

# Public Document Pack



Tuesday, 2 November 2021

Tel: 01993 861522  
e-mail - [democratic.services@westoxon.gov.uk](mailto:democratic.services@westoxon.gov.uk)

## CABINET

You are summoned to a meeting of the Cabinet which will be held in the Council Chamber, Woodgreen, Witney, OX28 1NB on **Wednesday, 10 November 2021 at 2.00 pm.**



Giles Hughes  
Chief Executive

To: Members of the Cabinet

Councillors: Michele Mead (Leader), David Harvey (Deputy Leader), Suzi Coul, Merilyn Davies, Jane Doughty, Jeff Haine and Norman MacRae MBE.

Recording of Proceedings – The law allows the public proceedings of Council, Cabinet, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Democratic Services officers know prior to the start of the meeting.

# AGENDA

1. **Notice of Decisions (Pages 5 - 12)**  
To receive notice of the decisions taken at the meeting held on 13 October 2021.
2. **Apologies for Absence**
3. **Declarations of Interest**  
To receive any declarations from Members of the Committee on any items to be considered at the meeting
4. **Participation of the Public**  
To receive any submissions from members of the public, in accordance with the Council's Rules of Procedure.
5. **Receipt of Announcements**  
Purpose:  
To receive any announcements from the Leader of the Council or Members of the Cabinet.
6. **Homeseeker Plus Policy Update (Pages 13 - 134)**  
Purpose  
To update Members on the legislative changes needed to ensure that the HomeseekerPlus Policy meets the Department of Levelling Up, Housing and Communities (DLUHC) Allocation of Accommodation standards and reflects the outcome of the stakeholder consultation.  
  
Recommendations  
That Cabinet:
  - a) Approves the Policy for adoption; and
  - b) Give approval for the HomeseekerPlus Management Board to:
    - Confirm the date for adoption once all partners have approval through their individual authorities governance structure (likely to be early 2022)
    - Professionally format the Policy prior to publication
7. **Our House and Housing First Project Updates and Funding Extension Options (Pages 135 - 148)**  
Purpose  
To update members on the 'Our House' and Housing First projects since their inception, to recommend the continuation of the projects and outline future opportunities over the next two years.  
  
Recommendations  
That Cabinet:
  - a) Agrees the recommendation to continue the projects for a further 18 months from April 2022;
  - b) That Cabinet agrees to outsource the Support element of both projects via waiver;

- c) Agrees to the exploration of external funding sources including bidding for Government and/or community grant funds in order to continue the projects;
- d) Agrees to use Housing Reserve / Housing Grant Underspend as set out in 2.35 to guarantee the continuation of the projects whilst alternative funding options are explored; and
- e) Approves the delegation of any amendments to these allocations to the Housing Manager in consultation with the Cabinet Member for Housing and Homelessness subject to compliance with funding allocation conditions.

8. **Use of the Internet and Social Media in Investigations and Enforcement Policy** (Pages 149 - 158)

Purpose

To present Cabinet with a new Use of the Internet and Social Media in Investigations and Enforcement Policy for adoption.

Recommendations

- (a) That Cabinet approves and adopts the Policy attached to this report; and
- (b) That Cabinet authorise the Chief Executive to approve future minor amendments to the Policy in consultation with the Counter Fraud Unit Manager, Legal Services and the Leader of the Council.

9. **Community Facility Grant Awards - 2nd Round - 2021/22** (Pages 159 - 168)

Purpose

To consider applications for grant aid from the Community Facilities Grant Scheme.

Recommendation

That Cabinet agrees to award grants in accordance with the recommendations set out in Annex A.

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## WEST OXFORDSHIRE DISTRICT COUNCIL

Minutes of the meeting of the  
**Cabinet**

Held in the at 2.00 pm on **Wednesday, 13 October 2021**

### PRESENT

Councillors: Michelle Mead (Leader, David Harvey (Deputy Leader), Suzi Coul, Merilyn Davies, Jane Doughty, Jeff Haine and Norman MacRae MBE.

Also present: Councillors Joy Aitman, Alaa Al-Yousuf, Andrew Coles, Julian Cooper, Harry Eaglestone, Andy Graham, Alex Postan, Andrew Prosser and Harry St John.

Officers: Amy Bridgewater-Carnall (Democratic Services Manager), Angela Claridge (Interim Monitoring Officer), Giles Hughes (Chief Executive) and Frank Wilson (Group Finance Director - Publica).

#### **37 Notice of Decisions**

The notice of decisions taken at the meeting on 15 September 2021 were noted.

#### **38 Apologies for Absence**

Apologies for absence were received from Councillor Martin McBride.

#### **39 Declarations of Interest**

There were no declarations of interest received.

#### **40 Participation of the Public**

Mr Roger Ball addressed Members in relation to Agenda Item 9 – Review of Temporary Traffic Restrictions in Witney High Street. Mr Ball advised that as a local resident he understood the County Council was the statutory authority responsible for highways matters but had wanted to express his support for the scheme. He agreed with the recommendation to keep the temporary restriction in place on Witney High Street and he supported the Police's view that this could be a permanent measure. He listed the Local Plan Policies that he felt supported the proposal and requested that, if the closure were to remain a permanent feature, suitable traffic calming measures be installed.

#### **41 Receipt of Announcements**

##### Introduction of Interim Monitoring Officer

Councillor Mead introduced the Council's Interim Monitoring Officer, Angela Claridge, to the meeting, welcomed her into her new role and wished her every success for the forthcoming months.

##### Publica AGM

Councillor Mead advised that she had recently attended the Publica Annual General Meeting, at which their Annual report was outlined. The report had highlighted key projects including Love West Oxfordshire, the Net Zero Carbon Toolkit, Salt Cross and the accessible website work, alongside the support provided to local businesses and the installation of broadband by Gigaclear ahead of schedule. Councillor Mead encouraged Councillors to read the report and she expressed her thanks to all Publica staff for their hard work.

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### Middle Barton Road Accident

Councillor MacRae advised that a serious road traffic accident had occurred last week in Middle Barton resulting in a Ubico employee being injured and hospitalised. The employee had since been discharged from hospital and was recovering at home, whilst Police investigated the incident. Councillor MacRae advised that his thoughts were with the injured man at this difficult time. He concluded by reminding Members of the risks that were taken by Ubico staff on a daily basis in order to provide vital services to residents of West Oxfordshire.

### Small Community Public Arts Schemes

Councillor Doughty was pleased to announce two Small Community Public Arts Schemes that were ready for implementation. The first scheme had been put forward by Theatre Chipping Norton who would lead an intergenerational project working with Holy Trinity Primary School and local care home residents. Each student would be matched with a resident to share stories and memories to create a script of a performance involving the children. The project would take place over five days in the Spring of 2022.

The second scheme had been proposed by Ducklington Parish Council who were creating a sensory garden for their local community on the edge of Chalcroft play park. The project would engage a local professional artist to enhance the environment of the garden through sculpture and/or lettered paving. The approximate start date was Spring 2022.

## **42 Adoption of Affordable Housing Supplementary Planning Document (SPD)**

Members received a report from the Planning Policy Manager which asked them to consider the final version of the West Oxfordshire District Council Affordable Housing Supplementary Planning Document (SPD) and to recommend to Council that it be formally adopted. A copy of the final adoption version of the Affordable Housing SPD was attached at Annex B to the report.

The report highlighted that the SPD had been the subject of two separate periods of public consultation, the first of which ended in August 2020, with a revised draft being consulted on between March and April 2021.

There were no alternative options detailed in the report.

Members noted that a revised Annex B to Appendix 3 had been circulated following the publication of the agenda and copies had been made available at the meeting.

The Cabinet Member for Strategic Planning, Councillor Haine, introduced the report and highlighted the importance of the inclusion of affordable housing in the Council plan. Councillor Haine provided an overview of the report, signposted Members to the introduction of a new form of affordable housing referred to as 'First Homes' and proposed the recommendations as laid out.

These were seconded by Councillor Davies.

Councillor Coles raised the issue of the term 'affordable' in relation to housing and both Councillors Davies and Haine recognised that this was an issue and whilst they welcomed suggestions for a more suitable phrase recognised that this was a nationally set standard which was used in many different contexts.

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Councillor Graham welcomed the document, queried if the Council was meeting the need for one and two bedroom properties and urged caution with regard to remaining impartial whilst maintaining partnerships with developers. In response, Councillor Davies highlighted the number of one and two bedroom properties recently given approval at the Uplands Planning Sub-Committee and assured the meeting that partnerships with developers would remain for as long as it continued to benefit the Council and its residents.

Councillor Postan raised the issue of open ended permissions to enable developers to review options such as methods of construction and alternative heat sources. He also commented that the design of affordable housing was crucial to avoid any stigma. Councillor Mead reminded the meeting that Council policies were regularly updated to reflect modern methods of building. Councillor Harvey urged caution with regards to specifying heating sources because the technology was changing rapidly.

Councillor St John noted that the statistics showed that the Council had delivered 294 more affordable units than the original target set over the last two years.

Having been proposed and duly seconded it was

**Resolved** that

- a) the content of the report be noted; and
- b) Council be invited to formally adopt the final version of the West Oxfordshire District Council Affordable Housing Supplementary Planning Document (SPD).

**43 Introduction of Charges at the Public Conveniences at New Street Car Park, Chipping Norton**

Members received a report from the Parking Services Manager which sought approval for the introduction of charging for the use of the New Street Car Park public conveniences, Chipping Norton at a charge of 20p, as per all other units, as soon as practicably possible to install the equipment.

The report noted that the Council had introduced charges in public conveniences in 2004/05. All 12 sites were considered and only one site was excluded at that time but it was not clear why. The report also detailed the charging regime at other public convenience sites as well as the numbers of users of the site.

An alternative option was that Cabinet could choose to keep these facilities, free of charge.

The Cabinet Member for Environment, Councillor MacRae introduced the report and advised that the Environment Overview and Scrutiny Committee had supported the report at their meeting at the end of September. He endorsed the recommendations as laid out and these were seconded by Councillor Harvey.

Having considered the report and having heard from the Members present, it was

**Recommended** that Council approve the introduction of charging for the use of the New Street Car Park public conveniences, Chipping Norton, at a charge of 20p as per all other units as soon as practicably possible to install the equipment.

**44 Consideration of the introduction of Waste & Recycling Container Delivery Charging**

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Members received a report from the Business Manager - Contracts which presented Cabinet with the results of a review which had been completed on the numbers and costs of delivering waste and recycling containers to households in the district, and proposed options to introduce a charge for container deliveries.

The report provided details on the methods of recycling collections, the services delivered by the Council and the containers provided to households in order for them to access the services. The ongoing demand for containers and the financial impact of this had lead officers to review how this service was managed and financed. Members were also given a breakdown of the numbers of each type of container delivered in 2020/21, and the associated costs, the pricing options and Container Delivery Charges in other authorities.

Officers had provided a number of options for Cabinet to consider and these were outlined from section 2.3 of the report, along with the benefits if charging were introduced.

An alternative option was that the Council could continue with the current practice of not charging for containers. However, due to the high demand and significant costs, this option was not recommended.

The report was considered by the Environment Overview and Scrutiny Committee on 30 September 2021 and the comments noted at that meeting were as follows:

The Environment Overview & Scrutiny Committee were supportive of the introduction, but put forward that the lowest rate of charge (Option 1), should be considered by Cabinet for the introduction.

The Cabinet Member for Environment, Councillor MacRae introduced the report and explained that the Council was spending a great deal on the service at present. He also advised Members that officers were looking into the potential of developers using S106 money to deliver an initial issue of containers for new build properties. Councillor MacRae proposed the recommendations, specifying Option 1 as the Cabinet's preferred price point.

This was seconded by Councillor Harvey.

Councillor Prosser supported the introduction of charging but raised a concern that the Council had recently removed some local recycling points. Councillor MacRae confirmed that the charge would be for additional containers and if a household needed a larger capacity bin, they could request it.

Councillor Cole advised that he had been unable to attend the Environment Overview and Scrutiny Committee and highlighted that the report did not detail any potential loss to recycling rates if this scheme was introduced. He also raised a concern that S106 money should not be used for services covered by Council Tax.

Councillor MacRae advised that officers had only just started to look at the options relating to S106 contributions and no decision had been made as yet. With regards to recycling rates, he assured Councillor Coles that these were increasing.

Councillor Davies reiterated the importance of the message 'Reduce, Re-use, Recycle' and reminded Members that it was imperative to encourage residents to reduce waste in the first instance.

Having been proposed and duly seconded, it was

**Resolved** that Cabinet's view was that charges for waste and recycling containers should be introduced as set out in the report, and

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**Recommended** to Council the Cabinet's preferred price point as Option 1 with an effective date of 1 December 2021.

#### **45 Review of Temporary Traffic Restrictions in Witney High Street**

Members received a report from the Business Development Officer which reported the results of the consultation survey on the temporary restrictions in Witney High Street and asked Members to consider the next steps in light of the current pandemic situation.

The report explained that temporary traffic restrictions had been put in place in Witney High Street and Market Square to enable improved social distancing, as part of the national Covid pandemic response. Restrictions had been lifted in July 2021 but, as cases of Covid remained high, officers had followed advice from Public Health to only gradually ease restrictions.

A public consultation was carried out to establish views on the measures and options for the future of the High Street. A copy of the consultation responses was attached at Annex A to the report and these showed general support for the measures. A number of options were detailed in the report and OCC had advised that they were considering the long term future of the arrangements, although concepts were at an early stage.

The alternative options were detailed in full in the report.

The Cabinet Member for Finance, Councillor Coul introduced the report and she recognised that there had been issues in relation to the signage and there was some misinformation about the future options being considered. She outlined the Cabinet's preference to support the retention of the temporary traffic restrictions until the end of January 2022 and the immediate removal of the pedestrian guard rails. Councillor Coul felt it was important to support OCC and the Highway Authority whilst they looked at the longer term options for the High Street.

Councillor Mead seconded the recommendations whilst reporting that the response to the public consultation had been the largest to date. She assured the meeting that officers and members had listened to the public and it was hoped the measures would make visitors and residents more comfortable, whilst being environmentally friendly as well.

Councillor MacRae added his support and highlighted the importance of including consideration of the affected bus routes when further consultation was carried out.

Councillor Coles supported the proposals and advised that he had received a lot of correspondence from residents on both sides of the argument. He thanked Mr Ball for attending and addressing the meeting today and reminded Members that the High Street had been struggling as a consequence of the change in shopping habits. He reiterated the ethos of Build Back Better in order to encourage users back to this important part of the town.

Councillor Graham welcomed the report and agreed that he too had been contacted by residents from other areas of the District about the issue. He felt that Witney was a town for the whole district to enjoy and requested that any future consultation include reference to the disabled parking bays.

Councillor Prosser supported the recommendations and raised a query relating to enforcement. In response, Councillor MacRae clarified that the Parking Wardens could only issue parking tickets and would not have the jurisdiction to get involved in traffic management.

Councillor Postan referred to an excellent pedestrian site in Exhibition Road in London, which used level paving of differing colours to distinguish the pathways.

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In response to a query from Councillor Cooper relating to funding, the Chief Executive explained that the temporary measures had been funded through the Welcome Back to Town Centre scheme, introduced by the Government, post Covid restrictions.

Having considered the report and having heard from the all parties present, it was

**Resolved that**

- a) the retention of the temporary traffic restrictions in Witney High Street is supported for a further period until January 2022;
- b) the immediate removal of the temporary pedestrian guard rails is supported, whilst retaining a measure of pedestrian/ vehicular separation through strategic use of planters;
- c) support for Oxfordshire County Council pursuing funding for design of public realm enhancements that could support more permanent changes to traffic movements;
- d) the Highway Authority is requested to undertake additional public consultation on any design alternatives prior to any final decision on any scheme design or permanent changes.

#### **46 Options for the future of Witney Town Centre Shop**

Members received a report from the Group Manager for Resident Services which detailed a review of the usage on the Town Centre Shop (TCS) in Witney, in light of changing customer preferences for receiving Council Services and consider future options.

The report explained the current face to face customer access points delivered by the Council and highlighted the changes that had taken place with regards to demand, alternative ways that the public accessed services and the impact of the pandemic on direct customer service. It was noted that prior to the pandemic, footfall had decreased for both customer service functions and visitor information at the town centre shop. A graph detailing the footfall at the Witney TCS, between the period January 2017 to March 2020 was provided at Annex A to the report. A graph demonstrating the weekly footfall from December 2020 was attached as Annex B to the report.

The report outlined a number of options for the future use of the building and these were set out at section 3.1 of the report, followed by a more detailed synopsis of each option. Cabinet members could choose to support the recommendations as laid out, approve one of the other options listed or propose an alternative way forwards.

The Cabinet Member for Customer Delivery, Councillor Doughty introduced the report and highlighted the key influences that had impacted on the TCS in recent years. She assured the meeting that all options had been discussed at length with officers and had led to robust debate amongst the Cabinet members. Councillor Doughty had visited the TCS with some Cabinet colleagues and had seen the refurbishment needed for themselves. She therefore proposed the recommendation that officers be asked to look at relocating staff to the TCS as part of the Agile Working project but keep the TCS open to the public. She felt this would allow the Council to retain this customer service option whilst a longer term review of the demand for face to face customer contact points was completed.

The recommendation was seconded by Councillor Davies.

Councillor Coles addressed the meeting and was relieved to hear that Cabinet were considering keeping the TCS. He had used the space for Ward Member surgeries in the past

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but noted that it needed refurbishing. He raised a concern about the lack of a Visitor Information service which had been highlighted to him at a recent trip to the Witney Museum.

Councillors Mead, Coul and Postan added their support to the proposal and Councillor Coul felt there was an opportunity for the Town Council to address some of the issues raised, as the grass roots of Witney Town.

Having considered the report and having heard from the Members present, it was

**Resolved that**

- (a) Officers would be asked to work up an interim solution to relocate staff as part of the Agile Working project to the Town Centre Shop pending a longer term review of demand for face to face customer contact points and finalisation of the agile office outcomes; and
- (b) Officers would be asked to utilise the existing office footprint where possible with minimum refurbishment costs until the review was completed.

#### **47 Award of External Enforcement contract**

Members received a report from the Business Manager for Operational Support and Enabling, which asked them to consider the proposals to award a new Enforcement Agency contract.

The report advised that the Council's current Enforcement Agent and Debt Collection Services Contract was due to expire on 2 October 2021 with the original term being for a period of three years with the option to extend for a further two. The services procured were for the collection of debt in respect of a number of areas of work, including council tax, housing benefit overpayments and parking fines.

Members were reminded that the use of enforcement agents and debt collection agencies was an absolute last resort, but they are an essential resource to have available to ensure that debts due to the Council were paid. Annex A to the report provided Members with the tender evaluation questions used and a list of the submitted tenders. The report proposed the preferred supplier along with a secondary contract award for the external provision of enforcement and suggested a three year period from 1 October 2021.

There were no alternative options reported because an external enforcement agency was required for the Council to be able to maximise its collection of debts.

The Cabinet Member for Finance, Councillor Coul introduced the report and proposed the recommendations as laid out. These were seconded by Councillor MacRae.

Councillor Cooper queried who the suppliers were and was advised that this information could be circulated to him after the meeting.

Having considered the report and having heard from the Members present, it was

**Resolved that**

- a) the main contract award for the external provision of enforcement to Supplier A identified within Annex A to this report, is approved;
- b) the secondary contract award for the external provision of enforcement to Supplier F identified within Annex A to this report, is approved; and,

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- c) the contract is approved for a three-year period from 1 October 2021 (or a later date dependent on contract completion and sign off), on the terms indicated within this report and with the option to extend the contract for a further two years.

The Meeting closed at 3.00 pm

CHAIRMAN

 <p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and date of Committee</p>	<p><b>Cabinet 10 November 2021</b></p>
<p>Report Number</p>	<p><b>AGENDA ITEM 6</b></p>
<p>Subject</p>	<p><b>HomeseekerPlus Policy Update</b></p>
<p>Wards affected</p>	<p>All</p>
<p>Accountable member</p>	<p>Cllr Merilyn Davies Cabinet Member for Housing and Communities Tel: 07966 796178 Email: <a href="mailto:Merilyn.davies@westoxon.gov.uk">Merilyn.davies@westoxon.gov.uk</a></p>
<p>Accountable officer</p>	<p>Caroline Clissold - Housing Manager Email: <a href="mailto:caroline.clissold@publicagroup.uk">caroline.clissold@publicagroup.uk</a></p>
<p>Summary/Purpose</p>	<p>To update Members on the legislative changes needed to ensure that the HomeseekerPlus Policy meets the Department of Levelling Up, Housing and Communities (DLUHC) Allocation of Accommodation standards and reflects the outcome of the stakeholder consultation</p>
<p>Annexes</p>	<p>Annex A – Draft HomeseekerPlus Policy (Pending Formatting) Annex B – HomeseekerPlus draft Policy 2019 approved for Consultation Annex C – Summary of Proposed Changes HomeseekerPlus Policy 2019 Annex D – Consultation outcome Annex E – 2019 Banding Table Annex F – New Banding Table 2021 Annex G – Equalities Impact Assessment</p>
<p>Recommendation(s)</p>	<p><i>That Cabinet:</i></p> <p><i>a) Approves the Policy for adoption</i></p> <p><i>b) Give approval for the HomeseekerPlus Management Board to:</i></p> <ul style="list-style-type: none"> <li><i>• Confirm the date for adoption once all partners have approval through their individual authorities governance structure (likely to be early 2022)</i></li> <li><i>• Professionally format the Policy prior to publication</i></li> </ul>
<p>Corporate priorities</p>	<p>Strong Local Communities: Supporting and building prosperous and inclusive local communities Meeting the Housing Needs of our Changing Population Modern Council Services and Sustainable Finance: Delivering excellent modern services whilst ensuring the financial sustainability of the Council</p>

Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>Chief Finance Officer  Cabinet Member with Responsibility for Housing  Monitoring Officer  Chief Executive  Head of Legal Services  Full Public Consultation including:</p> <ul style="list-style-type: none"> <li>• External Stakeholders (inc. Housing Providers, Support agencies, Social Media groups)</li> <li>• HomeseekerPlus applicants / users</li> <li>• Internal Stakeholders (inc. Members, Service and Senior Managers)</li> </ul>

## **1. BACKGROUND**

- 1.1 HomeseekerPlus is a Choice Based Lettings (CBL) scheme run by seven Local Authorities in partnership with social housing landlords operating within Gloucestershire and West Oxfordshire.
- 1.2 The seven Local Authorities are West Oxfordshire District Council, Cotswold District Council, Forest of Dean District Council, Tewkesbury Borough Council, Gloucester City Council, Stroud District Council and Cheltenham Borough Council.
- 1.3 Demand for affordable housing within the HomeseekerPlus area is very high and cannot be met in its entirety from the available social housing resources.
- 1.4 The Department of Levelling Up, Housing and Communities (DLUHC), formally the Ministry of Housing and Local Communities (MHCG), sets out Statutory Guidance relating to the fair and transparent allocation accommodation in the 'Allocation of Accommodation: Guidance for Local Authority's' document. The introduction of the Homelessness Reduction Act 2017 has also impacted on how those applicants who are threatened with homelessness or are homeless should be assessed.
- 1.5 Local Authorities are tasked with ensuring that all affordable and social rented accommodation made available through its Choice Based Lettings scheme is allocated fairly, transparently and to those in the highest housing need. The HomeseekerPlus Policy was therefore created to provide the framework for making those decisions and to ensure that all of its partners were acting in a consistent way
- 1.6 Each District's Housing Options Service also has a duty to give advice on a range of housing options including the private rented sector.
- 1.7 The Policy explains who is eligible and who qualifies to apply on HomeseekerPlus and sets out how applications will be assessed and awarded a subsequent Emergency, Gold, Silver or Bronze banding based on housing need (Annex E).
- 1.8 Due to legislative and other changes the Policy is in need of a refresh. It is considered good practice for the partnership to consult the public and associated stakeholders on the new Policy.
- 1.9 In late 2019, West Oxfordshire District Council's Cabinet approved the suggested changes set out in the 2019 draft Policy (Annex B) and that these should be made available for wider consultation. However, the consultation period was unavoidably delayed until Spring 2021 due to the impact of the Covid19 pandemic and resulting pressures on services.
- 1.10 The draft Policy was made available for consultation with the public and stakeholders for 8 weeks which ensured an open, transparent and fair process. The consultation sought to allow comments on the proposed changes in Policy and after fully reviewing the information provided, is now ready for final approval.
- 1.11 This report outlines the proposed Policy changes that have been consulted upon and sets out the legislative reasons for recommending the approval of the Final draft of the HomeseekerPlus Policy.

## **2. MAIN POINTS**

- 2.1 HomeseekerPlus enables Social Housing Landlords to advertise their homes and for applicants to bid for properties they are interested in.
- 2.2 To complement the scheme and ensure compliance with legislation, local strategies and Policies and the Statutory Code of Guidance on the Allocation of Accommodation, a HomeseekerPlus Policy has been implemented
- 2.3 The initial Gloucestershire Homeseeker Partnership was established in 2009 but was updated in 2016 to include West Oxfordshire District Council into the partnership. The

addition of a non-Gloucestershire Authority resulted in a name change to “HomeseekerPlus”. No other major changes to the HomeseekerPlus Policy have been undertaken since 2016.

- 2.4 This has led to Policy drift as legislation has changed, with it being at times interpreted and applied differently across the Partnership. Therefore to remove ambiguity, add clarity and also include the provision for accredited private landlords to advertise their properties, a new Policy is being proposed. (Annex A)
- 2.5 There are a number of other minor changes to the Policy which are predominantly housekeeping changes.
- 2.6 A detailed outline of proposed major changes to the Policy are set out in Annex C with the changes to the Banding table set out in Annex F:
- 2.7 A brief summary of the changes are outlined below:

Section	Current	Proposed Change
Introduction	Included outdated or legislation that has been superseded	Removes specific legislation and gives a more general introduction on the purpose of the policy. Current legislation moved to its own section
Legal	No current section	Set out current legislation, Data retention and tenancy definitions
Qualifying applicants	Set out but does not define ‘sufficient financial resources’  Limited information on resolution around home ownership and adaptations to current properties	Expanded explanation affordability checks and consideration of accommodation meeting needs
Suspending or Demotion	Implications of Rent arrears - former or current tenancy  Band demotion	Set out clearer time limits on former rent arrears or housing debts, suspension reasons and mitigating circumstances  Give clear definition and consequence
Local Connection	Gives outlines of legislation, but limited clarity on what this means	Clearer definitions of local connection, ‘normal residence’ Updated legislation around homelessness and sofa surfing Clearer definition of family or employment connections

		Outlines what could be considered as 'special circumstances' Includes updated legislation around Care Leavers and Armed Forces
The Verification Process	Undefined	Set out the reasons why each application needs to be verified Lists documents that could be requested
Medical and Welfare Banding	Has this as one banding reason	Banding split into Medical category and Welfare category
Move on from Supported Accommodation	Contained outdated information Did not include Care Leavers	Updated Care Leavers definition included
Bedroom Need Criteria	Missing Equalities and Diversity information	Updated to be fully inclusive as per our duties under the Equality Act 2010
Global Banding	No Current Section	Full explanation now included

### 3. Consultation

- 3.1 The main changes to the Policy constitute small adjustments to wording that haven't changed the overall document, meanings or how applicants are assessed or allocated housing.
- 3.2 There were two additional minor changes post consultation as set out in 3.3 and 3.5.
- 3.3 Section 4.35 of the Policy stated – ...“For example, a member of the household seeking accommodation is disabled and re-housing will enable that person to overcome urgent physical barriers created by current accommodation and it has been established that the home cannot be adapted to meet needs e.g. steps and stairs.”. The word 'urgent' has been added in for the distinction between those with minor non- housing related physical barriers to those with urgent housing related physical barriers.
- 3.4 Section 6.13 of the Policy has been removed as this is no longer relevant and not how the current IT system is designed. “If there is an occasion where two or more applicants have the same band start date and application date, the Social Housing Landlord will make a decision which applicant best meets the aims and objectives of HomeseekerPlus”.
- 3.5 Full details of the Consultation conclusion can be found in Annex D.

### 4. CONCLUSIONS

- 4.1 The HomeseekerPlus Policy required updating to reflect minor legislative changes
- 4.2 The Policy has been updated to widen its Equality and Diversity section to be compliant fully with the Equality Act 2010

4.3 Updating the Policy provides further clarity on various key points for both the client and Publica, designed to offer a more open and easier process for all

## 5. FINANCIAL IMPLICATIONS

5.1 The adoption of the updated HomeseekerPlus Policy will have no financial implications

## 6. LEGAL IMPLICATIONS

6.1 The Housing Act 1996, Part 6 ("the Act") sets out Local Authority responsibilities in the Allocation of Housing Accommodation. S166a of the Act states that 'Every local housing authority must have a scheme (their 'allocation scheme') for determining priorities and as to the procedure to be followed in allocating housing accommodation.'

6.2 The Localism Act 2011 introduced significant amendments to the Act including Section 166a, amongst others, but notably:

- To include assurance that certain categories of applicants are given reasonable preference.
- The requirement for an allocation scheme to contain a statement of the Authority's Policy on offering a choice of accommodation or an opportunity to express preferences about their accommodation (section 166a (2))

6.3 In 2018, one of our Partner Authorities was required to submit the HomeseekerPlus Policy to the Housing Ombudsman for review in relation to a complaint about how banding was applied in their case. The Housing Ombudsman found that the Authority had correctly applied the banding and commented that this was a good example of an inclusive, fair and transparent Policy that met the requirements of the Housing Act 1996 as amended by the Localism Act 2011.

6.4 The proposed Policy changes have not therefore changed the integrity of the 2016 version, but have instead incorporated the changes needed to bring this up to date with current legislation and thus avoid any legal challenges or criticism.

## 7. RISK ASSESSMENT

7.1 Should all seven HomeseekerPlus Partners not agree to the Policy update, this may result in dissolution of the Partnership

7.2 If the Partnership dissolves due to non-agreement, the financial implications would be significant, with increased costs for West Oxfordshire District Council.

7.3 The costs of the current IT system is approximately £90,000 per annum with an additional cost for a specialist full time shared officer to manage the system bringing the total to around £126,000 per annum.

7.4 As part of the Partnership, West Oxfordshire District Council currently contributes £12,000 per annum

7.5 The costs of managing a single Authority system would therefore increase from £12,000 per annum to a minimum of £90,000 per annum (for the IT system) plus additional staffing may be needed as West Oxfordshire District Council currently share staff with our Publica partners.

7.6 Should the Partnership dissolve, West Oxfordshire District Council will lose the benefits of cross County / boundary working and shared knowledge of clients and shared staff resources

**7.7** Although the current Policy was assessed as a good example by the Housing Ombudsman in 2018, there is also the risk that to not bring this up to date with recent legislation changes could leave the Partner Authorities open to legal challenge or criticism should a complaint escalate to the Housing Ombudsman

## **8. EQUALITIES IMPACT**

**8.1** An EIA has been completed and there are no unacceptable adverse effects on the protected characteristics covered by the Equality Act 2010 that have been identified (Annex G ).

## **9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

**9.1** None identified

## **10. ALTERNATIVE OPTIONS**

**10.1** West Oxfordshire District Council may wish to consider withdrawing from the current HomeseekerPlus Partnership and source its own Choice Based Letting system and design its own Policy

**10.2** This option would increase the financial commitment from £12,000 per annum to upwards of £90,000 per annum. The current staffing arrangements would also need to be reviewed which could incur further costs.

