



ROCHDALE
METROPOLITAN BOROUGH
COUNCIL

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ALLOCATIONS POLICY

**Rochdale Boroughwide Housing Ltd (RBH)
operates the Allocations Policy on behalf of Rochdale Council.**



Rochdale Boroughwide Housing Ltd Registered Office: PO Box 69 Municipal Offices Smith Street
Rochdale OL16 1LX. Registered in England and Wales NO 4394435.
This company is controlled by Rochdale Metropolitan Borough Council under part V of the Local
Government & Housing Act 1989. .

PREFACE

The purpose of this document is to provide information regarding the rehousing and allocation policies of Rochdale Metropolitan Borough Council (the 'Council'), and how these are operated on behalf of the Council by Rochdale Boroughwide Housing (RBH).

It should be read that, unless otherwise stated, actions and decisions made within the rehousing systems and procedures that follow the policies are taken by officers of RBH on behalf of the Council.

Details of staff involved in assessment and decision making are stated as appropriate to the issue.

This document does not attempt to extensively detail procedures that implement the policy; nor can it be for practical reasons an exhaustive composition of all matters affecting rehousing policy. For details of procedures and supplementary information, please contact RBH central offices at the Old Post Office, Rochdale, OL16 1AE.

The policies and systems of the Council and RBH are subject to change and review: the result of legislation, local policy development and changes in the environment. Consequently this document will be amended from time to time. This version is effective from **March 2008**.

CONTENTS

SECTION 1	ROCHDALE AND ITS HOUSING STOCK
SECTION 2	REHOUSING POLICY
SECTION 3	OBJECTIVES OF THE REHOUSING POLICY
SECTION 4	APPLYING FOR REHOUSING
SECTION 5	THE REHOUSING SYSTEM (HOME CHOICE)
SECTION 6	HOMESWAP AND MUTUAL EXCHANGES
SECTION 7	HOUSING ASSOCIATIONS AND NOMINATIONS
SECTION 8	DATA PROTECTION
SECTION 9	HOUSING/INFORMATION OFFICES

SECTION 1

ROCHDALE AND ITS HOUSING STOCK.

1.1. Rochdale Borough has an estimated population of 207,000. The Council now owns about 14,500 residential properties. These are located throughout the Borough, and include different types and sizes. These properties are managed by RBH from a number of local housing offices located across the Borough.

1.2. There are also 16 housing associations working alongside the Council and RBH who provide homes for rent throughout the Borough. The Council has nomination rights to at least 50% of all housing association vacancies.

1.3. RBH is an arm's-length management organisation set up, and wholly owned, by the Council.

SECTION 2

ROCHDALE AND ITS REHOUSING POLICY

2.1. The main emphasis of the rehousing system is to offer a choice-based lettings approach. Applicants have choice about where they want to be rehoused, though this is subject to availability, proper and full use of the stock, etc.

Some applicants may have restricted choice due to a history of violence or sexual offences, or criminal activity such as drug dealing, or neighbour nuisance and anti-social behaviour, or other serious matters. In making offers of accommodation, issues affecting the safety and well being of other members of the community will be considered and may affect the outcome.

Applicants are encouraged to take an active role in the progress of their rehousing application. The Council has changed policies, procedures and systems to facilitate customer involvement.

System and policy development is not static: for example, the Council is involved with the development and implementation of a regional choice-based allocations sub-system (due to launch in summer 2008) and that could enhance existing local schemes and further improve housing options for customers.

It is stressed that the basis of a choice-based lettings scheme is that applicants, who have a genuine and urgent requirement to be rehoused, will be active in pursuing their housing applications. A successful outcome is largely dependent on getting involved and maintaining that involvement to conclusion.

2.2. RBH operates a choice-based lettings policy and related systems called **'HOME CHOICE'**.

2.3. Home Choice replaced the 'mainstream' and 'Select-a-Home' systems that operated from early 1999. The mainstream system was based on points determining relative priority assessed on housing need; though approximately a third of all lettings were made to applicants by the fast-track Select-a-Home route which required no housing need assessment.

2.4. Following the Housing Green Paper, the Homelessness Act 2002, the Government's wider strategies about regeneration and sustainable communities, local developments in the social housing sector, and the outcome of a Best Value inspection, changes were implemented that attempt to provide a system that balances obligations towards meeting housing need and offering more choice.

2.5. Changes were also made after consultations with stakeholder groups to provide a service that is easier to understand and access, and is less bureaucratic. The service is centralised and delivered through offices and a property shop at the Old Post Office in central Rochdale.

2.6. The changes produced a two band rehousing system – **Band A** for those applicants with a recognised housing need to whom 'reasonable preference' must be given when making allocations (in accordance with the Homelessness Act); and **Band B** for 'choice customers' who are applicants where there is no duty owed to give reasonable preference but who wish to live, for whatever reason, in Council accommodation. The offer process, detailed later, attempts to provide choice for applicants.

2.7. There will be occasions when additional priority is given to an applicant due

to the particular circumstances. This will affect some homeless applicants, some medical cases, some clearance/demolition cases and others in which an accumulation of housing needs or exceptional circumstances may require additional priority. Applications will be considered on an individual basis. Section 5.7. refers to a number of examples.

2.8. Associated documentation may refer to reasonable preference as 'priority'. Where so, the two terms are identical in meaning.

SECTION 3

OBJECTIVES OF THE REHOUSING SYSTEM

3.1. The principal objectives of the rehousing system are designed to: improve and sustain communities by reducing stock turnover and the number of empty properties; respond to customer needs by offering advice and support, improve mobility, provide choice and empowerment; and providing an accountable service; maximise the use of stock, maximise ease of access to housing, to increase demand and reduce refusals of offers, and ensure speedy and efficient reletting of properties; meet the needs of the black and minority ethnic communities and disadvantaged groups; and to allow flexibility in responding to different levels of demand.

3.2. Objectives are complemented by working in partnership with other housing providers (of whom housing associations and other councils are the main parties) to reduce cross boundary barriers and offer more choice.

SECTION 4

APPLYING FOR REHOUSING

4.1. THE HOUSING REGISTER

4.1.1. The Home Choice Housing Register (referred to from now as the 'Register') is a record of people who are eligible for Council housing. The Register includes tenants and residents living in the Borough of Rochdale who do not live in Council accommodation, Council tenants, applicants from outside the Borough and homeless people.

