

Allocations Policy and Scheme

March 2023

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1. Introduction

- 1.1 This Housing Allocation Policy and Scheme applies to the Shropshire Council unitary local authority area. References to Shropshire and the Council refer to the unitary local authority of Shropshire.
- 1.2 This document sets out Shropshire Council's Policy for applications to the Housing Register; the allocation of the housing stock owned by the Council, which is managed by its Arm's Length Management Organisation (ALMO), Shropshire Towns and Rural (STAR) Housing; and nominations to housing associations registered with the Regulator of Social Housing (for social and affordable rented and low cost home ownership¹ properties) and to private landlords.
- 1.3 Officers act under delegated powers in accordance with this policy. All allocations and nominations are made from the Housing Register.

2. Aims of the Allocation Policy and Scheme

- 2.1 In Shropshire the demand for affordable housing exceeds available supply. Therefore, this housing allocation policy and scheme seeks to meet the following aims:
 - Ensure people in the greatest housing need have the greatest opportunity to access suitable housing that best meets their needs;
 - To prevent and relieve homelessness;
 - To make best use of the Council's and housing association stock;
 - To help the Council meet statutory and strategic aims;
 - To help contribute to the development of sustainable communities; and
 - To allow for the greatest degree of choice possible in the allocation of affordable housing.
- 2.2 Whilst this Policy is intended to be comprehensive, the Council recognises that it is not possible to cover every eventuality. In special cases with exceptional needs, the Head of Service - Housing, Resettlement and Independent Living has the discretion to award additional priority and approve offers of accommodation taking into consideration all factors relevant to the application.

3. Eligibility

- 3.1 Applicants ineligible under Government regulations will not be eligible to be accepted onto the Housing Register. Eligibility is a question of immigration status. The rules regarding eligibility are complex and subject to regular changes in immigration law. Applicants who are not British citizens can request further information from the Council before making an application.

¹ With the exception of Homes England grant funded shared ownership properties on non-exception sites

3.2 Any applicant who has been excluded from the Housing Register on the grounds of ineligibility will be given written notice of the decision and the reasons for it and advise of their right of appeal (see section 40).

4. Qualification Criteria

4.1 The Council will usually only accept applications to the Housing Register who are in housing need. Housing need qualifying criteria is set out in Bands 1 to 6 in Appendix A. Applicants deemed not to be in housing need will be placed in Band 7.

Local Connection

4.2 The Council will usually only accept applications to the Housing Register from an applicant with a local connection to the Shropshire Council area. Local connection means that the applicant or a person who might reasonably be expected to reside with them either:

- Is normally resident within the local authority area of Shropshire; or
- Has a local connection with the area by virtue of family association or secure employment.

4.3 Normally resident means resident in accommodation for a period of at least two years immediately prior to an application being made. This does not include being detained in prison or resident in a bail hostel. Persons occupying holiday or other temporary accommodation (for example, hospital or student housing) are not considered as normally resident unless they can demonstrate that this has been their sole or main home for a period of at least five years.

4.4 Family association normally means that the applicant has parents, grandparents, adult children, grandchildren, a brother or a sister currently living in Shropshire and has been normally resident within Shropshire for at least five years. In cases where the Council is considered to be the corporate parent of a care leaver placed “out of county”, this will establish a familial association. In exceptional circumstances and where support is required family association may include extended family, each case will be determined on its own merits. Applicants will be required to provide proof of local connection by virtue of family association.

4.5 Secure employment means the employment or self-employment of the applicant or an adult member of the household for at least one year’s duration and at least 20 hours per week. Where this employment has been for less than one year at the time of application or is on a zero-hour contract, evidence will be required to confirm the nature of the employment.

4.6 Local connection requirements will not apply to the following applicants:

- members of the Armed Forces and former Service personnel, where the application is made within five years of discharge;
- bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner;

- serving or former members of the Reserve Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service;
- existing social housing tenants in England who have a reasonable preference because of a need to move to Shropshire to avoid hardship and if they work or have been offered work in Shropshire and have a genuine intention to take up that offer;
- persons who need to move from another local authority area to escape domestic abuse; and
- persons who need to move from another local authority area to escape other forms of violence or harm.

4.7 Not having a local connection to Shropshire Council will not preclude those applicants identified to be within the class of person set out in section 13.1 of this Policy from being on the Housing Register. Such applicants will be placed in Band 7 unless exceptional circumstances apply (see section 4.15).

Unacceptable Behaviour

4.8 Applicants will not be accepted on to the Housing Register where it is decided that the applicant, or a member of the household with whom the applicant would usually reside, has behaved unacceptably.

4.9 Examples of unacceptable behaviour could include:

- Significant² rent or mortgage arrears or breach of tenancy obligations where no attempt is being made to repay the debt or remedy the breach;
- Cautioned or convicted of a nuisance, anti-social or violent offence;
- Subject to an injunction under the Anti-social Behaviour, Crime and Policing Act 2014 or an Anti-Social Behaviour Order (ASBO) or equivalent;
- Conduct likely to cause serious nuisance, annoyance or harassment to neighbours;
- Using accommodation or allowing it to be used for immoral or illegal purposes;
- Fraudulent or duplicitous behaviour to obtain accommodation;
- Serious damage to or neglect of a property by the tenant or other occupants; or
- Committing violent or anti-social behaviour, or domestic, racist or other abuse.

4.10 Cases will be considered on an individual basis. The following criteria will be applied in determining whether an applicant (this includes existing Council tenants) is excluded from being able to go on the Housing Register for re-housing because of their unacceptable behaviour:

² For example, those with amounts exceeding £1,000 may be disqualified from the Housing Register until the amount has been reduced to below £1,000 or consecutive payments for 26 weeks have been made, unless there are agreed extenuating special circumstances.