**10.3** Timescales to source a new provider, design a new system, create and consult on a new Policy would be estimated to be around 18 months to 2 years

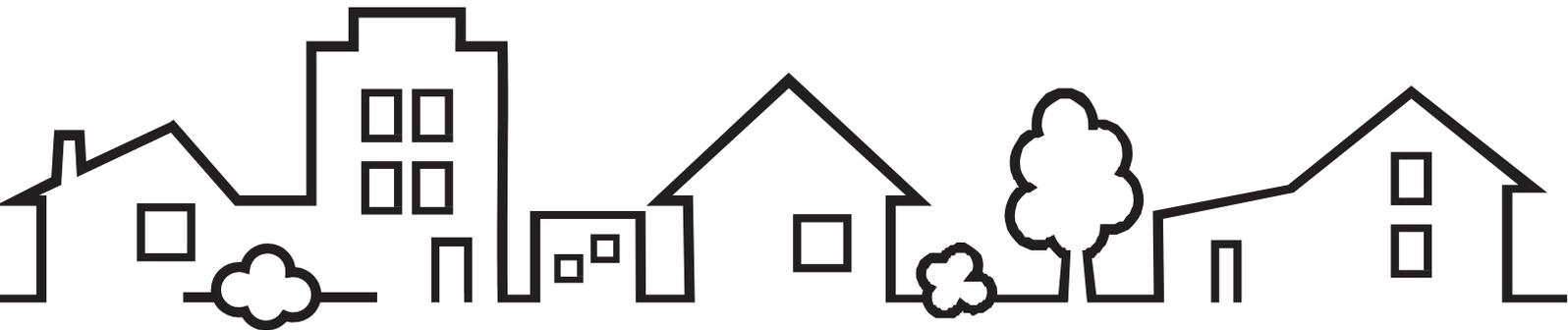
**10.4** On this basis, this option is not recommended

## **11. BACKGROUND PAPERS**

**11.1** None

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# HomeseekerPlus



## Common allocations policy document



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# Section 1: Introduction and policy statement

## 1. Introduction

- 1.1 Homeseekerplus is a choice-based lettings (CBL) scheme run by the seven local authorities in partnership with social housing landlords and any other housing providers that are required to deliver affordable homes through section 106 affordable housing obligations within Gloucestershire and West Oxfordshire.
- 1.2 The seven local authorities are Tewkesbury Borough Council, Gloucester City Council, Cheltenham Borough Council, Stroud District Council, Forest of Dean District Council, Cotswold District Council and West Oxfordshire District Council.
- 1.3 Demand for affordable social housing within the Homeseekerplus area is very high and cannot be met from the available social housing resources. Only those in the highest housing need with a local connection to the area are likely to obtain housing through the Homeseekerplus scheme. Each district's Housing Advice Service will be able to give advice on a range of housing options including the private rented sector.
- 1.4 This policy explains who is eligible and qualifies to apply on Homeseekerplus and sets out how applications will be assessed based on housing need.
- 1.5 Homeseekerplus aims to allocate social housing in the partner council areas in a fair and transparent way while complying with all legal requirements.

## 2. Overview of how the partnership functions

- 2.1 Homeseekerplus enables social housing landlords and other housing providers that are required to deliver affordable homes through section 106 obligations to advertise their homes. Applicants are then able to express an interest in them; this is known as placing a "bid" for a property. Once a bid is placed the system generates a shortlist, sorting applicants in order of band, band start date and whether they meet the criteria of the advert. Priority for properties goes to those who have a local connection with the local authority in which the property is located, then to those who have a local connection with any of the other Homeseekerplus districts and finally to anyone else.
- 2.2 All applicants seeking social housing across Gloucestershire and West Oxfordshire will complete the same application process and will be assessed against the same clear set of

criteria. Depending on their circumstances, applicants will be placed into one of four bands: Emergency, Gold, Silver or Bronze subject to final verification by a Homeseekerplus partner.

- 2.3 Once an application has been made, applicants are advised of their banding and banding start date, together with details of how to access the system. This enables applicants to bid for suitable social housing vacancies being advertised across the whole of Gloucestershire and West Oxfordshire.
- 2.4 Once the bid deadline has passed, the successful applicant will normally be the highest priority household at the point of shortlisting. This is assessed against the criteria for the property, including where local connection applies, and taking into account any local letting plans.
- 2.5 Responsibility for letting each available property lies with the social housing landlord. The appropriate landlord must confirm that the details on the application are still correct and may undertake their own assessment to ensure the property is right for the applicant before making an offer. Incorrect information may result in the offer being withdrawn and the applicant's circumstances being re-assessed.
- 2.6 Applications for sheltered and extra care housing schemes may require an assessment of the household's support needs, prior to any offer being made.

### 3. Policy statement

3.1 This policy aims to:

- Assist in building sustainable communities.
- Enable informed choice of housing/ housing options and improve levels of customer satisfaction.
- Operate a common selection system that offers realistic, informed choice for all applicants.
- Ensure that those who have the greatest need for housing have the greatest opportunity to secure it.
- Ensure that less able applicants are involved in the lettings process and have choices, offering equality of opportunity for all.
- Make best use of available housing resources to meet local need.
- Minimise the refusal of offers of accommodation and reduce rent loss by allowing people to choose where they live, thereby supporting sustainable communities.
- Where possible, give people with a local connection to a district priority in the letting of housing within that district.
- Enable mobility within social housing in Gloucestershire and West Oxfordshire.
- Enable the authorities to meet their statutory duties including where duties are owed to homeless Applicants under Part VII of the Housing Act 1996, as amended and the Homelessness Reduction Act 2017.
- Contribute towards tackling discrimination.
- Use a common eligibility criteria and housing application process.
- Ensure fairness, simplicity and transparency with a system that is easily understood.

- Promote a feeling of ownership and commitment to their area as they will have chosen to live there.
- Assess applications according to the applicant's needs under the framework of the policy.

## 4. Equal opportunities and social inclusion

- 4.1 All partners of Homeseekerplus agree that applicants should be given every possible assistance to access the housing register and search for suitable properties. Applicants who are identified as being potentially disadvantaged by the scheme may be contacted to discuss alternative options.
- 4.2 All partners of Homeseekerplus are committed to the elimination of discrimination. They promote equality of opportunity for all and work towards this goal in the provision of services.
- 4.3 We are committed to:
- Eliminating discrimination, harassment, victimisation and any other conduct prohibited by the Equalities Act 2010
  - Advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it
  - Foster good relations between people who share a protected characteristic and those who do not share it
  - Removing or minimising disadvantages suffered by people who share a relevant protected characteristic that are connected to that characteristic
  - Taking steps to meet the needs of people who share a relevant protected characteristic that are different from the needs of people who do not share it
  - Encouraging those people who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
  - Making the best possible use of the existing and potential workforce and resources by enabling cross boundary moves
- 4.4 Applicants potentially disadvantaged by the scheme will initially be identified from the application process and they may be offered a home visit or interview. Staff will seek to establish any support needs and identify ways of enabling the applicants to fully participate in Homeseekerplus. This may include sending copies of the adverts in large print to an applicant or simply providing advice. Translation services may be provided where appropriate.
- 4.5 Disadvantaged applicants are able to nominate a person (including family members, friends or a professional worker) to help them bid, or to bid on their behalf for suitable properties. Signed consent will be required if requests are made by a third party.

- 4.6 The local authority may bid for suitable vacancies on a vulnerable applicant's behalf if they are at risk of being disadvantaged by the scheme and have no support to enable them to make bids themselves. This may include the use of the 'Autobid' function.
- 4.7 Agencies providing support may be able to assist their client with help on housing issues.

## 5. Legal Framework

- 5.1 Homeseekerplus complies with the local authorities' statutory duties under Part VI and VII of the Housing Act 1996 as amended, and the Homelessness Reduction Act 2017, in addition to any other relevant legal duties, and has regard to the following:
- Allocation of accommodation: guidance for local housing authorities in England 2020
  - Equalities Act 2010
  - Public Sector Equality Duty
  - Data Protection Act 2018
  - Localism Act 2011
  - Immigration Act 2014
  - Local letting plans
  - S.106 agreements
  - Armed Forces Act 2011
  - Domestic Abuse Act 2021
- 5.2 Furthermore, this policy will have due regard to any subsequent superseding acts and/or guidance.

## 6. Data retention

- 6.1 As part of the application process, personal data is required to support any housing application. We will comply with all data protection legislation. This includes:
- For active applications, data is stored for as long as the application is active.
  - For housed applications, data is stored for three years
  - If Homeseekerplus is not accessed for a period of one year, then the case will be set to 'removed' and removed after six months.
  - Homeless applications are stored for three years.

## 7. Definition of social housing providers for Homeseekerplus

- 7.1 For the purposes of this policy, affordable housing is defined as being social rented and affordable rented housing provided to eligible households who otherwise would be unable to secure alternative provision, and who have been assessed under this policy. Housing

providers who operate within the Homeseekerplus boundaries are defined as being registered providers, arm's length management organisations or stock owning Councils. Eligibility and qualifying criteria for providers is set by this policy.

- 7.2 All partners have a common goal to provide homes for local people in housing need with eligibility determined within this policy framework.

## 8. Types of tenancies

- 8.1 Depending on the landlord and applicants' circumstances, an applicant may be offered either an introductory, secure, starter, assured, fixed term, assured short hold or flexible tenancy.

## 9. Who is eligible to register?

- 9.1 Homeseekerplus is open to anyone in housing need who is not subject to immigration rules which would otherwise exclude them. Eligible households may include, but are not limited to, existing tenants looking to transfer to another property, homeless households looking for a permanent home and other households who might, for example, reside in the private sector or lodge with family and friends. A household includes anyone that may reasonably be expected to live together with them as part of their application.

## 10. Who is not eligible to register?

- 10.1 Persons from Abroad

- 10.2 Persons subject to immigration control who are eligible for an allocation of housing accommodation, the following classes of persons subject to immigration control are persons who are eligible for an allocation of housing accommodation under Part 6 of the 1996 Act:

- Class A – a person who is recorded by the Secretary of State as a refugee within the definition in Article 1 of the Refugee Convention and who has leave to enter or remain in the United Kingdom;
- Class B – a person:
  - who has exceptional leave to enter or remain in the United Kingdom granted outside the provisions of the Immigration Rules; and
  - who is not subject to a condition requiring him to maintain and accommodate himself, and any person who is dependent on him, without recourse to public funds;
- Class C – a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and whose leave to enter or remain in the United Kingdom is not subject to any limitation or condition, other than a person—

- who has been given leave to enter or remain in the United Kingdom upon an undertaking given by his sponsor;
- who has been resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or the date on which his sponsor gave the undertaking in respect of him, whichever date is the later; and
- whose sponsor or, where there is more than one sponsor, at least one of whose sponsors, is still alive; and
- Class D – a person who left the territory of Montserrat after 1st November 1995 because of the effect on that territory of a volcanic eruption.

10.3 If the local authority decides that an applicant is not eligible to register for any of these reasons, they will notify the person of the decision in writing, including the reason.

10.4 Other:

- Applicants under 16 years of age at the date they apply are not eligible to register for Homeseekerplus.

10.5 Persons who are ineligible for a tenancy in their own right may still be included within a household application and for determining the number of bedrooms needed for the household.

## 11. Who does not qualify?

11.1 Homeseekerplus has been established under the terms of the Housing Act 1996, as amended, and the Localism Act 2011. This gives local authorities the right to decide who will not qualify for social housing.

11.2 Applicants who may initially be eligible to register on Homeseekerplus but, following assessment, do not qualify, will be excluded from Homeseekerplus. Others may be eligible and qualify to be included but are subsequently suspended from bidding

11.3 The following are persons who do not qualify for Homeseekerplus:

An applicant may not hold two tenancies at one time, applicants must be able to end their current tenancy within a reasonable period from being made an offer.

- An applicant will not qualify for social housing if the local authority has undertaken an affordability check which has shown that they have sufficient financial resources to adequately resolve their own particular housing need through outright purchase, lease or mortgage. This check will consider the type of accommodation needed to meet these needs to resolve their own housing need within their district.
- Homeowners who own or part own a property which is suitable for the household's needs or where those needs can be resolved through adaptation, and where it is safe to remain.

- 11.4 If the local authority decides that an applicant does not qualify, they will notify the applicant of their decision in writing and the reasons for it.
- 11.5 Applicants who do not qualify will need to reapply in full if they feel their circumstances have changed to the extent that they may now qualify.

## 12. Suspending and demoting an application

- 12.1 Applications to Homeseekerplus may be suspended or demoted if any of the following circumstances are identified

- 12.2 Tenancy Debts:

If an applicant has rent arrears or other housing debt with a social landlord or any other housing provider (as detailed in 1.1 above) , which accrued less than 6 years ago, the applicant will be given the opportunity to clear the debt before a decision to suspend the application is made. If the applicant is unable to do this, they may be suspended for a period sufficient to reduce the debt to below the equivalent of eight weeks arrears, as well as having a repayment plan in place and payment being made before they can bid for properties.

- 12.3 Each case will be considered on its own merit, For example, an application would not be suspended if rent arrears arose as a result of domestic abuse.

- 12.4 Existing social housing tenants who are suspended because of rent arrears will be considered as an exception on an individual basis if proved that they cannot afford to stay in their current tenancy as a result of Welfare Reform Act changes.

- 12.5 If a partner landlord becomes aware of such a debt they will inform the relevant local authority when arrears are reduced. The local authority may unsuspend the application or advise the applicant to submit a change of circumstances for their application to be reassessed.

- 12.6 Time Limited Bands:

Applicants who have been awarded time limited bands are expected to bid on all suitable property types available within their local connection area. Failure to do so may result in suspension or demotion for a period the local authority deems appropriate.

- 12.7 Repeated Refusal of Properties:

Whilst Homeseekerplus aims to give applicants choice, it also needs to help social landlords let their available homes in an efficient way. If an applicant refuses three properties that the local authority considers suitable, the application will be demoted or suspended for a period of 6 months from the time of their last offer. This provision does not apply to final offers of accommodation made in order to discharge homeless duties under part VII of the Housing Act 1996 (as amended) or Homelessness Reduction Act 2017.

## 12.8 Financial

Applicants who have unreasonably disposed of financial resources that could have enabled them to purchase/obtain their own accommodation will be suspended.

Financial Assessments of armed forces applicants will have due regard of statutory guidance to social housing for members of the armed forces.

## 12.9 Unreasonable behaviour/rent arrears

The applicant, or a member of their household, has been responsible for unacceptable behaviour serious enough to make them unsuitable to be a tenant of the local authority or a social housing landlord at the time of application.

## 12.10 Behaviour that may be regarded as unacceptable is as follows: -

- Criminal activity in the vicinity of the property
- History of anti-social behaviour or disruptive nuisance to neighbours
- Racial harassment
- Illegal drug use or dealing
- Any other breach of the tenancy agreement such that the landlord would be likely to apply for and obtain a possession order.

12.11 As part of the assessment, consideration will be given to the household's personal circumstances, the severity of the situation and any other factors that may be relevant.

12.12 Such applicants will be informed of the actions required from them to demonstrate that there has been a change in their behaviour such that they will become qualifying e.g. obtaining a satisfactory landlord reference for a period of six months or where regular repayments are made without fail against an agreed repayment plan for a period of six months.

## 12.13 Deliberately worsening their circumstances

An immediate review of an application will be undertaken if an applicant is found to have acted (or failed to act) in a way which deliberately worsened their housing situation. This could lead to the applicant being suspended, or being demoted to a lower band, for a minimum of 6 months.

## 12.14 Exceptions to these qualifying criteria include:

- Those people fleeing harassment or violence where the Police, Independent Domestic Violence Advocates (IDVA) or Multi Agency Risk Assessment Conference (MARAC) support a move
- Proven social or medical/welfare needs

12.15 In exceptional circumstances where the applicant has an urgent need to move, the local authority may waive this qualification and suspension criteria.

## 12.16 Requesting a review of a suspension / demotion:

Applicants will be advised as to what action/s will be necessary to lift the suspension or demotion.

- 12.18 Applicants who are suspended will need to contact their relevant local authority to ask for a review of this suspension if they feel their circumstances have changed. If agreed, their application will be reactivated and reassessed.

## 13. Providing false information and change of circumstances

- 13.1 Any applicant who knowingly or recklessly gives false information or knowingly withholds information in order to secure a home to which they are not entitled may lose any home provided to them and may also be prosecuted. Where false information is given and the applicant becomes non-qualifying or ineligible, the application will be removed. Where false information is given and the applicant still qualifies, the application will be suspended for a period of 3 months and the applicant will have to reapply with correct information. The law imposes severe penalties, including substantial fines up to £5000 or imprisonment, when an offence is proven.

## 14. Local Connections

- 14.1 Due to the exceptional demand for housing across the Homeseekerplus area and the difficulty in solving local housing need, preference will normally be given to applicants with a local connection to the appropriate district.
- 14.2 Homeseekerplus local connection is defined by any of the following:
- Those who are, or were in the past, normally resident in the local authority area, and that residence was of their own choice during six out of the past 12 months or during three out of the past five years.
  - those who are employed in the local authority area
  - Those who have immediate family connections in the local authority area for five years
  - Members of the armed forces
  - Other special circumstances
- 14.3 Local connection will be awarded by the lead authority only.

## 15. Local connection clarification

### 15.1 Normal residence

'Normal residence' is to be understood as meaning 'the place where, at the relevant time, the person in fact resides.' Residence in temporary accommodation provided by a housing authority can constitute normal residence of choice and contribute towards a local connection. In the case of a person who is street homeless or insecurely accommodated ('sofa surfing') within their district, the housing authority will need to satisfy themselves that the applicant has no settled accommodation elsewhere, and if from inquiries the authority is satisfied that the applicant does in fact reside in the district, then the applicant will be considered as normally resident.

15.2 Where the applicant raises family associations, this may extend beyond partners, parents, adult children or siblings. They may include associations with other family members provided there are sufficiently close links in the form of frequent contact, commitment or dependency. Family associations should be determined with regard to the fact-specific circumstances of the individual case.

### 15.3 Employment

For the purposes of employment, a member of the application should work in the district they are applying too: it would not be sufficient if the employer's head office is located in the relevant district, but their place of work is not. In the case of self-employment, local connection will be defined by the address at which their business is registered. For agency, casual or other types of employment, proof must be provided that the employment contract is not short-term, casual or ancillary.

### 15.4 Special Circumstances

Special circumstances include but are not limited to the need to be near special medical or support services which are available only in a particular district and where transport links are not sufficient to meet those needs. Special circumstances will be assessed on their own individual merits.

### 15.5 Care leavers

Care leavers who are owed a 'Leaving Care' duty, will have a local connection to all districts within the area of the Children's Services Authority. Care leavers who have been placed in accommodation in a different district to that of the Children's Services Authority, and they have lived in the other district for at least 2 years, including some time before they turned 16, they will also have the same local connection until they are 21. Any local care leavers protocol applies.

### 15.6 Armed Forces

Members of the armed forces will have a local connection to a district of their choice. This applies to:

- Those currently serving, or having served within the immediately preceding five years.

- Bereaved spouses or civil partners who have recently, or will cease to be, entitled to Ministry of Defence accommodation following the death of their service spouse and the death was wholly or partly attributable to their service.
  - Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- 15.7 Local connection will also be awarded to divorced or separated spouses or civil partners of Service personnel who are required to move out of accommodation provided by the Ministry of Defence.
- 15.8 Persons from Abroad
- If an applicant has been subject to immigration control where they would not have been deemed eligible and subsequently become eligible, the date of where a local connection would apply is the date they moved into the area. Refugees would have a local connection outside of these criteria to the last area they were housed in by the Home Office under asylum support.
- 15.9 Local connection will not be awarded if your accommodation was not of the applicant's own choice. This includes but is not limited to:
- Approved premises
  - Rehabilitation units
- 15.10 Decisions on local connection will be made based on the facts at the date of the decision and not the date of application.

# Section 2: Assessment of applications

## 16. How to register

- 16.1 Applicants are able to register for social housing through the Homeseekerplus website at [www.homeseekerplus.co.uk](http://www.homeseekerplus.co.uk). Homeseekerplus is an online application only and has been designed to be accessible to all with speech, reading and translation tools. Applicants needing advice and assistance with their application are advised to contact the authority they are applying to.
- 16.3 When an applicant applies through the Homeseekerplus website and has registered their household, they will complete an application for social housing, giving details of their housing situation. If, after completion of the application and provision of any necessary proof or further information, the applicant is assessed as being eligible, they will be given a band start date and placed in a local housing band.
- 16.4 Special rules are required for those in the armed forces to comply with The Localism Act recognising the services they have offered the country. On discharge members of the armed forces, with Homeless priority need (dependent children or vulnerable as a result of disability) will be awarded Gold band for 6 months from the discharge date. Homeless with a non - priority need are given Silver band from their discharge date. Should they become homeless again within 5 years of the discharge priority need or unintentionally homeless applicants will be awarded Gold band again for 6 months from Notice being received. Non-priority need or Intentional homeless will get Silver band backdated for 6 months from the Notice being received.
- 16.5 Applicants should make sure that they include all relevant details on the application so that proper consideration can be given to the application. Homeseekerplus may contact any of the applicants' previous landlords or agencies to check the details given.
- 16.6 All applicants will be given unique login details which can be updated from the account.
- 16.7 Applicants will be informed if further information or clarification is required. Failure to complete the online application form will result in it being deleted from the system.

## 17. Assessment of an application

- 17.1 By registering to join Homeseekerplus, the applicant will need to freely give their consent for enquiries to be made to verify their circumstances. Applicants will need to confirm that the information they have given is true and accurate.
- 17.2 The information the applicant has provided will guide the decision on which band they will be placed in. Applicants will be required to provide the lead authority with documentation to evidence the stated housing need.

## 18. Bedroom need assessment

- 18.1 The bedroom need for a household is assessed to match housing costs guidance to ensure suitability and affordability for low income households.
- 18.2 One bedroom is required for:
- An adult couple
  - A person aged 16 or over
  - 2 children aged up to 16 years of age of the same sex
  - 2 children aged up to 10 years of age of different sexes
- 18.3 When a child is born, the applicant must provide evidence of the birth as soon as possible and the bedroom need will then be re-assessed. This may not change the bedroom need or banding and any additional award will not be given until evidence of the birth is provided.
- 18.4 Visiting children will not be counted in this assessment.

## 19. Verification

- 19.1 Applicants will be able to bid for properties advertised, but no tenancy will be offered until verification has been completed by the relevant local authority. The purpose of this verification is to establish the accuracy or validity of the application.
- 19.2 Documents required for verification will depend upon individual circumstances. Documents must be provided to verify medical needs, eligibility and qualifying status etc.
- 19.3 Key documents will remain valid for 6 months or for the length of validity of the document, whichever is the longer or should your circumstances change then we may require further verification of your documents.
- 19.4 Key standard documents can include, but are not limited to:
- Identification for all household members on the application
  - 2 months bank statements of all household members over the age of 18
  - Proof of Child Benefit or an appropriate court order
  - Proof of residency to support 'right to rent' checks

## 20. Banding reasons

- 20.1 Applicants will be awarded a band appropriate to the household circumstances assessed from the information provided in their application.
- 20.2 To qualify for a particular band, applicants need to meet at least one of the criteria set out in the banding table below.

- 20.3 Applicants will be awarded two bands – one for their “local” band (lead authority) and one for their “global” band (other 6 authorities). In some cases, these may be with the same authority, depending on circumstances. However, having a local connection to another authority would not automatically deem a household to have a higher banding in that district.
- 20.4 An applicant’s banding may be time- limited due to the type of housing need, therefore, the household would be expected to bid for and accept any suitable property offered within that time limit. Failure to do so may lead to a direct match or demotion.

## 21. Right to move

- 21.1 Right to Move is for social housing tenants who need to move to another district in order to take up a job or live closer to employment or training. In order to qualify, social housing tenants must demonstrate that the job/apprenticeship will alleviate significant hardship and that there are no other options available to them.
- 21.2 To determine qualification, the following detail will need to be established:
- The distance and/or time taken to travel between work and home
  - The availability of transport, taking into account level of earnings
  - The nature of the work and whether similar opportunities are available closer to home
  - Other personal factors, such as medical conditions and child care options, which would be affected if the tenant could not move
  - Whether failure to move would result in the loss of an opportunity to improve employment circumstances or prospects, for example, by taking up a better job, a promotion or apprenticeship
- 21.3 Those who qualify for Right to Move will get a local banding preference of Silver, identifying that there is a “Significant welfare need that would be alleviated by a move to more suitable accommodation”.

## 22. Band criteria

### a. Property size

#### 22.1 Emergency Band

Existing Gloucestershire and West Oxfordshire social housing tenants willing to move from family accommodation to non-family social housing property within the partnership area.

#### 22.2 Gold Band

Existing Gloucestershire and West Oxfordshire social housing tenants willing to move to smaller family sized accommodation if this has been agreed with the relevant local authority to release a property of higher demand or limited availability.

or

There is major overcrowding in the current property - lacking 2 or more bedrooms (this will not apply if the applicant has unreasonably allowed one or more people to move in to the property, as this is deliberately worsening the situation).

or

Environmental Health has inspected the property and has served a Prohibition Notice (or suspended Prohibition Licence) on the landlord due to overcrowding - subject also to the applicant not deliberately worsening the situation.

### 22.3 Silver Band

There is overcrowding in the current property - lacking 1 bedroom - (this will not apply if the applicant has unreasonably allowed one or more people to move in to the property, this is deliberately worsening the situation).

#### b. Property condition

### 22.4 Emergency band

Where Environmental Health has inspected the property and requires immediate vacation of the property because of an imminent risk of harm due to disrepair, major defects or grossly inadequate facilities. An Emergency Prohibition Order can be served on the landlord in these circumstances.

This award is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale, or a direct match can be made.

### 22.5 Gold band

Where Environmental Health has inspected the property and has served a Prohibition Order

or

A Suspended Prohibition Order on the landlord that repairs have to be undertaken but the landlord is unable/unwilling to comply. In most cases the landlord will be required to undertake repairs to remedy the problem and when completed this should resolve the issue.

### 22.6 These only apply to the Local band so only when bidding for properties in the home/lead local authority area.

### c. Homelessness

22.7 Homelessness is defined by Part 7 of the Housing Act 1996 but was significantly updated by the Homelessness Reduction Act 2017. The Homelessness Reduction Act set out new duties to local authorities to, amongst other things, prevent or relieve homeless.

22.8 Therefore applications to Homeseekerplus from those who are homeless or threatened with homelessness will fall into the following categories:

- A Prevention of Homelessness duty is ongoing or
- A Relief of Homelessness duty is ongoing or
- A Main Duty of Homelessness is ongoing or
- The applicant has made a homeless application to one of the Homeseeker Plus Local Authorities and remains assessed as eligible for assistance and homeless after the homelessness duties have ended.

22.9 More information on these duties can be found here:

<https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities>

22.10 For the purpose of this policy and how banding will be assessed should the local authority owe you a duty under this legislation, banding will fall into either:

22.11 Gold banding (Main Duty)

The applicant has made a homelessness application under part VII of the housing act 1996, (as amended) to one of the Homeseekerplus local authorities, the 56 days of the Relief Duty have expired and the full s193 statutory homeless duty to secure accommodation for the applicant has been accepted by that authority. If this duty applies to an applicant, the applicant will receive a letter from the relevant local authority advising of this.

This is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale. A suitable tenancy in the private sector or a direct match into social housing may be made to end the homelessness duty at any time.

22.12 Silver banding (Prevention or Relief Duties)

The applicant has made a homeless application to one of the Homeseekerplus local authorities and either:

- A Prevention of Homelessness duty has been accepted
- A Relief of Homelessness duty has been accepted

or

The applicant has made a homeless application under part VII of the housing act 1996, as amended to one of the Homeseekerplus local authorities and remains assessed as eligible

for assistance and homeless but has been found either non-priority or intentionally homeless.

#### d. Medical Need

22.13 None of the below refer to having a medical condition in its own right. It is only when the current housing is directly affecting that medical condition that priority is awarded. In other words, even if a member of the applicant's household has a very severe set of medical conditions, if their housing has little or no bearing on their health then no priority will be awarded.

22.14 Emergency band

The applicant is assessed as in immediate need of re-housing on medical grounds. This may be when they have had a major incident, are in hospital or another emergency provision and unable to return to the existing home because of their medical condition and immediate adaptations are not available.

This award is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale or a direct match can be made.

22.15 Gold band

Urgent medical need or long-term disability that would be alleviated by a move to more suitable accommodation. This would apply when the situation is so serious that it would not be reasonable to expect the applicant to continue to live at the property for any length of time, given their particular medical circumstances but not a life-threatening emergency.

Proof of the situation would be required from Social Care services, NHS or other medical specialists.

For example, a member of the household seeking accommodation is disabled and re-housing will enable that person to overcome urgent physical barriers created by current accommodation and it has been established that the home cannot be adapted to meet needs e.g. steps and stairs.

22.16 Silver band

Significant medical need that would be alleviated by a move to more suitable accommodation. This could be situations/medical conditions that could apply to one or more members of the household which because of the particular household circumstances significant distress is caused. Proof of the situation would be required from Social Care services, NHS or other medical specialists.

Depression and asthma are the most commonly quoted medical conditions. Where these are mild and not directly related to the current property, priority is unlikely to be awarded.

#### e. Welfare Need

##### 22.17 Emergency band

The applicant assessed as in immediate need of re-housing on welfare grounds where there has been a major incident and there is proven threat to life or limb. This would normally be based on information provided by the Police or other specialists.

##### 22.18 Gold banding

Exceptional circumstances where the current property has a critical long-term detrimental effect on their welfare. This would normally be based on information provided by multi agency meetings or Social Care services.

##### 22.19 Silver banding

Significant welfare need that would be alleviated by a move to more suitable accommodation. Proof of the situation would be required from Social Care services, housing association or other specialists to establish that a management move would not be appropriate.

This banding would only be used if the housing provider is unable to provide a suitable resolution.

#### f. Move on/care leavers

##### 22.20 Gold band

A young person owed leaving care duties under section 23C of the Children Act 1989 and in a housing need will be awarded gold banding to the area of the Children Services Authority that owes them the duties. Homeseekerplus comprises of Gloucestershire and West Oxfordshire which have different Children Services Authorities, therefore gold will only be awarded to housing authority districts falling within the area of the Children Services Authority.

Move-on from supported accommodation funded County Council commissioned services and where a local connection was agreed at point of referral by the relevant local housing authority.

When someone is placed in accommodation based supported housing and is not in their home/lead authority area there is a presumption that they will be reconnected back to their home area when ready to move-on from the supported accommodation.

The requirements for this priority are:

- That the supported accommodation provider has confirmed that the resident is ready for independent living by completing the standard move-on form detailing the work they have completed with the resident and assessment of any remaining support needs;

- That the local authority has been involved in the move-on planning and accepts that they are the appropriate local authority to re-house this applicant by awarding this priority;
- The accommodation is not low support, temporary or emergency provision or intensive housing management (unless subject to local individual arrangements).

g. Multi-Agency

22.21 Gold band

As a result of a multi-agency decision agreed by the relevant housing authority. Where multi agencies including the local housing authority are involved with a particular household and agree on a way forward to resolve an urgent housing situation, this priority can be awarded to better protect the public or local neighbourhood.

