- Those who need to move urgently because of a life-threatening illness or sudden disability
- Families in severe overcrowding which poses a serious health hazard
- Those who are homeless and require urgent re-housing because of violence or threats of violence, including those escaping domestic abuse

The Allocations Policy has been framed to ensure that groups with urgent housing need, including those listed above have been given additional preference within the appropriate band.

West Northamptonshire Council awards each housing application a level of priority for housing using Bands: A, B, C and D. Those applications assessed as a Band A, have the highest priority for rehousing

The banding process will ensure that applicants in the greatest need receive the most preference for re-housing. Once an applicant has been assessed and placed into a Band, the applicant will not move to another Band unless there is a change in the applicant's circumstances

11.1 Change of Circumstances

Applicants must inform West Northamptonshire Council of any change of circumstances. The applicant may be asked to provide additional information or evidence. If this is required, the application will be suspended until the necessary documents have been provided. If the documents have not been provided within **28 calendar days** of the change to their circumstances, the application will be cancelled.

An applicant's banding may change. If the applicant is awarded the same or lower band then the original registration date will be used. If they are awarded a higher band then the registration date will be the date that they are placed in the higher band

11.2 Award of Higher Band

When assessing some applications an applicant's circumstances may reflect more than one of the criteria in the bands, (Bands A, B, C & D) the criteria in the highest band will be used. No additional priority is given if circumstances reflect more than one similar criterion.

However, if an applicant's circumstances should reflect **two distinctly different** criteria in the same band, which have no relation or impact to each other, the applicant will be awarded one band higher.

Should an applicant have more than one Band A criteria relevant to their application, they will be awarded a further 12 months waiting time. This will enable their applications to be further prioritised

West Northamptonshire Council has 4 application bands. Criteria for Bands A, B, C and D are shown on the next pages

11.3 Banding Priority

Band A –

This is the highest band and will only be awarded subject to approval by a Housing Allocation Team Leader or the Housing Allocation & Quality Manager

| | |
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| Homelessness Main Duty (Auto-Bid) | <p>Section 193 (2) Applicants who are owed a main homeless duty under Section 193 (2) {i.e. eligible for assistance, have a priority need and unintentionally homeless} Also, for those where an applicant is owed the relief duty and would likely be owed the main duty if the relief duty were to end unsuccessfully. There are additional rules associated with this – see 11.3</p> |
| Emergency Medical Need (Auto-bid) | <p>Applicants who have a permanent, chronic, severe progressive life-threatening medical condition, or disability, and as a result they are unable to remain in their current home. This may include both mental and physical health. Supporting information must be provided to evidence that the current property is a major and direct contributory factor and that the property cannot meet their medical needs and / or cannot be adapted</p> |
| Hospital Discharge (Auto-bid) | <p>The Applicant or a member of the household who are in hospital, or another care facility, who have no accommodation to return to, or who cannot return to their current accommodation, as it is hazardous to their health and cannot be rectified to allow them to continue to remain in their current home</p> <p>There must be a specific recommendation, with supporting evidence, from the hospital/care facility and a detailed care/support package must be in place before the applicant is assessed in the band</p> <p>The applicant must be accepted by West Northamptonshire Council as being able to sustain their own independent accommodation (with or without tenancy support).</p> |
| <p>Welfare Needs(Auto-bid) In addition to the Band A criteria the Council may also award Band A status to households in emergency circumstances not covered by these groups. In such</p> | <p>The applicant or a member of the household is at serious risk of harm (physical or emotional trauma) resulting from violence or threats of violence, or other abuse or serious trauma and needs to relocate to ensure their safety. This may include Homeowners, who are unable to remain in their property, due to risk of or fleeing domestic abuse.</p> <p>As part of assessing risk, threat, harm and vulnerability, we will equally assess matters pertaining to Hate Incidents / Crime, Modern Slavery, Human Trafficking, Prevent / Extremism including radicalisation, child Sexual Exploitation, County Lines. Please note this is not an exhausted list and aspects relating to safeguarding and vulnerability will be assessed fairly and proportionally prior to award this Band.</p> |

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| <p>exceptional circumstances, the Head of Housing Solutions & Strategy or their delegated representative has discretion to determine whether an applicant has a need to move which is sufficient to warrant placing an application in Band A</p> | <p>Applicants rehoused at the request of the UK Protected Persons Service (UKPPS), formally the National Witness Protection Policy</p> <p>The Applicant is a care leaver assessed as ready to move to independent settled housing with a profound disability or assessed as having a significant vulnerability over and above the fact that they have been in care, who is assessed as needing to be housed immediately to significantly improve the impact their current circumstances are having on their disability or vulnerability</p> <p>For any Private Registered Provider tenant, the expectation is that, where it is safe to do so, a like for like habitual would be granted or an emergency decant provided whilst a suitable transfer can be arranged.</p> |
| <p>Category 1 & Demolition (Auto-bid)</p> | <p>Applicants whose home has been assessed by the Council's Private Sector Housing Team as being subject to a category 1 hazard under the Housing Health and Safety Rating System which cannot be resolved whilst they are in occupation. This includes applicants whose home has been assessed by the Council's Private Sector Housing Team or Housing Repairs Team as having a significant damp and mould problem which cannot be resolved whilst they are in occupation</p> <p>Applicants whose home is subject to a confirmed demolition date within 3 months. Applicants must provide supporting evidence.</p> |
| <p>Care Leavers (Auto-bid)</p> | <p>The applicant is a former relevant child and is ready to move on from accommodation provided by Northamptonshire Children's Trust. This criterion will only apply where the Council has a Corporate Parenting Responsibility where a young person (care leaver) has had a duty of care accepted under the Children's Act by the Local Authority and is ready and approved for move on to independent living.</p> <p>The application is to be made in accordance with the principles laid out in the agreed protocols with Northamptonshire Children's Trust</p> <p>NOTE: As part of the annual fixed quote of studio/1-bedroom properties</p> |
| <p>Statutory Overcrowding (Auto-bid)</p> | <p>Applicants who are severely overcrowded and their household has been assessed as being overcrowded, which is defined as requiring at two or more additional bedrooms. The assessment should be completed by the Council's Private Rented Sector, to determine that this is in line with the statutory guidance and the Council's bedroom standard</p> |

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| | <p>Priority will only be given to those applicants, where this has arisen because of natural growth or where proof can be provided that the person who caused the overcrowding had no other option than to move to the property.</p> <p>The Council will also consider the bedroom standard criteria to assess if a household is overcrowded.</p> |
| Under Occupation – Tenants with a medical need to move | <p>The applicant is a tenant, who is under occupying a social or affordable rented accommodation in West Northamptonshire, but also has an urgent medical need as defined within Band B criteria. Households awarded this band will only be considered for properties that offer fewer bedrooms than their current accommodation.</p> <p>The Council will use the bedroom standard criteria to assess if a household is under occupied.</p> <p>NOTE: A Housing Association tenant who will release a home with two or more bedrooms are eligible if their landlord agrees that the vacated property can be used for a nomination by the Local Authority.</p> |
| Releasing an Adapted Property | <p>The applicant is a current WNC tenant, who are releasing a fully wheelchair accessible or offers a level access shower/wet room, social or affordable rented property, where the adaptations are no longer required by either the Applicant or a member of the household. And is willing to transfer to a suitable non-adapted accommodation.</p> <p>NOTE: This band will not apply where the adaptation does not offer a realistic solution to others i.e. a level access shower in a first floor flat.</p> <p>NOTE: A Housing Association tenant who will release a home that is fully adapted, are eligible if their landlord agrees that the vacated property can be used for a nomination by the Local Authority.</p> |
| Armed Forces (Auto-bid) | <p>Applicant or a member of the household has a reasonable preference as a member of the armed forces and an urgent housing need. The definition for armed forces is set out in section 8</p> <p>The definition of an urgent housing need for the purpose of this criteria is:</p> <ul style="list-style-type: none"> • Serving and Former members of the Regular Armed or Reserve Forces, who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service. • Bereaved spouses or civil partners of those serving in the Regular Forces where <ul style="list-style-type: none"> i. the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their spouse or civil partner, and |

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| | <p>ii. the death was wholly or partly attributable to their service.</p> <p><i>For this purpose, "the regular forces" and "the reserve forces" have the meanings given by section 374 of the Armed Forces Act 2006</i></p> |
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Band B