- There must be reliable evidence of unacceptable behaviour;
- In normal circumstances the behaviour concerned should have occurred within the last two years. In cases of a more serious nature, for example those involving criminal prosecution, a longer timescale may be appropriate; and
- There must be reasonable grounds for believing that the behaviour could continue or be repeated. For example, the applicant may have issued threats or there might be a history of repeat offending.

4.11 The decision as to whether to exclude an applicant from the Housing Register on the basis of unacceptable behaviour, be this due to the applicant's behaviour or the behaviour of a member of the household with whom the applicant would usually reside, will be made by the Shropshire Council's Head of Service - Housing, Resettlement and Independent Living.

Financial and Needs Assessment

4.12 Applicants with a household income of more than £50,000 gross per annum or savings and assets (including equity in a property) of more than £200,000 or both will usually be considered as not being in housing need and will be placed in Band 7. In the scenario where an applicant **only** wishes to access low cost home ownership accommodation, the cap on household income will be raised to £80,000 gross per annum. Lump sums awarded to Armed Forces service personnel injured or disabled in action will be disregarded.

4.13 The financial assessment will have regard to the financial resources of the applicant and the cost and availability of alternative suitable accommodation. Such applicants who can demonstrate that they have health or support needs that they are unable to meet in the open market will be considered on their individual merits by the Head of Service - Housing, Resettlement and Independent Living. Examples include:

- an applicant who is eligible for a Disabled Facilities Grant (DFG) to fund major adaptations to their existing home, where it is more cost-effective for the authority to re-house the applicant in accommodation appropriate to their housing need;
- an older person is committed to paying for care or support costs in order to remain living independently; and
- an applicant who requires specific accommodation to meet their housing needs, for example, the needs of disabled dependent children, but this accommodation is not available in the private sector, other than that provided by STAR Housing or a housing association.

4.14 As with all other decisions made under this policy, any applicant who is deemed to have such resources as not to qualify to be placed in Bands 1 to 6 will have a right of appeal against that decision (section 40).

4.15 Where an application to the Housing Register would not otherwise be accepted on the grounds of failing to meet the qualification criteria, as the Local Housing Authority, the Council will retain the discretion in exceptional circumstances

where it is considered necessary to dis-apply the qualification criteria and / or place the applicant in any other Band as set out in this policy.

- 4.16 Any applicant who has been excluded from the Housing Register on the grounds of failing to meet the qualification criteria will be given written notice of the decision and the reasons for it and advised of their right of appeal (see section 40).

5. Age of Applicants

- 5.1 Applicants will normally be at least 18 years of age. In the case of 16- and 17-year olds applicants must be care leavers or homeless / threatened with homelessness, and not deemed to be a child in need following an investigation by Social Services under section 17 of the Children Act 1989³. Applicants under the age of 18 must have a recognised support package and financial guarantor or guardian before being accepted on to the register.

6. Homeless Applicants

- 6.1 Shropshire Council has a duty to secure suitable accommodation for homeless households who are eligible for assistance, in priority need, have a local connection and who are not intentionally homeless, in Council, other Registered Provider (housing associations registered by the Regulator of Social Housing) or suitable private rented accommodation. Discharge of the main homelessness duty to the private rented sector will be made in line with the Homelessness (Suitability of Accommodation) (England) Order 2012.
- 6.2 It is important that persons who are homeless or threatened with being made homeless seek advice from Shropshire Council, or their local council, at the earliest opportunity.

7. Transfer Applicants

- 7.1 Existing tenants of Shropshire Council will be subject to the provisions of the Allocation Policy. Tenants wishing to transfer will not normally be considered for re-housing until they have been resident in their present home for one year.

8. Applying to the Housing Register

- 8.1 Persons wishing to register must complete an Application Form. The application can either be completed using a paper application form or online through the Shropshire Council website. Paper applications can be printed from the website and are available by post from Shropshire Council's Customer Contact Points.
- 8.2 The Application will then be assessed by Shropshire Council. Applicants will receive a written response confirming whether their application has been accepted. If accepted, the applicant will be provided with written notification of the Band in which they have been placed and given a registration date.

³ In this instance an application will be made by Social Services on behalf of the child in need and a support package will be in place.

8.3 Where an applicant is not satisfied with the way their application has been assessed or determined they have a right of appeal (see Section 40).

9. Verification

9.1 On completing the Application Form applicants give permission for Shropshire Council to verify (check) the information that they have provided or will re-provide prior to any offer being made or any change of circumstance. This includes permission to contact other Council departments, for example Council Tax and Social Services, and other people or organisations such as previous and current landlords, the UK Border Agency and the police. Applicants will not be made an offer of accommodation until all information requested has been provided and verified. Appendix C lists the information applicants are required to submit to verify their housing application at both application and offer stage.

9.2 Shropshire Council may share information as appropriate where this is legally required and when providing nominations to housing associations and private landlords.

10. False Statements and Withholding Information

10.1 Ensuring all the information provided is true and accurate is the responsibility of the applicant. Verification checks will be undertaken at the point of offer to confirm the information on the application form is correct and up to date.

10.2 It is a criminal offence for applicants knowingly or recklessly to give false information; or to knowingly withhold information. It can carry a fine and in separate civil proceedings can lead to the loss of any accommodation let as a result of Shropshire Council relying on that false information.

10.3 Applicants are required to sign paper applications and certify online applications confirming the details they have given are correct to the best of their knowledge.

10.4 This Scheme falls within the provisions of Part VI of the Housing Act 1996. Section 171 of the Act states:

(1) A person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part:

(a) they knowingly or recklessly make a statement which is false in material particular, or

(b) they knowingly withhold information which the authority has reasonably required them to give in connection with the exercise of those functions.

