
LONDON BOROUGH OF HARROW HOUSING ALLOCATION SCHEME

**As required by Part VI of the Housing Act 1996 as amended by
the Homelessness Act 2002, the Localism Act 2011 and the
Homelessness Reduction Act 2017**

21 January 2021 Cabinet approved the scheme for implementation from 1 April 2021.

Housing Allocation Scheme

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1. Purpose of the scheme document

1.1. Background

Every council is required by law to have a written scheme setting out how it will allocate the rented housing which it owns and to which it has nomination rights. This new scheme, which was amended in December 2020, replaces previous London Borough of Harrow Housing Allocation Schemes or Lettings and Transfers Schemes.

1.2. Legal framework

Harrow Council's allocation scheme sits within a framework which includes the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Localism Act 2011), the Homelessness Reduction Act 2017 and regulations issued by government relating to allocations. The sections below explain how the main laws set the context for the allocation scheme.

1.2.1. Localism

- 1.2.1.1. Under the Localism Act 2011, local authorities can identify groups who will not qualify for an allocation of social housing, by taking into account:
- a household's ability to meet their own housing costs.
 - any behavior that affects a person's ability to be a suitable tenant
 - local connection between the household and the local authority.

This is dealt with in more detail in section 7 on Qualification and Eligibility.

1.2.2. Reasonable preference

- 1.2.2.1. The Council must give 'reasonable preference' to the following groups when it decides how to allocate housing:
- households living in overcrowded or unsanitary conditions,
 - those who need to move due to a medical condition or disability,
 - those who need to move for health related or welfare reasons, including care leavers and people with high level support needs,
 - those who need to move due to hardship.
 - those who are homeless or at risk of homelessness.
- 1.2.2.2. We can also give additional preference to households in one of the reasonable preference groups listed above. By law, we must give additional priority to applicants who are current or previous members of the armed forces and who are in housing need.

1.3. Housing Priority

This document explains the options for people looking for a home in the London Borough of Harrow and sets out which groups of people are priorities for an allocation of the public rented housing¹ made available by Harrow Council and

¹The term public rented housing is used throughout this document to mean homes let on any kind of secure, assured, fixed term or flexible tenancy by a council or housing association or

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housing associations in our area².

1.4. **Types of tenancy**

The scheme applies to the way the council will allocate all public rented housing. It covers properties let at secure, assured and “affordable” rents.

1.5. **Procedures for letting public rented housing**

It explains the detailed procedures that Harrow will follow in letting council and housing association³ rented homes both to existing tenants looking to transfer and to new home seekers.

1.6. **Consultation**

Appendix 1 sets out the process the council went through in consulting on and drawing up this scheme document.

1.7. **Changing the scheme**

We will review the scheme at least every 5 years.

2. **Housing advice**

2.1. **Our service**

The council's housing service can give information to anyone who is looking for a home in the borough, whatever their circumstances. We can also offer advice to Harrow residents on finding accommodation outside Harrow, in places where homes are more plentiful, and rents and mortgage costs are lower. Some of these areas are within reasonable travelling distance of Harrow for work or study.

2.2. **Contact details**

We provide housing advice online, on the housing options pages of Locata at www.locata.org.uk/harrow, by e-mail at locatahelp@harrow.gov.uk, by telephone, and in person, by appointment only at Harrow Civic Centre. Go to www.harrow.gov.uk to find up to date details about advice lines, appointments and our advice service.

2.3. **Housing assistance**

Large numbers of people seek low-rent public and private housing in Harrow, but only small numbers of homes become available to the council each year. We regret, therefore, that we are only able to offer help with accommodation to a very

other publicly funded housing provider. The more usual term of “social housing” is avoided in order to make it clear that the policy does not cover shared ownership or “intermediate” rented housing but does cover properties let at “target”, “social” and “affordable” rents.

²The council must have an allocations scheme by law and must take into account any relevant allocations codes of guidance, the council's homelessness strategy and tenancy strategy and the London Mayor's housing strategy. In addition, our scheme is framed so as to be compatible with the council's equality duties.

³In this document the term housing association is used in preference to the term “registered provider” because our customers better understand the meaning of that term. Should any registered providers that are not housing associations start doing business in Harrow this scheme should be read as also applying to them.

limited number of households. This help can include, depending on individual circumstances, enabling people to stay where they are living now or facilitating a move to a private rented or low-cost home ownership home. For many people a move to public rented housing in Harrow is unlikely to be a realistic and achievable housing option.

3. Housing in Harrow

3.1. The housing market in Harrow

Harrow is a very popular place to live. There are many different types of homes in the borough, from homes to buy on the open market, through low-cost home ownership schemes run by housing associations, to private, council-owned and housing association-owned rented housing. The last two types, referred to in this scheme as “public rented housing”, make up only around 10% of Harrow’s property market, making it one of the smallest public rented sectors of any London borough.

3.2. Specialist housing

Some homes within Harrow are designed for particular groups. These include rented and leasehold sheltered and retirement housing for older people, and schemes with on-site support for particularly vulnerable people with a range of support needs.

3.3. New rented social housing

The council works successfully with housing associations to increase the supply of affordable rented properties in Harrow, but the numbers of such units (averaging around 45 per year over the last 3 years) is not enough to keep pace with the demand, particularly as over 20 council homes are lost on average each year as a result of the right to buy legislation. Access to such homes is through nomination via “Locata” (see section 5 below). The Council also has an ambitious development programme and a major regeneration programme is underway at Grange Farm Estate.

3.4. Housing Association allocations

No housing associations in Harrow (except a few that specialise in schemes for older people) manage their own waiting lists, other than for their own tenants wishing to transfer. This means that most people should make only one application for public rented housing in Harrow, via www.locata.org.uk/harrow.

3.5. High demand and low supply

Many people wish to move to council or housing association rented homes because these offer below-market rents and because people perceive them as giving greater security of tenure than homes rented by landlords in the private sector. However, the supply of this type of housing is very limited. Each year we expect to re-house around 250 households into public rented housing. Half of the vacancies are studio and 1- bedroom flats, normally suitable only for single people and childless couples. Half of these small units are reserved for older people. Yet at any one time we have over 2,000 households who have registered their interest in taking such a tenancy, and over 850 new households applying to register each

year. The overwhelming majority of applicants with an acknowledged housing need are families, for whom most of the available accommodation is unsuitable.

3.6. **Low supply of larger, family homes**

The demand to supply ratio is worse for family homes than for 0-1 bedroom properties and, despite using some suitable 3 bedroom properties with 2 reception rooms as 4 bed properties, it is by far the highest for 4 bedroom properties. The larger the number of bedrooms required by a family, the longer are the waiting times and the lower is the likelihood of ever receiving an offer.

3.7. **Type of housing available**

Sometimes people who apply for housing with Harrow have an unrealistic expectation of being offered a large house or bungalow with a garden whereas, in reality, most of our homes are flats rather than houses. Very few ground floor flats are available. The few bungalows in our stock are either very small or are let to people with mobility needs. Most of our properties are on small to medium sized housing estates, and there are large parts of the borough where we have no or very few properties.

3.8. **Condition of the available housing**

Council and housing association rented properties are unfurnished (with the odd exception) and are usually re-let undecorated. Only residents in sheltered schemes in Harrow can expect their homes to be redecorated by the council or housing association landlord, and the terms of tenancy agreements require tenants to keep their homes in good decorative order.

3.9. **Other housing options**

Most people who apply for housing with Harrow will never be offered a public tenancy, however long they wait. When the prospect of immediate re-housing is unrealistic, we advise people to seriously consider other options, especially private renting and/ or moving away from West London.

4. **Aims of the Scheme**

4.1. **Overall aims**

The Council aims ensure that public rented housing goes to those with the most need, as defined by local standards, while reducing the budgetary impact of homelessness. The housing allocations scheme is one of a group of policies that sits beneath Harrow's overarching Housing Strategy. The allocation scheme supports the strategy's key objectives, specifically to 'promote realistic housing options for people who need to move', 'prioritise new homes for people living or working in Harrow' and 'meet the needs of older and vulnerable residents'. A number of other factors have also been taken into account in order to produce a balanced and fair allocation policy and process.

4.2. **Supporting vulnerable people**

The scheme reflects the Council's ambition to support and protect people who are most in need. It aims to give the highest priority to those who are less able to

provide for their own housing needs than most of the population and therefore most in need of the council's help when their accommodation is unsuitable for their needs. We define unsuitable housing as accommodation that is:

- adversely affecting in a major way someone's medical condition or disability, or
- significantly detrimental to their welfare (for example there is significant risk of harm or risk to a vulnerable person's independence), or
- severely overcrowded or severely unsanitary.

The fact that a landlord is a private person charging a rent that is higher than a public sector rent does not make a home unsuitable.

4.3. **Tackling homelessness**

A person is threatened with homelessness if s/he has applied for Part 7 assistance and is likely to become homeless within 56 days or, if occupying accommodation under an assured shorthold tenancy, has been served with a valid notice under section 21 of the Housing Act 1988 expiring within 56 days.

The Council's first priority, pursuant to its duties and powers under the Homelessness Reduction Act 2017, is to prevent people from becoming homeless by helping them to remain in their current accommodation or facilitate a move to alternative private rented accommodation. Where the Council believes that the potential applicant/s are able to access market housing i.e. private rented or low-cost home ownership, the Council will provide advice and assistance as necessary.

A relevant Part 7 duty means for these purposes an accommodation duty owed to Part 7 applicant who is eligible for assistance and either (i) has a priority need and has become homeless intentionally, (ii) has a priority need and has not become homeless intentionally, or (iii) does not have a priority need, has not become homeless intentionally and the Council has elected to secure that accommodation becomes available for his occupation.

In accordance with the changes brought in by the Localism Act 2011 we no longer make the presumption that most applicants owed the main homelessness duty will have the duty ended with an offer of public rented housing. Hence there are distinctions made in the scheme between homeless applicants who applied before and after 9th November 2012⁴. The scheme gives those who are homeless, as required by law, "reasonable preference", but homeless people will only receive a high level of priority for an allocation of public rented housing if their household is vulnerable for reasons other than homelessness, or if it is needed in the council's interest in order to manage the costs of homelessness.

4.4. **Promoting informed choice**

Under the scheme housing applicants become "members" of the West London choice-based lettings scheme, called Locata, and actively search for a home⁵. By

⁴ Because the latter do not have to agree to an offer of private sector housing aimed at ending the full duty.

⁵ The choice-based lettings banding system replaced, in 2002, a "points" system, under which council officers decided which applicant would be offered which property.

letting and nominating to our properties in a transparent, applicant-friendly, and fair way we aim to empower applicants and promote equal treatment⁶.

4.5. **Changes from the previous allocations scheme**

Following a review of the scheme, it was identified that a high number of applicants either refused an offer of a tenancy or did not bid for available suitable vacancies. The aim of Harrow's housing allocation scheme is to meet local priority housing needs, make the best use of Harrow's very limited social housing stock and be fairer to all by ensuring that residents who are in the most need of housing, wait as short a time as possible for an allocation of public rented housing. In order to retain the principle of choice, ensure that those in most need of housing wait as short a time as possible and minimize loss of rental income due to void properties, the significant change in this revised scheme is to implement more robustly the penalties that already exists in the allocation scheme to address:

- (a) Refusals – where an applicant has refused one or more reasonable offers or have not turned up to a viewing when invited, they will be downgraded to a lower priority band. The circumstances are set in the chart in appendix 16.
- (b) Not bidding – where an applicant who urgently need to move, for example where a band A+ and A applicant has not been bidding, they may receive a direct offer of accommodation. The chart in appendix 16 outlines which groups of applicants we may make direct offers.

In addition to these changes, there are 6 minor changes to the Scheme which are made to address changes in law and other issues including:

- (c) Introducing a separate banding for sheltered Housing for Older People to make it easier to access sheltered housing. This change will not disadvantage current applicants as those with an urgent need to move have already been awarded additional priority.
- (d) Allowing current temporary occupants to be offered a secure tenancy of the property they occupy when it is converted from temporary use to a council property. This will be subject to suitability of the property and there being no recent tenancy issues such as arrears or ASB.
- (e) Implementing a Local Lettings Plan setting out how properties will be allocated in exceptional circumstances to meet area specific issues, for a specific block or estate. The purpose is to have a planned approach to the letting of high density/high rise schemes to ensure sustainable mixed and balanced communities. The Divisional Director for Housing following consultation with the Portfolio Holder for Housing will authorise Local Lettings Plans for council housing stock under a delegated authority.
- (f) Ending allocations to designated people aged 50 years and over. This is because some properties were previously designated for people aged 50

⁶Although the council is committed to letting its housing applicants express a preference as to the type of property and the area in which they would like to live, applicants need to be aware that our ability to satisfy their expressed preference may be severely limited. Hence in appendix 15 we spell out the circumstances in which we will make direct offers, and in which we will penalise applicants for refusals of suitable offers.

years and over. Over time and through the Right to Buy the age mix has changed and the blocks are no longer occupied only by over 50s. Therefore, there is no reason to continue to prioritise this group.

- (g) Removing the local residence criteria for applicants:
 - i) moving because of domestic abuse
 - ii) who are travellers
- (h) Correcting the current anomaly in the Housing Allocation Scheme where applicants accepted as homeless by another council and Harrow is satisfied that the Council that owes the duty is unable to provide accommodation are given higher priority than those accepted as homeless by Harrow Council. All homeless applicants will be awarded Band C whether accepted by another Council or Harrow Council.
- (i) As of 01 April 2023, the council will remove the local residency requirement for non-UK national with refugee status in the UK who would qualify for inclusion on the housing register but are unable to demonstrate at least 5 years' residence in Harrow or another place in the UK.

4.6. Equality and Fairness

Equality duties: the scheme is framed so as to give effect to the council's Equality Act 2010 responsibility to eliminate unlawful discrimination on grounds of age, disability, race, religion, sex, sexual orientation, gender reassignment, marriage/ civil partnership, pregnancy/ maternity. Regular monitoring and adjustment of the scheme will take place to give effect to this duty. As far as possible it also aims to advance equality of opportunity between people from different groups.

Treating tenants and homeseekers equally: The Localism Act 2011 allows the council to allocate properties to council tenants outside the allocation scheme. Harrow, however, prefers to keep most lettings within the scheme to promote transparency, clarity and equality. Appendix 13 lists cases that do not qualify as "lettings" and hence do not need to be covered by this allocation scheme.

4.7. Facilitating Inter-borough mobility

(a) Within West London Locata Harrow, like the other partners, makes a small percentage of vacancies available to members living in any of the six partner local authority areas.

(b) The Mayor's Office of the Greater London Authority runs a scheme called "housingmoves" which facilitates moves by council and housing association tenants to other parts of London. Harrow contributes a small percentage of its vacancies to this scheme.

Note: Both mobility schemes have built-in mechanisms aimed at ensuring that the number of moves into Harrow by non-Harrow residents is matched by the number of lettings by partner boroughs to Harrow residents who wish to move out of the

borough.

4.8. **Making best use of council resources**

In order to manage the costs of homelessness and balance the competing needs of different groups of people in housing need, the council may from time to time reserve or earmark properties for particular categories of applicant and may set targets for percentages of allocations to different groups. Targets are approved annually following consultation with the Portfolio Holder for Housing. In addition, the allocation scheme takes into account:

- housing need and supply
- statutory and contractual obligations
- the cost to the council of emergency and temporary accommodation other financial considerations
- the council's responsibility as a landlord
- the council's responsibility to co-operate with the police and other statutory agencies to reduce risk to citizens associated with, for example, ex-offenders, witness protection, and gang culture.
- making the best use of council stock.
- the housing situation within the borough.

4.9. **Other corporate policy objectives**

In addition, the scheme contributes to many other strategic goals of the council and the housing service, shown in Appendix 2.

5. West London Locata

5.1. **The central lettings agency**

The central lettings agency, Locata Housing Services (LHS) Ltd., is a company set up by west London local authorities and housing associations, including Harrow Council. In addition to running the west London scheme, LHS works with many housing authorities up and down the country. It provides the computer program that enables Harrow and the other partners to advertise property vacancies, register and verify our housing applicants and match properties to the people who have expressed an interest in them. It also provides our on-line housing information service, the targeted housing options website at www.locata.org.uk/harrow.

5.2. **West London Locata**

The partner boroughs and housing associations which advertise properties in the west London scheme as at December 2020 are:

London Borough of Brent*
London Borough of Ealing*
London Borough of Harrow*
London Borough of Hillingdon*
A2 Dominion
Catalyst Housing*
Hillside Housing Trust
Inquilab Housing Association

Network Homes
Notting Hill Genesis* (formerly Genesis and Notting Hill Housing)
Octavia Housing
Paradigm Housing*
Shepherds Bush Housing Association
Westway Housing Association

*indicates the member organisations that form and control Local Housing Services

- 5.3. **Eligibility of other Locata partners' members for Harrow properties** Harrow makes available a small number of its vacancies for cross-partner advertising and a small proportion of other partners' vacancies is available for Harrow members to bid for. The cross-partner scheme applies to lettings of Harrow public rented housing to the homeseekers and transfer applicants of all other organisations, including those that joined since 31/03/20 or may join the partnership in the future. Sections 14.2 and 20.7 explain how Harrow deals with bidders who are registered with other Locata partners.

6. How the scheme works

6.1 Priority banding

We assess those who apply for housing as belonging to one of five bands of housing need, from A+ (highest) to C- (lowest). Only applicants banded A+ to C- (initial preference) qualify for the housing register. Those disqualified, if they live in Harrow, can use the Locata website to access their targeted housing options. Priority within bands is on a date order basis, according to the date the member was placed into that band. The new scheme maintains the same basic format as the old, although there are significant changes to the definitions of who gets priority and which band they are placed in. Harrow residents who do not qualify for an allocation of public rented housing (see qualification rules in section 7 below) will be given a Locata ("LIN") number in order to be able to log in to the Locata website to search for other suitable housing solutions relevant to their particular circumstances. They cannot bid for public rented homes.

6.2. Property advertising

Vacant council and housing association properties are advertised on the West London Locata website (www.locata.org.uk) to people registered in bands A+, A, B, C and C-. We let between 80 and 90% of new and vacant council housing and housing association rented homes to which the council has nomination rights through this scheme. Circumstances in which direct offers may be made, sometimes bypassing the Locata process, are set out in section 23 below.

6.3. Expressing an interest – "bidding"

Members are able to express an interest ("bid") for up to three properties at any one time. The properties are let to bidders first by band then in waiting time order. Bids may be placed by housing staff on members' behalf, either at the member's request or in order to facilitate the making of a direct offer to a person in urgent need of re-housing (see section 23 below on the making of direct offers).