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| Homelessness – Prevention Duty (Auto-bid) | <p>S195 Homeless Prevention Duty The applicant is threatened with homelessness and owed a S195 Homeless Prevention Duty. The applicant is not in a priority need, deemed not to have worsened their housing circumstances and establishes a local connection as outlined in Part VII of the Housing Act 1996. There are additional rules associated with this – see 11.3</p> <p>S189B Relief Duty The applicant is homeless and owed a S189B Relief Duty. The applicant is believed to be in a priority need, deemed not to have worsened their housing circumstances and establishes a local connection as outlined in Part VII of the Housing Act 1996. There are additional rules associated with this – see 11.3</p> |
| Severe Overcrowding (Auto-bid) | <p>Applicants whose current accommodation is assessed as being overcrowded which is defined as requiring at least two additional bedrooms. The best use of all rooms in the house will be considered when calculating the number of bedrooms.</p> <p>Priority will only be awarded where this has arisen because of natural growth or where proof can be provided that the person who caused the overcrowding had no other option than to move to the property. This will only be awarded where the main applicant is listed as the main tenant of their current property</p> |
| Severe Medical or Disability Grounds | <p>Applicants or a member of their household who have a serious, lasting medical condition, illness or disability which is made worse by their current accommodation and because of their condition it is not reasonable to continue to occupy their current accommodation on a long-term basis.</p> <p>Applicants or a member of their household has had their home assessed as being highly unsuitable and is directly detrimental to their physical or mental health.</p> <p>To meet these criteria, the property which the applicant is moving to must meet and resolve their housing needs.</p> |

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| | <p>Medical evidence must be provided which shows details of the condition and how the condition is affected by their current housing circumstances. For example, if an applicant lives in a property with stairs has had a serious medical episode and now has lasting mobility issues, they will require a ground floor property due to concerns with stairs.</p> |
| Families Wishing to Foster Children | <p>Persons approved by the Local Authority as foster carers or to adopt, who need to move to a larger home in order to look after a child under the care of the Local Authority's children services, including those who require a larger property in order to secure a Special Guardianship order or Child Arrangement Order with respect to a looked after child or for a child that is deemed at high risk of becoming looked after otherwise</p> |
| Succession (Auto-bid) | <p>An applicant who has succeeded to an WNC (NPH) tenancy, but not to the property, as it is not suitable for their needs due to the size or adaptations, they will be known as a Use & Occupation Licensee, they will be awarded Priority Band B, for a minimum of 6 months, and to be made a one off offer of suitable accommodation as a direct match.</p> <p>The applicant is a successor or non-statutory successor of social rented accommodation, approved for an offer of alternative suitable accommodation. If after six months from the date of qualification as a successor, the applicant has not secured alternative accommodation, the Council reserves the right to bid on the applicant's behalf, or to make a direct offer, to ensure that the applicant receives one reasonable offer of accommodation within the twelve-month statutory time limit.</p> |
| High Welfare Need | <p>Applicants who experience hardship in their current accommodation and who need to move to improve their situation.</p> <p>Applicants that are placed in High Welfare Need require re-housing, but the need is not considered to be an emergency, placing them at risk of immediate homelessness.</p> <p>This includes applicants who have suffered a traumatic incident in their home, and applicants requiring consideration under joint working protocols such as MAPPA.</p> <p>Those escaping anti-social behaviour such as harassment, alarm, distress, as result of nuisance or annoyance in relation to the occupation of their premises, or because of a housing-related nuisance or annoyance, from a person. (having been evidenced by HASBAG, Police, community safety partnership, or other professionals).</p> |

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| | Those who need to take up (or continue) employment, education or a training opportunity that is not available elsewhere and who do not live within reasonable commuting distance. |
| Under Occupation | Tenants of one of the Choice Based Lettings partners, and is living within West Northamptonshire, whose home is too large for the needs of their household, by one bedroom. The Council will use the bedroom standard criteria to assess if a household is under occupied. |
| Move on from specialist and supported accommodation (Auto-bid) | <p>Applicants must be living in approved move-on from local authority commissioned accommodation with support and hostels, including specialist accommodation for those with mental health and residential care based</p> <p>Applicants who are ready to move on to social housing from supported accommodation. Applicants will be awarded this category following confirmation from the accommodation or support provider that they are ready to move on and have the necessary skills to maintain an independent tenancy</p> <p>NOTE: The assessment criteria will normally require the following before Band B will be awarded:</p> <ul style="list-style-type: none"> • An applicant is ready to move to independent settled housing on the recommendation of the support worker/ social care service or equivalent; and • The housing service agrees with this recommendation; and • The applicant needs medium to long term rather than short term ongoing tenancy support; and • Any support package required has been assessed and is in place <p>NOTE: if after 12 weeks the applicant has not been offered and secured accommodation, they will be placed in to Band A, with the same effective date as their current Band B</p> |
| Older people approved for sheltered accommodation | Applicants (usually over pensionable age, but in exceptional circumstances 55 +) who are assessed as likely to benefit (e.g., by retaining their independence for longer) from sheltered / supported or other specialist older people's accommodation where there is a need to move but that need is not assessed as meeting the criteria for a Band A award. |

Band C

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| <p>Homeless (Auto-bid)</p> | <p>S195 Homeless Prevention Duty This band will be awarded where an applicant is owed either a prevention or relief duty but where they would not be owed the main duty when the prevention and relief duty comes to an end because they have been assessed as likely to be:</p> <ul style="list-style-type: none"> • Not in priority need and/or • Intentionally homeless and/or • Have refused an offer of suitable accommodation as discharge of the Council's main duty, prevention or relief homelessness duties <p>The banding will also be awarded to those applicants who are classed as part of "early interventions" within the homelessness process. This applies when an applicant is not threatened with homelessness within 56 days but is likely to be threatened with homelessness soon or where they have been served with a Section 21 Notice by their landlord and have not approached/do not wish to approach the Housing Options Team. There are additional rules associated with this – see section 11.3</p> <p>S189B Relief Duty The applicant is homeless and owed a S189B Relief Duty and is believed to have no priority need, deemed not to have worsened their housing circumstances establish a local connection as outlined in Part VII of the Housing Act 1996. There are additional rules associated with this priority band</p> <p>S184 - Non-Statutorily Homeless The applicant has received a S184 decision finding them to be homeless but have no priority need as outlines in Part VII of the Housing Act 1996. There are additional rules associated with this – see section 11.3</p> |
| <p>Living with family, single or couple (pregnant or have dependents)</p> | <p>The Applicant is 24 weeks pregnant or has a child or children and who is sharing a home with their family or another household, who are not part of their household, and:</p> <ul style="list-style-type: none"> • They have no ownership or tenancy rights, and the arrangement is short term and very insecure and only available whilst the applicant is actively seeking an offer of social housing or alternative accommodation with friends or in the private rented sector: and • The family member with the interest in the home has agreed to allow the applicant to remain for at least a one year <p>If after 12 months, the applicant has not been successful in securing accommodation, their application is to be moved into Band B, with an effective date of that change – see section 10</p> |

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| | This will not apply where there has been a relationship breakdown, and the applicant has security of tenure. Such applicants would be expected to look for alternative housing options |
| Vulnerable Applicants | <p>Applicants who are vulnerable with support needs and who are ready and able to live independently, following a stay in non-commissioned supported accommodation within West Northamptonshire and where:</p> <ul style="list-style-type: none"> • An applicant is ready to move to independent settled housing on the recommendation of the support worker / social care service or equivalent; and • The housing service has agreed with this recommendation; and • Any support package required has been assessed and is in place <p>Rough Sleepers / No Fixed Abode</p> <p>An applicant who is / are a rough sleeper (and does not want to make a Homeless approach) and is / are experiencing hardship and who wants to improve their situation. These applicants must be verified by the Outreach Team</p> <p>Applicants who can be verified as sofa surfing at two or more addresses, family/friends and confirm that they have no fixed abode.</p> |
| Separated Family | An applicant and their household who cannot live together as a family due to suitable accommodation not being available |
| Overcrowding | <p>Applicants whose current accommodation is assessed as being one bedroom short of the required number of bedrooms. The best use of all rooms in the house will be considered when calculating the number of bedrooms.</p> <p>Priority will only be awarded where this has arisen because of a natural growth or where proof can be provided that the person who caused the overcrowding had no other option than to move to the property. This will only be awarded where the main applicant is listed as the main tenant of their current property.</p> |
| Moderate Medical Need | An Applicant or a member of their family is assessed as having a high medical or disability need due to detrimental effects caused by the present accommodation. Whose condition would benefit from alternative accommodation, but a move is not essential. This includes both physical and mental health. |
| Provide Care / Receive Care | <p>Those who need to move to give or receive care that is substantial and on-going.</p> <p>The applicant or a member of their household needs to give or receive essential care and support that is substantial and ongoing and that cannot be provided from or in their current accommodation.</p> <p>Applicants must either be in receipt of Carers Allowance or have a carer who is in receipt of Carers Allowance or have had an assessment by social services or similar support agency, so it can be established that care and/or support is substantial / essential</p> |