(2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

10.5 Consequently, where Section 171 applies, Shropshire Council may bring a prosecution which if successful could result in a fine of an unlimited amount.

10.6 Where false information is found to have been given, the applicant may also be disqualified from the Housing Register on the grounds of unacceptable behaviour. Where false information has resulted in the applicant obtaining

accommodation, the relevant Landlord may bring possession proceedings for recovery of the property.

11. Worsening of Circumstances

11.1 Applicants must not deliberately worsen their circumstances in order to obtain greater preference on the Housing Register. If an applicant is found to have deliberately worsened their circumstances they will either be placed in the Band corresponding to their circumstances at the time of their original application or may be disqualified from the Housing Register on the grounds of unacceptable behaviour.

11.2 Examples of deliberate worsening of circumstances might include:

- Selling a property that is affordable and suitable for an applicant's needs;
- Disposing or gifting assets, including property;
- Moving from a secure Assured Tenancy to insecure, overcrowded accommodation, where there is no good reason for this move; and
- Where there is evidence that it was reasonable for an applicant to have remained in their original accommodation.

11.3 Where an applicant has little or no control over their move to alternative accommodation, this will not be considered as a deliberate worsening of circumstances.

12. Change in Circumstances

12.1 If an applicant's circumstances change Shropshire Council must be informed straight away or as soon as is reasonably practicable. Examples of changes include change of address or change in family size.

12.2 If an applicant's circumstances change they may cease to be eligible for inclusion on the Housing Register, and their application will be disqualified. They will be informed if this is the case and advised of any right of appeal (see Section 40).

13. Statutory Requirements

13.1 Under the Housing Act 1996 Shropshire Council has to ensure that when allocating and nominating to housing accommodation **reasonable preference** is given to the following groups:

- people who are homeless within the meaning of Part 7 of the Housing Act 1996 (including those who are intentionally homeless and those not in priority need);
- people who are owed a duty by any housing authority under the Housing Act 1996 sections 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3);
- people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;

- people who need to move on medical or welfare grounds, including grounds relating to a disability; and
- people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

13.2 The Housing Act 1996 also requires that housing authorities must give **additional preference** to the following categories of applicants who fall within one or more of the reasonable preference categories and who have urgent housing needs:

- former members of the Armed Forces⁴
- serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service;
- bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner; and
- serving or former members of the Reserve Forces who need to move because of serious injury, medical condition or disability sustained as a result of their service.

13.3 Those applicants who are in the above categories and are placed in Bands 1 to 6 and are considered to have urgent housing needs will be given additional priority so that they are considered for re-housing ahead of other applicants in their respective Band.

14. The Banding System

14.1 The Allocations Policy is based on seven Bands with specific qualifying criteria (see Appendix A for more details). Each applicant's housing need and other circumstances are assessed on the information provided and the applicant is placed in the **highest** Band their circumstances allow. Within each Band applicants are ranked in date order from when they were registered into that Band.

15. Statement of Choice

15.1 Shropshire Council is committed to offering the greatest choice possible in the allocation of affordable housing in the county, whilst ensuring that housing is allocated to those with the greatest need.

15.2 There will be certain situations where choice cannot be offered in the allocation of housing, such as when the Council needs to make a direct let as a matter of urgency. These circumstances are detailed within the scheme.

15.3 With the exception of these limited circumstances, housing will only be allocated to applicants who apply for a specific property, and all applicants have the opportunity to bid for properties they are entitled to be considered for, having regard to household size and other eligibility criteria.

⁴ Usually where the application is made within five years of discharge.

16. How the Scheme Operates

- 16.1 All properties managed by STAR Housing that become available for letting and all housing association properties where the Council has nomination rights will be advertised through choice-based lettings. Housing associations and private landlords are able to advertise other properties where nomination rights do not apply. The scheme operates on a weekly property cycle from a Wednesday to the following Tuesday. The exact rent, service charge, for sale price, tenancy type and length of tenancy will be clearly advertised on the property details.
- 16.2 Those applicants who have been accepted onto the Housing Register can then bid (apply) for properties that are advertised. Applicants are able to apply for one property each cycle. When the bidding period has closed the advertised property will be offered to the bidder in the highest Band for whom the property is suitable and who has been within that Band for the longest period of time, unless otherwise provided by this Policy.
- 16.3 In the event that the bidder does not want to accept the property then it will be offered to the bidder in the same Band who has been waiting the second longest and then so on. Only when bidders in the highest Band have been considered, will the those in the next highest Band be offered the property.
- 16.4 When a property is allocated, notification will be given on the Shropshire Council website identifying the Band of the successful applicant and their registration date.

17. Bedroom Entitlement

- 17.1 Where possible, adverts will show the number of bedrooms available and number of people they are suitable for to enable eligibility to be exactly matched, for example, three bedroom five persons. Adverts will also show if any restrictions apply to the type of household that can apply.
- 17.2 Those applying for properties should ensure their income, including housing and welfare benefits, is sufficient to fully cover all the rent and charges associated with the accommodation.
- 17.3 The number of bedrooms required for each household is calculated in accordance with age, sex, marital status composition and the relationship of the members to one another. A separate bedroom is required for each married or cohabitating couple, for any other person aged 16 years or over, for each pair of children aged 0 to 15 years of the same sex, and for each pair of children under 10 years of the same or opposite sex. If that is not possible, he or she is counted as requiring a separate bedroom, as is any unpaired child under the age of 10 years. Additional bedroom/s required because of a medical condition/s will be considered as part of the medical assessment procedure.
- 17.4 Appendix D gives examples of what size and type of property an applicant can usually expect to be offered, therefore, should bid for.