6.4. Feedback on let properties:

All properties let under this policy are listed on the Locata website. The personal feedback section for each Locata member shows each property they placed bids for, the number of bidders and the band and registration date of the successful bidder. There is also feedback on all properties let through Locata in the Freesheet Archive of the website (www.locata.org.uk). The feedback enables members to gauge the scarcity and popularity of different areas and property types, to be able to judge how long they might have to wait to be re-housed, and thus to exercise informed choice.

6.5. **Ensuring fairness for different groups**

There are two main groups of people who apply for housing in Harrow:

- An overwhelming 85% of applicants are people who do not currently have a public sector tenancy, referred to as “homeseekers” (this includes homeless households).
- The second group, referred to as “transfers”, comprises permanent council and housing association tenants in the borough who decide to apply to the council rather than their own landlord for a move. Both kinds of transfer applicant together make up only 15% of registered Locata members.
- In addition, there is a very small number of applicants who do not fit into either group, including those from outside Harrow who are offered tenancies under an inter-borough mobility scheme (see section 4.8 above) or a reciprocal arrangement with the police or a social care service agency.

As explained in section 4.9 above, targets are set from time to time for the proportion of homes to be allocated to the two main groups, and regular monitoring takes place to ensure the targets are achieved, which is done, if necessary, by earmarking properties in the adverts for one group or the other.

6.6. **Transitional relief arrangements**

We protect some categories of applicant who applied and were assessed under the pre-2013 priority categories and who no longer have priority under the scheme. If they had accrued a long waiting time in band C at the implementation date⁷ they are still able to obtain public rented housing as band B applicants (the equivalent of the old band C) until they are either offered suitable permanent public rented housing, are residing in accommodation that is considered suitable for their household’s needs, or their circumstances change. The length of waiting time will vary with the size of property required, as shown in table 1 below, and will be calculated from, 22/10/2013, the date from which this change was previously implemented.

Staff assist protected applicants by advice and direct offers if this is necessary in order for them to be successful. The protection applies to:

- Those who are overcrowded by only 1-bedroom
- Those whose priority for overcrowding is based on the old Locata standard and does not count as overcrowding under the national bedroom standard

⁷ The protected waiting times are based on the assumption that half the lettings in the first year of the scheme are reserved for applicants protected by transitional relief.

- (subject to affordability where the family is benefit- dependent)
- Those whose priority for overcrowding includes family members aged 21 or over who do not need to live in the household either to receive or provide care and essential support
 - Those whose medical or welfare priority to move is of a variable or comparatively mild or moderate nature.

| No. of bedrooms needed | No. of yrs. wait to qualify for transitional relief |
|---------------------------|---|
| 1-bedroom (non-sheltered) | 2 or more |
| 2-bedroom | 5 or more |
| 3-bedroom | 7 or more |
| 4 or more bedrooms | 8 or more |

6.7. **Transitional relief for accepted homeless people**

Accepted homeless people in temporary accommodation and formerly accepted homeless people who accepted a qualifying offer of private rented sector housing were in band C under the pre-2013 scheme. Under the scheme many of them will remain in band C, i.e. those suitably housed.

However, in band C there are now 3 priority bands ahead of them rather than the former 2, resulting in longer waiting times. These applicants, if they need a 1 or 2 bed property and if they have a long waiting time in band C, will still be able to obtain public rented housing as band B applicants (the equivalent of the old band C) until they are either offered suitable permanent public rented housing, are residing in accommodation that is considered suitable for their household's needs, or their circumstances change and will be assisted by advice and direct offers if this is necessary in order to be successful.

| No. of bedrooms needed | No. of yrs. wait to qualify for transitional relief |
|---------------------------|---|
| 1-bedroom (non-sheltered) | 2 or more |
| 2-bedroom | 5 or more |

6.8. We have protected the band C priority of the affected homeless families from bed and breakfast who were offered council 1-bed flats on the basis that they could keep the priority for 2-bedroom accommodation they would have had if they had remained homeless.

6.9.

Table 3 – Groups not entitled to transitional protection

| Group | Exceptions | Bands | Treatment |
|--|--|---------------|---|
| Those with income or savings over the newly designated limits (appendix 10) for eligibility for an allocation of public rented housing | Discretionary hardship exceptions as referred to in appendix 10. | A, B and C | Applicants disqualified under the new scheme; transitional relief does not apply. |
| Those not currently resident in Harrow at the date of implementation of the new scheme | Those who qualify to apply as listed in section 7.4 below. | C and D | Applications will be closed; transitional relief does not apply. |
| Those who have not lived in Harrow for 5 years at the date of implementation of the new scheme | a. Those who qualify to apply as listed in section 7.4 below. b. Those who have been awaiting a 1-bedroom allocation for 2 or more years as listed in section 6.6 above | A, B, C and D | Applications disqualified; transitional relief does not apply. |
| Accepted Homeless applicants and formerly accepted homeless applicants who accepted a qualifying offer in the private rented sector who require family-sized accommodation (3 or more bedrooms). | Those who, on reassessment, qualify for band A*, A or B on grounds set out in the new scheme. | C | Applicants will remain in band C. |

| | | | |
|---|------|---|-----------------------------------|
| Accepted homeless applicants where the duty was accepted after 13 December 2012 and who have refused a reasonable offer of private sector housing since they approached Harrow for housing. | None | C | Applicants will remain in band C. |
|---|------|---|-----------------------------------|

7. Qualification and eligibility to register for housing with Harrow

7.1 How to make an application

Application for housing with Harrow Council is made using an on-line application form on the Locata website, at www.locata.org.uk/harrow. The Locata system makes an initial automatic assessment of priority on the basis of the answers the applicant gives to the questions about their needs and current housing circumstances. Some types of application (e.g. where the lowest band applies) are automatically validated (i.e. made active) on the Locata system. Where necessary, officers in the housing assessment team check and confirm the assessment and validate the application. Those applying must give their consent for the information they provide to be shared with other relevant agencies as necessary to carry out an accurate assessment of their case and to ensure that any housing allocation is appropriate.

7.2. Validated applications

Only those applicants whose priority band is A+, A, B, C or C- (Initial preference) will be able to bid for homes on Locata. Those who are Harrow residents who are disqualified under section 7.5 below, although unable to bid, will have access to the other housing options signposted on the Locata website.

7.3 Assistance with making an application

The housing department will offer assistance to complete the form if the applicant is unable to use a computer and has no friend, relative or advocate helping them. An eligible person may be registered without an online application form in some limited circumstances, at the discretion of a team manager in the Housing Needs team.

7.4. Who can make an application

People aged eighteen or over⁸ can register their housing need with the council if they are in one or more of the following groups (referred to, in line with the relevant legislation, as “qualifying persons”):

- living in Harrow.
- not living in Harrow but need to move because of risk of domestic abuse or people from the travelling community.
- homeless within the meaning of Part VII of the Housing Act 1996 or threatened with homelessness within 56 days and owed a prevention duty.
- homeless within the meaning of Part VII of the Housing Act 1996, and have been assisted by Harrow with out of borough temporary accommodation, as long as they continue to have a priority need.⁹

⁸ The housing department assists 16 and 17 year olds outside the choice based lettings scheme, in partnership with Children’s Services.

⁹ priority need is defined in Part VII of the Housing Act 1996, as amended.

- homeless within the meaning of Part VII of the Housing Act 1996 and being assisted as “rough sleepers” who have had a previous residence in Harrow of at least 5 years.
- formerly accepted homeless applicants who took a qualifying offer of housing outside Harrow as long as they continue to have a priority need and providing they maintain their registration.
- homelessness duty has been accepted by another council and Harrow has agreed that the council that owes the duty is unable to provide suitable accommodation
- young people leaving care, referred to Housing by Harrow Council Children’s Services under their quota arrangements, whether or not they currently live in Harrow.
- due to be discharged within 1 month from hospital or prison and the last settled address was in the borough.
- serving and former members¹⁰ of the Armed Forces and the Reserved Forces whether or not they currently live in Harrow.
- secure, introductory or flexible tenants of Harrow Council, even if housed outside the borough.
- Public rented sector tenants accepted for re-housing by Harrow as a reciprocal arrangement with another borough or under an agreed mobility scheme such as the Pan London Housing Reciprocal scheme, the “safe and sound” scheme, the national witness protection scheme and any other such scheme which Harrow joins subsequent to the start date of this scheme (see section 14 below for more information)¹¹.
- Exceptionally, people whom the council (on the decision of a team leader in the housing needs team) considers should be qualifying persons, on a case-by-case basis, because of exceptional circumstances or special needs or on hardship grounds; this may include older people needing to move to Harrow to be nearer to relatives who provide care and support or people who need to access specialised medical treatment or take up a particular employment, education or training opportunity, or victims of domestic violence who need to make a fresh start in a borough with which they do not have a local connection, where other types of housing would not meet their housing need.

¹⁰ former members” are defined as those who left the armed forces within 5 years of the date they make a housing application.

¹¹ not including the pan London tenant mobility scheme, which has its own application process.

7.5. Exclusions

People will not qualify for priority for public rented housing in Harrow if:-

- (1) They have been accepted homeless by a borough other than Harrow¹² and that borough is able to provide suitable housing, *or*
- (2) they are not currently resident within the borough (unless they are in one of the categories of non-residents who are listed as qualifying persons in section 7.4 above), *or*
- (3) they are ineligible under the Housing Act 1996, S. 160A (including some people from abroad who are ineligible for an allocation of housing – appendix 3 gives more detail about this group), *or*
- (4) any member of the qualifying person's household: -
 - (a) has been guilty of serious anti-social behaviour and a possession order is being sought or has been obtained, *or*
 - (b) (in the case of a homeseeker) has been guilty of behaviour which the council considers would entitle it, if they had been a secure tenant, to obtain a Possession Order under S.84 of the Housing Act 1985 on any ground mentioned in Part 1 of Schedule 2 to that Act, other than rent arrears¹³, *or*
 - (c) has been convicted of, or had legal action taken against them, for physical or verbal abuse of council staff or its contractors or housing association partners, *or*
 - (d) knowingly or intentionally provides false or misleading information to Harrow Council (including documentation), fails to disclose relevant information that they are under a legal duty to disclose or withholds information that has been reasonably requested in relation to their housing application *or*¹⁴,
 - (e) has paid money to obtain a tenancy with either a council or housing association *or*,
 - (f) has been convicted of a fraud offence in relation to Harrow Council or a housing matter; or there is sufficient evidence of an admission of fraud, or an alternative sanction to prosecution is/has been accepted by the applicant in relation to the provision of public sector/local authority
 - (g) services

¹² Those accepted homeless by another borough may register for housing if they fulfill the 5 year Harrow residence criterion but will have low priority.

¹³ Homelessness Act 2002, S.14(8)

¹⁴ We may decide to prosecute in cases of attempts to falsely claim priority for housing

- (5) they are assessed as having no significant housing need – i.e. they do not fit in any of the priority categories described in section 8 below.
- (6) they have sufficient financial resources to house themselves (see appendix 9 which explains how we determine this)

Any Harrow resident excluded from registering for access to bidding for public rented housing will be given a Locata “LIN” number to enable them to access their personal housing options and housing advice, which they can do by logging in to www.locata.org.uk/harrow.

7.6. **Assessment and decision**

The application assessment procedure is described in appendix 10. We will write to applicants to tell them if their assessment is likely to take longer than 28 days and the reasons for it.

7.7. **Ineligibility decisions**

We will write to anyone we exclude from registering giving our reasons and, if they are a Harrow resident, offering access to online targeted housing options. A copy will be sent to the relevant social care services team if they are involved or if we consider it appropriate.

7.8. **Right of review**

Applicants have a statutory right to ask for a review of a decision to exclude them from registering. The review procedure is set out in appendix 4. If the review upholds the original decision to exclude applicants can seek judicial review of the decision. Harrow also gives the right of review to those who disagree with their assessment (e.g. their priority band or date).

7.9. **Right to reapply following exclusion from registering**

We will consider a fresh application if: -

- A previously out of Borough applicant has moved into the borough or
- immigration status has changed, or
- depending on the seriousness of the behaviour that led to the exclusion and the circumstances of the case, it can be demonstrated that there has been no recurrence of anti-social behaviour for a period of at least one year, or
- depending on the seriousness of the fraud, the false, misleading or withheld information was provided more than a year ago.

In the case of an excluded applicant the fresh application should be made using the change of circumstances form on the Locata website.

7.10. **Change of Circumstances**

All applicants who register for housing with Harrow have a responsibility to keep the council informed of any change in circumstances that might affect their priority for housing, such as the number of bedrooms they need, if they have now lived in Harrow continuously for the last 5 years and qualify for additional priority, or the type of property needed. This must be done online through Locata through the completion of a “change of circumstances” form. If a person is unable to do this, they will need to contact the Housing Register service directly for further advice and assistance.

7.11. **Lettings to staff, board members & councillors**

Staff, housing association board members, council members and their relatives are treated the same as any other housing applicant and must be seen not to be gaining any advantage or disadvantage or any preferential treatment in the course of their application. The procedure for ensuring that Harrow Council is transparent and equitable when letting homes to staff, board members and councillors is set out in appendix 14.

8. **Housing priorities in Harrow**

a. **The statutory “reasonable preference” priorities**

As required by law we give “reasonable preference” to people who need to move for the following reasons:

- medical needs, including needs relating to a disability (**group 1**) Note: Harrow gives only those with a very high level of medical need to move reasonable preference for housing.
- welfare grounds (**group 2**);
Note: Harrow gives only those with a very high level of welfare need to move reasonable preference for housing.
- they are occupying unsanitary or overcrowded housing, or are otherwise living in unsatisfactory conditions (**group 3**)
Note: Harrow gives only those who lack *more than* one bedroom or are living unavoidably in *severely* unsatisfactory conditions reasonable preference for housing;
- the council has accepted a duty under homelessness legislation (**group 4**);
- another council has accepted a duty under homelessness legislation and Harrow is satisfied that the council that owes the duty is unable to provide accommodation (**group 4**)
- the council has agreed that they are homeless but has decided either that they do not have a priority need or that they are intentionally homeless or has ended the full duty because of refusal of a suitable offer (**group 5**).
- they need to move to a particular locality within the borough and failure to

meet that need would cause hardship (to themselves or others) (**group 2A**).
Note: Harrow does not normally give priority to people who say that they need to move to a particular locality within the borough, because the area covered by Harrow is small and transport within it is very good, so there should be little disadvantage arising from living in one part rather than another. If, exceptionally, we are satisfied that there will be such hardship, which has given rise to a social services care plan requiring a move for this reason, we will treat it as a move on welfare grounds (**i.e. group 2**).

b. **Harrow's priorities**

In addition to statutory "reasonable preference" grounds, and in some cases as part of them, the council considers the following groups to be a priority for housing assistance:

- **Group 6 – Homeless duty ended by qualifying offer of private sector accommodation:** formerly accepted homeless applicants who have accepted a qualifying offer of private sector housing (should they choose to re-register and subject to the household continuing to have a priority need as defined by homelessness law);
- **Group 7 – Underoccupiers¹⁵:** People living in public rented accommodation which is larger than they need who are willing to move to smaller public rented accommodation (this can be anywhere in the country, not just Harrow).
- **Group 8 – No longer in use**
- **Group 9 (welfare preference) – Disability-adapted housing:** People living in public rented accommodation which is adapted or purpose built to accommodate physical disability where no-one in the household needs such facilities. We also prioritise for a move those council and housing association tenants who need major adaptations but whose current home it would be impractical or uneconomic to adapt.
- **Group 10 (welfare preference) – Adoption & fostering:** People recommended by Children's Services as suitable to adopt or foster one or more children but who need more appropriate housing in order to do so and do not have the means to source the accommodation themselves.
- **Group 11 – Unsuccessful applications for succession and occupiers holding over:** People who are not entitled to succeed to a council tenancy but to whom the council would have a statutory homelessness duty *and* who do not have the means to source alternative accommodation themselves, where the property is larger than they need or has adaptations in place that are not required by the occupier.
- **Council-interest transfers:** both emergency and urgent tenant transfers

¹⁵ Although under the Localism Act moves by social tenants who do not have statutory reasonable preference are not counted as "Allocations" and do not have to be prioritised alongside the applications of other people Harrow has decided to include them in the scheme and treat them as top priority along with emergency cases.

(**group 12**), permanent decants (**group 13**) and service tenant move-ons (**group 14**) that are in the council's interest (including for any of the reasons set out in section 4.7 above).

- **Group 15 – Ex-tenants moving on from an institution¹⁶:** Ex-tenant who relinquished their tenancy in a timely manner in return for a re- housing undertaking upon discharge from the institution.
- **Group 16 (welfare preference) – Young people leaving care (on an annual quota basis):** Young people leaving care, approved for move-on to a fixed annual quota of studio and one-bedroom accommodation, provided they meet the eligibility criteria set out in appendix 3.
- **Group 17 (welfare preference) – Move on from supported accommodation (on an annual quota basis):** People living in council-sponsored supported housing who are approved for move-on to a fixed annual quota of studio and one-bedroom accommodation.
- **Group 18 (welfare preference) – Move-on from residential care:** People who are ready for independent living who have been placed by the council in residential care accommodation.
- **Group 19 (welfare preference) – Older residents:** People who would be likely to retain their independence for longer if accommodated in a specialist housing scheme for older people (the schemes are described in section 15 below).
- **Group 20 – Serving and former-members of the armed forces and reserved forces and their families:** Former and serving members of the Armed Forces¹⁷ who apply to Harrow and who have urgent housing needs, if they fall within one or more of the statutory reasonable preference categories (set out in section 8.1 above), will be given additional preference (i.e. a higher priority band than those with reasonable preference who are not armed forces applicants). The relevant groups comprise:
 - (i) serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of service;
 - (ii) former members of the Armed Forces or Reserve Forces;
 - (iii) the bereaved spouse or civil partner of a member of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
 - (iv) serving or former members of the reserve forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.

¹⁶ Institutions include prisons and mental health residential placements

¹⁷ "former members" are defined as those who left the armed forces within 5 years of the date they make a housing application

9. The Banding Scheme

9.1. **Details of bands, band reasons, priority dates, bidding time limits and the consequences of refusal are given in appendix 16 of this allocation scheme.**

9.2. **The five priority bands are:-**

band A+ “Emergency & top priority”

- Emergencies (both homeseeker & transfer categories) (this can apply to some households in groups 1, 2, 10, 12 and 19)
- Serving and former-members of the armed forces and reserved forces and their families with urgent housing needs (group 20)
- Underoccupiers (transfers only) (group 7)
- Non-statutory successors (group 11).

