

Risk Management Policy

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UNISON Sign Off		
Management Sign Off		

1. Introduction

- 1.1 Everything we do as a Council involves a degree of risk whether it is innovative projects, purchasing a new system or equipment, determining priorities, or making decisions about the future. It is therefore an essential part of good governance that we manage these risks effectively.
- 1.2 Risk is considered as part of the business planning processes to ensure that proposed objectives are ambitious and achievable and continuously monitored thereafter to ensure they are being effectively managed.
- 1.3 This risk management policy explains how the Council will ensure that it is managing risk effectively to increase the likelihood that business objectives will be achieved.
- 1.4 Effective risk management helps us to:
 - Successfully achieve corporate priorities and objectives by capitalising on opportunities and minimising threats;
 - Strengthen corporate governance and the internal control framework;
 - Improve partnership arrangements;
 - Embeds risk management into corporate processes including financial and strategic planning.
- 1.5 Risk is defined as **‘the effect of uncertainty on objectives’**.
- 1.6 Risk is an event, which if it crystallises, could adversely impact on the work of the Council. It may be a one-off event, repeated events or progressive continuum.
- 1.7 Risk Management is defined therefore as **‘the culture, policies and processes directed towards realising opportunities whilst managing threats’**. Its purpose is not to eliminate risk, but to understand it so as to take advantage of the upside and minimise the downside.
- 1.8 The internal control framework must therefore include arrangements for identifying, assessing and managing internal and external risks. Risk management is also closely linked to business planning and performance processes.
- 1.9 **Scope** - This policy applies to all employees, including those on temporary contracts and fixed term appointments and agency workers, members and anyone that works with the Council to achieve its objectives.

2. Purpose of the Policy

- 2.1 The aim of this document is to:
 - Introduce and promote an Enterprise Risk Management style Framework;
 - Develop a ‘whole risk’ approach to threats facing the Council; and



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- Introduce appropriate processes to assist managers in the identification and management of risk in their areas of responsibility.

22 The key objective of this guide is to:

- Develop a robust approach to identification and understanding of risk facing the Council;
- Minimise threats facing the delivery of Council objectives;
- Establish practices and procedures to manage risk and maximise opportunities;
- Identify resources required to manage, control and evaluate risks.

3. **Accountabilities, responsibilities and framework**

31 Cabinet has ultimate responsibility for:

- Setting the culture for risk management at the Council.
- Endorsing and approving this Policy
- For developing and approving Risk Appetite

32 Detailed oversight of the risk management process is delegated to the Audit Committee. Cabinet will seek assurance from the Audit Committee on the adequacy and effectiveness of the risk management process.

33 The Audit Committee is responsible for scrutinising the scope and effectiveness of the risk management systems in place. Overseeing the implementation of the risk management policy on behalf of Cabinet. Audit Committee uses a range of assurances to satisfy itself that a proper system of risk management and internal control is maintained.

34 The Managing Director is responsible for ensuring proper systems of financial control, risk management, legal and regulatory compliance are established and maintained, and that regular reports on these are provided to Cabinet.

35 The Corporate Management Leadership Team (CMLT) are responsible for:

- Identifying and evaluating the significant risk faced by the Council in achieving objectives;
- Reviewing risk responses from management and ensuring that they receive reports on risks above agreed limits;
- Providing adequate information in a timely manner to Cabinet on the status of risks and controls.

36 The Transformation, Strategy and Programmes Team are responsible for the



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development of the risk management policy, the implementation of the strategic risk management process and strategic risk management reporting.

- 3.7 The Head of Internal Audit is responsible for the development of the risk-based Internal Audit Programme and ensuring that Audit Committee has the required assurance on the management of risk and the effectiveness of internal control.
- 3.8 Managers are responsible for identifying and evaluating risks that threaten the achievement of objectives, for building a risk aware culture within their department, ensuring staff complete training where appropriate and understand how to identify and manage risk. Managers are responsible for reporting and escalating risks in line with this Policy and are responsible for the implementation of mitigating actions in respect of each risk.
- 3.9 **Appendix A** sets out the Council's structure for risk management.

4. Risk Registers

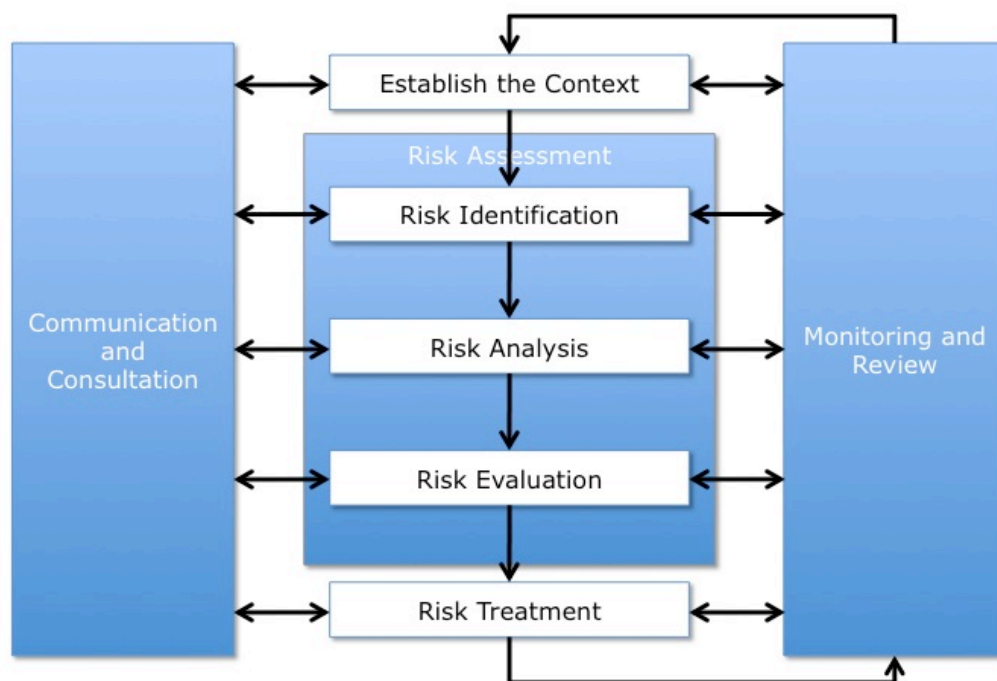
- 4.1 The achievement of the Strategic Plan and subsequent in year Delivery Plans will carry several risks. The risks that could prevent the Council from achieving its objectives are described as strategic risks and are recorded in the Strategic Risk Register.
- 4.2 Strategic risks are those risks which could have organisational-wide impacts and are cross cutting or strategic in nature. Risks that could impact the work of the Council but would not have a strategic impact are described as operational risks and are recorded within directorate or project risk registers.
- 4.3 To facilitate the management of risk throughout the organisation the Council maintains a system of risk registers.
- **The Strategic Risk Register (SRR)** records the strategic risks facing the Council. These are risks that could prevent the Council from achieving its Strategic Plan and objectives. The risks on the SRR are identified through CMLT's assessment of the risks to the Council's Strategic Plan. These risks are reviewed by Cabinet and Audit Committee. Operational risks that are considered to have a strategic impact outside of appetite should be escalated on the SRR. The SRR is maintained by the Strategy and Programmes Team on behalf of the CMLT and is presented in its entirety to Cabinet and to Audit Committee three times a year.
 - **Directorate Risk Registers (DRR)** provides a record of the significant operational risks facing each directorate. Each Director and Assistant Director takes responsibility for risks in their own area of work. Any risks deemed significant should be recorded in the risk register and monitored to ascertain if the impact/likelihood is increasing or decreasing. Managers at all levels are

encouraged to add significant risks to the Directorate Register using the [Risk Identification Guidance](#) and following the prescribed template on the risk management intranet pages to determine the most appropriate course of action. Action could either include; closely monitoring the risk or escalating the risk to the SRR if the likelihood/impact is scored outside of the appetite as agreed by the relevant Assistant Director.

- **Project Risk Registers** provide a record of the risks that have been identified from individual projects. Project risks are escalated to either Directorate risk registers via the relevant Assistant Director or to the SRR if outside of the agreed risk appetite. Project leads are responsible for maintaining the project risk registers.
- 4.4 **Appendix C** provides an overview of how risks are escalated to the strategic risk register.

5. Risk Management Lifecycle

- 5.1 The lifecycle of managing risk at the Council ensures that risk registers at all levels remain live and comprises the following key elements:



6. Risk Identification

- 6.1 In order to manage risk, the Council needs to understand what risks it faces and be able to evaluate them. Identifying risks is the first step in building the risk profile. Care should be taken to avoid identifying risks that do not impact on the Council's aims and objectives. Incidents that have already materialised should be distinguished from risk.
- 6.2 Risks can originate from inside or outside of the Council. Tools and techniques such as; PESTLE, SWOT, brainstorming and workshops can be used to ensure that a full range of internal and external risks are considered and assessed accordingly. These could include risks such as changes in government policy, extreme climate events, pandemics and business continuity threats.

7. Risk Definition and Description

- 7.1 Risks should be described in terms of the cause and consequence so that stakeholders can understand why they are of importance to the Council.

8. Risk Ownership

- 8.1 All risks on the SRR should be assigned to a member of CMLT as the owner.
- 8.2 Risks identified at Operational or Project level should be assigned to an owner who has responsibility for ensuring that the risk is managed and monitored over time. A risk owner, in line with their accountability for managing the risk, should have sufficient authority to ensure that the risk is effectively managed.

9. Risk Assessment

- 9.1 Risk assessment is concerned with the measurement of identified risk. Risk is measured on two distinct scales:
- The likelihood of the risk event occurring (on a 1 to 5 scale), and
 - The impact of that risk event occurring (on a 1 to 5 scale).
- 9.2 The scores for each are then multiplied together to give a risk rating (on a 1-25 scale), which will form the basis for allocating resources for implementing risk control and mitigation activities.
- 9.3 Risk assessment and risk scores should be graded by using the risk scoring matrix provided at **section 11 of this policy in line with guidance given around Risk Appetite.**
- 9.4 The risk assessment should take into consideration the effectiveness of existing controls that are already in place that will have an impact on the likelihood and impact of the risk occurring.

- 95 Once risks have been assessed, the risk priorities for the Council will emerge. The greater potential exposure to the risk, the higher the priority required for addressing it. The highest priority risks (those that have the potential to have a strategic impact), should be given attention at the highest level i.e. CMLT and Cabinet.

10. Target Risk Assessment

- 10.1 If the identified risk requires mitigation due to it being outside of the appetite of the Council, actions will be identified that reduce the likelihood or impact of the risk. A second risk assessment should then take place to evaluate the risk exposure as if all the actions have been completed, reflecting how the planned actions would have reduced the overall risk rating.
- 10.2 The template for the register and assessment is provided on the Risk Management intranet pages.

11. Risk Appetite

- 11.1 Risk appetite is defined as: 'the amount of risk an organisation is prepared to accept in pursuit of its objectives'. The principle recognises that risk cannot be reduced to zero and that mitigation will have both resource and cost implications.
- 11.2 When considering threats, the concept of risk appetite embraces the level of exposure which is considered tolerable and justifiable should it be realised. It is about comparing the cost (financial or otherwise) of containing the risk with the cost of the exposure should the exposure become a reality and finding an acceptable balance.
- 11.3 When considering opportunities, the concept embraces consideration of how much the organisation is prepared to actively put at risk in order to obtain the benefits of the opportunity.
- 11.4 The risk appetite of the Council is outlined by a risk appetite statement which is as follows:

Broadland District Council is a dynamic, innovative and commercially-minded Council that empowers its staff to make well-rounded decisions and take proportionate risks within our boundaries based on intelligence, reason and insight, seizing opportunities to enhance the wellbeing of our community, economy and staff, reimagining the role of local government.

- 11.5 The statement outlines the Council's approach to risk appetite and is accompanied by a risk scoring matrix which indicates whether the combined risk likelihood and impact score is above the appetite of the Council.
- 11.6 The appropriate approach for managing the risk is then highlighted depending on the combined score.

Risk Scoring Matrix		1	2	3	4	5
		Insignificant	Minor	Moderate	Significant	Severe
5	Expected	Medium 5	Medium 10	High 15	Very High 20	Very High 25
4	Highly Likely	Low 4	Medium 8	High 12	High 16	Very High 20
3	Likely	Low 3	Medium 6	Medium 9	High 12	High 15
2	Not Likely	Very Low 2	Low 4	Medium 6	Medium 8	Medium High 10
1	Rare	Very Low 1	Very Low 2	Low 3	Low 4	Medium 5
Very High 20-25		Risks scored here represent a severe threat to the delivery of the Council's objectives and service delivery and are outside of the risk appetite of the Council. Risks scored at this level should be treated as a priority and should either be reduced to a score within tolerance or removed. Reporting on progress will be required at Cabinet/Audit Committee and at CMLT until risk level is reduced to tolerance.				
High/Medium High 10-16		Risks scored here represent a significant threat to the delivery of the Council's objectives and service delivery and are outside the risk appetite. Action is required to reduce the rating to a score within tolerance. Reporting on progress is required at Cabinet/Audit Committee and CMLT until risk level is reduced to tolerance.				
Medium 5-10		Risks scored here represent a moderate threat to the delivery of the Council's objectives and service delivery and are within the risk appetite of the Council with some proportionate mitigation and regular monitoring required. These risks can be managed at operational/service level but regular management review of assurance on control effectiveness should occur. Routine reviews should also be carried out to ensure there is no change.				
Low 3-4		Risks here represent a minor threat to the delivery of the Council's objectives and service delivery and are within the risk appetite. Review required to ensure risk score does not change/increase, however these risks can be managed at operational/service level.				
Very Low 1-2		Risks scored here represent an insignificant threat to the delivery of the Council's objectives/service delivery and are within the risk appetite. No further action is required.				

- 11.7 As demonstrated by the table shown above, any risk with a combined score of 10-25 is outside the risk appetite and action must be taken to reduce the score down to an acceptable level to protect the achievement of the Council's strategic aims and objectives.

- 11.8 In order to assist staff in the risk assessment and scoring of each risk, scoring criteria has been identified for a series of key categories. This may not be applicable in all instances but can be used as a guide. Please see likelihood and impact scoring criteria at **Appendix B**.

12. Risk Mitigation and Management

- 12.1 Identifying gaps in existing controls and identification of the actions that are needed to improve the mitigation of risks in line with both Council's risk appetite will involve employing either one or a mix of the following:

- Acceptance – Where the level of the risk falls below the Council's risk appetite and a conscious decision is made to accept that risk and to take no further action other than ongoing monitoring and periodic review. Sometimes referred to as tolerate.
- Avoidance – Where the actions causing the risk are avoided; for example, withdrawing from a particular activity, project or service.
- Reduction – Take action to reduce the level of risk by reducing either the impact or the likelihood of the risk event occurring.
- Transferring – Transferring most or some of the risk to a third party. The main types are insurance and outsourcing.
- Sharing – Risk sharing is the distribution of risk to multiple organisations for example during a project with a number of stakeholders involved.

- 12.2 In choosing between these responses, factors to consider include cost, feasibility, probability and the potential impact. Every control has an associated cost and it is important that the control action offers value for money in relation to the risk that it is controlling.

13. Opportunity Risk

- 13.1 Opportunity risk is defined as a 'failure to identify or exploit an opportunity which is unable to be pursued later without an additional cost'. Managing opportunity risk involves creating a climate for innovation in which an awareness of the constraints doesn't prevent people coming up with ideas and putting them forward.
- 13.2 Risk and opportunity go hand in hand. The opportunity for advancement cannot be achieved without taking risk and risk is essential to progress and innovation. Excessive caution can be as damaging as unnecessary risk taking.