18. Access to Children

18.1 In the case of divorced or separated parents / guardians, a child will typically be expected to reside with one parent / guardian as their main residence. Unless it is stated in a legal document that residency is 50% for each parent / guardian, the other parent / guardian will not receive any bedroom entitlement for access visits.

19. Fostering and Adoption

19.1 Where a household has formal evidence that, subject to a suitable property becoming available, approval would be given to foster or adopt a child or children, subject to confirmation from a Social Worker, each child would usually be entitled to a separate bedroom. Verification of fostering and/or adoption arrangements will be carried out at point of offer of accommodation.

20. University / Full-time Study Away from Home

20.1 Household members studying away from home in full-time courses will be considered in bedroom entitlement unless they are the main applicant.

21. Overnight Carers

21.1 Where a household has formal evidence that an overnight carer or team of carers is needed three or more nights per normal week, a carer shall be included in the bedroom eligibility calculation.

22. Supported Accommodation

22.1 Applicants can indicate whether they want to be considered for supported accommodation on the application form but will usually be offered one only if they meet the following criteria:

- Older persons' sheltered or independent living accommodation – applicants aged 55 or over with support needs. Applicants will be expected to sign-up to a support package.
- Older persons' extra care sheltered accommodation – applicants aged 55 or over with support and/or care needs. Applicants require a referral from a social care manager to be considered for this type of housing. Applicants will be expected to sign-up to a support and care package.
- Other supported housing - applicants must meet the requirements set out in each scheme's eligibility criteria. Applicants will usually require a referral from a social care manager to be considered for this type of housing. Applicants will be expected to sign-up to a support and / or care package as appropriate.

22.2 Bungalows will usually only be offered to applicants who have poor health and/or a disability who require accommodation on one level.

22.3 Other properties may be designated, for a limited period of time, for applicants who fall into a particular age category to ensure the continued sustainability of a

particular block or area of housing. These may be subject to local lettings policies (see below).

23. Support / Care Packages

23.1 Some applicants (such as care leavers, and people with serious mental illness, dementia, or learning disabilities) will only be eligible for an offer of accommodation once it is confirmed that they have a recognised support/care package in place. This support/care package need not be provided through Social Services, but could include other forms of support, for example from family or friends. The support/care package will be reconfirmed before an offer of accommodation is made to ensure that applicants are supported to live successfully in their new home.

24. Advice and Assistance

24.1 Shropshire Council is unable to provide personal appointments. However, staff are able to signpost applicants to other sources of advice and assistance including those of dedicated teams and organisations throughout Shropshire. In particular, assistance will be provided to anyone who may have difficulty participating due to disability, learning disability, illness, age, not speaking English as a first language, or any other reason that might make it harder for them to fully participate within the scheme. Where applicants are unable to submit bids themselves an assisted bidding process can be offered.

25. Information about the Allocation Policy and Scheme

25.1 Anyone who wishes is entitled to a free summary of the Allocation Policy and Scheme, which can be obtained from Shropshire Council. A copy of this document is available to be downloaded from the Shropshire Council website.

25.2 Applicants to the Housing Register are also entitled to request details of information that has been used to assess their application. Requests must be submitting in writing.

25.3 When each property advertised has been successfully allocated, the banding and registration date of the successful applicant will be made available on the website. This information should be sufficient for applicants to determine their prospects of success in obtaining housing, and to estimate how long they are likely to have to wait to obtain such housing.

26. Local Lettings Plans and Policies

26.1 Local Letting Plans are usually introduced to:

- Balance communities to achieve sustainable neighbourhoods;
- Deliver specific local strategic outcomes; and
- Due to planning conditions.

26.2 Affordable housing dwellings may be subject to special planning conditions or legal restrictions applied through Section 106 of the Town and Country Planning Act 1990 (as amended) specifying local occupancy or employment conditions

on who is able to live in the accommodation. These conditions are usually found in rural settlements and aim to ensure that applicants on the Housing Register who have a local connection with a specific parish or defined area are given priority for rehousing, over and above those who do not have that connection. Each Section 106 document will set out the specific detail of the Local Lettings Policy.

- 26.3 Where a Local Letting Plan or Policy is in place, priority will normally be given to applicants who directly meet the criteria of the Plan. Details of each Local Letting Plan or Policy will be available on request from the Council. Advertisements for properties included in the Local Letting Plan will specify the required criteria.

27. Letting Privately Rented Accommodation

- 27.1 Private landlords (this does not include housing associations registered with the Regulator of Social Housing) who offer affordable housing to households on the Housing Register may use additional criteria when selecting prospective tenants. The use of a Private Landlord's Letting Plan must be agreed with Shropshire Council and referred to in the property advertisement. The Plan must also be available to applicants on request.

28. Sensitive Lets

- 28.1 There may be circumstances where properties will be identified for Sensitive Let. This means specific criteria will be applied to individual properties to achieve wider objectives. Where a Sensitive Let is identified, priority may be given to applicants who directly meet the required criteria. Advertisements for properties defined as Sensitive Lets will specify the required criteria.

29. Direct Lets

- 29.1 Shropshire Council and its ALMO, STAR Housing, may from time to time need to make a Direct Let of a property to an applicant in exceptional or urgent circumstances, for example to facilitate or maintain essential support arrangements, or for an applicant who has very specific housing requirements.

30. Adapted Properties

- 30.1 Properties which have been adapted to meet the needs of people with disabilities will be identified when advertised. In order to ensure best use of stock, priority will normally be given to the applicants requiring the adaptations provided.