4.1.2. The Register is a running record of eligible applicants: its composition will change over time. An annual review makes a significant change to composition.

4.2. HOW TO APPLY FOR REHOUSING

Applicants apply by completing a Housing Application Form available at any of the local housing offices (as listed at the end of this document), information points, by post and via the Council's/RBH's website. The form should be returned to the Homechoice offices at the Old Post Office or a local housing office, including those completed after downloading from the website. For a joint tenancy, details of all applicants should be provided. Help, advice and assistance is available at any local housing office, the property shop, central offices and at information points. Information about service standards is available from the Homechoice offices.

4.3. ACCESS TO SOCIAL HOUSING IN ROCHDALE

4.3.1. The Council's policy is to make social housing available to those in need. This includes equal access to tenants and residents, homeless people and out of town applicants. All applicants are deemed eligible unless specifically stated as ineligible by statute or direction of the Secretary of State.

4.3.2. Those specifically stated as ineligible are:

a) Applicants subject to immigration control and prescribed by the Secretary of State as ineligible or who are not habitually resident in the Common Travel Area (i.e. the United Kingdom of Great Britain and Northern Ireland, the Republic of Ireland, The Channel Islands and the Isle of Man), and/or;

b) The applicant, or any member of his/her household, has been guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant. This includes those owing housing related debt (rent arrears, court costs and/or costs involved in repairing residential property) and those involved in anti-social behaviour/nuisance/harassment.

4.3.3. Unacceptable behaviour would have been serious enough to have led to the granting of an outright possession order (or equivalent serious legal action); the behaviour is the fault of the applicant or members of the household applying for rehousing and is/was not caused by factors outside his/her control; and the circumstances and behaviour have not changed and improved since the unacceptable behaviour occurred. Any one or more of these situations may apply. However, RBH will rehouse statutorily homeless applicants in priority need, where the Council has exhausted all other reasonable options.

4.3.4. For applicants owing housing related debt(s) the policy also includes:

a) Debts under £250 not being treated as making the applicant ineligible. These decisions are made by rehousing officers. However, an agreement to clear or reduce the arrears will be requested and requires compliance; and

b) More serious debts being considered on individual circumstances and merit

by a senior manager.

4.3.5. Account will be taken of all relevant factors including record of repayment and willingness by the applicant to clear and reduce outstanding debt, improve behaviour and provide assurances about future performance.

4.3.6. After March 2007 offers of housing will be of an Introductory Tenancy where the applicant does not hold a Secure Tenancy with the Council or another local authority, or hold an Assured Tenancy with a Registered Social Landlord.

4.3.7. All applicants are expected to indicate their willingness to comply with tenancy conditions, and to understand that the Council expects all tenants to respect the rights of their neighbours to a peaceful and quiet enjoyment of their homes and environment.

4.4. 16/17 YEAR OLDS

4.4.1. The Council will not allocate secure housing to an applicant who is aged 16 or 17 unless he/she is in one of the following groups:

- a) Classed as homeless or threatened with homelessness, eligible for homeless assistance, in priority need and not intentionally homeless under the Housing Act 1996 (as amended by the Homelessness Act 2002);
- b) Vulnerable or likely to be seriously prejudiced if accommodation is not offered and the applicant has agreed a support package under the provision of the Children Act 1989;
- c) Owed a duty to provide accommodation under the Children (Leaving Care) Act 2001; or
- d) Has a form of income sufficient to meet their housing costs and their everyday living needs. Applicants will be required to provide proof, which can mean evidence of wages, receipt of benefits, an employer's letter, etc.
- e) Applicants will also need to demonstrate that they are responsible and mature enough to manage a tenancy. This may include assurances about effective financial management and respect for the rights of neighbours to enjoy a quiet and peaceful environment.

4.4.2. If accepted for housing, a support package/network would normally need to be identified to assist the applicant in managing accommodation. Assessments and decisions are made by rehousing officers in consultation with third parties as needed.

4.5. CHECKS AND INVESTIGATION OF THE APPLICATION

4.5.1. Only applicants who are eligible may be allocated Council properties. The following checks are completed before an applicant can be registered to assess whether that applicant is eligible to join the Register.

All questions are answered

4.5.2. If all relevant questions are not completed, the application form is returned to the applicant requesting that all questions be completed before it can proceed. All applicants must sign the application form.

4.5.3. It is important that applicants provide as much information as possible to avoid delays in registration. Applicants must keep RBH informed of any changes or any additional information that is relevant to their application.

4.5.4. Applicants should also be aware that it is a criminal offence to provide false information upon which an application will be assessed. Under section 171 of the Housing Act 1996, a person who provides false statements or withholds information from the authority (The Council) could be liable on summary conviction to a fine not exceeding Level 5 on the Standard Scale.

Out of Town Applicants

4.5.4. If the applicant does not live in the borough and has no local connection with the Rochdale borough, then he/she will be treated as a choice customer.

4.5.5. Applicants from outside the borough who have a strong local connection with the Rochdale borough will be assessed for reasonable preference.

4.5.6. A strong local connection can be demonstrated by evidence of social and/or family ties; or employment that is more than temporary/casual; or a past term of residence (of not less than 6 months in the past 12, or not less than 3 years in the past 5); or support needs affecting the applicant or (a) resident(s) of the Borough.

Present and past history

4.5.6. Checks are carried out on the applicant, and anyone who wants to be rehoused with the applicant, in respect of tenancies in the private rented and social housing sectors to establish any history of rent arrears, anti-social behaviour and of the costs of damage/rechargeable repairs to property. The applicant consents to these checks on signing the application form. Applicants can speed up this process by providing final rent statements or reference letters from landlords.

4.5.7. If there is a debt, a decision will be made on whether the applicant is eligible to join the Register. The decision will be made with regard to the level of debt; whether this would have entitled the landlord to a possession order; any arrangement to repay the debt and history of repayment; the need for housing and whether the applicant is currently suitable to be a tenant of the

Council.

4.5.8. If reliable information is available, including that sourced from other landlords, in relation to nuisance, harassment, anti-social behaviour and housing related debts, this will also be taken into account in deciding whether the applicant is eligible for rehousing.