14. Reviewing and Reporting

- 14.1 Regular monitoring and review are essential to gain assurance over the risk management framework and to ascertain whether:

- Risks are still relevant
- Emergent risks have been identified
- Likelihood and impact of risks has changed
- Controls are still effective.

14.2 Cabinet will review the Strategic Risk Register three times a year. The papers provided to Cabinet will include a summary on the effectiveness of the risk management framework and any specific comments on the strategic risks identified.

14.3 Audit Committee will support Cabinet by reviewing and advising on the operation and effectiveness of arrangements in place across the Council that support the achievement of objectives. Audit Committee will review both the Strategic risk register and risk management arrangements three times a year. They will also periodically receive results of independent assurance on the adequacy of the risk management framework and control framework.

14.4 In particular, Audit Committee will scrutinise the adequacy of:

- All risk and control related assurance statements, together with any accompanying internal audit statement, external audit opinion or other appropriate independent assurances.
- The underlying assurance processes that indicate the degree of the achievement of the Council's objectives, the effectiveness of the management of strategic risks and the appropriateness of the above disclosure statements.

14.5 The Corporate Leadership Management Team will receive reports on the progress of the risk management framework prior to Cabinet and the make-up and movement in the strategic risk register three times a year.

14.6 Risks and risk registers at a directorate/service level and project level are reviewed as part of the routine cycle of team meetings or as required.

14.7 All staff are required to consider and monitor risks as part of their job role. If a risk is identified that is above risk appetite of the Council and requires escalating to the strategic risk register, the procedure at **Appendix C** should be followed. These risks should be monitored and reported until they are reduced to an acceptable level or the risk no longer poses a threat to the achievement of Council objectives.

15. Staff Training and Development

15.1 To support colleagues in the move towards a mature enterprise wide risk management process, the following training will be available:

- An e-learning self-facilitated learning module developed to provide guidance on the fundamental principles of risk, covering the policy and procedures

specific to the Council.

- A rolling programme of small team specific workshops on the fundamental principles of risk management.
- One to one training and support offered to officers by the Strategy and Programmes Team and or Internal Audit.
- **Risk Identification Guidance** is also available on the intranet under risk management pages.

16. Links with other processes

- 16.1 The risk management process is carried out during the setting of strategic delivery plans and is considered during Internal Audit's approach to risk based planning. The Strategic Risk Register is considered during the completion of assurance statements informing the Council Annual Governance Statement.

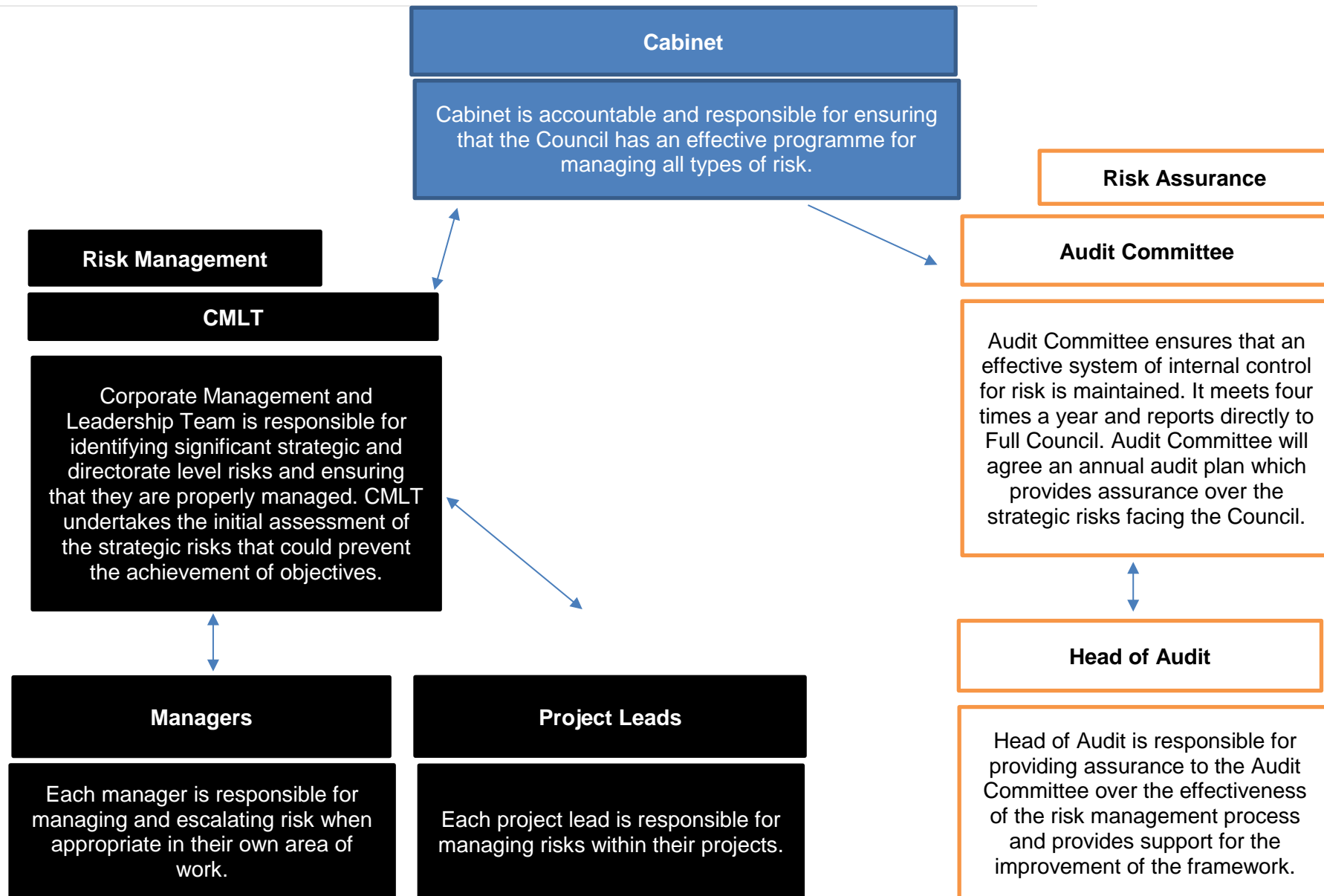
17. Appendices

Appendix A – Council's Structure for Risk Management

Appendix B – Risk Scoring Criteria – Likelihood and Impact

Appendix C - Escalation to the Strategic Risk Register

Appendix A – The Council's Structure for Risk Management



Appendix B – Risk Scoring Criteria Likelihood and Impact

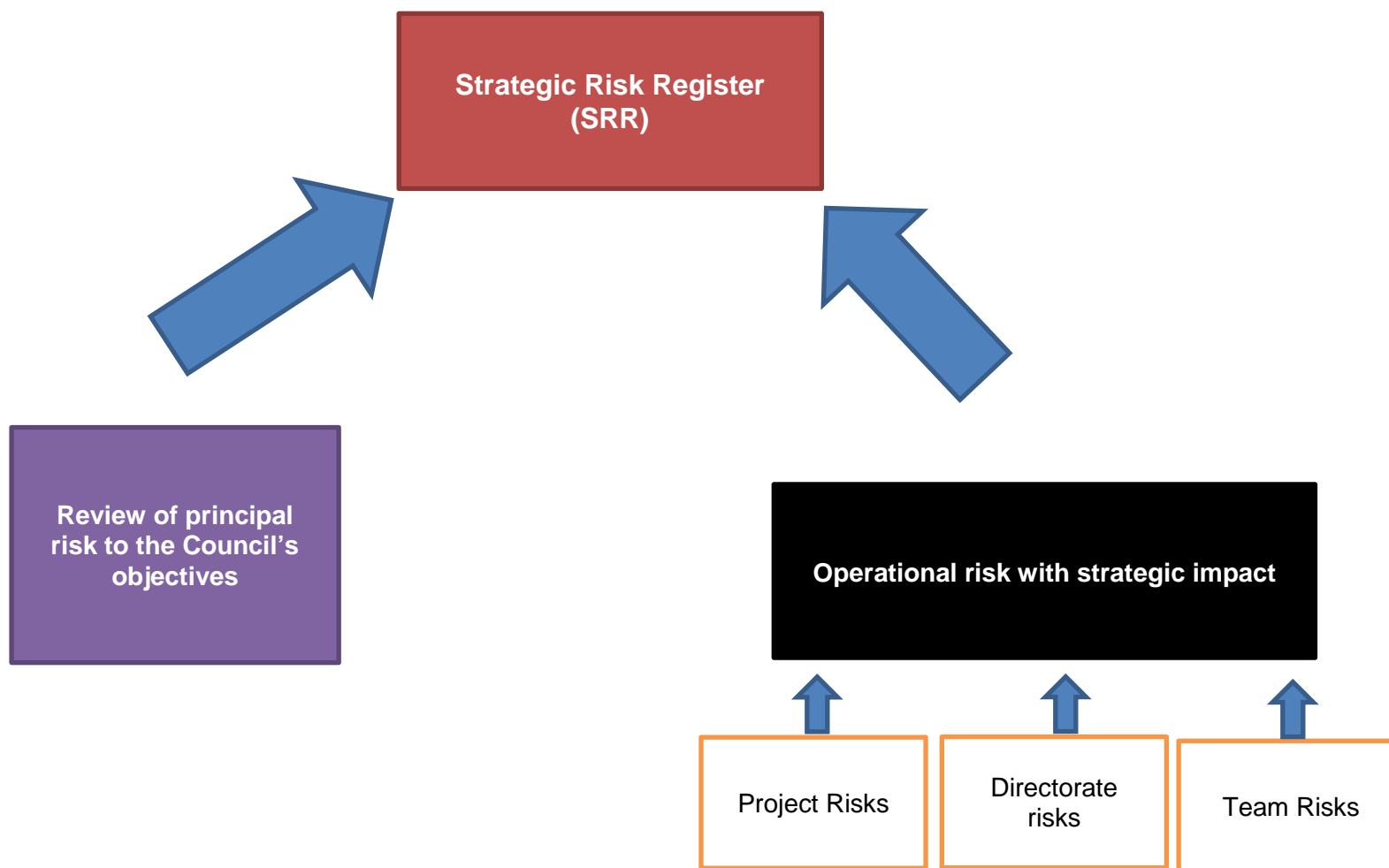
Likelihood

Likelihood		Description	Timing
5	<i>Expected</i>	<i>Risk event or circumstance is relatively certain to occur</i>	<i>More than once per year</i>
4	<i>Highly Likely</i>	<i>Risk event or circumstance is highly likely to occur</i>	<i>Once per year</i>
3	<i>Likely</i>	<i>The risk event or circumstance is more likely to occur than not</i>	<i>At least once between 1-5 years</i>
2	<i>Not likely</i>	<i>The risk event or circumstance is possible</i>	<i>At least once between 5-10 years</i>
1	<i>Rare</i>	<i>This will probably never happen</i>	<i>Probably within 10-15 years</i>

Impact

Impact Type	Insignificant	Minor	Moderate	Significant	Severe
Financial loss	£0k - <£10k	£10k - <£25k	£25k - <100k	£100k - £500k	Over £500k
Service provision	Inconsequential disruption to a service.	Minimal disruption to Council activities/service.	Significant disruption to service delivery.	Significant disruption to large parts of the Council or suspension of service.	Service suspended long term.
Projects	Minor delay	Minor milestones missed	Significant milestones missed or delayed	Major milestones missed	Project will not achieve objectives and misses majority of milestones
Objectives	No effect	Some team objectives not met	Team objectives not met	Portfolio objectives not met	Strategic objectives not met
Health and Safety	Isolated incident/ injury/illness. No lost time to injury days.	Minor injury or illness requiring medical treatment.	Threat of violence, serious injury or illness requiring medical attention.	Significant/extensive/multiple injury or illness, permanent or partial disability.	Fatality. Multiple major injuries/illness. Permanent total disability.
Staff Engagement	Isolated events of dissatisfaction	Some hostile relationships/minor non-co-operation	Hostile relationships. Major non-cooperation across the organisation	Industrial Action	Mass staff walkout/leaving
Reputational	Minor unfavourable social media coverage/attention	No media coverage. Minor letters of complaint	Adverse local media/social media coverage relating to conduct of leader or members or Council	Adverse national media exposure	Prolonged adverse national exposure
Statutory/Legal	Isolated non-compliance. Informal recommendation not followed up.	Non-compliance Warning received	Breach. Improvement Notice	Enforcement Action	Prosecution Fine Successful Judicial Review

Appendix C – Escalation to the Strategic Risk Register



**Broadland District Council
Allocations Scheme**

With effect from *[insert final Council date]*

Document Control		
Document reference	<i>[Insert Corporate Reference Number]</i>	
Document title	Broadland District Council Allocations Scheme	
Document status	Draft 2 [28 July 2020] – Major Change	
Document approval route	Internal Management	27 July 2020
	Major changes only beyond this point	
	CMLT	29 September 2020
	Legal Check	07 September 2020
	Wellbeing Panel	7 October 2020
	Overview & Scrutiny	27 October 2020
	BDC Cabinet	3 November 2020
	BDC Council	19 November 2020
Effective from (Date)	<i>[Approval Date – (later one)] or [Next Review Date]</i>	
Policy Author	Campbell Tickell Ltd	
Policy Owner	Housing and Wellbeing Senior Manager	
Consultation: internal	Housing and Wellbeing Service People and Communities Directorate	
Consultation: external	Key Stakeholders <ul style="list-style-type: none"> • Members • Partner Landlords • Partner Agencies • Housing Register Applicants 	
Equalities and Communities Impact Assessment (EqCIAs)	Date completed	In progress
	Partial/ Full EqCIAs	In progress
Data Protection Impact Assessment (DPIA)	Date completed	Recommended - see client brief
	DPIA	
Review	Date due	Annual while you transform
	Reason	
	Review Date due	
	Reason	

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1.1 The Allocation Scheme

Broadland District Council operates a Housing Register known as the Allocations Scheme.

This document outlines how affordable housing, which is a limited resource in both districts, is allocated to those who need it. Broadland District Council does not have properties of its own. We work in close partnership with a number of social housing landlords who we refer to as our partner landlords. The partner landlords own and manage properties in both districts. Broadland District Council will be seeking to formally review its partnership arrangements. It is anticipated that a Common Housing Register approach will be considered the way forward in order to embrace the Allocations Pathway Model. **See Part 2**

We work with:

- Broadland Housing Group
- Clarion Housing Group (Broadland District Council's Stock Transfer partner)
- Cotman Housing Association with Places for People
- Flagship Housing Group
- Orbit Housing Association
- Saffron Housing Trust
- Sage Housing
- Victory Housing

We also work with a range of supported and specialist housing providers:

- House of Genesis
- Benjamin Foundation
- Emmaus
- Homegroup
- Solo Housing
- YMCA
- Leeway
- Evolve East Anglia
- St Martins Housing
- Stonham

1.2 The Legal Framework

The Allocation Scheme is a requirement of Part 6 of the Housing Act 1996. Applicants are able to apply for housing and all applications will be fully assessed. The Allocations Scheme has been framed in accordance with the Greater Norwich Homelessness Strategy and the South Norfolk and Broadland Rough Sleeping Statement and the Council's Housing and Tenancy Strategies. It has also been styled in accordance with the LGA funded work to develop an Accommodation Pathway Model with South Norfolk Council **see 2.2**. In developing the Scheme; the Council has followed and fully considered the following housing legislation, regulations, and statutory guidance:

- The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England)
- The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017
- Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) "the Code"

- Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) “Supplementary Code”
- Allocation of Housing (Procedure) Regulations 1997, SI 1997/483
- Allocation of Housing (England) Regulations 2002, SI 2002/3264
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
- ‘The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)’
- Equality Act 2010.
- Data Protection Act 2018 and contained within the General Data Protection Regulation 2018 (GDPR).
- Care Act 2014
- Human Rights Act 1998

1.3 Right to Move

In accordance with the Right to Move statutory guidance on housing allocations for local housing authorities in England (Department for Communities and Local Government, March 2015) the Scheme sets a limit of no more than 2% of lettings per annum will be allocated to social housing tenants from outside of Broadland who need to move for employment purposes.