## 23. Banding Table

Property Size etc.	Property conditions (this only applies to the district where the Notice is made)	Homelessness (this only applies to the district where any duty is owed)	Medical needs	Welfare needs	General
<p>Existing Gloucestershire and West Oxfordshire social housing tenants willing to move from family accommodation to non-family social housing property within the partnership area.</p>	<p>Where Environmental Health has inspected the property and requires immediate vacation of the property because of an imminent risk of harm due to disrepair, major defects or grossly inadequate facilities.</p>	<p>The applicant has made a homelessness application under part VII of the housing act 1996, as amended to one of the Homelessness local authorities and the full 1993 statutory homeless duty to secure accommodation for the applicant has been accepted by that authority.</p>	<p>The applicant assessed as immediate need of re-housing on medical grounds.</p>	<p>The applicant assessed as immediate need of re-housing on welfare grounds where there has been a major incident and there is proven threat to life or limb.</p>	<p>A young person owed leaving care duties under section 23C of the Children Act 1989 and in a housing need or Move-on from supported accommodation funded County Council commissioned services and where a local connection was agreed at point of referral</p>
<p>Existing Gloucestershire and West Oxfordshire social housing tenants willing to move to smaller family sized accommodation if this has been agreed with your local authority to release a property of higher demand or limited availability. or There is major overcrowding in the current property - lacking 2 or more bedrooms</p>	<p>Where Environmental Health has inspected the property and has served a Prohibition Order or Suspended Prohibition Order on the landlord that repairs have to be undertaken but the landlord is unable/unwilling to comply.</p>	<p>A Prevention or relief duty has been accepted or The applicant remains assessed as eligible for assistance and homeless but has either has been found either Non-priority, intentionally homeless.</p>	<p>Urgent medical need or long-term disability that would be alleviated by a move to more suitable accommodation.</p>	<p>Exceptional circumstances where the current property has a critical long-term detrimental effect on their welfare.</p>	<p>Right to move</p>
<p>There is overcrowding in the current property - lacking 1 bedroom</p>			<p>Significant medical need that would be alleviated by a move to more suitable accommodation.</p>	<p>Significant welfare need that would be alleviated by a move to more suitable accommodation.</p>	
<p>EMERGENCY BAND</p>					
<p>GOLD BAND</p>					
<p>SILVER BAND</p>					
<p>BRONZE BAND</p>		<p>All other Applicants</p>			

## 24 Additional bedroom needs criteria

- 24.1 Households will also be assessed to consider the need for one additional bedroom for each of the following, if they are assessed as being included as part of the household:
- A tenant requiring a non-resident overnight carer
  - Disabled child who cannot share a bedroom with their sibling due to their disability
  - An adult child who is serving away with the armed forces
  - A room for a foster child or children
- 24.2 Households can include someone on the application if there is a need for them to live with the household in order to give or receive care or support, where no one in the immediate household is able to provide that care. Evidence will be required to demonstrate:
- That the household is dependent upon this care or support and that other satisfactory arrangements cannot be made
  - that the arrangement is 'permanent'
- 24.3 We will also require evidence that the person requires your support or care; for example, proof that you/they are providing care, are in receipt of care allowances and are able to meet any costs associated with the additional bedroom either through benefits, income or savings.
- 24.4 We will usually only include members of the household that are currently living with you or that the Council can be satisfied will be reasonably expected to reside (if not currently residing) with you on your application.
- 24.5 In cases where two parents or guardians have joint access to children, bedroom eligibility will be awarded to the main care provider. Applicants will need to demonstrate that:
- they are the main care provider (children live with you for more than half the week -four nights or more) and are in receipt of child benefit and, if applicable, child tax credits
  - that the arrangement is 'permanent'
- 24.6 Please note the protections afforded by the Equality Act 2010 are intended to be available to all, including children and adolescents. Any required additional bedroom need will be awarded on a case by case basis in line with housing benefit rules and an assessment of affordability.

## 25. Time limited bands

- 25.1 Certain categories have a time limit of one month or more. This is given to recognise an urgent need. It is therefore important that applicants in this category are bidding for all suitable properties each week and in a wide range of locations.
- 25.2 At the end of the period the case will be reviewed by the Lead Authority.
- 25.3 If the applicant is in a time limited band and has either not bid for suitable properties advertised within one month or has been unsuccessful in obtaining an offer of a tenancy within the limit, a direct match of a property may be considered. Where a private sector

tenancy is available, suitable and affordable at the time the Local authority or its agents may look to secure a tenancy in the private rented sector.

## 26. Demotion

- 26.1 The Lead Authority may decide to demote an applicant to the band below at the end of the time-limited period if it is apparent that the applicant is choosing to wait for a particular type of property or location, and not treating their circumstances as being urgent.
- 26.2 Applicants are encouraged to make full use of their bids and seek all housing options available to them. Applicants will be assessed by a senior officer if they have unreasonably refused a property or to bid in a reasonable time if the following criteria have been met:
- they deliberately do or fail to do anything and as a consequence they miss out on suitable properties
  - it would have been reasonable for them to do so, and there is no other good reason why they have not
- 26.3 The demotion period will be what the local authority deems reasonable up to 12 months and will be considered on a case by case basis.

## 27. Global banding criteria

- 27.1 Applications will be awarded a global band equal to that of their local banding in all but the below cases:
- Where the lead authority has accepted a full statutory homeless duty to secure accommodation for the applicant. The global banding in this circumstance will be silver.
  - Where the lead authority has a gold move on agreement from supported accommodation, the global banding will be bronze.
  - Where the lead authority has assessed the property as having a prohibition notice, the global band will be bronze.
  - Where the lead authority has awarded a downsizing band, the global band will be silver.

## 28. Completed applications

- 28.1 Once the applicant has been assessed and accepted on to the Homeseekerplus scheme, a notification will be sent, where possible within 28 days, confirming the application details.
- 28.2 This will include:
- a) The band in which the applicant has been placed
  - b) The property size for which the applicant is eligible
  - c) The registration date
  - d) Band start date

- e) Reminder about the importance of notifying any change in circumstances
- f) A unique reference
- g) Details of the verification documents required
- h) Details of the appeal procedure

## 29. Annual Review process

- 29.1 Where an applicant has not made any bid on any property, nor updated their application in any way within the previous twelve months, they will be contacted to see if they still wish to remain on the Homeseekerplus Register. If there is no response within 28 days from the date of notification, the application will be closed. If the applicant contacts the Local Authority within 28 days of their application being closed and indicates that they still wish to be considered for housing, the application will be reinstated.
- 29.2 Applicants must renew their application if requested to do so by Homeseekerplus.

## 30. Removing applications

- 30.1 An application will be removed from Homeseekerplus:-
- At the request of the applicant
  - Where an applicant does not respond to an application review within the specified time limit
  - Where the applicant moves and does not provide a contact address
  - Where the applicant has died
  - Where an applicant ceases to be eligible

# Section 3: Scheme Details - Properties

## 31. Bidding

- 31.1 Once applicants have been registered as live on Homeseekerplus and notified of banding and log in details, they can start to look and bid for a suitable property of their choice subject to their banding criteria.
- 31.2 Applicants may bid for eligible properties at any time before the deadline. It makes no difference to the final shortlist what time during the week the bid was placed. Property details and information should be carefully read as some properties may have additional requirements that make the property unsuitable for the applicant; for example the number of people the property is suitable for – some have only single bedrooms.
- 31.3 Applicants may have up to a maximum of three active bids at any one time. Until a decision has been made as to who will receive the offer, a bid will remain live. The applicant can withdraw their bid if they wish to bid for another property during the same cycle.
- 31.3 At the time the bid is placed, the applicant will be given their current position on the shortlist. This is only an indication, as the position can change, as other people bid, or bids are withdrawn. All shortlists are live and subject to change.

## 32. Advertisements

- 32.1 All partner landlords are committed to advertising their available properties as widely as possible. Properties will be advertised in several ways on daily basis.
- A dedicated website for Homeseekerplus is accessible to anyone with internet access. The website will allow applicants to view all available properties across the whole of Gloucestershire and West Oxfordshire and bid 'on-line' for properties of their choice.
  - Adverts displayed in a number of localities across the Homeseekerplus partnership including local authority offices.
  - In any other format on request to aid those with particular needs, in line with the public sector equality duty.

## 33. Property descriptions

- 33.1 Properties advertised will carry (where possible) a photograph of the property location and a full description which will include the following details if applicable:
- Type of property and eligibility criteria
  - Number of bedrooms and eligible household size appropriate
  - Location of property
  - Any adaptations and therefore restrictions on who may apply

- Services provided
- Heating type
- Rent/service charges
- Local connection requirement
- Additional features, marketing information and pet restrictions
- Details on those who will be given priority
- Where rural settlement or local letting policies apply
- If a Social Housing Landlord's allocation policy applies
- Void start date or, for new build, when it is expected to be ready for occupation
- Any rent in advance payable
- Floor level of property

## 34. Rural settlements and local letting plans

34.1 Additional local connection criteria will apply for properties in rural villages where there are particular shortages of housing sites with planning conditions (Section 106 agreements, Local Letting Plans, affordable housing and rural exception sites) attached to them. In these cases, priority will be given to Applicants who are unable to live in their community due to the lack of affordable housing, who have a local connection to the parish or surrounding parishes by means of living in the parish, working in the parish or having immediate family connections to the parish. Where this applies the details will be explained in the property advertisement.

34.2 The Homeseekerplus Partnership is committed to creating balanced communities. For new developments and in areas where there are known problems, such as antisocial behaviour or abandoned properties, a local lettings plan may be applied. The plan will take into account the needs of the current and new residents and the makeup of the block, street or cluster of streets, to ensure a responsible letting is made. The local authorities will review each letting plan periodically with landlords.

# Section 4: Allocations

## 35. Shortlisting

- 35.1 Once the advert deadline has passed, a shortlist will be produced for each advertised property showing all the applicants who have bid. For each property advertised, the successful applicant will generally be the applicant who has the highest band and the oldest band start date that is eligible to bid (i.e. who best meets the criteria in the advert and the policy)
- 35.2 The system will produce a shortlist based on the applicant's banding, banding start date, local connection and any other criteria stipulated in the advert.
- 35.3 Each Social Housing Landlord is responsible for checking to ensure there has been no change of circumstances including eligibility for social housing to the housing need assessment of the applicant since originally verified. This is to ensure that social housing is not allocated incorrectly to applicants who no longer match the criteria.
- 35.4 Each applicant will be given the opportunity to view the property before signing for a tenancy.
- 35.5 Should an applicant be at the top of the shortlist for more than one property, one of the Social Housing Landlords of the properties will contact the applicant as quickly as possible to ask them to decide which property they wish to be considered for. Once they have made their decision, their other bids will become invalid. In this circumstance, viewing of any of the properties before a decision is taken is unlikely to be available and will be at the Social Housing Landlord's discretion.
- 35.6 If an applicant is direct matched for a property, any other bids they have made will become invalid.
- 35.8 Any applicant who has a propriety interest in a property must be able and willing to dispose of that interest in a reasonable period.

## 36. By-passing

- 36.1 A by-pass is where an applicant has bid for a property but is not offered the tenancy.
- 36.2 The appropriate Social Housing Landlord will inform the household of the reason for the by-pass and of any steps needed to prevent further by-passes for the same reason.
- 36.3 By-passing will be carried out in line with the Social Housing Landlord's lettings policy, local letting plans and Homeseekerplus policy and applicants will be informed where reasonable.
- 36.4 Applicants will be required to match the requirements of this policy and match the criteria of the individual property as detailed in the advert. The advert includes details of both the type of applicant that is eligible for the property and any further restriction due to the Social Housing Landlord's own published allocation policy. If the applicant is at the top of the

shortlist but does not meet all these criteria, the Social Housing Landlord may not consider the applicant.

- 36.5 Where an offer is being made to a current tenant of a Social Housing Landlord within the partnership, it is made subject to the satisfactory conduct of the present tenancy and approval of that Social Housing Landlord (which may include a home inspection).

## 37 Withdrawal

- 37.1 A property shortlist may be withdrawn at any stage during advertising or shortlisting or an offer of a tenancy may be withdrawn at any stage up to the signing of the tenancy agreement.
- 37.2 This may happen in certain circumstances, such as the tenant of that particular property has failed to vacate the property or the property has been incorrectly labelled on the advert.
- 37.3 If this happens, the Social Housing Landlord will inform the successful applicant that the property is no longer available. If the property is not ready for occupation following a successful bid and the applicant is likely to wait some considerable time before being able to sign the tenancy agreement, the Social Housing Landlord will inform the applicant and give them the option to withdraw their bid so they can bid for any other suitable properties. If the property was mis-labelled on the advert it will be re-advertised.

## 38. Refusals

- 38.1 Applicants are expected to take reasonable care when bidding for a property to ensure it meets their needs. If however an applicant decides to refuse an offer of accommodation, the property will be offered to the next suitable applicant on the shortlist. An application will be reviewed if an applicant refuses three offers of accommodation which the local authority or its agents deem suitable. This could lead to the applicant being suspended for a minimum of six months or being placed in a lower band.
- 38.2 If an applicant in a time limited band refuses an offer of accommodation the application will be reviewed and may be suspended for a minimum of six months or placed in a lower band.

## 39. Homelessness Refusals

- 39.1 The local authority or its agents will normally expect an applicant to whom it has accepted a full homeless duty to bid for a wide range of suitable properties within the time limit in the Gold Band.
- 39.2 If the main homeless duty is accepted, the applicant will be placed onto autobid from the start of this duty.
- 39.3 At the same time the local authority or its agents may look to discharge the homeless duty into an affordable and suitable private sector tenancy. If one is identified, the Homeseekerplus application will be reviewed and any homeless banding priority awarded

will be removed whether or not the applicant accepts the private sector property found. This will still be subject to the statutory review process.

- 39.4 If a homeless applicant has not been actively bidding for all suitable properties or a suitable private sector property is not available at the end of the one month time limit, the local authority or its agents will secure an offer of suitable, affordable settled accommodation for the household, subject to availability.
- 39.5 Due to limited resources, high demand, and duties to provide accommodation to some groups of applicants in urgent housing need the degree of choice that the local authority is able to offer may be limited.
- 39.6 Applicants will be able to express a preference regarding the area in which they would like to live and the property type they would like, but should be aware that the local authority ability to satisfy a preference is limited. Expressing a preference over where an applicant would like to live does not mean that this preference can be met, or that the local authority will not offer suitable accommodation outside of a preferred area. The local authority will consider whether the property is suitable and is a reasonable offer in order to meet its duties under Section 189B (2) relief of homelessness duty or the main section 193 (2) duty under Part VII of the Housing Act 1996.
- 39.7 Not all properties that become available will be advertised and offered through the Band and date order procedure

## 40. Direct matching

- 40.1 A direct match is a property which is not available through Homeseekerplus. All the partner social housing landlords are committed to advertising as many of their vacant properties as possible through Homeseekerplus. There will be occasions when certain properties will not be advertised and the reasons for these exclusions will be monitored. Some examples are: -
- Over-riding social reason to move the household for safety reasons, as recommended by the Police, partner organisations, or as agreed through multiagency need and risk assessment panels.
  - Those let to discharge statutory duties to Homeless applicants in certain circumstances.
  - Properties required for existing tenants whose properties are subject to major works requiring them to vacate their own properties (either on a temporary or permanent basis).
  - Extra-care vacancies and any supported accommodation where there is an applicant with a Care package that needs a specific property.
  - Applicants who have succeeded to a tenancy or, in certain circumstances such as following the death of a family member, left in occupation but who need to move to alternative accommodation.
  - Where a property has been adapted and meets the specific needs of a client.
  - Applications subject to the Rent (Agriculture) Act 1976.
- 40.2 There will be circumstances where for urgent operational reasons there is a need to make direct offers of housing outside of the normal policy banding and date order criteria.

- 40.3 This may also restrict the time an applicant is able to bid for accommodation. The offer of accommodation would be in any area of the district that is considered reasonable and the property is suitable and safe for the applicant to live in.  
A decision to make a direct match offer could be where:
- An applicant is not being realistic in the areas they are bidding for accommodation and as a result they may be occupying accommodation provided as homeless longer than they need to.
- or
- To assist the local authority in effective management (including financial) of its homeless accommodation

## Section 5: Monitoring and review

### 41. Review/appeal procedure

41.1 All applicants have the right to request a review of any Homeseekerplus decisions. The review/appeal should include the reason why the applicant believes the decision is incorrect, together with any additional information.

#### 41.2 Stage One – Internal Review

If you disagree with the way we have assessed your application for housing, or with the housing need band in which we have placed your application, you may request a review which will be decided by a senior housing officer who was not involved in the original decision from the local authority or the agent dealing with your application. To request a review:

- You must complete a Stage 1 - Internal Review Request Form which can be downloaded from the Homeseekerplus website [www.homeseekerplus.co.uk](http://www.homeseekerplus.co.uk) and when completed in full, send to the council you applied to within 14 days of receiving your letter or notification.
- We will deal with your request within 14 days or let you know if we will require additional time.
- We will write to you with the outcome of the review within a further seven days of being determined.

#### 41.3 Stage Two –Homeseekerplus Appeal Panel

41.4 If you disagree with the outcome of the stage 1 internal review, you can request that your case be taken to the Homeseekerplus Appeal Panel. This Panel is made up of three or more Senior Housing Officers from three of the Partner Councils. These Officers will not have been involved in the original decision or the Officer decision on internal review. The applicant must submit a request for an appeal in writing and send to the Homeseekerplus Co-ordinator within 14 days of the review notification letter. The local authority or its agent will acknowledge receipt of the request for an appeal within 14 days and provide the applicant with contact details of the officer dealing with the request and the time it will take to reply to the applicant. If the review cannot be completed within 56 days, the applicant will be informed and the timescales for the review set out.

- 41.5 The panel will be made up of senior housing officers from three or more of the other local authorities. The appeal will consider the facts surrounding the case and your request should specify whether there are additional facts the Panel should take into consideration or whether you feel that the original facts you submitted with your application have not been fully taken into account. If you have additional evidence, such as additional medical reports, then these should also be submitted up to one week before the panel meet.
- 41.6 The Panel will consider the review on the papers submitted by the applicant and the housing officer from the local authority involved in the case. If determined by the Homeseekerplus Co-ordinator the applicant or the relevant Housing Officer may be asked to attend this review hearing in person if additional information from either party is required. The applicant can bring a representative.
- 41.7 The Homeseekerplus Co-ordinator will chair this panel and a nominated representative for the applicant will be present at the Hearing to ensure that all relevant information has been presented and is dealt with correctly.
- 41.8 The panel must come to a majority decision, should this not be the case, the Homeseekerplus Co-ordinator and chair of the panel will arbitrate.
- 41.9 Once the appeal has been determined, or if the Panel require the applicant to attend a further Hearing, the Homeseekerplus Co-ordinator will write to the applicant giving full details within 14 days or as soon as reasonably practicable thereafter.

## 42. Local Authority Complaints Procedure

- 42.1 If you feel that you have been treated unfairly or you believe the process has not been carried out as described above you can use your Local Authority's (or its agents) Complaints Procedure to make a formal complaint.
- 42.2 The complaint must be made in writing to the appropriate authority within 14 days of the date of the written notification of the decision of the Homeseekerplus Appeal Panel.
- 42.3 If the applicant is still dissatisfied, they may complain directly to the Local Government Ombudsman.

## 43. Subject access requests

- 43.1 Applicants are entitled under the Data Protection Act 2018 or any superseding legislation to request details of their personal data held by the seven local authorities.

## 44. Use of statistical information

- 44.1 The information supplied by Applicants on their housing application may also be used for housing management and research purposes within legal guidelines (such as identifying

what size and where new housing is required). No individual will be identified in collating such information.

## 45 Policy management

- 45.1 The Homeseekerplus Co-ordinator will run regular reports to monitor performance of the scheme in meeting the aims of the policy.
- 45.2 The Homeseekerplus policy will be regularly reviewed and at least annually to ensure that it takes into account change in demand and need within the district, that it continues to meet its aims and objectives and that it complies with any legislative changes.
- 45.3 Any changes to the Homeseekerplus Policy will be implemented only with the majority agreement of the members of the Partnership. An interested party may contact any of the local authority partners to make observations to be considered at the next review.

June 2019 Edition

# Homeseekerplus

Common Allocations Policy Document



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# Introduction and policy statement

## Introduction

Homeseekerplus is a choice based lettings (CBL) scheme run by the seven local authorities in partnership with social housing landlords and Blenheim Palace Estates operating within Gloucestershire and West Oxfordshire.

The seven local authorities are Tewkesbury Borough Council, Gloucester City Council, Cheltenham Borough Council, Stroud District Council, Forest of Dean District Council, Cotswold District Council and West Oxfordshire District Council.

Demand for affordable social housing within the Homeseekerplus area is very high and cannot be met from the available social housing resources. Only those in the highest housing need, with a local connection to the area are likely to obtain housing through the homeseekerplus scheme. Each district's Housing Advice Service will be able to advise on a range of housing options including the private rented sector.

The policy explains who is eligible and qualifying to apply on Homeseekerplus and sets out how applications will be assessed based on housing need.

Homeseekerplus aims to allocate social housing in their area in a fair and transparent way while complying with all legal requirements.

## Overview of how the partnership functions

Homeseekerplus enables social housing landlords and Blenheim Palace Estates to advertise their homes and applicants are able to express an interest in them. This is known as a "bid" for a property. Once a bid is placed the system will generate a shortlist placing applicants in order of band, band start date and whether they meet the criteria of the advert. Priority for properties goes to those who have a local connection with the local authority in which the property is located, then to those who have a local connection with any of the other Homeseekerplus districts and finally to anyone else.

All applicants seeking social housing across Gloucestershire and West Oxfordshire will complete the same application process and will be assessed against the same clear set of criteria. Depending on their circumstances, applicants will be placed into one of four bands Emergency, Gold, Silver or Bronze subject to final verification by a Homeseekerplus partner.

Once an application has been made, applicants are advised of their banding and banding start date, together with details of how to access the system. This enables applicants to bid for suitable social housing vacancies being advertised across the whole of Gloucestershire and West Oxfordshire.

Once the Bid deadline has passed, the successful applicant is the highest priority household at the point of shortlisting. This is assessed against the criteria for the property, including where local connection applies and any local letting plans.

Responsibility for letting each available property lies with the social housing landlord. The appropriate landlord must confirm that the details on the application are still correct and may undertake their own assessment to ensure the property is right for the applicant before making an offer. Incorrect information will result in the offer being withdrawn and the applicant circumstances being re-assessed.

Application for sheltered and extra care housing schemes may need an assessment of the support needs, prior to an offer being made.

## Policy statement

This policy aims to:

- Assist in building sustainable communities.
- Enable informed choice of housing/ housing options and improve levels of customer satisfaction.
- Operate a common selection system that offers realistic, informed choice for all applicants.
- Ensure that those who have the greatest need for housing have the greatest opportunity to secure it.
- Ensure that less able applicants are involved in the lettings process and they have choices offering equality of opportunity for all.
- Make best use of available housing resources to meet local need.
- Minimise the refusal of offers of accommodation and reduce rent loss by allowing people to choose where they live thereby supporting sustainable communities.
- Where possible, give people with a local connection to a district priority in the letting of housing within that district.
- Enable mobility within social housing in Gloucestershire and West Oxfordshire.
- Enable the authorities to meet their statutory duties including where duties are owed to homeless Applicants under Part VII of the Housing Act 1996, as amended and the homelessness reduction act 2017.
- Contribute towards tackling discrimination.
- Use a common eligibility criteria and housing application process.
- Ensure fairness, simplicity and transparency with a system that is easily understood.
- Promote a feeling of ownership and commitment to their area as they have chosen to live there.
- Assess applications according to the applicant's needs under the framework of the policy.

## Equal opportunities and social inclusion

All partners of Homeseekerplus agree that applicants should be given every possible assistance to access the housing register and search for suitable properties. Applicants who are identified as potentially disadvantaged by the scheme maybe contacted to discuss alternative options.

All partners of Homeseekerplus are committed to the elimination of discrimination. They promote equality of opportunity for all and work towards this goal in the provision of services.

We are committed to:

- Eliminating discrimination, harassment, victimisation and any other conduct prohibited by the Equalities Act 2010.
- Advance equality of opportunity between persons who share a relevant protected characteristic and others who do not share it.
- Foster good relations between people who share a protected characteristic and those who do not share it
- Removing or minimising disadvantages suffered by people who share a relevant protected characteristic that are connected to that characteristic
- Taking steps to meet the needs of people who share a relevant protected characteristic that are different from the needs of people who do not share it
- Encouraging those people who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- Making the best possible use of the existing and potential workforce and resources by enabling cross boundary moves.

Applicants should be given every assistance to access the housing register and search for suitable properties.

Applicants potentially disadvantaged by the scheme will initially be identified from the application process and they may be offered a home visit or interview. Staff will seek to establish what the support needs are and identify ways of enabling the applicants to participate in Homeseekerplus. This may include sending copies of the adverts in large print to an applicant or simply providing advice. Translation services may be provided where appropriate.

Disadvantaged applicants are able to nominate a person (including family members, friends or a professional worker) to help them bid or bid on their behalf for suitable properties. Signed consent will be required if requests are made by a 3rd party.

The local authority may bid for suitable vacancies on a vulnerable applicant's behalf if they are at risk of being disadvantaged by the scheme and have no support to enable them to do so. This may include the use of the Autobid function.

Any supporting agencies should be able to provide their clients with help on housing issues including the application and bidding process.

# Legal

## Legal Framework

The Homeseekerplus complies with the local authority's statutory duties under Part VI and VII of the Housing Act 1996 as amended and the Homelessness Reduction Act 2017, in addition to any other relevant legal duties and has regard to the following:

- Allocation of accommodation: guidance for local housing authorities in England 2012
- Equalities Act 2010
- Public Sector Equality Act 2010
- Data Protection Act 2018
- Localism Act 2011
- Immigration Act 2014
- Local letting plans
- S.106 agreements

## Data retention

As part of the application process, personal data is required to support any housing application. We will comply with all data protection legislation. This includes:

- For active applications, data is stored for as long as your application is active.
- For housed applications, data is stored for 3 years
- If you do not use Homeseekerplus for a period of 1 year, then your case will be set to removed and removed after 6 months.
- Homeless applications are kept for 3 years.

## Definition of social housing providers for Homeseekerplus

Affordable housing is social rented and affordable rented provided to eligible households who otherwise would be unable to secure alternative provisions and have been assessed under this policy. For this policy, housing providers who operate within the Homeseekerplus boundaries are registered providers, arm's length management organisations or Council owned stock, eligibility and qualifying criteria is set by this policy.

All partners have a common goal to provide homes for local people in housing need with eligibility determined within this policy framework.

## Types of tenancies

Depending on the landlord and applicants circumstances, an applicant may be offered either an introductory; secure; starter; assured; fixed term; assured short hold; or flexible tenancy.

## Who is eligible to register?

Homeseekerplus is open to anyone in housing need who is not subject to immigration rules which would otherwise exclude them. This may include but not is limited to existing tenants looking to transfer to another property, homeless families looking for a permanent home and other households who either rent in the private sector or lodging with family and friends. A household may include anyone that may reasonably be expected to live with them as part of their application.

## Who is not eligible to register?

Consistent with Right to Rent regulations within the Immigration Act 2014, persons from abroad who do not have leave to remain are ineligible this includes those who are:

- Subject to immigration control and has over stayed their visa or is a visitor
- Illegal entrants
- Asylum seekers
- People in the UK on condition that they have no recourse to public funds
- A person from abroad who is in breach of the European community right of residence directive
- A person whose only right to reside in the UK arises under European law based on their status as a job seeker or an initial 3 months right of residence
- A person from abroad who has been the subject of a sponsorship agreement for less than five years and whose sponsor is still alive
- A person with limited leave not granted as a result of a claim for asylum

If the local authority decides that an applicant is not eligible to register under any of these criteria, they will notify the person of the decision in writing including the reason.

Persons who are ineligible for a tenancy in their own right may still be included within a household application and for determining the bedroom need of the household.

Applicants under 16 years of age at the date they apply.

# Scheme conditions

## Who does not qualify?

Homeseekerplus has been established under the terms of the Housing Act 1996, as amended and the Localism Act 2011. This gives local authorities the right to decide who will not qualify for social housing.

Some applicants may be eligible to register on Homeseekerplus but subsequently do not qualify and are excluded to be included. Others may be eligible and qualify to be included but are subsequently suspended from bidding.

The following are persons who do not qualify for Homeseekerplus.

An applicant may not hold two tenancies at one time, applicants must be able to end their current tenancy within a reasonable period from being made an offer.

An applicant will be non-qualifying for social housing if the local authority has undertaken an affordability check which has shown that they have sufficient financial resources to adequately resolve their own particular housing need through outright purchase, lease or mortgage. This check will consider the type of accommodation needed to meet these needs to resolve their own housing need within their district.

Homeowners who own or part own a property which is suitable for their needs or where those needs can be resolved through adaptation and where it is safe to remain.

If the local authority decides that an applicant does not qualify, they will notify the applicant of their decision in writing and the reasons for it.

Applicants who do not qualify will need to reapply in full if they feel their circumstances have changed where they may now qualify.

## Suspending and demoting an application

If an applicant has rent arrears or other housing debt with a social landlord or Blenheim Palace Estates, which accrued less than 6 years ago, the applicant will be given the opportunity to clear the debt before a decision to suspend is made. If the applicant is unable to do this, they may be suspended for a period as required to reduce the debt to below 8 weeks arrears and have a repayment plan in place and in payment before they can bid for other properties.

Each case will be considered on their own merits, for example if the rent arrears arose directly due to domestic abuse, an application would not be suspended.

Existing social housing tenants who may be suspended because of rent arrears will be considered as an exception on an individual basis if proved that they cannot afford to stay in their current tenancy as a result of Welfare Reform Act changes.

If a partner landlord becomes aware of such a debt they will advise the relevant local authority when arrears are reduced. The local authority may suspend the application or advise the applicant to undertake a change of circumstances for their application to be reassessed.

Applicants who have been awarded time limited bands are expected to bid on all suitable property types across all areas if no suitable properties are available within their local connection area. Failure to do so may result in suspension or demotion for a period the local authority deem fit.

Whilst Homeseekerplus aims to give applicants choice, it also needs to help social landlords let their available homes in an efficient way. If an applicant refuses 3 properties that the local authority considers were suitable, the application will be demoted or suspended for a period of 6 months from the time of their last offer. This provision does not apply to final offers of accommodation made in order to discharge homeless duties under part VII of the housing act 1996 (as amended) or homelessness reduction act 2017.

Applicants who have unreasonably disposed of financial resources that could have enabled them to purchase/obtain their own accommodation.

An applicant will not be non-qualifying if the applicant, or a member of their household, has been responsible for unacceptable behaviour serious enough to make them unsuitable to be a tenant of the local authority or a social housing landlord at the time of application.

Behaviour that may be regarded as unacceptable is as follows: -

- Criminal activity in the vicinity of the property
- History of anti-social behaviour or disruptive nuisance to neighbours
- Racial harassment
- Drug use or dealing
- Any other breach of the tenancy agreement such that the landlord would be likely to apply for and obtain a possession order.

As part of the assessment consideration will be given to the household's personal circumstances, the level of the debt, the household's history of arrears and any other factors that may be relevant.

Such applicants will be informed of the actions required from them to demonstrate that there has been a change in their behaviour such that they will become qualifying e.g. obtaining a satisfactory landlord reference for a period of 6 months or where regular repayments are made without fail against an agreed repayment plan for a period of 6 months.

Exceptions to these qualifying criteria include:

- Those people fleeing harassment or violence where the Police, Independent Domestic Violence Advocates (IDVA) or MultiAgency Risk Assessment Conference (MARAC) support a move
- proven social or medical/welfare needs

In exceptional circumstances where the applicant has an urgent need to move, the local authority may waive this qualification and suspension criteria.

An immediate review of an application will be undertaken if an applicant is found to have acted (or failed to act) in a way which deliberately worsened their housing situation. This could lead to the applicant being suspended, or being demoted to a lower band, for a minimum of 6 months.

Applicants will be advised as to what action/s will be necessary to lift the suspension or demotion.

Applicants who are suspended will need to reapply in full if they feel their circumstances have changed and their application will be reassessed.

