

Housing Allocations Policy 2024-2027

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1 Introduction

This Policy sets out the Council's priorities for how social housing in Sevenoaks District is allocated and the guidelines that determine entitlement and eligibility to join the Housing Register. This will supersede any existing and former scheme relating to the allocation of housing and is in accordance with the requirements of Section 167 of the Housing Act 1996 (as amended).

The Policy explains what help people can expect from the Council in meeting their housing needs and sets out the system and processes for vacant social housing allocation and information on nomination agreements with housing owned and managed by Registered Provider/Registered Social Landlord/Housing Association and other approved Providers.

If an applicant does not meet any of the priority criteria set out within this Policy, they will be excluded from joining the Housing Register because they have no identified housing need for social housing. If an applicant's circumstances change, they will need to submit a new application.

The Council will consider all applications for social housing in accordance with this Policy, which sets out:

- Who qualifies to be included on the register
- How to apply to get on the register
- How we determine an applicant's priority on the register
- How to bid for available properties
- How available properties are allocated
- How we keep the register up to date
- How applicants can seek a review of decisions made regarding the application assessment and allocation process

The demand for housing from people in need of social housing in Sevenoaks, or wishing to move to Sevenoaks, is significantly higher than the number of homes available. There is an insufficient supply of social housing owned by Registered Provider/Registered Social Landlord/Housing Association to offer a home to everyone who would want it, or even to everyone who needs a home.

This Housing Allocations Policy ensures that we allocate the limited number of social homes available as fairly as possible and to those in the greatest need. The Policy is designed to ensure we comply with our legal obligations and to support the objectives of the Council's Housing Strategy.

Some homes have a Local Lettings Plan applying or they may be located on a Rural Exceptions Housing site. This means these homes may not be allocated to those in greatest housing need.

Specific Allocation Policies may be implemented and apply to supported housing schemes or other specialised accommodation, including the Romani Way, Hever Road, Edenbridge Gypsy and Traveller site.

2. Aims and Objectives

The broad objectives of the Policy are to:

- Ensure we are letting properties in line with housing law
- Determine the priority of applicants in a clear, transparent, and consistent way
- Ensure that homes are allocated fairly and to those in greatest need
- Provide accurate and timely advice and information to allow applicants to make informed choices about their housing options
- Create sustainable communities by the use of Local Lettings Plans
- Make the best use of the housing stock within the District, working with our Registered Provider/Registered Social Landlord/Housing Association partners to ensure that vacant homes are let quickly and efficiently
- Give applicants a choice of housing accommodation, or the opportunity to express preferences about housing accommodation, where this is reasonably practicable, by using choice based lettings through Kent Homechoice

3. Local Connection Criteria

Applicants will not be able to join the Housing Register if they do not have a local connection with the District. A local connection under this Policy means applicants are:

- Currently living in the Sevenoaks District and the applicant has been resident for a continuous period of three years at the point of application. This does not include households placed in temporary accommodation under the homelessness legislation or Children Act 1989
- Currently employed in the District, and the applicant's place of work is within the District, and have been working within the District continuously for the last three years at the point of application
- Self employed, where documentary evidence shows at least 50% of the applicant's work is within the District, and this has been the case continuously for the last three years at the point of application
- An applicant for whom we have accepted the main housing duty under the homelessness legislation (Section 193 Housing Act 1996)
- A serving member of the Regular Armed Forces or a former member within five years of discharge (or a bereaved or separated spouse or civil partner of such a member)
- A serving or former member of the Reserve Armed Forces within five years of discharge who needs to move because of a serious injury, medical condition or disability sustained as a result of their service

In exceptional circumstances, applicants will not need to demonstrate a local connection. This can include (but is not limited to) applicants who:

- Have had a break in the period of continuous residence or employment due to circumstances beyond their control. For example, a temporary move to escape violence or threats of violence, or a temporary change to their usual place of work
- Are currently residing outside Sevenoaks District but need to move into the District to provide or receive significant and ongoing care or support to, or from, a close family member (ie children, parents, or siblings, only). A care giver or care receiver must currently live a minimum one hour's journey time away. This is measured by

shortest car journey or, if the applicant does not have access to private transport, the shortest timetabled public transport route

- Need to move to receive significant and ongoing care or support from regulated providers
- Are at risk of violence or harassment (including domestic abuse or hate crime) and that risk would be substantially reduced by a move to a permanent home in the District
- Have fled from another local authority due to domestic abuse and are currently placed in a refuge or other form of temporary accommodation by the Council
- Are aged 55 years or over and wish to apply for designated older persons' housing
- Are unable to demonstrate a local connection because they are travellers who have been pursuing a nomadic lifestyle in accordance with their cultural tradition
- Are residing in an institution such as rehabilitation centre, refuge, hostel, supported accommodation scheme or semi-independent accommodation scheme, and who did have a qualifying local connection through residence in settled accommodation within the Sevenoaks District immediately before they moved into their current accommodation

Different local connection criteria will apply to new social housing provided on Rural Exceptions Housing sites and other sites in parishes where local needs nomination arrangements have been approved by the District Council. Here, priority will be given to applicants with a local connection to the host Parish followed by specified neighbouring parishes. Full criteria are set out in the legal agreement or Local Lettings Plan applying to each site. Details of the sites and the local connection criteria applying, can be obtained from housing.policy@sevenoaks.gov.uk

4. Qualifying Persons

Section 160ZA Housing Act 1996 (as amended) gives power to Local Authorities to define classes of applicants that will be considered as qualifying persons. Qualification must be met at both point of application and point of offer. The Secretary of State may prescribe who are or who are not, qualifying persons.

Anyone aged 16 years or above is able to join the Housing Register unless they are ineligible or disqualified. Applicants will be ineligible if they are a person the Government says cannot be on the list (this includes people who are subject to immigration control and do not have permission to be in the United Kingdom (UK), or whose immigration status does not allow them to benefit from government help).

5. Ineligible due to Immigration Status

The Government states that normally we will not be able to allocate social housing to persons who are not already social housing tenants and who need leave to enter or remain in the UK. This applies to all persons except British citizens or persons with a right to reside in the UK under the Withdrawal Agreement entered into between the UK and the EU.

If an applicant needs to leave to enter or remain in the UK (regardless of whether the applicants leave) they will only be eligible to join the Housing Register if applicant falls into one of the following:

- Recorded by the Secretary of State as a refugee

- Granted Exceptional Leave to Remain outside of the Immigration Rules and is not subject to a condition of non-recourse to public funds
- Granted unconditional and unlimited leave to remain in the UK, is habitually resident in the Common Travel Area (UK, Channel Islands, Isle of Man or Ireland) unless they are sponsored, have been resident for less than five years and at least one sponsor is still alive
- Granted Humanitarian Protection
- Granted limited leave to enter or remain in the UK on family or private life grounds under Article 8 of the European Convention of Human Rights under 12 paragraph 276BE (1) or 276DG or Appendix FM of the Immigration Rules who is not subject to a condition of non-recourse to public funds
- Habitually resident in the Common Travel Area and who has been transferred to the United Kingdom under Section 67 of the Immigration Act 2016 and has limited leave to remain under paragraph 352ZH of the Immigration Rules
- Habitually resident in the Common Travel Area and who has Calais leave to remain under paragraph 352J of the Immigration Rules (Effective from 1 November 2018)
- Limited leave to enter and remain in the UK as the family member of a 'relevant person of Northern Ireland' by virtue of Appendix EU of the Immigration Rules
- Habitually resident in the Common Travel Area and who has limited leave to remain in the UK as a stateless person under paragraph 405 of the Immigration Rules
- Has limited leave to enter or remain in the United Kingdom by virtue of Appendix Hong Kong British National (Overseas) of the Immigration Rules, is not subject to a condition of non-recourse to public funds and is habitually resident in the Common Travel Area
- Has been granted leave to enter or remain under the Afghan Relocations and Assistance Policy or the previous scheme for locally employed staff in Afghanistan
- Has leave to enter or remain who left Afghanistan in connection with the collapse of the Afghan government, but not if not subject to a condition of non-recourse to public funds or if the person has been given leave to enter or remain in the United Kingdom upon an undertaking given by their sponsor and has been resident in the Common Travel Area for less than five years and whose sponsors have not died

Certain persons in the UK who have limited leave to remain are exempt from the residential criteria and Local Connection set out in this Scheme if they are identified by Government as a Ukraine refugee, as set out in the updated Regulations which took effect from 22 June 2022.

The Government states that we cannot allocate housing to anyone unless they are habitually resident in the Common Travel Area, subject to certain exceptions for persons with rights of residence under the Withdrawal Agreement and persons who are in the UK as a result of being deported or expelled from another country.

The Government states that we cannot allocate housing to a person from abroad whose only right to reside in the UK is based on their status as a jobseeker or an initial three months' right of residence or is a derivative right of residence based on being the principal carer for a British citizen.