1.4 Allocation of a Tenancy

The allocation of housing by a housing authority is defined in s.159 of the 1996 Housing Act as:

- a) Selecting a person to be a secure or introductory tenant of housing accommodation held by them (i.e. by that housing authority)
- b) Nominating a person to be a secure or introductory tenant of housing accommodation held by another person (i.e. another housing authority)
- c) Nominating a person to be an assured tenant of housing accommodation held by a Private Registered Provider (Housing Association)

Lettings outside of the Allocation Schemes are those essentially where the allocation is for a tenant by their own partner landlord. These are summarised in **Appendix 1: Lettings outside of the Allocation Scheme**.

1.5 Data Protection

Broadland District Council will ensure personal information of all applicants (new, existing and deleted) is:

- Stored lawfully
- Processed in a fair and transparent manner
- Collected for specific, explicit and legitimate for the purpose
- The data will be kept up to date and not held only until it is no longer required.
- Shared only with other organisations for legitimate processing, the prevention of fraud or with the person’s explicit consent.

An applicant's permission to share their personal information is a qualification condition of being accepted onto the housing register. The Council has a Privacy Notice which can be located at: [URL to be supplied](#)

1.6 Equalities, Access and Monitoring

Broadland District Council is committed to ensuring that the Scheme is non-discriminatory and that all applicants are able to access the service, especially taking account of any vulnerability or other specific needs, and also the needs of different groups protected by the Equality Act 2010; the Human Rights Act 1998; and for Children, Section 11 of the Children Act. To identify the needs of our applicants the application contains specific questions relating to vulnerability, ethnic origin, sexual orientation, disability and other relevant criteria. The information obtained will be used to monitor the impact of the policy on minority and specific needs groups and to evidence the need for amendments, as may be required.

Under the Equality Act 2010 and in particular section 149 of the Public Sector Equality Duty, Councils are required to give due regard to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, when exercising a public function such as their legal Housing Allocation Policy. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The new policy has been subject to a full, detailed Equalities and Communities Impact Assessment (EqCIA) before it has been adopted. The impact will continue to be monitored throughout the administration of the Scheme. Should evidence of discrimination occur; it will trigger a "Change to the Allocation Scheme".

1.7 Force Majeure

The Council will not be liable for any delay in performing its obligations under this policy if the delay is caused by a Force Majeure (chance occurrence or unavoidable accident for example), provided that reasonable action and notification to customers is taken by the Council. More fully, this means, circumstances beyond reasonable control of that party, including without limitation, strikes, lock outs, acts of God, the act or omission of any governmental or other competent authority, war or national emergency.

1.8 Changes to the Allocations Scheme

The Council reserves the right to expand, change or alter any element of the scheme, as and when required, to meet changes in housing need, capacity, resources and legislation. The routes to enable the amendments would depend on whether the change is major or minor. The EqCIA will define whether the changes and their impact constitute a major or minor change.

Major	Minor
I. Internal management	Internal management only
II. Stakeholders including partner landlords and members	
III. Corporate Management Leadership Team (CMTL)	
IV. Legal Check	
V. BDC Wellbeing Panel	

- VI. Overview and Scrutiny
- VII. BDC Cabinet
- VIII. BDC Council

The Council will ensure the changed scheme is then made available to the public through its website at [URL to be supplied](#)

1.9 Statement on Choice

This Allocations Scheme is fully committed to enabling customers to play an active role in choosing where, and in what property type and tenure they live, while continuing to house those people in the greatest housing need and complying with all relevant legislation. However, to minimise the risk of further incidents of anti-social behaviour an applicant may be restricted in their choice of area.

It is important to realise that the demand for accommodation is higher in some areas than others. In making a decision about the choices available, applicants need to consider their housing need priority against the availability of properties in any given area.

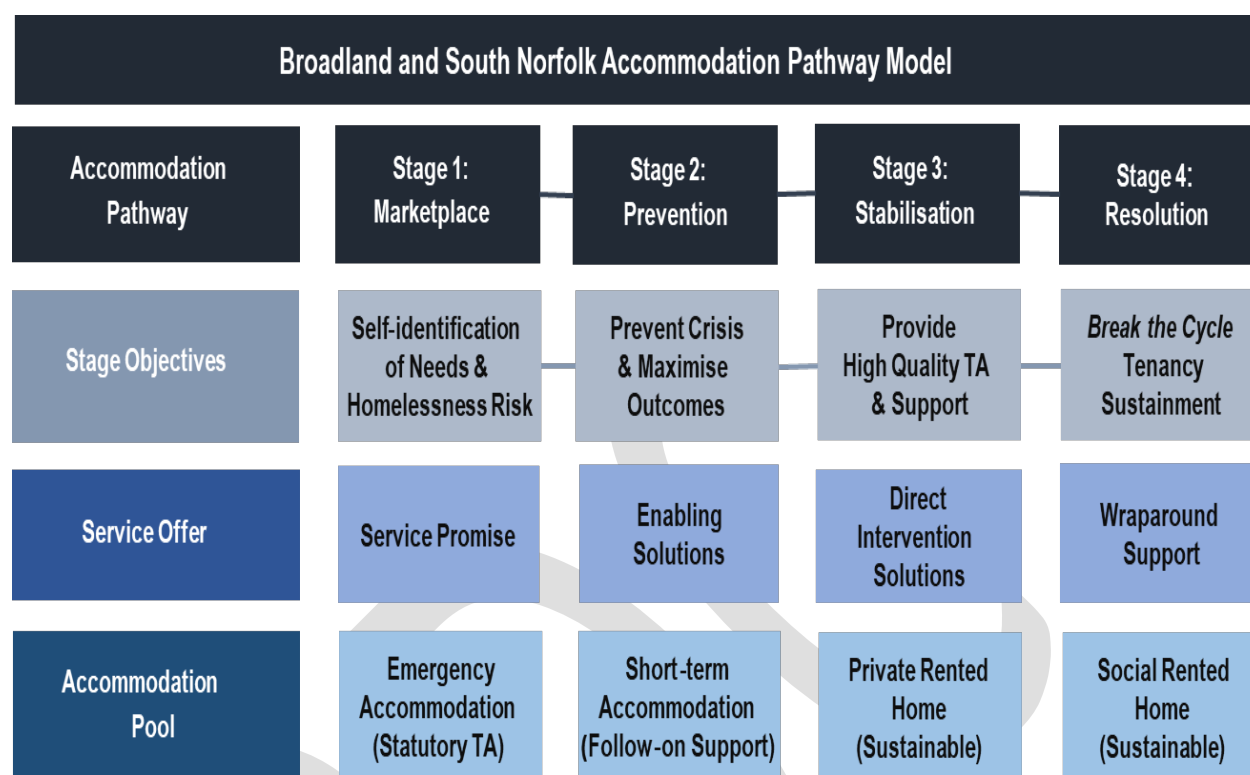
In order to meet our statutory duties, an applicant in the emergency band may be made a direct let of suitable accommodation anywhere within the district.

2.1 Aims of the Allocation Scheme

In order to deliver this Allocations Scheme, Broadland District Council aims to:

- To reduce the use of temporary accommodation for homeless applicants and to assist with prevention by making customers aware of their potential housing choices and the alternative options available to them e.g. private sector, low cost home ownership.
- To increase the availability of move-on accommodation to prevent 'blockages' in supported housing schemes. Careful consideration will be given to cases referred by other authorities to ensure they fall in line with the intentions under the Right to Move legislation. Also, that it takes into account households who have been placed in Broadland in short term housing projects, but where the longer-term responsibility lies with the referring authority.
- To ensure a lettings service that embraces equality and diversity by being open and fully accessible to all individuals and to provide support to customers where needed.
- To improve the means by which local people in the region gain access to social rented housing by providing a modern and easy to understand allocation system which allows choice and is fair, transparent and accountable.
- To encourage residents to access employment and to recognise residents who make a contribution to a local community.
- To make the best use of the housing stock within the scheme.
- To increase opportunities for tenant mobility between the region and other areas of the country. In accordance with the Right to Move statutory guidance on housing allocations for local housing authorities in England (issued by the Department for Communities and Local Government, March 2015) the Scheme sets a limit of no more than 2% of lettings will be allocated to social housing tenants from outside of Broadland who need to move for employment purposes.
- To attract new customers from the existing housing register to areas of low demand and reduce void times on 'hard to let' properties
- To meet the legal obligations of the Council by giving appropriate priority to customers who fall within the Housing Act "reasonable preference" categories.
- To contribute to the creation of balanced and sustainable communities; ensuring local need is given sufficient weighting.

2.2 Accommodation Pathway Model



The model relies on investment of resources at the front end of our service by looking at how we work with households when they first approach the Council.

Marketplace

This would involve:

- A self-service portal for exploring options available to the household
- Providing it is relatively inexpensive once it is set up on our website as it enables individuals to solve their own need by exploring the support available to them.
- Where necessary, direct intervention will be undertaken to prevent homelessness
- The market place will give each household a bespoke Accommodation Options Plan
- Assistance will be available who find the website difficult to use.

Prevention

This would involve:

- Help to high risk households to avoid a point of crisis
- Prevention-based case work
- Support to enable people to remain in their home where this is feasible
- Investment of resources to prepare people to take control of their Accommodation Options Plan and ultimately the solutions necessary to prevent the homelessness risk reoccurring
- Target services to homeless families.

Stabilisation

This would provide:

- Sustainable discharge of Statutory Duties
- Excellent quality Temporary Accommodation that meets needs
- Directive casework to help find a longer-term home
- Wraparound support for those who need more than just a roof

Resolution

Undertaken by:

- Resolving homelessness for all applicants
- Exploring social and private sector options
- Building resilience and tenancy management skills
- Coordinating partnership support to break the cycle of homelessness, eviction and short-term solutions

2.3 Enabling the Model

The model relies on key components being in place to work.

Enabling the Accommodation Pathway Model			
<i>Best in Class</i> TA Solutions	<i>Best in Class</i> Housing Solutions	<i>Best in Class</i> Partnership Solutions	<i>Best in Class</i> Performance Framework
Right provision in the right place at the right price	Fair and efficient allocations and sustained tenancies	Strategic, holistic, delivering value-add outcomes	Compliance, performance, sustainable outcomes. See Table 3
Predictive Model to predict demand	Allocations Policy which is common to all partners and is flexible and fair	Landlord and Council risk sharing to jointly sustain tenancies	
Procurement Strategy based on sustainable costs	Supply and Demand modelling	Jointly commissioned support services	
Focused, performance driven service	Structured Customer Journey. See <i>Table 1</i>	Unlock PRS supply through a Social Lettings Agency	
Performance framework which optimises demand and throughput	Partnership Agreements. See <i>Table 2</i>	Identification and management of accommodation solutions	

Table 1

Structured Customer Journey			
Marketplace Advice & Guidance	Application & Assessment	Waiting list Management	Allocation Offer
TA ,Social, Private, Specialist, Low-cost Home Ownership	On-line Assessment & Triage	Self-managed Application	Nominations
Self-service Advice & Guidance	Personalised Applications	Change of Circumstance	Choice-based Lettings
Self-referral Pathway	Validation & Verification Framework	Automated Notifications and Reminders	Sensitive Lets
Assisted Choice	Support Services Referral	Scheduled Reviews	Targeted Advertising

Table 2

Formalised Partnership Arrangements			
Waiting list Management	Allocation Offer	Lettings	Sustainment
Waiting List Protocol	Allocations Protocol	Resulting Offer	New Tenancy Management
Joint Management	Application Verification	Resulting Application	Joint Solution Provision
List Management	System Delegated Authority	Multiple & Assisted Viewings	Tenancy Sustainment
Data Sharing Protocol	Bypass Verification	Hard to Lets	Migration Review

Table 3

Housing Service Performance Framework					
Compliance	Council Statutory Reporting	Landlord Statutory Reporting	Policy Application	Process & Evidence Audit	Policy Application
Service Performance	Service Access	Housing Register Management	TA Management	Allocations & Lettings Management	Partnership Management
Sustainable Outcomes	Customer Outcomes	Business Outcomes	Partnership Outcomes	TA Supply & Demand Modelling	Housing Supply & Demand Modelling

3.1 Eligibility

The Broadland District Council Housing Register is a list of applicants who qualify for inclusion on the list. It will include homeless applicants owed a duty, applicants with a priority need owed a duty and existing social housing tenants residing in the region and seeking a transfer.

3.1.1 Special arrangements for 16 – 18- year old

- Anyone over the age of 16 is eligible to join the Housing Register if their current address is their only home, or sole residence, and they are not already registered through someone else's housing application.
- Applicants under 18 cannot legally hold a tenancy. If they are under the jurisdiction of social services and owed a duty under the Children Act, social services will act as a guarantor for those within 6 months of their 18th birthday under an existing protocol. This is subject to their ability to live independently and manage their tenancy. Social services will need to provide a support package to prevent the risk of losing the tenancy. The tenancy will be held in trust until they reach 18.
- Those not owed a duty under the Children Act, may still be granted a tenancy provided they can provide a suitable person to act as a guarantor such as a parent, legal guardian or relative. They will accept responsibility for the tenancy whilst the tenancy is held in trust until the applicant reaches 18.

3.1.2 Persons from Abroad

Some persons from abroad may not be eligible to join the housing register. These include:

- Under sections 160ZA (1), (2) and (4) of the Housing Act 1996 Broadland cannot allocate a tenancy, or nominate a person for housing, if they are a person who is ineligible for an allocation of housing accommodation by virtue of being a person subject to immigration control or a person from abroad who is prescribed as ineligible.
- Do not live habitually in the Common Travel Area (UK, Channel Islands, the Isle of Man or the Republic of Ireland);
- Do not have the right to live in the UK;
- Other categories of people who the Government may in the future, decide are not eligible for housing assistance.

The relevant regulations that apply to eligibility are:

- ❖ Regulations 3 and 4 Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294
- ❖ All subsequent amendments including 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)

The rules are complicated and anyone who is impacted or believes they may be impacted can approach the Council for advice or seek independent legal advice.

The rules will change from 2021 due to the UK's exit from the EU and new regulations regarding eligibility for housing based on the EU settlement scheme. This policy will be amended to take into account any new rules.