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| Right to Move | <p>Existing social tenants of accommodation in England whom the Local Authority have assessed as qualifying under the Government's Right to Move regulations. Allocation to applicants who qualify for this award is limited to a maximum of 1% of all lettings.</p> <p>This includes applicants who:</p> <ul style="list-style-type: none"> • Have reasonable preference under section 166(3)(e) because of a need to move to the local authority to avoid hardship; and • Need to move because the tenant works in the district; or • Need to move to take up an offer of employment |
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Band D

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| Seeking Older Person Accommodation | The applicant and any other members of their household have no housing need but are eligible to be considered for, and are seeking, sheltered, supported or assisted living accommodation. The applicant's current housing tenure will determine which property type they are eligible for. The applicant or the joint applicant must be 55+ (see section 13.7) |
| Local connection to a S106/ rural exception site | An Applicant has no housing need but establishes a local connection to a S106 or village exception site, whether the connection is to the specific village where the development is located, or within the cascading villages (as set out in the relevant legal agreements). |
| Care Leavers (Auto-bid) | An applicant who is aged 18-25 years and is a former relevant child and is ready to move on from accommodation provided by a leaving care service of any local authority, outside of West Northamptonshire. This criterion will apply where the Council is satisfied that the application has been made in accordance with the principles laid out in the agreed protocols with Northamptonshire Children's Trust |
| Domestic Abuse Victims (Auto-bid) | An applicant who is fleeing Domestic Abuse but has not been placed in a Refuge or a place of safety, within the West Northamptonshire area, and does not have a local connection as set out in section 6 and does not have an open Part 7 application and is not owed duty under that. |

11.4 Homelessness Duties

In accordance with Part 7 of the Housing Act 1996 (as amended), the Council is permitted to end any homeless duty by providing one offer of suitable accommodation of any tenure. This includes a private rented sector offer that complies with the Suitability Order 2012. The Council will ensure that any offer made is in accordance with its Discharge of Homelessness Duties (Accommodation Offers) Policy.

All applicants accepted as being owed a homeless duty will have bidding choice removed and be placed on auto-bid. This measure is taken to ensure the Council can prevent and relieve homelessness at the earliest opportunity and minimise the use of temporary accommodation. These applicants will, however, remain having the ability to choose about where they wish to live, the type of accommodation they wish to occupy and who they wish to have as a landlord.

A failure to engage in the nomination, viewing or verification process, resulting in the withdrawal of a property offer, will be regarded as an implied refusal of a final offer.

If applicants are shortlisted for more than one property, the Council will determine which property will constitute the applicant's final offer. This decision will be based on the individual circumstances of the applicant, which property is close to being ready to let and the need to maximise the number of allocations to homeless households in that cycle.

12. Unacceptable or Unreasonable behaviour

Applicants who have previously behaved in a way which led to them losing a tenancy, or which could have led to such action being taken by a landlord, or who have behaved in an unacceptable way will only qualify for an allocation via West Northamptonshire if they can demonstrate that such behaviour is unlikely to occur again.

Applicants may not qualify to join the register due to the behaviour of any member of the applicant's household, including partner and children. This includes existing Northampton Partnership Homes tenants; new applicants and those who are reporting a change of circumstances. Behaviour which may lead to someone failing to qualify to join West Northamptonshire housing register includes (but is not limited to):

- **Outstanding housing related debt** - Applicants with outstanding housing related debt within the last 5 years, totalling more than £1000 with no repayment plan in place, or irregular payments being made, will fail to qualify for the West Northamptonshire housing register. (see also section 9.1)
- Housing related debt is defined as:
 - Current and former rent arrears (owed to social or private landlords)
 - Recharge arrears
 - Court costs (against social or private tenancies)
 - Homeless prevention funds or other similar policies
- **Debt Relief Orders** - Housing related debts included in a Debt Relief Order will remain as outstanding until 12 months from the date of issue, at which point the debts are formally written off by creditors and the debtor is discharged. Households owed a statutory homeless duty will be exempt from the 12-month criteria.

- **Serious Breaches of Tenancy** - Applicants will fail to qualify where there is evidence of a serious and deliberate breach of social or private tenancy within the last 5 years. Breaches of tenancy are considered serious when, had the applicant been a tenant of the local authority, the authority would have been entitled to a possession order under Section 84 of the Housing Act 1985 on any ground detailed in Part 1 of Schedule 2 of the Act, except for ground 8. This may include:
 - Rent Arrears
 - Breach of tenancy agreement
 - Nuisance or annoyance to neighbours including anti-social behaviour
 - Illegal or immoral use of the property
 - Damage or neglect
 - Conviction for an arrestable offence committed in the locality of the premises
 - Domestic abuse
 - Making a false statement to gain a tenancy

Applicants who have been evicted from a social housing tenancy (with a Council or Housing Association) within 5 years of applying to the register, will not be accepted on to the housing register

12.1 Rehabilitation Offenders Act 1974

Any offence that is **not spent** under the Rehabilitation of Offenders Act 1974 (amended by the Legal Aid and Sentencing and Punishment of Offenders Act 2012) must be declared.

Cautions should also be declared. Relevant criminal offences include but are not limited to the following serious arrestable offences:

- Violence including ABH, GBH, terrorism, explosions, and riots
- Harassment, threats of violence or intimidation including racially motivated and domestic abuse offences
- Offences relating to offensive weapons (firearms and certain offences involving knives)
- Offences against property including offences under the Theft Act 1968 such as robbery and burglary, and offences under Section 1 of the Criminal Damage Act 1971 of destroying or damaging a property
- Drug-related offences under the Misuse of Drugs Act 1971 (restriction of production and supply of controlled drugs and possession of controlled drugs with intent to supply)
- Sexual offences
- Offences under Part 2 Serious Crime Act (encouraging or assisting one of the above offences to be committed)

Where there is MAPPA involvement, whatever the Category might be, there is a need to ensure that the applicant's Probation Officer, MOSOVO worker, and any other support worker, details are collected and worked with. When allocating, a direct single offer will be made to the applicant, after consideration of the property type, and the area that the property is in, having been taken in to account and approved by the applicant's support team. This could be their Probation Officer or MOSOVO worker.

12.2 Anti-Social Behaviour

Acts of antisocial behaviour are defined as acts where the applicant has been subject to some level of formal warning and/or enforcement action. This includes but is not limited to:

- Closure Order granted because of antisocial behaviour in or near the applicant's current or previous property
- Civil Injunction such as injunctions preventing nuisance and annoyance
- Criminal Behaviour Order
- Notice or an Order to abate noise served under the Environmental Protection Act 1990
- Community Protection Warnings and Notices
- Convictions for breaching any of the above
- Any other enforcement action / prosecution under the Antisocial Behaviour, Crime and Policing Act 2014

Antisocial behaviour also includes any act whereby an applicant has been proved to have interfered with security and safety equipment or landlord's electricity supply to communal blocks.

13. Allocating and Property Eligibility

West Northamptonshire Council is committed to enabling applicants to play an active role in choosing where they want to live whilst continuing to house those in greatest need and making the best use of the social housing stock in West Northamptonshire.

The Council runs a Choice Based Lettings system. To allow for choice, available social and affordable rented housing vacancies within the West Northamptonshire local authority area will be advertised on [OPENAccess](#) | [Apply for Housing](#) website.

All adverts will be clearly labelled to show the property features, the type of tenancy, local neighbourhood information and the types of households that can register an interest in the property.