The Council is not allowed to allocate housing to an ineligible person by granting them a joint tenancy with another eligible person.

These rules do not apply to a person who is already a Secure or Introductory Tenant or an Assured Tenant of a Registered Provider/Registered Social Landlord/Housing Association. In that case, applicants are free to apply for a transfer regardless of their immigration status.

The detailed provisions of these rules are complex and the above is only a summary of them. They are subject to change by statutory instruments issued by Government from time to time.

6. Unacceptable Behaviour

Unacceptable behaviour is behaviour that is sufficiently serious enough for us to consider the applicant to be unsuitable to be a social housing tenant. An applicant will not usually qualify to be included on the Housing Register if they or a member of their household, has behaved in an unacceptable manner in the preceding two years on the date of the application.

Examples of unacceptable behaviour include, but are not limited to the following:

- Eviction or otherwise lost accommodation as a result of anti-social behaviour or rent arrears
- Conviction of criminal offences in or near the applicants home and we are satisfied that they still pose a threat to neighbours or the wider community
- Threatening or aggressive behaviour towards our staff or contractors
- Racial, sexual, or homophobic harassment, or harassment due to sexual orientation

The decision to disqualify an applicant will be made by the Housing Register Panel. The Panel will take into account any supporting information, current or previous landlords, and the Police, the Community Safety Unit, Probation, or any other relevant professional body.

7. Banding System

To be as fair as possible in deciding who should be offered social housing, we use a banding system to determine priority for rehousing. Assessment is based on an applicant's housing circumstances, suitability of the property and any long term medical problems.

Persons eligible to join the Housing Register will have their application assessed by the Council's Housing Register Team and placed into one of four bands, in accordance with the 'Fair and Flexible' Statutory Guidance. The Bands are referred to as 'A, B, C and D.' Applicants in Band A will be given the highest priority for rehousing, Band B the next highest, then C with Band D applicants having the lowest priority.

All references to "transfer applicant" means, existing tenants of a Registered Provider/Registered Social Landlord/Housing Association partners who are currently living in social housing in the Sevenoaks District.

Band A

Applicants in Band A have an urgent need to move and therefore the highest priority for social housing. However, other housing options may still need to be considered so that applicants can move more quickly, and the Housing Options and Solutions Team will discuss these with the applicants.

This Band includes the following:

- Those with an urgent need to move as their current accommodation is unsuitable for their medical or disability needs and due to this, they are unable to be discharged home from hospital or other clinical or respite facilities (eg “bed blocking”)
- Where an applicant has a terminal illness, and the current accommodation is unsuitable for their medical needs and end of life care or cannot be suitably adapted (such suitability/capability is as assessed by Kent County Council Occupational Therapy and/or the Council’s Private Sector Housing team)
- Where an applicant or a member of their household has an urgent medical condition or there is an emergency medical situation, and the current home is not suitable for their medical needs or is not capable of being adapted to be able to meet these needs (such suitability/capability is as assessed by Kent County Council Occupational Therapy and or the Council’s Private Sector Housing team)
- Transfer applicants currently living in a designated wheelchair accessible home or a home with significant and useable adaptations (as assessed by the Registered Provider/Registered Social Landlord/Housing Association) but those adaptations are not required by any member of the household
- Transfer applicants who need to move because their home is scheduled for redevelopment
- Applicants who have been assessed by the Housing Register Panel as needing a move under the National Witness Mobility Programme (NWMP) or other similar vulnerable person protection scheme
- Where the Private Sector Housing Team have assessed there are one or more Category 1 hazards (as assessed under the Housing Health and Safety Rating Scheme) or other severe property conditions that impose an imminent risk of harm to the occupants and remedial action is considered unreasonable or impractical for cost or other reasons
- Applicants who have been assessed by the Housing Register Panel as needing to move due to an immediate, urgent, or exceptional need
- Where there is a rehousing obligation because a demolition, prohibition or compulsory purchase order has been served in respect of the applicant’s current accommodation
- Transfer applicants who are looking to downsize and move to a home with at least one bedroom fewer than in their current home
- 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
- The bereaved spouse or civil partner of a member of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
- An applicant who is being made redundant from, or is retiring from, a job that includes tied accommodation and their departure from the job means they are required to give up their tenancy
- Homeless applicants who are fleeing domestic violence or abuse, where we have accepted the *Main Housing duty* to secure accommodation under Part 7 of the Housing Act 1996, and who are assessed as being at imminent risk of harm in their current accommodation (such current accommodation may include temporary accommodation arranged by the Council)
- Applicants who have been assessed by the Council’s Private Sector Housing Team as **statutory overcrowded** (Housing Act 1985) and requiring an additional bedroom(s) to meet the needs of their household in accordance with “suitable size of accommodation (Section 9)

If an applicant has been placed in Band A they are able to exercise choice and place bids for properties on Homechoice for an initial period of six weeks.

If during the six week period there are no suitable properties for applicants to bid for, they will be given a further six weeks to bid.

If a Band A applicant does not bid for suitable properties that are advertised during the six weeks cycles, the Council will place the applicant on autobid and one offer of suitable accommodation will be made.

If an applicant refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

Band B

Applicants in Band B have a high level of housing need and likely to have to wait some time to be rehoused. Alternative housing options should therefore be discussed with the Housing Options and Solutions Team.

This Band includes the following:

- Homeless applicants where we have accepted the main rehousing duty to secure accommodation under Part 7 of the Housing Act 1996 and they have the following additional needs:
 - Long term health conditions that are unlikely to improve as assessed by the Housing Register Panel
 - Households where there is a need to place them in Sevenoaks due to Child Protection Plans under Children Act 1989
 - Households with children who have an Educational Health and Care Plan
- Homeless applicants (including applicants fleeing domestic violence or abuse, who are assessed as **not** being under imminent threat of violence in their current accommodation) where we have accepted the *Main Housing duty* to secure accommodation under Part 7 of the Housing Act 1996 and where no suitable accommodation (including private sector accommodation) has been identified by the Accommodation Team during this period in order to discharge the Council's homelessness duty
- Homeless applicants (including applicants fleeing domestic violence or abuse, who are assessed as **not** being under imminent threat of violence in their current accommodation) where we have accepted the *Relief Housing duty* to secure accommodation under Part 7 of the Housing Act 1996 and where no suitable accommodation (including private sector accommodation) has been identified by the Accommodation Team during this period in order to discharge the Council's homelessness duty
- A member of the Armed Forces who is a tenant occupying HM Forces service accommodation, who is threatened with homelessness because they have been served with a valid notice to vacate their tenancy, or those who are otherwise leaving said service accommodation
- Where an applicant or a member of their household has a high medical condition and remaining in the current property is a major and direct contributory factor to pose a severe and life threatening risk to the member of the household, or the property is not capable of being adapted to be able to meet these needs (such

suitability/capability is as assessed by Kent County Council Occupational Therapy and/or the District Council's Private Sector Housing Team)

- Where the Private Sector Housing Team have assessed that there are one or more Category 1 hazards (as assessed under the Housing Health and Safety Rating Scheme) which are having a negative impact on the medical, disability or welfare needs of a member of the household and remedial action is considered unreasonable or impractical for cost or other reasons
- Applicants living in supported housing schemes within the District (or temporarily displaced to a supported housing scheme in another Borough or District) who have been assessed as ready to move on into independent living
- Young people (16 - 25 year olds) in care accommodation and considered ready to move out of care by Kent County Council Social Services
- Young people (16 - 17 year olds) who are threatened with homelessness
- Non-successor tenants with no priority need housed in one of the Registered Provider/Registered Social Landlord/Housing Association partners where the social landlord requires the person to move due to irregular occupation of a social property as a non-successor who is not considered to be in priority need as defined by the Housing Act 1996 (as amended)

If an applicant has been placed in Band B they are able to exercise choice and place bids for properties on Homechoice for an initial period of eight weeks.

If during the eight week period there are no suitable properties for applicants to bid for they will be given a further eight weeks to bid.

If a Band B applicant does not bid for suitable properties that are advertised during the eight weeks cycles, the Council will place the applicant on autobid and one offer of suitable accommodation will be made.