3.2 Qualification Rules

Section 160ZA (7)) allows Broadland District Council to define who will be regarded as qualifying and non-qualifying persons. Applicants, who are eligible for an allocation, must meet one or more of the following qualification rules in order to join the Housing Register:

- a) Have a recognised housing need (please refer to 4.4.11 Housing Priority Band)
- b) Have a Broadland local connection through one or more of the following:
 - Have lived in Broadland for 6 of the previous 12 months
 - Have lived in Broadland for 3 of the previous 10 years
 - Have a current contract of permanent employment where the job requires residency in Broadland
 - Have a family member (parent, adult child or adult sibling) who lives in and has lived in Broadland for a continuous period of at least five years.
 - Have an existing social tenancy and been in employment or training in Broadland for a minimum of six months and there is a reasonable expectation that the employment or training will continue for a further 12 months.
 - If they are residing in a supported housing project and approaching the Councils via a Move On arrangement, they will have to have resided at the project at least 6 months before submitting an application. If the specialist provider has a move on arrangement with the Council this will provide the local connection.
- c) Be homeless or threatened with homelessness (within 12 weeks and who are assessed as probably having a priority need) when the local connection criteria as laid down in the homelessness code of guidance would apply
- d) Be owed a Relief duty under the Homelessness Reduction Act, when the local connection criteria as laid down in the homelessness code of guidance would apply.
- e) Have been 'placed' or relocated outside the district due to illness, military service or other exceptional circumstances such as violence and lived in Broadland for at least 6 months prior to the placement.
- f) A young homeless care leaver under 25 years who has been looked after by Norfolk County Council for at least 2 years, including some time before they turned 16, under section 22A of the Children Act 1989.

- g) A care leaver age under 25 years, placed in accommodation in Broadland by another authority for at least 2 years, including some time before they turned 16, under section 22A of the Children Act 1989.
 - h) Are living in accommodation-based support services outside the district to which they were referred by or with the agreement of the Council and they lived in Broadland for 6 months immediately prior to the placement.
 - i) Be a current or former member of the British Armed Forces, having left service within the preceding 5 years, as defined by s.374 of the Armed Forces Act 2006.
 - j) Be a civil ex-partner of armed forces personnel and required to vacate a Ministry of Defence property.
- The spouse or civil partner of a deceased member of the regular forces where their death was attributable to that service
 - Current or former members of the reserve forces who suffer from a serious injury, illness or disability which is attributable to that service.
 - Victims of domestic abuse who are residing in a refuge or other safe temporary accommodation in Broadland as they have fled abuse from another area.
 - Applicants who have a connection to Broadland as a result of other special circumstances as set out in S199 of the Housing Act 1996 to be determined based on the individual facts of the case and in reference to statutory guidance on allocation schemes and homelessness.

Evidence of a connection to Broadland may be required to be provided. Where a connection to Broadland is through work (and in relation to the exemption for applicants through the Right to Move) employment must be physically located in the boroughs, not be short term or marginal or ancillary to work in another area or voluntary. Evidence of current employment or the offer of employment will be required.

Applicants who are disqualified as they meet one of the disqualification criteria can re-apply when their circumstances change so they would qualify.

- k) Be a gypsy (as defined in the Caravan Sites Act 1968) who has habitually resorted to the Broadland area.

All applications accepted onto the Housing Register will be subject to a review. **See Part 6**

3.3 The Armed Forces Covenant



Broadland District Council is a signatory of the Norfolk Armed Forces Covenant. It is a voluntary statement of mutual support between a civilian community and the local armed forces community.

Broadland District Council has created a Covenant Pledge to demonstrate its support, as an employer of choice, to the armed forces community. We believe that those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

In undertaking this covenant, we:

- ❖ Disregarding injury and disability payments; whether these are periodic or a lump sum
- ❖ Overlooking lack of connection for current and former members instead, we allow up to 5 years for divorced and separated spouses.
- ❖ All applications qualify from current or former members (having left service within the preceding 5 years, as defined by s.374 of the Armed Forces Act 2006)
- ❖ If they are divorced, separated or a civil partner of service personnel required and are required to move out of Ministry of Defence accommodation, they will qualify
- ❖ If they have to move from an unsuitable property as a result of injuries sustained while in the Armed Forces, they will be awarded the highest priority band.
- ❖ If they have a Housing Need Priority and they meet the local connection qualification they will also be placed in the highest priority band.

3.4 Non-Qualification Rules

An applicant will not qualify for an allocation where:

- a) They have been housed by a scheme landlord, through a partner landlord within the preceding year, unless there has been a change in circumstances resulting in a priority need.
- b) They have been housed through the Council's Rent Advance & Deposit Scheme within the preceding year, unless there has been a change in circumstances resulting in a priority need.
- c) They are under 18 and do not have a guarantor and cannot show they will be supported in a tenancy where the Council assesses that support is needed to sustain a tenancy.
- d) They, or a member of their household, have been evicted from a tenancy and has neither had a settled period of a minimum of six months nor met the criteria for reassessment, since the eviction.

- e) They, or a member of their household, have been evicted from a property for mortgage arrears and has neither had a settled period of a minimum of six months nor met the criteria for reassessment, since the eviction.
- f) They, or a member of their household, is/was responsible for paying rent and they have rent arrears and/or court costs greater than 16 weeks rent, if the rent is charged weekly or greater than 4 months if the rent is charged monthly **and** they have not met the criteria for reassessment. This will apply equally whether they pay the rent in full, are on partial housing benefit and they pay the shortfall or are in receipt of full housing benefit where the arrears are solely the responsibility of the tenant. In respect of housing benefit an exception may be made if they have provided the information required and the claim is being reassessed.
- g) They have made a fraudulent claim for housing and/or housing benefit or provided false information.
- h) They, or a member of their household, has caused damage to a property and been charged for damages and/or recharges and/or court costs of over £1000.
- i) They, or a member of their household, has been evicted for anti-social behaviour or unacceptable behaviour and there has been no demonstrable evidence of behaviour change in settled accommodation.
- j) They, or a member of their household, own a residential property and have the financial means to find their own housing solution. Exceptions may be made where there is demonstrable hardship and the applicants would qualify for sheltered accommodation or housing with care. An exception may also be made if a court order is in place rendering their property is not suitable for habitual residence.
- k) Failure to bid. Exceptions may be made around s106 properties or properties which are hard to let and the applicants can demonstrate they can afford the unit.
- l) Applicants who are considered to have sufficient financial resources to secure accommodation within the private sector
 - a. 'Sufficient financial resources' includes any assets or investments even if they are not immediately available to the applicant, such as any residential or non-residential property that they own, or part own anywhere in the UK or abroad.
 - Any lump sum received by a member of the armed forces as compensation for an injury or disability on active service will be disregarded.
 - They will not be awarded a priority housing need.
 - They will be advised on low cost home ownership schemes, such as rent to buy, shared ownership/equity, discounted market sale and starter homes, sheltered accommodation and housing with care, or lower demand properties.

3.5 Exceptional or Mitigating Circumstances

Each application will be assessed individually. Exceptional and/or mitigating circumstances will be considered and the council will be able to exercise its discretion. If it can be shown that they now qualify they will be placed in a suitable band. However, if there is still concern in relation to their behaviour or ability to pay the rent, their application may be suspended or made inactive for bidding until a suitable pattern of behaviour has been demonstrated over a period of 6 months or more. The factors will be assessed against the Accommodation Pathway Model. **See Part 2**

The following are factors to be taken into account in determining non-qualification or reduction of preference and subsequent management of their application to either suspend or prevent from bidding.

- Physical disability
- Mental illness and/or severe depression
- Physical illness or frailty
- Special educational needs
- Learning disabilities
- Financial resources or substantial debt problems
- Low income/benefit recipient
- Support or floating support needs
- Rooflessness/homelessness
- Inability to find alternative accommodation
- Size of family (including young children)
- Known forms of violence have occurred including domestic abuse and neighbour disputes.

This list is not exhaustive and could apply to an applicant or a member of the household. Depending on the number of factors present, the severity and their relevance to the overall situation, the effect could be a non-qualification or reduction of preference or it could lead to a non-qualification being changed to a reduction of preference. Non-qualification means the applicants cannot join the housing register. Reduction of preference means the applicant can join the register but their ability to bid may be restricted or their application suspended for an agreed period of time and subject to a set of conditions.

3.6 Reassessment of applications who have not qualified

Applicant who have failed to qualify will need to provide the evidence if their circumstances have changed to initiate a reassessment. If the reassessment is successful and they now qualify, they will be treated as reduced preference and either suspended or made inactive for bidding for an agreed period of time.

The table below summarises the causes and evidence required to mitigate it.

Cause	Evidence
They are in arrears of rent in advance and deposit loan or other debt owed to the Council.	Repayment plan in place and adhered to for a minimum of six months or the debt has been cleared by regular payments whichever is sooner
Eviction from a tenancy for rent arrears	Minimum six month settled accommodation with up to date rent

Cause	Evidence
	account. Repayment plan in place and adhered to for a minimum of six months
Eviction from a property for mortgage arrears	Minimum six month settled accommodation with up to date rent account. Repayment plan in place and adhered to for a minimum of six months
Responsible for paying rent and they have rent arrears and/or court costs greater than 16 weeks rent, or if the rent is charged weekly or greater than 4 months if the rent is charged monthly. This will apply equally whether they pay the rent in full, are on partial housing benefit and they pay the shortfall or are in receipt of full housing benefit where the arrears are solely the responsibility of the tenant.	Up to date rent account (where relevant) and repayment plan in place and adhered to for a minimum of six months or the debt has been cleared by regular payments, whichever is sooner. Confirmation of information provided for a housing benefit claim to be assessed.
Damage to a property and been charged for damages and/or recharges and/or court costs of over £1000.	Repayment plan in place and adhered to for a minimum of six months or the debt has been cleared by regular payments whichever is sooner
Eviction from a tenancy for anti-social behaviour	Minimum six month settled accommodation with no complaints relating to behaviour.

3.7 Safe Surrender Agreements

Where a tenancy is failing but has not yet met the threshold for non-qualification and resulting reduced preference, a Safe Surrender Agreement may be considered which enables the surrender of the tenancy before the situation escalates to a crisis and/or eviction. It should be agreed before the tenancy is surrendered.

The agreement is between Landlord, Tenant and relevant Council

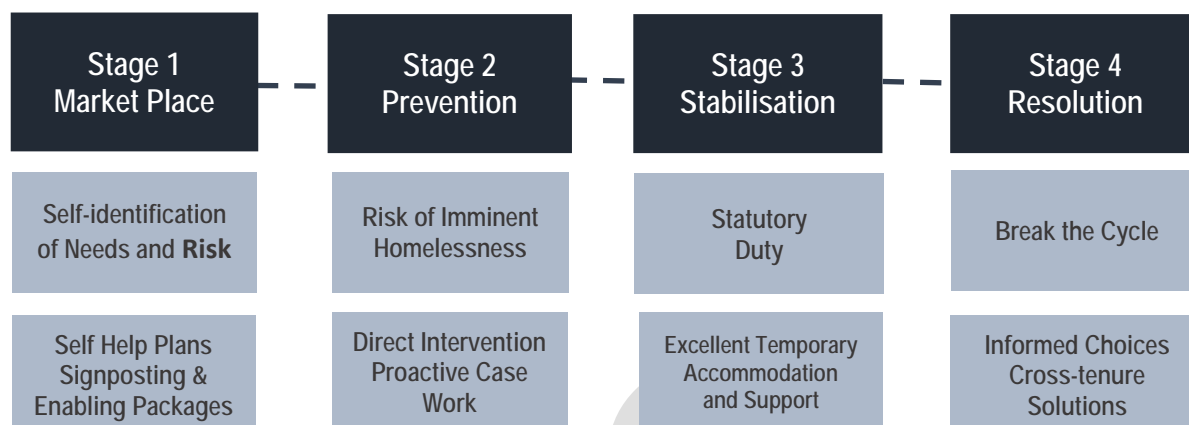
If the agreed the conditions are:

- The tenant will give usual 28-day notice.
- The partner landlord may agree a shorter notice period at their discretion.
- The tenant must be unable to manage the tenancy due to illness and/or other support needs which cannot be met at that time.
- Where the property is in danger of deterioration but substantial deterioration (under £500) has not yet occurred and does not occur before vacant possession is given.
- The tenant is struggling to pay the rent, but the rent account is not yet more than 8 weeks in arrears (net) and does not become so before vacant possession is given.

- f) The tenant is in breach of other terms of the tenancy, but this has not yet reached the level where a reduction of preference would usually be applied and does not become so before vacant possession is given.
- g) Applications submitted under a Safe Surrender Agreement, will not have reduced preference applied provided no further issues become known subsequent to the agreement.
- h) Their priority will be assessed according to current need and circumstances. If a subsequent homelessness application is made, the existence of a safe surrender agreement will allow the Councils to take this into account when making their decision.

The Safe Surrender Agreement is considered both a prevention and stabilisation under the Accommodation Pathway Model. **See Part 2.** It shows the tenant is being responsible and taking the necessary action and has taken the time to negotiate safeguards. This reconciles with the promotion of tenancy sustainment. **See 5.5**

Allocation Pathway Model



The model relies on an allocation plan for anyone who approaches the Council. This might be designed online the applicant self-supporting or with assistance from a third party or a Council Officer. Where they identify arrears or ASB or homelessness, prevention measures will be explored and then a period of stabilisation introduced. If social housing is a realistic option, they will submit an application and the Allocation Scheme is initiated.

Stabilisation will address reduced preference and non-qualification in that the application may be submitted under the reassessment process outlined in part 3 and a reduced preference awarded which either means their application will be suspended during the period of stabilisation or they will be LIVE but prevented from bidding.

4.1 The Application Process

The Key Stages



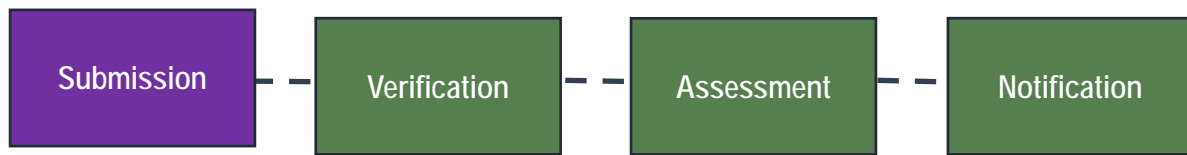
Submission: The application to join the housing register or rent a pitch.

Verification: Confirming and investigating the evidence needed to assess the application

Assessment: Assessing eligibility, qualification, non – qualification, reduced preference, priority need

Notification: Formal notification of the outcome of the assessment of the application

4.2 Submission



The application to join the housing register is online via the market place which is located by following the link. **URL to be supplied**

The application can be submitted by one of the following:

- a) When you enter the market place website by clicking the link to the housing register, it will ask you for your name, date of birth and national insurance number and if we already hold an application for you it will advise you on what to do next. If not, it will take you to the electronic online form. You will be offered assistance via a web chat facility if you need it.
- b) Or an application may be submitted as part of your advice session which you will be offered if your navigation through the market place provides you with this option.
- c) Alternatively, if a prevention interview is needed, the application may be submitted here.
- d) If you are being referred by one of the agencies we work with, they will navigate the market place with you and as part of this they may assist you to submit an application if this is deemed one of your options.

Wherever you enter the allocations scheme system, you will be given a unique identification number. This is not an application (housing register) number which is only issued once we have assessed your application. The identification number will enable you to use the market place as an account. You will be asked to create this account when you log on for the first time. The account will hold a user name and password and these should be held by you to access the account. When an application form is submitted, we will match your identification number to the application. This prevents duplications.

The Allocations Scheme is supported by our Housing and Benefits Service. They are responsible for:

- Providing the advice via a web chat or in person
- Assisting you in navigation of the market place.
- Conduction prevention interviews.
- Agreeing stabilisation plans
- Processing the intended housing solutions including applications to join the housing register.

Once you have submitted your application and based on the sections of the form you have completed, the system will:

1. Acknowledge your submission with a date and time email.
2. Provide you with a statement of how your application will be processed.
3. Indicate the time needed to process your application.
4. Provide you with a list of evidence we need in order to verify your application. We usually need originals to be seen in one of our offices. You will be advised where to take the evidence.
5. Provide you with the average waiting times for the types of accommodation in the areas you have chosen.