Our partner landlords and registered providers are committed to offering the greatest choice possible in the allocation of social and affordable rented housing within West Northamptonshire. The amount of choice that the Council can offer is limited by the fact that the demand for social housing in West Northamptonshire, far outstrips supply, and the legal responsibilities owed to some groups of applicants in housing need.

Through the choice-based lettings system applicants have a choice about where they wish to live, the type of accommodation they wish to occupy and who they wish to have as a landlord. The promotion of choice to applicants will help create sustainable tenancies and communities

The amount of choice available to applicants will also be affected by the priority given to applicants under the policy, the type of property the applicant is eligible for, and the availability of suitable properties. The Council will aid applicants with identified support needs in using the Choice Based Lettings system.

Where an applicant is on multiple shortlists, the Council reserves the right to determine which property is offered to an applicant.

13.1 Household Composition

The type and size of property for which applicants are eligible for is based upon the applicant's household needs and composition.

Should the applicant's household circumstance and composition fall outside the rules detailed in this section, the Housing Allocations & Quality Manager will determine what size and type of property the household is eligible for. Circumstances where this might apply, could include where there is an evidenced need for an additional bedroom on urgent medical grounds, to discharge homelessness duties and make best use of stock.

As a minimum, the applicant's household is entitled to one bedroom each for:

- a. A single person (aged 16 or over)
- b. A married or co-habiting couple
- c. Two children both aged under 10 years regardless of gender
- d. Two children of the same gender, regardless of age, unless there is a 10-year age gap and one child is at least 16 years old

This is referred to as the Council's minimum bedroom standard. Some applicants will also be eligible to bid for properties that offer an additional bedroom to the minimum entitlement detailed above, although they will receive a lower preference for this larger accommodation. Please note there may be exceptions to the above. Each case will be discussed on its own merits.

13.2 Children

For the purposes of property eligibility, the term 'children' refers to both dependent and nondependent children. Extended family members that are considered as members of the applicant household (e.g., stepsiblings, cousins) are expected to share bedrooms. Where the applicant has access to their children, but whose main home is with the other parent or another carer, they will not be counted as permanent members of the household. This will need to be evidenced through the main applicant having proof of child benefit to show who is responsible for the main care of the children for housing purposes

13.3 Overnight Carers

For a bedroom to be awarded for an overnight carer, a live-in carer is essential on a daily and continuing basis and a live-in carer has been identified and has moved in with the household or is ready to do so when accommodation is available and if the applicant were to claim housing benefit, the extra bedroom would be awarded, in conjunction with housing benefit regulations. Receipt of carers allowance alone does not mean that a live in carer is necessary. In all cases, regardless of whether or not the carer is in receipt of carer's allowance, it will be necessary for the applicant to provide evidence that they receive disability benefits commensurate with the need for a live in carer.

If an additional bedroom is required for a carer, supporting evidence from an Occupational Therapy or Adult Social Care assessment will be required. A GP letter is not sufficient.

13.4 Pregnancy

Households with an expectant mother are treated as though the child has been born once the pregnancy has reached **24 weeks**. Confirmation of the pregnancy and expected date of delivery such as the Pregnancy Maternity Certificate (MATB1) or GP and or Midwife letter is required.

If there is already one child, the unborn baby will be treated as if it were the same sex. If there are two or more dependent children residing with the applicant, consideration for additional bedroom eligibility may be applied to the application following the birth of the child

Applicants who apply prior to pregnancy reaching 24 weeks, and have no other identified housing need, will not qualify for the register at that stage. It is the applicant's responsibility to then re-apply when pregnancy reaches 24 weeks.

13.5 Family Accommodation

Family accommodation is defined as a house, or a flat offering 2 or more bedrooms it may have its own or shared garden. Households only containing adult sons/daughters, and/or other non-dependents are generally not considered for family accommodation except in exceptional circumstances, for example:

- There is a requirement for disabled adapted accommodation, and their need can only be met with an offer of adapted family accommodation,
- Or where it is determined that the adult sons/daughters are not capable of living independently as a result of a severe learning disability

Where a three-bedroom property offers two reception rooms, this is referred to as a parlour type property. Households with a minimum need for 3 or 4 bedrooms are eligible to bid for parlour-type properties. Households with a minimum 4-bedroom need can utilise the second reception room as a fourth bedroom.

Where applicants are occupying and wish to downsize from a property in high demand and/or short supply such as 3-bed parlour, 4 bed or 5 bed social / affordable rented property, they may be able to bid for properties larger than that defined in section 13.1. Such decisions will be made by the Housing Allocations & Quality Manager

Please see the table on **page 32** which explains the property type and size, that applicants bid on, depending upon their circumstances and household composition

13.6 Adapted Properties

Some properties that are advertised on the Councils choice-based lettings platform, may have the following adaptations, which applicants may require, as assessed by the Adult Social Care Team or an Occupational Therapist:

- Wet room
- Level Access
- Stair lift
- External Ramp

- Shower Over Bath
- Minor Adaptations
- Lift

West Northamptonshire Council reserves the right to make direct offers of these types of properties; this would ensure that there is best use of social housing specialist properties.

West Northamptonshire Council will always consider offering adapted properties to those Applicants with a need for such accommodation (e.g., due to disability), over those with no such need, regardless of time on the waiting list. A health or social care professional with direct knowledge of the Applicant's condition will be contacted by the Local Authority for an opinion of the Applicant's current housing needs, and whether the property is deemed suitable for the applicant, based upon the evidence submitted at the time of the application.

Properties on the ground floor, with an accessible bathroom may be offered to Applicants who have a medical need for such a dwelling over an Applicant who has no need for such accommodation.

13.7 Older Persons Accommodation

Older persons accommodation is usually allocated to an applicant over the age of 55 applicant, or state pension age and over, all with a medical and / or a support need and who cannot stay in their own home,

Dependent on the older persons accommodation policy the advert may stipulate an age criteria. While sheltered housing provides some support, it may not be suitable for people with high care and support needs, therefore they may be offered an extra-care policy

Depending on an applicant's circumstances, some applicants such as homeowners and those with no housing need are restricted to bidding for properties in sheltered housing complexes only.

Applicants who bid for older persons accommodation will be subject to further eligibility assessments conducted by the specific landlord / provider if they are nominated for sheltered accommodation. This is to check factors such as support needs, suitability, and risk issues in line with the individual provider's policies. Landlords of sheltered accommodation reserve the right to refuse nominations if their criteria are not met

A local lettings policy (section 15) may also be adopted for specific types of accommodation which provide with linked support services for older persons applying for accommodation at an Extra Care Policy or sheltered housing. A joint assessment of the Applicant's housing, care and support needs will be undertaken by the Local Authority's housing and adult social care departments, subject to consent from the Applicant

13.8 Applicants in Receipt of Personal Independence Payments (PIP)

Properties that are designated as older persons accommodation will only be allocated to applicants over the age of 55 unless the applicant is **over the age of 45** and has a degree of disability that makes their present home unsuitable and who would benefit from the support available in older persons accommodation. This will be supported by documentation that shows that the applicant is awarded the **enhanced rate** (mobility and daily living) Personal Independence Payment

13.9 Discretion

West Northamptonshire Council will use their discretion about an applicants' qualification, choice, prioritisation (banding) or the allocation of social rented housing. This will be for limited number of cases, where there are exceptional circumstances or where an applicant (or a member of their household) may need to move for urgent matters. In these cases, West Northamptonshire Council will consider each application on its individual circumstances and take in to account the following, where it is required:

Exceptional circumstances:

- a. Providing protection to people who need to move away from another area, to escape violence, harm, or intimidation
- b. Enabling those who need support to rehabilitate and integrate back into the community

The need to move due to:

- a. Multi-Agency Risk Assessment Conference (MARAC)
- b. Multi-Agency Public Protection Arrangements (MAPPA)
- c. Action being taken because of adult or child safeguarding concerns

West Northamptonshire Council when assessing whether a need for discretion is to be applied will take in to account and have regard to:

- a. All the circumstances of the Applicant, including whether they would usually qualify to join the Policy, the degree of choice they would be entitled to, the degree of prioritisation they would be entitled to and the type of social housing they might be allocated, if no discretion was applied
- b. What the exceptional circumstances are. They should be unusual or remarkable circumstances which indicate that the Applicant's housing needs are more urgent than other Applicants
- c. What will be the consequences if no discretion is exercised. This will include considering how serious the potential consequences are and how likely each potential consequence is
- d. Such decisions will be taken the Assistant Director of Housing and Communities (or equivalent) or their delegated representative.
- e. The fact that decisions to exercise discretion will be kept to minimum
- f. The need for consistency with previous decisions regarding exercising discretion
- g. What would be a fair outcome to ensure that there is no discrimination
- h. The likelihood and severity of the potential consequences of discretion not being exercised

A decision as to whether to exercise discretion will be made at the point of receipt of application and again at the point of offer

Property eligibility Table:

| | Bedsit | 1 bed bungalow | 1 bed flat | 1 bed house | 2 bed bungalow | 2 bed flat | 2 bed house | 3 bed bungalow | 3 bed flat | 3 bed house | 3 bed parlour house | 4 bed flat / maisonette | 4 bed house | 5 bed house |
|-----------------------------------|--------|----------------|------------|-------------|----------------|------------|-------------|----------------|------------|-------------|---------------------|-------------------------|-------------|-------------|
| Single Person | X | X | X | X | X* | X* | | | | | | | | |
| Couple without children | X | X | X | X | X* | X* | | | | | | | | |
| Household expecting first child | | | | | X | X | X | | | | | | | |
| Household with 1 child | | | | | X | X | X | | | | | | | |
| Household with 2 children | | | | | X | X | X | X | X | X | | | | |
| Household with 3 children | | | | | | | | X | X | X | X | X | X | |
| Household with 4 children | | | | | | | | X | X | X | X | X | X | X |
| Household with 5 or more children | | | | | | | | | | | X | X | X | X |

Where the applicant has access to their children, but whose main home is with the other parent or another carer, they will not be counted as permanent members of the household. This will need to be evidenced through the main applicant having proof of child benefit to show who is responsible for the main care of the children for housing purposes, and provision of the Court Order and / or a letter from the main parent or guardian, will be required to confirm access arrangements.

The minimum bedroom standard (section 13.1) states that a separate bedroom is required for the following:

- A single person
- A married or cohabiting couple
- Families with two children, both aged under 10 years, regardless of gender
- Families with two children of the same gender, regardless of their age, unless there is a 10-year age gap and one child is at least 16 years old

*For a bedroom to be awarded for an overnight carer, a live-in carer is essential on a daily and continuing basis and a live-in carer has been identified and has moved in with the household or is ready to do so when accommodation is available and if the applicant were to claim housing benefit, the extra bedroom would be awarded, in conjunction with housing benefit regulations. Receipt of carers allowance alone does not mean that a live in carer is necessary. In all cases, regardless of whether or not the carer is in receipt of carer's allowance, it will be necessary for the applicant to provide evidence that they receive disability benefits commensurate with the need for a live in carer. If an additional bedroom is required for a carer, supporting evidence from an Occupational Therapy or Adult Social Care assessment will be required. A GP letter is not sufficient

14. Direct Offers

It is expected that the majority of allocations will be made following the bidding process via the Council's Open Housing system, but there are some cases where it is necessary to make offers to applicants outside of these arrangements, and, in exceptional circumstances, outside of the band and date order criteria set out in this policy. Consideration of one of the following categories will be considered and decisions regarding direct offers will be made by the Housing Allocations & Quality Manager:

1. Where the Council considers that it is inappropriate for the applicant to participate in choice-based lettings. For example, applicants who are placed in West Northamptonshire through the National Witness Mobility Policy or are subject to Multi Agency Public Protection Arrangements (MAPPA). In these cases, applicants are considered on a case-by-case basis, and the full range of housing options will be considered
2. Where the Council makes a direct offer by way of discharging a housing duty. This may include but is not limited to statutory homeless households
3. Where it is necessary for the Council or a private landlord to move (decant) one of its tenants on a permanent basis to carry out major modernisation or rehabilitation works to the property
4. Where the applicant is part of the Council's Rough Sleeping Accommodation Programme (RSAP) and the Council's National Social Assistance Programme, and have after six (6) advert cycles, and have not been successful in being made an offer.
5. Where it is necessary for the Council to provide an alternative property to a successor tenant within the 12-month statutory time limit
6. Where a joint social tenant has given notice to quit, and the property is suitable for the remaining tenant to continue to occupy, and this allocation is supported by the landlord
7. Where the property offers a specialist housing solution and/or is in particularly short supply e.g., large properties / disabled adapted properties
8. In cases where West Northamptonshire Council or a private landlord requests an urgent move due to serious antisocial behaviour issues that cannot be resolved via any other housing management intervention
9. Where the Council considers it necessary to suspend choice-based lettings for a period, for example due to a public health emergency or another similarly significant event. Such decisions will be taken by the Head of Housing Solutions & Strategy, or an officer of equivalent or higher seniority within the Senior Housing Management Team
10. Any other circumstance that enables the Council to make best use of housing stock and/or to respond to emerging local housing needs.

15. Local Lettings

West Northamptonshire Council may from time to time agree a local lettings policy for specific areas or developments to reflect local circumstances. These allow the Council to support communities to become or remain safe, cohesive communities where people want to live.

Some local lettings policies giving a preference to residents with a local connection to a specific town or village may also be applied. This is usually because there is a legal requirement to do so because of the original planning consent for the property. Advertisements for these properties will highlight that preference will be given to applicants who fulfil the criteria set out in the legal agreement.

For existing communities, any local lettings policy will be drawn up in consultation with existing tenants and residents and will have regard to housing management considerations such as the social mix of tenants, density, age range, vulnerability of tenants, for example, because of insufficient facilities for vulnerable people, as well as community stability.

Once implemented, local lettings policies will remain in force for a fixed period specified within the policy. Upon expiry, the allocation of properties in the area will be made in accordance with the normal housing allocation policy, unless there is an evidenced need for a further local lettings policy

To adopt a local lettings policy, evidence will be submitted for approval by the Head of Housing Solutions & Strategy Manager prior to any local letting policy being put into force

16. Advertising

To help applicants to choose the best property that will meet their specific housing needs, West Northamptonshire Council and their Registered Provider partners, will advertise all properties with information on size, rent, location, landlord, and property features. The adverts may also include:

- Social or affordable rent
- Type and length of tenancy
- Floor level and whether there is a lift
- Whether it is already accessible for people with disabilities or could be adapted to be so
- Whether there is access to a shared or private garden
- Whether pets are allowed
- Council Tax Band if available
- If the property is subject to a local lettings plan / criteria
- If the property is restricted by a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 and where offers of tenancies may only be made to applicants with a strong local connection to an exception site
- Closing date of advert

The adverts will open at 00:01 Wednesday morning and will close at 00:00 Tuesday night, each week.

West Northamptonshire Council may group together similar properties and advertise them as one. In such cases applicants only need to express their interest once, to cover all the properties grouped within the adverts. This may happen when advertising a new build development which includes several of the same size and type of property

17. Bidding

Most applicants will be expected to be able to place bids on properties of their choice and can bid for a maximum of five (5) properties in any one cycle. This does not guarantee that they will be offered any property they might make a bid for. In some cases, the Local Authority will place bids on an applicant's behalf. Applicants are expected to place bids regularly. If applicants have not been placing bids within a six-month period and suitable properties have been advertised during this time, their housing application may be cancelled. Applicants may also request where they may have a difficulty in expressing a preference.

17.1 Auto-bid

Some applicants may have their choice removed and be placed on **auto bid** to ensure a timely resolution of their housing needs. Auto bid means that the Housing Allocation system will place bids on an applicant's behalf, by targeting properties that provide the best possible chance of an offer or nomination (e.g. the best queue position at the end of the bidding cycle). Auto bids are placed at one minute past midnight at the end of the bidding cycle, once all other bids have been placed.

All applicants remain regardless of their Band, entitled to up to five bids per bidding cycle. Any successful bid will be considered a formal offer of accommodation and the refusal sanctions set out in **section 19** will apply.

Whether an application is subject to auto bid or manual bidding is specified within the priority banding criteria in **section 11**, Assessment of Need (Banding).