31. Offers of Accommodation

- 31.1 Applicants have a responsibility to ensure their contact details are up to date including, change of address, contact telephone numbers and email addresses. Shropshire Council publishes a list of supporting information required at point of offer which applicants are expected to have available immediately for verification. In most instances offers of accommodation will be made by telephone and applicants will be given three working days to respond. If applicants do not respond within this timescale, the offer may be withdrawn.

- 31.2 Where the offer of accommodation is to an applicant where a statutory homeless duty is owed by Shropshire Council, they will be given three working days for applicants to respond. If no response is received the Landlord will notify the Housing Options Team and agree whether to withdraw the offer.
- 31.3 Those applicants, with the exception of those with a homeless duty, who have refused or have failed to make contact on four or more occasions within a twelve-month period when suitable offers of accommodation have been made through the Allocation Scheme, will be deferred and therefore be declined further offers for a period of up to six months. The Council will write to the applicant and inform them of the reason as to why they have been deferred.
- 31.4 Landlords will make formal offers of accommodation in writing, either by letter or email.

32. Medical Assessment Procedure

- 32.1 Shropshire Council will assess and verify medical need/s which are directly affected by the applicant's accommodation and where a move to more suitable accommodation is needed.
- 32.2 Information is taken from the application with any supporting evidence to determine if there is a medical need and the level of this need. In exceptional circumstances, an independent medical assessment may be sought.

33. Joint Applications

- 33.1 Joint applications can usually be made by:
- A married couple;
 - A civil partnership couple; and
 - Partners (including same sex couples)⁵.
- 33.2 Where a sole application becomes a joint application, the original or earliest registration date of the two will apply. Should the parties of the joint application then wish to separate their applications, the respective dates at which they each separately registered will then apply.

34. People in Prison

- 34.1 Applications will be accepted from those currently in prison provided eligibility and qualification criteria are met. Shropshire Council works with a range of agencies to prepare people for release from prison and to prevent homelessness. While preparation for release may begin sometime prior to release, applicants should be mindful that bids made one month or more before the release date will not normally be considered.
- 34.2 Upon release an update application will be required and if applicable liaison with any support workers and agencies.

⁵ This does not include friends.

34.3 Emergency cases will be referred to Shropshire Council's Housing Options Team.

35. Pregnancy

35.1 Where a household member is pregnant, the pregnancy will only be considered once a medical certificate such as a MATB1 is received. Until the birth and the sex of the child or children can be confirmed the bedroom entitlement assumption will be set at the minimum number according to the above criteria.

36. Applications from Employees, Board Members, Councillors and their Relatives

36.1 Applications are monitored carefully to ensure that all allocations are made in line with this policy and no favour is given to those with close links to Shropshire Council, STAR Housing or housing associations with housing stock in Shropshire.

37. Property Adverts

37.1 Available properties are published each week. The scheme operates on a weekly property cycle from a Wednesday to the following Tuesday with applicants able to bid (apply) for one property each cycle.

37.2 Those applicants with email addresses will be sent a weekly link to available properties. Those applicants who have no internet access, who cannot access the internet elsewhere and do not have anyone who is able to bid on their behalf, can request that the Council undertakes bidding on their behalf.

38. Equal Opportunities Statement

38.1 Shropshire Council believes that it is a fundamental right for everyone to be treated fairly, with respect and dignity; in the implementation of this policy it will ensure that this right is promoted and upheld. This includes the need to ensure that applicants' specific needs are recognised when they bid for properties and are being considered for offers of accommodation.

39. Appeals

39.1 Any applicant to Shropshire Council's Housing Register has a right to make an appeal if they disagree with a decision made by the Council, such as disqualifying them from registration, or the banding awarded.

39.2 For decisions made by Shropshire Council the applicant should appeal / complain in writing to the Head of Service - Housing, Resettlement and Independent Living. An applicant can also appoint an advocate and, once appointed, Shropshire Council will deal directly with that advocate.

39.3 There are two stages to the appeals process:

Stage 1

The appeal must be made in writing within 21 calendar days of the date of the decision letter, stating the grounds for the appeal. The appeal will be

considered by the Head of Service - Housing, Resettlement and Independent Living or nominated representative, and a decision will normally be given within 21 calendar days. In complex cases it may not be possible to give a decision in 21 days and may take longer. Where this is the case the applicant will be notified in writing prior to expiry of the 21-day period.

Stage 2

If the applicant is unhappy with the decision made by the Head of Service - Housing, Resettlement and Independent Living they may request that a further review be carried out by the Director of People or their nominated representative. This request must be made in writing within 7 days. Again, a decision will normally be given in 21 days, subject to extension where necessary.

39.4 If still unhappy with the outcome of the appeal, the applicant may make a complaint to the Local Government and Social Care Ombudsman.

39.5 Where an offer of accommodation has been made to discharge the main homelessness duty, this will be subject to a different review process.

40. Complaints

40.1 Complaints about the policy should be made in the first instance to the Head of Service – Housing, Resettlement and Independent Living.

40.2 A copy of the full complaints procedure is available from Shropshire Council.

41. Monitoring and Review

41.1 Shropshire Council monitors all allocations and reports this in a 'Quarterly Monitoring and Statistics Report' which is published and available to download from the Shropshire Council website.

41.2 This policy and scheme will be subject to annual review, seeking to ensure it reflects changes in legislation and meets its aims.

42. Transitional arrangements

42.1 The below transitional arrangements apply to **existing applicants** registered on the housing register at the time of implementation.

42.1.1 Those existing applicants who have a local connection under the allocations policy and scheme published in 2014⁶ will be placed into

-
- Applicants currently living in Shropshire Council Area
 - Those that have resided in the county three of the last five years, where residence has been out of choice;
 - Those who are employed in the area, other than of a casual nature;
 - Those who have close family connections, who have themselves lived in the county for five or more years;
 - The applicant was a permanent resident of the local area for five years as a child, and attended a local school;
 - Those who need to move to Shropshire for urgent social reasons such as to receive / give support

Bands 1 to 6 according to their circumstance, with the exception of those applicants whose financial resources mean that they are not considered as being in housing need, who will be placed into Band 7.