4.2.1 Applicants without a fixed address.

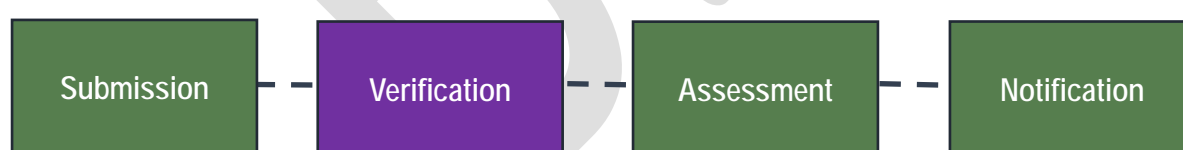
Applicants with no fixed address can request for correspondence about their application to be sent to the care of another address. If no other address is available, the Housing and Benefits Service will hold the correspondence and take reasonable steps to contact the applicant to inform them that correspondence needs to be sent to them and to agree a way of sharing the correspondence.

4.2.2 Joint Applicants

Joint applications will be accepted and will be treated as one application. The housing need of the full household will be considered in assessing housing need. Joint tenancies are normally granted where applicants have a long-term commitment e.g. married and unmarried couples, civil partners but this decision is down to the individual partner landlord who will decide whether to allow a joint tenancy in accordance with their own rules.

Carers cannot be a joint applicant unless they are already a member of the permanent household and are providing a carer role in addition to their prior and existing relationship with the applicant.

4.3 Verification



Verification requires the production of information to support the priority needs of the applicant or a member of their household and an investigation into its authenticity. Information will be required as follows:

- a) At the point of submission in order to make the initial assessment.
- b) At the point of a review to affirm the assessment.
- c) At the point of a change of circumstances to make a reassessment.
- d) At the point of offer of accommodation if either the last review was over 12 months or confirmation of new circumstances comes to light.

It is Broadland District Council's responsibility to ensure an application is verified before an allocation is made. It is the applicant's responsibility to provide the information required by the date indicated and to cooperate fully with the investigation.

Where proof cannot be supplied; the reasons will be determined, and a decision must be made by a senior officer on whether the application can be processed.

4.3.1 Proof Required

For every person on the application we must normally see at least two of the following forms of proof of identity - one of which must be a photo ID, and proof of where they currently live and previously lived:

- full birth certificate
- medical card
- marriage certificate
- driving licence
- national insurance card
- Passport.

In order to assess whether the qualification rules are met and to undertake the assessment the applicant will also be asked to provide independent documentary proof of the following:

- relationship to and between all those named on the application
- immigration status
- the property you currently live in – where, the occupation status and how long
- previous property details and reasons for moving
- if you have a local connection with the Local Authority area
- salary levels, proof of income e.g. pay slips, P60
- formal evidence proving separation and relationship breakdown
- main bank account into which benefits, or salary is paid
- details of savings held including stocks and shares
- title deeds of any properties owned and/or mortgage details
- school letters
- utility bills
- proof of benefits including proof of receipt of child benefits
- residence order
- other relevant court orders
- evidence of medical conditions and how it is impacted by your housing
- evidence of mobility or physical disability and how it is impacted by your housing
- MATB1 as evidence of a pregnancy
- Notice to Quit where notice has been served
- evidence to support welfare or social reasons for moving
- evidence of unspent criminal convictions (a Disclosure and Barring Service (DBS) or police check may be subsequently).

This list is not exhaustive, and alternatives may be requested. In the case of mobility or physical disability, the Councils will use Occupational Therapists to make an assessment where required.

4.3.2 Household Splits

Where children live with one person, but another person has access where they stay with them some of the time, and in the absence of a Residence Order from the courts, a combination of this evidence must be provided which determines the length of time spent with the main carer. i.e. their habitual residence. Children cannot usually appear on more than one application.

4.3.3 False information

The application form states that under the Housing Act 1996 and Homelessness Act 2002, it is a criminal offence for anyone to knowingly give false information or to withhold relevant information if reasonably required to give it, on any matter regarding the allocation of housing. In addition, applicants will be advised that should an applicant be successful in obtaining a tenancy from one of the partner landlords by knowingly or recklessly making a false statement then the landlord would seek possession of the property and may result in prosecution leading to a fine and/or imprisonment.

4.4 Assessment



4.4.1 Assessment of housing need

All applicants who are eligible and qualify to join the Housing Register will be assessed for housing need. The law requires that reasonable preference for an allocation must be made in the following cases:

- a) People who are homeless within the meaning of Part 7 of the Housing Act 1996 as amended by the Homelessness Reduction Act. **See 4.4.2**
- b) People who are owed a duty by a housing authority under relevant housing and homelessness legislation.
- c) People occupying unsanitary (unhealthy) or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- d) People who need to move on medical or welfare grounds, including grounds relating to a disability.
- e) People who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or others).
- f) Broadland District Council prioritises local housing for local people and will give additional preference to local connection specifically in relation to:
 - Properties built under a s106 agreement
 - Local lettings plans
 - Rural lettings schemes
- g) Additional preference is given under the Armed Forces Covenant. **See Part 3.**
- h) Additional preference may be given to certain groups of people in order to meet local and priority need.

Applicants are placed in the Broadland District banded priority award suitable for their circumstances.

4.4.2 Homeless Assessment

Applicants presenting as homeless within the meaning of Part 7 of the Housing Act 1996 as amended by the Homelessness Reduction Act will be subject to a homeless assessment to assess the following:

- a) Whether homeless prevention measures can keep the applicant in their home.
- b) Whether the applicant is going to become homeless in the next 12 weeks.

- c) Whether the applicant is already homeless and is owed a relief duty.
- d) Whether the applicant is intentionally homeless and thereby is owed a reduced preference.
- e) Whether a Safe Surrender Agreement prior to tenancy surrender prevented imminent homelessness.

Broadland District Council will use a toolkit to undertake the homeless assessment. They will then be placed in the relevant priority band. We use a toolkit to assess and interview homeless cases. If they are assessed as being owed a relief duty, we use a Temporary Accommodation Operational Manual to process the application further,

See associated document: Homeless (Part 7) Case Assessment and Interview Toolkit

See associated document: Temporary Accommodation Operation Manual

4.4.3 Temporary Suspension of Bidding

Applicant who have failed to qualify and are subsequently reassessed so that they now qualify will be treated as reduced preference. If you have reduced preference it means that you will be awarded the correct priority band for your circumstances, but your allocation will be held for the agreed period of time to enable stabilisation. This allows the applicant to demonstrate their ability to meet tenancy conditions in the future.

This will be achieved by:

Inactive to Bid:

The application is made inactive. There is a period of stabilisation which allows the applicant to improve their tenancy management skills and increase the probability of tenancy sustainment.

We do not operate a reduced preference band, as this still allows a reduced preference applicant to receive an offer of accommodation. If they have failed to address the behaviour that led to their reduced preference award, they are a high risk of tenancy failure and this is not in keeping with the Accommodation Pathway Model.

Likewise, we do not allow them to bid and then bypass them for selection. This is not in keeping with a fair and transparent policy.

4.4.4 Transfer assessments

Social tenant applications (transfers) with a local connection will be accepted and assessed in accordance the following being met:

- a) Eligibility
- b) Qualification
- c) Housing need

Broadland District Council transferred their stock to a partner landlords operational in the area under a stock transfer agreement which preserves the rights of tenants to transfer using the Housing Register. This has been further expanded to allow all partner landlord tenants with a local connection to utilise the Housing Register to effect transfers.

4.4.5 Child of Tenant

This is a scheme which rehouses adult children within a household with the aim of alleviating overcrowding while allowing the family as a whole to remain in their community.

Specific Criteria:

- ❖ It would apply where the main household has already got an overcrowded priority.
- ❖ 18 years olds+ could potentially be given their own allocation subject to an application being submitted to be considered as a single person.
- ❖ The application of the 18 year-old+ would reflect the overcrowding priority award of the main household.
- ❖ It is subject to the agreement of the 18-year-old+ and parent/guardian.
- ❖ It must alleviate the overcrowding by at least one bedroom.
- ❖ The main household and child's application would be linked so that when the child is allocated, the main application is flagged for review. If overcrowding is the only priority and this has been fully alleviated, then the main application will be treated as rehoused and the application closed.
- ❖ If the main household has another priority need besides the overcrowding it will be reassessed as a change of circumstance.
- ❖ The 18-year-old+ must be deemed as ready to move and able to afford the property and sustain their tenancy.

4.4.6 Priority on Health Grounds

Priority on health or disability grounds will only be awarded after an assessment if someone in the household has a severe long-term limiting illness, or a permanent and substantial disability AND their health or quality of life is severely affected by the home they live in.

A priority medical award is not given on the basis of the medical condition or disability alone but upon the effect the housing circumstances are having on a long term and serious medical condition or disability. We will also consider if where you live now can be reasonably adapted to meet your needs. It may also be that there are combinations of serious health or disability concerns that mean that the health or quality of life of a household is being severely affected.

The Housing and Benefits Service will undertake the assessments and may ask qualified health advisers for advice and/or recommendations in relation to the condition and the impact their housing is having on that condition or that of the household. Occupational Therapists are usually used to assess housing requirements for mobility and physical disability cases. Any evidence you supply will be considered fully and further evidence may be requested.

Other recommendations that can be made on health grounds such as:

- a) The type of property that is most suitable and essential on health grounds. This can include access, space, location, or access to a garden.
- b) When a property with one of these features is advertised, preference for it may be given to applicants where a recommendation by health advisors has been accepted.
- c) Use of a garden for safe supervised outdoor play area by a child under 18 in your household with one of the following:
 - a permanent and substantial physical disability
 - severe long-term limiting illness
 - the severest forms of learning disabilities

- the severest forms of behaviour problems.
- d) Use of a garden for an adult in the following circumstances:
 - if they have a cognitive impairment that means they do not sense danger
 - at risk of wandering and so need constant supervision
- e) A garden may be recommended if:
 - if they have a severe, permanent and substantial disability or severe long-term limiting illness
 - limiting illness and caring for children is causing concern such that their continued residence is at risk
 - stress of caring for them is exacerbating the health problems
 - they have a sensory impairment and/or a guide dog and they live alone or only with others with disabilities.
- f) Extra space may be recommended if:
 - you, or someone in your household, has either a permanent and substantial disability, or a severe long term limiting illness, or the severest form of learning disabilities or behaviour problems and it is unreasonable for you to share a bedroom as it would seriously affect the sleep of those you would normally share with, to the severe detriment of their or your health
 - you are having health treatment at home that needs large machinery or a stock of health supplies to be stored e.g. you are having renal dialysis at home
 - you need a full-time Carer to provide support night and day
 - you have a permanent and substantial disability or long-term limiting illness or severe learning disability and need additional space for specialist equipment
 - you have a severe long-term limiting illness and sharing a bedroom will exacerbate your health problems e.g. you have an immune deficiency.
- g) Ground floor or category A or B wheelchair accessible on health/ disability grounds
- h) An additional recommendation that can be made is that an applicant must have ground floor on health or disability grounds or must have a ground floor property that is wheelchair accessible category A or B. This may be recommended if you have a permanent and substantial disability or severe long- term limiting illness that means that your mobility or exercise tolerance is so severely restricted you cannot safely manage any stairs.

4.4.7 Care Leavers

Young people in local authority care will work with the Council to navigate the Accommodation Pathway Model. They will enter the Market Place with the assistance of social services to set up an accommodation plan. All the tenancy preparation and support measures they required to sustain a tenancy will be explored together with the possible housing solutions. Once they are stable and ready to move their application will be activated. This will be no sooner than 6 months before they reach 18 years old. This will be done jointly with the Housing and Benefits Service and social services. It is usual for applicants coming through this route to be vulnerable and therefore it is especially important to get the assessment right. For their eligibility and qualification. **See Part 3**

4.4.8 Move On

Applicants in supported housing with a specialist provider will work with the Council to navigate the Accommodation Pathway Model. They will enter the Market Place with the assistance of their specialist provider to set up an accommodation plan. All the tenancy preparation and support measures they required to sustain a tenancy will be explored together with the possible housing solutions. Once they are stable and ready to move their application will be activated. This will be done jointly with the Housing and Benefits Service and the specialist provider. It is usual for applicants coming through this route to be vulnerable and therefore it is especially important to get the assessment right. For their eligibility and qualification. **See Part 3**

4.4.9 Elected Members or Employees and Close Relatives

Elected Members: The application will be assessed by a relevant manager of the Council. The award of priority (housing need band) must be authorised by the Council's Chief Executive Officer.

Current or Former Employees: The application will be assessed by a relevant manager of the Council. The award of priority (housing need band) must be authorised by the Council's Director with the responsibility for Housing.

4.4.10 Pitches for Gypsies and Travellers

Applications for these pitches are through the same route as applicants for Housing Register. A landlord reference is required. If it is their first pitch application and they have no reference, they will need to provide a guarantor, usually an existing pitch holder with a good record. They are assessed and awarded a priority need band. There may be an additional assessment of any site-specific factors. The assessments will be in accordance with Gypsy and Traveller Site Management Good Practice Guide (Published by Communities and Local Government July 2009) and will include consideration of the balance and mix in the community, therefore prioritising the long-term cohesion of the site.

Specific Considerations:

- a) Extra support with the process is offered to applicants where it is needed.
- b) The pitches are not advertised on the website and these are covered as direct lets. **See Part 5**
- c) A degree of limited discretion in allocating pitches is required and should not be automatically bound to the household with the highest priority. The Councils will have the discretion to offer pitches other than the one applied for to prevent the household residing on an unauthorised encampment.
- d) Sites are often occupied by extended family groups and this can help to ensure good community relations on the site. In some exceptional circumstances the Councils may, in consultation with the site manager, want to take account of factors which a pitch allocation may have in adversely affecting the suitability of the site as a social unit.
- e) If as a result of an assessment of their application, the landlord has good reason to be concerned about the risk of conflict with existing residents, they should take up this issue with the applicant, and carry out a risk assessment. Refusal to allocate a pitch must be based on the merits of the application, without undue influence from those already on a site.

- f) The landlord will confirm the landlord reference with the applicant.
- g) The landlord reserves the right to withdraw any offer which may have been granted on the basis of incorrect information.

4.4.11 Housing Priority Bands

Each application will be assessed to determine the level of housing need of the household and placed into one of four bands:

Band	Priority Need
Band 1 Urgent	People with an urgent medical need inc. hospital discharge
	People with an urgent need for an adapted property
	If your home has been destroyed by a disaster
	Homeless and fleeing/threat of violence (with or without local connection)
	s193 Duty and in TA/s189 Relief Duty
	Witness Protection
Band 2	Threatened with Homelessness (next 12 weeks)
	High Medical Need
	High Welfare
	Current tenant in an adapted property they no longer need
	Current tenant willing to take a smaller property
	Disrepair/Unsafe Home/lacking essential amenities
	Overcrowded by 2 or more bedrooms (affordability test)
	Someone needing an adapted property
Band 3	Care Leavers
	Threatened with Homelessness (next 12 weeks)(no priority need)
	Medium Medical Need
	Medium Welfare Need
	Lack of Amenities
	Overcrowded by 1 or more bedrooms
	Tenant under-occupying by 1 or more bedroom (affordability test)
	Move On
	Have a need to move to the Broadland area where failure to meet that need would cause hardship to themselves or others.
Band 4	Intentionally Homeless

Band	Priority Need
	s193 Duty (not ready to move)
	TA (assessment in progress)
	Meet eligibility/qualification
	No Housing Priority Need

Band Considerations:

Cumulative Need: We do not operate a banded system with cumulative need. If you have more than one priority need (reasonable preference allocation). We will use your highest priority to place you in the correct band.