4.5.9. RBH holds records on current and previous tenants, lodgers and dependants of tenants who have been involved in neighbour nuisance or harassment, or/and who have housing related debt. Applicants and all those who wish to be rehoused with the applicant are checked against these records.

4.5.10. There are applications received from those with a serious history of violence or sexual offences, and who are (likely to be) recorded on the national Violent and Sexual Offenders' Register. These applicants will be subject to risk assessment and enquiries through the Multi-Agency Public Protection Panel forums, as appropriate, due to the possible risk they present to others. Enquiries are likely to include those made directly with the Police, Probation Services and other agencies directly involved. Applicants' eligibility may be dependent on a suitable programme of support and supervision.

4.5.11. Where it is established that the applicant constitutes too great a risk to others in the community, or they have a very serious history of anti-social behaviour and/or neighbour nuisance conduct (as mentioned above), they will not be included on, or excluded from, the Register.

4.5.12. It should not be inferred that where an applicant can demonstrate that they have reformed their behaviour that they would not be included on, or excluded from, the Register. However, in some cases sensitive allocation is required and this may restrict the applicant's choice.

4.5.13. Applicants have the right to see what information is held about them and to appeal against decisions.

4.5.14. Decisions about eligibility where there is a history of low level problems will normally be made by a rehousing officer; more serious cases by a senior manager.

Immigration and habitual residence

4.5.11. If the applicant has answered 'yes' to the questions relating to immigration/habitual residence, the applicant will usually be interviewed. Current local authority tenants are not affected by the checks, so if the answer is 'yes' to these two questions it will not be necessary to interview the applicant.

4.5.12. Passports, immigration papers and other relevant documentation must be produced at the interview to assess immigration status. A decision will be based on these documents in accordance with the legal requirements. All

evidence produced in support of the application must be original.

4.5.13. The Habitual Residence Test consists of a series of questions to establish that the applicant is principally resident in the United Kingdom at the present time, and intends to remain.

4.5.14. Each case is assessed individually with regard to legal advice and codes of guidance.

4.5.15. Decisions about eligibility are made by a Homechoice manager.

4.6. REGISTRATION

4.6.1. If the applicant is eligible for rehousing after all checks are completed, the application will be registered. The application details are held on a computerised system. The applicant is sent a registration letter, which also contains details of which of the two bands is relevant and the effective date of application. Any assessment of priority is effective from that date.

4.6.2. RBH may also place a person on the register without any application if it appears that they are an eligible person. This may be appropriate in cases of referrals from social services and for some people who are homeless and are owed a duty under section 193.

4.7. INELIGIBLE APPLICANTS

4.7.1. If Homechoice staff decide that the applicant is not eligible for rehousing, then a letter will be sent to the applicant confirming that the application will not be placed on the Register and the reason(s) why. The letter also contains details of how to ask for a review of this decision and the time period within which a request must be made (21 days).

4.8. REMOVING APPLICANTS FROM THE LIST ONCE REGISTERED

4.8.1. Applications may be removed from the Register:

- a) at the applicant's request - a letter is sent to confirm that the application has been cancelled;
- b) the applicant has gone away - where the applicant has moved from their current address, the application is cancelled; and/or
- c) applicant no longer/has never been eligible for rehousing - if new information comes to light, which indicates that, the applicant no longer or has never been eligible for rehousing, the appropriate manager will make the decision on whether the applicant is to be removed from the Register.

4.8.2. A decision is made by Homechoice staff on the basis of all information held including any new information provided by the applicant. If the decision is for the applicant to remain on the Register, the applicant will continue to be

eligible for offers of Council property. If the decision is that the applicant is no longer eligible the applicant is advised in writing, and can request a review of this decision within 21 days of notification.

4.9. RIGHT TO REVIEW

4.9.1. If an applicant is not placed on or is removed from the Register, the applicant may ask for a review of the decision. The applicant must do this within 21 days of receiving the letter. This can be on the form provided or in the form of a letter but must be in writing. The applicant should state clearly why he/she disagrees with the decision and give any other relevant or new information that RBH should consider.

4.9.2. A senior manager who was not involved in the original decision will review the case. This officer may acknowledge receipt of the request for a review and will give the applicant the chance to provide any other written information to support the case.

4.9.3. The result of the review will be sent within 8 weeks. If more time is needed, RBH will ask for an extension. If the application is turned down for any reason other than neighbour nuisance, then the review decision will be final.

4.9.4. If the application is refused due to neighbour nuisance and there are special reasons why the applicant feels he/she should be eligible for rehousing, there is a further right to appeal to an appropriate appeals mechanism of RBH.

4.9.5. There is no further right of appeal in respect of any other reason for making an application ineligible to enter the Housing Register.

4.10. FINAL APPEAL FOR NEIGHBOUR NUISANCE

Applicants who wish to appeal further (to an appropriate appeals panel of the RBH Board) should complete an appeal form within the time period stated on the letter. Full details on the case including any further information offered by the applicant are circulated to members, who will hear the appeal. The applicant is advised of the date of the appeal and of the final outcome.

4.11. AMENDMENTS

4.11.1. A letter may be sent if personal details or requirements are amended on computer records. This will normally be done when substantial and important amendments are completed. Routine and insignificant amendments will not be confirmed by letter unless the applicant specifically requests details.

4.11.2. Amendments can affect the relative position of an applicant on the Register.

4.12. KEEPING COMPUTER RECORDS

4.12.1. When RBH has either refused or removed an application from the Register, it may ask to keep details on the Register. This will allow RBH to contact the applicant in future to find out if their circumstances have changed and if that applicant may now be eligible for rehousing.

4.12.2. If this is the case, the final decision letter will make this clear giving the applicant the opportunity to ask that his/her details are removed.