- 42.1.2 Those existing applicants without a local connection to Shropshire will be placed in Band 7, this being irrespective as to whether they are in a reasonable preference category.
- 42.1.3 Existing applicants will be placed in the highest Band which their circumstances allow, the date they will be shortlisted by being their original registration date.
- 42.1.4 Existing applicants who are assessed as being in the “sharing essential facilities” category in the allocation policy and scheme published in 2014 will be placed in Band 5.

Appendix A: Bandings

All qualifying applicants will be allocated to one of the following Bands according to their particular circumstances. Subject to exceptional circumstances as set out in section 4.15, applicants in Bands 1 to 6 will require a local connection.

Band 1:

Band 1A

Homeless households who are owed the main duty and are currently accommodated in emergency accommodation and other emergency cases:

- Households who are homeless and are owed the main duty including when they have become homeless or the Relief Duty has come to an end and they have been assessed as being eligible for assistance, unintentionally homeless, in priority need and have local connection and are currently accommodated in emergency accommodation provided by the Council⁷.
- Other households in emergency housing need where the authority has a statutory duty to provide housing.

Band 1B

Homeless households who are owed the main duty and where Council tenants need to move due to major works or demolition:

- Households who are homeless and are owed the main duty including when they have become homeless or the Relief Duty has come to an end and they have been assessed as being eligible for assistance, unintentionally homeless, in priority need and have local connection.
- Where Shropshire Council require tenants to move to alternative accommodation to allow major works to be undertaken (such as modernisation or demolition).

Where households are homeless and owed the main duty Shropshire Council's Housing Options Team will bid on applicants' behalf for each suitable property that becomes available. When a successful bid is made for a property the applicant will be notified of this and, subject to rights of review under Part VII of the Housing Act 1996 (as amended), this will constitute an offer of housing under Part VI as a discharge of the Council's homelessness duty.

Band 2:

Homeless households who are owed the Relief Duty, urgent medical need, hospital discharge; care leavers, serious disrepair, persons who are fleeing domestic abuse or other forms of violence or harm and reducing re-offending:

- Applicants who are homeless and are owed the Relief Duty and would be owed or likely to be owed the Main duty when the Relief Duty came to an end,

⁷ This includes care leavers, where the Council is considered to be the corporate parent (so may have been placed "out of county"), who are owed the main homelessness duty and are accommodated in emergency temporary accommodation provided by the Council.

because they are or are likely to be in priority need and unintentionally homeless.

- Urgent medical need where the applicant's (or member of their household who is moving with them) condition is currently directly affected by their accommodation and an urgent move is needed to have a positive effect on their medical condition, or where as a result of their condition their current accommodation is not suitable to their needs. An investigation will be carried out. For Urgent Medical Need it is generally expected that the property cannot reasonably be occupied as the applicant is either unable to use or has serious difficulty using an essential part of the property, for example, the WC.
- Applicants who have been released from hospital and cannot return to the property. Severity of medical illness does not determine the housing banding. Medical evidence will be required.
- Where a young person who has been looked after, fostered or accommodated by Shropshire Council, is engaging with the support provided, and there will be a duty to rehouse accepted by Shropshire Council within six months of the young person being ready for independent living.
- Serious disrepair refers to the condition of the current accommodation. This will apply where the Council has deemed the applicant's home to have the presence of Category 1 Hazards, Bands A - C under the Housing Health & Safety Rating System and these Hazards cannot be resolved or reduced to a Category 2 Hazard with six months.
- Applicants who are fleeing domestic abuse or other forms of violence or harm. All applications will be taken seriously and will be fully assessed in conjunction with partner agencies and landlords.
- Reducing re-offending – applicants due to be released from prison where a personal housing plan has been undertaken and a support package is in place.

Unless specified otherwise in this policy, Band 2 will normally be valid for 12 weeks from date of award. If accommodation has not been secured in this period there will be a review carried out. If no suitable properties have become available during the period time in Band 2 will be extended for a further period, usually six weeks. If the applicant has been bidding for suitable properties but has not been successful, the status may be extended. If however, the applicant has failed to bid for properties, or has been bidding for unsuitable properties, the reasons for this will be determined and if there are valid reasons the time in Band 2 may be extended, but where there are insufficient reasons, the Band will be withdrawn and the applicant will be reassessed accordingly.

Band 3:

Resettlement, homelessness prevention, serious medical need, use and occupation, over-crowding, under-occupation and members of the armed forces to be discharged within six months:

- Resettlement - applicants have been assessed as ready to move from hostel or other temporary supported accommodation into settled accommodation. Where appropriate, arrangements will be made for tenancy support.

- Applicants who are threatened with homelessness and are owed the Prevention Duty and would be likely to be owed the Main duty if both the Prevention Duty and any Relief Duty that followed on were to end unsuccessfully and they would be, or would likely to be, found to be in priority need and unintentionally homeless.
- Serious medical need will apply where the applicant's (or member of their household who is moving with them) condition is currently directly affected by their accommodation and a move is needed to have a positive effect on their condition, or where as a result of their condition their current accommodation is detrimental to health and wellbeing. An investigation will be carried out.
- Use and occupation - following the death of the tenant, occupiers of Registered Provider⁸ dwellings who either do not have succession rights or a non-statutory succession cannot be granted as the current property would be under-occupied or considered unsuitable. Following notice served by a tenant and an assignment cannot be granted to the remaining occupants.
- Overcrowding – assessments will be based on the bedroom entitlement at Appendix D. Lodgers will not be included in the assessment.
- Under-occupation by one or more bedrooms by a tenant of a Registered Provider⁹ where the property is in Shropshire.
- Where a member of the British Armed Forces is going to be discharged within 6 months or has been discharged but been unsuccessful in finding permanent suitable accommodation. If part of a couple separating, this criterion would not apply to their ex-partner's application. Those that have been dishonourably discharged will be considered individually based upon the circumstances and reasons for the discharge.