Note: band A+ is exclusively for those people who go to the top of the waiting list because of a life & death risk to their wellbeing or because they are ex-service personnel with urgent housing needs or because they are freeing up a larger social home.

band A “Urgent and high priority”

- Homeseekers and transfers with an identified housing need to whom the council gives reasonable preference but who do not qualify for emergency band A+ (groups 1, 2, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19).
- Transfers with an identified housing need to whom the council gives reasonable preference because they are occupying unsanitary or overcrowded housing or are otherwise living in unsatisfactory conditions (group 3) but who do not qualify for emergency band A+

band B “Standard priority”

- Older residents whose likelihood of remaining independent would benefit from the supported environment of sheltered housing, but who do not meet the otherwise high assessment threshold for medical or welfare “reasonable preference” (group 19).
- Applicants who qualify for transitional relief.

band C “Non-urgent priority”

- **Full homeless duty not accepted:** homeless people to whom the council has not accepted a duty, either because found intentionally homeless or because there is no priority need (under the prevention, relief or main duties).
- **Homeless people where the duty was accepted after 13 December 2012,** who have refused a reasonable offer of private sector housing since they

approached Harrow for housing.

- **Homeless people** where the council has accepted a duty under homelessness legislation and has provided either emergency accommodation (anywhere) or suitable self-contained temporary accommodation (under relief or main duties). **Homeless people** where the homeless application was made after 08 November 2012; band C will apply for up to 1 year from the date of discharge of the duty into a private rented sector home.
- **Another council has accepted a duty under homelessness legislation** and Harrow is satisfied that the council that owes the duty is unable to provide accommodation .
- **Homeless people** to whom the council has ended its duty because of a refusal of a reasonable offer of housing, as long as they remain homeless (subject to verification in case of a successful Locata bid).
- **Homeseekers** with an identified housing need to whom the council gives reasonable preference because they are occupying unsanitary or overcrowded private rented housing or are otherwise living in unsatisfactory conditions in private rented accommodation (group 3).
- **Serial refusers:** certain categories of people in band A+ who have refused a reasonable offer of housing, or people in band A who have refused 2 offers, or B who have refused 3 offers (details at appendix 14).
- **Deliberate damage to property:** people who, even though they are owed the statutory reasonable preference, have put their temporary accommodation or public rented housing into such a bad state, as judged on inspection¹⁸ that the cost of bringing it back to a lettable standard far exceeds the acceptable level of costs that would normally be incurred

Note: If still living in the property the applicant can remedy the breach of tenancy by making good the damage, allowing inspection to check it, and applying for their earlier priority to be restored.

- **Unable to verify:** If we are unable to verify an applicant who has band A+, A or B priority for an offer¹⁹ (we will demote the application to band C until verification can take place – see appendix 6). If a member in band C comes near to an offer and we are unable to verify them we will write to them giving 28 days' notice of disqualification from the register unless they contact us and co- operate to enable verification to take place.

¹⁸ Disrepair may be apparent because of failure to co-operate with inspection.

¹⁹ An example would be where we try to carry out a home visit but cannot gain admittance in order to satisfy ourselves that the applicant is actually living at the address they have applied from.

band C- (minus) “Initial preference”

- **Homeseekers** with an identified housing need who qualify for statutory reasonable preference but who have not lived continuously in the borough of Harrow for the last five years.
- **Applicants** with an identified housing need to whom the council give reasonable preference, where there has been a deliberate change in circumstances which has resulted in a worsening of a household’s circumstances (for example: moving from suitable accommodation into overcrowded accommodation or inviting other people to join a household and make it overcrowded)

9.3. Over-riding the banding priority system

(a) Banding over-ride

The service manager for housing assessment has a residual discretion to increase the band of households whose defining features (including their multiple needs) are deemed to be so exceptional as to warrant a higher priority band than they would normally attract under the scheme. Such cases will be kept to a minimum and will usually entail some imminent threat, recent disaster, or an exceptional need not anticipated or covered by the scheme. Appendix 5 describes the assessment process for applicants with medical, welfare and multiple needs.

(b) Allocation over-ride

The service manager for housing assessment also has discretion, where they consider that the defining features (including the multiple needs) of a member in band A are so exceptionally severe as to warrant immediate/imminent re-housing, to enable the household to be made a direct offer outside the scheme (see section 23 on direct offers). Such cases will be kept to a minimum and will usually entail some imminent threat, recent disaster, or an exceptional need not anticipated or covered by the scheme

10. Waiting Time

10.1. Moving between bands

The principle of the scheme is that no one should overtake existing members within a higher band. Priorities within bands will be on a date order basis, according to the date the member was placed into that band.

- Moving Up a Band
Moving up a band – the date that the higher priority has been given.
- Moving Down a Band
Moving down a band – new priority date reverts to the date that applied when the member was previously in that band or any earlier date when they were in a higher band. The principle is that when moving down their priority date should be the earliest date that they were in the new lower band, or in a

higher band.

If the member has been suitably housed (i.e. they should have been disqualified) for any of the time, the new band date cannot be any earlier than the date they were subsequently assessed as A+, A, B, or C band.

| Table 4 – Examples of priority dates as applicants move between bands | |
|---|----------------------|
| Example 1 | Priority Date |
| Member applies in January and is disqualified | None |
| In February member is placed in band A | February |
| In March member is placed in band A+ | March |
| In April member is downgraded to band C | February |
| Example 2 | Priority Date |
| Member applies in January and is placed in band B | January |
| In February member is placed in band A | February |
| In March member is placed in band A+ | March |
| In April member is downgraded to band A | February |
| Example 3 | Priority Date |
| Member applies in January and is placed in band B | January |
| In February member is placed in band A+ | February |
| In April member is downgraded to band A | February |
| Example 4 | Priority Date |
| Member applies in January and is placed in band A for medical reasons | January |
| In February member is accepted as homeless, moves to suitable temporary accommodation and is placed in band | January |
| In April member refuses direct reasonable offer but remains homeless – band C | January |

| Example 5 | Priority Date |
|---|----------------------|
| Older person applies for sheltered accommodation in January and is placed in band B | January |
| In February member changes his mind and wants one bed non-sheltered but has no reasonable preference for it and is disqualified | None |
| In April member is placed in medical priority - band A | April |
| By July member has refused 2 reasonable offers – band C | April |
| In August member becomes an emergency medical priority – band A+ | August |
| In September medical need disappears – disqualified | None |
| In October new medical assessment – band A | October |

10.2. Time Limits on high priority band A+ and A cases

- Time limits (shown in the chart in appendix 15) are enforced in order to ensure that only genuine emergency and urgent cases are given high priority. Members given emergency and urgent status must actively bid for properties, attend accompanied viewings when invited, and must not refuse offers on grounds that have nothing to do with their emergency or urgent housing needs.
- We want to be able to give people a realistic idea of how long re- housing will take under the scheme. We expect people to wait just long enough to meet their assessed needs, not to acquire a long waiting time in order to pick what they consider to be the best property. We will make such applicants a reasonable direct offer which, if refused, will result in demotion to band C or, for medical and welfare cases, from A+ “Emergency” band to band A.
- In practice time limits depend on the type of property needed and the supply during the bidding period. The council will take into account whether high priority members are making appropriate bids and whether they are refusing properties unreasonably.
- Band A+ “Under-occupation” rating has no time limit, because the council is keen to see under-occupiers move and will not penalise them for taking their time to decide.

10.3. Over-riding the band priority dates

The service manager responsible for housing assessment has a residual discretion to backdate the priority date of an applicant where it can be shown either:

- that there was a delay (not the fault of the applicant) in the obtaining or receiving of the relevant supporting information, *or*
- (in a case where the priority date is the date of the officer’s decision) that the decision took an unreasonable length of time and, had it been made in a timely manner, the priority date would have been earlier.

11. Who can be considered part of the household?²⁰

Both Homeseekers and transfer tenants

11.1. Definition of immediate family

Only the applicant, their partner²¹, their immediate family²² and anyone else with an exceptional need to live with them can be included on the application. This does not normally include lodgers or anyone sub-letting from the applicant.

11.2. Family living abroad

The council will not include on the application any family member who is not resident in the UK at the time the application is made. Such members will only be added to the application once they are living in the UK and can clearly demonstrate that they have leave to remain and recourse to public funds.

11.3. Joint access cases

Bedroom eligibility will be awarded to the main care provider (with whom the children live for more than half the week) who is in receipt of child benefit or tax credits. We will take into account both parents' housing arrangements to ensure that one property has adequate accommodation for the children, but they may have to accept an element of overcrowding when staying with the other parent.

11.4. Extended family

Because of the severe shortage of larger properties applicants need to consider whether other people living in their household could move into smaller properties of their own. If a household member has already made a separate housing application we will not include them on the new application.

11.5. Dependant relatives

A relative who has joined the household because they are unable to live independently will be included on the application only if there are no other options for the family²³. We will expect to see advice from an appropriate professional

²⁰ What follows is a guide to who the council assesses as eligible for re-housing. It does not mean that other people who fall outside the definitions cannot live in the household, even if it causes overcrowding, but they will not be taken into account in assessing the need for re-housing. Note however, that overcrowding may breach tenancy conditions.

²¹ *Partner* means someone who lives with the applicant as a partner, or who would live with them if they were able to. It includes mixed gender and same sex couples, living in a permanent relationship, whether or not they are married or in a civil partnership.

²² *Immediate family* means the applicant's children aged 20 or under who live with the applicant all the time, or for 4 or more nights every week. If a young person is living with a partner, or has their own children, they will not be included on the application unless they have an exceptional need to live with the applicant. Young people living away from home as students will not be included on the application.

²³ An example of an alternative option might be that the relative owns or occupies a larger property which could accommodate the whole family, rather than the relative moving into the applicant's home.

confirming that the relative needs to live with the family. Where this is not considered essential other options, such as sheltered housing, will be discussed with the family before an assistant manager in the housing assessment team decides whether the relative should be included in the application or advises them to make a separate housing application.

11.6. **Carers**

A carer will be included on the application only where it can be demonstrated that:

- a live-in carer is essential on a 24 hour, daily and continuing basis, and
- a live-in carer has been identified and has moved in with the household or is ready to do so when accommodation is made available, and
- a manager in the housing assessment team (in consultation with the council's medical adviser or social care services as appropriate) agrees that a live-in carer is essential²⁴.

Homeseekers only

11.7. People who were part of the household at the date of registration, and are still in occupation will be included on the application and, if successful, the tenancy.

11.8 We will also include children born since the registration date and children (under 21) joining the household where it can be proved that the homeseeker is the sole legal guardian and that there is no other option for re-housing. Where there is another legal guardian a decision will be made on a case-by-case basis to agree where it is reasonable to expect the child to be part of the household.

Transfer tenants

11.9. People who were part of the household at the start of the tenancy, and are still in occupation will be included on the application.

11.10. We will also include children born since the start of tenancy and dependent children (under 18) joining since the tenancy started.

11.11. If there are children aged 21 or over who are living at home we can advise them on their housing options, but they will not count towards any calculation of overcrowding (see section 21 below). (They may apply for housing in their own right, but may be disqualified because they have no priority²⁵).

11.12. If we agree to re-house the immediate family but not everyone currently living with the applicant, the tenant has a responsibility to ensure that no unauthorised

²⁴ Receipt of carer's allowance does not necessarily mean that that it is necessary for the carer to live with the person being cared for. In all cases, regardless of whether or not the carer is in receipt of carer's allowance, it will be necessary for the applicant to provide evidence that they receive disability benefits commensurate with the need for a live-in carer.

²⁵ The council does not give any priority to family members of tenants of public rented housing solely on the basis of their status as family members, unlike some other councils and housing associations which have "sons and daughters" schemes. We consider that this would be unfair to family members of private sector tenants.

occupants remain in the property when they leave it.

12. Removal from the Housing List

12.1. An applicant will be removed from Locata membership if:-

- it is found that they have never been or that they have ceased to be a qualifying or eligible person, *or*
- if they fail to respond following automatic “hibernation” (see 13.2 below) of their application on Locata or when invited to renew by a written communication from the council or Locata (see Section 13, Re-registrations), *or*
- the council considers there are good reasons for doing so.

12.2. Moving out of the borough

Normally, people who move out of the borough will no longer be eligible for band A+, A, B, C or C- and will therefore be disqualified. Those accepting an offer of temporary accommodation out of borough, and those to whom the council previously accepted a homelessness duty, who have accepted a qualifying offer to move into the private sector out of borough, will remain eligible. In exceptional circumstances the service manager responsible for housing assessment has discretion to allow other members to keep their registration and priority banding after they have moved out of the borough²⁶.

12.3. Procedure for removing

We will write to any applicant (other than those subject to the “hibernation” process described in section 13.2 below) in band A+, A, B, C or C- before removing them from Locata membership, unless they have given us no forwarding address or other method of communication. The notice will explain why we are proposing to remove them and will ask the applicant to provide the information required within 28 days to enable us to decide on re-registration or removal. If the decision is to remove them we will notify them in writing with reasons and advise of their right to request a review (see appendix 4, review procedure). A copy will be sent to the adults or children’s social care service if they are involved or if it is considered appropriate.

12.4. Communication following removal from registration

If there is no response to the written notice in section 12 the application will be removed and the applicant will be unable to bid on Locata or to access their personal housing options on the Locata website. Applicants who discover that they have been de-registered against their wishes must contact us to discuss the circumstances, so that we can decide whether to reinstate the application.

²⁶ An example could be an older person who is sick or disabled, has lived in the borough for a long time, has lost their accommodation through no fault of their own and has secured short-term accommodation outside the borough.

13. Re-registrations (renewals)

13.1. Rolling annual programme of re-registration

Members must renew their application every year. Failure to do so will result in de-registration.

13.2. Members not in bands A+ or A or accepted homeless

Three months before the registration anniversary a member receives an on-screen prompt on the Locata website – it requires them to confirm the details of their registration are up to date.

One month before the registration anniversary, if the member has not logged on to bid or check their personal housing options they receive an e-mail, text or letter (according to the preference they have expressed in their application) giving them 28 days to respond.

One month after the registration anniversary an e-mail, text or letter (according to the preference they have expressed in their application) is sent informing them that their application has been cancelled. In the Locata back office system the application is “hibernated”. If the member logs on within 3 months the application is automatically re-activated, but longer than this and a new application is required.

13.3. Members in bands A+ and A and those accepted homeless

Members not subject to hibernation will be written to if they have not communicated with us during the previous 12 months. We will check the applicant file for other recent contact such as bidding, telephone calls, interviews or correspondence. If the member appears to be vulnerable and/ or to have a high priority we may make a home visit. They are allowed one month after our reminder to re-register. If there is no contact we remove the member unless we consider that they should remain registered, and we will record our reasons for doing so on the applicant’s file.

13.4. Reinstatement of a closed application

A member who discovers that they have been de-registered needs to contact us to explain the circumstances, so that we can decide whether to reinstate the application and whether the original band and priority date still apply.

14. Inward mobility

14.1. Pan London Tenant Mobility Scheme – “housingmoves”

Harrow contributes a small percentage of its vacant properties to the scheme, which enables public rented housing tenants living outside Harrow to move into the borough. The scheme is reciprocal, so that incoming moves are counterbalanced by Harrow tenants who move out of the borough under the scheme. The scheme has its own application form and priority criteria, which Harrow will honour for incoming tenants provided their home landlord verifies their

circumstances satisfactorily at the time of offer.

14.2. **Applicants from other Locata partners**

When non-Harrow applicants bid for Harrow properties under Locata cross partner bidding arrangements their eligibility for an offer may be assessed under Harrow's policy as the receiving partner rather than the policy of the registering partner, if it is different²⁷.

14.3. **Reciprocal requests**

Harrow only agrees to reciprocal requests when it is satisfied that the person is in urgent need, that they need to move to Harrow, and that the reciprocal property being offered will be beneficial to Harrow residents with high priority to move. We will not accept reciprocal requests from West London Locata partners, who can use the cross partner bidding arrangements. The team leader responsible for housing allocations and nominations decides whether to grant a request for a reciprocal move.

14.4. **Special requests**

Harrow participates in various schemes that assist welfare agencies and others to manage housing difficulties experienced by their clients. There is a National Witness mobility scheme²⁸, the pan-London Safe and Secure scheme²⁹ and the Pan London Housing Reciprocal scheme³⁰. When we accept people from outside the borough under these protocols it is always on the understanding that Harrow residents in similar circumstances will be eligible to benefit from the schemes, and it is always a very small minority of lettings. Decisions to accept such cases are made by team managers in the Housing Needs Team.

14.5. **Other requests**

Because of the shortage of accommodation in Harrow we only accept incoming nominations for sheltered and designated elderly accommodation³¹. Such nominations from other housing organisations can be considered only from homeseekers (from any borough outside the West London Locata partnership),

²⁷ Examples (not exhaustive): (1) a bidder from another Locata partner who is banded A to C but, if assessed by Harrow, would be disqualified (2) a management transfer from another partner may expect to move from a flat to a house but we would treat them according to the Harrow management transfer policy of like-for-like only; (3) another partner's applicant has 12 months waiting time in a high priority band for a reason that Harrow would have time-limited to, say, 6 months.

²⁸ To enable those testifying in major criminal trials to make a new life away from the risk of reprisals.

²⁹ To tackle gang violence.

³⁰ Which enables people with public rented tenancies to move out of a borough where they are unsafe without losing their security of tenure by making a homelessness application

³¹ Because there is no longer a national mobility scheme we expect the borough or landlord nominating the older person to Harrow to offer a reciprocal property for a Harrow resident wishing to move to that borough.

and from public rented tenants (from outside London³²), where there is a local family connection. Applicants must register with the authority where they have the most connection but they can bid for cross-borough properties. Accepted applications will be placed in band B and treated as if they were in-borough applicants.

15. Housing for older people

15.1. Harrow has two types of accommodation specifically for older people. Where one partner of a couple is below the age required for eligibility for the scheme the team leader for lettings and nominations will decide on eligibility for the tenancy, in consultation (as necessary) with the housing assessment team and resident services team. Older people from outside Harrow may apply as stated in section 14.5 above.

15.2. Sheltered Housing

This type of accommodation is for members aged sixty or over (although age limits for schemes can vary) who are able to live independently and manage alone, but who will benefit from the added security of an on-call warden and an alarm cord system should it be necessary to seek help in an emergency. This includes people who can manage alone with the aid of a social services care package. Members with a disability may be considered for sheltered from 55 years.