Time Waited: You will be placed in the priority band in effective band date order. Those who waited the longest will be the highest in the list. **See 4.4.12** to see how we determine your effective band date.

Suspension of Bidding: We do not operate a lower band for reduced preference. Instead we manage this within the administration of the housing register and bidding process. In this way we promote good tenant behaviour and sustainable tenancies. **See 4.4.3**

Adequately Housed: **You will be in band 4. If you are adequately housed. You will still get the benefit of any S.106 PROPERTIES, AND ANY TRANSFERS THAT BECOME AVAILABLE.**

4.4.12 Determination of Effective Band Date

In order to determine your effective band date, and provided there is no delay in providing the information required within the time stipulated, we use the following:

- ❖ Your first assessment, we will use the date you submitted your application
- ❖ If you have a change of circumstances and your priority need changes and you go up a band, we will use the date your new priority was awarded.
- ❖ If you have a change of circumstances and your priority need changes and you go down a band, we will use the same effective band date you had in your original band.
- ❖ An assessment and award of priority cannot take place without the supporting evidence. If you fail to provide this at the point of submission or the date you advised us of the change of circumstances, we will use the assessment date as the effective band date.
- ❖ If you are statutory homeless, the effective band date will be the date we accepted a statutory duty under the homeless legislation.
- ❖ In the unlikely event more than one applicant bids for the same property and they have the same effective band date, we will consider the type of priority awarded and the urgency of the priority to determine who will be allocated the property.

4.4.13 Household Type and Property Size Allowed

The legislation states in order to allocate a property we must ensure all of the following:

- The size of the property must be suitable for the household need
- Landlords must make best use of their stock
- The property must be affordable for the applicant it is allocated to
- It should be possible for the applicant to sustain their tenancy if the property is allocated
- The household's circumstances must be fully considered
- The property is allocated in accordance with the Broadland District Council Allocations Scheme.

The table below shows how we allocate property size. For further clarification and definition of the room and space standards. **See Appendix 2: Allocation by Bedsize**

Household Type	Property Size	Conditions
Single Person	Any 1 bed property or 2 bed above ground Floor	2 beds will only be allocated where a property is deemed hard to let. It is allocated subject to affordability and sustainability.
Couple	Any 1 bed property or 2 bed above ground Floor	2 beds will only be allocated where a property is deemed hard to let. It is allocated subject to affordability and sustainability.
Carer	A bedroom will be allocated if the carer needs to reside in the property and is not already part of the permanent household	Subject to an agreed medical need for a Carer. Evidence of Housing Benefit and/or Disability Living Allowance will need to be at enhanced levels. Young carers treated as if they are 16+
Medical	A bedroom will be allocated if recommended as part of the medical need	Subject to an agreed medical need where the extra room may be needed to accommodate large equipment or there are serious mobility issues.
Child Residency	A bedroom will be allocated for a child resides as part of the household 4 nights per week or more and we have evidence they are part of the applicants household	Subject to evidence such as Child Benefit and/or Custody Order. We will not allow the same children on more than one application.
Unborn Child	Provision will be made for an unborn child provided we have evidence	Subject to evidence of a MATB1 issued by NHS confirming the pregnancy. The unborn child will be treated as same sex. The overcrowding priority will not be awarded until the child is born and a birth certificate has been provided. The applicant will be able to bid without the

		overcrowding award. The date of birth will be used to determine the effective band date.
16+	Own Bedroom	The child is deemed in need of their own personal space.
Sex Separation	Children of the opposite sex will only be allocated their own bedroom when they are 10 years or older	This reflects the current benefits position.
Students	Living away from home will not be treated as part of the main household	Where a household normally includes a family member who currently lives away from home studying at college or university that family member may be considered part of the household for the duration of the initial course. This will usually be up to 3 years. Evidence of the end date of the course must be provided and a reassessment will be made following the end of the course. Post graduate study may not be covered by the above criteria. This ties in with Housing Benefit.
Under Occupation	Allow under occupation by 1 bedroom	This will only apply where a property is deemed hard to let and subject to affordability and sustainability.
Ground Floor	Ground floor units will be prioritised for medical need where possible but ultimately, we will make best use of stock.	We will advertise clearly to show how we allocate ground floor properties. We will seek to be fair to applicants and partner landlords. Some partner landlords may restrict upper floors when a household has children for safety reasons, and this will show in the advert.
Adapted	Adapted units will be prioritised for medical need applicants who require the specific adaptations in the property.	OT assessments will be used to assess the requirements of the household.

4.5 Notification



Once an application has been assessed the applicant will be notified in writing of the following:

- ❖ The band in which they have been assessed
- ❖ The size and type of property they qualify for

- ❖ How to access the Scheme Guide in order to bid for properties
- ❖ Their Housing Register number
- ❖ Their bidding reference number
- ❖ Their right of review of their band and property size/type eligibility
- ❖ Qualification under reduced preference where relevant, the conditions imposed and the reassessment process.

4.6 Cancellation of Applications

Applications will be cancelled for one or more of the following reasons:

- a) The applicant requests cancellation
- b) The applicant's circumstances change, and they are no longer eligible or no longer qualify
- c) The applicant has not responded to a review of their application within the 28 days requested.
- d) The applicant is found to have made a false or deliberately misleading statement, or to have withheld information in connection with their application.
- e) The applicant has not placed a bid for 12 months
- f) The applicant has not responded to contact from the Council within the 28 days requested.
- g) The applicant has failed to provide the evidence required to assess their application.
- h) If cancelled, the applicant will need to review and update their accommodation option plan. A review via the market place will take place to enable this.

4.7 Change in circumstances

A change in circumstances must be notified to the Council immediately together with any supporting evidence. Failure to do this could result in an applicant not being considered for a property. This is because priority is based on the applicant's current situation. A change in circumstances will mean that an application has to be reassessed.

4.8 Deliberate or worsening circumstances

Where there is evidence that an applicant has knowingly and deliberately made their housing situation worse in order to gain a higher priority on the register, the assessment of their priority need will be based on the circumstances before their situation changed through their actions to deliberately worsen their circumstances.

Some of the examples are listed below:

- Applicants who have allowed family members or others to move into their property, who previously had suitable accommodation or the financial means to secure their own accommodation, and this has resulted in the property being overcrowded.
- Applicants who have moved from previously suitable or more suitable accommodation which it was reasonable for them to continue to occupy, into a less suitable property.
- Homeowners who have transferred their property to another family member within the last 5 years from the date they make their application to the Register.
- Applicants who have given up affordable and suitable private rented accommodation which they are able to maintain, to move in with other relatives or friends, creating a situation of overcrowding and/or sharing of bathroom/kitchen and/or a split household.

- Requesting or colluding with a landlord or family member to issue them with a Notice to Quit.

BDS

5.1 The Allocations Process

The Key Stages



Property Identification: Notification by the agent or partner landlord of a property that is available to let

Expression of Interest: The applicant either bidding or agreeing to view a direct offer

Letting: Offer, viewing, resulting the offer and lettings types

Tenancy Sustainment: Sign up and continued supervision of new tenancies with support

5.1.1 Blended Allocations

The Broadland District Council Allocations Scheme combines allocations by direct lets and choice-based lettings as a blended system. The majority of properties are advertised through the choice-based lettings system. Applicants have their own accounts and access the system via online. They are able to bid for a property. The list of bidders are shortlisted and the highest priority applicants is usually put through to the partner landlord who owns the property.

However, there are times when the properties are not advertised, instead they are matched direct to an applicant and the applicant is nominated to the partner landlord who owns the property. These are called direct lets and they are used to manage the most urgent or specialised cases.

Matching and Shortlisting will prioritise active cases. Where this is exhausted the inactive list will be used and selection is subject to:

- Satisfactory progress during a stabilisation period
- Tenancy failure is low risk
- Agreement by the partner landlord.

5.1.2 Predicting Properties

The Council will use information provided by the Allocations Scheme to predict the number, type and location of properties due for letting. This is undertaken on a strategic and operational level in order to meet the needs of the applicants the Scheme is designed to house.

Annual Lettings Plan:

Each year an annual lettings plan will be produced based on consultation with the Housing Enablement Team who are responsible for overseeing all the properties being built in the area. They will have expected handover

Supply and Demand Modelling:

dates which will be affirmed by the partner landlord who is building the properties. Based on averages in previous years it is also possible to predict how many properties already in management with the partner landlords will be expected to become empty (void). The plan is usually broken down into quarters and by partner landlord and then further as new build and relets. It should also be possible to assess whether they are specialist units such as Housing with Care, sheltered, adapted, or general use (general needs). Partner landlords will make properties available under agreement. In order to plan longer term, a supply and demand model is used to determine the types, size, numbers and locations where properties need to be developed. This is known as the supply. The demand is the number of applicants on the housing register and the type, size and location of the properties they need. The Housing and Benefits service will work with the Housing Enablement Team and the partner landlords to undertake this exercise. Ideally the model should aim to predict 3-5 years and longer if possible. The predictions are used by the housing developers to undertake scheme appraisals in the required areas.

5.2 Property Identification



When a partner landlord has a property that is available to let, they notify the Councils. Broadland District Council will monitor the number of properties they receive from each partner landlord and then determine whether they need to match it to an urgent applicant as a direct let or advertise it as a choice based letting. Each month end and quarter end, the totals will be reconciled against the predicted properties in the annual lettings plan and against the targets set for direct lets and choice-based lettings. There may be other targets which will also need to be factored into the allocation.

Therefore, the allocation of a property takes place on two levels:

- a) At letting type
- b) At applicant level

5.2.1 Direct Lets

Broadland District Council will make a direct let in the following situations:

- a) Where a property is needed urgently to deal with an emergency or to provide temporary accommodation for a homeless family.

- b) Where an allocation is required to ensure protection of the public, for example, following a decision made by a Multi-Agency Public Protection Panel meeting or to fulfil agreements made with offender management services, or where a customer has been referred as part of the witness protection scheme. These are usually referred to as sensitive lets. **See 5.2.8**
- c) Where a customer's home is being repaired and they need to be moved from the property on a temporary or permanent basis.
- d) Where the applicant has enjoyed an established occupancy of the property, has a reasonable expectation of a property of that type and would be a suitable tenant (e.g. former tenants of the property, non-secure or introductory tenants or carers or family members with no succession rights). A tenancy reference will be obtained to verify the decision.
- e) Homeless and in TA under s189B(2) relief duty or main duty – use of TA
- f) Urgent rehousing requirement: property, health, personal safety, discharge of homelessness duty the allocations needs to be undertaken quickly.
- g) Duty to house under s39 land compensation act 1973.
- h) Failure to bid.
- i) The applicant has exceeded the number of offers they are allowed, and their refusal has been deemed unreasonable.
- j) Adapted units.
- k) Vulnerable applicants where they would find bidding problematic.
- l) Pitches for Gypsies and Travellers.

If a direct let is needed for other reasons it requires the approval of the Allocation Scheme Panel will make the decision. **See Appendix 3: Terms of Reference for the Allocation Scheme Panel.**

5.2.2 Choice Based Lettings

The main method of allocation is via choice-based lettings and the majority of properties are advertised in order for applicants to be able to choose. There will be specific restrictions:

- Applicants can only bid for the property type and size they are allowed. **See 4.4.14**
- 80% of the properties advertised will be open for bidding by all applicants.
- 20% of the properties advertised will be targeted for social landlord tenant transfers only. **This will need to be reviewed if a CHR is introduced.**
- Targeted adverts for adapted units, those restricted under a local letting plan, rural letting scheme or s106 agreement.
- Applicants will be limited to 3 offers.
- Ensuring a balance between homeless applicants and other priority need with local demand in Band 1.

5.2.3 Advertising the Property

Properties identified for choice-based lettings are advertised online on the Allocation Scheme System for a period of 7 days from Wednesday to Tuesday. This is called an advert cycle. The 7th day is the closing date.

Alternative housing options such as private rented, shared ownership properties and other solutions do not have an advert cycle. They remain on the website at all times.

5.2.4 Rent Regimes

This should be clear in the advert and/or offer letter where it is a direct let. There may be 3 types:

Social Rented: Properties built before the affordable rent programme; the rent is calculated as a formula rent under the rent standard. Tenure types will be Starter and Assured tenancies.

Affordable Rented: Properties built under the affordable rent programme; the rent can be up to 80% of the local market rent value. Tenure types will be Starter and Affordable Assured with some of them being fixed term tenancies of between 3 and 5 years. This is determined by the partner landlord's tenancy policy.

Fair Rented: These are generally for tenancies issued prior to 1989 or stock transfer properties. They only apply to social landlord transfers currently on a secure or preserved secure tenancy. The rent is registered every 2 years with the Rent Officer Service. Tenants on secure tenancies may not be able to transfer their tenancy to an Affordable Rented property unless the advert specifically states you can. If you bid for it and accept it, you will be expected to surrender your secure tenancy and sign up on an affordable assured tenancy. This will be discussed with you at the time and you may wish to seek independent advice.

5.2.5 Property Descriptions

The advert or direct offer letter should contain a clear description of the property.

- a) Photographs
- b) Type (house, flat)
- c) Tenure (social rented, private rented, shared ownership)
- d) Number and max occupancy of bedrooms
- e) Location
- f) Level of accessibility for those with mobility issues/wheelchair users
- g) Services provided (sheltered housing scheme manager, caretaker)
- h) Heating type
- i) Age restrictions
- j) Whether pets are allowed
- k) Availability of outside space (garden etc.) and parking
- l) Rent and service charges (split weekly/monthly) and rent regime. **See 5.2.4**
- m) Special information (location of bus routes/ other amenities)
- n) Property size category (known as the PPGC code)
- o) Targeted advert for transfers only or if a local letting provision only
- p) Permission to under occupy.

5.2.6 Local Letting Provision

Sometimes local lettings agreements are agreed with Broadland District Council either for a new development or existing properties. The table below outlines the types of local letting provision operating within this Allocations Scheme. These are monitored annually and measured for their impact on the main Allocations Scheme.

Local Letting Provision	Description
Local Letting Policies	<p>Local Lettings Policies Section 167(2E) of the 1996 Housing Act enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they fall within the reasonable preference categories.</p> <p>Criteria in addition to the Allocation Scheme is considered when an allocation is made to a particular estate or community. They are used to achieve a wide variety of housing management and other housing policy objectives, and are usually developed where there is a wish to alter the balance of the community or ensure a balanced community at the stage where a new development is let.</p> <p>The partner landlord will gain approval from their own Board and the Allocations Scheme Panel. The planning department of the Councils will also be involved where the policy is being applied to a new development.</p> <p>The reason for its proposed introduction must be set out as follows:</p> <ul style="list-style-type: none"> ▪ the particular issue that is affecting the community that requires the Local Lettings Policy ▪ the area it would cover including the number and types of properties ▪ how long the policy will be in place ▪ what they hope to achieve by its introduction ▪ what the policy contains ▪ the impact on the main Allocations Scheme
Rural Lettings Schemes	<p>In areas which are officially defined as either villages or rural parish the rural lettings scheme may apply. The allocation will be made to the applicant with the highest priority, where there is equal priority, the allocation will be given to the applicant that demonstrates the greatest connection to the community which is assessed by:</p> <ul style="list-style-type: none"> ▪ how long the applicant has resided in the community ▪ how long the applicant has been employment in the community ▪ how long the applicant has been involved in voluntary work within the community
Section 106 Agreements	<p>Section 106 Agreement Letting Scheme Properties developed on sites that incorporate a Section 1064 agreement determining the allocation of housing on that site will be let in accordance with the terms of the agreement. Such agreements</p>

	<p>have been developed to ensure that secure mechanisms are in place to restrict the occupancy of the dwelling both on first occupation and in perpetuity to those who have a local community need for an affordable dwelling.</p> <p>The partner landlord will gain approval from their own Board, the Councils planning department and the Allocation Scheme Panel.</p>
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5.2.7 Hard to Lets

Some properties are harder to let because they are less attractive to applicants who will either refuse them or fail to bid for them. This could be a number of reasons including, location, floor level, age, condition. Broadland District Council will consult with the landlord and if it is deemed hard to let, then it may be made available to a wider pool of people on the Housing Register. This would include households that can afford to under occupy by one bedroom. If after 2 advert cycles this is still not let, it will be offered to South Norfolk Council. If the property is still not let, it may be offered to another Local Authority with permission from the partner landlord. Broadland District Council must ensure that it has been let to eligible applicants in priority need.