## Providing false information and change of circumstances

Any applicant who knowingly or recklessly gives false information or knowingly withholds information in order to secure a home to which they are not entitled may lose any home provided to them and may also be prosecuted. Where false information is given and the applicant becomes non-qualifying or not eligible, the application will be removed. Where false information is given and the applicant still qualifies, the application will be suspended for a period of 3 months and the applicant will have to reapply with correct information. The law imposes severe penalties, including substantial fines up to £5000 or imprisonment, when an offence is proven.

## Local Connections

Due to the exceptional demand for housing across the Homeseekerplus area and the difficulty in solving local housing need, preference will usually be given to applicants with a local connection to the appropriate district.

Homeseekerplus local connection is defined by any of the following:

- Those who are, or were in the past, normally resident there, and that residence was of their own choice during 6 out of the past 12 months or during 3 out of the past 5 years.
- those who are employed in the local authority area
- Those who have immediate family connections in the local authority area for 5 years
- Members of the armed forces

- Other special circumstances

Local connection will be award by the lead authority only.

## Local connection clarification

‘Normal residence’ is to be understood as meaning ‘the place where at the relevant time the person in fact resides.’ Residence in temporary accommodation provided by a housing authority will not constitute normal residence of choice and will not contribute towards a local connection. In the case of a person who is street homeless or insecurely accommodated (‘sofa surfing’) within their district, the housing authority will need to satisfy themselves that applicant has no settled accommodation elsewhere, and if from inquiries the authority is satisfied that they do in fact reside in the district, then they will be considered normally residence.

Where the applicant raises family associations, this may extend beyond partners, parents, adult children or siblings. They may include associations with other family members such as step-parents, grandparents, grandchildren, aunts or uncles provided there are sufficiently close links in the form of frequent contact, commitment or dependency. Family associations should be determined with regard to the fact-specific circumstances of the individual case.

For the purposes of employment, a member of the application should work in the district they are applying too: it would not be sufficient that their employer’s head office was located there but their place of work was not. In the case of self-employment, local connection would be classified by the address their business is registered. For agency, casual or other types of employment, you must be able to prove that the employment contract is not short-term, casual, ancillary or voluntary.

Special circumstances would include but are not limited to the need to be near special medical or support services which are available only in a particular district and where transport links would not suffice in the ability to meet those needs. Special circumstances will be assessed on their own individual merits.

In cases of care leavers who are owed a leaving care duty, they will have a local connection to all districts within the area of the children services authority. For care leavers who have been placed in accommodation in a different district to that of the children’s services authority, and they have lived in the other district for at least 2 years, including some time before they turned 16, they will also have the same local connection until they are 21.

Local connection will not be awarded if your accommodation was not of your own choice, this includes but not limited to:

- Approved premises
- Rehabilitation units

Members of the armed forces will have a local connection to a district of their choice. This will be the same for those currently serving, served within the immediately preceding 5 years. Bereaved spouse or civil partner who has recently or will cease to be entitled to Ministry of Defence accommodation

following the death of their service spouse and the death was wholly or partly attributable to their service. Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service. Local connection will also be awarded for divorced or separated spouses or civil partners of Service personnel who are required to move out of accommodation provided by the Ministry of Defence will also be awarded.

If an applicant has been subject to immigration control where they would not have been deemed eligible and subsequently become eligible, the date of where a local connection would apply would be from the date they have lived in the area. Refugees would have a local connection outside of this criteria to the last area they were housed in by the Home Office under asylum support.

Decisions on local connection must be made based on the facts at the date of the decision and not the date of application.

## Assessment of applications

### How to register

The applicant will be able to register for social housing through the Homeseekerplus website at [www.Homeseekerplus.co.uk](http://www.Homeseekerplus.co.uk). Homeseekerplus is an online application only and has been designed to be accessible to all with easy speech, reading and translation tools. If an applicant needs advice and assistance with their application, they will need to contact the authority they are applying to.

When an applicant applies through the Homeseekerplus website and has registered their household, they will then complete an application for Social Housing explaining their housing situation. If, after completion of the application and provision of any necessary proof or further information, the applicant is eligible, they will be given a band start date and placed in a local housing band.

The applicant should make sure that they include all relevant details on the application so that proper consideration can be given to the application. Homeseekerplus may consult any of the applicants' previous landlords or agencies to check the details they have given.

All applicants will be given unique login details which can be updated from their account.

Applicants will be informed if further information or clarification is required. Failure to complete the online application form will result in this being deleted from the system.

### Assessment of an application

By registering to join Homeseekerplus, the applicant will need to freely give their consent for enquiries to be made to verify their circumstances. Applicants will have to confirm that the information they have given is true and accurate.

The information the applicant has provided will guide the decision on which band they will be placed in. Applicants will be required to provide the lead authority with documentation to evidence their housing need stated.

## Bedroom need assessment

The bedroom need for a household is assessed to match Housing costs guidance to ensure suitability and affordability for low income households.

One bedroom is required for:

- An adult couple
- A person aged 16 or over
- 2 children aged up to 16 years of age of the same sex
- 2 children aged up to 10 years of age of different sexes

When a child is born, the applicant must provide evidence of the birth as soon as possible and the bedroom need will then be re-assessed. This may not change your bedroom need or banding and any additional award will not be given until evidence of the birth is provided.

Visiting children will not normally be counted in this assessment.

## Verification

Applicants will be able to bid for properties advertised, but no tenancy will be offered until verification has been completed by the local authorities. The purpose of the verification is to establish the accuracy or validity of your application.

Documents requested for verification will depend on your individual circumstances. These documents must be provided to verify your medical needs, eligibility and qualifying status.

As standard, verification of key documents will remain valid for 6 months or the validity of the document, whichever is longer.

Key standard documents are as follows, but not limited to:

- Identification of all members of the application
- 2 months bank statements of all members over the age of 18
- Child benefit or an appropriate court order
- Proof of residency to support right to rent checks

## Banding reasons

Applicants need to meet the criteria in one box to be assessed in that band in the table below. Applicants will be awarded two bands – one for their “local” band (lead authority) and one for their “global” band (other 6 authorities). In some cases, these maybe with same depending on your circumstances, however, having a local connection to another authority would not automatically deem you to have a higher banding in that district.

Applicants banding maybe time limited due to the type of housing need they have, therefore, they would be expected to bid for and accept any suitable property offered to them during their time limit. Failure to do so may lead to a direct match or demotion.

### Right to move

Right to Move is for social housing tenants who need to move to another District in order to take up a job or live closer to employment or training.

In order to qualify, social housing tenants must demonstrate that the job/apprenticeship will alleviate significant hardship and that there are no other options available to them.

- To determine qualification, the following detail will need to be established:
- The distance and/or time taken to travel between work and home
- The availability of transport, taking into account level of earnings
- The nature of the work and whether similar opportunities are available closer to home
- Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move
- Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion or apprenticeship

Those who qualify for Right to Move will get a local banding preference of Silver, identifying that there is a “Significant welfare need that would be alleviated by a move to more suitable accommodation”.

### Property size

#### Emergency Band

Existing Gloucestershire and West Oxfordshire social housing tenants willing to move from family accommodation to non-family social housing property within the partnership area.

#### Gold Band

Existing Gloucestershire and West Oxfordshire social housing tenants willing to move to smaller family sized accommodation if this has been agreed with your local authority to release a property of higher demand or limited availability.

or

There is major overcrowding in the current property - lacking 2 or more bedrooms (this will not apply if the applicant has unreasonably allowed one or more people to move in to the property, this is called deliberately worsening your own situation).

or

Environmental Health has inspected the property and has served a Prohibition Notice (or suspended Prohibition Licence) on the landlord due to overcrowding - subject also to the applicant not deliberately worsening your own situation.

Silver Band

There is overcrowding in the current property - lacking 1 bedroom - (this will not apply if the applicant has unreasonably allowed one or more people to move in to the property, this is called deliberately worsening your own situation).

## Property condition

Emergency band

Where Environmental Health has inspected the property and requires immediate vacation of the property because of an imminent risk of harm due to disrepair, major defects or grossly inadequate facilities. They could serve an Emergency Prohibition Order on the landlord in these circumstances.

This award is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale or a direct match can be made.

Gold band

Where Environmental Health has inspected the property and has served a Prohibition Order or Suspended Prohibition Order on the landlord that repairs have to be undertaken but the landlord is unable/unwilling to comply. In most cases the landlord will be required to undertake repairs to remedy the problem and when completed this should resolve the issue. These only apply to the Local band so only when bidding for properties in the home/lead local authority area.

## Homelessness

Gold banding

The applicant has made a homelessness application under part VII of the housing act 1996, as amended to one of the Homesekerplus local authorities and the full s193 statutory homeless duty to secure accommodation for the applicant has been accepted by that authority.

This is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale. A suitable tenancy in the private sector or a direct match into social housing may be made to end the homelessness duty at any time.

#### Silver banding

The applicant has made a homeless application to one of the Homeseekerplus local authorities and either:

- A Prevention of Homelessness duty has been accepted
- A Relief of Homelessness duty has been accepted

or

The applicant has made a homeless application under part VII of the housing act 1996, as amended to one of the Homeseekerplus local authorities and remains assessed as eligible for assistance and homeless but has either has been found either non-priority or intentionally homeless.

#### Medical Need

None of the below refer to having a medical condition in its own right. It is only when the current housing is directly affecting that medical condition that priority is awarded. In other words even when a member of the applicant's household has a very severe set of medical conditions, if their housing has little or no bearing on their health then no priority will be awarded.

#### Emergency band

The applicant assessed as immediate need of re-housing on medical grounds. This may be when they have had a major incident, are in hospital or another emergency provision and unable to return to the existing home because of their medical condition and immediate adaptations are not available.

This award is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale or a direct match can be made.

These are time limited for 1 month when they will be reviewed. It can be extended if no suitable properties have become available in this time scale or a direct match can be made.

#### Gold band

Urgent medical need or long-term disability that would be alleviated by a move to more suitable accommodation. This would apply when the situation is so serious that it would not be reasonable to expect the applicant to continue to live at the property for any length of time,

given their particular medical circumstances but not a life-threatening emergency.

Proof of the situation would be required from Social Care services, NHS or other medical specialists.

A member of the household seeking accommodation is disabled and re-housing will enable that person to overcome physical barriers created by current accommodation and it has been established that the home cannot be adapted to meet needs e.g. steps and stairs.

Silver band

Significant medical need that would be alleviated by a move to more suitable accommodation. This could be situations/medical conditions that could apply to one or more members of the household which because of the particular household circumstances significant distress is caused. Proof of the situation would be required from Social Care services, NHS or other medical specialists.

Depression and asthma are the most commonly quoted medical conditions. Where these are mild and not directly related to the current property priority is unlikely to be awarded.

Welfare Need

Emergency band

The applicant assessed as immediate need of re-housing on welfare grounds where there has been a major incident and there is proven threat to life or limb. This would normally be based on information provided by the Police or other specialists.

Gold banding

Exceptional circumstances where the current property has a critical long-term detrimental effect on their welfare. This would normally be based on information provided by multi agency meetings or Social Care services.

Silver banding

Significant welfare need that would be alleviated by a move to more suitable accommodation. Proof of the situation would be required from Social Care services, housing association or other specialists to establish that a management move would not be appropriate.

This banding would only be used if the housing provider is unable to provide a management move.

## Move on/care leavers

### Gold band

A young person owed leaving care duties under section 23C of the Children Act 1989 and in a housing need will be awarded gold banding to the area of the children services authority that owes them the duties. Homeseekerplus comprises of Gloucestershire and West Oxfordshire which have different children services authorities, therefore gold will only be awarded to housing authority districts falling within the area of the children services authority.

Move-on from supported accommodation funded County Council commissioned services and where a local connection was agreed at point of referral by the relevant local housing authority.

When someone is placed in accommodation based supported housing and is not in their home/lead authority area there is a presumption that they will be reconnected back to their home area when ready to move-on from the supported accommodation.

There are 2 requirements for this priority:

- that the supported accommodation provider has confirmed that the resident is ready for independent living by completing the standard move-on form detailing the work they have completed with the resident and assessment of any remaining support needs.;
- that the local authority has been involved in the move-on planning and accepts that they are the appropriate local authority to re-house this applicant by awarding this priority.
- The accommodation is not low support, temporary or emergency provision or intensive housing management (unless subject to local individual arrangements).

## General

### Gold band

As a result of a multi-agency decision agreed by the relevant housing authority. Where multi agencies including the local housing authority are involved with a particular household and meet to agree a way forward to resolve an urgent housing situation this priority can be awarded to better protect the public/local neighbourhood.

## BANDING TABLE

### Additional bedroom needs criteria

Households will also be assessed to consider the need for one additional bedroom for each of the following if they are assessed as being included as part of the household:

- A tenant requiring a non-resident overnight carer
- Disabled child who cannot share a bedroom with their sibling due to their disability
- An adult child who is serving away with the armed forces
- A room for a foster child or children

You can include someone on your application if they need to live with you in order to give or receive care or support and no one in your immediate household is able to care for you. You will need to evidence on your application the reason why an additional person or a carer needs to live with you and demonstrate:

- they or you need to be supported or cared for and are dependent upon this
- that other satisfactory arrangements cannot be made
- that the arrangement is 'permanent'

We will also require you to provide evidence such as that the person requires your support or care; for example, proof that you/they are providing care, are in receipt of care allowances and are able to meet any costs associated with the additional bedroom either through benefits, income or savings.

We will not include family members currently living abroad on your application and therefore they cannot be re-housed with you until such a time that they return to the UK and the Council is satisfied that they are reasonably expected to reside with you.

In cases where two parents or guardians have joint access to children, bedroom eligibility will be awarded to the main care provider. You will need to demonstrate:

- you are the main care provider (children live with you for more than half the week -four nights or more) and you are in receipt of child benefit and if applicable child tax credits
- that the arrangement is 'permanent'

The protections afforded by the Equality Act 2010 are intended to be available to all, including children and adolescents. Any required additional bedroom need will be awarded on a case by case basis in line with housing benefit rules and affordability.

## Time limited bands

Certain categories have a time limit of one month or more. This is given to recognise an urgent need. It is therefore important that applicants in this category are bidding for all suitable properties each week and in a wide range of locations.

At the end of the period the case will be reviewed by the Lead Authority.

If the applicant is in a time limited band and has either not bid for suitable properties advertised within the 1 month or has been unsuccessful in obtaining an offer of a tenancy within the limit, a direct match of a property may be considered. Where a private sector tenancy is available, suitable and affordable at the time the Local authority or its agents may look to secure a tenancy in the private rented sector.

## Demotion

The Lead Authority may however decide to demote an applicant to the band below at the end of the time-limited period if it is obvious that the applicant is choosing to wait for a particular type of property or immediate location and not treating their circumstance as urgent.

Applicants are encouraged to make full use of their bids and seek all housing options available to them. Applicants will be assessed by a senior officer if they have unreasonably refused a property or to bid in a reasonable time if the following criteria have been met:

- they deliberately do or fail to do anything in consequence of which they missed out on suitable properties
- it would have been reasonable for them to do so and there is no other good reason why they have not

The demotion period will be what the local authority deems reasonable up to 12 months and will be considered on a case by case basis.

## Global banding criteria

Global banding will be awarded to those on bandings where it would be unduly burdening another authority where the duty to house the household should remain with the lead authority.

Applications will be awarded a global band equal to that of their local banding in all but the below cases:

Where the lead authority has accepted a full statutory homeless duty to secure accommodation for the applicant. Your global banding in this circumstance will be silver.

Where the lead authority has a gold move on agreement from support accommodation, your global banding will be bronze.

Where the lead authority has assessed your property as having a prohibition notice then your global band will be bronze.

Where the lead authority has awarded you a downsizing band, your global band will be silver.

## Scheme Details

### Completed applications

Once the applicant has been assessed and accepted on to the Homeseekerplus scheme, they will receive, where possible within 28 days, notification, confirming their application details.

This will include;

- a) The band in which the applicant has been placed
- b) The property size for which the applicant is eligible
- c) The registration date
- d) Band start date
- e) reminder about the importance of notifying any change in circumstances
- f) A unique reference
- g) Details of the verification documents required
- h) Details of the appeal procedure

### Annual renewal process

Where an applicant has not made any bid on any property, nor updated their application in any way within the previous twelve months, they will be contacted to see if they still wish to remain on the Homeseekerplus Register. If there is no response within 28 days from the date of notification, the application will be removed. If the applicant contacts the Local Authority within 28 days of their application being cancelled and indicates that they still wish to be considered for housing, the application will be reinstated.

Applicants must renew their application if requested to do so by Homeseekerplus.

### Reapplying

Any former applicant will need to make a new application, which will be dated from when it was received.

## Removing applications

An application will be cancelled from Homeseekerplus:-

- At the request of the applicant
- Where an applicant does not respond to an application review within the specified

time limit

- Where the applicant moves and does not provide a contact address
- Where the applicant has died
- Where an applicant ceases to be eligible

## Bidding

Once applicants have been registered as active on Homeseekerplus and notified of banding and log in details, they can start to look and bid for a suitable property of their choice subject to the terms and conditions of their banding.

Applicants may bid for eligible properties within the deadline given. It makes no difference to the final shortlist what time during the week the bid was placed. Property details and information should be carefully read as some properties will have additional requirements that make the property unsuitable for the applicant e.g. the number of people the property is suitable for – some have only single bedrooms.

Applicants may have up to a maximum of three bids in any given bidding cycle. Until a decision has been made as to who will receive the offer, a bid will remain live. The applicant can withdraw their bid if they wish to bid for another property during the same cycle.

At the time the bid is placed, the applicant will be given their current position on the shortlist. This is only an indication, as the position can change, as other people bid, or bids are withdrawn. All shortlists are live and subject to change.

## Advertisements

All partner landlords are committed to advertising their available properties as widely as possible. Properties will be advertised in several ways on a weekly basis.

- A dedicated website for Homeseekerplus is accessible to anyone with Internet access. The website will allow applicants to view all available properties across the whole of Gloucestershire and West Oxfordshire and bid 'on-line' for properties of their choice.
- Adverts displayed in a number of localities across the Homeseekerplus partnership including local authority offices.
- By post in a number of formats to aid those in line with the public sector equality act.

## Property descriptions

Properties advertised will carry (where possible) a photograph of the property location and a full description which will include:

- Type of property and eligibility criteria
- Number of bedrooms and eligible household size appropriate
- Location of property
- Any adaptations and therefore restriction on those who may apply
- Services provided
- Heating type
- Rent/service charges
- Local connection requirement
- Additional features, marketing information and pet restrictions
- Details on those who will be given priority
- Where rural settlement or local letting policies apply
- If a Social Housing Landlord's allocation policy applies
- Void start date or new build when it's expected to be ready
- Any rent in advance payable
- Floor level of property

### Rural settlements and local letting plans

Additional local connection criteria will apply for properties in rural villages where there are particular shortages of housing sites with planning conditions (Section 106 agreements and rural exception sites) attached to them. In these cases, priority will be given to Applicants who are unable to live in their community due to the lack of affordable housing, who have a local connection to the parish or surrounding parishes by means of living in the parish, working in the parish or having immediate family connections to the parish. Where this applies the details will be explained in the property advertisement.

The Homeseekerplus Partnership is committed to creating balanced communities. For new developments and in areas where there are known problems, such as antisocial behaviour or abandoned properties, a local lettings plan may be applied. The plan will take into account the needs of the current and new residents and the makeup of the block, street or cluster of streets, to ensure a responsible letting is made. The local authorities will review each letting plan periodically with landlords.

## Allocations

### Shortlisting

Once the advert deadline has passed, a shortlist will be produced for each advertised property showing all the applicants who have bid. For each property advertised, the successful applicant will generally be the applicant who has the highest band and the oldest band start date that is eligible to bid (i.e. who best meets the criteria in the advert and the policy)

The system will produce a shortlist based the applicants banding, banding start date, local connection and any other criteria stipulated in the advert.

Each Social Housing Landlord is responsible for checking to ensure there has been no change of circumstances including eligibility for social housing to the housing need assessment of the applicant since originally verified. This is to ensure that social housing is not allocated incorrectly to applicants who no longer match the criteria.

Each applicant will be given the opportunity to view the property before signing for a tenancy.

Should an applicant be at the top of the shortlist for more than one property, one of the Social Housing Landlords of the properties will contact the applicant as quickly as possible to ask them to decide which property they wish to be considered for. Once they have made their decision, their other bids will become invalid. In this circumstance, viewing of any of the properties before a decision is taken is unlikely to be available and will be at the Social Housing Landlord's discretion.

If an applicant is direct matched for a property, any other bids they have made will become invalid.

Any applicant who has a propriety interest in a property must be able and willing to dispose of that interest in a reasonable period.

### By-passing

A by-pass is where an applicant has bid for a property but is not offered the tenancy.

The appropriate Social Housing Landlord will inform the household of the by-pass and of any steps needed to prevent further by-passes for the same reason.

By-passing will be carried out inline with social housing landlords lettings policy, local letting plans and homeseekerplus policy and inform you where reasonable.

Applicants will be required to match the requirements of this policy and match the criteria of the individual property as detailed in the advert. The advert includes details of both the type of applicant that is eligible for the property and any further restriction due to the Social Housing Landlord's own published allocation policy. If the applicant is at the top of the shortlist but does not meet all these criteria, the Social Housing Landlord may not consider the applicant.

Where an offer is being made to a current tenant of a Social Housing Landlord within the partnership, it is made subject to the satisfactory conduct of the present tenancy and approval of that Social Housing Landlord (which may include a home inspection).

If there is an occasion where two or more applicants have the same band start date and application date, the Social Housing Landlord will make a decision which applicant best meets the aims and objectives of Homeseekerplus.

### Withdrawal

A shortlist maybe withdrawn at any stage during advertising or shortlisting.

An offer of a tenancy may be withdrawn at any stage up to the signing of the tenancy agreement.

This may happen in certain circumstances, such as the tenant of that particular property has failed to vacate the property or the property has been incorrectly labelled on the advert.

If this happens, the Social Housing Landlord will inform the successful applicant that the property is no longer available. If the property is not ready for occupation following a successful bid and the applicant is likely to wait some considerable time before being able to sign the tenancy agreement, the Social Housing Landlord will inform the applicant and give them the option to withdraw their bid so they can bid for any other suitable properties. If the property was mis-labelled on the advert it will be re-advertised.

### Refusals

Applicants are expected to take reasonable care when bidding for a property to ensure it meets their needs. If however an applicant decides to refuse an offer of accommodation, the property will be offered to the next suitable applicant on the shortlist. An application will be reviewed if an applicant refuses 3 offers of accommodation which the local authority or its agents deem suitable. This could lead to the applicant being suspended for a minimum of 6 months or being placed in a lower band.

If an applicant in a time limited band refuses an offer of accommodation the application will be reviewed and may be suspended for a minimum of 6 months or placed in a lower band.

### Homelessness

The local authority or its agents will normally expect an applicant to whom it has accepted a full homeless duty to bid for a wide range of suitable properties within the time limit in the Gold Band.

If the main homeless duty is accepted, you will be placed onto autobid from the start of this duty.

At the same time the local authority or its agents may be looking to discharge the homeless duty into an affordable and suitable private sector tenancy. If one is identified, the Homeseekerplus application will be reviewed and any homeless banding priority awarded will be removed whether or not the applicant accepts the private sector property found which will still be subject to the statutory review process.

If a homeless applicant has not been actively bidding for all suitable properties or a suitable private sector property is not available at the end of the one month time limit, the local authority or its agents will secure an offer of suitable, affordable settled accommodation for the household subject to availability.

Due to limited resources, high demand, and duties to provide accommodation to some groups of applicants in urgent housing need the degree of choice that the local authority is able to offer may be limited.

Applicants will be able to express a preference over the area in which they would like to live and the property type they would like, but should be aware that the local authority ability to satisfy a preference will be limited. Expressing a preference over where an applicant would like to live does not mean that this preference can be met, or that the local authority will not offer suitable accommodation outside of a preferred area. The local authority will consider whether the property is suitable for you and is a reasonable offer in order to meet its duties under Section 189B (2) relief of homelessness duty or the main section 193 (2) duty under Part VII of the Housing Act 1996.

Not all properties that become available will be advertised and offered through the Band and date order procedure

### Direct matching

A direct match is a property which is not available through Homeseekerplus. All the partner social housing landlords are committed to advertising as many of their vacant properties as possible through Homeseekerplus. There will be occasions when certain properties will not be advertised and the reasons for these exclusions will be monitored. Some examples are: -

- Over-riding social reason to move the household for safety reasons, as recommended by the Police, partner organisations, or as agreed through multiagency need and risk assessment panels.
- Those let to discharge statutory duties to Homeless applicants in certain circumstances.
- Properties required for existing tenants whose properties are subject to major works requiring them to vacate their own properties (either on a temporary or permanent basis).
- Extra-care vacancies and any supported accommodation where there is an applicant with a Care package that needs a specific property.
- Applicants who have succeeded to a tenancy or, in certain circumstances such as following the death of a family member, left in occupation but who need to move to alternative accommodation.
- Where a property has been adapted and meets the specific needs of a client.
- Applications subject to the Rent (Agriculture) Act 1976.

There will be circumstances where for urgent operational reasons there is a need to make direct offers of housing outside of the normal policy banding and date order criteria.

This may also restrict the time an applicant is able to bid for accommodation. The offer of accommodation would be in any area of the district that is considered reasonable and the property is suitable and safe for the applicant to live in.

A decision to make a direct match offer could be where:

- An applicant is not being realistic in the areas they are bidding for accommodation and as a result they may be occupying accommodation provided as homeless longer than they need to.

or

- To assist the local authority in effective management (including financial) of its homeless accommodation

## Monitoring and review

### Review/appeal procedure

All applicants have the right to request a review of any Homeseekerplus decisions. The review/appeal should include the reason why the applicant believes the decision is incorrect, together with any additional information.

#### Stage One – Internal Review

If you disagree with the way we have assessed your application for housing, or with the housing need band in which we have placed your application, you may request a review which will be decided by a senior housing officer who was not involved in the original decision from the local authority or the agent dealing with your application. To request a review:

- You must complete a Stage 1 - Internal Review Request Form which can be downloaded from the Homeseekerplus website [www.Homeseekerplus.co.uk](http://www.Homeseekerplus.co.uk) and when completed in full, send to the council you applied to within 14 days of receiving your letter or notification.
- We will deal with your request within 14 days or let you know if we will require additional time.
- We will write to you with the outcome of the review within a further 7 days of being determined.

#### Stage Two – Homeseekerplus Appeal Panel

If you disagree with the outcome of the stage 1 internal review, you can request that your case be taken to the Homeseekerplus Appeal Panel. The Homeseeker Panel is made up of 3 or more Senior Housing Officers from 3 of the Partner Councils. These Officers will not have been involved in the original decision or the Officer decision on internal review. The applicant must submit a request for an appeal in writing and send to Homeseekerplus Co-ordinator within 14 days of the review notification letter. The local authority or its agent will acknowledge receipt of the request for an appeal within 14 days and provide the applicant with contact details of the officer dealing with the request and the time it will take to reply to the applicant. If the review cannot be completed within 56 days, the applicant will be informed and the timescales for the review set out.

The panel will be made up of senior housing officers from three or more of the other local authorities. The appeal will consider the facts surrounding the case and your request should specify whether there are additional facts the Panel should take into consideration or whether you feel that the original facts you submitted with your application have not been fully taken into account. If you have additional evidence, such as additional medical reports, then these should also be submitted up to one week before the panel meet.

The Panel will consider the review on the papers submitted by the applicant and the housing officer from the local authority involved in the case. If determined by the Homeseekerplus Co-ordinator the applicant or the relevant Housing Officer maybe asked to attend this review hearing if requiring additional information from either party and, should this be the case, the applicant and the relevant Housing Officer will be asked to personally attend a further review Hearing. The applicant can bring a representative.

The Homeseekerplus Co-ordinator will chair this panel and a nominated representative will be present at the Hearing to ensure that all relevant information has been presented and is dealt with correctly.

The panel must come to a majority decision, should this not be the case, the Homeseekerplus Co-ordinator and chair of the panel will arbitrate.

Once the appeal has been determined, or if the Panel require the applicant to attend a further Hearing, the Homeseekerplus Co-ordinator will write to the applicant giving full details within 14 days or as soon as reasonably practicable thereafter.

#### Local Authority Complaints Procedure

If you feel that you have been treated unfairly or you believe the process has not been carried out as described above you can use your Local Authority's (or its agents) Complaints Procedure to make a formal complaint.

The complaint must be made in writing to the appropriate authority within 14 days of the date of the written notification of the decision of the Homeseekerplus Appeal Panel.

If the applicant is still dissatisfied, they may complain directly to the Local Government Ombudsman.

#### Subject access requests

Applicants are entitled under the Data Protection Act 2018 or any superseding legislation to request details of their personal data held by the seven local authorities. A charge will be made for providing this information.

#### Use of statistical information

The information supplied by Applicants on their housing application may also be used for housing management and research purposes within legal guidelines (such as identifying what size and where new housing is required). No individual will be identified in collating such information.

#### Policy management

The Homeseekerplus Co-ordinator will run regular reports to monitor performance of the scheme in meeting the aims of the policy.

The Homeseekerplus policy will be regularly reviewed and at least annually to ensure that it takes into account change in demand and need within the district, that it continues to meet its aims and objectives and that it complies with any legislative changes.

Any changes to the Homeseekerplus Policy will be implemented only with the majority agreement of the members of the Partnership. An interested party may contact any of the local authority partners to make observations to be considered at the next review.

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## Annex C - Summary of Proposed Changes

### Summary Report prepared by the HomeseekerPlus County Coordinator September 2021

#### Reason for policy change

In 2009 the Gloucestershire Homeseeker partnership was formed, since then there have been tweaks to the policy and in 2016 the partnership and policy had a major change to include West Oxfordshire and changed names to HomeseekerPlus. Other than minor tweaks to include new legislation such as the Homelessness Reduction Act there has been no major rewrite and clarification of the policy undertaken.

This has led to the common allocation policy being interpreted differently across the partnership, therefore this new policy aims to remove ambiguity and add clarification.

#### Old policy

I Introduction.

I.1. HomeseekerPlus is a choice based lettings (CBL) scheme run by the seven local authorities in partnership with the majority of Social Housing Landlords operating within Gloucestershire and West Oxfordshire.

I.2. It must be recognised that the demand for affordable social housing within the HomeseekerPlus area is very high and cannot be met from the available resources. Only those in the highest housing need, with a local connection to the area are likely to obtain housing through the scheme. Each district's Housing Advice Service will be able to discuss a range of housing options.

I.3 The policy takes into account the Localism Act 2012, Welfare Reform Act 2012 and the Statutory Code of Guidance on the Allocation of Accommodation 2012. It also has regard to the Councils' Homelessness, Tenancy Strategies and Housing Policy.

#### Proposed change

I.1 HomeseekerPlus is a choice based lettings (CBL) scheme run by the seven local authorities in partnership with social housing landlords, and any other housing providers that are required to deliver affordable homes through section 106 affordable housing obligations operating within Gloucestershire and West Oxfordshire.

I.2 The seven local authorities are Tewkesbury Borough Council, Gloucester City Council, Cheltenham Borough Council, Stroud District Council, Forest of Dean District Council, Cotswold District Council and West Oxfordshire District Council.

I.3 Demand for affordable social housing within the HomeseekerPlus area is very high and cannot be met from the available social housing resources. Only those in the highest housing need, with a local connection to the area are likely to obtain housing through the HomeseekerPlus scheme. Each district's Housing Advice Service will be able to give advice on a range of housing options including the private rented sector.