If an applicant refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

Band C

This Band includes the following:

- Homeless applicants (including applicants fleeing domestic violence or abuse, who are assessed as **not** being under imminent threat of violence in their current accommodation) where we have accepted the *Prevention Housing duty* to secure accommodation under Part 7 of the Housing Act 1996 and who have or have not been placed in temporary accommodation and where no suitable accommodation (including private sector accommodation) has been identified by the Accommodation Team during this period in order to discharge the Council's homelessness duty
- Applicants who are lacking a bedroom(s) and require an additional bedroom(s) to meet the needs of their household in accordance with "suitable size of accommodation (Section 9)
- Verified rough sleepers who have a local connection to Sevenoaks

- Where an applicant or a member of their household has a medical condition (“other condition”), and the current home is not suitable for their medical needs or is not capable of being adapted to be able to meet these needs (such suitability/capability is as assessed by Kent County Council Occupational Therapy and/or the Council’s Private Sector Housing Team)
- Households where one or more members are awarded a priority on medical, disability or welfare grounds, as the current housing conditions are having a negative impact on the medical, disability or welfare needs of a member of the household. This includes where care is given or received (See Section 11)

Applicants in Band C who have bid and been offered a property will be removed from the Housing Register for up to six months if they:

- Do not respond to a suitable offer of accommodation, and/or
- Do not attend an arranged viewing, and/or
- Refuse an offer of suitable accommodation

In exceptional circumstances the Head of Housing will consider whether there is good reason for an applicant to continue to bid.

Band D

Applicants in Band D can expect to wait a very long time to be rehoused, unless they are applying for designated older person’s housing. They may wish to look at other housing options to resolve their housing difficulties.

This Band includes the following:

- Homeless applicants who have a housing need but where we do not owe a duty to secure accommodation, such as:
 - *non-priority* homeless households or
 - households assessed as having become homeless *intentionally*
- Applicants who meet none of the criteria in Bands A – C above, but are eligible, only, to be considered for properties on rural exception sites or accommodation in parishes where local needs housing nomination arrangements have been agreed by the Council

Explanatory note: Applicants will only be eligible to bid for the above categories of housing and then only for vacancies that arise in their local parish or specified neighbouring parishes. They will not be eligible to bid for any other social housing. Their inclusion on the Housing Register means the District Council does not need to hold a separate register for rural exceptions and local needs housing. We know that applicants and Providers, as well as our own Housing staff, value the benefit and fairness of a single point of application for social housing.

- Applicants aged 55 years and over who wish to be considered for designated older persons’ housing, and who are not currently residing in such accommodation, and who may, or may not, have a local connection to the Sevenoaks District

Explanatory note: A local connection is not necessarily required for designated older persons’ housing. This is to ensure there is a ready pool of eligible applicants for whenever vacancies arise. Traditionally, vacancies occur more frequently in older persons’ housing and lettings tend to take longer. Wherever possible, the Council wants to ensure vacant homes are relet

as quickly as possible, as this makes the most efficient use of the social housing stock. If applicants aged 55 years and over have a local connection to the District and have other housing needs, they will be placed in the highest Band applying. Applicants who do not have a local connection to the District will only be eligible to be placed in Band D.

- Singles and Couples, concealed households (including young people who live in the family home), who meet the definition of Local Essential Worker (see Appendix 1)

Explanatory note: On selected new build housing sites, a small number of homes (to be agreed on a site by site basis by the Chief Officer People and Places), may be put forward for allocation to this category of applicant under the terms of a Local Lettings Plan (subject to approval by the Portfolio Holder for Housing and Health). This position will ensure applicants in housing need from the higher Bands will continue to have priority to the vast majority of homes that become available for letting. However, we recognise the needs of Local Essential Workers and the important work they do in the local economy. We wish to help where we can and this is particularly the case with young people who have lived in the District for many years, but who now want to move to their first independent home. The above will enable us to help Local Essential Workers in a small but careful way.

Band Dates

An Applicant's position on the register, and within bands, will be determined by the band date. The original band date will be the date the Applicant was accepted onto the Housing Register.

Moving up a Band

When an Applicant moves up a band the band date will be the date it was agreed that the Applicant's priority should be increased.

Moving down a Band

When an Applicant moves down a band because their priority has reduced, their original band date will be used to determine where they are placed in the lower band.

If an Applicant is moved down from a priority band due to a change in circumstances, they will only be given the benefit of the original band date if they move back within 6 months due to the same set of circumstances. If there are a different set of circumstances, they will enter the band at the new band date.

If an applicant is making a homeless reapplication within two years of a Section 193(7 AA) Housing Act 1996 as amended (private rented sector offer) which ended the Section 193(2) Duty Housing Act 1996 as amended by the Council, then they will be given their original band date subject to acceptance of the reapplication by the Council.

8. Medical and Welfare Priority

The level of medical need, urgent, high, or other, will be assessed and determined by the Housing Register Team. The assessment will be based on:

Band A (Urgent medical need)

A person will be awarded Band A if the household contains one or more members with a current life threatening illness or disability, and whose housing circumstances are affecting their health very severely.

Band B (High medical need)

A person will be awarded Band B if one member of the household or more has a serious illness or disability and their present living conditions are affecting their health to a marked or life threatening degree and where a move is recommended to improve the health of the individual.

Band C (Other medical need)

A person will be awarded Band C if one or more of the households has an illness or disability of a moderate nature which is affected adversely by their living conditions, and where a move is recommended to improve the health of the individual.

The Council's assessment is not based on the nature or severity of any medical condition or disability but is focused on the direct impact that the current housing has on any condition or disability, and whether this could be alleviated by a move to a more suitable home.

For example, priority may be awarded if an applicant has mobility issues which make it difficult for them to climb stairs and they are unable to access their bedroom or bathroom facilities on a different floor as these are only accessible by stairs. In this situation, the applicant would benefit from a move to a property that provides level living. We will only assess the applicant's priority on medical and/or welfare grounds if there is evidence that their current housing impacts directly on their medical condition, disability, or welfare. We will not usually assess the priority on medical or welfare grounds if the household is already in Band A as an assessment cannot increase the applicant's priority.

Priority on medical or welfare grounds is assessed based on the information submitted. If an applicant considers that anyone in their household has a medical condition that is adversely affected by the current housing, the applicant must provide independent verification. This may be from the GP, Nurse, Hospital Consultant, Occupational Therapist, or other health care professional. In welfare cases the applicant should provide independent verification of the circumstances from their Social Worker, Support Worker or other professional involved in their case. For medical cases we may ask the applicant to provide further evidence or make a referral for independent medical advice.

For welfare assessments we may ask applicants to provide further evidence or (where appropriate) we may make a joint assessment with Social Services, or an appropriate support agency.

We assess an applicant's priority by looking at their current housing. If it meets the medical and welfare needs of the applicant and all members of the household there will be no change to the housing priority. We look at whether the current housing makes a medical condition or disability worse, and whether it is possible to make relevant adaptations, such as providing a stair lift or wet room to the home. In mobility cases we look at the severity of the difficulties in relation to the property.

Factors such as the number of steps inside and leading to a property, width of internal doorways and circulation space, and whether a lift or ramp may be relevant. The assessment will consider whether a move to more suitable housing would either improve the medical condition or substantially improve the applicant's quality of life. If the applicant or member of their household has medical needs, but a move would not significantly improve the situation, there will be no change in priority based on medical grounds.

Overcrowding may impact on the health and wellbeing of some or all members of the applicant's household and or the needs of any dependent children. This is taken into account in the banding priority awarded due to overcrowding, and usually no further priority will be awarded.

Similarly, when assessing priority on welfare grounds we will consult with other people involved in the provision of care, as this may identify ways to help the applicant stay in their current home with appropriate ongoing support. If this resolves the applicants support needs, there will be no priority award on welfare grounds. Otherwise, we look at whether the applicants needs are made worse by the current housing. If so, we will consider whether a move to more suitable housing would improve things for the applicants and their household. If the applicant has welfare needs, but a move would not significantly improve the situation, there will be no change in priority on welfare grounds.

If the applicant needs to move into the District in order to provide or receive significant and ongoing care or support to or from a close family member (children, parents, or siblings, only) they will need to satisfy the conditions given in Section 11. Applicants will not normally be eligible to join the Housing Register if they want to move within the District to provide or receive significant and ongoing care or support to or from a close family member.

If the applicants are currently living in supported housing (including refuge) and have been assessed by the support provider as ready to move on into independent living, they will usually be awarded Band B priority on welfare grounds.

If the applicants are experiencing difficulties in accessing their home due to nonmedical matters such as carrying children, shopping, prams, or pushchairs on external or communal stairs or do not have access to a private garden, they will not usually be awarded any change in priority based on medical or welfare grounds.