17.2 Band A – Statutory Homeless Duty is Owed

To ensure timely resolution of their housing circumstance Applicants accepted as being owed a statutory homelessness duty have their choice removed and will be placed on to Auto Bid. This is to ensure the Local Authority prevents and relieves homelessness at the earliest opportunity.

In order to inform the process, Band A applicants may be required to provide additional evidence to ensure that the Auto Bid functionality is able to provide a suitable accommodation offer in terms of property attributes and geographical area

17.3 Bidding Mechanism

The table below summarises the bidding mechanism, the number of bids per cycle and the number of offers of accommodation that different categories of applicants are entitled to:

| Band and criteria | Bidding mechanism | Number of bids per cycle | Number of offers |
|---|--|--------------------------|------------------|
| Band A, B & C = where a statutory homelessness duty is owed | Auto Bid – this should be part of the new allocation system (see section 11.4) | Up to 5 | 1 offer |

| | | | |
|---|---|---------|----------|
| Band A = where there is no statutory duty (and as set out in the Banding table) | Auto Bid – this should be part of the new allocation system (see section 11.4) | Up to 5 | 2 offers |
| Care Leavers (to include those in TA) | Auto-Bid - this should be part of the new allocation system (see section 11.4) | Up to 5 | 2 offers |
| Band B, C & D = MAPPA | Manual bidding | Up to 5 | 2 offers |
| | Direct Offer - any offer will be made after thorough consultation with the applicant and supporting authorities (Police, Probation, Mosovo) | n/a | 2 offers |
| Band B - Succession | Direct Offer | n/a | 1 offer |

18 Shortlisting & Offers

At the end of the advertising cycle, applicants will be automatically put onto a shortlist, all those applicants who will have an auto bid placed on their behalf, these bids will be added as soon as the advert is closed. Applicants are placed on to a shortlist, according to the banding criteria, effective date for that band and any qualifying letting criteria or property criteria specified on the property advert.

When an applicant is successful with their bid and have come 'top' for the property that a bid has been placed on, they will be notified directly by the Allocations Team, and a provisional offer will be made. This then allows for pre-tenancy checks being completed. The purpose of the checks is to confirm that the applicant is eligible and qualifies for the property/policy and has provided all the necessary information to complete verification checks. Landlord references will also be taken at this time to confirm tenancy conduct and rent arrears.

In certain situations, particularly when applicants are fleeing harassment, violence, threats of violence or domestic abuse, housing the applicant in certain areas of West Northamptonshire, may pose or fail to alleviate the risks being fled. For allocations in these circumstances, professional advice may be sought, and a risk assessment will take place, completed by the Council in conjunction with any relevant agency to determine suitability of potential allocations.

For example, if an applicant is fleeing abuse or harassment, it will not be considered appropriate for them to be housed in the same area as they are fleeing, because this is unlikely to alleviate the risk of abuse or harassment. There is no distance specified as safe within the Policy, but a distance greater than 5 miles or an area that has few if any ongoing links with the previous address, such as employment, family members or schooling, may be considered suitable as convention.

An offer of accommodation will be considered reasonable if the property being offered will meet the housing needs of an Applicant. If the Council is unable to contact an applicant within **24 hours**, by way of all the contact details provided, they will no longer be considered for the property and will be bypassed on the shortlist. Homeless applicants will be demoted, and duties discharged.

18.2 Nomination to a Registered Provider (West Northamptonshire Council Landlord)

Following an offer or nomination by the Council to an Applicant, the Local Authority will notify the Registered Provider/landlord of the property, of the Applicant meeting the criteria and provide their application for consideration.

The Registered Provider may ask for additional documentation and reserve the right to carry out their own pre-tenancy checks. They also reserve the right to refuse any applicant after completing their own pre-tenancy checks.

Applicants must tell the Registered Provider/landlord, whether they wish to accept an offer of a tenancy. The time limit for responding to offers may differ between Registered Providers/landlords. Should the applicant not contact the Registered Provider/landlord or the Housing Options Team within the timescale given, the Council will assume that the applicant does not wish to accept the tenancy, and the offer will be withdrawn.

19 Refusals

19.2 Homeless Applicants

Specific rules apply to homeless applicants who refuse an offer of accommodation, these applicants (**Band A, B & C** where a **homeless duty** is owed) will only be made **one** suitable offer of accommodation. Should they refuse this offer as they believe it to be unsuitable, they are entitled to ask for a review. The applicant may ask for a review whether or not they accept the final offer of accommodation, but the Council may require the household to vacate any temporary accommodation provided whilst the review is conducted. Any applicant considering refusing a final offer should first discuss this with a Housing Options Officer.

19.3 All Other Band A Applicants

Most Applicants in Band A (bar the exceptions above) will be allowed 2 suitable offers of accommodation and will be allowed to bid; however, a direct offer may be made at any time due to the immediacy of their need to be rehoused.

19.4 All other applicants without Homeless Duty

Applicants who refuse two offers of suitable accommodation within any 12-month period will fail to qualify for the West Northamptonshire Housing Allocations Policy.

For the purposes of this policy, an offer of accommodation can include a formal written offer of accommodation from a West Northamptonshire Council Registered Provider/landlord or a verbal offer of a nomination from the West Northamptonshire Housing Allocations /Housing Options team. In the case of joint applications, the main

or joint applicant can refuse the offer, and this will constitute as a refusal (i.e. agreement of both is not required).

A failure to engage in the nomination, viewing, or verification process which results in a property offer being withdrawn, will be regarded as a refusal for the purposes of this section, albeit an implied refusal.

All applicants that refuse their final offer of accommodation will not qualify for the West Northamptonshire Housing Allocations Policy for a period of 12 months. The Council may consider a re-application within the 12-month non-qualifying period if there has been a significant change in their circumstances through no fault of their own which adversely affects the household or would otherwise result in the Priority Band increasing.

20 Reviews

- **Right to Review**

Housing authorities must inform applicants that they have the right to information about certain decisions and a right to review those decisions.

Applicants will be informed in writing of any decision:

- a. That they are ineligible for an allocation of accommodation under s106ZA (2) or (4)
- b. That they are not a qualifying person under s 106ZA (7)

Therefore, if an application is not accepted following the guidance in **sections 5 and 6** of this policy, then the applicant must be informed in writing of the decision. If the applicant has additional support needs, then other methods, such as telephone or visit should be used in addition to providing the information in writing.

Applicants may request a review of decisions made under this policy, including eligibility, qualification, banding or removal from the register, in line with section 166A(9)(b) of the Housing Act 1996 and the Council's Housing Reviews Procedure.

Should an applicant wish to request a review, it is expected that this will be received in writing within **21 calendar days** of the decision letter. In exceptional circumstances requests will be accepted via other methods or after 21 calendar days. West Northamptonshire Council will complete the review within **56 calendar days**. The review will be completed by an officer senior to the officer who made the original decision.

- **Annual Renewal / Review**

Applicants will be notified to renew their application annually, from the anniversary of their effective date to join the Policy. The annual review is to ensure:

- The number of applicants on the West Northamptonshire housing policy reflects the immediate needs for social housing.

- Applicants still want to stay on the West Northamptonshire housing policy and
 - Applicants' details are accurate and up to date.
- Failure to renew an application will result in an application being closed and membership of the Policy being discontinued. Applicants will have 21 calendar days from receipt of this information to comply with the renewal request. Failure to comply will result in an Applicant being removed from the Policy.

- **Bids not Placed**

If an applicant has not placed a bid for **12 weeks** and suitable properties have become available for them to bid on within that time, the application will be reviewed to see if further intervention for the team is necessary to assist or whether a review of the banding is appropriate.

If a review is undertaken and there is no suitable reason provided to explain why an applicant has not placed a bid within a six-month period and suitable properties have been advertised during this time, their housing application may be closed.

This does not apply to those applicants who are in Band A, B or C, where a statutory homelessness duty is owed.

The application can be reassessed and/or priority restored subject to appropriate assurances from the applicant being received or a further change in circumstances of the applicant.

- **Suspension of an Application**

If an applicant fails to respond or refuses 2 offers of accommodation following placing a bid, then their application will be suspended for 6 months. At the end of the suspension period, a review will be completed, and the application may be reassessed, based upon the applicant's current housing needs at that point.