5.2.8 Sensitive Lets

Sensitive lets are rare and likely to be due to two main reasons:

1. Where we have to be careful with the applicant or a member of their household due a traumatic incident. We need to consider the location of the property or even the type of the property to ensure that the accommodation would not expose them to undue stress. In these cases, we will undertake a sensitive let as a direct offer.
2. Where the partner landlord informs us that a property has a management history which requires the careful selection of the next tenant to ensure harmony in the area where it is located. In these cases, we may have a targeted advert for transfers only as a choice-based letting or we will make a direct offer.

In both cases the priority order and time waited will be preserved. We will however be using additional selection criteria to manage the letting sensitively. Both types of cases must be presented to Allocations Scheme Panel for approval. If it is the applicant and their identity must be protected then, only the case specifics will be heard by the Panel.

5.2.9 Housing with Support or Extra Care

Some accommodation is designed specifically for older people or people who need a specific type of care or support. There is a charge in addition to the rent. The older people schemes are designed for those with a minimum age of 55 or 60. They may also have extra care provision. If the property is advertised as choice-based letting, the advert will be clear who can apply. Some schemes are not advertised and are subject to a direct let.

In exceptional circumstances, younger people may be considered for older people schemes, if they require support, and other types of accommodation are not suitable. This would be achieved through a direct let.

In both instances, the partner landlord will undertake a need and risk assessment of the applicant to ensure they meet the eligibility for the scheme.

5.3 Expressions of Interest



5.3.1 Bidding for Properties

Once an applicant has been assessed and provided there are no restrictions such as a reduced preference or they are not ready to move, they will be made active to bid and issued a choice based lettings scheme guide to help them use the system. This enables them to apply for an advertised property which meets the size and type they are permitted. They can bid for up to two properties a week, but they must do so before the closing date to be considered. The expression of interest is by bidding.

Bidding can be undertaken by:

- Phone
- Text
- Website

5.3.2 Assisted Bidding and Auto Bidding

Where someone is vulnerable or unable to bid for themselves and has no one to do it for them, we will allow you to register for assisted bidding. You provide us with your choices, and we do it for you. They placed using a function we call auto bidding. If you wish to change your choices, you need to contact us. We may need to reassess your application if your new choices do not match with your current priority need. The auto bids are like advance expressions of interest. You will need to be sure of choices so that the auto bidding system can bid for the type of home you are willing to accept.

5.3.3 Grouped Bids

In certain circumstances, properties that are advertised may be grouped into one single advertisement. This will include advertisements for new build properties and those properties made available following regeneration schemes, where properties will be grouped by property type and size. Schemes under 5 units will not be subjected to grouped bids. Where there are grouped advertisements, applicants who place one bid will be considered for all properties within the group.

5.3.4 Retrospective Bids

A retrospective bid request is a bid placed once the bidding cycle is closed. It is usually a request from an applicant, or their authorised representative, to include a new bid or withdraw an existing bid and replace it with another. It will only be considered if there was period during the bidding cycle where the bidding facility was unavailable for 30 minutes or more and the Housing and Benefits Service can confirm this. The Council places alerts on the system when the system is down and

invites retrospective bids where necessary. If allowed, a retrospective bid can only be placed by the Council no later the close of business on the day after the closing date. By placing such a bid, the applicant is not guaranteed an offer. The applicant will need to contact the service by phone or come in person. The Council will alert the partner landlord who owns the property, the shortlist will be suspended whilst this bid is processed and then the shortlist will be run again.

5.3.5 Shortlisting

When a closing date is reached for a choice based letting, the applicants who bid for the property will be shortlisted within 3 working days.

The shortlist will use the following parameters to prioritise:

- Broadland District Council local connection **See 3.2**
- Local letting provision **See 5.2.6**
- Targeted advert criteria **See 5.2.5**
- Reduced preference applicants who are inactive to bid should not appear on the list. **See 4.4.3**
- Bedsize and property type allowed **See 4.4.14**
- Adapted unit.

The successful applicant will be verified if they are to be selected for the property and it has not been done within the last month or the applicant shows an outstanding issue. The property must be deemed suitable to the needs of the applicant and there must be agreement by the partner landlord.

If an applicant has to be bypassed because there are circumstances which mean they do not suit the property or cannot be selected, a bypass reason must be put in the system. This is mandatory and ensures the decisions are fair and transparent. This will be preserved on the applicants offer history.

Typical bypass reasons are:

- Bid was placed before a change of circumstance was requested
- Failed tenancy reference – arrears
- Failed tenancy reference – ASB
- Failed tenancy reference – other
- Unable to afford
- Matching incorrect – review application
- Unable to contact using 2 different methods and making 3 attempts

If a shortlist is exhausted and it is not possible to select an applicant, the list may be run again to check there are no further applicants who have been missed.

Where it has not been possible to select an applicant, a matching exercise will be undertaken on applicants who are inactive to bid. If one of them matches, their stabilisation will be reviewed, and risk assessed. If the Council feels they could now sustain their tenancy and the partner landlord agrees; then they will be selected for a direct offer subject to conditions around tenancy sustainment.

5.3.6 Direct Offer

Where a property or an applicant has been identified for a direct offer **See 5.2.1** a matching exercise will be undertaken to ensure the property is suitable for the

applicant. It uses similar criteria to the shortlisting process undertaken for choice-based lettings. Officers will undertake the matching exercise in the Housing Register.

Once matched a list is generated. Bypass reasons are mandatory on a match list in the same way as they are for a shortlist. The successful applicant will be discussed with the partner landlord and following their agreement, an offer will be made. The expression of interest is by the applicant responding favourably to the offer.

5.4 Letting



5.4.1 Offer of Accommodation

All applicants selected for a property will receive a formal offer letter which serves two purposes:

- preserves the offer history whether they accept or refuse the property
- meets legal compliance

Broadland District Council will:

Formally notify the applicant they have been selected for a property either by shortlisting as a choice based letting or matching as a direct let. This will usually be accompanied with direct contact by email or phone. It should not completely replace it.

Partner Landlord will:

Formally offer the applicant the property; even if this has to be done retrospectively because of the quick turnaround of voids.

All formal contact around selection and offer is subject to the following:

- a) Applicants will usually be contacted within 3 working days of the closing date.
- b) It is the applicant's responsibility to keep the Council of current contact details.
- c) Applicants have up to two working days to respond.
- d) If they fail to contact or to express an interest if they do, the Council will go to the next applicant on the shortlist.
- e) Partner landlords will have their lettings procedures which will usually include an affordability check, a suitability assessment and a needs and risk assessment if they are providing specialist housing. Pitches for gypsies and travellers may be subject to further assessments. **See 4.4.11**
- f) The landlord has the final decision on whether they will accept the applicant for the property, however they are required to contact the Council before rejecting them to see if there are more measures that can be put in place to make the offer more suitable.

- g) Selection and an offer may be withdrawn if it is found that the information supplied by the applicant was either false or incorrect or they have had a change in circumstances.
- h) All offers are subject to viewing.
- i) Once the formal offer is made the status of the applicant on the Housing Register will show as 'Under Offer'.

5.4.2 Limited Offers

Broadland District Council has a limited offer policy:

- homeless single offer; penalty discharge of duty and no reapplication unless circumstances change
- management transfers unlimited; no penalty required
- all other 3 offers only; penalty suspension for 6 months which could have the added requirement of a reapplication and new application date. This drops them down the time waited queue.
- An offer is deemed to be reasonable if matches area, bedroom allocation, floor level, property type for household, criteria for medical award, takes into account young children, and is an average standard or repair or more. Where an offer is agreed as not reasonable it will be withdrawn and will not count as one of the limited offers.

5.4.3 Viewings

There is no obligation on the applicant to take a property unseen. The partner landlord will contact the applicant to arrange a viewing. They will send an Officer to attend the viewing with the applicant. Following the viewing the applicant will be expected to either accept or refuse the property. If they refuse, they will be referred back to the Council and another applicant known as a nomination will be requested. If the partner landlord pulled the shortlist themselves, they will go to the next suitable applicant on the shortlist and repeat the offer process until the property is accepted. If it proves hard to let. **See 5.2.7**

There are three types of viewing:

Single Viewing:

One applicant views the property at any one time. This will be used primarily for sensitive lets.

Multiple Viewing:

More than one applicant will view at the same time. All the applicants will be verified. Only the top applicant if offered formally. The remainder are given viewing letters only. If the top one refuses, the next one is formally offered etc. Any who failed to get a formal offer will be withdrawn. There are no penalties for having it withdrawn in this situation.

Accompanied Viewing:

This may be single or multiple. The applicant is accompanied by either an advocate, a Support Worker, a Homeless Officer or an Occupational Therapist. It is usually offered where the applicant is likely to need extra assistance

around the viewing in respect of vulnerability, mobility need, and navigation around their rights under the homeless duty.

5.4.4 Resulting the Offer

Recording the outcome of the viewing/offer is called resulting the offer. It is mandatory in order to preserve the offer history and property history. It also serves to allow management of the Councils and partner landlord partnership arrangement.

The partner landlord will obtain a formal record of the outcome. The table below outlines each type of result and the ensuing action.

Outcome	Action Required	Applicant Status
Withdrawn - multiple viewing	<ul style="list-style-type: none">No penaltyAutomatic system function	<ul style="list-style-type: none">Offer history preserved
Withdrawn - other	<ul style="list-style-type: none">Partner landlord refuses applicantCouncils withdrawHousing register review initiated. See 6.3.1	<ul style="list-style-type: none">Offer history preservedHousing Register review with review periodMay require an investigation.Under review and inactive to bid allow a review and/or investigation to take place

Accepted	<ul style="list-style-type: none"> ▪ Acceptance recorded ▪ Provisional tenancy start dated recorded ▪ Monitored for sign up 	<ul style="list-style-type: none"> ▪ Offer history preserved ▪ Status changes to accepted ▪ Inactive to bid
Refused – homeless	<ul style="list-style-type: none"> ▪ Refusal recorded ▪ Limited Offer maintenance See 5.4.2 ▪ Statutory review initiated See 6.3.2 	<ul style="list-style-type: none"> ▪ Offer history preserved ▪ Statutory review with a review period ▪ Under statutory review and inactive to bid ▪ The review will pick up changes in circumstances and penalties as a result of a single offer.
Refused – other	<ul style="list-style-type: none"> ▪ Refusal recorded ▪ Limited Offer maintenance See 5.4.2 ▪ Exceed limited offer penalty evoked ▪ Change of circumstances. 	<ul style="list-style-type: none"> ▪ Offer history preserved ▪ Change of circumstance prompts a Housing Register review with review period ▪ Number of offers remaining ▪ Penalty action if limited offers exceeded

5.4.5 Publicising Lettings

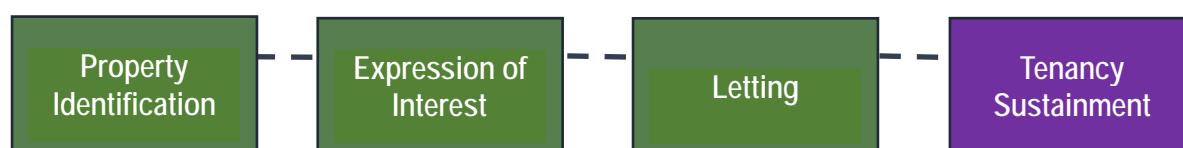
Our performance around lettings is publicised:

- **Annually;**
 - **Quarterly;**
 - **Weekly;**
- will show:

on the property page of the choice-based lettings system we

- ❖ Areas where properties were let
- ❖ Number of bids each property had
- ❖ Band and effective band date of the successful applicant came from for each property
- ❖ No personal information will be disclosed

5.5 Tenancy Sustainment



Our Accommodation Pathway Model ensures that anyone who approaches us for housing, or a housing related matter will be sent through the key stages of:

- Marketplace
- Prevention
- Stabilisation
- Resolution

The Allocations Scheme is designed to sort our longer-term solutions for people, and this means making it possible for them to stay in the home of their choice and one that meets their need. We therefore ensure that at each of the key stages of the model we will do everything practically possible to promote tenancy sustainment.

The table below describes the tenancy sustainment measures that are/could be adopted in order to achieve tenancy sustainment.

Marketplace	<ul style="list-style-type: none">▪ Accommodation Option Plan is designed for the household▪ Affordability and household size will be considered▪ Specific health needs will be considered▪ Age will be considered▪ Support and care needs will be considered▪ Previous tenant history will be considered▪ Professional reports will be considered
Prevention	<ul style="list-style-type: none">▪ Each case presenting in high priority need will be assessed to see if there is prevention solution with the provider of their existing home▪ Support and care assessment will be undertaken to see if more or different is needed▪ Living skills will be promoted to allow tenancy management learning▪ Families will be prioritised alongside single people if they are reaching crisis point▪ Referring agents will be required to undertake a hands-on approach▪ Safe Surrender Agreements put in place before a failing tenancy is surrendered. See 3.6

Stabilisation	<ul style="list-style-type: none"> ▪ Discharge of duty will only take place if the applicant is completely unwilling to engage in the previous key stages of the model ▪ All temporary solutions will be quantified and qualified in order to set a tenancy sustainment standard and promote learning ▪ People who are not ready to live independently will undertake a period of stabilisation to see if this will remedy the situation. They will not be able to bid for social housing during this time. ▪ Support and skills will be introduced to promote learning and redressing of any negative tenancy behaviour ▪ Reduced preference cases will be subject to a mandatory period of stabilisation to ensure they address the behaviour which resulted in the assignment of preference assignment. They will be unable to bid for social housing and may not qualify for other housing options either as private landlords will have similar requirements to partner landlords. ▪ The existence of a Safe Surrender Agreements prior to tenancy failure, shows the applicant is prepared to take responsibility and negotiate stability prior to surrendering the tenancy. It allows the Councils to assess their application with this in mind and will likely allow them to qualify without the need of reduced preference. This in turn enables the current priority need, to be addressed much earlier and factored into the Accommodations Options Plan. See 3.6
Resolution	<ul style="list-style-type: none"> ▪ All types of housing solutions will be considered with recourse to tenancy sustainment implications ▪ Partner landlord and other housing providers within the partnership will be required to work with the Council to provide a hand holding period for applicants who have support and care identified and require longer to settle in. During this time, their application will remain open but suspended subject to a satisfactory assessment with input from the applicant themselves and any agencies involved. If the assessment is successful and they are managing their tenancy effectively, their application will be closed retrospectively. The tenancy start date will be used as the closure date to ensure performance is not penalised. ▪ Applicants being referred to the rent deposit schemes, and other such private housing options may experience a longer period of stabilisation as private landlords are less likely to be partners. ▪ The partner landlords usually have a tenancy support or sustainment service which will support the new tenancy and this should be flagged as a requirement for all applicants who have undergone a mandatory stabilisation period and for those who are already identified with support and care provision. ▪ The Council and the partner landlords will have the final decision in whether to accept a level of risk in relation to tenancy sustainment with an applicant. ▪ The Council and the partner landlords will seek to provide a guarantee where practically possible with applicants which meet the threshold of high risk.