9. Bedroom Eligibility

Generally, social housing is offered in line with the following guide:

A single person:

- Shared accommodation
- Bedsit
- Studio flat
- One bedroom flat, house, or bungalow
- Or designated older persons' housing, if appropriate

A couple:

- One bedroom flat, house, or bungalow
- Or designated older persons' housing, if appropriate

Two adults (or couple with verified need for separate bedrooms):

- Two bedroom flat, house, or bungalow
- Or designated older persons' housing, if appropriate

A couple or single parent, with one child:

- Two bedroom flat, house, or bungalow

A couple or single parent, with two children:

- Two or three bedroom flat, house, or bungalow (depending on the age/gender of children)

A couple or single parent, with three or more children:

- Three or four bedroom house (depending on the age/gender of children)

There are exceptions to this guide, depending on individual circumstances, which include (but are not limited to) applicants where:

There is a medical recommendation for a bigger home for example:

- To meet a medical or disability need for an extra bedroom
- To accommodate a carer
- The available home has special adaptations which applicants need and there are no other applicants of the correct household size available that need those adaptations and the applicant is not subject to the "Under Occupation Charge"

Other reasons include the home is offered:

- As the result of an emergency
- To a homeless applicant as temporary accommodation
- Under the specific terms of a Local Lettings Plan
- To a Band A transfer applicant, where the applicant has reached the qualifying age for Pension Credit (ie the under occupation restriction, or "Under Occupation Charge", does not apply) and the applicant is downsizing from a home with at least 3 bedrooms, then such applicant is eligible to be considered for a 2 bedroom home or less, irrespective of the size of their household

Bungalows will usually only be allocated to households where the applicant or a member of their household has been assessed as needing level living accommodation.

10. Shared responsibilities for Children

The Council acknowledge that many separated or divorced parents continue to share responsibilities for their children including providing a home for them.

Where any dependent children live with the applicant some of the time and at other times with their other parent or guardian at a separate address, we will assess whether their address is their main home so that they can be included as members of the household.

The Council will consider the following:

- The financial support received including Child Benefit, Universal Credit/tax credits, disability benefits (if appropriate) and maintenance from their other parent or guardian
- Any Family Court Order(s) under the Children Act (1989) in respect of parental responsibility, contact or residency
- Supporting evidence from Social Services in respect of fostering, guardianship, or adoption placements. Whether the children currently reside with someone else for all or part of each week

Regardless of the amount of time that the children spend with the applicant, if we decide that their main home is not with them, they will not be included on the Housing Register application; and they will not be considered when assessing overcrowding/under occupation or the size of property (number of bedrooms) that the applicant can apply for or be offered under this Policy.

11. Carers

The applicant, or a member of their household, needs to give or receive essential care and support that is substantial and ongoing and that cannot be provided from, or in, their current accommodation.

A carer is someone who looks after and supports someone who would not be able to manage without their help. This could be due to age, physical or mental illness or disability. It does not mean a professional care worker or personal assistant who gets paid for their work.

All care giver or receiver applications will be determined by the Housing Register Panel.

Under this Policy:

- A care giver or receiver may only be a partner, spouse, parent, sibling, or child
- Where the care giver and care receiver do not currently reside together in the same household, they must live at least one hour away from each other for each one way journey. NB If this journey is to be made by public transport, the journey time will be measured by the shortest timetabled route
- Applications will only be considered where the care receiver is in receipt of at least one of the following at the higher rate for care - Disability Living Allowance, the daily living component of Personal Independence Payment, Industrial Injuries Disablement Benefit, Attendance Allowance, or the Armed Forces Independence Payments, together with Carer's Allowance
- If Carer's Allowance is not claimed, the care giver must provide evidence of a recent assessment by social services or similar support agency, so it can be established that care and or support is substantial or essential, with at least 35 hours per week unpaid care being provided to the care receiver

If the applicants have requested to be rehoused in order to provide a bedroom for a care giver or care receiver to live with them on a permanent basis (ie the applicant does not currently reside together as a household), or to provide a bedroom for a non-residential overnight carer, in addition the following will need to be taken into account:

- Whether the care needs have been assessed by a medical consultant as requiring overnight support
- The level of care that the applicants need and whether this is likely to change in the future
- The ability of the applicant's carer to provide the level of care required
- The location of the applicant's current accommodation and where the carer currently resides

Where an existing household requests to be rehoused to provide an additional bedroom due to a permanent medical condition or disability, which is seriously adversely affected by their current accommodation, the Council will consider:

- Additional rooms for extensive specialist medical equipment only where these that cannot be reasonably accommodated within the bedroom environment
- Where a 24 hour carer is required after the level of functioning has been assessed and continuous care funding has been agreed
- Additional rooms where there is a physical disability that prevent a couple or siblings from sharing a bedroom, only if a confirmed medical diagnosis and supporting letter from a medical consultant is provided confirming that the applicants household members are unable to share a bedroom and the reasons as to why
- The management of a person with behaviour problems, due to a recognised medical condition where there is a confirmed medical diagnosis and supporting assessment from a medical consultant, is made more difficult due to the present accommodation, such as a child with ADHD, Autism or similar, requiring their own bedroom. The criteria is as follows: Where a child has a confirmed diagnosis of ADHD or Autism, and their behaviour is such that another person within the family would be at a proven critical risk if a bedroom was shared and there are no other arrangements that can be reasonably made within the accommodation

12. Exceptional Priority

To assist the national Police force to tackle serious crime and to support witnesses in the legal process, the Council works in partnership with colleagues in the National Witness Mobility Programme and will, as required, accept referrals from this source.

Such cases will have been assessed and verified by the National Witness Mobility Programme managers and referrals will only be accepted with the agreement of the Housing Options and Solutions Manager and Head of Housing. There are confidentiality considerations for such cases and no personal information will be taken until the applicant accepts a direct offer of accommodation in the District. Any proposed offer will be checked for suitability by the National Witness Mobility Programme before the offer is made and details of successful lettings may not subsequently be made available to the public.

13. Direct Lets

Certain properties are excluded from choice based letting (bidding) and are allocated by making a direct offer to an applicant. This includes (not limited to) the following applicants:

- With an immediate need to move on health or welfare grounds, where the current home is unsuitable, or where there is an immediate threat of violence

- Who are subject to current Multi Agency Public Protection Arrangements (MAPPA), and who pose a very serious risk to the community, where the type or location of properties that are suitable may need to be restricted
- Who have been temporarily decanted from their current housing to enable demolition or redevelopment work and who need to transfer to a suitable property within the new development
- With a need for a bespoke adapted/wheelchair accessible home which is to be provided within a new development (as assessed by the Housing Register Panel)
- To discharge our duty to provide accommodation to some homeless households under the Housing Act 1996 (as amended)

Wherever possible the direct letting of a property will match the applicant's assessed need in terms of number of bedrooms needed or floor level, and any essential requirements on health and welfare grounds. Other factors such as nonessential preferences regarding the location or type of housing will not normally be considered.

14. One Offer/Refusals

Only one offer of housing will be made to applicants under this Policy, except in the case of applicants who are applying for designated older persons housing or for existing social housing tenants who are seeking to downsize.

Where we have accepted a homelessness duty, the offer of accommodation could be a property the applicant has bid for through Kent Homechoice, or a property bid for by a Housing Officer on behalf of the applicant, or a direct offer made to end the Council's homelessness duty. The final offer will be confirmed in writing stating that the Council's duty to the applicant under Part 7 of the Housing Act 1996 (as amended) will be ended. Every homeless applicant has the right to request a review of suitability of the accommodation offered in discharge of the Council's Part 7 duty.

An offer of suitable accommodation, which is arranged by way of a nomination to a Registered Provider/Registered Social Landlord/Housing Association or private rented sector property, will be considered to be a reasonable offer.

In all cases, offers of accommodation will be seen as suitable if they reasonably meet the housing and medical needs of the household. Factors taken into account include property size, location, affordability and, where predetermined by the Accommodation Team, any areas that are considered unsafe. In considering suitability, the Council will give regard to the overall supply and availability of accommodation and the demands placed on it by all priority groups.

If an offer is refused, request for review of suitability with the reasons for refusal will be considered by the Housing Register Panel who will decide if the property offered was suitable. If the property offered was unsuitable, then one further offer will be made.

However, if the property offered was suitable then no further allocation will be made. If the applicants refuse an offer:

Band A

If an applicant in Band A refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

Band B

If an applicant in Band B refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

Band C

If an applicant in Band C who has bid and been offered a property, they will be disqualified from the Housing Register for 6 months if they:

- Do not respond to a suitable offer of accommodation, and/or
- Do not attend an arranged viewing, and/or
- Refuse an offer of suitable accommodation

Band D

If an applicant in Band D who has bid and been offered a property will be disqualified from the Housing Register for 6 months.

See Section 26 for how to ask for a review of an offer if applicants feel that the property is unsuitable for them.

15. Determining Priority

Assessment and Priority List Date

The Council assess all of the information provided to support the application and may ask for further evidence to be provided to support the application.

If the applicants are eligible and not disqualified, the two main factors that determine priority on the register are the assessed need (Bands A to D) and the priority date. The priority date will usually be the date that the online application is verified.

Where there is a subsequent relevant change in circumstances that affects the priority Band assessment, the priority date will usually be changed to the date we were notified of the change. We will email the applicant to advise whether or not they have been included on the Housing Register. If the applicants have been included, we will advise of the size of property

they are eligible to bid for and in which Band they have been placed. Applicants have the right to request a review of the facts of the case that we have used in this assessment.

Applicants must tell the Council of any change in their circumstances within 14 days of the change.