4.13. INFORMATION ON THE REGISTER

4.13.1. RBH keeps the following information about each eligible applicant on the Register:

- a) Name
- b) The number of other persons who normally live with the applicant as a member of the family or who might reasonably be expected to reside with the applicant.
- c) The number of the above who are:
 - Under the age of 10 years
 - Expecting a child
 - Over the age of 60 years
- d) Address/postcode/telephone contact
- e) The date registered
- f) Amendments to the entry

4.13.2. Together with the above, the local authority can decide what other information to keep. RBH keeps the following information in addition to the above:

- Title, sex, date of birth of all household, maiden/previous names
- Correspondence address, if any
- Tenure, including name and address of landlord
- The type of property currently living in, including number of bedrooms and if in good condition, and other details used to assess need and reasonable preference
- Employment
- Previous 3 addresses
- National Insurance Numbers
- Areas and types of property requested including any special facilities required
- If interested in housing associations/mutual exchange
- Any medical and welfare needs/need for tenancy support
- Details that affect immigration status and habitual residence
- Relationships to elected members/members of staff of the Council/RBH
- Ethnic origin
- Statements consenting to checks being carried out, and a declaration understanding the consequences of withholding information or providing false information

- Information about serious sexual and violent offences that may present a risk to the public and to staff
- Information about any serious history of anti-social and neighbour nuisance behaviour
- Information about housing related debt(s) from past and existing tenancy
- Information about the specific nature of the present tenure
- Any additional information provided by the applicant in support of the application

4.13.3. Applicants are entitled to inspect their entry on the Register and to receive a copy of it free of charge. They also have the right to be given information to enable them to assess how long it is likely to be before accommodation will be available. This information is readily available by contacting local housing office staff, those based in the property shop/central offices, and at information points. Details are listed at the end of this document.

4.14. INFORMATION, ADVICE AND SUPPORT

4.14.1. RBH provides information and advice about how policies work and the procedures involved, free of charge, from the property shop, local housing offices, central offices, information points, and the website. Details include availability of stock and prospects of an offer, property characteristics, local amenities and facilities, feedback about the outcome of offers made, and a range of other information. There are leaflets available, and staff will be pleased to provide one-to-one advice and assistance. Advice about the prospects of receiving an offer of accommodation cannot always be specific, particularly in times of (great) imbalances between supply and demand.

4.14.2. RBH employs specialist staff who work with applicants of the Black and Minority Ethnic (BME) communities to help with access to housing and post-tenancy support. Support Plans can be devised as appropriate to assist tenancy take-up and provide help after sign-up.

4.14.3. Support is provided, to those requiring it following determination of refugee status, by the Council's Refugee Support Service.

4.14.4. Homeless families and single persons can receive support from the Homelessness Team and through a range of floating support services operated in the borough.

4.14.5. Support for those affected by severe physically and sensory impairment/disability, mental illness, learning disability and young people leaving care is available from the Council's Special Needs Manager and other support agencies.

4.14.6. RBH provides tenancy support at the signing of tenancy agreements and after the tenancy has commenced. Housing management staff are provided with training on tenancy support issues.

SECTION 5

THE REHOUSING SYSTEM (HOME CHOICE)

5.1. **Home Choice**, the rehousing system, was implemented in April 2004.

5.2. All Council housing stock will be available through the choice-based system unless specifically excluded as detailed below.

5.3. Properties excluded include for the following situations:

Required for decant purposes associated with major works of repair and refurbishment;
Asylum-seeker accommodation;
Rehousing required for specific management reasons;
Emergencies;
Temporary accommodation for the homeless; and
Properties required for strategic development (e.g. conversions into special needs units).

5.4. There may be other circumstances from time to time in which stock is not available.

5.5. Applicants are assessed for any factors that determine housing need and if a duty is owed to the applicant of reasonable preference when making allocations. Applicants so affected enter the Priority /reasonable preference (Band A) category. Relative priority in most cases will be determined by date order of application.

5.6. TRANSITIONAL ARRANGEMENTS

5.6.1. All applicants who had points assessed for need/reasonable preference or for long-standing tenancy in the previous system were transferred into the reasonable preference category of the present system. New applicants who in the past would have been assessed for points for some of the lower priority categories of need will not be given reasonable preference in the present system but may be eligible as choice customers.

5.6.2. These arrangements were completed shortly after the introduction of CBL. There is now no case for considering additional applications.

5.7. CRITERIA FOR DETERMINING REASONABLE PREFERENCE CATEGORIES.

5.7.1. - Homeless

As defined by Part 7 of the Housing Act 1996. This includes applicants statutorily in priority need and those in no priority need.

Those who are statutorily homeless, occupying temporary accommodation and in need will appear above most other applicants in Band A and receive priority of allocation.

All homeless applicants will be interviewed by the Council's Homelessness Team and priority determined at conclusion.

Applications are subject to review soon after determination to ensure that the particular seriousness of the homeless condition remains applicable and warranting priority. Review will also affect applicants who refuse a reasonable offer of accommodation, and may result in loss of relative priority.

5.7.2. - Unsatisfactory Housing

A. Overcrowding

Determined by using the Room Standard definition of overcrowding. Reasonable preference will be given to applicants two or more bedrooms overcrowded, but not to applicants one bedroom overcrowded.

Determinations are based on information provided by the applicant.

B. Insanitary/disrepair/risk assessed conditions.

Includes applicants whose homes are being compulsorily purchased; or affected by redevelopment; or assessed as Category 1 risk for the purposes of the Housing Health and Safety Rating System. Normally at least one of the Category 1 risks would be sufficient to gain reasonable preference.

Determined by documentary proof, and/or technical inspection by staff from the Strategic Housing service of the Council.

Applicants affected by compulsory purchase/clearance/demolition action may receive priority over other reasonable preference applicants.

5.7.3. – Medical, disability and welfare circumstances

A. Medical cases

Affects applicants living in circumstances where the property *itself* is the cause of, or substantially affects, a medical condition affecting the applicant(s) or member(s) of the household to be rehoused. Assessment also involves determining that rehousing will stand a reasonable chance of improving the health and well being of the household for the foreseeable future, and is not a short term response.

Applicants will, generally, be requiring rehousing within 3 to 6 months of the date of application, though it is acknowledged that availability of suitable accommodation may lengthen that period.

Applicants complete a medical referral form, and are asked to establish the link between their state of health and the property itself. Determinations are initially made by Homechoice staff/managers and reasonable preference assessed as appropriate; more complex and serious cases are referred to a clinician.

Applicants who are terminally ill and requiring immediate or very urgent rehousing will have their cases assessed and determined by the clinician and will receive priority over other reasonable preference applicants.