Band 4:

Need to give or receive support, moderate medical need, disrepair, overcrowding, excessive travel and homelessness:

- Give or receive support from close family members and / or move closer to local facilities. Where not having a move would result in serious detriment.
- Moderate medical need where the applicant's (or member of their household who is moving with them) condition is currently directly affected by their accommodation and a move is needed to have a positive effect on their condition, or where as a result of their condition their current accommodation is not suitable to their needs
- Disrepair where the Council has deemed the applicant's home to have the Presence of Category 2 Hazards, Band D under the Housing Health & Safety Rating System.

⁸ In the case of a private registered provider (housing association) there will usually be an agreement between the PRP and the Council that the resulting void dwelling will be subject to nomination rights.

⁹ In the case of a private registered provider (housing association) there will usually be an agreement between the PRP and the Council that the resulting void dwelling will be subject to nomination rights.

- Overcrowding where there is a need for one additional bedroom – assessments will be based on the bedroom entitlement at Appendix D. Lodgers will not be included in the assessment.
- Excessive travel, where applicants in, or due to be in, permanent full-time employment (20+ hours per week) are subject to excessive travel (over 1 hour each way).
- Homeless is where the Council accepts a household is homeless but to whom it does not owe a duty to secure settled accommodation because they are not considered to be in priority need or because they are intentionally homeless.

Band 5:

Sharing essential facilities, forced to live apart, above ground floor flat with child or pregnant, and key workers:

- Sharing essential facilities such as bathroom, toilet or kitchen with a separate household¹⁰.
- Family forced to live apart, where the family that has previously lived together find themselves in circumstances where it is impractical to reside in the same house due to financial, work or other commitments.
- The applicant has a child under ten or is pregnant and lives in a first floor flat or above.
- The applicant is considered by the Council to be a key worker.

Band 6:

Following a financial and need assessment, applicant is considered to be in housing need.

Band 7:

Applicant is not considered to be in housing need or does not have a local connection

- Following a financial and need assessment, applicant deemed to have a local connection is not considered to be in housing need.
- Applicant is not deemed to have a local connection but identified to be within the class of person set out in section 13.1 (and where there are no exceptional circumstances as set out in section 4.15).

¹⁰ Where the households sharing essential facilities are parents and their adult children this does not apply

Appendix B: Glossary and Definition of Terms

Affordable Housing	Affordable housing comprises social and affordable rented accommodation and low-cost home ownership products [see NPPF]
Affordable Rent	Rent which is to 80% of local open market gross rent.
Allocation	Selecting a person to be a council tenant or nominating a person to be a housing association tenant.
Bidding for a Property	The applicant's way of expressing an interest in being re-housed in that property
Choice-Based Lettings	More commonly known as CBL. A process used to advertise available properties and asking applicants to choose for themselves the properties they would like to be considered for.
Community Benefit	An allocation used to promote the best interests of the local community, detailing how the eligibility for a property departs from the standard criteria within the Allocation Policy.
Direct Let	Used in urgent situations where the Council directly allocates or nominates to a property.
Housing Register	The list of all those registered with Shropshire Council for affordable housing.
Key worker	Someone whose role provides an essential service deemed crucial to the economy and wellbeing of society.
Local Letting Plans	Specifies how the qualification and eligibility for a property departs from the standard criteria within the Allocation Policy.
Main Duty	Where a homeless household is found by the local housing authority to be eligible for assistance, homeless but not intentionally so, in priority need and with a local connection they are owed the main duty of an offer of suitable accommodation.

Nomination	When a person is allocated a housing association tenancy in line with the Council's allocation policy and scheme.
Prevention Duty	If a homeless household is eligible for assistance and threatened with homelessness within 56 days, the local housing authority is required to work with them to prevent them becoming homeless.
Registered Providers	Housing organisations that are registered with the Regulator of Social Housing. Local authorities who own social housing stock are Registered Providers. Private Registered Providers are usually called Housing Associations.
Relief Duty	If a homeless household is eligible for assistance and is homeless, regardless of priority need, the local authority is required to take reasonable steps assist the household to obtain accommodation, this duty could last for up to 56 days.
Sensitive Let	Used for specific properties in the best interests of the local community.
Section 21 Notice	A formal document giving two months' notice on an Assured Shorthold Tenancy to vacate a property.
Section 106 Agreement	Some properties may be restricted under agreements pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended), imposing conditions on who is eligible to be allocated / nominated, such as including a local connection requirement to a specific parish or area.
Shared Ownership	Where a person buys a proportion of a new home and pays rent on the remaining portion.
Statutory Homeless	A term that refers to people or families to whom a local housing authority has a duty to make an offer of suitable accommodation – this could be a council or housing association property or a twelve-month tenancy of private rented accommodation.

Appendix C: List of Information Required to Verify an Offer of Accommodation

Please note that this is not an exhaustive list.

Local Connection

A copy of one of the following documents either from the applicant or from the close relative must be provided:

- Council tax bill
- Employment or contract of employment details
- Tenancy agreement

Without the documentation shown above, your local connection will not be verified.