We will email the applicant to advise if the change affects the level of housing need and or the awarded Band. The banding reflects broad levels of housing need, so some changes in circumstances may make no difference to the Band awarded. However, sometimes a significant change in circumstances, such as a move to another address, the birth of another child, a change to household income or savings or a substantial change in mobility may result in a reassessment of priority. Applications will usually be suspended, and applicants will not be able to bid for any properties until they have provided enough written evidence to allow the changes to be verified and to reassess the banding, regardless as to whether the Band actually changes.

The applicants will be placed in the appropriate Band according to its highest need, not the accumulation of its needs. For example, if applicants are awarded priority on the grounds of overcrowding and are lacking two or more bedrooms, they will be placed into Band C regardless of whether they have another need such as a nonessential medical or welfare reason for moving.

Overcrowding/Under Occupation

We assess overcrowding and under occupation by comparing the number of bedrooms in the applicant's home against a household's needs and in acknowledgement of the minimum standards set out in the Housing Allocations Code of Guidance. Applicants will be assessed as needing one bedroom for the following:

- Every adult couple
- Any other adult aged 18 or over
- Any two children of the same gender aged under 18
- Any two children under the age of 10

Households will be assessed as needing one bedroom for each of the following if they are assessed by the Housing Register Team as being included as part of the household:

- A member of the applicant's household who is temporarily absent from the home because they are attending a full time University or higher education course
- A tenant requiring a non-resident overnight carer. It must be demonstrated that it is essential that applicants require both day and night care. This will be assessed by the Housing Register Team and Housing Register Panel based on a care needs assessment provided by Kent County Council Adult Social Care Services
- A disabled child who cannot share a bedroom with their sibling due to their disability and to award this we will require confirmation of the need for an additional bedroom from a medical professional and proof of Disability Living Allowance with care awarded at middle or high rate. The Housing Register Team and Housing Register Panel will assess the information provided and their decision will be final
- An adult child who is serving away with the armed forces
- A room for a foster child or children – only one room will be awarded and is subject to confirmation of approved foster status from Kent County Council. Children who are on weekend or holiday visits do not count as being fostered

- Pregnancy will be included in the room calculation from 22 weeks gestation, although it will not be included in any overcrowding calculation until the baby is born

A bedroom is defined as any room intended to be used as a bedroom, in line with what is stated on any tenancy agreement and to reflect the level of rent charged. If the current home has two separate living/reception rooms, it is probable that one of these could be considered as suitable for use as a bedroom.

For the purposes of assessing overcrowding:

- Two children of the same gender would be expected to share a bedroom until the eldest reaches 18 years of age
- Two children of different gender would be expected to share a bedroom until the eldest reaches 10 years of age
- A couple or single parent would not be expected to share their bedroom with a child
- A room measuring less than 50 sq ft (4.65 sq m) would not be treated as a bedroom

Deliberately worsening Circumstances

If we consider that an applicant has acted unreasonably to make their housing circumstances deliberately worse in their accommodation without good reason, or with the aim of qualifying for a higher banding, no additional priority will be awarded.

This applies where an applicant or member of their household has committed antisocial behaviour that would render them unsuitable for rehousing. Cases will be reviewed once the applicant can demonstrate that this behaviour has been addressed. Where applicable, applicants will retain the banding and priority they held before worsening their circumstances.

16. Property Condition

If an applicant rents their current home from a Private Sector Landlord and states that the reason for seeking social housing is due to problems with the condition of their home, a member of our Private Sector Housing team will contact the applicant and Landlord or Managing Agent responsible for the property. Applicants must cooperate with this and any subsequent property inspection that may be required. No priority will be awarded if an applicant withholds their consent to allow the Council to contact their Landlord or Managing Agent or prevent works being carried out, for example by refusing to let contractors into the home to undertake the works.

If a visit is determined necessary by the Private Sector Housing team, they will inspect and assess the home using the Housing Health and Safety Rating System. We use this to identify and categorise any hazards to health and safety. A crowding and space hazard assessment is included within the housing needs assessment of overcrowding and, if present, no additional priority will be awarded under property condition grounds.

Band A priority will only be awarded to applicants who currently occupy a property which has at least one Category 1 hazard (excluding crowding and space) where the conditions present an immediate threat of serious injury or are life threatening and where remedial action is considered unreasonable or impractical for cost or other reasons.

Examples of where remedial action is considered unreasonable or impractical is where:

- Work cannot be carried out to remedy a serious hazard with the applicant in residence and no alternative accommodation is available for the applicant to assist in progressing remedial works
- The risk from the hazard in the property is greater because of being an elderly person or having a young child but the property would be relatively safe for occupation by others

Band B priority will only be awarded to applicants who occupy a property which has at least one Category 1 hazard (excluding crowding and space) where:

- The hazard(s) identified pose a threat to the health and wellbeing of the occupants but where there is no immediate danger, or it is not life threatening, and remedial action is considered unreasonable or impractical
- Applicants do not have access to one or more of the basic facilities: bathroom, kitchen, inside toilet, cold or hot water supplies, or gas/electricity and this cannot be remedied within a reasonable timescale (This does not apply if applicants live in shared accommodation and share facilities with another household)

Any priority awarded on the grounds of property condition will be removed if the necessary remedial works are completed before the applicants are offered social housing.

17. Financial Criteria

If an applicant's household has a total income or capital (including savings) above the thresholds described below, they will not usually be included on the Housing Register. The current thresholds for households are:

- Without dependent children and with a shared accommodation/one bedroom need, a total gross annual income of up to £40,000
- With dependent children and a two bedroom need, a total gross annual income of up to £50,000
- With dependent children and a three bedroom need, or more, a total gross annual income of up to £60,000
- Total capital assets or savings of £20,000 or more, except where the applicant is applying for designated older persons' housing, in which case the total capital assets or savings threshold is £85,000 or more

When looking at gross income, everything will be taken into account including earnings, overtime payments, benefits, child maintenance and any other relevant income. The gross income level and the asset level will be based on average private rents, or the level of deposit required to buy an average priced property in the area and will be reviewed as part of the annual review of this Policy.

Current payments of the following are disregarded as income for the purposes of this assessment:

- Disability living allowance
- Attendance allowance and any benefit treated as attendance allowance
- Personal Independence Payments

- Armed Forces Independence Payment
- War pensioner's mobility supplement
- Payments in compensation for non receipt of the above

The financial thresholds do not apply to homeless persons to whom the Council owes the statutory homeless duties under Section 193 of Housing Act 1996 or transfer applications from Secure and Assured Tenants of Registered Provider/Registered Social Landlord/Housing Association eg tenants who wish to downsize.

All applicants must declare whether they own a home or have a legal interest in any land or property in the UK or abroad, so that it can be assessed whether this home is suitable for their needs and considered reasonable to occupy. If an applicant owns, or jointly owns a property (including under a shared ownership arrangement), whether or not they currently live there, they will not usually be eligible to join the Housing Register. Homeowners who need to move on medical or welfare grounds, or grounds relating to a disability, may be eligible to join the Housing Register if their needs cannot be met by the purchase of a suitable property, funded by the proceeds of the sale of their current property or by using their current income and capital, including savings. All applications from homeowners will be considered by the Housing Options and Solutions Manager and Head of Housing.

If an applicant exceeds the income and savings limits but wish to apply to join the Housing Register due to exceptional circumstances, all such cases will be considered by the Housing Register Panel. If applicants are unable to join the Housing Register, they may wish to consider alternative affordable housing options. For information on First Homes and Help to Buy options, such as shared ownership, view our [affordable homes webpage](#).

18. Outstanding Housing Related Debt

It is essential for our partner Registered Provider/Registered Social Landlord/Housing Association Landlords and Private Rented Sector Landlords to collect rent and other housing related debt.

Applicants who have an outstanding housing related debt owed to another Council, Registered Provider/Registered Social Landlord/Housing Association or Private Rented Sector Landlord, including, but not limited to, rent arrears, Council Tax arrears, Housing Benefit or Universal Credit over payments and rent deposit scheme arrears, will usually be disqualified from joining the Housing Register, unless they have entered into a repayment plan and have made continuous repayments in accordance with the plan for a minimum period of six months. In assessing an application to join the Housing Register, the Council will take into account the size of the debt, the means to pay and the degree of need.

Once an applicant has been accepted onto the Housing Register, repayments should continue to be made on a regular and sustained basis until the debt is cleared. If the applicant breaches their repayment plan, they will be suspended from receiving any offer of accommodation. If the applicant is successful in bidding for a social home, any outstanding debts must usually be cleared in full before a property will be allocated.

In some cases where an applicant has a debt where it is considered that although regular repayments are in place there is no reasonable prospect of them repaying the debt off because they are unable to gain employment because of physical or mental illness, learning or physical disability, or are unable to adequately manage their finances due to health or

disability reasons, the offer may still be agreed. This decision will be made by the Housing Register Panel.