Applicants who are hospital in-patients but blocking the availability of bed space because of a need for accommodation will receive exceptional priority over other medical cases. Evidence is required to support the case.

Applicants living outside the Borough will be expected to establish a strong local connection if their medical circumstances are to be assessed for reasonable preference.

Assessment of priority on medical grounds is based on contemporary and accurate information, and will be reviewed as appropriate. Review may result in the removal of reasonable preference.

Applications for sheltered housing require evidence that the applicant has either medical or support needs that would best be addressed through this type of accommodation. Applicants are expected to complete the medical referral form, and are asked to complete a supplementary questionnaire about support and related needs. The questionnaire is used by staff involved with the management of sheltered housing to assess any support needs once the applicant is rehoused. The questionnaire is a voluntary supplement, whereas the medical form is usually a requirement of access to sheltered housing.

B. Welfare, disability, care and support cases

Reasonable preference will be given to applicants where the following circumstances apply:

Severe physical or sensory impairment/disability;
Mental illness;
Learning difficulty;
Young people leaving care;
Under 18 teenage lone parents, requiring support;
Care management required; and
Leaving institutions (including prison and the armed forces).

Determined by Homechoice staff on provision of documentary evidence, contact with welfare and support agencies and other means.

5.7.4. - **Hardship**

Applicants who need to live in a locality, or face hardship or may cause it to other persons if not rehoused, will be given reasonable preference. Contemporary evidence will be required to support the application and determine assessment of reasonable preference.

A. HEMS/MoveUK (formerly HOMES) scheme

Applicants wishing to move to the Rochdale area from outside on the grounds of employment, support and other recognised reasons, and where supported by the nominating local authority, were, until January 2007, given reasonable preference.

The Government closed the scheme in January 2007. Future applications should be made direct to the Council using the rehousing application form. Reasonable preference may be assessed; if not applicants may be eligible as choice customers.

Existing Rochdale residents wishing to move to other local authority areas should contact the relevant local authority and/or local (social) landlords. RBH staff may be able to provide limited advice about other housing organisations.

B. Victims of harassment and violence

Victims of violence and harassment, or threats of violence and harassment (including domestic violence, racial and hate crimes) will be given reasonable preference. This may include applicants referred by the Police who require witness support protection.

Determinations are made by housing staff in conjunction with evidence and contact with the police and other agencies. Evidence must be contemporary and relevant to support the application.

It is normal practice to make one reasonable offer, after which the situation is reviewed and may result in the removal of reasonable preference.

C. Carers

Applicants, including registered foster workers and key support workers, who are providing care and support for someone as part of an approved care package and who need to be located near the person benefiting will be given reasonable preference.

Determined by Homechoice staff in conjunction with the Special Needs Team of the Council and other agencies.

5.7.5. - Long-standing Tenants of Rochdale Council

Given only to tenants of Rochdale Council in recognition of the duration of a satisfactory existing tenancy. Tenants who had applied before April 2004 and benefited from long-standing points in the previous system were given

reasonable preference in the present system.

Applicants will be given reasonable preference if meeting the following criteria:

Council tenant of 20 years in same tenancy;
Wishing to move to same or smaller size property; and
Wishing to move to the same area/estate, though discretion will be exercised as appropriate to broaden the scope of area of relocation.

Determined by reference to tenancy records/housing staff.

5.8. MAKING OFFERS OF ACCOMMODATION AND EXPRESSING INTEREST

5.8.1. Applicants can express interest in being accommodated in any area of the Borough. Offers will be made in accordance with trying to meet the choice of applicants, the availability of stock and general demand, making best use of the stock (lettings criteria – see 5.14) and other relevant factors.

5.8.2. Once a property becomes available for re-letting a decision is made as to whether it will be offered to reasonable preference applicants exclusively or whether it will be referred directly to the property shop where it is available to all registered eligible applicants as a 'choice' property. Further details about the quotas that affect the decision are provided in 5.10.

5.8.3. Those applicants who are assessed for Priority/reasonable preference (Band A) can request accommodation that is to be offered to those who are in this category, and also in stock that is available to choice customers. Choice customers (Band B) cannot be considered for accommodation that is in the first instance to be offered to applicants who have reasonable preference determined. Choice customers can express interest in choice properties advertised.

5.8.4. Offers are made by housing staff at the property shop and central offices of RBH. Offers to reasonable preference applicants will normally be written. Contact with customers expressing an interest in choice properties will normally be by telephone, via e-mail, or by face-to-face.

5.8.5. When a property becomes available and is to be offered to applicants with priority, simultaneous letters will be sent to (up to five) applicants that appear at the top of the list. Placement will usually be determined by date order of application: the person who has been waiting the longest would normally appear at the top of the list.

5.8.6. The letter will indicate to the applicant relative position from 1 to 5; all applicants to respond within five days of the letter, indicating whether or not they are interested in accepting a tenancy. The first applicant is receiving a firm offer of the property; the other four are being notified of the possibility of an offer. The applicant whom is 'No 1' of the five will have first refusal of the

offer; 'No 2' has second refusal, etc. This order of applicants will be stated to all the applicants affected by that particular offer.

5.8.7. There are exceptions (as stated above) in respect of applicants who are statutorily homeless and in priority need; those affected by compulsory purchase; applicants blocking hospital bed availability; and very serious medical cases. These applicants will normally receive first refusal over other reasonable preference applicants, though this is subject to availability and demand by similarly prioritised applicants at the time. Date order of the housing application would normally apply to making offers if there is more than the one case at the time.

5.8.8. If the offer is accepted it will be recorded and a final offer made once the property is ready for occupation. The applicant has the chance to view the property, preferably accompanied by a member of staff from the local housing office, before finally accepting the offer and making arrangements to move.

5.8.9. The applicant is subject to any last minute checks affecting their application before the final offer is made. The offer is not binding until the tenancy agreement is signed and completed, and can be withdrawn at any time before that event. The tenancy sign-up process completes the process of applying for housing; that exercise being undertaken at the local housing office.

5.8.10. If the applicant with first refusal refuses the offer, the property is offered to applicant 'No 2'. The process possibly repeats until the fifth/last ordered applicant is made an offer.