1.4 The policy explains who is eligible and qualifying to apply on HomeseekerPlus and sets out how applications will be assessed based on housing need.

1.5 HomeseekerPlus aims to allocate social housing in their area in a fair and transparent way while complying with all legal requirements.

#### Overview of how the partnership functions

2.1 HomeseekerPlus enables social housing landlords, and any other housing providers that are required to deliver affordable homes through section 106 affordable housing obligations to advertise their homes and applicants are able to express an interest in them. This is known as a “bid” for a property. Once a bid is placed the system will generate a shortlist placing applicants in order of band, band start date and whether they meet the criteria of the advert. Priority for properties goes to those who have a local connection with the local authority in which the property is located, then to those who have a local connection with any of the other HomeseekerPlus districts and finally to anyone else.

#### Legal section

The current Policy only makes passing reference to the Legislation and Statutory Guidance which need to be complied with, with several of those mentioned now being superseded.

Due to this we have provided a separate section, adding in references to the Homelessness Reduction Act 2017 and the Data Protection Act 2018. The section on Data Retention clarifies our existing Policies which were designed alongside the Council’s Audit and Compliance Team.

#### Old Policy

No current section

#### Proposed Change

5.1 The HomeseekerPlus complies with the local authority’s statutory duties under Part VI and VII of the Housing Act 1996 as amended and the Homelessness Reduction Act 2017, in addition to any other relevant legal duties and has regard to the following:

- Allocation of accommodation: guidance for local housing authorities in England 2012
- Equalities Act 2010
- Public Sector Equality Act 2010
- Data Protection Act 2018
- Localism Act 2011
- Immigration Act 2014
- Local Letting Plans
- S.106 agreements

## Data retention

- 6.1 As part of the application process, personal data is required to support any housing application. The Council will comply with all data protection legislation. This includes:
- For active applications, data is stored for as long as your application is active.
  - For housed applications, data is stored for 3 years
  - If you do not use HomeseekerPlus for a period of 1 year, then your case will be set to removed and removed after 6 months.
  - Homeless applications are kept for 3 years.

## Definition of social housing providers for HomeseekerPlus

- 7.1 For the purposes of this policy, affordable housing is defined as being social rented and affordable rented housing provided to eligible households who otherwise would be unable to secure alternative provision, and who have been assessed under this policy. Housing providers who operate within the Homeseekerplus boundaries are defined as being registered providers, arm's length management organisations or stock owning Councils. Eligibility and qualifying criteria for providers is set by this policy.

All partners have a common goal to provide homes for local people in housing need with eligibility determined within this policy framework.

## Types of tenancies

- 8.1 Depending on the landlord and applicants circumstances, an applicant may be offered either an introductory; secure; starter; assured; fixed term; assured short hold; or flexible tenancy.

## Who does not qualify?

This section was greatly expanded to provide clarity to existing homeowners facing hardship and where someone does not qualify due to being evicted for anti-social behaviour, they can be provided with defined actions/timescales for them to take before consideration would be made.

### Old policy

An applicant will not be accepted for social housing if we are satisfied that: -

- a) They have sufficient financial resources to resolve their own housing need.
- b) Where they have unreasonably disposed of financial resources that could have enabled them to purchase/obtain their own accommodation.
- c) They own or part own a property which is suitable for their needs, or where those needs can be resolved through adaptation, sale or where, if they sold it, they

could afford to buy another property. We may make exceptions to this rule in the case of proven social or medical needs.

- d) The applicant, or a member of their household, has been responsible for unacceptable behaviour serious enough to make them unsuitable to be a tenant of the Authority or a Social Housing Landlord at the time of application. Each case would be considered upon its own merits and subject to the spirit of the Rehabilitation of Offenders Act 1974 according to individual circumstances.

### **Proposed change**

11.3 The following are persons who do not qualify for HomeseekerPlus:

- An applicant may not hold two tenancies at one time, applicants must be able to end their current tenancy within a reasonable period from being made an offer.
- An applicant will not qualify for social housing if the local authority has undertaken an affordability check which has shown that they have sufficient financial resources to adequately resolve their own particular housing need through outright purchase, lease or mortgage. This check will consider the type of accommodation needed to meet these needs to resolve their own housing need within their district.
- Homeowners who own or part own a property which is suitable for the household's needs or where those needs can be resolved through adaptation, and where it is safe to remain.

### **Financial**

12.8 Applicants who have unreasonably disposed of financial resources that could have enabled them to purchase/obtain their own accommodation will be suspended.

Financial Assessments of armed forces applicants will have due regard of statutory guidance to social housing for members of the armed forces.

### **Unreasonable behaviour/rent arrears**

12.9 The applicant, or a member of their household, has been responsible for unacceptable behaviour serious enough to make them unsuitable to be a tenant of the local authority or a social housing landlord at the time of application.

12.10 Behaviour that may be regarded as unacceptable is as follows: -

- Criminal activity in the vicinity of the property
- History of anti-social behaviour or disruptive nuisance to neighbours
- Racial harassment
- Illegal drug use or dealing
- Any other breach of the tenancy agreement such that the landlord would be likely to apply for and obtain a possession order.

12.11 As part of the assessment, consideration will be given to the household's personal circumstances, the severity of the situation and any other factors that may be relevant.

12.12 Such applicants will be informed of the actions required from them to demonstrate that there has been a change in their behaviour such that they will become qualifying e.g. obtaining a satisfactory landlord reference for a period of six months or where regular repayments are made without fail against an agreed repayment plan for a period of six months.

### Suspending and demoting

Rewritten and expanded, some parts were moved from other areas of the Policy, this now means all the reasons for suspending or demoting are all in one place. This will make it easier for Customers and Staff to refer back to the Policy.

#### Old policy

9.1 If we become aware that a household has rent arrears or other housing debt accrued after an application has been registered the applicant will be given the opportunity to clear the debt before an offer proceeds. If the applicant is unable to do this, they may be suspended for a period as required to clear the debt before they can bid for other properties but each case will be considered upon its own merits. If a partner landlord becomes aware of such a debt they will advise the relevant local authority who may suspend or cancel the application as non-qualifying depending on the circumstances.

9.2 Applicants who have been awarded time limited bands are expected to bid on all suitable property types in a reasonably wide range of areas. Failure to do so may result in suspension or demotion for a period.

9.3 Whilst HomeseekerPlus aims to give applicants choice for good reason it also needs to help social landlords let their available homes in an efficient way. If an applicant refuses 3 properties that the local authority considers were suitable, the application may be demoted or suspended for a period.

9.4 An immediate review of an application will be undertaken if an applicant is found to have acted (or failed to act) in a way which deliberately worsened their housing situation. This could lead to the applicant being suspended, or being demoted to a lower band, for a minimum of 6 months.

9.5 Applicants will be advised as to what action/s will be necessary to lift the suspension or demotion.

#### Proposed change

##### Tenancy Debts

12.2 If an applicant has rent arrears or other housing debt with a social landlord or any other housing provider (as detailed in 1.1 above) , which accrued less than 6 years ago, the applicant will be given the opportunity to clear the debt before a decision to suspend the application is made. If the applicant is unable to do this, they may be suspended for a period sufficient to reduce the debt to below the equivalent of eight

weeks arrears, as well as having a repayment plan in place and payment being made before they can bid for properties.

12.3 Each case will be considered on its own merit, For example, an application would not be suspended if rent arrears arose as a result of domestic abuse.

12.4 Existing social housing tenants who are suspended because of rent arrears will be considered as an exception on an individual basis if proved that they cannot afford to stay in their current tenancy as a result of Welfare Reform Act changes.

12.5 If a partner landlord becomes aware of such a debt they will inform the relevant local authority when arrears are reduced. The local authority may unsuspend the application or advise the applicant to submit a change of circumstances for their application to be reassessed.

### **Time Limited Bands**

12.6 Applicants who have been awarded time limited bands are expected to bid on all suitable property types available within their local connection area. Failure to do so may result in suspension or demotion for a period the local authority deems appropriate.

### **Repeated Refusal of Properties**

12.7 Whilst Homeseekerplus aims to give applicants choice, it also needs to help social landlords let their available homes in an efficient way. If an applicant refuses three properties that the local authority considers suitable, the application will be demoted or suspended for a period of 6 months from the time of their last offer. This provision does not apply to final offers of accommodation made in order to discharge homeless duties under part VII of the Housing Act 1996 (as amended) or Homelessness Reduction Act 2017.

### **Financial**

12.8 Applicants who have unreasonably disposed of financial resources that could have enabled them to purchase/obtain their own accommodation will be suspended.

Financial Assessments of armed forces applicants will have due regard of statutory guidance to social housing for members of the armed forces.

### **Deliberately worsening their circumstances**

12.13 An immediate review of an application will be undertaken if an applicant is found to have acted (or failed to act) in a way which deliberately worsened their housing situation. This could lead to the applicant being suspended, or being demoted to a lower band, for a minimum of 6 months.

### **Exceptions**

12.14 Exceptions to these qualifying criteria include:

- Those people fleeing harassment or violence where the Police, Independent Domestic Violence Advocates (IDVA) or Multi Agency Risk Assessment Conference (MARAC) support a move
- Proven social or medical/welfare needs

12.15 In exceptional circumstances where the applicant has an urgent need to move, the local authority may waive this qualification and suspension criteria.

### **Requesting a review of a suspension / demotion**

12.16 Applicants will be advised as to what action/s will be necessary to lift the suspension or demotion.

Applicants who are suspended will need to contact their relevant local authority to ask for a review of this suspension if they feel their circumstances have changed. If agreed, their application will be reactivated and reassessed.

## **Local connection**

This is one of the key sections of the Policy, it was felt the old Policy was unnecessarily wordy which had the potential for confusion. A section has been added going into more detail on how this will be considered, it also provides specific advice covering Care Leavers, those in or have left the Armed Forces and people who have recently travelled from Abroad (including refugees and asylum seekers).

### **Old policy**

Local Connection is defined in Part VII of the Housing Act 1996 as:

- Those who are normally resident in the local authority area, and that residence is or was of their own choice. (Local Authority Agreement guidelines suggest this as having resided in the area for six of the last twelve months, or three of the last five years, where residence has been out of choice);
- Those who are employed in the local authority area. (Local Authority Agreement guidelines suggest this as employment other than of a casual nature);
- Those that have family connections in the local authority area. (Local Authority Agreement guidelines suggest this as immediate family members who have themselves lived in the area for five years).
- Members of the armed forces have a local connection to the district of their choice (Those currently serving, served within the immediate preceding 5 years; bereaved spouse or civil partner who has recently or will cease to be entitled to Ministry of Defence accommodation following the death of their service spouse and the death was wholly or partly attributable to their service; existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service).
- Other special circumstances.

## Proposed change

### Local Connections

14.1 Due to the exceptional demand for housing across the Homeseekerplus area and the difficulty in solving local housing need, preference will normally be given to applicants with a local connection to the appropriate district.

14.2 Homeseekerplus local connection is defined by any of the following:

- Those who are, or were in the past, normally resident in the local authority area, and that residence was of their own choice during six out of the past 12 months or during three out of the past five years.
- Those who are employed in the local authority area
- Those who have immediate family connections in the local authority area for five years
- Members of the armed forces
- Other special circumstances

14.3 Local connection will be awarded by the lead authority only.

### Local connection clarification

15.1 Normal residence

‘Normal residence’ is to be understood as meaning ‘the place where, at the relevant time, the person in fact resides.’ Residence in temporary accommodation provided by a housing authority can constitute normal residence of choice and contribute towards a local connection. In the case of a person who is street homeless or insecurely accommodated (‘sofa surfing’) within their district, the housing authority will need to satisfy themselves that the applicant has no settled accommodation elsewhere, and if from inquiries the authority is satisfied that the applicant does in fact reside in the district, then the applicant will be considered as normally resident.

15.2 Where the applicant raises family associations, this may extend beyond partners, parents, adult children or siblings. They may include associations with other family members provided there are sufficiently close links in the form of frequent contact, commitment or dependency. Family associations should be determined with regard to the fact-specific circumstances of the individual case.

15.3 Employment

For the purposes of employment, a member of the application should work in the district they are applying too: it would not be sufficient if the employer’s head office is located in the relevant district, but their place of work is not. In the case of self-employment, local connection will be defined by the address at which their business

is registered. For agency, casual or other types of employment, proof must be provided that the employment contract is not short-term, casual or ancillary.

#### 15.4 Special Circumstances

Special circumstances include but are not limited to the need to be near special medical or support services which are available only in a particular district and where transport links are not sufficient to meet those needs. Special circumstances will be assessed on their own individual merits.

#### 15.5 Care leavers

Care leavers who are owed a 'Leaving Care' duty, will have a local connection to all districts within the area of the Children's Services Authority. Care leavers who have been placed in accommodation in a different district to that of the Children's Services Authority, and they have lived in the other district for at least 2 years, including some time before they turned 16, they will also have the same local connection until they are 21.

Any local care leavers protocol applies.

#### 15.6 Armed Forces

Members of the armed forces will have a local connection to a district of their choice. This applies to:

- Those currently serving, or having served within the immediately preceding five years.
- Bereaved spouses or civil partners who have recently, or will cease to be, entitled to Ministry of Defence accommodation following the death of their service spouse and the death was wholly or partly attributable to their service.
- Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.

15.7 Local connection will also be awarded to divorced or separated spouses or civil partners of Service personnel who are required to move out of accommodation provided by the Ministry of Defence.

#### 15.8 Persons from Abroad

If an applicant has been subject to immigration control where they would not have been deemed eligible and subsequently become eligible, the date of where a local connection would apply is the date they moved into the area. Refugees would have a local connection outside of these criteria to the last area they were housed in by the Home Office under asylum support.

15.9 Local connection will not be awarded if your accommodation was not of the applicant's own choice. This includes but is not limited to:

- Approved premises
- Rehabilitation units

15.10 Decisions on local connection will be made based on the facts at the date of the decision and not the date of application.

## Verification

This section was vague, and each council verified in different ways and at different times. To have a more comprehensive verification we have added in what documents are needed and what verification is. This also works in with the functions on the HomeseekerPlus website so applicants can upload these when they apply which they previously couldn't do.

### Old policy

Applicants will be able to bid for properties advertised, but no tenancy will be offered until verification has been completed.

### Proposed change

19.1 Applicants will be able to bid for properties advertised, but no tenancy will be offered until verification has been completed by the relevant local authority. The purpose of this verification is to establish the accuracy or validity of the application.

19.2 Documents required for verification will depend upon individual circumstances. Documents must be provided to verify medical needs, eligibility and qualifying status etc.

19.3 Key documents will remain valid for 6 months or for the length of validity of the document, whichever is the longer or should your circumstances change then we may require further verification of your documents.

19.4 Key standard documents can include, but are not limited to:

- Identification for all household members on the application
- 2 months bank statements of all household members over the age of 18
- Proof of Child Benefit or an appropriate court order
- Proof of residency to support 'right to rent' checks

## Medical and welfare banding

This section is mostly the same, but we have split medical and welfare into two new bands instead of a joint band. The wording has stayed mostly the same. This will be the only change that will affect people as they will need to be rebanded into separate bands, this shouldn't change their bands unless their circumstance have changed.

The reason for this change is to better highlight the types of situations people are being banded for. Medical/Welfare is at present a big category and this will allow a more fine-tuned consideration of households being awarded these bandings.

### **Old policy**

#### **Emergency Band**

The applicant assessed as immediate need of re-housing on medical grounds. This is most likely to be when they have had a major incident, are in hospital or other emergency provision and unable to return to the existing home because of changed medical condition.

Or

Exceptional circumstances where there is proven threat to life or limb. This would normally be based on information provided by the Police or Emergency services.

Or

Exceptional circumstances where the current property has a critical detrimental effect on their welfare. This would normally be based on information provided by Emergency services, multi-agency meetings or Social Care services.

These are time limited for 1 month when they will be reviewed. It can be extended if no suitable properties have become available in this time scale or a direct match can be made.

#### **Gold Band**

Urgent medical/welfare need or long term disability that would be alleviated by a move to more suitable accommodation. This would apply when the situation is so serious that it would not be reasonable to expect the applicant to continue to live at the property for any length of time, given their particular medical/welfare circumstances but not a life threatening emergency.

Proof of the situation would be required from Social Care services, NHS or other medical specialists.

#### **Silver Band**

Significant medical or welfare need that would be alleviated by a move to more suitable accommodation. This could be situations/medical conditions that could apply to one or more members of the household which because of the particular household circumstances significant distress is caused. Proof of the situation would be required from Social Care services, NHS or other medical specialists.

Depression and asthma are the most commonly quoted medical conditions. Where these are mild and not directly related to the current property priority is unlikely to be awarded.

## Proposed change

### Medical Need

#### Emergency band

22.14 The applicant is assessed as in immediate need of re-housing on medical grounds. This may be when they have had a major incident, are in hospital or another emergency provision and unable to return to the existing home because of their medical condition and immediate adaptations are not available.

This award is time limited for 1 month when it will be reviewed. It can be extended if no suitable properties have become available in this time scale or a direct match can be made.

#### Gold band

22.15 Urgent medical need or long-term disability that would be alleviated by a move to more suitable accommodation. This would apply when the situation is so serious that it would not be reasonable to expect the applicant to continue to live at the property for any length of time, given their particular medical circumstances but not a life-threatening emergency.

Proof of the situation would be required from Social Care services, NHS or other medical specialists.

For example, a member of the household seeking accommodation is disabled and re-housing will enable that person to overcome urgent physical barriers created by current accommodation and it has been established that the home cannot be adapted to meet needs e.g. steps and stairs.

#### Silver band

22.16 Significant medical need that would be alleviated by a move to more suitable accommodation. This could be situations/medical conditions that could apply to one or more members of the household which because of the particular household circumstances significant distress is caused. Proof of the situation would be required from Social Care services, NHS or other medical specialists.

Depression and asthma are the most commonly quoted medical conditions. Where these are mild and not directly related to the current property, priority is unlikely to be awarded.

### Welfare Need

#### Emergency band

22.17 The applicant assessed as in immediate need of re-housing on welfare grounds where there has been a major incident and there is proven threat to life or limb. This would normally be based on information provided by the Police or other specialists.

### **Gold banding**

22.18 Exceptional circumstances where the current property has a critical long-term detrimental effect on their welfare. This would normally be based on information provided by multi agency meetings or Social Care services.

### **Silver banding**

22.19 Significant welfare need that would be alleviated by a move to more suitable accommodation. Proof of the situation would be required from Social Care services, housing association or other specialists to establish that a management move would not be appropriate.

This banding would only be used if the housing provider is unable to provide a suitable resolution.

## **Move on/care leavers**

This section was expanded to include the new care leaver duty.

### **Old policy**

Move-on from supported accommodation where a planned move is agreed by the relevant local housing authority. When someone is placed in accommodation based supported housing and is not in their home/lead authority area there is a presumption that they will be reconnected back to their home area when ready to move-on from the supported accommodation. The support provider will also discuss other housing options before putting them forward for social housing.

There are 2 requirements for this priority:-

1. that the supported accommodation provider has confirmed that the resident is ready for independent living by completing the standard move- on form detailing the work they have completed with the resident and assessment of any remaining support needs.;
2. that the local authority has been involved in the move-on planning and accepts that they are the appropriate local authority to re-house this applicant by awarding this priority.

### **Proposed change**

#### **22.20 Gold Band**

A young person owed leaving care duties under section 23C of the Children Act 1989 and in a housing need will be awarded gold banding to the area of the Children Services Authority that owes them the duties. Homeseekerplus comprises of Gloucestershire and West Oxfordshire which have different Children Services

Authorities, therefore gold will only be awarded to housing authority districts falling within the area of the Children Services Authority.

Move-on from supported accommodation funded County Council commissioned services and where a local connection was agreed at point of referral by the relevant local housing authority.

When someone is placed in accommodation based supported housing and is not in their home/lead authority area there is a presumption that they will be reconnected back to their home area when ready to move-on from the supported accommodation.

The requirements for this priority are:

- that the supported accommodation provider has confirmed that the resident is ready for independent living by completing the standard move- on form detailing the work they have completed with the resident and assessment of any remaining support needs;
- that the local authority has been involved in the move-on planning and accepts that they are the appropriate local authority to re-house this applicant by awarding this priority;
- the accommodation is not low support, temporary or emergency provision or intensive housing management (unless subject to local individual arrangements).

### Bedroom need criteria

This section was tweaked to include clarification of shared custody and the reasons for an extra bedroom to be awarded.

#### Old policy

The bedroom need for a household is assessed to match Housing Benefit rules because from April 2013 the same rules apply to all renting households including social housing.

One bedroom is required for:-

- An adult couple,
- A person aged 16 or over.
- 2 children aged up to 16 years of age of the same sex.
- 2 children aged up to 10 years of age of different sexes.

19.2 When a child is born, the applicant must provide evidence of the birth as soon as possible and the bedroom need will then be re-assessed to ensure it is still correct.

19.3 An extra bedroom will be considered where the following applies:

- A carer who provides the applicant or their partner with regular overnight care, who is not normally living with you. Evidence will be required to substantiate any claim which may include the care component of DLA (Disability Living Allowance), PIP (Personal Independent Payment) or attendance allowance, or details of a care package from a care providing agency funded by Social Services.
- An independent medical adviser has confirmed the need for an extra bedroom.

In all cases an assessment of affordability will be undertaken, with discretion for the final decision being with the relevant local authority and social housing landlord.

19.4 Potential children of foster or adoptive carers will be considered in the bedroom need assessment on an individual basis once they have been accepted by the appropriate Social Care Panel.

19.5. No visiting children should be included on the application and they will not be included in the bed room need assessment.

### **Proposed change**

18.1 The bedroom need for a household is assessed to match housing costs guidance to ensure suitability and affordability for low income households.

18.2 One bedroom is required for:

- An adult couple
- A person aged 16 or over
- 2 children aged up to 16 years of age of the same sex
- 2 children aged up to 10 years of age of different sexes

18.3 When a child is born, the applicant must provide evidence of the birth as soon as possible and the bedroom need will then be re-assessed. This may not change the bedroom need or banding and any additional award will not be given until evidence of the birth is provided.

18.4 Visiting children will not be counted in this assessment.

### **Additional bedroom needs criteria**

24.1 Households will also be assessed to consider the need for one additional bedroom for each of the following, if they are assessed as being included as part of the household:

- A tenant requiring a non-resident overnight carer
- Disabled child who cannot share a bedroom with their sibling due to their disability
- An adult child who is serving away with the armed forces
- A room for a foster child or children

24.2 Households can include someone on the application if there is a need for them to live with the household in order to give or receive care or support, where no one in the immediate household is able to provide that care. Evidence will be required to demonstrate:

- that the household is dependent upon this care or support and that other satisfactory arrangements cannot be made
- that the arrangement is 'permanent'

24.3 We will also require evidence that the person requires your support or care; for example, proof that you/they are providing care, are in receipt of care allowances and are able to meet any costs associated with the additional bedroom either through benefits, income or savings.

24.4 We will usually only include members of the household that are currently living with you or that the Council can be satisfied will be reasonably expected to reside (if not currently residing) with you on your application.

24.5 In cases where two parents or guardians have joint access to children, bedroom eligibility will be awarded to the main care provider. Applicants will need to demonstrate that:

- they are the main care provider (children live with you for more than half the week – four nights or more) and are in receipt of child benefit and, if applicable, child tax credits
- that the arrangement is 'permanent'

24.6 Please note the protections afforded by the Equality Act 2010 are intended to be available to all, including children and adolescents. Any required additional bedroom need will be awarded on a case by case basis in line with housing benefit rules and an assessment of affordability.

## Demotion

New section not previously clarified. It was only written in general terms.

### Old policy

No current section

### Proposed change

26.1 The Lead Authority may decide to demote an applicant to the band below at the end of the time-limited period if it is apparent that the applicant is choosing to wait for a particular type of property or location, and not treating their circumstances as being urgent.

26.2 Applicants are encouraged to make full use of their bids and seek all housing options available to them. Applicants will be assessed by a senior officer if they have unreasonably refused a property or to bid in a reasonable time if the following criteria have been met:

- they deliberately do or fail to do anything and as a consequence they miss out on suitable properties
- it would have been reasonable for them to do so, and there is no other good reason why they have not

26.3 The demotion period will be what the local authority deems reasonable up to 12 months and will be considered on a case by case basis.

### Global banding criteria

This section has always been missing from the policy even though we have always had a global band.

#### Old policy

No current section

#### Proposed change

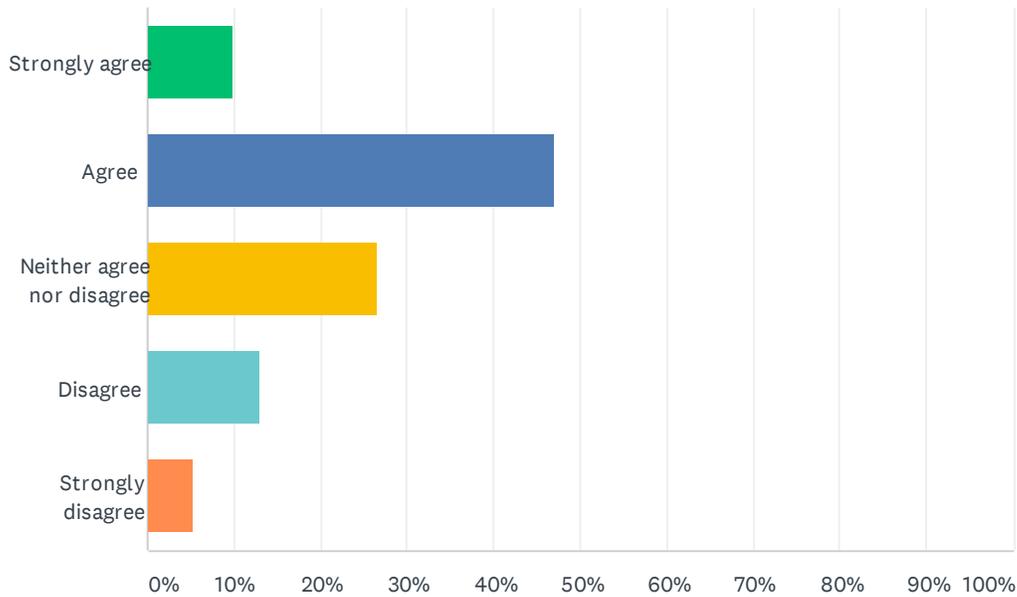
27.1 Applications will be awarded a global band equal to that of their local banding in all but the below cases:

- Where the lead authority has accepted a full statutory homeless duty to secure accommodation for the applicant. The global banding in this circumstance will be silver.
- Where the lead authority has a gold move on agreement from supported accommodation, the global banding will be bronze.
- Where the lead authority has assessed the property as having a prohibition notice, the global band will be bronze.
- Where the lead authority has awarded a downsizing band, the global band will be silver.

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# Q1 Do you agree with the objectives of the allocation policy? (see page 3-5 of the common allocations consultation document)

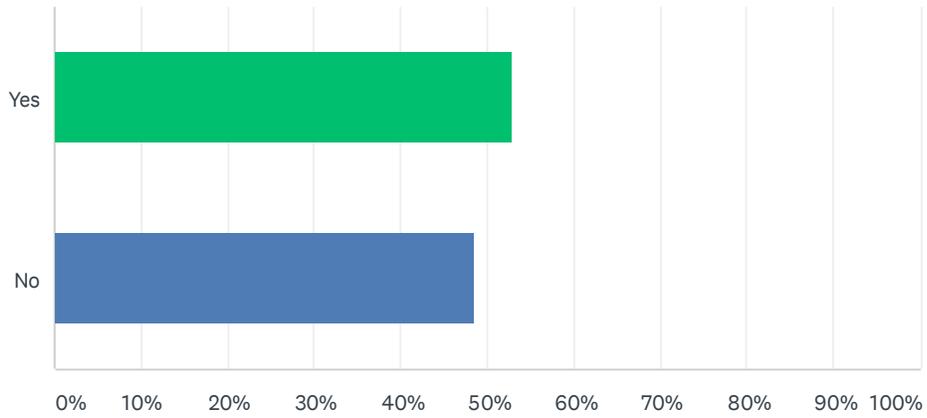
Answered: 225 Skipped: 7



ANSWER CHOICES	RESPONSES	
Strongly agree	9.78%	22
Agree	47.11%	106
Neither agree nor disagree	26.67%	60
Disagree	12.89%	29
Strongly disagree	5.33%	12
Total Respondents: 225		

## Q2 Are there any housing needs that you feel have not been addressed?

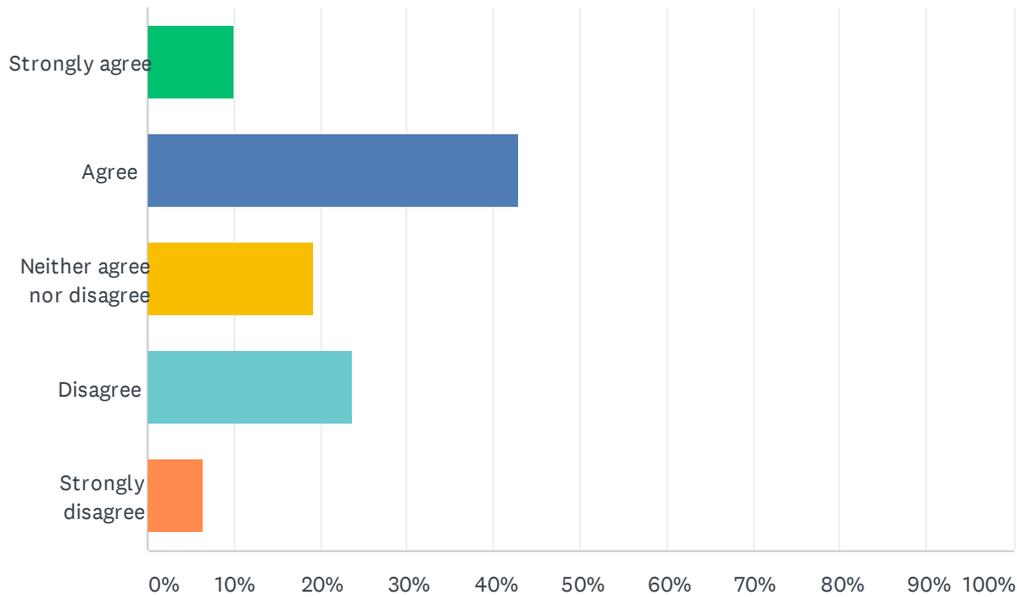
Answered: 227 Skipped: 5



ANSWER CHOICES	RESPONSES	
Yes	52.86%	120
No	48.46%	110
Total Respondents: 227		

### Q3 Do you agree that the banding system will give priority to those most in need of housing? (see Clarification of Band criteria page 15-19)