Applicants who have been cautioned or convicted of housing or welfare benefits related fraud where that conviction is unspent under the Rehabilitation of Offenders Act 1974, will usually be disqualified from joining the Housing Register.

An applicant may apply to join once this conviction is spent.

19. Allocations Exceptions

The allocation of housing by a local housing authority (Sevenoaks District Council) is defined in Section 159 of the Housing Act 1996 and includes nominating a person to be an assured tenant of housing accommodation held by a Registered Provider/Registered Social Landlord/Housing Association.

The following are not “allocations” under this Policy:

- An offer of accommodation to an existing social housing tenant (transfer applicant) with no reasonable preference. Under the Localism Act 2011 such cases are no longer subject to the Allocation rules set by Section 166 of the Housing Act 1996 Part 6:
 - Succession to a tenancy on an existing social housing tenant's death pursuant to Section 89 Housing Act 1985, or
 - Assignment of a tenancy to a person qualified to succeed to the tenancy on the tenant's death, or
 - Transfer of the tenancy by a court order under family law provisions or under the Civil Partnership Act 2004, or
 - An introductory tenancy becoming a secure tenancy, or
 - Mutual exchanges (a swap of homes) unless these relate to Rural Exceptions Sites or accommodation in parishes where local needs Local Lettings Plans have been agreed by the Council
- A Registered Provider/Registered Social Landlord/Housing Association initiated transfer (eg decant to alternative accommodation to allow for major works)
- Provision of non secure temporary accommodation in discharge of any homelessness duty or power
- Allocations which Registered Provider/Registered Social Landlord/Housing Associations make outside of their nomination agreement commitments with the Council
- Allocations where there may be public protection risks
- Where a Court makes a decision about a tenancy (such as an order under the Children Act)
- Where we let a property directly to someone as temporary accommodation only
- Where the tenant is returning to the property after refurbishment or improvement
- Tenancies granted under Section 39 of the Land Compensation Act 1973 or Sections 554 and 555 of the Housing Act 1985

Allocations to the following types of accommodation are not covered by this Policy:

- Supported Housing schemes (applicants for this type of accommodation will be signposted or referred to Adult Social Care/the relevant Supported Accommodation Provider)
- Extra Care Sheltered is housing for single people, or couples 55 years and over, who want to maintain independence in their own home but need some care and support. It is ideal for people who have long term deteriorating health conditions, people who need care at night or whose needs can change quickly. There is care on site, but it is not a care home.

Priority is not based on the Housing Register position alone. Instead, a Kent County Council Adult Social Care panel meeting is held for each available property to discuss the interested applicants and establish the most suitable candidate.

The Sevenoaks District have 50% allocations for:

- Emily Court, Dartford (Housing and Care 21)
- White Oak Court, Swanley (West Kent Housing Association)

If applicants are interested in these properties, they should apply to the Housing Register at www.kenthomechoice.org.uk and contact Adult Social Care Services (03000 416 161) to request an assessment of the applicant or household members care needs.

20. Making an Application

Everyone who wants to be considered for inclusion on the Housing Register must complete the application process set out below:

- Follow instructions on how to apply for housing on the online application form at www.kenthomechoice.org.uk/choice.
- Provide original documents to verify the applicant and their household's identity and current housing circumstances on their online portal
- Complete any supplementary forms, provide any additional information requested and answer further questions on their online portal

This process ensures that all applicants are assessed in a transparent and consistent manner, that we have all the information needed about the applicant's household and current circumstances to determine whether they qualify to join the Housing Register and if so, what priority banding is appropriate.

Applicants can complete an assessment form to record their household's housing needs if they are 16 years of age or over. Applicants can only be included on one application for housing in this District. This can either be a personal application or they can be included as a household member in another person's application.

Applicants must complete the assessment form fully and accurately. We will use it to decide the priority on the Housing Register so that housing can be allocated fairly on the basis of the greatest need. We will carry out home visits and interviews to confirm housing needs.

If applicants are between 16 and 18 years of age, before they are offered social housing, their ability to manage a tenancy will be assessed, usually via a referral to Social Services or other

support services, to identify any need for support. Applicants will need a guarantor, usually a parent, legal guardian or other relative as any tenancy granted will be held in trust until they reach 18 years of age.

Applicants are required to sign declarations to confirm that they:

- Have provided true, accurate and complete information
- Will notify us of any change in their circumstances within 14 days of the change
- Understand that information given on the assessment form will be shared with the Registered Provider/Registered Social Landlord/Housing Association Landlords, other Council departments, data matching companies and other relevant parties
- Consent to the Council making relevant enquiries to verify the information given on the assessment form
- Consent to the disclosure of relevant information by third parties to the Council or by the Council to third parties
- Understand that information provided may be used to help in the detection and prevention of fraud

If an applicant does not have access to the internet, the Housing Register Team can help them to make an application.

Who can be included on applications?

Applicants can include all members of their household who are currently living together with them including:

- Partner, whether they are married, in a civil partnership or cohabiting
- Applicant and partner's dependent children under the age of 18, including adopted children
- Relatives, under this Policy means adult children, parents, or sibling, who have a need to live with the applicant for which evidence is provided
- Someone who currently lives with the applicant as their care giver

We will consider including partners, carers and dependents who are not currently living with applicants if they are:

- No longer able to live independently because they need care and support that they can provide (or they need care and support that they can provide) and are unable to live together as the current accommodation does not meet any needs arising from a disability (see Section 11)
- Unable to live together as neither the applicant nor any other member of the household has accommodation available which is large enough to accommodate the whole household together
- Where applicants are applying to set up an independent home for their household

Advice and information about the application

If applicants are homeless or threatened with homelessness, they should contact housing@sevenoaks.gov.uk for immediate advice and assistance. Further information can be found on our website at www.sevenoaks.gov.uk.

Advice and information about joining the Housing Register can be obtained by emailing housing.register@sevenoaks.gov.uk. All applicants can access their Housing Register application on their online portal. An applicant has the right to request general information to assess how their application is likely to be treated under this Housing Allocations Policy and whether and when housing appropriate to his/her needs is likely to become available.

Waiting times depend on a number of factors:

- Personal circumstances including priority banding and the size and type of property needed to meet the household's needs
- Number of properties available for letting
- Number of bids placed by the applicant
- Changes in the law, regulations or guidance, or the rules of this Housing Allocations Policy

Only a very general indication can be given as to how long an applicant may have to wait to be successful by using historical allocations data. There is no guarantee of housing by a certain date regardless of the priority band awarded. Households with a relatively low need are likely to wait a very long time and many have no realistic prospect of receiving an offer of social housing.

21. How to Bid

Social housing within the Sevenoaks District is allocated through the Kent Homechoice (Choice Based Lettings) scheme www.kenthomechoice.org.uk/choice.

Applicants who are eligible to join the housing register can express a preference over the area and type of accommodation in which they would like to live.

When properties are advertised on the Kent Homechoice website, applicants are able to express an interest (bid) for the appropriate size of home and choose the type and location of properties.

After a property is let, feedback about the number of households that made a bid, the priority band of the successful applicant, and their priority date is available to view to bidders on Kent Homechoice. This helps applicants to understand the availability of suitable properties, their likelihood of success when applying and to gain an indication of the time they could be waiting.

When an applicant has been accepted onto our Housing Register, they will receive confirmation of their priority banding and details of how to access the Kent Homechoice bidding process. All housing offered by our Registered Provider/Registered Social Landlord/Housing Association partners is generally advertised on Kent Homechoice and each property will be available for applicants to place bids for a period of five working days.

The advertisements show photographs and give basic details of the properties including:

- The area
- Any specific criteria eg Rural Exception Housing and/or Local Lettings Plans
- Number of bedrooms
- Floor levels

- Weekly rent
- Service charges
- Age restrictions
- Pet restrictions

There are no restrictions on the number of properties that applicants can bid for, and applicants can place bids on any property that meet their household's needs as and when they are advertised.

If applicants prefer, we can set up auto bidding on their account which means that a bid will automatically be placed on all properties that meet their needs by the close of bidding so that they will be included on all of the relevant shortlists and do not miss any opportunities to be offered affordable housing.

If applicants do not have access to the internet, the Housing Register Team can help place bids.

Certain properties will not be advertised on Kent Homechoice and will be offered as direct lets or will only be open for bids from certain applicants, eg designated older persons' housing and properties that have been adapted for wheelchair users. Properties made available through Rural Exception Sites or accommodation in Parishes where Local Lettings Plans have been agreed by the Council, will be open to general bidding but will only be allocated to applicants meeting the specific criteria set.

22. How homes are Let/Allocated

In most cases, homes are let following advertisement on Kent Homechoice. After an advertisement closes on Kent Homechoice, a shortlist is produced. In most cases, the property is offered to the household on the shortlist with the highest band and priority date. Within each band, the order of bids is ranked by the applicant's date of registration on the Housing Register, starting with the earliest.