5.8.11. If the property is refused by all (five) applicants it becomes available to any applicant in Band A or B via the property shop on a 'first-come-first-served' basis.

5.8.12. Reasonable preference applicants can express simultaneous expressions of interest but can only be offered any one property at a time. Choice customers can express up to five interests at a time, but can only be considered as the *first* person to express an interest in one property at a time.

5.8.13. Expressions of interest can be made via the website, at local housing offices, information points, by post or by telephone.

5.8.14. Decisions about offers will normally be made by Homechoice staff.

5.9. REVIEW OF APPLICANTS

5.9.1. The majority of reasonable preference applicants can normally only receive a maximum of three offers in accordance with their known needs and choices. Choice customers can possibly receive an unlimited number of choice property offers.

5.9.2. If an applicant with reasonable preference refuses three offers; or does

not express any interest in property or pursue their application for six months; or there are other relevant reasons, they will be invited to attend an interview or will be contacted by a member of staff to discuss the situation. Contact provides the opportunity to discuss the application, check and amend details, clarify any issues, provide advice and support, etc. The contact will also be used to analyse the reasons for refusal and to confirm that the applicant still wants rehousing.

5.9.3. Review of offers includes those offers made under the points-based allocations system used by the Council before April 2004.

5.9.4. If the applicant no longer wishes to be rehoused, or the circumstances have changed, or the offers are being unreasonably refused, or other circumstances are evident that indicate there is no longer a housing need, the application will be amended. This can include, but is not limited to, removing the reasonable preference status and placing the applicant in the choice customer category, or cancelling the application.

5.9.5. Homeless applicants will be made at least one reasonable offer in accordance with their needs and choice, and may lose reasonable preference status if an offer is unreasonably refused. Reviews are undertaken by the Council's homelessness staff.

5.9.6. Special needs cases will be reviewed in conjunction with other agencies.

5.9.7. The majority of reviews will normally be completed by Homechoice staff.

5.9.8. All decisions to remove reasonable preference status are subject to appeal.

5.10. PROPERTY QUOTAS/LETTINGS PLAN

5.10.1. Housing stock is subject to levels of turnover and demand that vary over time, coupled with perceptions that customers have that affect the 'desirability' of areas and estates. In order to ensure a mixture of areas and stock types are available to maximise the prospects of customer choice, quotas based on a number of factors affecting stock have been introduced that are used when making offers to applicants with reasonable preference. This quota system is the Council's Lettings Plan.

5.10.2. The following information provides the basis of the quotas. These will vary as the local circumstances on which they are based change over time – which is inevitable.

Demand Level/Needs Group	Quota offered to Reasonable Preference category
1. Supported Housing	100%

2. Adapted for disabled/special needs	90%
3. Houses – 4 beds and over	80%
4. Sheltered	70%
5. High demand areas/property types	70%
6. Medium demand areas/property types	40%
7. Low demand areas/property types	10%

5.10.3. If accommodation cannot be offered and accepted by means of the reasonable preference category it will be referred to the choice customer category to those applicants who meet the lettings criteria for that stock type.

5.10.4. Further details of the breakdown of stock by quotas are available from RBH.

5.11. LOCAL LETTINGS

5.11.1. Local lettings involve customising formal rehousing policy and practice to meet particular local needs. The Council welcomes such initiatives provided they accord with legal and equal opportunities requirements and wider Council rehousing policy.

5.11.2. As at March 2008 local letting schemes affected stock on the Cloverhall and Turf Hill estates.

5.11.3. RBH develops local letting schemes in consultation with local people. They are researched and investigated fully and then must be approved by the Board of RBH and the appropriate Council body. Examples of local lettings schemes are:

1. Reserving blocks of properties or parts of an estate for a particular age group or family size.
2. Relaxing property size requirements to allow, for instance, a household with a two bedroom need to be considered for a three bedroom house (as at Turf Hill).
3. Introducing a community agreement for all tenants to sign (as at Cloverhall).
4. Positive local lettings schemes, aimed at encouraging certain groups of people to move onto estates.

5.11.4. Other options are available.

5.11.5. Final decisions about approval of local lettings schemes will be made by a Council Committee. Details of schemes are available on request.

5.12. ASSIGNMENTS AND SUCCESSIONS

5.12.1. The Council follows the legal requirements of the 1985 Housing Act in considering assignments and succession. It is recognised that assignments and successions can allow applicants to realise housing aspirations that perhaps cannot be met by the formal rehousing system.

5.12.2. In those cases where a request for a succession is made by applicants who do not satisfy the legal criteria, but can demonstrate continuous support for the deceased and residence for at least 12 months, such requests may be granted. RBH will take into account the proper use of the property (lettings criteria) and the effect of granting a tenancy. Applicants in these discretionary circumstances, when applying for the granting of a tenancy, will be subject to the normal checks undertaken in connection with habitual residence and immigration.

5.12.3. Decisions will be normally made by a manager at a local office.

5.13. JOINT TENANTS

5.13.1. Where a joint tenant serves a notice to quit, RBH will use its discretion in deciding whether to grant a sole tenancy to the remaining tenant. In exercising discretion, RBH will ensure that there are no adverse implications for the use of the housing stock and its ability to meet other housing needs by applying the lettings criteria.

5.13.2. Decisions will normally be made by a manager at a local office.

5.14. LETTINGS CRITERIA AND TYPES OF PROPERTY OFFERED.

5.14.1. All offers of accommodation will attempt to make maximise utility of the stock, by ensuring wherever possible that applicants' household details configure as closely to the attributes of the property. This would mean, for example, that a three-bedroom house would be offered to an applicant whose details indicate that a three-bedroom house is the most effective means of making best use of the property and satisfying the requirements of the applicant.

5.14.2. At times of great pressure on demand for housing the criteria will be more strictly applied to make best use of stock. Examples include houses being offered on every occasion to households with children under the age of 10; whereas a household with older children/all adults would be offered a maisonette.

5.14.3. The type and size of property offered to applicants will depend on the size, age and household make-up of the family. The following table shows

how properties are offered to a range of household types, though individual circumstances of the applicant may be taken into account for a different property.