Answered: 229 Skipped: 3



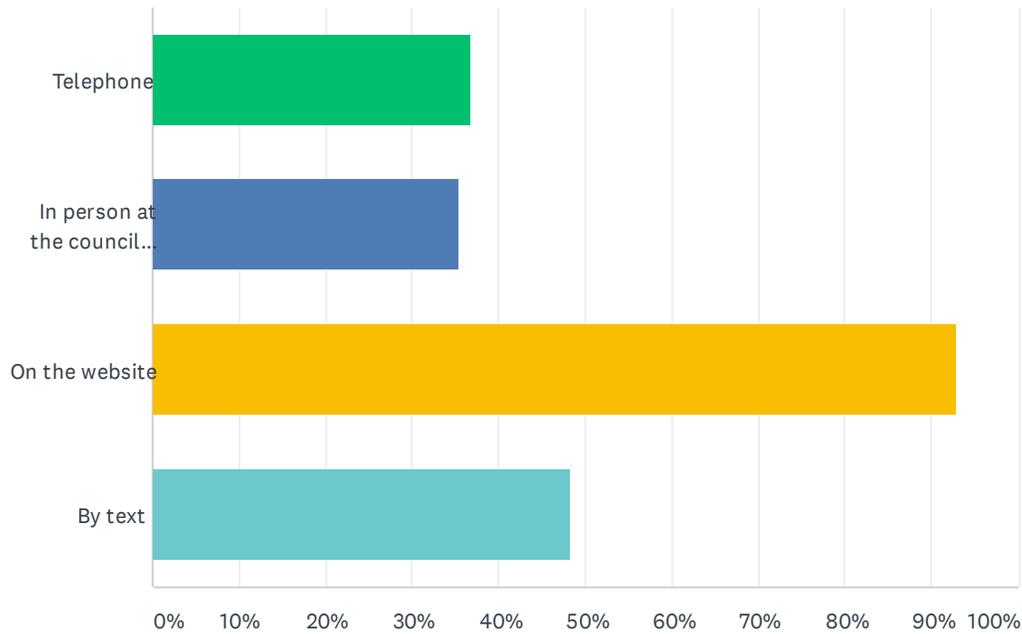
ANSWER CHOICES	RESPONSES	
Strongly agree	10.04%	23
Agree	42.79%	98
Neither agree nor disagree	19.21%	44
Disagree	23.58%	54
Strongly disagree	6.55%	15
Total Respondents: 229		

## Q4 Do you have any other comments on the allocation policy?

Answered: 157 Skipped: 75

### Q5 What method of bidding (expressing an interest) do you think should be available? (you may choose as many as you like)

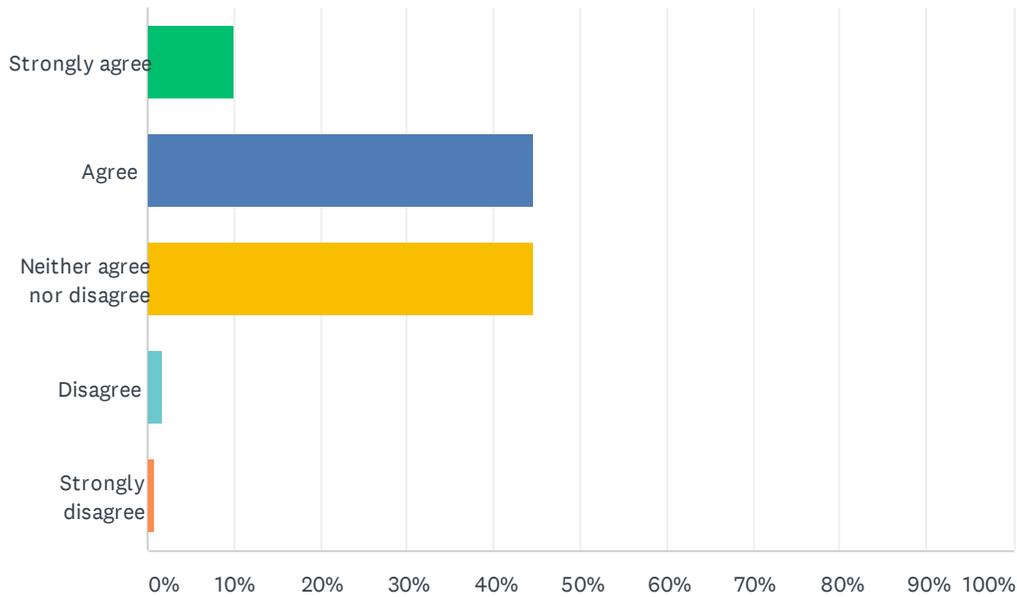
Answered: 226 Skipped: 6



ANSWER CHOICES	RESPONSES	
Telephone	36.73%	83
In person at the council offices	35.40%	80
On the website	92.92%	210
By text	48.23%	109
Total Respondents: 226		

## Q6 Do you agree or disagree with the data retention statement? (see section 2.2)

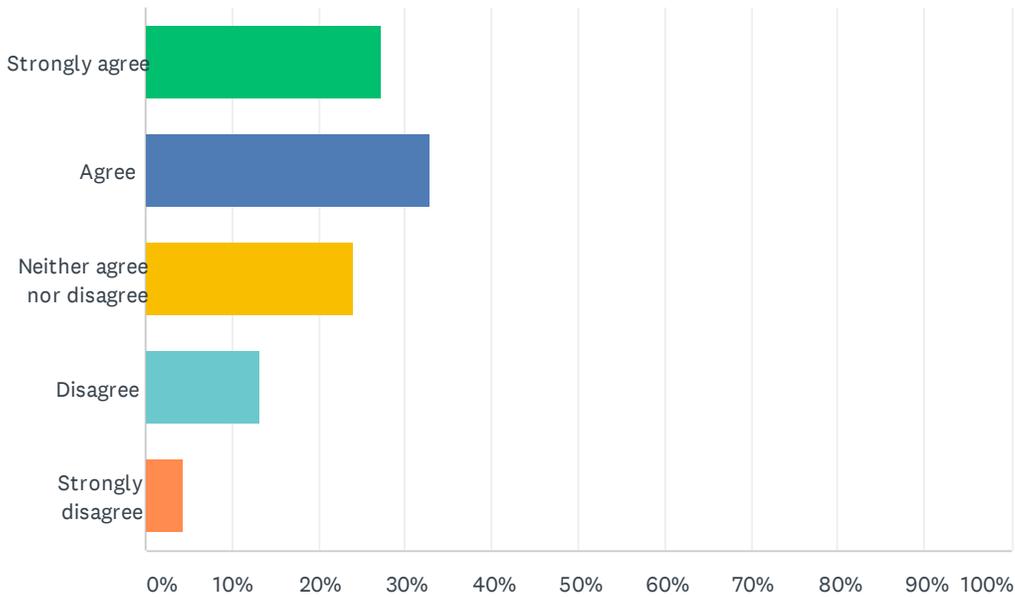
Answered: 229 Skipped: 3



ANSWER CHOICES	RESPONSES	
Strongly agree	10.04%	23
Agree	44.54%	102
Neither agree nor disagree	44.54%	102
Disagree	1.75%	4
Strongly disagree	0.87%	2
Total Respondents: 229		

### Q7 Do you agree that where an applicant have unreasonably disposed of financial resources that they should be non-qualifying? (see section 3.9)

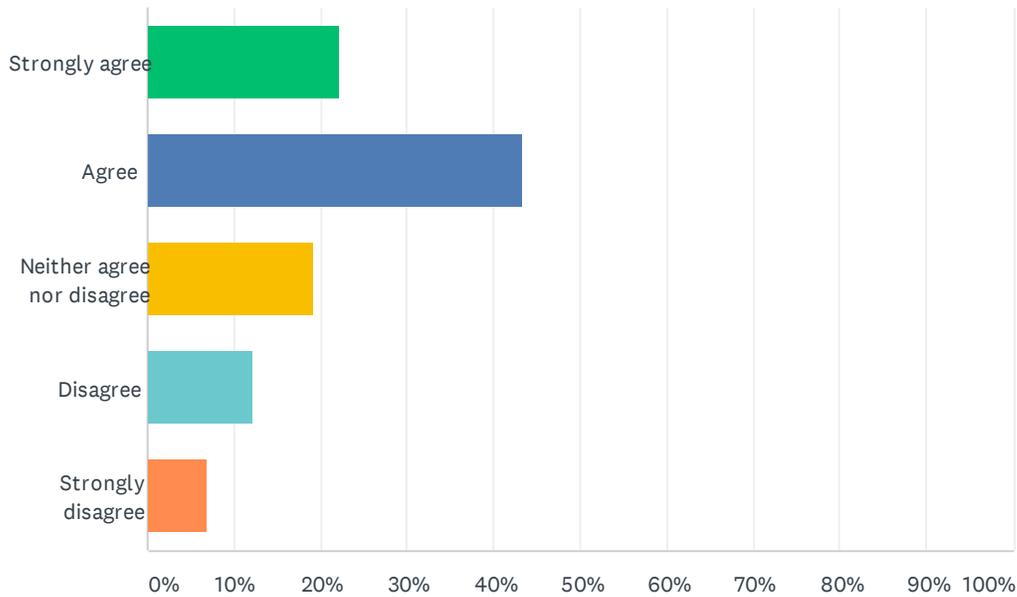
Answered: 228 Skipped: 4



ANSWER CHOICES	RESPONSES	
Strongly agree	27.19%	62
Agree	32.89%	75
Neither agree nor disagree	24.12%	55
Disagree	13.16%	30
Strongly disagree	4.39%	10
Total Respondents: 228		

## Q8 Do you agree with the objectives of the local connection clarification? (see section 3.17-3.23)

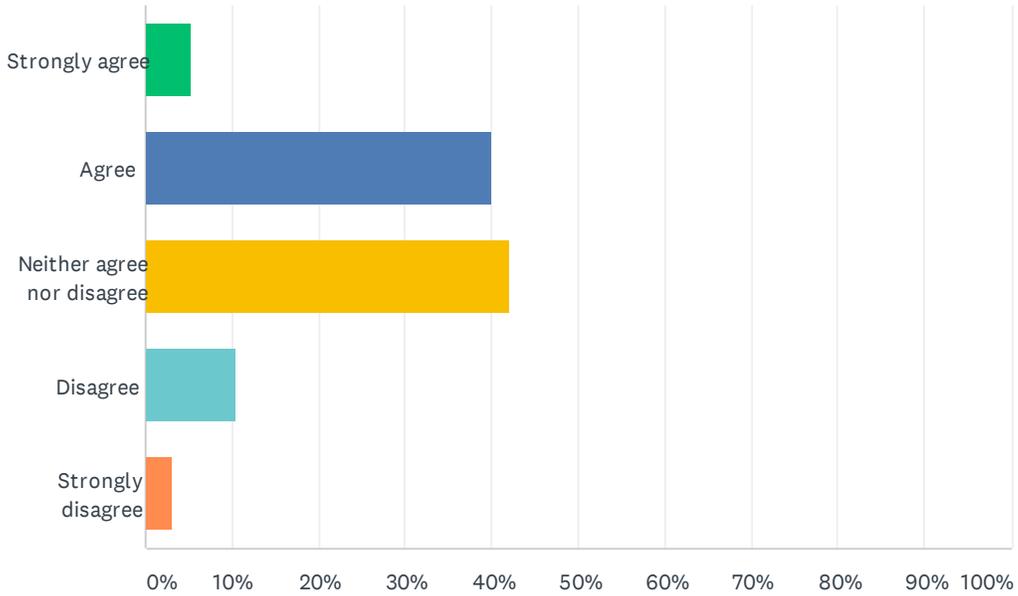
Answered: 229 Skipped: 3



ANSWER CHOICES	RESPONSES	
Strongly agree	22.27%	51
Agree	43.23%	99
Neither agree nor disagree	19.21%	44
Disagree	12.23%	28
Strongly disagree	6.99%	16
Total Respondents: 229		

Q9 Do you agree that the assessment of applications section is reflective of the policies aims and objectives? (see page 3-5 of the common allocations consultation document)

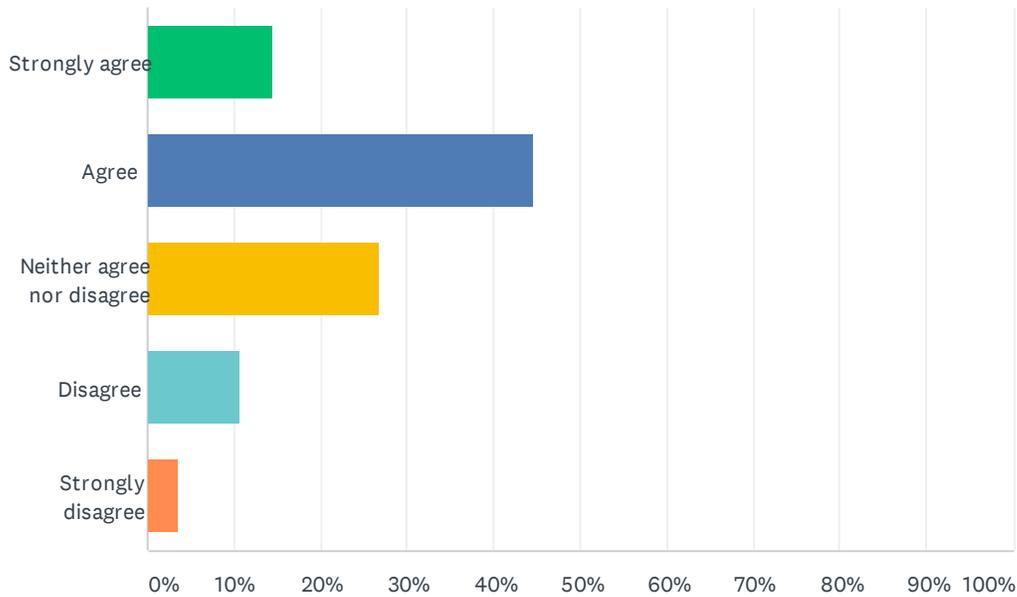
Answered: 228 Skipped: 4



ANSWER CHOICES	RESPONSES	
Strongly agree	5.26%	12
Agree	39.91%	91
Neither agree nor disagree	42.11%	96
Disagree	10.53%	24
Strongly disagree	3.07%	7
Total Respondents: 228		

## Q10 Do you agree with the inclusion of 4.2 of special rules for armed forces?

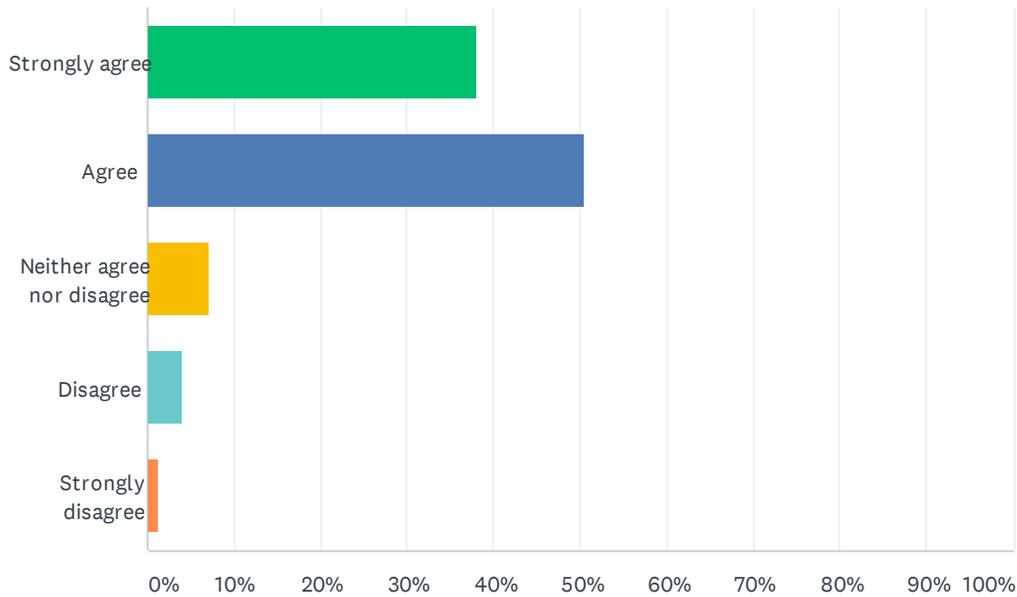
Answered: 227 Skipped: 5



ANSWER CHOICES	RESPONSES	
Strongly agree	14.54%	33
Agree	44.49%	101
Neither agree nor disagree	26.87%	61
Disagree	10.57%	24
Strongly disagree	3.52%	8
Total Respondents: 227		

## Q11 Do you agree that before applicants can be offered a property they must be verified?

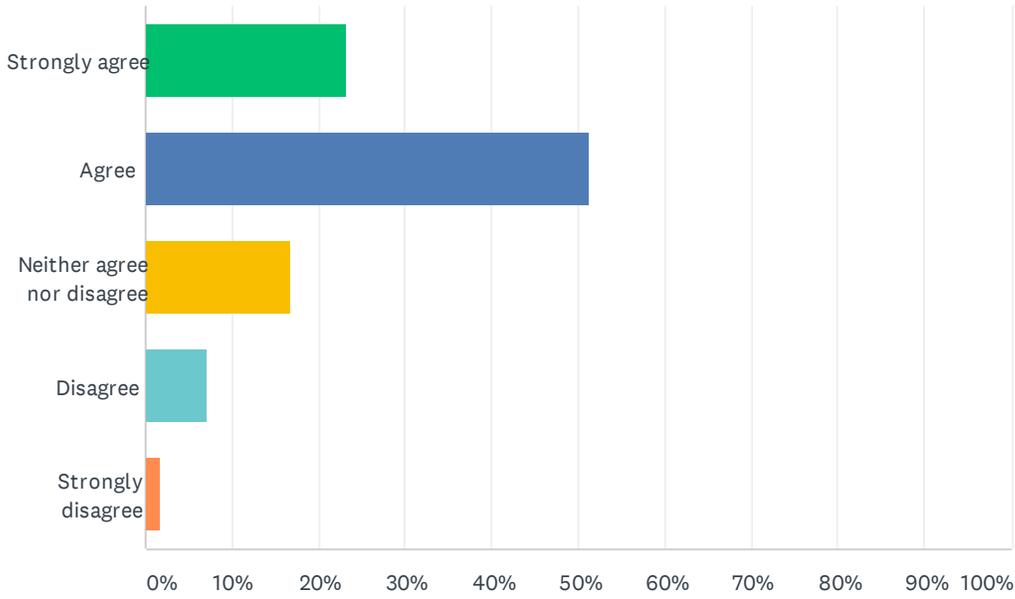
Answered: 228 Skipped: 4



ANSWER CHOICES	RESPONSES	
Strongly agree	38.16%	87
Agree	50.44%	115
Neither agree nor disagree	7.02%	16
Disagree	3.95%	9
Strongly disagree	1.32%	3
Total Respondents: 228		

Q12 The banding table has been updated to reflect the different needs of medical and welfare. Previously these were joined and now are separate bandings to signify their difference needs, do you agree that these should be separate bandings?

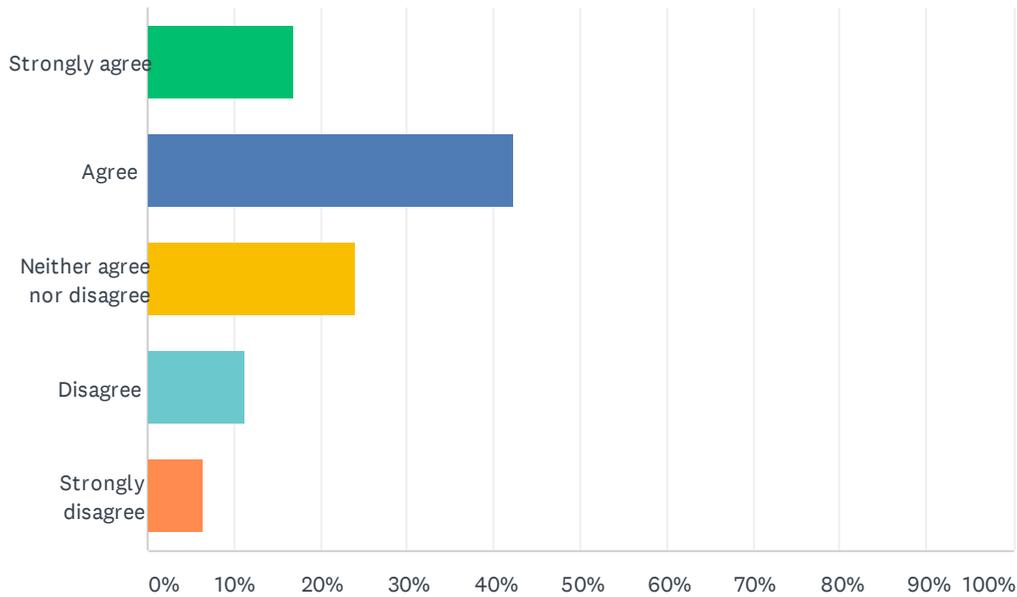
Answered: 228 Skipped: 4



ANSWER CHOICES	RESPONSES	
Strongly agree	23.25%	53
Agree	51.32%	117
Neither agree nor disagree	16.67%	38
Disagree	7.02%	16
Strongly disagree	1.75%	4
Total Respondents: 228		

### Q13 Do you agree with the additional bedroom need criteria? (see section 4.42-4.47)

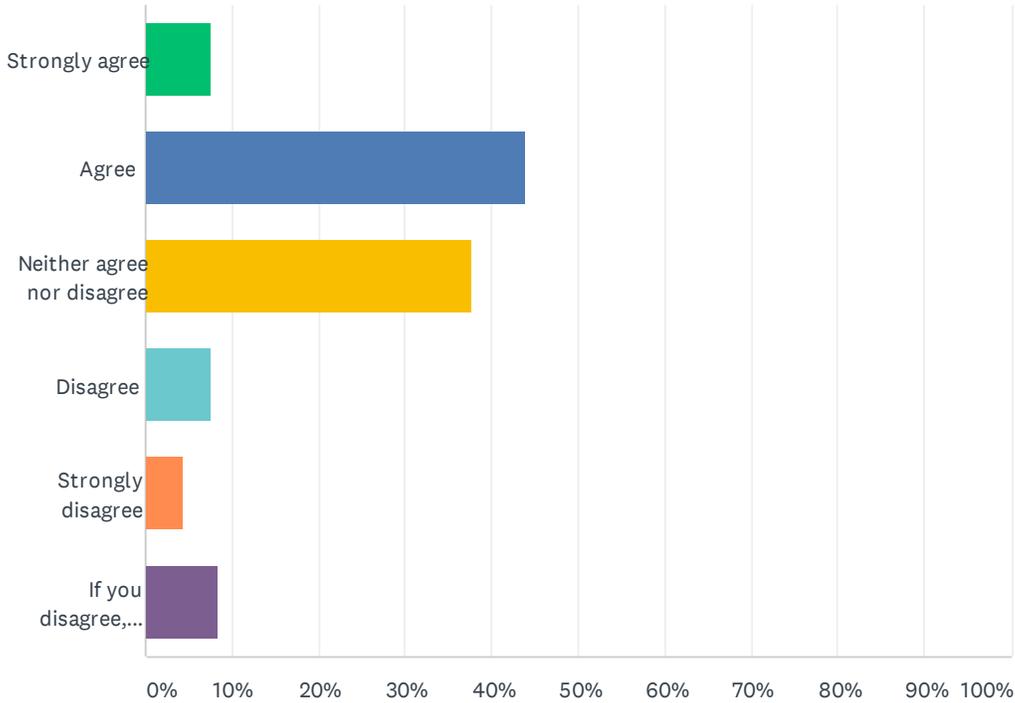
Answered: 229 Skipped: 3



ANSWER CHOICES	RESPONSES	
Strongly agree	17.03%	39
Agree	42.36%	97
Neither agree nor disagree	24.02%	55
Disagree	11.35%	26
Strongly disagree	6.55%	15
Total Respondents: 229		

## Q14 Do you believe this reflects the equalities act?

Answered: 228 Skipped: 4



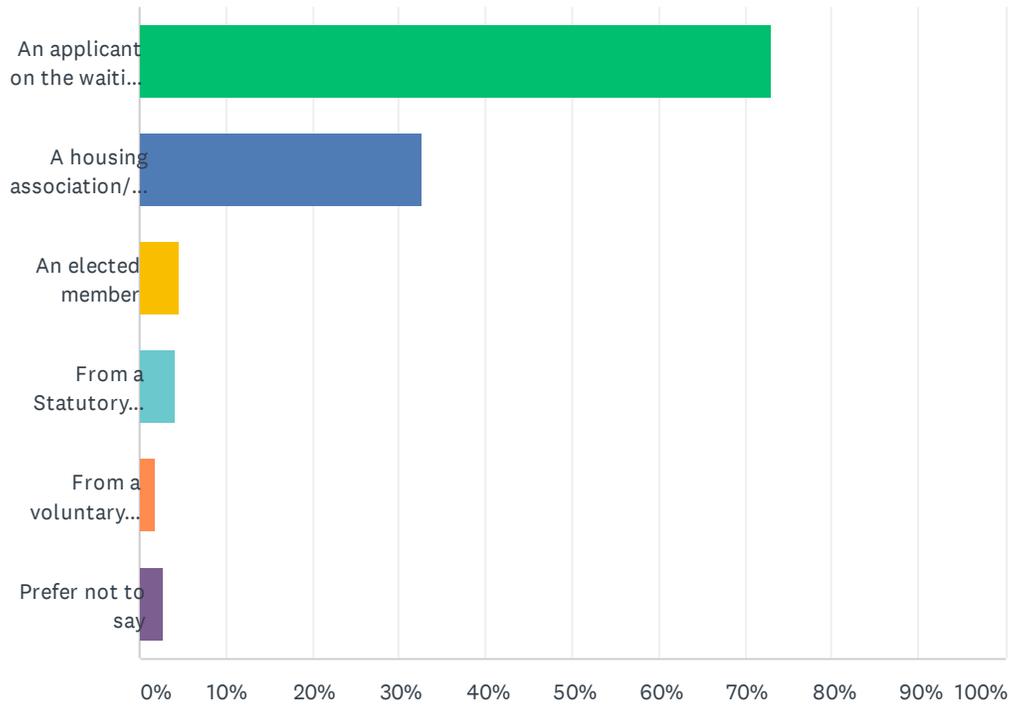
ANSWER CHOICES	RESPONSES	
Strongly agree	7.46%	17
Agree	43.86%	100
Neither agree nor disagree	37.72%	86
Disagree	7.46%	17
Strongly disagree	4.39%	10
If you disagree, please explain why?	8.33%	19
Total Respondents: 228		

## Q15 Any other comments?

Answered: 106 Skipped: 126

## Q16 Are you:

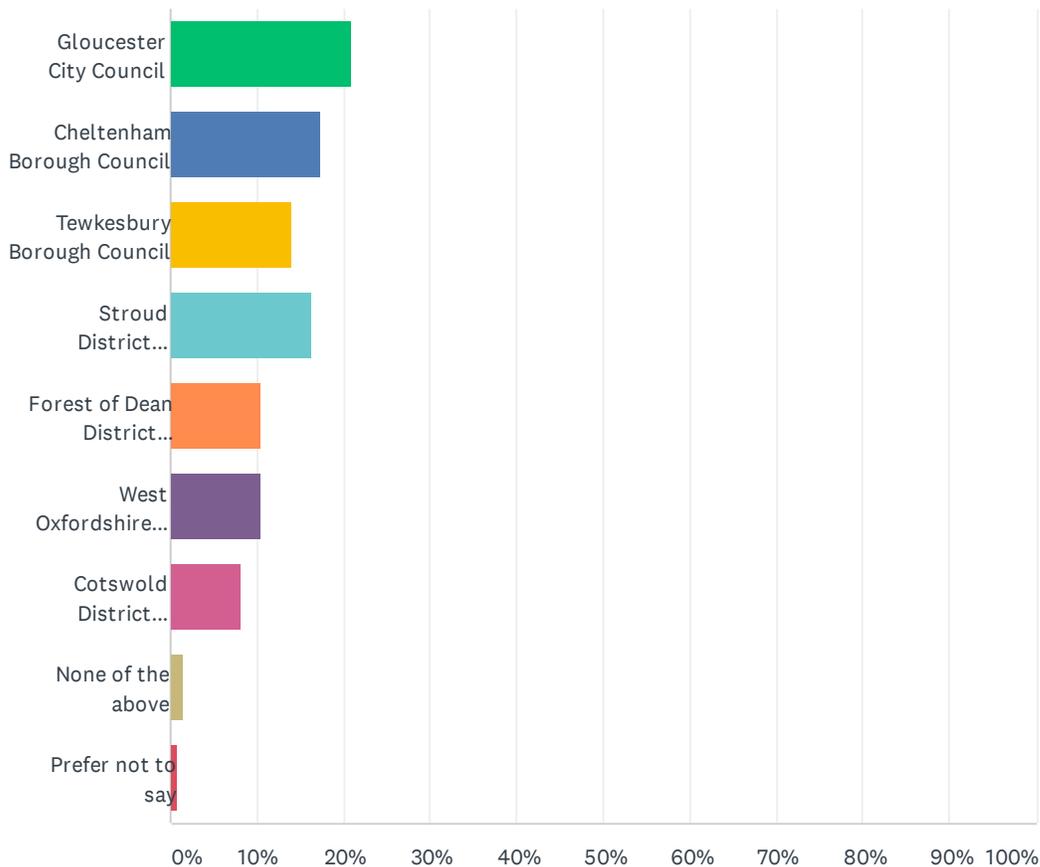
Answered: 215 Skipped: 17



ANSWER CHOICES	RESPONSES	
An applicant on the waiting list	73.02%	157
A housing association/council tenant	32.56%	70
An elected member	4.65%	10
From a Statutory organisation	4.19%	9
From a voluntary organisation	1.86%	4
Prefer not to say	2.79%	6
Total Respondents: 215		

## Q17 Please specify which local authority area you have a connection to:

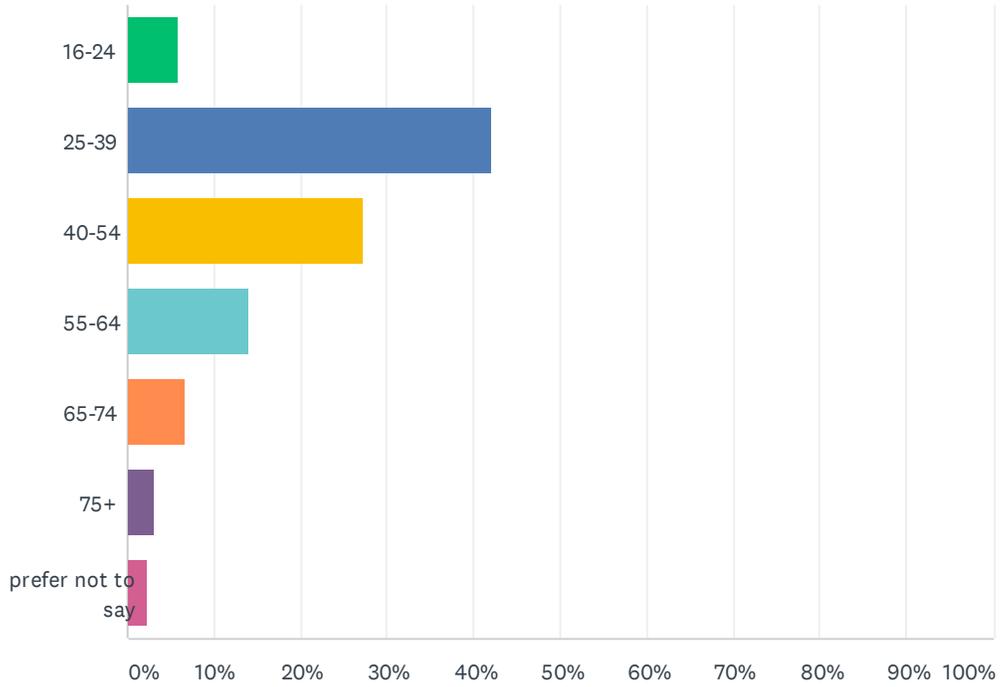
Answered: 220 Skipped: 12



ANSWER CHOICES	RESPONSES	
Gloucester City Council	20.91%	46
Cheltenham Borough Council	17.27%	38
Tewkesbury Borough Council	14.09%	31
Stroud District Council	16.36%	36
Forest of Dean District Council	10.45%	23
West Oxfordshire District Council	10.45%	23
Cotswold District Council	8.18%	18
None of the above	1.36%	3
Prefer not to say	0.91%	2
<b>TOTAL</b>		<b>220</b>