- **Deliberately worsening their Circumstances**

On assessment of the application, if the Council feels that the applicant has deliberately worsened their circumstances, in order to be allowed on to the Policy, the council may choose to **exclude** that applicant for 12 months. As the end of those 12 months the applicant will be able to reapply, and their application reassessed.

An applicant will have deliberately worsened their housing circumstance if:

- Action or inaction by the applicant, resulted in the applicant no longer occupying accommodation.
- And the actions or inaction was the primary cause of the applicant no longer occupying accommodation.
- And the accommodation was suitable for the applicant.
- And it would have been reasonable for the applicant to have continued to occupy the accommodation.

Upon reassessment of the application and before it is made live, the Housing Allocations & Quality Manager should decide whether they should be allowed on to the Policy or not.

- **Closure of an Application**

A housing applicant's housing application will be closed, subject to any appeal in the following circumstances:

- a. At the Applicant's request
- b. When the Applicant either becomes ineligible for housing or ceases to qualify for inclusion onto the Policy, subject to an appeal.
- c. When the Applicant has been housed through the Policy or in relation to those who are owed a homelessness duty, they have accepted an offer of suitable accommodation, which has resulted in the duty has been discharged.
- d. When the Applicant accepts an Assured Shorthold Tenancy, or equivalent form of tenure.
- e. When the Applicant fails to maintain their housing application, or they move home and fail to provide West Northamptonshire Council with the relevant contact details and update their application to reflect their new housing situation.

21 Exclusion or Removal from the Housing Policy

Homeowners who sell or transfer their property in the UK or abroad within the last 5 years and received (or would have received) equity of £16,000 or above will be excluded for 5 years from the date of sale, unless they are eligible for sheltered housing.

Applicants who have serious breaches of tenancy, as stated in section 12, in a previous tenancy that is of cause for concern for West Northamptonshire Council, the Council will consider whether exclusion from the policy is appropriate or not.

The exclusion will only apply to the member(s) of the household who were participative in the unacceptable behaviour with other members of the family able to make separate applications subject to them meeting the qualification criteria of the Policy.

Each application will be reviewed for its own merit, and should a decision be made to exclude the application from the policy, this will be for a period of 12 months. At the end of the exclusion period, a review will be completed to assess whether exclusion should still apply. Applicants have the right to request a review of the decision to exclude them from the housing register.

22 Fraud

West Northamptonshire Council will require applicants to supply full information about their circumstances and must produce specified identification documents (including photographs) as supporting evidence, where required. The Council may check the accuracy of this information submitted in support of the application. This is to deter and detect fraud and ensure that housing is allocated to those who are entitled to it.

Where investigations identify that a housing fraud has been committed, we will take appropriate and proportionate action which may include the following:

- Application for possession of any property obtained, retained or used fraudulently.
- Recovery of any monies obtained as a result of the fraud e.g. rent obtained from subletting.
- Exclusion or, deferral from, or demotion on the waiting list for accommodation.
- Report to the Police for criminal investigations and action, or where applicable, conduct relevant investigations as potential prosecuting authority; and
- Offer advice and assistance to other victims of the fraud, for example a person who has unknowingly paid rent to a tenant who has unlawfully sub-let their council tenancy to them.

To deter those who may be considering committing a housing fraud we will publicise details of any actions we will take to counter fraud, details of cases where action has been taken and encourage members of the public to report fraud through all appropriate media and communication channels.

It is a criminal offence for applicants and/or anyone providing information in relation to this Housing Register policy, to make false statements knowingly or recklessly or knowingly withhold reasonably requested information that is relevant to their application (section 171, Housing Act 1996). An offence is also committed if a third party provides false information whether or not on the instigation of the applicant. This would apply at any stage of the application process.

Where there is suspicion or an allegation that a person has either provided false information or has withheld information, the application will be excluded from being considered for offers during the investigation and until an outcome is reached.

In addition, the Council reserves the right to take legal action including prosecution under any relevant legislation including fraud where it possesses the evidence. If the outcome of any investigation is that an applicant did not provide false information or did not withhold information or was not found to be withheld knowingly, then the application will be reinstated from the date of registration, meaning the relevant applicant should not suffer prejudice.

If the Council determines that an applicant directly, or through a person acting on his or her behalf, has given false information or withheld required information it may result in an applicant being disqualified from an allocation.

Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by the 1996 Act, S146) enables the landlord to seek possession of a property where it has been granted because of a false statement by either the tenant or a person acting at the tenant's instigation. Where this is the case, the Council will actively pursue recovery of possession.

23 Exceptional Circumstances

In exceptional circumstances, the Council may award Band A status to households in emergency circumstances not covered by Band A as stated above. In such exceptional circumstances, the Assistant Director of Housing and Communities or their delegated representative has discretion to determine whether an applicant has a need to move which is sufficient to warrant placing an application in Band A.

Also, an applicant who would not ordinarily qualify for the Housing Register but who has an urgent housing need (defined by being awarded Bands A or B under this housing allocation policy) may be allowed to join. The decision to allow a non-qualifying applicant to join the register, will be determined by a panel of senior housing officers. Other professionals, for example, those with social care expertise, may be invited to contribute to the panel and decision making where relevant. This may be where the applicant requires housing due to the following:

- a) Providing protection to people who need to move away from another area, to escape violence, harm, or intimidation.
- b) Enabling those who need support to rehabilitate and integrate back into the community.
- c) Multi-Agency Risk Assessment Conference (MARAC) decision
- d) Multi-Agency Public Protection Arrangements (MAPPA)
- e) Action being taken as a result of adult or child safeguarding concerns.

When assessing whether discretion should be applied, the Council will consider, all the circumstances of the Applicant, should discretion not be given, and this should include:

- a) whether they would usually qualify to join the Policy,
- b) the degree of choice and prioritisation they would be entitled to
- c) the type of social housing they might be allocated.
- d) what the exceptional circumstances are, are they unusual or remarkable circumstances which indicate that their housing needs are more urgent than
- e) What the consequences would be if no discretion is given.
- f) Would this cause seriously potential consequences and how likely each potential consequence is.

Such decisions will be taken the Assistant Director of Housing and Communities (or equivalent) or their delegated representative. When deciding, they will have regard to:

- a) The fact that decisions to exercise discretion will be kept to minimum.
- b) The need for consistency with previous decisions regarding exercising discretion
- c) What would be a fair outcome to ensure that there is no discrimination?
- d) The likelihood and severity of the potential consequences of discretion not being exercised.

A decision as to whether or not to exercise discretion will be made at the point of receipt of application and again at the point of offer.

24 Comments, Compliments or Complaints

Applicants who wish to give a compliment, comment or complain about West Northamptonshire Council or the Housing Policy can do this by contacting West Northamptonshire Council. Applicants who wish to make a compliment, comment or

complaint about any partner West Northamptonshire Council Registered Provider/landlord should contact them directly.

West Northamptonshire Council's Customer Comments, Compliments & Complaints Policy, can be found here: [Comments, compliments and complaints | West Northamptonshire Council](#)

Applicants who remain unhappy are able to make a complaint to the Local Government Ombudsman or the Independent Housing Ombudsman. They are independent services run by central government to make sure that local authorities and housing providers provide a certain standard of service to their customers (see below for contact details):

The Local Government Ombudsman for complaints about councils:

- Local Government Ombudsman
PO Box 4771 Coventry CV4 0EH
Telephone: 0300 061 0614
Website: www.lgo.org.uk
- The Independent Housing Ombudsman for complaints about Registered Providers:
Housing Ombudsman Service
Exchange Tower
Harbour Exchange Square
London
E14 9GE
Telephone: 0300 111 3000
Email: info@housing-ombudsman.org.uk
Website: www.housing-ombudsman.org.uk

25 General Provisions

- **Data Protection & Information Sharing**
The General Data Protection Regulations 2018 (GDPR) and the Data Protection Act 2018 (known as information legislation) provide a statutory framework which sets out the responsibilities of the Council as a data controller when it is collecting and processing applicants' personal data. It also defines applicants' rights in relation to their data and provides them with control over how their information is used in various circumstances.

The Council will, through appropriate management, ensure compliance with information legislation, the Housing Act (1996), and the Council's Privacy and Data Protection Policies. More information on the Council's data protection and privacy policies can be found at www.westnorthants.gov.uk. The Council will process applicants' data within the confines of the law and will only share applicants' data where there is a lawful basis to do so.