5.14.4. Flexibility will be shown towards applicants, when assessing bedroom need/numbers, where the household composition indicates that children of the same sex who would normally be assessed as capable of sharing a bedroom could lead to difficulties if sharing. An example of two girls of quite different ages who, because of their different stages in growing up and personal development, if sharing it could lead to difficulties. In such situations it would be appropriate for the two girls to be assessed as having a need for separate bedrooms.

5.14.5. It is generally accepted that for most households with young children, occupying family accommodation at second floor and above is not suitable. However, where the applicant or another influence indicates that they be considered for accommodation above the first floor and the children are aged 11 years and over, they may be offered such accommodation.

5.14.6. The 7 tower blocks that comprise College Bank are excluded (from the provision of 5.14.5.) unless the persons are of 18 years and over, or of ages 16/17 and have satisfied pre-tenancy requirements (as in 4.4.).

5.14.7. Criteria affecting access to sheltered housing are detailed in 5.7.3.

HOUSEHOLD COMPOSITION	PROPERTY TYPE
Single person (non elderly)	1 Bed Flat/Bedsit
Single elderly person/disabled person	1 Bed Flat 1 Bed Bungalow 1 Bed Sheltered Flat 1 Bed Sheltered Bungalow Sheltered Bedsit
Couple without children	1 Bed Flat
Elderly couples/disabled people	1 or occasionally 2 Bedroom Bungalow/Flat (where a 2nd Bedroom is justified) Sheltered Accommodation Flat / Bungalow
Families with a child expected, 1 child or 2 children of the same sex	2 Bedroom House 2 Bedroom Maisonette 2 Bedroom Flat with entrance at ground floor
Families with 2 children of opposite sex (1 over the age of 5) Families with 3 children Some families with 4 children (dependent on sex and ages)	3 Bedroom House 3 Bedroom Maisonette
Some families with 4 children	4 or 5 Bedroom House (depending on the

(dependent on sex and ages) Families with over 4 children	number of children)
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5.14.4. Exceptions to this table may include:

1. Choice customers have some choice over size and area of property because of the first-come-first-served policy. This has the potential to allow less than best use of a resource, but wherever possible allocations will make effective use of the stock.
2. Where a local lettings scheme is in operation, there maybe some changes to the above framework.
3. The long-standing tenancy policy restricts applicants to be offered same size or smaller property in the same area/estate they currently occupy. They cannot have a property larger than their current property unless there is a housing need for it in accordance with the above framework.

SECTION 6

MUTUAL EXCHANGES AND HOMESWAP

6.1. RBH encourages tenants to arrange **mutual exchanges** (swaps involving two or more households), though the initiative to find someone with whom to exchange homes lies largely with tenants. Tenants can sometimes use the exchange system to satisfy needs and aspirations that other aspects of the system cannot meet. Exchanges can take place between/amongst the tenants of both social and private sector landlords, though most tend to be by tenants of social landlords.

6.2. Applicants need to complete the Housing Application Form, which is processed and subject to the same checks affecting rehousing applicants. Tenants may wish to place their details on display at the Old Post Office or at local housing offices. Consent of all the landlords involved must be obtained before any arrangements to move take place. RBH will need to be satisfied that the tenancy has been conducted in a satisfactory manner before approval is given.

6.3. Anyone who is a council/housing association or housing co-operative tenant can join the **Homeswapper Scheme** to move to another area outside the current local authority. Applicants make their own approach to this on-line service.

6.4. Homeswapper is an independent organisation, which replaced the **Homeswap** service and MoveUK. It is not a national service (as a significant number of landlords do not participate).

6.5. Applicants need to complete a Homeswapper application which is processed by Homeswapper staff. Homeswapper staff liaise with RBH staff to progress applications and verify details.

6.6 RBH runs its own home swap arrangements which allow applicants to move within the Borough. Applicants can provide details on the main RBH website. Cards can also be completed by applicants giving details of their accommodation, and displayed in housing offices and the Rochdale property shop.

6.7. If an applicant is interested in a swap, they make contact with the other party. Applicants arrange a convenient time between them to discuss details, visit each others property, make arrangements for leaving carpets and other personal items, arrange dates for moving, etc.

6.8. Applicants must keep, as relevant, the Homeswapper service and RBH informed of any change in circumstances.

6.9. If the applicant is successful in finding another tenant with whom to swap, they should immediately contact their local housing office. A manager from a local office approves the exchange, and will, as relevant, liaise with managers of other landlords. No final arrangements to move must be completed until the decision is made. Advice will be provided about termination of the tenancy, etc.

6.10. RBH staff reserve the right to amend or remove any details on its website or display cards that could be taken as offensive, discriminatory, etc.

SECTION 7

HOUSING ASSOCIATIONS AND NOMINATIONS

7.1. Housing associations (Registered Social Landlords) are non-profit making organisations, which provide rented accommodation. They have a wide variety of properties ranging from 1-bedroom flats to 7 bedroom houses. Many provide accommodation for the elderly, and others can provide accommodation for those with special needs. They can sometimes provide solutions to housing problems that RBH cannot provide, and by doing so, widen the choice available to applicants.

7.2. Housing associations accept applicants from the Council's waiting list for 50% of their vacant properties. This is known as a Nomination Agreement. The nomination agreement is a formal agreement demonstrating the joint commitment to provide good quality housing for rent. Part of the agreement states that associations will normally only make available to RBH those properties that are new build or are in high demand.

7.3. Applicants can express their interest in housing association properties by

answering a question on the Housing Application Form. Alternatively, they can make their own direct approaches to associations, though these will be regarded as applications outside the nomination process.

7.4. Housing associations will contact the RBH nominations officer to request nominations for higher demand properties and newbuild properties. A list of applicants is drawn up of people who have expressed an interest in housing associations on their application form, and who are requesting the area and property type of the vacancy. This is similar to selecting for a Council property. Long-standing tenancy priority is ignored for the purposes of housing association nominations. Applicants are nominated in order of priority and up to 5 nominees can be put forward for a vacancy. Nominees are notified in writing that they have been nominated and the housing association may contact them to arrange an appointment to see them. Normally, RBH will only make one set of up to five names for each nomination, the exception being newbuild.

7.5. Housing association vacancies maybe advertised in the Property Shop at the Post Office, depending on whether the housing association is involved.