## Q18 What age are you?

Answered: 221 Skipped: 11

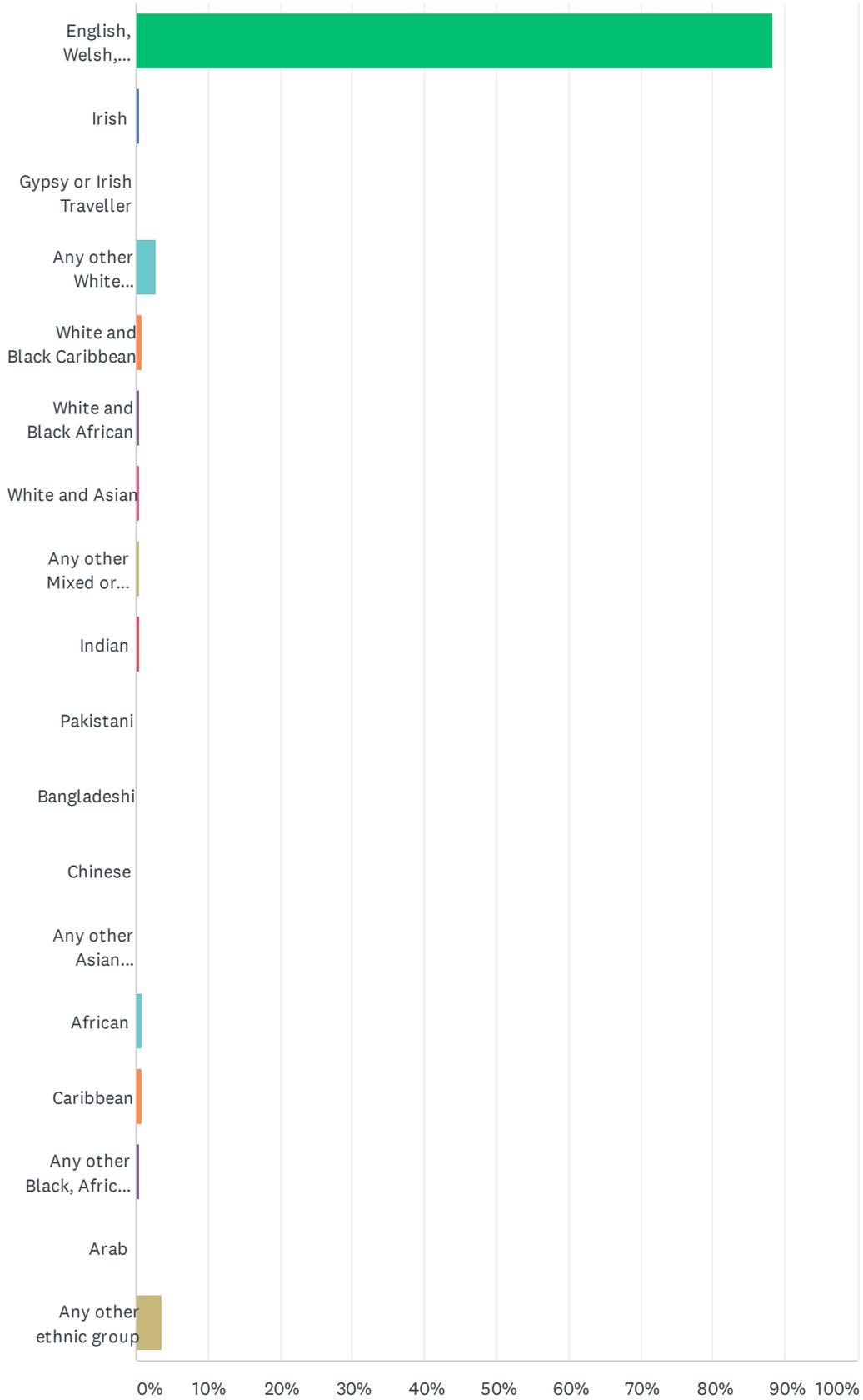


ANSWER CHOICES	RESPONSES	
16-24	5.88%	13
25-39	42.08%	93
40-54	27.15%	60
55-64	14.03%	31
65-74	6.79%	15
75+	3.17%	7
prefer not to say	2.26%	5
Total Respondents: 221		

## Q19 What is your ethnic group?

Answered: 220 Skipped: 12

# Homeseekerplus policy consultation



## Homeseekerplus policy consultation

ANSWER CHOICES	RESPONSES	
English, Welsh, Scottish, Northern Irish or British	88.18%	194
Irish	0.45%	1
Gypsy or Irish Traveller	0.00%	0
Any other White background	2.73%	6
White and Black Caribbean	0.91%	2
White and Black African	0.45%	1
White and Asian	0.45%	1
Any other Mixed or Multiple ethnic background	0.45%	1
Indian	0.45%	1
Pakistani	0.00%	0
Bangladeshi	0.00%	0
Chinese	0.00%	0
Any other Asian background	0.00%	0
African	0.91%	2
Caribbean	0.91%	2
Any other Black, African or Caribbean background	0.45%	1
Arab	0.00%	0
Any other ethnic group	3.64%	8
<b>TOTAL</b>		<b>220</b>

## Q20 If you would like a response to your input into this consultation, the please provide your details below:

Answered: 100 Skipped: 132

ANSWER CHOICES	RESPONSES	
Name	100.00%	100
Company	0.00%	0
Address	0.00%	0
Address 2	0.00%	0
City/Town	0.00%	0
State/Province	0.00%	0
Postal Code	0.00%	0
Country	0.00%	0
Email Address	97.00%	97
Phone Number	82.00%	82

	Property Size etc.	Property conditions (this only applies to the district where the Notice is made)	Homelessness (this only applies to the district where any duty is owed)	Medical needs	Welfare needs	General
<b>EMERGENCY BAND</b>	Existing Gloucestershire and West Oxfordshire social housing tenants willing to move from family accommodation to non-family social housing property within the partnership area.	Where Environmental Health has inspected the property and requires immediate vacation of the property because of an imminent risk of harm due to disrepair, major defects or grossly inadequate facilities.		The applicant assessed as immediate need of re-housing on medical grounds.	The applicant assessed as immediate need of re-housing on welfare grounds where there has been a major incident and there is proven threat to life or limb.	
<b>GOLD BAND</b>	Existing Gloucestershire and West Oxfordshire social housing tenants willing to move to smaller family sized accommodation if this has been agreed with your local authority to release a property of higher demand or limited availability. or There is major overcrowding in the current property - lacking 2 or more bedrooms or Environmental Health has inspected the property and has served a Prohibition Notice	Where Environmental Health has inspected the property and has served a Prohibition Order or Suspended Prohibition Order on the landlord that repairs have to be undertaken but the landlord is unable/unwilling to comply.	The applicant has made a homelessness application under part VII of the housing act 1996, as amended to one of the Homelesskerplus local authorities and the full s193 statutory homeless duty to secure accommodation for the applicant has been accepted by that authority.	Urgent medical need or long-term disability that would be alleviated by a move to more suitable accommodation.	Exceptional circumstances where the current property has a critical long-term detrimental effect on their welfare.	A young person owed leaving care duties under section 23C of the Children Act 1989 and in a housing need or Move-on from supported accommodation funded County Council commissioned services and where a local connection was agreed at point of referral
<b>SILVER BAND</b>	There is overcrowding in the current property - lacking 1 bedroom		A Prevention or relief duty has been accepted or The applicant remains assessed as eligible for assistance and homeless but has either has been found either Non-priority, Intentionally homeless.	Significant medical need that would be alleviated by a move to more suitable accommodation.	Significant welfare need that would be alleviated by a move to more suitable accommodation.	Right to move
<b>BRONZE BAND</b>	All other Applicants					

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BAND	Property size etc	Property conditions (this only applies to the district where the Notice is made)	Homelessness (this only applies to the district where any duty is owed)	Medical needs	Welfare needs	General
EMERGENCY	Existing Gloucestershire and West Oxfordshire social housing tenants willing to move from family accommodation to non-family social housing property within the partnership area.	Where Environmental Health has inspected the property and requires immediate vacation of the property because of an imminent risk of harm due to disrepair, major defects or grossly inadequate facilities.		The applicant assessed as immediate need of re-housing on medical grounds.	The applicant assessed as immediate need of re-housing on welfare grounds where there has been a major incident and there is proven threat to life or limb.	
GOLD	<p>Existing Gloucestershire and West Oxfordshire social housing tenants willing to move to smaller family sized accommodation if this has been agreed with your local authority to release a property of higher demand or limited availability. Or:</p> <p>There is major overcrowding in the current property - lacking two or more bedrooms. Or:</p> <p>Environmental Health has inspected the property and has served a Prohibition Notice</p>	Where Environmental Health has inspected the property and has served a Prohibition Order or Suspended Prohibition Order on the landlord that repairs have to be undertaken but the landlord is unable/unwilling to comply.	The applicant has made a homelessness application under part VII of the housing act 1996, as amended to one of the Homeseekerplus local authorities and the full s193 statutory homeless duty to secure accommodation for the applicant has been accepted by that authority.	Urgent medical need or long-term disability that would be alleviated by a move to more suitable accommodation.	Exceptional circumstances where the current property has a critical long-term detrimental effect on their welfare.	<p>A young person owed leaving care duties under section 23C of the Children Act 1989 and in a housing need. Or:</p> <p>Move-on from supported accommodation funded County Council commissioned services and where a local connection was agreed at point of referral</p>
SILVER	There is overcrowding in the current property - lacking one bedroom		<p>A Prevention or relief duty has been accepted. Or:</p> <p>The applicant remains assessed as eligible for assistance and homeless but has either has been found either Non-priority, Intentionally homeless.</p>	Significant medical need that would be alleviated by a move to more suitable accommodation.	Significant welfare need that would be alleviated by a move to more suitable accommodation.	Right to move
BRONZE	All other applicants					

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### Equality and Rurality Impact Assessment Form

When completing this form you will need to provide evidence that you have considered how the ‘protected characteristics’ may be impacted upon by this decision. In line with the General Equality Duty the Council must, in the exercise of its functions, have due regard for the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

This form should be completed in conjunction with the guidance document available on the Intranet or by contacting the Corporate Support Team ext. 2607.

1. Persons responsible for this assessment:

Names: Caroline Clissold	
Date of assessment: 7 <sup>th</sup> October 2021	Telephone: 01594812309 Email: <a href="mailto:caroline.clissold@publicagroup.uk">caroline.clissold@publicagroup.uk</a>

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Name of the policy, service, strategy, procedure or function:

HomeseekerPlus, choice based lettings policy
Is this a new or existing one? Existing – with minor updates

3. Briefly describe it aims and objectives

<p>HomeseekerPlus is a choice based lettings (CBL) scheme run by seven local authorities in partnership with social housing landlords operating within Gloucestershire and West Oxfordshire. Local Authorities are tasked with ensuring that all affordable and social rented accommodation made available through its Choice Based Lettings scheme is allocated fairly, transparently and to those in the highest housing need. The HomeseekerPlus policy was therefore created to provide the framework for making those decisions and to ensure that all of its partners were acting in a consistent way. The policy explains who is eligible and who qualifies to apply on HomeseekerPlus and sets out how applications will be assessed and awarded a subsequent Emergency, Gold, Silver or Bronze banding based on housing need.</p> <p>Due to legislative and other changes the policy is in need of a refresh. It is considered good practice for the partnership to consult the public and associated stakeholders on the new policy.</p>
--

4. Are there any external considerations? (e.g. Legislation/government directives)

Housing Act 1996, Part 6 -  
 SI 66a of the Act states that ‘Every local housing authority must have a scheme (their ‘allocation scheme’) for determining priorities and as to the procedure to be followed in allocating housing accommodation.’  
 The Localism Act 2011 introduced significant amendments to Part 6 of the Housing Act 1996, Section 166a including, amongst others, but notably:

- To include assurance that certain categories of applicants are given reasonable preference.
- The requirement for an allocation scheme to contain a statement of the authority’s policy on offering a choice of accommodation or to opportunity to express preferences about their accommodation (section 166a (2))

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What evidence has helped to inform this assessment?

Source	✓	If ticked please explain what
Demographic data and other statistics, including census findings	<input type="checkbox"/>	
Recent research findings including studies of deprivation	<input type="checkbox"/>	
Results of recent consultations and surveys	<input checked="" type="checkbox"/>	Proposed changes to the HomeseekerPlus policy went out to consultation to the public and our internal and external stakeholder in spring 2021 for 8 weeks. The results of this consultation have been incorporated into the revised policy
Results of ethnic monitoring data and any equalities data	<input type="checkbox"/>	
Anecdotal information from groups and agencies within Gloucestershire	<input type="checkbox"/>	
Comparisons between similar functions / policies elsewhere	<input type="checkbox"/>	
Analysis of audit reports and reviews	<input type="checkbox"/>	
Other:	<input type="checkbox"/>	

6. Please specify how intend to gather evidence to fill any gaps identified above:

No gaps identified

7. Has any consultation been carried out?

Yes

Details of Consultation

Proposed changes to the HomeseekerPlus policy went out to consultation to the public and our internal and external stakeholder in spring 2021 for 8 weeks. The results of this consultation have been incorporated into the revised policy. Full details of the outcome of this consultation are attached – Annex D.

If NO please outline any planned activities

8. What level of impact either directly or indirectly will the proposal have upon the general public / staff? (Please quantify where possible)

Level of impact	Response
NO IMPACT – The proposal has no impact upon the general public/staff	<input type="checkbox"/>
LOW – Few members of the general public/staff will be affected by this proposal	<input type="checkbox"/>
MEDIUM – A large group of the general public/staff will be affected by this proposal	<input checked="" type="checkbox"/>
HIGH – The proposal will have an impact upon the whole community/all staff	<input type="checkbox"/>
Comments: e.g. Who will this specifically impact?	
All members of the community that are registered for social housing consideration on HomeseekerPlus	

9. Considering the available evidence, what type of impact could this function have on any of the protected characteristics?

*Negative – it could disadvantage and therefore potentially not meet the General Equality duty;*

*Positive – it could benefit and help meet the General Equality duty;*

*Neutral – neither positive nor negative impact / Not sure*

	Potential Negative	Potential Positive	Neutral	Reasons	Options for mitigating adverse impacts
Age – Young People			✓	The proposal is inclusive to people of different age groups, but it is not specific to age	
Age – Old People			✓	The proposal is inclusive to all ages	
Disability			✓	The proposal is inclusive to people with disabilities but is not specific to disability	
Sex – Male			✓	The proposal is inclusive to all gender groups, but it is not specific to gender	
Sex – Female			✓	The proposal is inclusive to all gender groups, but it is not specific to gender	
Race including Gypsy and Travellers			✓	The proposal is inclusive to people of all races, but it is not specific to race	
Religion or Belief			✓	The proposal is inclusive to people of all religions, but it is not specific to religion	
Sexual Orientation			✓	This proposal is inclusive to all types of sexual orientation, but it is not specific to sexual orientation	
Gender Reassignment			✓	The proposal is inclusive to all gender groups, but it is not specific to gender	
Pregnancy and maternity			✓	The proposal is inclusive to people who are pregnant and/or on maternity, but it is not specific to this group	
Geographical impacts on one area			✓	The proposal is inclusive to the whole of West Oxfordshire district	
Other Groups			✓	This proposal is inclusive to all other groups that are not mentioned	

<b>Rural considerations:</b> ie Access to services; leisure facilities, transport; education; employment; broadband.			✓	The proposal is inclusive to the whole of West Oxfordshire district	
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10. Action plan (add additional lines if necessary)

Action(s)	Lead Officer	Resource	Timescale
NA			

11. Is there is anything else that you wish to add?

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**Declaration**

I/We are satisfied that an equality impact assessment has been carried out on this policy, service, strategy, procedure or function and where an negative impact has been identified actions have been developed to lessen or negate this impact. We understand that the Equality Impact Assessment is required by the District Council and that we take responsibility for the completion and quality of this assessment.

Completed By:	Caroline Clissold	Role:	Housing Manager	Date:	7 <sup>th</sup> October 2021
Reviewed by Corporate Equality Officer Group:				Date:	

Please forward an electronic copy to the Corporate Support Team – [corporatesupport@fdean.gov.uk](mailto:corporatesupport@fdean.gov.uk)

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 <p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and date of Committee</p>	<p><b>CABINET – 10 November 2021</b></p>
<p>Report Number</p>	<p><b>Agenda Item 7</b></p>
<p>Subject</p>	<p><b>Our House and Housing First Project Updates and Funding Extension Options</b></p>
<p>Wards affected</p>	<p>ALL</p>
<p>Accountable member</p>	<p>Cllr Merylyn Davies Cabinet Member for Housing and Communities Tel: 07966 796178 Email: <a href="mailto:Merylyn.davies@westoxon.gov.uk">Merylyn.davies@westoxon.gov.uk</a></p>
<p>Accountable officer  Author</p>	<p>Jon Dearing – Group Manager for Resident Services Tel: 01993 861221 Email: <a href="mailto:jon.dearing@publicagroup.uk">jon.dearing@publicagroup.uk</a>  Caroline Clissold – Housing Manager Tel: 01594 812309 Email: <a href="mailto:caroline.clissold@publicagroup.uk">caroline.clissold@publicagroup.uk</a></p>
<p>Summary/Purpose</p>	<p>To update members on the ‘Our House’ and Housing First projects since their inception, to recommend the continuation of the projects and outline future opportunities over the next two years</p>
<p>Annexes</p>	<p>Annex A – Main Housing Funding Streams</p>
<p>Recommendation/s</p>	<p>That Cabinet:</p> <ul style="list-style-type: none"> <li>a) Agrees the recommendation to continue the projects for a further 18 months from April 2022;</li> <li>b) Agrees to outsource the Support element of both projects via waiver;</li> <li>c) Agrees to the exploration of external funding sources including bidding for Government and/or community grant funds in order to continue the projects;</li> <li>d) Agrees to use Housing Reserve / Housing Grant Underspend as set out in 2.35 to guarantee the continuation of the projects whilst alternative funding options are explored; and</li> <li>e) Approves the delegation of any amendments to these allocations to the Housing Manager in consultation with the Cabinet Member for Housing and Homelessness subject to compliance with funding allocation conditions.</li> </ul>
<p>Corporate priorities</p>	<p>Strong Local Communities: Supporting and building prosperous and inclusive local communities</p>

	<p>Meeting the Housing Needs of our Changing Population</p> <p>Modern Council Services and Sustainable Finance: Delivering excellent modern services whilst ensuring the financial sustainability of the Council</p>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>Economic O&amp;S Committee</p> <p>Chief Finance Officer</p> <p>Cabinet Members with Responsibility for Housing and Finance</p> <p>Monitoring Officer</p> <p>Chief Executive</p> <p>Head of Legal Services</p>

## **I. BACKGROUND**

- I.1.** West Oxfordshire District Council has worked with our Countywide partners for many years to provide a collaborative approach to ending rough sleeping in the County.
- I.2.** As a result of this collaboration, Oxfordshire has both an established Young Peoples Supported Accommodation Pathway and an Adult Homelessness Pathway and has achieved much success in reducing the numbers of those that are sleeping out. The Adult Homelessness Pathway will be refreshed for 2022- 2025 by adopting a more Housing First focused approach, whilst still continuing to deliver effective supported accommodation. However, due to the high concentration of rough sleeping in Oxford City, and the graduation of people from rural areas to the services located in the City much of the funding and supported accommodation projects are located in Oxford.
- I.3.** Many of our local residents who have high support needs, however, do not wish to be relocated outside of our District or to loose contact with their own support networks in the area. The traditional supported accommodation approach does not work for all with many clients preferring the 'own front door' or to live in smaller shared schemes.
- I.4.** West Oxfordshire District Council has therefore created two innovative projects in recent years: the Housing First Project and the 'Our House' Project with the help of external funding and close working with our local partners to address the needs of our local residents who are either rough sleeping, at threat of rough sleeping or are unable to remain at home with family or friends.

### **Housing First Project**

- I.5.** The Housing First philosophy is to provide a stable, independent home and intensive personalised support and case management to homeless people with multiple and complex needs who would otherwise not be able to access social or private rented accommodation. Housing First is therefore aimed at our most complex of clients who have either a history of rough sleeping or have been unable to sustain tenancies in the past and have been rejected for housing because of these issues.
- I.6.** The West Oxfordshire Housing First Project was initially established with Aspire, West Oxfordshire District Council and Cottsway through external funding from the Nationwide Community Fund for a one year period in mid 2020. The initial target was to provide long term accommodation to six of our most complex clients and was further extended in January 2021 with funding through the Next Steps Fund to include a second housing provider, Sovereign Housing Association, and to fund a further two placements, bringing the total to eight properties.
- I.7.** Although the Housing First project works alongside the Adult Homeless Pathway, the key objectives are to give people from West Oxfordshire an 'own front door' alternative to the more traditional shared supported accommodation approach and to improve affordable accommodation options for single, unemployed people with complex issues.

## **The Our House Project**

- 1.8. On average, around 23% of all applicants who seek assistance from the West Oxfordshire Housing Team as they are threatened with homelessness are young people (25 or under). The current National average is 21.7%. Therefore, the Our House Project was initially set up as a pilot in 2018 to provide an alternative to the traditional route of B&B/Hostel type accommodation or a referral into supported accommodation, which may not be suitable for everyone. The Project was initially a collaboration with Cottsway Housing Association, with the Council being the 'Lead Organisation' and Cottsway being the 'Delivery Partner', with Aspire Oxford joining the partnership in 2020. The project was funded from a Community Housing Fund grant.
- 1.9. Aspire is a registered charity and social enterprise which supports young people and adults facing severe and multiple disadvantages to move into and towards employment, training and education. They are also a partner of the Oxfordshire's homeless pathway and run both Housing First projects with our partner Local Authorities as well as other Homelessness prevention programmes for West Oxfordshire and our County partners.
- 1.10. The Our House project was initially established for a two year period in March 2018 and further extended in March 2020 until March 2022
- 1.11. Although the Our House Project works alongside the Young Peoples' Supported Accommodation Pathway and the Adult Homelessness Pathway, the key objectives are to give young people from West Oxfordshire a unique alternative to the more traditional supported accommodation approach and to improve affordable accommodation options for single, unemployed people under the age of 35.

## **2. MAIN POINTS**

### **Housing First Project**

- 2.1. West Oxfordshire District Council was approached by Aspire Oxford in early 2020 to become a partner in a Housing First project collaboration with Cottsway Housing.
- 2.2. Aspire were successful in securing funding from the Nationwide Building Society Community Fund to set up a pilot Housing First project in West Oxfordshire. Cottsway Housing Association agreed to pledge 6 properties to the scheme. A further small amount of funding was secured from the Next Steps Accommodation Programme in November 2020 which enabled the Housing Team to secure a further two properties from Sovereign Housing Association, taking the total properties available to Housing First clients to eight.
- 2.3. The support provided by the Housing First project also begins at a very early stage, usually when a person is either rough sleeping or in emergency accommodation. This relationship building is vital to ensure that the support needs of the individual are fully explored before matching them to a property. Expectations of engagement and pre- tenancy training can be undertaken before entering into a tenancy agreement. Most individuals find this initial support vital in sustaining emergency accommodation or being able to accept an offer of emergency accommodation when they otherwise would have remained rough sleeping.

- 2.4. Without the support provided by the Housing First project, it would have been likely that the Housing Associations would not have accepted the clients due to their past history and / or complex nature of their needs. These clients would therefore have been either left in expensive emergency accommodation or a possible return to rough sleeping if they could not sustain an emergency accommodation placement without dedicated support.
- 2.5. All Housing First clients were offered initial 12 month Starter tenancies with the aim that as the Project progressed and the clients were able to reach a good level of stability, their tenancy would be converted into long term, Assured tenancies and the support reduced until not needed. The Housing Providers and Support Provider would then be able to offer the resulting 'vacant' space on the Project to another client.
- 2.6. **Outcome:** Aspire, our partner Housing Associations and the Housing Team were able to refer eight clients with complex needs into long term accommodation. Of those eight, seven still remain in long term tenancies, of which three are in the process being converted into Assured tenancies. We are working with the eighth client to look for alternative accommodation as the location of the first property was not suitable.
- 2.7. Three new clients have been identified to take the place of the original clients who have now reached long term stability.
- 2.8. The funding of the Housing First pilot has now ended. However, the Department Of Levelling Up, Housing and Communities (DLUHC), formally the Ministry of Housing Communities and Local Government (MHCLG) has given its approval to use £19,000 of the £100,000 Temporary Accommodation Uplift paid to West Oxfordshire in April 2021 to extend the current Housing First project until March 2022.
- 2.9. As the Project will have new clients moving into accommodation over the next quarter, it is vital that the specific support in West Oxfordshire continue past March 2022 when the current fund ends and the Recommissioned Adult Homeless Pathway beds in.
- 2.10. Once the new Adult Homeless Pathway beds in during 2022/23 it is anticipated that the West Oxfordshire specific scheme gradually reduces as client's stabilise and are able to manage their tenancy, with any new properties and clients being referred to the Countywide scheme.
- 2.11. Both Aspire and our Housing Association partners remain committed to the project and to extending the agreement into 2022/2023 and beyond.

### **Our House Project**

- 2.12. There are currently three project houses situated within Witney accommodating thirteen participants in total ranging from 18 – 24 years of age. The majority of referrals into the project are from young people who were either 'sofa surfing' or 'street homeless'.
- 2.13. As the residents have varying levels of need, a bespoke package of support is identified for each new resident prior to them moving into the property thus unlocking further potential by better managing the support required of the trainees and their own personal journeys towards employment and independent living.

- 2.14.** There were further objectives of making use of ‘hard to let’ larger properties (initially within the social sector), providing opportunities for young individuals to learn new work skills and find employment, and the enhancement of the Council’s working relationship with its main social housing provider, Cottsway Housing Association.
- 2.15.** Support for residents was initially provided ‘in house’ from Cottsway Housing Association. However, during the initial two years the project was adapted to suit better the needs of the individuals. In order to support them on their journey towards independent living a new partnership with Aspire was entered into further to enrich the project and the support element is now contracted out to them.
- 2.16.** The project’s success is measured on outcomes as follows:
- Increase the housing options for younger residents
  - Help young people into employment
  - Utilise hard to let larger properties
  - Give individuals a real sense of pride in their shared home (as well as the skills to maintain it)
  - Take young people out of the Homelessness pathways and out of the welfare support system completely.
- 2.17.** Aspire works with Cottsway and the Council to form a ‘move on’ pathway to move on from the Our House project into introductory tenancies, based on their successful tenancy sustainment within the project. This housing model aims to connect with individuals who are unable to thrive in the current homeless pathways in Oxfordshire and provides housing alongside intensive, wrap-around support.
- 2.18.** The majority of the residents accommodated in the three properties have had complex and sometimes challenging support needs and mental health issues meaning that the project has often had to be very reactive to certain situations to help reduce further escalations. The continuation of the project in partnership with Aspire will provide more experienced and diverse support with a greater variety of resource to support the trainee giving them the tools and unique opportunities to leave homelessness behind them for good.
- 2.19.** Aspire continued to provide intensive support throughout the Covid 19 crisis and the various lockdowns. This support was expanded to provide Covid specific support including:
- Regular visits, house meetings, appointments at the Hub, phone-calls, emails and/or text messages
  - Referrals to MIND Mental Wealth Academy & Turning Point where appropriate
  - Delivered PPE/Lateral Flow Tests
  - Delivered food parcels
  - Employment opportunities, Kickstart and online training
  - Assisted with CV updates
  - Benefits advice
  - Workshop Opportunities
  - Social Activities
- 2.20.** With three properties now adapted and discussions ongoing with regards to expanding this to include other properties, the project has grown into an innovative and much needed

resource which has supported 16 individuals since April 2020 alone. Options for those young people prior to Our House would have been unsecure and often dangerous sofa surfing arrangements, emergency accommodation or supported accommodation out of the area.

**2.21.** The 'Our House' project has provided some much needed single accommodation for young people within West Oxfordshire and has assisted us with discharging our duties to Care Leavers. Residents have been able to access employment and training opportunities and work alongside independent work coaches to establish their own plans and goals towards employment. Given the nature of the project there have been challenges, but these have been overcome through the work of various partnerships the project has created.

**2.22. Outcomes:** Our House project achievements for the current thirteen residents:

- 8 people are in employment
- Employers include: Aspire, Starbucks, Noble Foods, Newlands Care Home, Travelodge, Burford Garden Centre.
- 1 person is in Work Experience & Education: 3 days at Sylva Foundation Professional Furniture Making Course and 2 days gaining work experience with Crawley Classic Motorcycles.
- 2 people are actively searching for work and attending interviews
- 2 people are not work ready

**2.23.** The current funding arrangements through the Community Housing Fund are due to end in March 2022. The cost per annum of delivering the project is £60,000.

### **Proposal**

**2.24.** The Housing Team recently underwent a full procurement Tender exercise to secure a similar support package for residents of a newly acquired homelessness hostel in Witney. The Tender outlined the service need for high level, person centred support to be provided to the residents of the hostel. Limited interest was received demonstrating that there is little competition in the area to provide this type of support service.

**2.25.** Learning from the limited interest in providing similar support in our Hostel, it is therefore proposed that Cabinet agrees to combine the support elements of both the Housing First project and the Our House projects and offer this to the current support provider, Aspire, on a waiver basis. The contract should be for 18 months to concur with the Hostel Support Contract which will run (until October 2023).

**2.26.** As the Adult Homelessness Pathways gradually takes over the full support elements of the existing Housing First Projects across the county, it is anticipated that the Housing First element of this proposal will decrease, allowing the Housing Team to work with both Aspire and Cottsway to source new properties for the Our House project, therefore increasing the opportunities for young people in the area.

**2.27.** The Housing Team will then look to combine the separate strands of support into one whole contract which covers the all West Oxfordshire projects needing support and the resident support for any West Oxfordshire owned Hostels and award to one provider through a full procurement exercise in October 2023.

- 2.28. The Housing Team will also explore further funding options during the next 2 years to compliment funding from our Housing Prevention grants and underspend from previous years.
- 2.29. Housing and Homelessness currently have sufficient funding to meet the costs of extending the Housing First and Our House projects in the Housing Reserves account due to an underspend in both this year's and previous year's Homelessness Prevention grant allocations. The ethos of both projects meets the requirements set out in the Ministry Of Housing, Communities and Local Government (MHCLG), now DLUHC funding allocations letter dated January 2021.
- 2.30. Housing Options was also able to secure additional funding through the (DLUHC) Rough Sleeper Initiative year 4 (RSI4) funding allocation and through the Temporary Accommodation Uplift allocation to support other schemes that were initially to be allocated to the Homelessness Prevention Grant 2021/22 so has an underspend of approximately £50,000 from the 2021/22 allocation.
- 2.31. It is also further proposed that the Housing Team explore other grant funded options specifically through the Rough Sleeping Initiative, year 5 (RSI5).
- 2.32. Specific funding allocations where underspends have been identified:

Homelessness Prevention Grant 2021/22	£50,000
Housing Reserves from previous year's Homelessness Prevention Grant Underspend	£194,000
<b>Total:</b>	<b>£244,000</b>

- 2.32. Proposed Combined Support Package per annum for 2022/23:

<b>Total:</b>	<b>£97,500</b>
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- 2.33. Total cost of the combined support Proposal:

Year 1 (full year)	£97,500
Year 2 (6 months)	£48,750
<b>Total:</b>	<b>£146,250</b>

### 3. FINANCIAL IMPLICATIONS

- 3.1. There are multiple complex funding streams supporting the work of the Housing Team particularly with regard to homeless prevention and project work. Some of these funding streams are subject to bids and some are allocations. Often these come through at short notice and require officers to investigate options and put together work packages in short time frames. A list of relevant funding streams and how they relate to West Oxfordshire can be found in **Annex A**.