Sheltered tenant transfers: Members who are already living in a sheltered scheme may apply to transfer to another, but will only get priority for this if there is a need (as opposed to a preference) for the transfer.

Housing association specialist schemes: Within this category there are a few sheltered schemes in Harrow that are owned by housing associations and which cater for customers with specific cultural needs, such as ASRA accommodation for Asian elders.

15.4. Extra Care Housing

Harrow has one extra care scheme, and other schemes are planned. The schemes are staffed by residential social care staff working on a rotational basis to provide cover 24 hours per day.

Care Panel: These schemes are not normally advertised through choice based lettings. Access to both schemes is by nomination via the Adult Services weekly care panel, which includes representatives from Adult Social Care, Housing and the Care and Support providers at the schemes. People age 55+ are eligible.

15.5. End of designation of Over 50s Blocks

³² Public rented tenants living in London are expected to apply to "housingmoves", and members in West London should use cross partner bidding on Locata.

Some council properties were previously designated for people aged 50 years and over. Over time and through the Right to Buy the age mix in those blocks has changed and they are no longer occupied by people aged 50 or over only. Therefore, there is no need to continue with such allocations and the properties will be made available to all eligible members regardless of age.

16. People with mobility difficulties

16.1. Mobility classification

Where an applicant, or one of the household, has mobility difficulties they are asked to state which of the following classifications best fits their circumstances:

1. They use a wheelchair all the time, both indoors and outdoors.
2. They cannot manage steps or stairs and do not rely on a wheelchair indoors, although they may use one some of the time.
3. Independent but can only manage one or two steps.

16.2. Mobility assessment

Irrespective of the band assessment, if the applicant self-assesses as mobility group 1 or 2, or if they say they have a substantial and permanent physical disability which may place them in mobility group 1 or 2, the Housing Assessment team will make a referral to the Occupational Therapy team, for a report on their housing needs. Taking into account the recommendations of the report the housing options officer will place the member in one of the following mobility groups:-

1. Wheelchair user indoors and outdoors.
2. People who cannot manage steps or stairs and may use a wheelchair some of the time.

If the applicant does not need any of the major facilities or adaptations implied by mobility groups 1 and 2, but they can manage only one or two steps, or if there is a medical report that states that someone in the household needs to be on the ground floor or in lift accessible accommodation, the options officer will place the member in the following mobility group:-

3. Independent but can only manage one or two steps

16.3. Purpose-built and adapted vacancies

The council has access to very few fully wheelchair adapted properties, although we make efforts to ensure that there is a good proportion of such properties in most of the housing association new build schemes in the borough. Fully and partially adapted and purpose-built properties are advertised with the mobility symbol  1 or 2, and lists of bidders are prioritised to make sure that those

waiting for this type of home get first consideration.

16.4. General needs property vacancies

Much of the council's stock of housing does not lend itself to economically feasible adaptation for wheelchair users. Because of the scarcity of suitable homes, and the urgency of the housing need of many people with physical disabilities, but we do try to ensure, where a property is suitable for adaptation and a customer with mobility difficulties is interested in it, that we commission the necessary adaptations, in partnership with our colleagues in the occupational therapy service. For this reason, we try to ensure that our property adverts are as informative as possible so that customers with mobility difficulties are able to bid for suitable properties and do not waste their bids on unsuitable ones.

16.5 **Ground floor and lift accessible properties**

We also earmark much of the small stock of ground floor and lift accessible properties for people in mobility group 3, and advertise them accordingly as



3. Conversely, where an applicant has been classified as mobility group 3, we do not shortlist them for unsuitable properties, such as houses with stairs, unless the best solution for them would be to install a stairlift. This would usually only apply to larger properties such as 3 and 4 bedroom houses, because of the shortage of 3 and 4 bedroom ground floor and lift accessible apartments in Harrow. We would be very unlikely to agree to install a stairlift in a 2-bedroom house, when there is a reasonable availability of 2-bedroom ground floor flats to bid for.

17. Advertising properties

17.1. **Where and when the properties are advertised**

Partners and associates advertise their vacant properties online through the Locata website, www.locata.org.uk every week. Personalised hard copy sheets of available properties can be provided to people who are unwilling or unable to use the website to search for a home.

17.2. **Exclusions from advertising**

The assistant service manager responsible for housing allocations and nominations decides when to advertise potentially vacant properties and when to exclude properties from advertising under the choice based letting scheme. We aim to advertise and allocate through Locata 80% to 90% of available general needs and ordinary sheltered homes (i.e. not including extra care and supported housing designated for particular groups such as people with learning difficulties).

17.3. **Limitations on who can bid for each property**

Taking into account their targets and responsibilities under the scheme, the team manager for housing allocations and nominations sets the eligibility criteria for bidding for each advertised property and is responsible for ensuring that they are adequately described in the adverts:

- whether available for transfers or homeseekers or both, minimum and maximum numbers of persons in the household if children are allowed
- in the case of a house or flat with a private garden whether it will be prioritised for families with children under the age of 12 (done whenever

- practicable)
- if there are age-limits (e.g. over 55, 60 or 65)
- the mobility level, if applicable (see section 16 above on physical mobility needs)
- if applications are restricted to or prioritised for special cases such as quota/ homeless/ decant/ key worker/ same estate/ overcrowded or underoccupying households
- if pets are allowed
- whether available for cross-borough bids
- if sheltered
- whether in a scheme that caters specifically for a particular group of people (e.g. Asian elders)

17.4. **Other information given in the adverts**

The adverts also, where possible, specify:-

- location, including street/ estate/ district/ postcode as appropriate, to give bidders a clear idea of where the property is situated
- who owns the property and whether it is a specialist landlord
- type of tenancy (e.g. flexible /fixed term)
- the weekly or monthly rent including any other charges
- type of rent (e.g. social, affordable)
- the estimated date the property will be ready for occupation
- if a local lettings policy applies.

17.5. **Local lettings policies (LLPs)**

The council may from time to time implement a Local Lettings Plan which will set out how properties will be allocated in exceptional circumstances to meet area specific issues, for a specific block or estate. This will ensure that there is a planned approach to the letting of high density/high rise schemes to ensure sustainable mixed and balanced communities.

The Council may also agree with partner housing associations a local lettings policy aimed at promoting sustainable estates, good tenancy management, and meeting the needs of a local area.

LLPs must be evidence-based and fulfill a clear need³³.

For Council Scheme LLPs, these will be authorised by the Divisional Director for Housing following consultation with the Portfolio Holder for Housing under a delegated authority.

For LLPs agreed with partner housing associations these must be approved by the

³³ Example objectives might be to reduce anti-social behavior, reduce high child densities, dilute high concentrations locally of people with support needs, increase the proportion of working people on a particular estate, or to ensure that, where there are high concentrations of older residents, they are able to live in peace.

service manager for the housing needs service in conjunction with any relevant housing association(s) following an equalities impact assessment that takes into account any effect of the policy on the council's ability to house applicants with high priority within the expected timescales³⁴. LLPs should be reviewed by the service manager for housing provision in conjunction with the partner housing associations on a regular basis (at least every two years).

17.6. **Sensitive lettings**

Occasionally a property becomes available for letting which, because of particular circumstances such as the frailty or vulnerability of neighbours, it is deemed that it should be let "sensitively". No tenancy will be offered for such a property until it is confirmed that neither the prospective tenant nor any member of their household has:

- a history of anti-social behaviour or nuisance
- a history of drug or alcohol misuse
- a history of drug-dealing caused housing management problems in previous accommodation, including emergency and temporary accommodation.

Other factors may be taken into account where justifiable. For example the nature of the sensitivity may indicate that the property should be let to a male or female applicant.

Conversely a neighbour of a property to be let may have a history of behavior which indicates that the property should not be let to a person who is likely to be particularly vulnerable to harassment or aggressive behavior. The assistant service manager responsible for housing allocations and nominations decides whether to designate and let a property as "sensitive".

17.7. **Housing association vacancies**

Some of the housing associations with properties in Harrow are Locata partners. These associations advertise and allocate their properties directly using the Locata system. While the housing allocations team tries to ensure that these adverts are in line with Harrow standards and that Harrow's lettings policies are followed, it is not always possible to achieve compliance. Some housing associations have their own allocation policies which differ from Harrow's, so it is very important to read their adverts particularly carefully.

17.8. **Complaints relating to housing association lettings**

Complaints about adverts and allocations by Locata partners should be addressed to those partners. While we will do our best to assist in resolving such complaints and will take responsibility if the association was acting on our instructions, we cannot be held liable for errors made or separate allocation policies followed by

³⁴ Examples of groups that might be prioritised in a local lettings policy might be transfer applicants with a positive tenancy history (no arrears, not history of anti social behavior), smaller families, people who are not vulnerable, employed people, people from the local neighborhood or estate, or people of a minimum age.

these bodies, which are independent of the council.

18. Bidding for properties

18.1. How to express an interest (“bid”)

Qualifying and eligible members (bands A+ to C-) can express an interest in a limited number of properties, making up to 3 bids per week, for adverts on Locata, by whichever method they prefer of:

- bidding by telephone
- text message
- bidding online via the website, www.locata.org.uk (Harrow libraries provide use of computers free of charge to local residents), or
- any new technology that may become available in the future.

18.2. Limitations on bidding

Members who make more than the allowed number of bids will have the additional ones disregarded, so it is important to bid for no more than 3 homes; one of the ineligible bids might be the one that would have given the best chance of a property viewing.

18.3. Bidding for the wrong properties

The Locata choice based lettings technology excludes from consideration all bids for a property that do not meet the eligibility rules and the criteria set by the assistant manager responsible for housing allocations (see sections 17.3 above and 19 below). Members who consistently bid for properties for which they are ineligible may be contacted to discuss their bidding.

18.4. Direct allocations

Members who urgently need to move and who do not bid for properties may receive a direct offer (see section 23, direct offers, below).

18.5. Persons not suitable to bid

If the multi agency public protection panel (MAPP) recommends that a tenant or homeseeker with high priority should be excluded from bidding such people will be assisted by a direct offer (see section 23, below)

18.6. Support with bidding

Full details of how to bid and the other features of the scheme are set out in Locata’s online scheme guide, which can be obtained from the council if the applicant has no access to a computer. Staff in the housing needs service assist and encourage members with support needs and those who have difficulty with written English to use the website to choose and bid for properties. The council keeps an “assisted bidding” list of those who tell us that they are unable to engage with the system themselves, and also provides support and training for relatives, social care, advocacy and advice agencies so that support workers are able to assist their clients to use the system.

19. Eligibility of Bids

19.1. Bidding rules

Location of properties – Harrow Locata members may bid for properties advertised in the following sections of Locata:-

- Harrow
- Cross-Borough
- Any of the individual housing association pages

Table 5 – Bidding rules

To be eligible, a bid from a Harrow member must satisfy the following

| Rule | Notes |
|--|--|
| There is no current offer of another property ³⁵ | Making an offer to a member makes all other bids from that member ineligible whilst the offer remains on the table |
| Member is registered with Harrow, or with a partner housing association and is resident in Harrow. | If a property is a Harrow property and not advertised cross-borough, the member must be registered with Harrow or with a partner housing association (resident in Harrow). |
| Member is in correct category (“housing list”) | The member’s housing list (Homeseeker or Transfer) must match that of the property |
| Bid before deadline | The bid must reach Locata before the bidding list closes |
| Only three bids per fortnight allowed | Only the first 3 bids from a member for a round of Locata adverts are eligible |
| Maximum persons | The member’s household must have no more than the maximum number of persons for the property ³⁶ |
| Minimum persons | The member’s household must not have less than the minimum number of persons for the property ³⁷ |
| Maximum beds ³⁸ | A member cannot bid for a property with more bedrooms than they are assessed as needing |
| Minimum age | The member must satisfy the age requirement on the property label |
| Mobility level | Mobility level 1 and 2 properties are not available for bids from able-bodied households. |

³⁵ If a member comes top of more than one to offer is at the landlord’s discretion

³⁶ Management transfers bidding for like-for-like properties may be exempted from the maximum persons rule, as may

³⁷ Management transfers bidding for like-for-like properties may be exempted from the minimum and maximum persons rule, as may some ex-service tenants and underoccupiers.

³⁸ Under-occupiers (and members releasing adapted property at the housing assessment manager’s discretion) may be allowed to bid for larger property than they would otherwise be assessed as needing

19.2. Other bidding criteria

In addition to the basic rules set by the system described in section 19.2 above members may be ineligible for an offer on a property where they do not meet the advertised criteria, examples of which are described in section 17.3 and 17.5 above. Other rules are applicable to particular groups – for example a management transfer will not be considered if they bid for a non “like for like” property, and an applicant in mobility group 3 will not be eligible for an unsuitable property with stairs (as described in section 16.5 above).

19.3. Number of bedrooms

Although an applicant is registered as needing a certain number of bedrooms, as assessed by the bedroom standard (see section 21 below for more information on this), it is often in their interests to consider bidding for properties with a smaller number of bedrooms. This is because the waiting time is likely to be less, as supply of smaller homes is greater³⁹.

19.4. Illegitimate bidding

It is important that applicants keep the housing department up to date with their circumstances, such as people leaving their household, new additions to the household and deteriorations and improvements in physical mobility. If a bid is placed for a property on the basis of out of date information and comes high on the list for it with an invitation to view, the applicant will not be offered the property if the change in circumstances mean that they would not have met the advert criteria or would have had a lower priority for that property (see more information about how we verify applicants at the point of tenancy offer in section 22 below).

20. Tenant selection, viewing and offers

20.1. Ranking of bids

All eligible bids for each property are placed into priority order. Priority is decided:

- first by band
- second by date order within each band
- third by registration date, and
- finally by random selection⁴⁰.

³⁹For example an applicant with a teenage girl and boy “needs” 3 bedrooms, but is likely to achieve re-housing much quicker if they are prepared to consider 2 bedroom properties

⁴⁰Every bid is assigned a random number when the bid is made. This number is used to resolve ties - where both priority date and registration date of two successful bidders are the same - the higher random number gets priority.

Where a property has been advertised to give preference to a mobility group, bids from these applicants will be prioritised as described but ahead of bids from members who are not in that mobility group.

20.2. Decisions relating to the list of bidders

The prioritised list is given to the landlord for offering.

20.3. No expressions of interest in a property

If there are no eligible bidders for a property the manager responsible for housing allocations and nominations may decide either to make a direct offer (see Section 23, below), or re-advertise it, or refer it back to the landlord (or Harrow Resident Services as appropriate).

20.4. Invitations to view

In order to minimise delays most Locata landlords arrange multiple viewings, usually inviting up to five members per property. Members must bring proof of identity to the viewing. Unverified members (see appendix 6 on verification) are advised via the "Invitation to view letter" to contact their housing officer within 24 hours in order to arrange for verification and confirm their eligibility, wherever possible prior to the viewing date.

20.5. Ability to afford the rent

Applicants who are found at verification to be unable to afford the rent for a particular property will not be offered that property. Whether the accommodation is affordable will be determined taking into account the financial resources available to the applicant and the level of rent for that accommodation⁴¹.

20.6. Verification for an offer (see appendix 6 for details)

The housing assessment team carries out any further eligibility checks considered necessary, maintaining contact with the importing landlord throughout the process. Members who fail to have their verification completed before the viewing date may not be offered the property, so it is very important to provide all the documents and proofs requested quickly, and to allow access if a home visit is needed. When eligibility and priority have been confirmed the member with the highest priority who attended the viewing is offered the property and invited to sign for the tenancy.

20.7. Verification of members from other Locata partners

A process is in place for partners to accept the verifications carried out by each other. However, Harrow reserves the right not to accept a member registered and verified by a partner organisation if we have reason to believe a Harrow member in similar circumstances would not have been approved for that property.

20.8. Property condition

Empty properties in sheltered housing are routinely decorated if the decoration is

⁴¹The applicant may be asked to demonstrate how they would pay the rent by, for example, setting out what payments they would make out of their income, and an assessment would need to be made as to how realistic this would be.

in poor condition. Other empty properties will be redecorated by the council if the decoration is in poor condition, the new tenants are disabled, and they wish the council to decorate for them. Decorating by the council usually consists of 2 coats of emulsion to walls and ceilings. All other empty properties where decoration is poor have a decoration allowance available for new tenants to carry out the decorating themselves. Refusal of a property on the grounds of poor decorative condition is not normally considered as a “reasonable” refusal, because the new tenant could make the property suitable by decorating it.

20.9. Refusals

If the member refuses an offer, the next member is selected. Penalties for unreasonable refusals are set out in the chart in appendix 15. The property may be reserved for a direct offer to someone who fails to attend or who wishes to refuse it, in order to protect, for example, a potentially homeless member from eviction. We ask housing association partners to co-operate with us, by not immediately signing up the next person on the list in cases where we have made a direct offer to an urgent case and have requested that the property be held for them.

20.10 Tenancy transfers

Existing council and housing association tenants cannot be granted a new tenancy until they end their existing tenancy.

20.11 Joint tenancies

It is usual for a joint tenancy to be granted to married and cohabiting couples, civil partners and same sex couples, .

20.12 Information about the reason for the vacancy

If the previous tenants left because of racial harassment, prospective tenants of ethnic minority origin will be advised of this after they have viewed the property and expressed an interest in it, but before they formally enter into a tenancy.

21. Number of bedrooms

21.1 Maximum and optimum numbers of bedrooms

The maximum number of bedrooms for which members are eligible to bid is determined by the size of their household but, as there is a shortage of large homes, many members will be advised seriously to consider bidding for smaller accommodation than they would prefer. Where a property has two living rooms and one can reasonably be used as a bedroom, the property advert will be labelled on that basis⁴².

21.2. Bedroom needs assessment

Table 6 – Comparison of bedroom standard and Harrow rules

Maximum bedroom eligibility is determined using the following guidelines, which are based on the national “Bedroom Standard” (BS) but with some difference

| BS – separate bedroom | Harrow scheme for comparison, including changes from the previous allocation scheme |
|---------------------------------|---|
| A married or co-habiting couple | The same as the BS and the same as the previous allocation scheme |
| An adult aged 21 years or more | Harrow’s scheme does not take into account sons and daughters aged 21 or over in calculating the number of bedrooms required. Instead we will do our best to assist adult sons and daughters to find their own private sector accommodation. Where Adult Social Care recommends, and we agree, that it is essential for an adult son or daughter to remain in the family home either to give or receive care, we will allocate a bedroom accordingly. Similarly, adult relatives living as part of the household are entitled to a bedroom if they need to live with the household either to give or receive care (see section 11 above). |

⁴² A “three bedroom parlour house” therefore will be advertised as a 4-bedroom home, and those eligible for a maximum of 3 bedrooms will not be eligible to bid for it.

| | |
|--|--|
| A pair of adolescents aged 10-20 years of the same sex | (a) The previous allocation scheme assigned a separate bedroom to same sex siblings where one is aged 10 or more if there was a 5 year age gap. This is no longer the case as the new scheme applies the BS. (b) If the household comprises a mother aged under 21 with a daughter they will be eligible for a bedroom each, just as if the mother was aged 21. |
| A pair of children aged under 10, regardless of sex. | The previous allocation scheme assigned a separate bedroom to opposite sex siblings where one is aged 7 or more. This is no longer the case as the new scheme applies the BS. |

21.3. **Discretionary additional bedroom**

A housing assessment team leader will add a bedroom where the medical adviser recommends this as essential for the applicant's independence⁴³. We will try to check with a benefits provider whether they will agree to pay benefit for an additional bedroom and advise the applicant accordingly before completing our assessment, in case the answer is negative and the applicant would be unable to make up the rental shortfall.