7.6. An information leaflet is available to the public giving details of the housing associations in the Borough and the schemes and property types provided. This list is periodically updated to take into account new schemes. The leaflets are available from the central offices/property shop, local housing offices and information points.

7.7. The longer-term future of existing individual arrangements may be affected if and when housing associations adopt choice-based lettings, common registers, IT systems, etc, in conjunction with the Council and other partners. Nomination arrangements will be periodically reviewed to take into account the changing environment.

7.8. Assessments and decisions about the making of offers and related matters are exercised by housing association staff.

7.9. Applicants can also make their own direct applications to, and enquiries with, associations and check prospects, availability, etc. Some of the associations display details of available stock on the RBH website. RBH staff are not involved beyond providing general advice about these properties, but will direct applicants to the association itself for further enquiries.

SECTION 8

THE DATA PROTECTION ACT 1998

9.1. GOVERNANCE

The Data Protection Act 1998 governs the way RBH uses manual and

computerised information about housing services, customers and clients. It covers all files (whether manual or computerised) with the intention of making information in relation to a particular individual readily accessible. Manual files created after 24th October 1998 must comply with the Act.

9.2. PURPOSES FOR WHICH DATA IS HELD BY RBH.

RBH registered the following purpose for which data is to be held or used for the purpose of rehousing:

Housing Management - this covers the receipt and processing of applications; *allocation of accommodation*; rent accounting; keeping of maintenance records; related legal and accounting matters; analysis for management purposes and statutory returns.

9.3. DISCLOSURE

9.3.1. An individual (the data subject) is entitled to be informed by RBH whether it holds any personal data on a data subject, and is allowed to see any personal data. There is no charge for this. To prevent unauthorised disclosure the following steps are taken:

- a) All requests are made in writing. If a verbal request is received a check of the name and address provided will be checked against records. The subject will be asked to provide written confirmation; and
- b) Where a request for disclosure is received from someone acting on behalf of a tenant/applicant such requests must be made in writing. The person concerned will be asked to provide proof of identity and confirmation that he/she is acting on behalf of the subject.

9.3.2. All requests with supporting documentation will be passed to the RBH for appropriate action. When information has been provided by a third party, for example a medical practitioner or social worker, the third party must have given permission for the disclosure of information, otherwise the information will be considered confidential.

9.4 . DISCLOSURE TO OTHER ROCHDALE M.B.C. DEPARTMENTS. (INTERNAL INDIRECT USERS)

9.4.1. Indirect users are only permitted access to or to receive data from personal data files by reference to a senior member of RBH staff. Access is to be limited to those parts of the system in which the information required by the indirect user is stored.

9.4.2. Examples of Internal indirect users are:

Environmental health staff - for checks on overcrowding;

Social services staff - for information relative to case work/conferences;

Education staff - for educational and child welfare purposes; and

Technical services staff - for adaptations.

9.4.3. Examples of external bodies who may be allowed access include other local authorities for transfers and eligibility for purchase, and housing associations.

9.4. Exemptions.

Access to tenant/applicant data is restricted to those purposes and users listed in 9.2. Attempts to obtain access for purposes or by users other than those registered are prohibited, except where the following exemptions apply:

- a) The data is required by law enforcement agencies in the investigation of a crime or the apprehension or prosecution of offenders, or the prevention or detection of crime;
- b) the data is required by the Inland Revenue for the purpose of the assessment or collection of tax or duty;
- c) the data refers to the physical or mental health of a tenant/applicant or is necessary for carrying out social work in relation to the tenant/applicant and is subject of an order by the Secretary of State. In the case of health data this must not be released other than with the approval of the appropriate medical practitioner;
- d) the data is to be used in the preparation of statistics or for the purpose of research and will not be used or disclosed for any other purpose. The results must not be made available in a form which identifies any tenant/applicants;
- e) the disclosure of the data is required by or under any enactment or by the order of a court;
- f) the tenant/applicant or someone acting on his behalf has consented to he disclosure; and/or
- g) the disclosure is urgently required for preventing injury or other damage to the health of the tenant/applicant.

Visit the Home Choice Property Shop to collect any of the above leaflets or to pick up an application form. Our staff will be happy to offer advice, information and assistance on any aspect of rehousing.

**Home Choice Property Shop
The Old Post Office
The Esplanade
Rochdale
OL16 1AE**

Hotline: 0800 091 2248

Website: www.rochdalehomechoice.org.uk

Opening Times: Monday to Friday 9am – 4.45pm

Tuesday 9am – 3.45pm

You can also visit any Rochdale Boroughwide Housing Office or Rochdale Council Customer Service Centre

Rochdale Customer Service Centre: Floor 2, Municipal Offices, Smith Street, Rochdale OL16 1LQ. *Opening hours:* Monday to Friday 9am – 5pm.

Cloverhall Tenants Co-operative Association, 14 Farm Walk, Belfield, Rochdale OL16 2TN *Opening hours:* Monday 9.30am – 12.30pm, Tuesday 2pm – 4.30pm, Wednesday – closed, Thursday 9.30am – 5pm, Friday 9.30am – 6pm

Freehold Housing Office, 271 Olney, Freehold, Rochdale OL11 4LQ
Opening hours: 9am – 12pm & 2pm - 4.30pm

Lower Falinge Housing Office, 236 Newstead, Lower Falinge, Rochdale OL12 6RQ
Opening hours: 9am – 12pm & 2pm - 4.30pm

Kirkholt & Balderstone Housing Office / Customer Service Centre: 46 The Strand, kirkholt, Rochdale OL12 2JG. *Opening hours:* Monday to Friday 9am – 4.45pm except Tuesday when closing time is 3.45pm

Newbold Housing Office, Witley Road, Rochdale OL16 5HE
Opening hours: Monday to Friday 9am – 4.45pm (Tues 9am – 3.45pm)
No Access to the public. Please telephone (01706 714460) to talk to a Housing Officer or to make an appointment

Middleton Housing Office / Customer Service Centre: Council Offices, Sadler Street, Middleton, Manchester M224 5UJ. *Opening hours:* Monday to Friday 9am – 4.45pm except Tuesday when closing time is 3.45pm

Cedar Avenue Housing Office, 65/67 Cedar Avenue, Heywood OL10 4TU
Opening Times: 9am – 12.30pm