The more property type and area choices an applicant makes the greater the chance the applicant will be successfully housed.

If two or more applicants share the same priority date within the priority band, the system will place them in order of priority. The applicant at the top of the shortlist will be verified to check that the information they have given is correct and that the property is suitable. Once verified, the highest priority applicant will usually be offered the property, subject to any additional criteria that apply such as a Local Lettings Plan, age restriction or suitability. If an applicant is not verified, does not respond to an offer or the offer is refused, the property will be offered to the next applicant on the shortlist, and so on, until the property is successfully let.

The relative position of bidders on the shortlist for a property may change between the close of bidding and when the property is offered. This will only happen where there is a change in the priority band awarded for one or more bidders on the shortlist, this would normally be as a result of the verification process. In such cases, the property will usually be offered to the applicant with the highest priority at the time the offer is made.

If there are no successful bidders, the property will usually be readvertised, or it may be offered as a direct let to another applicant on the Housing Register.

Where applicants have accepted an offer of a suitable property and are waiting to sign their Tenancy Agreement, the applicant will be suspended from bidding on further properties.

In exceptional circumstances the Head of Housing will consider where there is good reason for an applicant to continue to bid.

Registered Provider/Registered Social Landlord/Housing Association partners may have their own lettings policies which prevent a property being offered to an applicant.

Different shortlisting rules apply to Rural Exception Sites or accommodation in parishes where local needs housing nomination arrangements have been agreed by the Council. In these cases, the applicant's local connection to the host Parish followed by specified neighbouring parishes is considered first, followed by Band order and date of registration. An applicant's local connection to the Parish will be verified by the Parish Council (this will be done in anonymised form).

In exceptional circumstances, we may decide to restrict bidding and allocations to certain categories of applicant, eg homeless households. This restriction will be time limited, and our website will show how long it will remain in force before it is reviewed. The decision to impose restrictions will be made by the Chief Officer People and Places, Head of Housing in consultation with the Portfolio Holder for Housing and Health.

23. Annual Review of the Housing Register

It is our intention to review all applications annually, or earlier as and when required. Failure to respond within 28 days to a request to review will result in the application being removed. If good reason can be shown why there was a failure to respond, then an application may be reinstated at the discretion of the Housing Register Team.

We will remind applicants to tell us about any changes in circumstances. If applicants fail to respond or fail to provide any further information we ask for within 28 days, we will assume that they no longer wish to be on the Housing Register, and their application will be removed. If an applicant notifies us of a change of circumstances, they must supply evidence of the change within 28 days so we can reassess the application.

Applications will be removed from the Housing Register if applicants:

- Accept an offer of accommodation made from the Housing Register
- Accept a private sector housing tenancy, including when we have provided financial assistance by way of a rent deposit, and no longer have a qualifying housing need
- Have not placed bids on suitable accommodation that have become available since their housing register application was live
- Do not respond to the annual review
- Do not respond to correspondence from the Council asking to provide information
- Are no longer eligible to be included on the Housing Register
- No longer wish to be rehoused
- Have left temporary accommodation that we arranged and we do not have a forwarding address

- Have moved without notifying of a new address

24. Local Lettings Plans

In exceptional circumstances, the Council may develop Local Lettings Plans for specific properties or areas, in order to meet local housing need or support the development of balanced and sustainable communities.

Local Lettings Plans include criteria that are designed to address specific issues or needs and set out the priorities for letting homes within a specific housing development or area.

Examples of these criteria include:

- Village or Parish Connection - where an unmet housing need has been identified
- Local Essential Workers - see Appendix 1

Clear evidence of the need to vary the usual Policy will be required before a decision to introduce a Local Lettings Plan can be made. Consideration will always be given to the implications of a Local Lettings Plan for equal opportunities and the statutory 'reasonable preference' criteria. Local Lettings Plans will be reviewed and removed once their objectives have been achieved. Where a Local Lettings Plan is applicable to a property, this will be specified in the property advert.

Local Lettings Plans have to be agreed by the Head of Housing and Registered Provider/Registered Social Landlord/Housing Association partners and then approved by the Portfolio Holder for Housing and Health

25. Housing Register Panel

The Housing Register Panel comprises a group of three or more officers with at least one representative from the Accommodation Team, the Housing Options and Solutions Manager, the Head of Housing and an independent senior manager from the Council who is not connected to Housing Service. They will meet on a regular basis to make and review decisions. The Panel will be Chaired by a Senior Manager and the Accommodation Team Leader will be responsible for notifying the applicant of the outcome.

The Housing Register Panel may invite other relevant partners to attend, including but not limited to the Community Safety Team and Registered Provider/Registered Social Landlord/Housing Association partners. There is no right to review a decision made by the Housing Register Panel.

In all cases, offers of accommodation will be seen as suitable if they reasonably meet the housing and medical needs of the household. Factors taken into account include property size, location, affordability and, where predetermined by the Accommodation Team, any areas that are considered unsafe. In considering suitability, the Council will give regard to the overall supply and availability of accommodation and the demands placed on it by all priority groups.

26. Consideration of Offers and Refusals

After the shortlisting and checking processes, the successful bidder will be contacted by the Registered Provider/Registered Social Landlord/Housing Association partners to arrange a viewing of the property and attend a verification interview. If applicants are offered a home, then they would normally be expected to accept or refuse it within 24 hours of the viewing.

If an applicant refuses an offer:

Band A

If an applicant in Band A refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

Band B

If an applicant in Band B refuses an offer of suitable accommodation, their application will be reassessed and moved down to Band C.

However, if the applicant is a Homeless applicant and they refuse an offer of suitable accommodation, their Homeless Duty will be ended and they will be removed from the Housing Register.

Band C

If an applicant in Band C who have bid and been offered a property will be disqualified from the Housing Register for six months if they:

- Do not respond to a suitable offer of accommodation, and/or
- Do not attend an arranged viewing, and/or
- Refuse an offer of suitable accommodation

Band D

If an applicant in Band D who have bid and been offered a property will be disqualified from the Housing Register for six months.

If an applicant feels that the property they have been offered does not meet their needs, they can ask for a review as to the suitability of the property and they will need to provide detailed reasons for their refusal.

The applicants request will be considered by the Housing Register Panel who will consider the suitability of the offer in accordance with the assessed needs taking into account (but not limited to):

- The size, floor level, space, and arrangement of the property, and whether it meets the housing needs of the household
- Any medical or welfare grounds for rehousing

- Any risk of domestic or other violence

We will not hold the property for the applicant during the review period; it will be immediately reallocated to another applicant, and they will not receive any further offers during this time.

If the review confirms the property was suitable the refusal will result in the application being removed from the Housing Register and the applicant being disqualified for 6 months. If the reasons for refusal are accepted by the Housing Register Panel and the property offered is considered to be unsuitable for the applicant's needs, they will be able to continue bidding without any penalty.

27. Reinstatement of Exceptional Cases

In exceptional circumstances the Council may reinstate applications which have been closed by the Council for a particular reason. Applicants should write to the Housing Register Panel who may reinstate their application or make an offer of accommodation if they are satisfied, and it can be proved that disqualification from the Housing Register would cause exceptional hardship to the applicant and their household. There will be no further right of review of the decision of the Housing Register Panel.

The effect of a decision to reinstate a closed application on the grounds of exceptional hardship will be that the application is treated as having been made on the date it was originally made, not the date on which it was reinstated.

28. Ineligible or Removed from the Register

The Council will write to applicants to notify them if we decide they are not eligible or removed from the Housing Register. Applicants have a right to review the decision, details of how we carry out the review can be found at Section 30 of this Policy.

29. Inaccurate information provided

The Council is under a duty to protect the public funds it administers and to this end may use the information provided by applicants for the prevention and detection of fraud. It may share this information with other Council services, other Local Authorities, Government agencies and credit referencing agencies for the detection and prevention of crime.

It is an offence under the Housing Act 1996 and or the Fraud Act 2006 for anyone seeking help from the Council to:

- Give false or misleading information
- Withhold information that we have asked for on an assessment form or other correspondence
- Fail to tell us of a relevant change in circumstances which could affect the priority of housing awarded

This may result in prosecution; applications being closed and or any tenancy granted to applicants being terminated. Prosecution by the Council could result in a sentence of up to ten years in prison.

It is the applicant's responsibility to inform us of any change that could affect the priority that has been awarded. If we offer affordable housing to applicants and, on further investigation, it appears that circumstances had changed before the offer in a way that affected their housing priority, we reserve the right to withdraw the offer. While the investigation is ongoing the property will not usually be held for the applicant and will be reallocated to the next person on the shortlist.

When housing has been allocated on the basis of false or misleading information, legal action may be taken to obtain possession of the property. We will decide when these provisions apply and when to begin criminal proceedings.