21.4. **Ex-service tenants and Underoccupiers**

An additional bedroom may also sometimes be agreed for an ex-service tenant (by the manager responsible for the housing assessment service) or an underoccupier (by a housing assessment team leader. The manager agreeing an additional bedroom must first satisfy themselves that the property is going to be affordable for the applicant. In such a case, if it is necessary to meet the minimum occupancy criteria for the relevant property adverts, a "dummy" household member will be added to the application to ensure bidding eligibility for the agreed size of home.

21.5 **Overcrowding**

Only where a household lacks two or more bedrooms, as calculated by the bedroom standard set out in section 21.2 above, will they qualify for reasonable preference with Harrow. This is because, in the prevailing housing conditions in Harrow, many people lack a bedroom without a need for public rented housing being indicated. Unless there are other factors causing multiple needs that adversely affect a household's housing circumstances, lacking one bedroom no longer attracts any priority in Harrow.

21.6 **Renewing Fixed-Term tenancies**

Where registered providers continue to use fixed-term tenancies, their assessing officer is expected to look carefully at the number of bedrooms needed by the

⁴³ Examples: (1) a live-in carer is essential, (2) the person's medical condition requires such a large amount of equipment to be stored in the home that it is not practical without an additional room, (3) a husband and wife are unable to share a bedroom because of a medical or welfare difficulty.

household when their fixed-term tenancy is reviewed prior to their renewal date. If people have left the household, or care needs have changed, since the tenancy was granted, and if it is agreed that the tenant continues to be eligible for a public rented tenancy, the new tenancy will be offered for a smaller home in line with the reassessed need. Such new tenancies will either be offered directly or through banding on Locata, as appropriate to each case.

21.7. **Bedroom need (maximum and minimum) at a glance⁴⁴**

The table on the next page specifies the maximum and alternative acceptable occupancy standards for bidding on Locata, subject to individual property advert restrictions.

⁴⁴ Shows the number of bedrooms needed - only where the current home is 2 bedrooms short of this number will preference for overcrowding be given.

| Table 7 – At a glance bedroom need calculator | | | | | | | |
|---|---|---|--|---|---|---|---|
| | Studio/ Bedsit | 1 | 2 | 3 | 4 | 5 | 6 |
| Single Person |  |  | | | | | |
| Cohabiting or Married Couple |  |  | | | | | |
| Adult siblings wishing to live together ⁴⁵ |  |  | | | | | |
| Pregnant but childless woman (with or without partner) | |  | | | | | |
| Parent(s) with one child ⁴⁶ | |  |  | | | | |
| Parent(s) with one girl and one boy both aged under 10 | | |  | | | | |
| Parent(s) with two same sex children Aged under 21 | | |  | | | | |
| Parent(s) with 1 girl and 1 boy where one is 10 or older | | |  |  | | | |
| Parent(s) with 1 girl / 2 boys, or 2 girls / 1 boy all aged under 21 | | |  |  | | | |
| Parent(s) with 4 children, 2 of each sex, all aged under 21 | | | |  | | | |
| Parent(s) with 4 children where 3 are of 1 sex and 1 of the other & all aged under 21 | | | |  |  | | |
| Parent(s) with 5 or more children all aged under 21 ⁴⁷ | | | |  |  |  |  |

21.8. Realistic bidding

Members will be advised that they stand a greater chance of successful early re-housing if they bid for the smallest property for which the number of people in their household is eligible, because supply is greater the fewer bedrooms there are. Supply of 5 and 6 bedroom properties is almost non-existent.

⁴⁵ Unless it is agreed that one sibling is the carer for the other

⁴⁶ parent(s) with one child in a bedsit or studio flat will not be regarded as 2 bedrooms short and therefore do not qualify for overcrowding priority. Similarly, if they have a room or rooms in a parental home they will not qualify for overcrowding priority unless there is a particular reason why they cannot establish their own home in the private sector.

⁴⁷ maximum bedroom need depends on age & sex of children.

21.9. Studio Flats

Although many applicants need, according to the BS, only a self-contained bedsitter or studio flat, we generally assess them so that they are able to bid for 1-bedroom homes because, unlike some of our west London partners, Harrow does not have many studios in its housing stock. Studios are less popular, so waiting times are shorter for applicants who are prepared to consider one. They will also be regarded as a suitable offer should bidders, or applicants to whom we are making a direct offer, refuse them on the grounds of their relatively small size. Exceptionally, for special reasons, an applicant may be assessed as eligible to bid only for studios, called on the Locata system "0 beds".

22. Verification of circumstances prior to an offer of housing

22.1. Offer withdrawal or bypass

We verify all people who are likely soon to be made an offer of housing, to check whether they still have the level of priority and bedroom requirements assessed when they were given their priority banding, and to check their identity and proof of where they are living. Our verification procedure is described fully in appendix 6. If we are unable to verify circumstances we may demote the applicant on Locata to band C until we can make contact and resolve outstanding queries.

Members will not be made an offer of accommodation, and their banding will be downgraded (to A, B, C, C-) or they will be disqualified and removed from the register, as appropriate, if, at the time they bid for a property, any of the following circumstances exist:-

22.2. Change of circumstances

The member has not informed us of a relevant change of circumstances or has completed their application inaccurately, resulting in an incorrect assessment. This might have given the member higher priority than they should have had, or over-calculated the bedrooms needed, or made them eligible for a type of property to which they were not entitled (e.g. mobility- adapted).

22.3. Disqualification

The member is a person from abroad who has fallen out of eligibility because of a change in their circumstances.

Note: Such members will be excluded and cannot reapply unless and until their circumstances change, as described in appendix 3.

23.4. Unable to afford the rent

The reductions in and caps on benefit have resulted in problems for benefit dependent people, especially those with large families, living in all parts of

London, including Harrow⁴⁸. In the event that an applicant is found to be unable to afford the rent they may not be verified for an offer.

22.5. Financial resources available to meet own housing costs Applicants who are found to have sufficient financial resources (income/ capital/ freehold, leasehold or joint interest held in a home) to obtain accommodation for themselves in the private sector or through a low cost home ownership scheme, taking into account the size and type of property needed (appendix 9 sets out the financial limits we apply).

Note: Such members will be given advice about home ownership options, disqualified from Locata, and cannot ask for a reassessment until they can show that there has been a change in their financial circumstances which was beyond their control. In exceptional circumstances the service manager responsible for housing assessment has discretion to make offers to underoccupying tenants and to those with negative equity and those who would be unable to manage a mortgage because of age, infirmity, disability, etc.

22.6. Right to buy application

Tenants who have a current application to buy their dwelling or for a home purchase grant, e.g. Homebuy, at the time a bid is made for a property. Note: Such members will be disqualified on grounds of “sufficient financial resources”. In order to have their high priority reinstated the member will need to withdraw their purchase application and show that they no longer have the financial wherewithal to purchase their own home.

22.7. Behaviour which affects suitability to be a tenant

Applicants who are found at verification to have one of the following issues:

- Council and housing association tenants, and homeless homeseekers placed in temporary accommodation, who have rent arrears (appendix 11 sets out the council's rent arrears policy)

Note: Such members will be downgraded to band C. Team managers in Housing Needs have discretion to keep the high priority, or reinstate it at a later date, if the member is in band A*, or where other exceptional circumstances apply, or where the arrears are paid off before a firm offer is made or, depending on the level of arrears, if the member has made a satisfactory agreement to clear the arrears and has kept to that agreement for at least six months and paid off at least 50% of the arrears.

- Tenants upon whom the council or housing association has served notice of its intention to seek possession or obtain an injunction, due to breach of one or more (non-rent-arrears) tenancy condition.

⁴⁸ This is why we have introduced services to assist people to move to parts of the country where rent levels are lower and council waiting lists shorter.

Note: Such members will be excluded and cannot reapply for at least a year, as described in section 7.9. Reinstatement of registration with the previous high priority happens if and when the council or housing association withdraws legal action or a court decision is given in favour of the tenant.

- Ex council and housing association tenants, who have deliberately lost their accommodation e.g. eviction due to rent arrears.

Note: Such members will be downgraded to band C. In order to have their high priority reinstated the member must wait at least one year and will need to demonstrate that they have conducted their tenancies well since the eviction.

- Council and housing association tenants and homeless homeseekers placed in temporary accommodation who have wilfully damaged or neglected their property, or who are refusing to allow repairs to be carried out.

Note: Such members will be downgraded to band C. In order to have their high priority reinstated the member must demonstrate that they have remedied the damage.

- Tenants or homeseekers, where they or any member of their household has attacked or threatened staff or has a history of anti- social or criminal behaviour related to housing, or is found to have given false or misleading information in order to obtain a tenancy, as described in section 7.5 above.

Note: Such members will be excluded and cannot reapply for at least a year, as described in section 7.9.

- Tenants or homeseekers who owe the council money.

Note: Such members will be downgraded to band C. In order to have their high priority reinstated the member must demonstrate that they have repaid what they owe, or that they have made a satisfactory agreement to pay and have kept to that agreement for at least six months and paid off at least 50% of the original debt.

22.8. Demotion after verification

We will write to any member whose priority is reduced as a result of verification, explaining why and advising them of their right to request a review of our decision. (Appendix 4 sets out the Review Procedure)

23. Direct offers

23.1. Circumstances for direct offers

In certain limited circumstances, we use our discretion to allocate properties directly to the following members and to applicants ineligible to become members. Whenever possible the offer we make will be for a property for which a bid has been placed on Locata either by the applicant or by staff, and for which the applicant would be the highest priority bidder. We consider a reasonable offer of

accommodation to be one which is not in an area which is known to be unsafe for that member and, so far as reasonably practicable, matches the size and type of property for which the applicant is eligible as set out in the table in section 21.7 above. As there is a shortage of large homes, the applicant may be offered smaller accommodation than they would prefer, in furtherance of the council's statutory homelessness duties.

23.2. Special circumstances

Some applicants will not be allowed to bid under choice based lettings Examples are public protection panel cases and applicants under the age of 18 (where the council has accepted a homelessness duty, or who are in the Leaving Care Quota). One offer, in line with policy, will be made and, if it is unreasonably refused, the applicant will be disqualified.

23.3. Band A+ emergency and band A urgent need

Where a band A+ and A applicant has not been successful on Locata either because they have not been bidding, or because they have refused one or more reasonable offers, or they have not turned up to a viewing when invited, we may make a direct offer. The chart in appendix 16 outlines to which groups of applicants we may make direct offers.

23.4. Under-occupiers in very desirable properties

Where an under occupier has highly specific requirements (e.g. they will only be tempted to move if a particular property is offered to them) we may decide to offer that property to them directly, outside Locata.

23.5. Temporary decants

We will make one direct offer of a reasonable transit property to tenants who need to be temporarily moved out. If the offer is refused we will start possession proceedings.

23.6. Permanent decants

We will make one suitable offer to tenants who need to be permanently decanted, but who have failed to make a successful bid for alternative accommodation within the necessary timescale. If the offer is refused we may start possession proceedings.

23.7. Non-statutory successors, unauthorised occupants

Non-statutory successors and/ or unauthorised occupiers who are offered a discretionary tenancy - One offer will be made to those who have failed to make a successful bid for alternative accommodation within the necessary timescale. If the offer is refused we will start possession proceedings.

23.8. Over-riding emergency need

Members in band A+ whose defining features (including their cumulative needs) are considered by a service manager in the Housing Needs team to be exceptionally severe may be made a direct offer in order to effect their immediate re-housing.

23.9. **Limited circumstances**

In certain limited circumstances, we may use our discretion to allocate properties directly to make better use of our housing stock or to exercise our homelessness duty. Decisions on this will be made by one of the following: Head of Housing Needs or a Senior Housing Needs Team Manager.

24. **Non-secure tenancies**

24.1. **Tenancies which can be offered on a non-secure basis**

If a block is scheduled, or being considered, for redevelopment or demolition, or for any other reason consistent with best use of council resources (as set out in section 4.7 above). the Council may decide to re- let vacant properties to homeless households on non-secure tenancies.

24.2. **What happens when possession is required**

If the Council requires possession of a property in order for redevelopment or demolition to proceed, the Housing Assessment Manager will place homeless households who are non-secure tenants of that property into the appropriate band depending on whether possession is imminent and whether it is appropriate to offer each applicant alternative temporary accommodation. This will also apply to housing association assured shorthold tenants living in the same block.

24.3. **Asylum seekers**

Asylum seekers who do not qualify for housing but who have been accepted as unintentionally homeless and in priority need may have been housed in a Council property with a non-secure tenancy.

If Asylum Seekers are granted exceptional leave to remain in this country, or refugee status, they will qualify for housing. In these circumstances, the Head of Housing will authorise the granting of a secure tenancy of the property they occupy unless one of the following applies:-

- the Council is taking or seeking to take action against the tenant due to rent arrears or other breach of tenancy
- the property is larger than the tenant needs
- the property is in a block that is scheduled for demolition or redevelopment or which the Council has a policy of letting only to non-secure tenants, because it is considering demolition or redevelopment.

25. **Refusals following direct offers**

25.1. **Recording the refusal**

The applicant must give their reasons for refusal in writing, or sign a written statement of their reasons. The property will not usually be held vacant while the refusal is investigated – it will normally be re-offered and let to another applicant unless the offer is to a homeless household. In such cases the offer may be held for a short period (usually no longer than 48 hours) while the reasons for the

refusal are considered in consultation with one of the team leaders for homelessness advice and assessment and the applicant is advised of the possible consequences and given a chance to reconsider their decision to refuse.

25.2. **Consequences for homeless applicants of refusing a reasonable offer.**

A team leader in either the assessment or provision team will interview the applicant and record the discussion. If, having heard the reasons for refusal, they consider the offer to be suitable, they will explain to the applicant the council's intention to discharge its homelessness duty, advise them of their right to seek a review of this decision (see appendix 4, review procedure), and of the importance of them accepting the property (which they can do while still pursuing a statutory review) if they wish to avoid being evicted from their current accommodation.

Following the interview they will inform the applicant of their decision by letter. In cases of unreasonable refusal we will advise the applicant of our intention to discharge the homelessness duty and, if the applicant is occupying temporary accommodation provided by the council, to commence eviction proceedings. Homeless applicants have the right to seek a formal review of our decision and, if still not satisfied, to pursue their disagreement with our homelessness decision through the courts. Priority will be reduced to band C.

25.3. **Unsuitable offers**

If there is a clear mismatch e.g. where the homeseeker or property details were recorded incorrectly, the offer will be withdrawn and the applicant notified by letter.

The applicant may provide new information which substantiates their claim that the offer was unsuitable. The interviewing team leader may need to consult other appropriate officers before deciding whether the offer was unreasonable. If they find in favour of the applicant they will accept the refusal, withdraw the offer, and restore the applicant's priority.

If a reviewing officer finds in favour of the applicant their priority will be restored to the band and date that applied at the time of the offer. Applicants should note that the review officer normally has 8 weeks to review the decision, and may not agree to provide "accommodation pending" to a homeless applicant while doing so.

25.4. **Ex-service tenants**

Following a refusal of a reasonable offer ex-service tenants will be advised that their priority for re-housing has been withdrawn and that the council considers it has fulfilled its contractual obligation to offer suitable re-housing. The member will be invited to make their own housing arrangements and eviction proceedings from the tied accommodation will be started.

25.5. **"Special circumstances" and quota cases**

Following a refusal of a reasonable offer, applicants will be advised that their high priority has been removed and they will be placed in the appropriate band on the general waiting list if they are eligible persons. Children's Services (in the case of looked after children), the relevant supported accommodation provider (in the

case of the move on quota), or the professionals involved in a “special circumstances” case will be kept fully informed at all stages.

25.6. Temporary/permanent decant tenant and non-statutory successors/occupiers holding over:

Following a refusal of a reasonable offer by a tenant who needs to be decanted or by a person not entitled to succeed to a tenancy who the council has agreed to re-house, the relevant housing management officer will be advised so that they can commence possession proceedings (housing management teams will closely monitor such cases.)

25.7. Emergency management transfer:

Following a refusal of a reasonable offer by an emergency management transfer the housing assessment team will remove the priority status, place the tenant in the appropriate lower band, and inform the tenant and the relevant housing management officer.

26. Outgoing Mobility Nominations

26.1. The “housingmoves” scheme

Harrow Council tenants wishing to move to another London borough will be advised of the “housingmoves” scheme and assisted, if necessary, to make an application. Housing association tenants will be referred back to their landlord to provide advice and support on *housingmoves*.

26.2. Non-housingmoves mobility

Members requesting re-housing in another borough which is not in the partners’ areas will be considered for nomination to another local authority or housing association, if they are eligible. The nominee will have to meet the criteria of the receiving authority, which sometimes includes needing to have a local connection with the borough they wish to move to. Older public rented tenants may qualify to be nominated to the Seaside and Country Homes scheme.

26.3. Checking a borough’s willingness to accept a nomination

Members meeting these criteria may have to complete an additional application form. The housing options officer will telephone the receiving organisation to find out if they will accept the nomination. The officer will let the member know in writing if their application is rejected.

26.4. The nomination process

If the receiving organisation is willing to consider the nomination, the housing options officer will make a nomination. Details are noted on the member’s file so that if they bid and are eligible for an offer via Locata a check is made, in order to avoid duplicate offers. If the nomination is rejected, this information is updated on the file. The officer will let the member know in writing whether or not the nomination has been accepted or rejected.

Appendix 1 – Consultation on & context of this allocation scheme

In drawing up this scheme we consulted a range of stakeholders including:

- housing association (registered provider) landlords with which the Council has nomination arrangements
- statutory services
- Voluntary & Community Sector organisations
- Other Council services, including Adult Social Care and Children's Services
- Residents
- Councillors.