Below are the seven key data protection principles that will be followed when processing personal data. Applicants' personal information will be:

- a. Processed lawfully, fairly and in a transparent manner
- b. Collected for a specified, explicit, and legitimate purpose and not further processed in a manner that is incompatible with that purpose.
- c. Adequate, relevant, and limited to what is necessary.
- d. Accurate and kept up to date
- e. Not kept for longer than is necessary.
- f. Processed securely, using technical and organisation measures.
- g. The Council will demonstrate accountability with principle.

The information that the Council collects from applicant's, together with information that is gathered from third parties during an application will be used to assess and administer a request for housing. Applicants' information may also be used for other purposes where the law permits such as those relating to child protection, public protection, and preventing and/or detecting fraud or other criminal activities.

The Council's data protection policy can be found here, [Data protection policy | West Northamptonshire Council](#) Applicants have the right to access their personal data processed by the Council including electronic and hard copy files. Applicant's personal data is information that relates to an applicant as an identifiable individual.

- **Councillors, employees and their close relatives**

Councillors and employees, of West Northamptonshire Council, landlords and their close relatives, can apply to the Housing Register. However, applicants must make their position or relationship with the Council known at the point of application.

If the applicant does not do this and it is discovered later that such a relationship exists, the application/tenancy may be adversely affected.

Applicants who declare an interest will neither be advantaged nor disadvantaged. Any application assessment, banding decision or allocation of accommodation must be done with prior approval from the Head of Housing Solutions and Strategy or Housing Allocations & Quality Manager in their absence.

- **Equality & Diversity**

West Northamptonshire Council and partner landlords are committed to promoting equality of opportunity in housing services. We aim to implement, maintain, and deliver quality services which ensure that no potential or current applicant is treated less favourably on the grounds of gender, marital status, race, nationality, ethnic or national origin, disability, age, or sexual orientation, nor is disadvantaged by the application of a rule, condition, or requirement, which has a discriminatory effect which cannot be justified by law. Allocations will only be made to those persons who are eligible.

The policy fully complies with the Equality Act 2010, and an Equality Impact Assessment has been undertaken and is available to view on the Council's website. For more information on West Northamptonshire Council's Equalities policy and policy, please visit [Equality policy and strategy | West Northamptonshire Council](#)

- **Monitoring of the Housing Register**

The Council recognises that it is important for applicants for housing and the wider community to understand how social housing is allocated and who is getting social housing. Therefore, information on the Housing Register and lettings outcomes will be published and made available on the West Northamptonshire Open Housing website: [OPENAccess](#) | [Login](#).

Performance under this scheme, including lettings outcomes and equalities monitoring, will be reviewed and reported through the Council's Housing Governance and Performance Framework in accordance with the Corporate Performance and Transparency Policy

The Council will also regularly monitor to ensure that the policy remains relevant and continues to prioritise the allocation of affordable rented housing to those people in the most need. Reviews of this policy will be undertaken by the Council annually in response to any policy issues identified and/or changes in legislation / national guidance.

Appendix A – Definitions and Key Terms

| Key Terms | Definitions |
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| Adaptations | Adjustments to a property to assist a disabled member of the household access the property or facilities such as a wet room, ramps, level access shower or stairlift |
| Affordable Rent | Affordable rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80% of the local market rent. |
| Applicant | A person or household who has applied to join the West Northamptonshire Council (WNC) Housing Register for social or affordable housing. |
| Application Date | The date an application is first received by WNC. The <i>Effective Date</i> may differ if the application is later updated or verified. |
| Armed Forces Applicant | A person who is serving, or has served, in the Regular or Reserve Armed Forces, as defined in section 374 of the Armed Forces Act 2006 and relevant housing regulations. |
| Auto-bid | Auto-bid means that the software will place bids on an applicant's behalf, targeting properties that provides the best queue position on a property's shortlist, at the end of the bidding cycle. |
| Band | A category used to assess housing need and prioritise applicants on the Housing Register. WNC uses Bands A to D, with A being the highest priority. |
| Bid | The term used when an applicant expresses an interest in a property. |
| Care Leaver | A young person aged 18–25 who has previously been in the care of a local authority under the Children Act 1989. |
| Choice Based Lettings (CBL) | The system used by WNC and partner landlords to advertise available social housing properties and allow registered applicants to express interest ("bid") on suitable homes. |
| Decant | The term used to describe the process whereby a tenant of one of the Keyways landlords has to temporarily move out of their home into another property to enable the landlord to complete essential repairs or maintenance to the property. |
| Effective Date | The date used to determine an applicant's position within a priority band. Normally this is the date the application becomes active after verification. |
| Eligibility | A legal test set by the Housing Act 1996 and associated regulations to determine who is eligible for an allocation |

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| | of housing, particularly in relation to immigration status and habitual residence. |
| Habitual Residence Test | The test looks at whether the applicant's residence in the United Kingdom is of a settled nature. For example, it looks at the length and continuity of residence, work or work prospects and family ties. |
| Homelessness Duties | Statutory duties owed by local housing authorities under Part 7 of the Housing Act 1996 (as amended by the Homelessness Reduction Act 2017). These include the <i>Prevention</i> , <i>Relief</i> and <i>Main</i> duties. |
| Housing Allocation Policy | This explains the rules that determine how West Northamptonshire Council and its landlords allocate social housing properties in West Northamptonshire. |
| Local Connection | A link to the West Northamptonshire area through residence, employment, family association or other qualifying criteria defined in section 6 of this policy. |
| Main Housing Duty (Section 193(2)) | The duty to secure accommodation for eligible, homeless applicants who are in priority need and not intentionally homeless. |
| Multi-Agency Public Protection Arrangements (MAPPA) | The framework which joins up agencies, including probation, the prison service and local housing authorities, tasked with the management of offenders who pose a serious risk of harm to the public. |
| Mutual Exchange | A swap of accommodation between two social housing tenants. The two households swap homes and each move permanently into the others property. |
| Nomination | When WNC selects an eligible applicant from the Housing Register to be offered accommodation by a CBL partner Registered Provider (Housing Association). |
| Non-Qualifying Applicant | A person who does not meet the Council's local connection or other qualification criteria and therefore cannot join the Housing Register |
| Reasonable Preference | The statutory categories of people to whom local authorities must give priority when allocating social housing, as set out in section 166A(3) of the Housing Act 1996. |
| Registered Provider (RP) | An organisation, usually a Housing Association, which owns and manages social housing and is registered with the Regulator of Social Housing. |
| Relief Duty (Section 189B) | A 56-day duty to help secure accommodation for homeless applicants, whether or not they are in priority need. |
| Prevention Duty (Section 195) | A 56-day duty to help applicants who are threatened with homelessness to retain or secure accommodation. |
| Right To Move | A statutory right allowing certain social housing tenants to move to another local authority area to avoid |

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| | hardship, particularly to take up or maintain employment. |
| Service Level Agreement | An agreement that West Northamptonshire Council has with some Housing Associations (Registered Providers) that stipulates the proportion of lettings to be made through the West Northamptonshire Housing Register. |
| Sheltered Housing / Older Persons Accommodation | The term used to describe housing allocated to older people with a support need. |
| Shortlist | A list of those applicants that have expressed an interest in a particular property advertised on the West Northamptonshire Choice Based Lettings system. |
| Skipped | <p>The term used when an applicant has bid on a property and has been bypassed. Reasons for being bypassed may include, but are not limited to:</p> <ul style="list-style-type: none"> • The property is unsuitable for the applicant's needs. • Enquiries reveal a change in circumstances including housing related debt. • Local lettings plan or priority criteria apply e.g. preference offered to specific groups of applicants. • Adaptations suitable for disabled applicants |
| Social Housing | Housing owned by a local authority (Council) or Housing Association (Registered Provider) and rented to tenants at rents restricted by national rent controls. |
| Succession | The legal right of a person to take over a tenancy when the original tenant dies, if they meet the succession criteria in the tenancy agreement and housing law. |
| Suitability Order 2012 | Regulations setting standards for private rented accommodation used to discharge a homelessness duty. |
| Temporary Accommodation (TA) | Short-term accommodation provided by WNC under homelessness legislation while an applicant's duty or longer-term housing is resolved. |
| Verification | The process of checking an applicant's identity, circumstances and evidence before their housing application is made active on the register. |