5.6 Decisions

The administration of the Allocations Scheme requires Broadland District Council to make key decisions in relation to an application to join the Housing Register.

- a) The decision that confirms or denies your eligibility to join. **See Part 3**
- b) The decision that confirms or denies your qualification. **See Part 4**
- c) The decision that awards your priority housing need. **See Part 4**
- d) The decision to reassess your application as reduced preference. **See Part 3**
- e) The decision to reassess your priority housing need following a change of circumstance. **See Part 4**
- f) The decision to cancel your application. **See Part 4**
- g) The decision to deny your review. **See Part 6**
- h) The decision that deems your refusal of a property as unreasonable. **See part 5**
- i) The decisions to refuse a duty under the homeless legislation. **See Part 4**

If you disagree with a decision in relation to your application, you have the right to request a review. In order to ensure you are heard by the correct officer, it is important to understand the following:

- ❖ If you provide evidence that you did not provide for your assessment. ***This is a change in circumstance. See 4.7***
- ❖ If you think we failed to follow our policy or stated process, or you simply feel we could have handled your application better. ***This is a complaint. See 6.2***
- ❖ If you disagree with a homeless decision under Part 7 of the legislation. ***This is a statutory right of review.***
- ❖ If you disagree with your priority award under Part 6 of the legislation. ***This is a statutory right of review.***
- ❖ If you have completed a period of stabilisation on reduced preference. ***This is a housing register review.***
- ❖ If you take legal action and the judge agrees with you and directs the Councils accordingly. ***This is a judicial review***
- ❖ If you are unsatisfied with the outcome of your right of review. ***You may appeal.***

5.7 Complaints

If an applicant is dissatisfied with any aspect of the management of their application, other than where a review can be made, they should follow the Council's published complaints procedure, available on the Council's website at **URL to be supplied** or on request.

If a complainant is not satisfied with the action the Council takes, they can send a written complaint to the Local Government Ombudsman who can be contacted at:

Local Government Ombudsman
PO Box 4771
Coventry CV4 0EH
Tel: 0300 061 0614
Website: www.lgo.org.uk

If an applicant wishes to make a complaint against a partner landlord, they should contact:

Housing Ombudsman Service
Exchange Tower
Harbour Exchange Square
London
Tel: 0300 111 3000
E mail: info@housing-ombudsman.org.uk

5.8 Reviews

There are several types of reviews:

Housing Register Review	This review is initiated by the Council in order to maintain applications on the housing register.
Statutory Right of Review	This is the right of review requested by the applicants because of a decision made in relation to their application.
Judicial Review	This a review undertaken by the Courts because something has come to light in a case where legal action has been taken.

5.8.1 Housing Register Review

Broadland District Council undertakes the current Housing Register reviews:

Band 1 Reviews:	These applications will be reviewed every 4 weeks. This ties in with homeless prevention and relief duties. These are critical cases and should not retain the highest level of priority indefinitely as factors in relation their circumstances usually change rapidly.
All other bands:	These applications will be reviewed every 12 months. Good practice dictates these are undertaken annually in order to maintain the accuracy of the Housing Register.
Spontaneous Reviews:	These arise from time to time as a result of being alerted either by an allocation or because we have been contacted by another agency in relation to the application.
Reassessment Reviews:	Applicants on reduced preference who have completed a period of stabilisation in relation to their behaviour will have a review when it ends in order to assess their ability to sustain a tenancy. If they have failed, they may no longer qualify. If they succeed, they will qualify, and action will be taken to allow them to bid in the awarded band.

In order to undertake Housing Register reviews, we will:

- a) Set the correct review period on their initial assessment and all subsequent reassessments.
- b) Our Allocations Scheme will flag the application on its review date.
- c) This will be assigned to an Officer to review.
- d) They will write to the applicant or contact them by their preferred method to confirm if their circumstances remain the same.
- e) The applicant has 21 days to respond.
- f) If they fail to respond their application is cancelled.
- g) If they confirm the circumstances remain the same, the correct review period is reset.
- h) If their circumstances have changed, they will be asked to provide the evidence and their application is reassessed as a change in circumstances. Their new review period is set following the reassessment.
- i) With reassessment reviews for reduced preference applicants, a tenant reference will be obtained from their current landlord in relation to their behaviour during their stabilisation period. References from other agencies may also be obtained if the reason for their reduced preference is not tenancy related. If the reference is favourable, they will be made active to bid and this will be confirmed in writing. If they have failed their reduced preference will be removed and they will no longer qualify to be on the Housing Register and their application will be cancelled.

5.8.2 Statutory Right of Review

If you are not satisfied with a decision you may request a statutory right of review which would cover:

- The information we used to make the decision
- Whether the information was fully considered
- The reason for the decision
- The decision itself.

The following steps should take place for a Statutory Right of Review:

- a) The applicant or their representative should make the request within 21 days of the decision preferably in writing. The request should state why they disagree with the decision and if necessary, provide the necessary information they felt should have been considered.
- b) The request will be logged and acknowledged. It will state how long the review will take. The reviews will be carried out within 28 days of the request being received. If more time is required, an extension will be requested with the applicant.
- c) The review will be assigned to a senior Officer who did not make the original decision.
- d) If the information was not previously provided for the original decision, the review will be closed, and the applicant will be advised in writing that this now being treated as a change in circumstances.
- e) If the senior Officer feels that the applicant is correct or partially correct the outcome will be to uphold the review and the application will be reassessed.
- f) If the senior Officer feels the original decision is correct, they will deny the review and the original decision stands.
- g) The review outcomes will be recorded.
- h) The applicant will be advised in writing within 14 days of the decision.
- i) If the review needs more time, the applicant will be advised in writing that an extension is required.

- j) If the applicant is still not satisfied, they may appeal the decision. **See 6.4**

5.8.3 Judicial Review

Where an individual or organisation feels the Council's Allocations Scheme is unfairly prejudicial or their case has been dealt with a prejudicial manner, they may wish to take legal action. They should seek independent advice before doing so.

The case will be heard in Court before a judge. Both sides will appoint counsel. If the judge decides the case against the Council to be partly or fully substantiated, the Council will be formally advised of the verdict and will need to respond through their counsel. The result may be an alteration to the Allocations Scheme and/or a reassessment of the applicant's case. These are termed judicial reviews.

5.9 Appeals

If you are not satisfied with the outcome of the statutory right of review, you may request an appeal. Appeals are heard by the Allocations Scheme Panel. Both sides get the chance to represent their point of view before the panel. The terms of reference for the Allocations Scheme Panel are detailed in **Appendix 3**

The following steps should take place for an Appeal:

- a) The applicant or their representative should make the request within 14 days of the review decision preferably in writing. The request should state why they disagree with the decision and if necessary, provide the necessary information they felt should have been considered. They should indicate whether they want an oral hearing i.e. appear before the Panel or have it heard by written submission.
- b) The request will be logged and acknowledged.
- c) The appeal will be assigned to a senior Officer who did not make any of the original decisions. Their role is to collate the papers and service the Panel.
- d) If the information was not previously provided for the original decision, the appeal will be closed, and the applicant will be advised in writing that this now being treated as a change in circumstances.
- e) The Officer will convene the Panel within 14 days of receiving the request. In exceptional situations a longer period may be agreed.
- f) Only 3 representatives of the Allocation Scheme Panel are needed to hear an appeal.
- g) The Panel will meet. In attendance will be the senior Officer. If an oral hearing was requested the applicant or their representative and a Council Officer from the Housing and Benefits Service will also attend.
- h) The Panel may feel that the applicant is correct or partially correct the outcome will be to uphold the appeal and the application will be reassessed.
- i) The Panel may feel that the original decision is correct they will deny the appeal and the original decision stands.
- j) The appeal outcomes will be recorded.
- k) The applicant will be advised in writing within 14 days of the Panel decision.
- l) If the applicant is still not satisfied, they may contact the ombudsman. **See 6.2.** Alternatively, they may seek independent advice.

Appendix 1: Lettings outside of the Allocation Scheme

Lettings where an allocation takes place which a tenancy or licence is created that are outside of the Broadland District Council Allocations Scheme include:

- a) **Introductory or probationary tenancies:** Where an introductory/probationary tenancy becomes a secure or assured tenancy
- b) **Family Intervention Tenancies:** Introduced by the Housing and Regeneration Act 2008, Family Intervention Tenancies are a form of residential tenancy without security of tenure. They may be offered by either a local housing authority or a registered provider to anyone who is a tenant of a secure (or assured) tenancy subject to a possession order on the grounds of anti-social Behaviour or domestic abuse or anyone who (if they had a secure or assured tenancy) could have had such a possession order made against them.
- c) **Succession:** Under S89 of the Housing Act 1985 (secure tenancies), under S133 (2) of the Housing Act 1996 (introductory tenancies) or under S90 of the Housing Act 1985 (fixed term tenancies).
- d) **Non-Secure tenancies or temporary accommodation:** Any accommodation that is provided to meet an interim duty under Part VII of the Housing Act 1996.
- e) **Temporary decants:** Secure or Introductory tenants of a local authority or assured or assured shorthold tenants of Registered Providers who need to be moved temporarily whilst major work is carried out on their home.
- f) **Demoted tenancies:** Following a successful application for a demotion order under sections 14 and 15 of the Anti-Social Behaviour Act 2003.
- g) **Mutual exchanges:** Between existing tenants under S92 of the Housing Act 1985 or under S158 of the Localism Act 2011.
- h) **Assignment:** To a person who would be qualified to succeed the tenant under S92 of the Housing Act 1985 (secure tenancies) or S134 Housing Act 1996 (introductory tenancies).
- i) **Conversion of an introductory tenancy:** to a secure tenancy under S125 Housing Act 1996).
- j) **Transfers of secure or introductory tenancies by a court order:** Made under certain provisions contained within matrimonial, family, children, and partnership legislation.
- k) **Land Compensation Act:** Allocation to a person entitled to rehousing under section 39 of the Land Compensation Act 1973.
- l) **Re - Purchased Homes:** Allocation to a person whose home is repurchased under sections 554 or 555 of the Housing Act 1985 (defective dwellings).
- m) **Transfers:** Within the same partner landlord (registered provider) stock, where the unit has not been made available to the Councils under current partner arrangements.

Appendix 2: Allocation by Bedsize

A bedroom is defined under the legislation and regulation as:



The Room Standard: The room standard is contravened when the number of persons sleeping in a dwelling and the number of rooms available as sleeping accommodation is such that two persons of opposite sexes who are not living together as partners must sleep in the same room. Children under the age of ten excluded from this definition. A room is available as sleeping accommodation if it is of a type normally used in the locality either as a bedroom or as a living room.

The Space Standard: The space standard is contravened when the number of persons sleeping in a dwelling is in excess of the permitted number, having regard to the number and floor area of the rooms of the dwelling available as sleeping accommodation. A child under the age of 1 year and a child aged 1 year or over but under ten shall be reckoned as one-half of a unit. A room is available as sleeping accommodation if it is of a type normally used in the locality either as a living room or as a bedroom.






















No account shall be taken for the purposes of either standard of a room having a floor area of less than 50 square feet.

Floor Area of Room (square feet)	Number of Persons
110 or more	2
90 or more but less than 110	1.5
70 or more but less than 90	1
50 or more but less than 70	0.5

This table below provides guidance on the size of home that different types of household can bid for on the Broadland District Council Choice Based Lettings website. Further information may be provided by the partner landlord on the website when a property is advertised. Use the key below to explain the symbols.

Key	
	Number of bedrooms allowed for this household type
	Number of bedrooms allowed for this household type, subject to the ages and sex of the children: <ul style="list-style-type: none">Two children under the age of 10 are usually expected to share a bedroomTwo children of the same sex are usually expected to share a bedroom until they are 16Once a child is 16 a separate bedroom is allowed
D	The Council will award the extra bedroom as a discretionary allowance, but it is subject to affordability and the ability to sustain their tenancy even if they are on benefits and subject to the bedroom tax.

*	Some partner landlords may only allow households with children to bid on houses
---	---

Household	Bedsit	1 bed	2 bed	3 bed	4 bed	5+bed
Single person			D	D		
2 Adults – Couple (inc.: same sex couples)			D	D		
2 Adults			 *	D		
1 Adult plus 1 Child				D		
1 Adult plus 2 Children						
1 Adult plus 3 Children						
1 Adult plus 4 or more Children						
Couple plus 1 Child				D		
Couple plus 2 Children						
Couple plus 3 Children						
Couple plus 4 or more Children						

Note: Households with access to children who do not live with them as part of the permanent household will only be able to bid for the property size they have been allocated as part of their priority award. **See 4.3.2 and 4.4.14**

Appendix 3: Terms of Reference: Allocations Scheme Panel

The role of the Allocations Scheme Panel is to:

- Approve a direct let for an applicant does not meet the criteria list in 5.2.1
- Approve a sensitive let requested by the Council in relation to an application or a partner landlord in relation to a property. Simple cases will be heard by 3 panel members via an online platform and the decision ratified at the next full panel meeting. Complex cases or cases where the decision will have a negative impact on the household will be heard by the full panel.
- Consider and approval Local Lettings Policies partner landlords may wish to introduce.
- Hear appeals where an applicant has exercised their right to a review, remains dissatisfied with the outcome and wishes to take it further.

The panel members are:

Housing and Benefits Managers (joint administrator responsibility)

Senior Officer, Saffron Housing Trust

Senior Officer, Clarion (Circle Wherry) Housing

Senior Officer, Cotman Housing Association

Senior Officer, Orbit Housing Association

Senior Officer, Flagship Housing Group

Senior Officer, Broadland Housing Association

A Panel is quorate with 3 or more members

A chair will be elected for appeal panels.

The Panel will process requests and appeals by ensuring the following:

- a) A member may present a request from their own organisation, but they must excuse themselves from the decision as a clear conflict of interest.
- b) A member can be part of the panel to hear an appeal if they were involved in the original decision.
- c) Requests and appeals must be submitted to Broadland District Council by email, however requests can also be made in writing or by telephone where appropriate.
email address to be supplied
- d) Submissions must be in the format of the proforma which can be download from the website. Housing Solutions Officers will support applicants to submit a proforma by the most appropriate means. **URL to be supplied**
- e) Panel members should have the papers for a request or appeal at least 5 working days prior to the meeting.
- f) The Panel must give due consideration and fair treatment in relation to:
 - The decision to have their appeal heard orally or by written submission
 - The appellant to be accompanied by one person to advocate on their behalf
 - Time for all parties to have sight of the papers in relation to a request or appeal
 - Necessary time for an investigation where necessary
 - Request for adjournments from the applicant if it is deemed reasonable
- g) Business discussed by the panel is confidential to panel members only. Named parties may request a copy of the decision. These will only be released at the discretion of the panel and with personal data other than the named parties redacted or removed.
- h) Approval requires a majority vote and the meeting to be quorate.
- i) The chair will be responsible for conveying the decision of a panel.
- j) The Panel decision is final.