We have given due consideration to the council's powers and duties contained in the Housing Act 1996, the Homelessness Act 2002, related legislation and the Secretary of State's 2012 allocation of accommodation statutory code of guidance for housing authorities. We have also drafted and framed the scheme to ensure that it is compatible with the authority's equality duties under various pieces of legislation including the Equality Act 2010.

In accordance with the Localism Act 2011 we have prepared this scheme having regard to the council's homelessness strategy and tenancy strategy and the London Housing Strategy.

An equalities impact assessment for the scheme can be found on the Harrow website.

Appendix 2 – Harrow’s strategic aims to which the allocation scheme contributes

Table 8: Aspects of Harrow’s Housing Strategy to which the scheme contributes, additional to those set out in section 4 of the scheme

| Strategic aim | Example of how allocations policy can help |
|--|---|
| 1) Prevent and tackle homelessness and rough sleeping | Ensuring that the priority scheme does not unintentionally offer an incentive to become homeless (e.g. by offspring asking their parent to exclude them). |
| 2) Promote realistic housing options for people who need to move | Managing customer expectations by prioritising only those people who can realistically be re-housed with an acceptable wait and offering alternative housing solutions to those without priority. |
| 3) Prioritise new homes for people living or working in Harrow | Ensuring, through the 5-year residence qualification, that priority for housing goes first to those with the strongest local ties to Harrow. |

| | |
|---|--|
| <p>4) Increase the supply of affordable homes to rent and buy</p> | <p>Giving high priority for a move to tenants who no longer need a larger home or no longer need disability adaptations so as to take full advantage of the potential offered by the new fixed term tenancies. Providing clear financial guidelines so as to ensure that tenants and homeseekers who have the financial wherewithal to move to shared ownership or to their own housing in the private sector are directed down that pathway rather than occupying scarce public rented units.</p> |
| <p>5) Meet the needs of older and vulnerable residents</p> | <p>Ensuring that, where older people, people with disabilities and vulnerable people with support needs can be assisted through an allocation of public rented housing to develop independence or remain independent for longer, or gain access to essential facilities, they are offered suitable housing.</p> |

Appendix 3 – Non-eligible people from abroad⁴⁹

1. Applicants who are eligible

- a. UK national, Irish national or commonwealth citizen with the right of abode (all subject to the habitual residence test⁵⁰)
- b. Person granted Exceptional Leave to Remain which is not subject to a condition of no recourse to public funds
- c. Person who has unconditional and unlimited leave to remain in the UK, is habitually resident in the Common Travel Area⁵¹ and who is not sponsored
- d. Person who has been granted Humanitarian Protection
- e. Person who has been recorded by the Secretary of State as a Refugee
- f. Person not habitually resident in the Common Travel Area but who has rights of residence under European Law
- g. Person not habitually resident in the Common Travel Area but who is in the UK as a result of having been deported or expelled from another country
- h. Person not habitually resident in the Common Travel Area but who is fleeing from Lebanon or Zimbabwe (and other limited exceptions as from time to time decreed by the Secretary of State)
- j. Person whose only right to reside in the UK arises under European law allowing the minor of an European Economic Area (EEA) national to complete their education, providing that the child entered/ resided in the UK while the EEA national parent was exercising treaty rights
- k. Person who is already a secure, introductory, flexible or assured tenant of accommodation to which they have been nominated by a local authority⁵²

2. Applicants who are not eligible

- l. Person subject to immigration control without the required leave to remain
- m. Illegal entrant
- n. Asylum seeker
- o. Person in the country on condition that they have no recourse to public funds
- p. Person from abroad who fails the habitual residence test (with some exceptions as listed above)
- q. Person from abroad who is in breach of the European Community Right of Residence Directive

⁴⁹ The statutory framework for eligibility is subject to alteration by the Secretary of State and over-rides this allocations scheme if the latter is out of date

⁵⁰ Generally most people are not habitually resident for the first 3 months, but this might not be the case if a British citizen is resuming occupation. Whether someone is habitually resident depends on their main centre of interest and their individual circumstances. There is no legal definition.

⁵¹ The Common Travel Area comprises the UK, Channel Islands, Isle of Man and Eire

⁵² Existing public renting tenants are free to apply for a transfer regardless of their immigration status.

- r. Person whose only right to reside in the UK arises under European law based on their status as a job seeker or an initial 3 months right of residence
- s. Person from abroad who has been the subject of a sponsorship agreement for less than 5 years and whose sponsor is still alive
- t. Person with limited leave not granted as a result of a claim for asylum⁵³

3. Restricted Cases

Section 184(7) of the Housing Act 1996 defines those applicants, referred to as “restricted cases”, who are owed a duty under homelessness legislation because of the needs of someone in their household who is otherwise ineligible for housing assistance. Such applicants are not entitled to reasonable preference for public rented housing. If they are homeless the homelessness duty must normally be discharged by an offer of private sector housing.

If the restricted case meets the criteria of the council for medical, welfare or hardship priority, or for overcrowding or otherwise unsatisfactory conditions (see section 8.1 of this scheme: priority groups 2, 2A and 3), they will qualify to join the housing register and receive the appropriate banding applying to the level of need, so that they can be made an offer of public rented housing if it has not been reasonably practicable meanwhile to bring the homelessness duty to an end with a private accommodation offer.

4. European Union

The UK ceased to be member of the European Union (EU) at 11pm on 31 January 2020. The Housing Allocation Scheme may need to be amended in due course as a result.

⁵³ People with limited leave can apply directly to housing associations.

Appendix 4 – Reviews

This appendix sets out the procedure for reviewing the following decisions:-

- Not to register someone who has applied for housing .
- To remove someone from Locata membership other than at his or her request.
- Other decisions relating to this allocations scheme, including banding, mobility group, assessed number of bedrooms and priority dates.

An officer senior to the officer making the original decision and who was not involved in making the decision will carry out these reviews.

Procedure

1. A request for a review must be made within 21 days from the day on which the applicant is notified of the authority's decision and the reasons for it. The Council has discretion to extend the time limit if it considers this would be reasonable.
2. The officer carrying out the review will carry out an investigation in accordance with internal procedures and taking careful note of relevant legislative requirements, statutory instruments and codes of guidance. If not already received they will invite the applicant to make written representations or, if the applicant is unable to do this or would be disadvantaged by this method, the reviewing officer may hear oral representation. In some cases both written and oral representations may be allowed, and the applicant may appoint someone to act on their behalf in making them.
3. If the reviewing officer finds that the officer who took the decision did not take relevant information into account they will refer the file back to that officer for re-consideration of their original decision as part of the review process.
4. The reviewing officer will notify the applicant of their decision within eight weeks of the request for a review (although this time limit may be extended by agreement with the applicant).

Outcome option 1: Original decision upheld

The review decision letter will give the reasons supporting the review decision. In cases of exclusion from registration or reduced or no preference banding the applicant will be advised (as appropriate) that:-

- (i) A fresh application will be considered if the applicant was ineligible due to being subject to immigration control and the applicant's immigration status has changed.
- (ii) Members/ex-members who have been excluded from membership on grounds of serious anti-social behavior must demonstrate good behaviour for at least a year (or more depending on how extreme the case was) before a fresh application will be considered.
- (iii) Members or any member of their household who knowingly gave false/misleading information or withheld information will not have a fresh application considered for at least one year (or more depending on how extreme the case was).
- (iv) Members who have assaulted a member of staff must demonstrate good behavior for at least a year (or more depending on how extreme the case was) before a fresh application will be considered.
- (v) When the member has paid off rent arrears, remedied damage, legal action has been withdrawn or they can prove that a local connection has been established they can apply to have their former priority reinstated or their application reassessed.

There is no right to request a review of the decision reached on this review, but the review decision letter will advise the applicant that they can seek legal advice on judicially reviewing the decision if they remain dissatisfied.

Outcome option 2: Original decision Quashed

The review decision letter will explain what action the Council will take as a result and their reasons for doing so. The file will be sent back to the Housing Register officer for fresh enquiries to be made and a fresh decision issued. Applicants will be advised of their right to request a review of the new decision.

Outcome option 3: Original decision overturned

The review decision letter will explain the new status of the application and the file will be returned to the Housing Register Team for the case to be updated (e.g. a new band to be recorded). In such cases applicants will be advised that the revised decision is not reviewable.

New information supplied

If the applicant provides the reviewing officer with new information that was not known to the officer who took the original decision the review will take this into account as part of the review.

Appendix 5 – Procedure for assessment of medical, welfare and multiple need

1. Who assesses & why

All applications to Harrow Council for housing or transfer are automatically assessed via the on-line self assessment tool. In all cases claiming a medical or welfare need to move the auto assessment will be considered by an officer in the housing assessment team (HAT) in accordance with our published allocations scheme.

2. Priority in Harrow

Those with a severe medical or welfare need to move are assessed as band A. Band A+ defines cases which warrant emergency status over and above the urgent priority given by band A.

Those for whom the medical, welfare or overcrowding need to move is relatively mild, moderate, temporary or intermittent, do not receive priority under the Harrow scheme.

The severity of cases is assessed according to the suitability of the current housing circumstances, not the clinical severity of the medical condition.

3. Procedure for applications presenting multiple needs

3.1. When assessing an applicant who is in more than one of the reasonable preference categories, or where more than one member of the household has a medical, welfare or disability need to move, i.e.:-

- Homeless (no duty) or homeless (duty accepted)
- Living in unsatisfactory housing conditions
- With a medical, welfare or disability need to move
- Needing to move to a particular locality to prevent hardship the decision as to the appropriate priority band will depend on both the combination and degree of the various factors, with a view to ensuring that we give the greatest priority to those in the greatest need.

3.2. The Housing Register officer who assesses an application must always ensure that they discuss cases presenting possible multiple needs with a team manager. Multiple need does not always warrant a higher band. An applicant may present a number of less severe difficulties. It is quite possible for these to be assessed as sufficiently minor that the banding that would apply because of one of the needs is not justifiably lifted to a higher banding by the combination of the needs. For example, an applicant warranting band B because they are in need of sheltered accommodation might not be lifted to band A because of medical need. Each case is taken on its merits.

4. **Mental health problems**

- 4.1. Mental illness can range from severe conditions such as bi-polar affective disorder, schizophrenia and post traumatic stress disorder to mild depression. Even severe conditions can often be under control through medication, so none of these conditions automatically confers priority re- housing status.
- 4.2. In many cases re-housing will not alleviate the mental condition of the applicant. It is always the effect on health of the current housing circumstances that we look at, not the medical condition itself.

5. **Homelessness (duty owed)**

- 5.1. The banding of accepted homeless cases is defined within the scheme. If an accepted homeless household has a medical, welfare, disability or location need and has been placed in emergency accommodation, their needs will be taken into account in any offer of temporary or private sector accommodation which is made to them in order to ensure that the Council discharges its duty to find suitable accommodation.
- 5.2. When Harrow accepts a homelessness duty to a housing applicant and places them in emergency or temporary accommodation, any request by the applicant to have their banding reviewed will be investigated and considered by the responsible accommodation officer, who will then make a recommendation to a Team Manager to approve.
- 5.3. If, during the course of their homelessness assessment, or as a result of enquiries made during the council's continuing duty towards the applicant, it is found that there is severe social hardship even in the provided temporary accommodation, the applicant will be given band A or, if the need constitutes an emergency, band A+.
- 5.4. If their current accommodation is unsuitable because of medical, welfare, or disability need, but it is conceivable that suitable temporary accommodation could be found, the applicant will be given band A until either they are successful in bidding for permanent housing, or until we can locate more suitable temporary accommodation for the household, whichever is the sooner.
- 5.5. **Decision and convening of a panel** – All reassessed (homeless duty owed) cases will be reviewed and agreed by a team leader in both HAT and HPT. When both parties cannot agree they will convene a Panel meeting (comprising the two team leaders and chaired by the manager responsible for Housing Register assessment – or in their absence, another Housing Need Team Manager to discuss the case and decide the banding. All reassessed cases will be documented on a decision form, signed by both teams, and placed on file.

6. Criteria to be considered

In carrying out their assessment of a household's housing needs, in order to ensure that they give the greatest priority to those in the greatest need, the case officers will take into account such of the following matters as apply to the application concerned:-

- 6.1. any previous history of hospital admissions or incidents and the likelihood of further admissions
- 6.2. any relevant evidence as to whether there would be an adverse effect on the applicant of staying where they are and not being re-housed, and the likely extent and degree of any adverse effect
- 6.3. the number and severity of violence or harassment incidents against the applicant and the proximity of the perpetrator to the victim
- 6.4. any previous history of sexual abuse, rape, etc,
- 6.5. if the age, health and mental functioning of the person means they are less able to cope with, or remedy, their difficulties themselves.
- 6.6. minor medical problems that would not normally give any priority but which are combined with significant social difficulties
- 6.7. whether and to what extent the medical condition is controlled by medication and/or therapy
- 6.8. learning difficulties, even if mild
- 6.9. the extent to which any physical mobility difficulties are exacerbated by the current housing, for example where it causes the person to be unable to leave the building to carry out normal daily activities
- 6.10. the context, such as the number of people in the household, their ages and relationships, details about the accommodation occupied and its landlord, whether the household owns a car, the level of financial assets, and details of who provides day to day support to the household and where they live.

7. Types of report that may be relevant

- 7.1. **Self assessment** – In cases of medical or welfare need (or any claim for higher priority) we normally expect to see a letter or application statement from the applicant giving a clear picture of the impact of their housing circumstances on their everyday life. Equally acceptable would be a letter from an advocate such as Harrow Association for the Disabled, Harrow Mencap, Harrow Housing Advice Centre or the applicant's solicitor, friend or relation, provided such letters

are accompanied by authorisation from the applicant.

7.2. **Professional assessment** – However, in addition to this self-assessment, we normally expect to see professional evidence relating to the applicant's claim for priority, such as one or more of the following:-

- Medical – Normally a consultant's report will be required, although reports from two or more of the following may carry sufficient weight if together they give a clear and informative picture of the difficulties being experienced by the patient in their home. A GP's letter on its own, simply stating the applicant's medical condition and their wish to move does not constitute proof of a medical need to move, especially where it is not clear that the housing conditions are having a severely adverse effect on the applicant's medical condition.

Other medical sources of information: G.P., health visitor, community mental health nurse, occupational therapist or fieldworker.

- Social services – key social care worker, supported housing worker, education welfare officer.
- Housing management – housing officer, anti-social behaviour co-ordinator, tenancy arrears officer.
- Crime agencies – Victim support, probation officer, police.

8. **Decision**

- 8.1 The case officer should make a file note on any multiple needs case to explain how they have taken the multiple needs into account in their assessment, and summarising why they have decided no significant housing need & therefore disqualified, band C or band B. If they consider that band A or A+ is warranted they will make a recommendation to a team manager in HAT who will agree the recommendation or give guidance to the case officer as to why they disagree.
- 8.2. The team manager can either over-ride the recommendation or specify the additional evidence that the case officer needs to obtain before the correct assessment decision can be reached. The HAT team managers also review a sample of cases where case officers are not recommending that the banding be raised, to ensure that they are taking consistent decisions.
- 8.3. A small sample of cases is reviewed by the service manager responsible for housing assessment on a regular basis in order to ensure that consistent decisions are being taken by team leaders.
- 8.4. Applicants are advised that they can request a review of the banding if they disagree with the assessed level of priority, and the review will normally be carried out by the Reviews Officer, who reports regularly to the service manager responsible for housing assessment with a view to ensuring consistency of

decisions.

9. Multiple needs examples

9.1. Where an application is received that has a combination of defining features or multiple needs, the housing options officer assessing the case must consider whether the applicant has “emergency medical need” or “emergency severe need” (band A+) or “medical hardship” or “severe social hardship” (band A).

9.2. Common examples of such circumstances are as follows, but please note that this list covers typical and common cases and the considerations that need to be addressed and is not intended to be an exhaustive list of the types of multiple need that occur:-

- A family living in public rented housing which is overcrowded (i.e. at least 2 bedroom deficient) gets band A. However the household may also include a member with a medical condition. An assessment is made as to whether the overcrowding is also affecting the medical condition to an extent that is so exceptional as to warrant **emergency** priority (band A+ medical).
- A family living in public rented housing which is overcrowded (i.e. at least 2 bedroom deficient) may have particular welfare needs, e.g. child protection, which are exacerbated by the overcrowding. In this case an assessment is made as to whether the level of overcrowding is contributing to the risk to the welfare of the family to an extent that is so exceptional as to warrant **emergency** priority (band A+ severe need).
- A family where more than one family member has a medical condition, none of which individually is sufficient to warrant medical priority – hence disqualified. A view is taken as to whether the family’s cumulative need makes their current accommodation so unsuitable as to warrant **medical** priority, and thus band A medical.
- An adult couple who both have learning difficulties, where the Care Plan of each person requires their re-housing (band A). A view is taken as to whether the couple’s cumulative need is so exceptional as to warrant **emergency** priority, and thus band A+ severe need.
- Unsanitary conditions in the property leave the applicant or a member of their household, with a medical condition, at increased risk of infection. If the situation is exceptional, and irremediable within 6 months, **emergency** priority, and thus band A+ medical, would be warranted.
- The applicant or a member of their household is unable to mobilise adequately in their accommodation and this is exacerbated by the lack of opportunity to provide the necessary adaptations (e.g. because of landlord opposition) and/ or the inability of the person to leave the property. If the situation is exceptional **emergency** priority, and thus band A+ medical, would be warranted.

Appendix 6 – Verification

All members must have their circumstances and housing conditions verified before they will be eligible to sign up for a secure or assured tenancy. There must be an up to date verification on file within 6 months of a tenancy offer, or 12 months in the case of social housing tenants and older residents moving to specialist schemes for older people. Verification may include a home visit where appropriate.

All members will be required to provide the following documents:-

- Proof of identity and residence for all persons included on the application
- Proof that they are still eligible persons
- Proof of benefits being received
- Other proofs as appropriate.

Following verification the case officer will amend and update the application as appropriate ensuring that all necessary information is noted on the system. Where it is not possible to complete verification (for example because we are unable to confirm that the applicant actually lives at their stated address) the member will not be allowed to sign up for the tenancy, even if they are the top bidder for the property.

If it is confirmed following verification either that the member is ineligible for an offer or should be excluded from the scheme a case officer in the housing assessment team will write to them, giving reasons for the decision and advising them of their right to request a review of the decision (see appendix 4, Reviews).