- 3.2. The proposals set out in section 2.26 onwards are aimed at addressing the expectations set out by the DLUHC and maximising the use of available accommodation in the West Oxfordshire District. There are limited options and significant costs associated with the provision of emergency accommodation within the District, as well as a shortage of longer-term accommodation.
- 3.3. The proposal is therefore aimed at reducing the use and time spent in expensive short term, emergency accommodation by utilising the funds in the Housing Reserve account if further grant funding cannot be sourced, benefiting both the Council and the client in the longer term.

#### **4. LEGAL IMPLICATIONS**

- 4.1. Spending allocations need to follow the expectations set out in the MHCLG's (now DLUHC) allocation of funding letter January 2021 and comply with the conditions of any ring fenced grant schemes or funding bid awards.

#### **5. RISK ASSESSMENT**

- 5.1. The current thirteen residents of the Our House project will need to be served notice and alternative properties sourced for them if we are unable to extend funding for the project into 2022/23. West Oxfordshire has a shortage of social and affordable one bedroom accommodation and the private sector would prove to be unaffordable to those in minimum wage jobs, apprenticeships or training.
- 5.2. Should the support be withdrawn for our Housing First clients, their tenancy could be at risk due to arrears or anti-social behaviour with notice being served if issues arose. Once an individual is evicted from social rented accommodation for these reasons, it is unlikely that other providers would consider them for alternative tenancies.
- 5.3. If move-on properties are not found for the Our House residents or the Housing First clients are evicted, this could force them into homelessness, emergency / B&B accommodation or rough sleeping.
- 5.4. West Oxfordshire District Council also has a steady stream of new homelessness presentations from individuals with complex needs. Some have previous tenancy issues with anti-social behaviour or arrears. Therefore the Housing Team find it difficult to agree long term tenancies with our social housing providers without high levels of support being in place.
- 5.5. Housing First provides the strong working partnership and reassurance to landlords needed to bridge this gap. Without access to this type of scheme/ partnership then our clients will struggle to be accepted by housing providers and could therefore be left in emergency accommodation or forced to sleep rough as they do not have the support that they need to maintain a tenancy.
- 5.6. There is a reputational risk to the Council if it does not use grant funding effectively for the specific purposes set out each year
- 5.7. There is also a risk that rising demands on the service from ongoing financial and housing challenges facing residents of the West Oxfordshire District Council area could impact on the Council's ability to deliver a full statutory Housing service if alternative options to

traditional Homelessness emergency accommodation and supported accommodation options are not considered

**6. ALTERNATIVE OPTIONS**

- 6.1. None considered. However, Members may want to consider other options that have not been referred to within the report

**7. BACKGROUND PAPERS**

- 7.1. None

## **Annex A. Main Housing Funding Streams**

### **1. Community Housing Fund grant**

- 1.1 In 2016 the Government announced a £60 million fund to support community-led housing developments in areas where the impact of second homes is particularly acute. West Oxfordshire was allocated £376,966 funding for the 2016/17 financial year. The funding was allocated to Local Authorities proportionate to the number of holiday homes in the local area and taking account of the affordability of housing to local people.
- 1.2 In February 2017 Cabinet endorsed the programme to deliver, amongst other things, a Community Self Help Project targeted at younger people. This was subsequently named the 'Our House' project.
- 1.3 This funding for the Our House project will end in March 2022. The objective of the equivalent funds in recent years has leaned more towards increasing housing supply in England by increasing the number of additional homes delivered by the community-led housing sector, rather than changes of use to existing stock. On that basis, bids to this fund have not met the criteria.

### **2. Rough Sleeper Initiative (RSI) Funds**

- 2.1 The Rough Sleeping Initiative was first announced in March 2018 to make an immediate impact on the rising levels of rough sleeping. This round of funding combines the Rough Sleeping Initiative and Rapid Rehousing Pathway into a single, streamlined funding programme.
- 2.2 RSI bids are typically applied for as a partnership with all other County Local Authorities and the County Council and fund jointly available projects/schemes such as the Somewhere Safe to Stay hubs. These projects and schemes can be accessed by anyone in the County but are located in the urban centres to reflect need and access to services.
- 2.3 Local Authorities can, however, apply for funding for specific local projects. West Oxfordshire has been successful in securing funds for the Support element for the Old Court House and a contribution to the costs of providing a Pre-Prevention Complex Needs officer to address issues that could threaten a person's accommodation issues at the earliest possible stage.
- 2.4 The funding stream is currently in its fourth year (RSI4). Details of RSI5 will be announced in October as part of the wider Government budget, with discussions due to start on bidding for funds from in November.

### **3. Temporary Accommodation Uplift**

- 3.1 Local Authorities were awarded additional Uplift payments to supplement the Rough Sleeper Initiative 3 awards. These funds were awarded in recognition of the increased temporary accommodation costs of the Everyone In directive and included an element of 'move on' costs to enable Local Authorities to support people into longer term accommodation.
- 3.2 West Oxfordshire District Council was awarded £100,000 to reflect the increase in approaches made by single people who were either rough sleeping or at risk of rough sleeping due to the pandemic.
- 3.3 The (then) MHCLG, now DLUHC, agreed that any underspend of this Uplift could be utilised by West Oxfordshire District Council to extend our successful Housing First Project until the end of March 2022.

### **4. Homelessness Prevention Grant 2021/22**

- 4.1 In 2021/22 a £310 million Homelessness Prevention Grant was created which combines and increases what was previously the Flexible Homelessness Support Grant and Homelessness Reduction Grant. In 2021-22 the two funding streams have been combined and increased by £47 million, giving Local Authorities more control and flexibility in managing homelessness pressures and supporting those who at risk of homelessness.
- 4.2 Ministry Of Housing, Communities and Local Government (MHCLG) funding allocations letter dated January 2021.
- 4.3 West Oxfordshire District Council was allocated £253,329 for 2021/22, the proposed spending of which was agreed by Cabinet in February 2021.

### **5. Housing Reserves**

- 5.2 Housing Reserves have built up from unspent grants in recent years. Significant portions of grant funding have been allocated to increasing staff numbers and creating projects to target specific groups. Some of the unspent funds have accrued due to vacant posts.
- 5.3 The Housing Team also work proactively with agencies and charities to unlock grants for clients as well as partners such as Aspire who have brought grant funding to the Council.

### **6. Nationwide Community Fund**

- 6.1 Aspire Oxfordshire approached West Oxfordshire District Council and Cottsway Housing Association in January 2020 to seek support for a bid to the Nationwide Community Fund.

- 6.2 The bid was for funding to create a Housing First Scheme specifically in West Oxfordshire following successful equivalents in our neighbouring authorities.
- 6.3 The bid was successful and the Housing First scheme was set up in mid-2020.

## **7 Homes England / Investment Partners**

- 7.1 Homes England have multiple funding streams available including the Affordable Homes Programme 2021 – 2026, Rough Sleeping Accommodation Programme and the Community Housing Fund.
- 7.2 The Affordable Homes Programme 2021 – 2026 also includes an element of funding towards Supported Housing / Homelessness Supported accommodation
- 7.3 A key requirement of bidding for Homes England funding is that a Local Authority becomes an Investment Partner (IP). West Oxfordshire District Council may wish to consider this option further in order to ‘unlock’ these funding streams further. However, further work is needed to understand the implications of applying for IP status.

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 <p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and date of Committee</p>	<p><b>Cabinet Wednesday 10 November 2021</b></p>
<p>Report Number</p>	<p><b>Agenda Item No. 8</b></p>
<p>Subject</p>	<p><b>Use of the Internet and Social Media in Investigations and Enforcement Policy</b></p>
<p>Wards affected</p>	<p>All indirectly</p>
<p>Accountable member</p>	<p>Councillor Michele Mead, Leader of the Council Email: <a href="mailto:Michele.Mead@westoxon.gov.uk">Michele.Mead@westoxon.gov.uk</a></p>
<p>Accountable officer</p>	<p>Emma Cathcart, Counter Fraud Unit Manager Email: <a href="mailto:Emma.Cathcart@cotswold.gov.uk">Emma.Cathcart@cotswold.gov.uk</a></p>
<p>Summary/Purpose</p>	<p>To present Cabinet with a new Use of the Internet and Social Media in Investigations and Enforcement Policy for adoption.</p>
<p>Annexes</p>	<p>Annex A – Use of the Internet and Social Media in Investigations and Enforcement Policy</p>
<p>Recommendation</p>	<p>(a) That Cabinet approves and adopts the Policy attached to this report; and (b) That Cabinet authorise the Chief Executive to approve future minor amendments to the Policy in consultation with the Counter Fraud Unit Manager, Legal Services and the Leader of the Council.</p>
<p>Corporate priorities</p>	<p>In administering its responsibilities the Council has a duty to enforce the law and prevent wrongdoing, whether it is attempted by someone outside or within the Council such as another organisation, a resident, an employee or a Councillor, thus supporting corporate priorities and community plans.</p>
<p>Key Decision</p>	<p>No</p>
<p>Exempt</p>	<p>No</p>
<p>Consultees/ Consultation</p>	<p>Any Policies drafted or revised by the Counter Fraud Unit have been reviewed by Legal Services and have been issued to the Governance Group, Corporate Management and Audit and General Purposes Committee for comment.</p>

## **1. BACKGROUND**

- 1.1. The Counter Fraud Unit was tasked with reviewing and developing the Council's Policy and procedures on accessing the internet and social media for investigations and enforcement purposes.

## **2. MAIN POINTS**

- 2.1. The Council's Policies are based on the legislative requirements of the Regulation of Investigatory Powers Act 2000 (RIPA) and the Investigatory Powers Act 2016 (IPA) and the Codes of Practice relating to directed surveillance and the acquisition of communications data.
- 2.2. Whilst there has been a general decline in the use of covert surveillance activity, Councils have come under increased scrutiny in this area by Investigatory Powers Commissioner's Office (IPCO) during inspections and there are a number of recommendations in their annual reports, procedures and guidance.
- 2.3. IPCO confirms that, where inspections reveal activity - particularly with regard to intelligence gathering through the use of the internet and social media - evidence should demonstrate that consideration has been given to whether the activity could be considered surveillance and the appropriate authorisation sought.
- 2.4. Existing arrangements have been reviewed and the Policy for ensuring compliance has been developed, attached at Appendix A. The Policy is generic and broad to ensure that the integrity of investigations and methods of detection are not revealed.
- 2.5. The procedure that derives from this Policy is a confidential document available to members of staff involved in investigation work only who are authorised to undertake research and investigation using open source internet applications (as investigative tools) or other civil or criminal enforcement and recovery work.
- 2.6. The Council takes responsibility for ensuring its procedures relating to surveillance and the acquisition of communications data are continuously improved and all activity is recorded.
- 2.7. Audit and General Purposes Committee endorsed the Policy on 23 September 2021.

## **3. FINANCIAL IMPLICATIONS**

- 3.1. The adoption and approval of this Policy will support the Council's objectives in reducing crime and financial loss.

## **4. LEGAL IMPLICATIONS**

- 4.1. The Council is required to ensure that it complies with the Regulation of Investigatory Powers Act 2000, the Investigatory Powers Act 2016 and any other relevant legislation regarding investigations. Any authorisations for directed/covert surveillance or the acquisition of communications data undertaken should be authorised by the appropriate Officer and recorded in the Central Register.

- 4.2. The Council has a statutory obligation for enforcing a wide range of legislation, where it is necessary and proportionate to do so. Human Rights implications are a consideration of this type of activity and this is included within the Policies.

**5. RISK ASSESSMENT**

- 5.1. The RIPA and IPA Policies demonstrate the Council's consideration of necessity, proportionality and public interest when deciding on surveillance activity or the decision to obtain personal communication data.

**6. EQUALITIES IMPACT**

- 6.1. The application of the RIPA and IPA Policies and Procedures, to govern surveillance and the obtaining of personal communications data, minimises the risk that an individual's Human Rights will be breached. Furthermore it protects the Council from allegations of the same.

**7. ALTERNATIVE OPTIONS**

- 7.1. None.

**8. BACKGROUND PAPERS**

- 8.1. Cabinet Report December 2019 - Regulation of Investigatory Powers Act 2000 Surveillance and Covert Human Intelligence Source Policy / Investigatory Powers Act 2016 Acquisition of Communications Data Policy.

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Use of the Internet and Social Media for Investigations and Enforcement Policy

<b>Version Control</b>	
<b>Document Name:</b>	Use of the Internet and Social Media for Investigations and Enforcement Policy
<b>Version:</b>	1
<b>Responsible Officer:</b>	Emma Cathcart, Counter Fraud Unit
<b>Approved by:</b>	Cabinet / Executive Committee
<b>Date First Approved:</b>	TBC
<b>Next Review Date</b>	
<b>Retention Period:</b>	N/A

**Revision History**

Revision date	Version	Description

**Consultees**

Internal	External
Enforcement Lead Officers Governance Group Legal Services Corporate Management Audit / Audit and General Purposes / Audit and Governance / Audit, Compliance and Governance Committee	

**Distribution**

Name	
Enforcement Officers	

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### **1. INTRODUCTION**

- 1.1 Online open source research is widely regarded as the collection, evaluation and analysis of material from online sources available to the public, whether by payment or otherwise, to use as intelligence and evidence.
- 1.2 The use of online open source Internet and Social Media research is a method of obtaining information to assist the Council with its regulatory and enforcement functions. It can also assist with service delivery issues. However, the use of the Internet and Social Media is constantly evolving and with it the risks, particularly regarding breaches of privacy under Article 8 of the Human Rights Act (HRA) 1998 and other operational risks.
- 1.3 The Council is a Public Authority in law under the HRA, and as such, the staff of the Authority must always work within this legislation. This applies to research on the Internet.
- 1.4 Researching, recording, storing, and using open source information regarding a person or group of people must be both necessary and proportionate and take account of the level of intrusion against any person. The activity may also require authorisation and approval by a Magistrate under the Regulation of Investigatory Powers Act (RIPA) 2000. To ensure that any resultant interference with a person's Article 8 Right (respect for private and family life) is lawful, the material must be retained and processed in accordance with the principles of the General Data Protection Regulation (GDPR) 2016 and Data Protection legislation.

### **2. SCOPE OF POLICY**

- 2.1 This Policy and associated Procedure establishes the Council's approach to ensuring that all online research and investigations are conducted lawfully and ethically to reduce risk. It provides guidance to all staff within the Council, about legislative framework and implications associated with online Internet and Social Media research, when engaged in their official capacity. It will also ensure that the activity undertaken, and any evidence obtained, will withstand scrutiny.
- 2.2 This Policy takes account of the HRA, RIPA, Criminal Procedures and Investigations Act (CPIA) 1996, Data Protection legislation and regulations and National Police Chiefs Council (NPCC) Guidance on Open Source Investigation/Research.
- 2.3 This Policy and associated Procedure will be followed at all times and should be read, where required, with the RIPA Codes of Practice and any other legislation and relevant policies mentioned in this document. Should there be any queries advice can be sought from the RIPA Coordinator within the Counter Fraud Unit.
- 2.4 This Policy should not be exempt from disclosure under the Freedom of Information Act 2000.

**3. RISK**

- 3.1 Staff must be aware that any activity carried out using the Internet leaves a trace or footprint which can identify the device used, and, in some circumstances, the individual carrying out the activity. This may pose a legal and reputational risk to the Council if they are challenged by the subject of the research for breaching Article 8.1 of the HRA which states “Everyone has the right to respect for his private and family life, his home and his correspondence”.
- 3.2 Article 8.2 states “There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others”. It is therefore important that the Council can demonstrate that such activity was necessary and proportionate.
- 3.3 Monitoring of an individual’s social media or other open source information on a repeated or continuous basis could constitute surveillance by a Public Authority and fall with the realms of RIPA.
- 3.4 Breach of an individual’s rights under the HRA leaves the Council open to claims for financial compensation and the consequential reputational damage.
- 3.5 Failure to implement and follow a policy could risk compromising the integrity of evidence and any associated investigation.

**4. NECESSITY / JUSTIFICATION**

- 4.1 To justify the intrusion and interference with an individual’s privacy there must be a clear and lawful reason for the activity. Therefore the necessity for the research such as the criminal conduct that it is aimed to prevent or detect must be identified and clearly described. This should be documented with clear objectives. Should the research fall within RIPA activity, the RIPA authorisation will deal with the criteria for it to be lawful intrusion.

**5. PROPORTIONALITY**

- 5.1 Proportionality involves balancing the level of intrusion of the research on the subject and other innocent third parties who might be affected by it (collateral intrusion) against the need for the activity in operational terms.
- 5.2 The Officer must consider and document the benefit to carrying out the activity and how the benefit will outweigh the intrusion.
- 5.3 The activity will not be proportionate if it is excessive in the circumstances of the case or if the information which is sought could reasonably be obtained by other less intrusive means.
- 5.4 All such activity should be carefully managed to meet the objective in question and must not be arbitrary or unfair.

**6. PRIVATE INFORMATION**

- 6.1 Private information is defined in the RIPA Codes of Practice and states it “includes any information relating to a person’s private or family life. Private information should be taken generally to include any aspect of a person’s private or personal relationship with others, including family and professional or business relationships.”
- 6.2 Prior to, and during, any research Staff must take into account the privacy issues of any person associated with the research.
- 6.3 There are three broad categories of private information applicable here:
- 6.4 Category 1 - Viewing publically available postings or websites where the person viewing does not have to register a profile, answer a question, or enter any significant correspondence in order to view. For example, a typical trader’s website.
- 6.5 Category 2 - Viewing postings on social networks where the viewer has had to register a profile but otherwise there is no other restriction on access. This would include Facebook where there is no need to be accepted as a “friend” to view. For example a trader has a “shop window” on Facebook advertising a business and products.
- 6.6. Category 3 - Viewing postings on social networks which require a “friend” or similar status to view.

**7. REVIEWING THE ACTIVITY**

- 7.1 During the course of conducting the Internet open source research, the nature of the online activity may evolve. It is important that Staff continually assess and review their activity to ensure it remains lawful and compliant. Where it evolves into RIPA activity, the RIPA procedure should be followed. If in doubt, Staff should seek advice from the RIPA Coordinator within the Counter Fraud Unit.

**8. USE OF MATERIAL**

- 8.1 The material obtained from conducting open source Internet and Social Media research may be used as intelligence or evidence.
- 8.2 Any material gathered from the Internet during the course of a criminal investigation must be retained in compliance with the Criminal Procedure and Investigations Act (CPIA) Codes of Practice and all material stored in line with the General Data Protection Regulations (GDPR) data retention policies.

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 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p><b>WEST OXFORDSHIRE DISTRICT COUNCIL</b></p>
<p>Name and date of Committee</p>	<p><b>CABINET – 10 November 2021</b></p>
<p>Report Number</p>	<p><b>Agenda Item 9</b></p>
<p>Subject</p>	<p><b>COMMUNITY FACILITIES GRANT 2nd ROUND 2021/22</b></p>
<p>Wards affected</p>	<p>Ducklington, Filkins, Hailey, Stonesfield, and Witney</p>
<p>Accountable member</p>	<p>Cllr Jane Doughty, Cabinet Member for Customer Delivery Email: <a href="mailto:jane.doughty@westoxon.gov.uk">jane.doughty@westoxon.gov.uk</a></p>
<p>Accountable officer</p>	<p>Scott Williams, Business Manager - Contracts Tel: 01285 623654 Email: <a href="mailto:scott.williams@publicagroup.uk">scott.williams@publicagroup.uk</a></p>
<p>Summary/Purpose</p>	<p>To consider applications for grant aid from the Community Facilities Grant Scheme.</p>
<p>Annexes</p>	<p>ANNEX A – Community Facilities Grant Applications 2021/22 – Round 2</p>
<p>Recommendation/s</p>	<p><i>a) That Cabinet agrees to award grants in accordance with the recommendations set out in ANNEX A.</i></p>
<p>Corporate priorities</p>	<p>Working with communities to meet the current and future needs and aspirations of residents.</p>
<p>Key Decision</p>	<p>YES</p>
<p>Exempt</p>	<p>No</p>
<p>Consultees/ Consultation</p>	<p>None</p>

## 1. BACKGROUND

- 1.1. This report represents the second of two rounds of funding for the Community Facilities Grant scheme.

## 2. MAIN POINTS

- 2.1. All Members are invited to submit additional information or comments in respect of any of the applications prior to or at the meeting.

## 3. FINANCIAL IMPLICATIONS

- 3.1. The Annual Budget allowance for this grant scheme is £200,000
- 3.2. In Round 1 of the Community Facility Grant scheme 2021/22 an allocation of £11,563 was made, leaving the sum of £188,437 available for Round 2.
- 3.3. The proposed costs arising from this report are detailed in ANNEX A. If all the grants are approved as recommended the total financial commitment will equal **£134,472** and all grants can be met from the remaining capital budget as shown in 3.2 of this report. There will be a closing balance of £53,965 in the scheme for 2021/22 if the proposals in this report are accepted.
- 3.4. All applications were scored against a matrix and funding allocations are proposed in line with this.
- 3.5. Detailed in the following table is the financial commitment if all applications are taken into account and the amounts recommended are approved:

Reference	Applicant	Recommended
CFG/2122/05	Stonesfield Playing Field Association	£6,250
CFG/2122/06	1 <sup>st</sup> Stonesfield Scouts	£36,750
CFG/2122/07	Witney Rugby Club	£50,000
CFG/2122/08	Ducklington Parish Council	£28,772
CFG/2122/09	Witney Mills Cricket Club	£2,700
CFG/2122/10	Filkins Village Centre	£10,000
<b>Total Grant Allocation</b>		<b>£134,472</b>

- 3.6. This grant award results in a total investment of **£573,774** into local schemes, with the leverage effect of the Council's grant being that for every pound grant aided **£3.27** of external or community funding is being released into the District's economy and cultural facilities infrastructure.

## 4. LEGAL IMPLICATIONS

- 4.1. None.

## **5. RISK ASSESSMENT**

- 5.1. The main risk to the Council is allocating funding to these projects, while the applications to the various other funding partners are unsuccessful. In mitigation the Community Facilities Grant criteria states that the grant will only be paid following successful awards from funding partners.
- 5.2. Risk to the Council will be mitigated by making payment only on satisfactory completion of key stages of the project and upon the provision of relevant invoices and certification by the applicant.
- 5.3. Should Members decide not to grant fund these projects a gap will be left within the project funding which could affect the successful draw down of external grants which ultimately could cause the project to be cancelled.

## **6. EQUALITIES IMPACT (IF REQUIRED)**

- 6.1. None

## **7. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED)**

- 7.1. The Council will request that projects maximise opportunities for energy efficiency and consider higher building standards in the works to mitigate Climate Change impacts and reduce ongoing utility bill costs.

## **8. ALTERNATIVE OPTIONS**

- 8.1. The Cabinet could choose to offer differing levels of grant aid than those proposed in ANNEX A, but within the budgets established for these purposes, although this may result in the projects not being viable due to insufficient funding.

## **9. BACKGROUND PAPERS**

- 9.1. None.

**Community Facilities Grant Applications 2021/22 – Round 2**  
**(Annual Grant Allocation £200,000 – unallocated grant balance after Round 1 £188,437)**

Amount Requested	Total Scheme Cost	WODC Contribution	Rate Relief received	Applicant and Grant Use Additional notes and recommendations
£6,250	£25,000	£6,250 (3% of annual grant allocation)	n/a	<b>CFG/2122/05 – Stonesfield Playing Field Association</b> <b>Installation of outdoor gym equipment</b>
<b>Funding Breakdown</b>				<p>Stonesfield Playing Field Association have previously received funding from our capital grant schemes. The most recent being in 2001/02 for £18,615 towards the redevelopment of the village playground.</p> <p>The rationale for the development of this project is that the demand for outdoor sports facilities has increased in response to the pandemic. It will also provide a free of charge structured training facility for the thriving sports teams in the village.</p> <p>The project contributes to the Council's priorities and has a good level of local support and aims to promote good fitness and well-being for the whole community.</p> <p><i>An award will be made subject to achieving the required partnership funding.</i></p>
Funding Source	Status	Amount	% of Scheme Cost	
West Oxfordshire District Council		£6,250	25%	
Stonesfield Playing Field Association	Definite	£3,000	12%	
Blenheim Palace	Definite	£5,000	20%	
Stonesfield Community Trust	Definite	£5,000	20%	
Stonesfield Parish Council	Estimated	£2,000	8%	
Community Fundraising	Estimated	£3,750	15%	
Total		£25,000	100%	

Amount Requested	Total Scheme Cost	WODC Contribution	Rate Relief received	Applicant and Grant Use Additional notes and recommendations
£36,750	£147,000	£36,750 (18% of annual grant allocation)	n/a	<b>CFG/2122/06 1<sup>st</sup> Stonesfield Scout Group</b> <b>Rebuild of current Scout Hut to form a new Scout Hut and Outdoor Learning Centre.</b>
<b>Funding Breakdown</b>				
<b>Funding Source</b>	<b>Status</b>	<b>Amount</b>	<b>% of Scheme Cost</b>	1 <sup>st</sup> Stonesfield Scouts hasn't previously received any funding from our capital grant schemes.
West Oxfordshire District Council		£36,750	25%	The previous scout hut was demolished in 2019 after it became unsafe.
Stonesfield Parish Council	Estimated	£5,000	3%	The Scouts are keen to help the community and want to rebuild a hut which provides a space for local group, including the school and pre-school to access Forest Schools in a natural woodland setting which has safe and easy access. Local wildlife groups will also be able to use the facility as a base for nature walks and talks, allowing the community to engage in the local ecosystem.
Blenheim Bursary 2021	Definite	£4,000	3%	
National Lottery	Estimated	£100,000	68%	
"Buy a brick" and local fundraising	Estimated	£1,250	1%	
<b>Total</b>		<b>£147,000</b>	<b>100%</b>	The project contributes to the Council's priorities and has a good level of local support and aims to promote good physical and mental well-being for the whole community.
				<i>An award will be made subject to achieving the required partnership funding</i>

Amount Requested	Total Scheme Cost	WODC Contribution		Rate Relief received	Applicant and Grant Use Additional notes and recommendations
£50,000	£235,884	£50,000 (25% of annual grant allocation)		80% (£1,532)	<p><b>CFG/2122/07 Witney Rugby Club</b></p> <p>Extension to existing clubhouse to accommodate the clubs growing membership base and to provide an indoor area for winter fitness training. The space will also be available for in house and external functions. Project also includes works to outside patio area.</p> <p>Witney Rugby Club have previously received funding from our capital grant schemes. The most recent being in 2009/10 for £2,800 towards perimeter fencing.</p> <p>The current club house is unable to accommodate the number of members at the club, with overcrowding becoming an issue, this has become more apparent during the pandemic and the impact of social distancing. The project will also allow for winter fitness training to take place inside during the colder months. The community will benefit from this project as it will provide a quality space that is available to hire for weddings, parties, local classes and meetings.</p> <p>The project contributes to the Council's priorities and has a good level of local support and aims to provide a local facility for the whole community.</p> <p><i>An award will be made subject to building regulation approval and planning permission being secured.</i></p>
<b>Funding Breakdown</b>					
<b>Funding Source</b>		<b>Status</b>	<b>Amount</b>	<b>% of Scheme Cost</b>	
West Oxfordshire District Council			£50,000	21%	
Applicant organisation		Definite	£20,884	9%	
Bartlett Taylor Trust		Definite	£15,000	6%	
Jim Cousins Trust		Definite	£10,000	4%	
RFU Grant		Definite	£40,000	17%	
RFU Loan		Definite	£100,000	43%	
<b>Total</b>			<b>£235,884</b>	<b>100%</b>	

Amount Requested	Total Scheme Cost	WODC Contribution	Rate Relief received	Applicant and Grant Use Additional notes and recommendations
£30,000	£115,090	£28,772 (14% of annual grant allocation)	n/a	<b>CFG/2122/08 Ducklington Parish Council</b> <b>Improvement to Playground and installation of MUGA(multi-use games area)</b>
<b>Funding Breakdown</b>				
<b>Funding Source</b>	<b>Status</b>	<b>Amount</b>	<b>% of Scheme Cost</b>	<p>The existing playground equipment is old and dangerous items of equipment have had to be removed. The remainder of the equipment is also becoming unserviceable. The proposal is to improve the well-used playground to meet current standards and also to upgrade the existing tennis court to a MUGA.</p> <p>Local consultation has identified the need for new equipment and the provision of a MUGA to meet the needs of a broad range of children. The improvements will create a safe space or families and children to be able to get free and easy access for play and socialising. Design consideration has been given to accessibility by providing easy access to the re-surfaced MUGA as well as play equipment including accessible swings and a low level roundabout.</p> <p><i>An award will be made subject to achieving the required partnership funding</i></p>
West Oxfordshire District Council	Applied	£28,772.75	25%	
Ducklington PC	Definite	£20,560.00	18%	
Ducklington PC s106	Definite	£10,758.24	9%	
FCC Community Grant	Applied	£55,000.00	48%	
<b>Total</b>		£115,090.99	100%	

Amount Requested	Total Scheme Cost	WODC Contribution	Rate Relief received	Applicant and Grant Use Additional notes and recommendations
£2,700	£10,800	£2,700 (1.4% of annual grant allocation)	Yes –100%	CFG/2122/09 Witney Mills Cricket Club
<b>Funding Breakdown</b>				<b>Purchase of new Outfield Mower</b>
<b>Funding Source</b>		<b>Status</b>	<b>Amount</b>	<b>% of Scheme Cost</b>
West Oxfordshire District Council		Applied	£2,700	25%
Applicant Organisation		Definite	£8,100	75%
		<b>Total</b>	£10,800	100%
				<p>Recently the mower which is used to mow the cricket outfield has broken down and a replacement is required in preparation for next season.</p> <p>The mower is required to provide a suitable playing surface for Cricket to be played.</p> <p>The Club has three Adult teams and Junior teams ranging from the age of 5 to 19 years old. There are approximately 50 Adult members and over 100 Junior members who will all benefit from the replacement equipment.</p> <p><i>An award will only be made subject to achieving the required partnership funding</i></p>

Amount Requested	Total Scheme Cost	WODC Contribution	Rate Relief received	Applicant and Grant Use Additional notes and recommendations
£10,000	£40,000	£10,000 (5% of annual grant allocation)	Yes – 80%	CFG/2122/10 Filkins Village Centre
<b>Funding Breakdown</b>				<b>Filkins Village Playground Refurbishment.</b>
<b>Funding Source</b>	<b>Status</b>	<b>Amount</b>	<b>% of Scheme Cost</b>	Over time, the existing play area has become tired and equipment has had to be removed either for safety reasons or due to damage. This has left the play area unappealing to the local community.
West Oxfordshire District Council	Applied	£10,000	25%	The project will revive the play area to create a vibrant community space that will be used by children as well as their parents, grandparents, and carers.
Applicant	Definite	£6,000	15%	
Lottery Fund	Estimate	£10,000	25%	
Donations	Definite	£2,000	5%	
Princes Countryside Fund	Estimate	£8,000	20%	The layout has been guided by Colvin Moggridge, who have experience of designing inclusive landscapes. They state that;
Thames Water community fund	Estimate	£4,000	10%	“The design seeks to amplify the expanse of the area, whilst making full use of what is at present a hard and relatively barren playground. Most importantly the intention of enriching play for children of all ages with varying capabilities is reflected in the layout; disjointed existing elements are brought into a sequence with proposed ones with disabled access in mind”.
<b>Total</b>		<b>£40,000</b>	<b>100%</b>	
				<i>An award will only be made subject to achieving the required partnership funding</i>

Unallocated Balance £53,965

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