The Housing Register is registered under the current data protection legislation. Information on it is received, held, and disclosed only for registered purposes. For Rural Exceptions sites and accommodation in parishes where local needs housing nomination arrangements have been agreed by the Council, applicant details may be shared with the host Parish Council prior to an offer of housing being made.

Applicants have the right to see information on their file relating to their Housing Register application except where this involves confidential third party information. If an applicant is not eligible or does not meet the qualifying criteria for inclusion on the Housing Register or respond to an annual review of their entry on the Housing Register or is otherwise removed from the Housing Register, their records will be kept for five years before being confidentially deleted.

30. Right to Review

If an applicant does not agree with a decision made by the Council in respect of their application, they have the right to request a review of the decision. Circumstances in which an applicant may request a review include:

- The Council has decided that an applicant is not eligible or does not qualify for the Housing Register
- The applicant believes their application has been assessed incorrectly and placed in the wrong Band
- The applicant believes they should be eligible to bid for a size or type of property that they have not been permitted to bid for
- The Council has decided to withdraw an offer of accommodation
- An application has been removed from the Housing Register and the applicant's request to have the application reinstated has been refused

To request a review of a decision applicants must make a request in writing within 21 days of receiving it and clearly state why they do not agree with the decision. In exceptional circumstances an applicant can request an extension of time to request a review, their requests to be submitted by a representative or review request to be made verbally. We may ask the applicant to provide more information and or attend an interview.

The review will look at the applicant's case based on the Policy, any legal requirements, and all relevant information. This includes information the applicants have provided and any changes since the original decision was made, for example paying off rent arrears or setting up a repayment plan, or where someone responsible for antisocial behaviour has left the household.

In all cases, offers will be seen as suitable if they reasonably meet the housing and medical needs of the household. Factors taken into account include property size, location, affordability and, where predetermined by the Accommodation Team, any areas that are considered unsafe. In considering suitability, the Council will give regard to the overall supply and availability of accommodation and the demands placed on it by all priority groups.

All reviews will usually be completed by the Housing Register Panel. A review will normally be carried out within 56 days. Written notification of the review decision, including grounds for the decision, will be sent to the applicant at the correspondence address or email address provided for their application. If the applicant does not have a correspondence address or email address, a copy of the letter will be made available for collection from the Council Offices for period of at least 21 days.

If the applicant submits new information or evidence that was not available when the original decision was made, such as information relating to a change in circumstances, the application may be referred for a reassessment rather than a review. If the applicant does not agree with the decision made following the reassessment, they have the right to request a review.

31. Equality and Diversity

Sevenoaks is a diverse District and home to people from a wide range of backgrounds and communities. We are committed to all our residents having the opportunity to reach their potential and seek to ensure our services meet all their needs.

The Council seek to ensure that no section of our community is excluded from the benefits and opportunities available and that we always have regard to the need to eliminate discrimination, harassment, and victimisation.

This Housing Allocations Policy will be applied consistently to everyone who applies to or is on the Housing Register, regardless of race, gender, disability, age, sexuality, sexual orientation, religion, or belief.

To ensure complete transparency, fairness and equality of opportunity, applicants who are staff of Sevenoaks District Council or Members of the Council, or related to, partner of, or living with, staff or Members of the Council, must disclose this at point of application. Failure to disclose this information may result in the application being suspended or cancelled as determined by the Chief Officer, People and Places.

32. Housing Allocations Policy Review

The Housing Allocations Policy will remain in place and in operation for three years from the date of adoption.

Sevenoaks District Council's Housing Service is responsible for the Housing Allocations Policy and will complete an annual review and follow any changes to the relevant legislation or regulations.

It may sometimes be necessary to make minor amendments, which do not represent a major change of Policy. This will include an annual review of income thresholds. Authority to

introduce such minor amendments is delegated to the Chief Officer People and Places, Head of Housing in consultation with the Portfolio Holder for Housing and Health.

We will seek to inform all applicants of any changes to this Policy by publicising details on our website and on Kent Homechoice.

Appendix 1

Definition of Local Essential Worker

A Local Essential Worker is defined as someone who is employed in the Sevenoaks District in one of the following occupations (“specified occupations”)

- Public sector frontline staff, meaning
 1. NHS nurses
 2. an NHS [allied healthcare professional](#)
 3. teachers, nursery nurses and teaching assistants
 4. police officers and Police Community Support Officers
 5. firefighters
 6. military personnel
 7. social workers
 8. local government officers
- Any other frontline public sector occupational group experiencing recruitment or retention issues as evidenced to the satisfaction of the Council.

A Local Essential Worker in one of the specified occupations is deemed to be employed in the following circumstances:

- Has been in paid fulltime employment or part time permanent employment for 16 hours or more per week for the last three years (if the applicant is applying for social housing in accordance with the Housing Allocations Policy 2024–2027) or the last year in respect of Intermediate Housing or
- Has been working at least 16 hours per week on a temporary or zero hour employment contract basis for the last three years (if the applicant is applying for social housing in accordance with the Housing Allocations Policy 2024–2027) or the last year in respect of Intermediate Housing or
- For Intermediate Housing only, where the applicant has yet to commence employment and has a contract for full time permanent employment or where the employment is expected to last for a period of at least one year.

Plus:

- The place of employment is/will be located in the District, ie this does not include where a head office or regional office is situated in the District but the applicant carries out their duties elsewhere. For those with a caseload or a roving remit (eg nurses, social workers, police officers, etc), the applicant would need to obtain written confirmation from their employer that a significant part of their day to day activity occurs within the District.

Applicants will need to provide documentary evidence to confirm that their employment, contract of employment and location of said employment, is genuine. Appropriate evidence could include:

- A contract of employment
- A letter from the employer confirming the nature and location of any roving remit
- Wage/salary slips or bank statements covering the required period of employment

Appendix 2

Protocol for Private Rented Sector Offers for Homeless Applicants

Sections 148 and 149 of The Localism Act 2011 introduced provisions which enable the Council to bring its statutory housing duty under S193 Housing Act 1996 to an end without the applicant's consent with an offer of suitable accommodation in the private rented sector with a minimum 12 month assured shorthold tenancy.

This approach will apply to homelessness cases where the Council accepted a homeless application on or after 1 January 2017.

This protocol sets out the basis on which the Council will use this power.

The Council's policy is that a Private Rented Sector Offer may be made to any homeless applicant where it is lawful to do so. Any Applicant whose homeless application was accepted on or after 1 January 2017 could be made a Private Rented Sector Offer. The Council acknowledge that a Private Rented Sector Offer may not be suitable for all homeless applicants and will carefully consider all the individual circumstances of each household when determining whether a Private Rented Sector Offer is appropriate.

The following general principles will apply when Private Rented Sector Offer are made:

- One suitable offer will be made
- The level of private rented sector housing supply will determine the number of households who have their full housing duty ended with a suitable offer
- Applicants will be selected for a Private Rented Sector Offer through criteria which meet the operational needs and will take into account the financial impact on the Council. It is the case that such criteria will not be static however the Council will upon request make the actual selection criteria used in relation to the decision taken to make a Private Rented Sector Offer available to the applicant

The selection criteria will include:

- Applicants who are currently in or will need an allocation of temporary accommodation provided by a third party at cost to the Council
- Applicants who have a need to move from their interim main duty housing accommodation
- That there are no exceptional circumstances relating to the need for the provision of social housing to provide longer term stability for a household for example where a household has a child or children on the at risk register or where a household requires an adapted property to meet long term disability needs. In accordance with legislation and statutory guidance the Council seeks to accommodate homeless applicants and their households in the Sevenoaks District as far as reasonably practicable. However, there is a serious shortage of accommodation in the District to meet the housing need and it will not be reasonably practicable to provide accommodation in the Sevenoaks District to every applicant and their household. There is an increasing need to use accommodation that may be some distance from the Sevenoaks District

The Council recognises that there are instances when personal circumstances indicate that an applicant should be given priority to be housed within the Sevenoaks District and the Council will prioritise those who have the greatest need to be in District.

Applicants who do not fall into the priority categories will be offered suitable Private Rented Sector Offer properties which are the closest geographically available to Sevenoaks District where no other suitable property is available in the District.

The Council accepts that, in addition to these priority categories, there may be exceptional circumstances which will need individual consideration, and these will be dealt with on an individual basis.

The Council assesses the suitability of every offer of accommodation that is made to the Applicant and all such offers are in line with all legislation, regulations, associated case law and statutory guidance.

Where there is a particular reason why the applicant cannot be housed in a particular location this will be taken into account when the Council decides whether a property is suitable.

The Council may need to relocate people who do not fall into the priority categories to areas outside of the District.

Applicants who express a preference to be housed outside of the District may be housed in the area of their choice if it is reasonable and practical to do so.

Further details are available in the Council's adopted Out of Area Placement Policy (July 2022) provided on the Council's website.