Identification

- Passport sized photograph of applicant
- Original or certified copy of birth certificate or passport for applicant and for each household member included on the applicant's application
- Where applicable, proof of name change via Deed Poll
- Where applicable, original or certified copy of Marriage certificate

Housing

- A copy of Tenancy agreement
- A copy of Licence agreement
- A letter from friend or relative confirming the applicant's living arrangements - (letter should state date when the applicant moved in and number of bedrooms to which they have access)
- A current valuation of the applicant's home
- A copy of the applicant's latest mortgage statement
- Confirmation of Tied accommodation

Income

A copy of award letter or bank statements showing the following amounts:

- Employment Support Allowance
- Income Support
- Child Benefit (award letter only)
- Child Tax Credit
- Working Tax Credit
- Incapacity benefit
- DLA
- Carer's allowance

- Pension credit
- State Pension
- Occupational Pension
- Rent income
- Personal Independence Payment (PIP)
- Council tax benefits
- Universal credit
- Child support payments
- Last 3 months or 5 weeks of payslips for each employment
- A copy of self-employed accounts

Assets

- Independent property valuation
- Current, saving and investments bank accounts
- Premium bonds

Appendix D: Size and Type of Properties Eligibility Criteria

It is expected that for working age applicants the size of property for which they are entitled is in line with the DWP bedroom standard, however if applicants can demonstrate that they are able to pay rent with or without recourse to Housing Benefit, they may be considered for a property with an additional bedroom, this being subject to availability.

If a person named on an application as being part of the household is aged 16 or over they are classed as a person who is not a child and, therefore, as needing their own bedroom.

Households will usually be able to choose the floor level on which they want to live (depending on property type) unless there is an assessed need for a particular floor level. For example, if priority for ground floor accommodation is recommended on medical grounds.

The criteria listed below will usually be used when deciding what property is suitable for a household.

Household	Properties usually considered suitable
Single person of working age ¹¹	Room in shared house, bedsit or 1 bedroom flat
Single person over working age	Bedsit, 1 or 2 bedroom flat or bungalow
Couple both of working age	1 bedroom flat
Couple with one or both over working age	1 or 2 bedroom flat or bungalow
Pregnant woman with no other children	1 or 2 bedroom flat, maisonette or house
Family with one child	2 bedroom flat, maisonette or house
Family with two children aged under 10	2 bedroom flat, maisonette or house
Family with two children aged under 16 of the same sex	2 bedroom flat, maisonette or house
Family with two children of different sex, where one or both children are aged 10 or over	3 bedroom flat, maisonette or house
Family with three children	3 bedroom flat, maisonette or house
Family with four children	3 or 4 ¹² bedroom flat, maisonette or house
Family with five or more children	4 or 5 ¹³ bedroom house
Household needing 2 bedrooms where all are adults	2 bedroom flat or maisonette

¹¹ Working age includes anyone who is under the State Pension Credit age at the time

¹² Depending on age and sex of children

¹³ Depending on age and sex of children

Appendix E: List of Local Lettings Plans and Policies

Hanley Lane, Bayston Hill

Oak Meadow, Bishops Castle

Chapel Close, Bomere Heath

Rastick Close, Bridgnorth

Tasley Area, Bridgnorth

Wenlock Rise, Bridgnorth

Love Lane, Cleobury

Shrewsbury Road, Cockshut

Brook Close, Condover

The Leasowes, Ford

Bearcroft, Hinstock

Warren Court, Market Drayton

Orchid Meadow, Minsterley

Callaughton Lane, Much Wenlock

Hawthorne Grove, Lime Grove, Holly Green and Hazel Grove, Oswestry

Plas Ffynnon Way, Oswestry

Willow Gate, Castle Street, Oswestry

Wingate Way, Park Hall, Oswestry

Thomas Beddoes, Shifnal

Battlefields, Shrewsbury

Sweetlake Meadow, Shrewsbury

White Lodge, The Mount, Shrewsbury

Bower Farm, St Martins

Church Farm, Tilstock

Round Meadow, Wem

Saxon Fields, Wem

Pipegate, Woore

Appendix F: Key workers

Health and Social care

Includes doctors, nurses, midwives, paramedics, social workers, care workers, and other frontline health and social care staff including volunteers; the support and specialist staff required to maintain the UK's health and social care sector; those working as part of the health and social care supply chain, including producers and distributors of medicines and medical and personal protective equipment.

Education and childcare

Includes childcare, support and teaching staff, social workers and specialist education professionals.

Key public services

Includes those essential to the running of the justice system, religious staff, charities and workers delivering key frontline services, those responsible for the management of the deceased, and journalists and broadcasters who are providing public service broadcasting.

Local and national government

Only includes those administrative occupations essential to the effective delivery of essential public services, such as the payment of benefits, including in government agencies and arm's length bodies.

Food and other necessary goods

Includes those involved in food production, processing, distribution, sale and delivery, as well as those essential to the provision of other key goods (for example, hygienic and veterinary medicines).

Public safety and national security

Includes police and support staff, Ministry of Defence civilians, contractor and armed forces personnel (those critical to the delivery of key defence and national security outputs), fire and rescue service employees (including support staff), National Crime Agency staff, those maintaining border security, prison and probation staff and other national security roles, including those overseas.

Transport

Includes those who keep the air, water, road and rail passenger and freight transport modes operating, including those working on transport systems through which supply chains pass.

Utilities, communication and financial services

Includes staff needed for essential financial services provision (including but not limited to workers in banks, building societies and financial market infrastructure), the oil, gas, electricity and water sectors (including sewerage), information technology and data infrastructure sector and primary industry supplies, as well as key staff working in the civil nuclear, chemicals, telecommunications (including but not limited to network operations, field engineering, call centre staff, IT and data infrastructure, 999 and 111 critical services), postal services and delivery, payments providers and waste disposal sectors.