Sensitive Lettings

If the property to be let has been designated a sensitive letting, as described in section 17.6, the verifier will need to confirm that neither the prospective tenant nor any member of their household has:

- a history of anti-social behaviour or nuisance a history of drug or alcohol misuse
- a history of drug-dealing
- caused housing management problems in previous accommodation, including emergency and temporary accommodation.

Affordability

For many households that rely on benefits, especially those with large families, living in London, even in public rented housing, may be unsustainable in the longer term. Applicants who are found at verification stage to be unable to afford the rent will not be made the offer of accommodation. Whether the accommodation is affordable will be determined taking account of the financial resources available to the household and the level of rent for the accommodation.

Home visit

Members placed in band A and A+ and those members in band B who have been waiting the longest will be visited, unless their circumstances have already been verified by homelessness investigations. All those who are likely to be made an offer will be visited if they have not been visited within the last 6 months (12 months in the case of social housing tenants and older people bidding for specialist older people's schemes), unless a manager in the housing needs team deems a desktop check to be sufficient. One of the responsibilities of the visiting officer is to check that the correct banding has been applied to the case, so as to ensure that allocations are made to those with the highest level of need.

Homeless and formerly homeless households living outside the M25 may not need a home visit, although the continuing priority need of formerly homeless applicants will need to be confirmed. Such homeless applicants, and formerly homeless applicants who took a qualifying offer, who are accommodated outside the M25, cannot be verified if they give up employment in order to take up an offer of housing in Harrow.

At the home visit previous addresses and the reasons for leaving will be investigated to determine whether the applicant lost their accommodation by doing or failing to do something. This will include where the applicant is a former tenant of a social landlord and was evicted because of a breach of tenancy agreement or is a former council tenant with rent arrears.

If the visit takes place at the beginning of the application process the visiting officer explains the scheme fully to the member, stressing that **they will not be able simply to wait for the council to make them an offer – they must actively bid for homes if they are to be re-housed**. They will also ascertain whether the applicant will need any assistance such as interpretation, help with bidding or advice on their housing options.

At the point of offer

If the visit takes place at the point of offer the visiting officer will advise the member to bring original documents into the Housing Department within the next few days if they have not been able to produce them at the visit, in order for verification to be completed.

Desktop check

We will also check credit rating agencies and the land registry, wherever possible, to determine whether the applicant has accommodation available to them elsewhere and whether they have undeclared sources of income or savings.

Visit Report

The visiting officer completes a housing visit report and places it on the file, and makes recommendations, if appropriate, to the officer who requested the visit. If the case cannot be verified, e.g. because the visiting officer was unable to find the applicant at home and could not satisfy themselves that the person was living there in the circumstances described, or because the applicant failed to supply documents when requested, the case will be demoted to band C until the required information is forthcoming. The case officer in HAT will update and reassess the application, amending the band, if necessary, make any further enquiries and request any further documents needed. The case officer will refer the case to the reviews and fraud officer and/or a team leader if the applicant has given false or misleading information or has withheld information.

Deadlines

We are required to verify applicants who have successfully bid on other Locata partners' properties within 72 hours of receiving a verification request and, at the latest, within 24 hours of an offer being made.

Appendix 7 – Procedure for assessment of non- statutory succession/ occupiers holding over/

Applications for Succession

When a tenant dies, and remaining occupants of the property apply to take on the tenancy but are not legally entitled to succeed to the tenancy, the housing management officer for the area will interview the applicant(s). The housing management officer will then submit a report to the Housing Assessment manager for their recommendations, taking into account:

- The applicant's relationship to the former tenant(s)
- The age of the applicant and any disability, medical or social factors
- The length of time they have lived with the departed/ deceased tenant
- Their ability to finance accommodation in the private sector
- Whether the person would have priority need if they applied as homeless
- Whether the person meets the current "positive residence test" (see below)
- Any other relevant considerations

The final decision is taken by the Senior Professional, Resident Services.

Occupiers Holding Over

In any case where a tenancy is due to end or has been ended by the tenant(s) serving Notice to Quit or a Surrender, the housing management officer for the area will interview anyone in occupation after the tenancy has ended or expected to be in occupation when the tenancy ends, and who makes an application for continued accommodation. The housing management officer will then submit a report to the Housing Assessment manager for their recommendation, taking into account:

- The applicant's relationship to the former tenant(s)
- The circumstances in which the tenancy ended
- The age of the applicant and any disability, medical or social factors
- The length of time the applicant has lived at the property
- Their ability to finance accommodation in the private sector
- Whether the person would have priority need if they applied as homeless
- Whether the person meets the current "positive residence test" (see below)
- Any other relevant considerations

The final decision is taken by the Senior Professional, Resident Services.

The application process

Unless there is good reason to exempt an applicant, applications to take on someone else's tenancy, whether deceased or vacated, should be made using the online application, a standard format that helps to ensure that we assess the housing need element consistently. The housing management officer, upon receiving a request to take over a tenancy, should advise the applicant of how to make an online application.

Where, following reasonable attempts to interview an applicant, the applicant does not meet the housing management officer, or where they fail to provide on request sufficient information, the report should be submitted based on what information is known.

Decision options on applications from Non-statutory Successors and Occupiers Holding Over

1. **Offer the tenancy of the existing property** – the housing management officer will make arrangements to sign them up.
2. **Offer the tenancy of a smaller, non-adapted, or other type of property** – the housing management officer will advise the housing options team that the applicant has been approved for band A+ priority on Locata. The housing management officer will give the decision in writing to the applicant advising them that they have a right to appeal against the decision to the Head of Resident Services. Both the Housing Register officer and the Housing Management officer will advise the applicant that they have a limited period from date of registration to exercise choice by bidding for appropriate properties. The usual guidelines for time limited bidding are 3 to 6 months, but in the case of a property that has more than 1 bedroom or where there is a particular requirement such as ground floor or mobility adaptations the housing management officer should check with the housing options team in order to give a reasonable deadline. If they fail to secure accommodation within the given period they may be made one direct offer only in line with current policy. If they refuse this offer possession proceedings will be commenced (the housing management team will closely monitor this)
3. **Not to offer re-housing** – the housing management officer will write to the applicant advising them that they have a right to appeal against the decision to the Head of Resident Services, initiate possession proceedings and refer the applicant to the housing advice service to explain how to move in the private sector. The housing management officer's letter will also advise the applicant of the reason for the decision and that, should they experience a significant change in their circumstances, they may request us to look at the decision again (e.g. if the decision was made on solely on the basis that employment income was sufficient to afford shared ownership, and the applicant loses their job).

Current positive residence test

- No ongoing culpable involvement in anti social behaviour
- No outstanding debt over £100 to the council or a partner housing association
- No breach of council or housing association tenancy (within last 5 years)
- No serious offence within last 5 years

Appendix 8 – List of tables in the scheme

| Table no. | Title | Page |
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| 1 | Transitional protection for non homeless applicants | 14 |
| 2 | Transitional protection for homeless applicants | 14 |
| 3 | Groups not entitled to transitional protection | 14 |
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Appendix 9 – Financial resources

Assessment

If an applicant has sufficient financial resources to resolve their own housing need, or they unreasonably disposed of financial resources that could have enabled them to purchase/obtain their own accommodation, or they own other accommodation, they will be assessed either as:

- Disqualified, but able to access alternative housing options

or, in exceptional circumstances:

- Higher priority (e.g., elderly owner occupiers who cannot stay in their own home, cannot sell it, and need to move into sheltered accommodation).

Financial Assets

All households applying for housing will be assessed for their ability to buy a property within the Borough. This will include applicants who have been accepted under homelessness legislation and to whom the authority owes a duty under sections 193(2) or 195(2). Assets that may be taken into consideration include but are not limited to savings, bonds, commercial property, residential property, property abroad and money apportioned through the proceeds of a divorce settlement. Other valuables owned (e.g. cars) may also be taken into account. Asset assessments will be conducted at the time of application and also before any offer of public rented housing is made.

Property owners

We will not make an allocation where any applicant owns or part owns a property that they can live in (even if they are not currently living in it) or where, if they sold it, they could afford to buy another property. Property ownership, or a share in a property, where the value of the share is greater than the savings limit, will count as “above benchmark” financial resources. We may make exceptions to this rule in the case of vulnerable older people who have substantial or critical care needs.

If an applicant owns a share in a property but is unable to live there, for example, if their relationship has broken down, we will assess their financial circumstances on the basis of the money that could reasonably be expected to be released if the property were sold.

In determining whether an applicant is eligible to receive an allocation of housing, the Council will consider the following:

- Whether the applicant can sell their current home.
- The expected equity after the proposed sale of the property.
- The applicant’s current financial circumstances and commitments
- Whether the applicant will be eligible for a mortgage.
- The supply of economically realistic accommodation suitable for the applicant’s specific needs on the private market for either sale or rent
- Whether the applicant’s housing need can be met in the private market, taking into consideration the cost of housing in and outside of Harrow.

- Whether adaptation of the present property is a viable option. Whether significant care and support needs would impact on the ability of the applicant to secure and maintain accommodation.

Where the Council agrees to assist a home owner with re-housing, the applicant must undertake to place their home on the open market immediately. They may not rent their home or make any financial gain while waiting to sell.

Savings

Any applicant with savings over £30,000⁵⁴ (in line with the threshold for child tax credit qualification) will not be eligible for public rented housing as they will be deemed to have enough financial resources to rent in the private sector. Deliberate disposal of assets in order to become eligible for an allocation will disqualify an applicant.

Income

Applicants with gross incomes (including notional income from capital assets but disregarding disability benefits) in line with or above the income required for low cost home ownership (including shared ownership⁵⁵) properties by bed size will not be offered public rented housing. This is because they are deemed to have sufficient financial resources to enable the applicant and their household to find other suitable accommodation. The following household income eligibility limits are an absolute income cap; that is anyone earning above these limits (including notional income from capital assets but disregarding disability benefits) would be expected to move either to rent or buy independently.

| Maximum joint household income to qualify for public rented housing | |
|---|---------|
| 0/1 bed | £50,000 |
| 2 bed | £65,000 |
| 3 bed | £75,000 |
| 4 bed+ | £90,000 |

⁵⁴ The figures are as of Dec 2020. The Council will review the financial limits at least every two years, to consider if they still apply, and will take into account any significant changes in: house prices in the borough, income level, the availability of affordable home ownership properties and private rents.

⁵⁵ There is no set minimum income requirement for shared ownership. Each property will be valued individually and the registered provider will determine the minimum income required for that property to be affordable. There is a maximum income threshold of £90,000 in London. The applicant will usually need a deposit of 5-10% of the equity share that they are buying. If they have a large cash deposit this may reduce the income required. They will usually need at least approx £4,000 - £5,000 to pay for the costs of buying a home, though this will depend on the home and options that they choose. Welfare benefits will not be included as income when assessing affordability so they are unlikely to be able to secure a mortgage and be accepted for shared ownership. If they have a poor credit history they may not be able to secure a mortgage and they may not be able to proceed with shared ownership. Visit the Low Cost Home Ownership page on the Harrow website at www.harrow.gov.uk for more information

Important Note

Intentional unemployment in order to become eligible for an allocation will disqualify an applicant. The Council will not make an allocation where, upon verification, we determine that an applicant can afford a mortgage to buy or part-buy a property by using their assets and income.

In assessing “intentional deprivation of assets” the council will follow Department for Work and Pensions (DWP) guidelines wherever possible.

Appendix 10 – Housing application assessment process

Registration

If the officer assessing the incoming application is satisfied that the applicant is eligible for housing they will make an initial assessment based on the information on the application form and any other information available, usually within 28 days. In some cases the application may be activated automatically from the information given on the form. If the application does not qualify for registration, the applicant will be sent a LIN number and a letter explaining the reason(s) for disqualification and, if the applicant lives in Harrow, how to access targeted online housing options and advice, as stated in sections 7.7 and 7.8 of the scheme. If the application does qualify for priority on the scheme, the system or the officer will register the application in the appropriate bedroom category and in one of the five priority bandings with the priority date being the date of registration. If, in order to confirm high priority, they need to check identification documents or supporting information such as medical evidence, or carry out a home visit, they will do this before registering the application, so these cases may take a little longer. We will write to applicants to tell them if their assessment is likely to take longer than 28 days and the reasons for it.

Decision letter

We write to all those who have been assessed as eligible with:

- the Locata Identification Number (LIN)
- the assessed band and the reason for it
- the right to request a review if you consider any of your registration details to be inaccurate (see Appendix 4 for review procedure)
- how to access alternative housing options via the Locata website.

In addition, if assessed as band A+, A, B, C or C- (initial preference), we advise the applicant of:

- how to bid for homes using the Locata website the priority date
- the maximum bed size for which the applicant can bid mobility group (physical disability level) if applicable

The preferred means of communication as stated on the application form will be used to communicate with the applicant (i.e. e-mail or posted letter).

Banding appeal

If the applicant does not agree with their band or priority date they should first discuss the matter with a housing options officer, whose job it is to make sure that applicants fully understand how their banding has been assessed. It may be, for example, that we need more information in order to make a more accurate assessment. If the applicant remains dissatisfied with the decision they have a right to ask for a review to be carried out by our reviewing officer, who is someone senior to the person who made the decision and who was not party to making that decision. Before asking for this, however, we make applicants aware that the reviewing officer has the authority to lower as well as increase a band (see Review Procedure at Appendix 4).

Keeping an application up to date

Applicants must keep the housing department informed of any changes in their circumstances, e.g. when they move house, have a baby, or someone leaves or joins their household by logging into their Locata account and completing an online change of circumstances form. If this results in a band change we will inform the applicant in writing of the new band, the reason for it and the applicable priority date, and of their right to request a review of the decision (see Appendix 4 on the review procedure). Failure to tell us about a change in circumstances which would boost priority means the applicant may miss out on an offer of housing. Conversely, failure to advise us of changes (such as a member of the household leaving) may result in an offer being withdrawn on the basis that we gave a higher priority than the applicant was entitled to.

Checks before offers of housing

We always carry out a full verification check before confirming any offer and allowing a tenancy sign-up to take place. See Appendix 6 which explains the verification process. If, as a result of our inquiries, we believe that an applicant has knowingly withheld information with the intention of obtaining a public rented tenancy we may decide to prosecute for fraud.

Appendix 11 – Debts and arrears policy

All applicants

No offer will be made to an applicant, even one who is owed the statutory reasonable preference, who owes the council or a partner housing association money (either rent, service charges, council tax or any other debt) and has refused to make, or has failed to keep to for a minimum of 6 months, an agreed repayment arrangement to repay the debt and has not paid off at least 50% of the original debt.

Accepted Homeless Households in temporary accommodation

Homeless households in Council-provided temporary accommodation will be advised that, if they fall into rent arrears, their bids on Locata will be rejected until such time as the arrears are cleared or an agreement has been reached to clear the arrears and this agreement has been kept to for at least 6 months and at least 50% of the original debt has been paid off

This policy will also apply when the applicant either:

- refuses to pay the rent, or
- fails to make a commitment to repay arrears, or
- fails to provide supporting information for a Housing Benefit claim.

Depending on the amount of the arrears and the nature of the agreement, discretion will be exercised to review cases and make the applicant eligible for an offer earlier or later than six months. Exceptions can be agreed by a team leader in the housing needs team to this policy, particularly for those cases in bands A+ or A.

Tenants

Tenants, like homeseekers, are allowed to be members of Locata even if they have rent arrears. However, at the time that they bid for a property they must have a clear rent account. Their bids on Locata will be rejected until such time as the arrears are cleared or an agreement has been reached to clear the arrears and this agreement has been kept to for at least three months. Consideration will be given to varying this rule where other exceptional circumstances apply such as:-

- Tenants with rent arrears and urgent management, medical or social hardship priority in band A+ or A may be transferred at the discretion of the service manager responsible for tenancy management. In most cases, tenants will be less than 10 weeks in arrears or on Housing Benefit and have been reducing the arrears regularly for at least six months, or the urgency of the case is considered to warrant a move despite the arrears
- Tenants who need to move because they are underoccupying their current home or where a permanent decant is essential may be transferred despite rent arrears. Tenants in arrears who qualify for a tenants' underoccupation incentive payment will be transferred with the payment offset against the arrears.

Appendix 12 Processing applications from people over 60 years of age

Members may indicate on the application form if they wish to be considered for sheltered accommodation. Relatives, social workers, or doctors may also refer them, or the Council's Medical Adviser may recommend sheltered accommodation.

Following registration a home visit is arranged for verification (see **appendix 6, Verification**).

The sheltered assessment officer will carry out a Sheltered Assessment, setting out, in detail, the member's ability to manage independently, any medical problems and how these may affect day to day activities, their present living conditions and any difficulties experienced in the accommodation.

At the home visit the member is asked if they are interested in other Locata partners' areas or in other areas of London or the country.

The sheltered assessment officer evaluates the Sheltered Assessment, taking into account the advice of the Council's medical advisor if applicable, and recommends that the applicant is either suitable or not for sheltered accommodation. Those who appear to need a higher level of support and or care are referred to the Social Services Elderly Care Management Team for an assessment of their suitability for extra care sheltered housing or Residential Care.

Members assessed as suitable for sheltered accommodation will be placed in the following Sheltered housing priority bands based on their need:

- A) Urgent Priority
- B) Standard Priority
- C) Out of Borough Applicants

If members express an interest in sheltered accommodation outside west London, following agreement the completed assessment is sent to the relevant authority to decide if they are able to assist.

The Housing Register officer will advise members about Locata and explain how to bid and, if the person needs it, bid for properties on their behalf.

Elderly members who do refuse to consider sheltered accommodation will be disqualified unless they qualify for a higher band for other reasons.

Appendix 13: Legally not defined as lettings and therefore not necessary to be covered by the allocations scheme

1. An offer of accommodation to a tenant of Harrow Council who does not meet any of the grounds for priority in this scheme (such lettings will be very infrequent and justification for any such lettings will be noted on the tenancy file).
2. Statutory succession and assignment of a tenancy to the successor on the tenant's death (the procedure for making a non-statutory succession decision is described in appendix 7).
3. Assignment of a tenancy by way of mutual exchange.
4. Transfer of a tenancy by Court Order under family law provisions or under the Civil Partnership Act 2004.
5. Council initiated transfers (e.g. decanting to alternative accommodation to allow for major works to take place). Permanent (but not temporary) decants are normally done through the allocations scheme, but do not have to be if it is in the council's interest, especially in cases where the applicant refuses to co-operate in making an application to move.
6. Re-housing required because the council is displacing a person from their accommodation or needs to re-house them pursuant to the Land Compensation Act 1973.
7. A person being granted a family intervention tenancy.
8. Provision of non-secure temporary accommodation in discharge of any homelessness duty or power.
9. Lettings made by housing associations outside their nomination agreements with the council.
10. Allocations to individuals subject to the Multi Agency Public Protection (MAPP) arrangements (although we will usually assess according to the priorities set out in the scheme and make the person a direct offer, as per section 23 of the allocations scheme).
11. Offers of tied accommodation to council employees.
12. Urgent management transfer cases (although we will allow such cases to exercise choice wherever practical before making them a direct offer, as per section 23 of the allocations scheme).
13. Contractual duty to re-house council employees in tied accommodation (although we will allow such cases to exercise choice wherever practical before making them a direct offer, as per section 23 of the allocations scheme).

Appendix 14 – Lettings to staff, Board members of relevant organizations, council members, and relatives

The following procedure must be undertaken to ensure that any lettings can be justified under a high level of scrutiny.

1. The housing applicant must have no direct input into any decisions about their re-housing. This includes no inputting of any data about their application into the housing needs databases nor assessing their own level of priority.
2. Staff members must not have any involvement in the inputting of application data or assessing priority for a relative.
3. Applications should be clearly marked on the housing databases that this is a staff member, board member, councillor or relative of any of these. The team leaders in the housing assessment team will keep a confidential record of all such marked applications.
4. When such an applicant has bid for a property and is showing near the top of a bidding list, or is to be made a direct offer, a “record of interest” note must be completed and signed off before any offer is made. The details of the offer must be scrutinised and signed off by the service manager responsible for housing assessment or housing provision.
5. Attached to the note must be copies of the computer screens of all appropriate information, including the Locata advert, the date the property was advertised, the shortlist from which the applicant is being offered, and any policy evidence for any applicants above them not being made the offer.

Appendix 15 – Table of bands, band reasons, priority dates, time limits and refusal consequences

| Reason for band A+ | Description of band A+ priority reason | Relevant priority date | Time limits for bidding | Consequence of Refusal |
|---|---|-------------------------------|--|---|
| Band A+ Emergencies and underoccupiers | | | | |
| Guideline waiting time: 0 bed & sheltered = 2 months, 1 bed = 3 months, 2 bed = 4 months, 3 & 4 bed = 6 months | | | | |
| Emergency medical (group 1 emergencies) | Exceptional circumstances when the applicant or a member of their household has a life threatening condition which is seriously affected by their current housing. OR: Housing conditions and/or other circumstances are having such a major adverse effect on medical condition or disability of the applicant or a member of their household as to warrant emergency priority | Date approved as an emergency | We expect most medical & welfare emergencies to be re-housed within 3 to 6 months maximum. If there is a failure to bid, failure to attend a viewing or a refusal of a reasonable offer, one direct offer of housing will be made (see section 23) | Downgrade to band A if direct offer is also refused (groups 1 & 2). |
| Severe need (group 2 emergencies & group 21) | Exceptional circumstances and/or multiple needs which warrant emergency priority, including risk of imminent significant harm to children or vulnerable adults. Ex-service personnel who qualify in band A, if they have urgent housing needs. | | | |
| Emergency management transfer (<i>transfers only</i>) (group 12 emergencies) | Exceptional circumstances because of significant and insurmountable problems associated with the tenant's occupation of the home <i>and</i> imminent personal risk to the tenant or a member of their household if they remain there (e.g. because of harassment). These transfers will be to properties of the same size and type (i.e. management transfers are always "like for like" – i.e. same number of bedrooms and flat to flat or house to house) | | | (Management transfers group 12) downgraded to band C if direct offer is also refused. |

| Reason for band A+ | Description of band A+ priority reason | Relevant priority date | Time limits for | Consequence of Refusal |
|--|--|------------------------------|--|---|
| Enabling adoption or fostering (group 10) | Where agreement has been reached to provide public rented housing on the recommendation of Children's Services as suitable to adopt or foster one or more children. In order to do this they need more appropriate housing but do not have the means to source the accommodation themselves. In these cases we will offer flexible tenancies which are unlikely to be renewed if fostering ceases. | Date of approval/referral. | Normally 3 – 6 months. We will make a direct offer if there is a failure to bid, view or accept offers | Downgrade to band C if direct offer is refused |
| Under-occupation (<i>transfers only</i>) (group 7) | Applicant is willing to move to a property with fewer bedrooms or needs to downsize because their home is no longer affordable. They <i>may</i> be eligible for the Under-Occupation Incentive Scheme ⁵⁶ | Date applied to downsize | No time limit | No refusal penalty ⁵⁷ |
| Tenancy succession/occupiers holding over (group 11) | Those without a right of succession and those occupying property of which they are not the tenant, if approved jointly by the tenancy management and housing assessment service managers for an offer of suitable alternative housing (see Appendix 7 on the assessment process for this). | Date approved for re-housing | We will make a direct offer if there is a failure to bid, view or accept offers | Possession proceedings will be commenced usually after 3 - 6 months |

⁵⁶ If the applicant requests we may be able to re-house them and their adult child separately (for example if they need 2 bedrooms and live in a 3-bedroom home we could re-house in two separate 1-bedroom homes and give the tenant underoccupier priority for giving up 1 bedroom)

⁵⁷ If the applicant is moving because of unaffordability (because of the "bedroom tax" for public sector tenants on benefit) and gets into arrears, or their arrears increase, following a refusal or failure to bid, one direct offer will be made and notice of seeking possession issued if this is refused. Priority will remain A* until re-housed, evicted, or the arrears are cleared

| Reason for band A | Description of band A priority reason | Relevant priority date | Time limits for bidding | Consequence of Refusal |
|---|---|--|--|---|
| Band A Urgent and high priority cases Guideline waiting time: 0 bed & sheltered = 4 months, 1 bed = 6 months, 2 bed = 1 yr, 3 bed = 2 yrs, 4 bed = 3 yrs | | | | |
| Medical hardship (group 1) | <p>Other than emergencies and cases of exceptional multiple need, reasonable preference for housing will only be given where current housing conditions are having a <i>major</i> adverse effect on the medical condition or disability of the applicant or a member of their household.</p> <p>N.B. Medical priority will not apply where the effect of housing conditions on health is comparatively moderate, slight or variable, because the prevailing housing conditions in Harrow find many people in that position without a need for public rented housing being</p> | Date medical information submitted that warrants a band A assessment. | Time taken to re-house will vary according to bed size & adaptations needed – not normally longer than 3 yrs in band A | Failure to bid, failure to attend a viewing or a refusal of 2 reasonable offers will result in downgrade to band C. |
| Severe social hardship (group 2) | <p>Multiple welfare needs that warrant high priority.</p> <p>Social care services or police/ probation or other welfare agency referral agreed by a housing assessment team leader for an urgent move in order to give or receive care and support as part of a care plan, because of a risk to a vulnerable person's independence in the current accommodation, or other social welfare reasons.</p> | Date all relevant information submitted that warrants a band A assessment. | In cases of risk of harm we will make a direct offer if failure to bid, view or accept offers. | Failure to bid, failure to attend a viewing or a refusal of 2 reasonable offers will mean downgrade to band C |

| Reason for band A | Description of band A priority reason | Relevant priority date | Time limits for bidding | Consequence of Refusal |
|--|--|--|--|---|
| Overcrowding and high priority hardship (transfers only) (group 3) | <p>Overcrowding - reasonable preference for housing will only be given where overcrowding is severe, as defined in Section 21.2. This is because, in the prevailing housing conditions in Harrow, many people lack a bedroom without a need for public rented housing being indicated.</p> <p>High priority hardship -with dependent children and living in insecure accommodation with no bedroom and lacking or sharing amenities.</p> | <p>Date the tenant became severely overcrowded⁵⁸.</p> <p>Date all relevant information submitted that warrants a band A assessment.</p> | We will review any case not re-housed within the expected timescale. | Failure to bid, failure to attend a viewing or a refusal of 2 reasonable offers will mean down-grade to band C. |

⁵⁸ The date cannot precede the date the applicant actually made a transfer application.

| Reason for band A | Description of band A priority reason | Relevant priority date | Time limits for bidding | Consequence of Refusal |
|--|--|--|---|---|
| Statutory overcrowding (<i>transfers only</i>) | Statutorily overcrowded as defined in Part X of the Housing Act 1985, the proviso that household members over 20 will not count towards the assessment unless they are giving or receiving care (see section 21 on overcrowding) OR Court order to re-house | Date the tenant became statutorily overcrowded or court order issued | We will make a direct offer if there is a failure to bid, view or accept offers | Failure to bid, failure to attend a viewing or a refusal of 2 reasonable offers will result in downgrade to band C. |
| Unsanitary conditions | The applicant lives in a private sector property that the council's environmental health team has determined poses a category 1 hazard under the Housing Health and Safety Rating System and the council is satisfied that the problem cannot be resolved by the landlord within 6 months, and that continuing to occupy the accommodation will pose a considerable risk to health of the applicant or one of their household. | Date the applicant reported the property to Environmental Health | We will review any case not re-housed within the expected timescale | Failure to bid, failure to attend a viewing or a refusal of 2 reasonable offers will mean down-grade to band C. |

| Reason for band A | Description of band A priority reason | Relevant priority date | Time limits for bidding | Consequence of Refusal |
|--|---|--|---|--|
| Releasing adapted property or making the best use of adapted stock (<i>transfers only</i>) (group 9) | <p>At the council's discretion where there is an unmet need for the property occupied – e.g. where the tenant does not require walk-in shower or other wheelchair accessible features.</p> <p>Where the current property needs major adaptations in order to meet the household's needs and it is in the council's interest for the tenant to move.</p> | Date of transfer application or date the occupant with a disability deceased/ moved out. | We will review any case not re-housed within the expected timescale for the bed size. | No refusal penalty unless a direct offer is made to a tenant who needs adaptations, in which case demotion to band C will be considered. |

♣ Provided Harrow has not decided to refer to another authority under S.198 of the 1996 Housing Act.

♦ The date cannot precede the date of the homeless application unless the applicant already had band A for some other reason when they started working full time.

| Reason for band A | Description of band A priority reason | Relevant priority date | Time limits for bidding | Consequence of Refusal |
|---|---|-------------------------------------|--|--|
| <p>Council interest transfers - Permanent decants (group 13) - Non-emergency management transfers (group 12) - Service tenants (group 14)</p> | <p>Decanting needed from a property imminently required because of lease expiry or for essential works and the tenant will not be returning (e.g. development schemes)</p> <p>Agreed by the service manager for tenancy management for non-emergency transfer. These transfers will be to properties of the same size and type ("like for like" – see Section 19.3)</p> <p>Ex-service tenants (e.g. caretakers and sheltered wardens) where the council has a contractual obligation to re-house.</p> | <p>Date approved for re-housing</p> | <p>We will make a direct offer if there is a failure to bid, view or accept offers, or if there is a need for the property to be handed back before bidding is likely to be successful</p> | <p>Possession proceedings will be commenced usually after 3 - 6 months</p> |
| <p>Ex-tenant discharged from institution (group 15)</p> | <p>Where a commitment has been made in order to get a tenant to relinquish their public housing tenancy on entering an institution such as a prison or nursing home. The priority will normally only be given for studio and 1-bedroom properties.</p> | <p>Date of application</p> | <p>Normally 3 – 6 months. We will make a direct offer if there is a failure to bid, view or accept offers</p> | <p>Failure to bid, failure to attend a viewing or a refusal of 2 reasonable offers will result in downgrade to band C.</p> |

| Reason for band A | Description of band A priority reason | Relevant priority date | Time limits for bidding | Consequence of Refusal |
|--|--|--|---|---|
| Young people leaving care move-on quota (group 16) | Approved for move-on by Social care Services as part of their annual fixed quota of studio and 1-bedroom properties, provided they meet the eligibility criteria set out in appendix 3. | Date put forward to Housing for the quota | Normally 3 – 6 months. We will make a direct offer if there is a failure to bid, view or accept offers | Failure to bid, failure to attend a viewing or a refusal of 2 reasonable offers will result in downgrade to band C. |
| Supported housing move-on quota (group 17) | Approved for move-on by the Supporting People Move-On panel (comprising representatives of council accredited supported schemes) as part of their annual fixed quota of studio and 1-bedroom properties. | Date of panel meeting | | |
| Move-on from residential care (group 18) | Where agreement has been reached to provide public rented housing on the recommendation of a Social care service or equivalent that the person is able to live independently. | Date all relevant information submitted to support suitability for independent living. | Expected to bid regularly and move fairly quickly or risk being downgraded to reduced preference band C | |
| Older people approved for sheltered accommodation (group 19) | Applicants (usually 60 years+, but exceptionally 55 years+) who are assessed as likely to benefit (e.g. by retaining their independence for longer) from sheltered or other specialist older people's accommodation where there is an urgent need to move. | Date of registration or becoming eligible for older people's housing, whichever is the later | Expected to bid regularly and move fairly quickly or risk being downgraded to reduced preference band B | Failure to bid, failure to attend a viewing or a refusal of 2 reasonable offers will result in downgrade to band B. |

| Reason for band B | Description of band B priority reason | Relevant priority date | Time limits for bidding | Consequence of Refusal |
|--|--|--|---|--|
| Band B Standard priority Guideline waiting time: sheltered accommodation 1 year | | | | |
| Older people approved for sheltered accommodation (group 19) | Applicants (usually 60 years+, but exceptionally 55 years+) who are assessed as likely to benefit (e.g. by retaining their independence for longer) from sheltered or other specialist older people's accommodation where there is a need to move. | Date of registration or becoming eligible for older people's housing, whichever is the later | Expected to bid regularly and move fairly quickly or risk being downgraded to reduced preference band C | Failure to bid, failure to attend a viewing or a refusal of 3 reasonable offers will result in downgrade to band C |

| Reason for band C | Description of band C priority reason | Relevant priority date | Time limits for bidding | Consequence of Refusal |
|-------------------|---------------------------------------|------------------------|-------------------------|------------------------|
|-------------------|---------------------------------------|------------------------|-------------------------|------------------------|

Band C Non urgent

There are no guideline waiting times for this band, as it is difficult to anticipate the frequency with which people in this category will be successful on Locata. This group will always be considered *after* other property bidders in bands A+, A and B.

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|---|---|--|-----------------------|---------------------|
| <p>Other homeless people within the meaning of part VII of the Housing Act 1996, including those owed a duty by another borough</p> | <p>Applicants accepted homeless under S. 193(2) or S. 195 (2) of the 1996 Housing Act or S. 65 of the 1985 Housing Act who are occupying emergency accommodation or suitable temporary accommodation provided under the Housing Act 1996 Part VII. Applicants who applied as homeless after 08/11/12, for up to 1 year from the date of discharge of duty into a private rented sector property.</p> <p>Applicants accepted homeless since 30/11/12 under S. 193(2) or S. 195 (2) of the 1996 Housing Act or S. 65 of the 1985 Housing Act who have refused a reasonable offer of private sector housing since they approached Harrow for housing.</p> <p>No duty accepted because not in priority need or because found to be intentionally homeless (verification will be carried out at the time of any offer and, if the applicant is no longer homeless, or has spent some of their waiting time in suitable housing, no tenancy will be offered or, if now homeless again, their priority date adjusted).</p> <p>Another council has accepted a duty under homelessness legislation and Harrow is satisfied that the council that owes the duty is unable to provide accommodation.</p> | <p>date the applicant became homeless⁵⁹</p> | <p>No time limits</p> | <p>No penalties</p> |
|---|---|--|-----------------------|---------------------|

⁵⁹ The date cannot precede the date of the homeless application.

| Reason for band C | Description of band C priority reason | Relevant priority date | Time limits | Consequence of Refusal |
|--|---|---|----------------|--------------------------|
| Other homeless people within the meaning of part VII of the Housing Act 1996, including those owed a duty by another borough | <p>Making effective use of Council owned accommodation assets.</p> <p>Temporary occupants of Council owned housing used as temporary accommodation to be offered as a secure tenancy at the time that the property is moved from General Fund into Council Housing Management</p> <p>The offer of a secure tenancy will be subject to suitability of the property and there being no recent tenancy issues such as arrears or ASB by the occupant.</p> <p>Households who are threatened with homelessness within 56 days and are owed a homelessness prevention duty, under homelessness legislation.</p> <p>Households who are homeless and are owed a homelessness relief duty, under homelessness legislation.</p> | Date the applicant became homeless | No time limits | End of homelessness duty |
| Previously accepted homeless “qualifying offer” applicants (group 6) | Households who were accepted homeless and who have subsequently accepted a <i>qualifying offer</i> allowing them to remain in private sector accommodation after the duty has ceased, The applicant must renew their registration every year and continue to have a priority need in order to retain this priority. | Original priority date when first accepted homeless | No time limits | No penalties |
| Council & partner housing association debtors | People who owe the council or one of our partner housing associations money– original band can be restored upon satisfying the criteria for arrangements to repay the debt. | Original priority date in band A+, A or B | | |

| | | | | |
|--|---|---|--------------------|-------------------------------|
| Deliberate damage to Property | people who, even though they are owed the statutory reasonable preference, have left their temporary accommodation or public rented housing in such a bad state, as judged on pre-inspection or by failure to allow access for inspection, that the cost of bringing it back to a lettable standard far exceeds the acceptable level of costs that would normally be incurred – if still living in the property original band can be restored upon the tenant making good the | Original priority date in band A, B or C | | |
| Serial refusers | One reasonable offer refused (band A* emergencies) Two reasonable offers refused (band A urgent) Three reasonable offers refused (band B reasonable preference) | Original priority date in band A+, A or B | | |
| Reason for band C | Description of band C priority reason | Relevant priority date | Time limits | Consequence of Refusal |
| Overcrowding and high priority hardship (homeseekers only) (group 3) | reasonable preference for housing will only be given where overcrowding is severe, as defined in Section 21.2. This is because, in the prevailing housing conditions in Harrow, many people lack a bedroom without a need for public rented housing being indicated. With dependent children and living in insecure accommodation with no bedroom or lacking amenities | Date the tenant became severely overcrowded. Date all relevant information submitted | No time limits | No penalties |

| | | | | |
|---|---|--|--|--|
| Out of Borough Older people approved for sheltered accommodation (group 19) | Out of borough applicants (usually 60 years+, but exceptionally 55 years+) who are assessed as likely to benefit (e.g. by retaining their independence for longer) from sheltered or other specialist older people's accommodation where there is a need to move to Harrow. | Date of registration or becoming eligible for older people's housing, whichever is the later | | |
|---|---|--|--|--|

| Reason for band C- (minus) | Description of band C- (Initial Preference) priority reason | Relevant priority date | Time limits | Consequence of refusal |
|----------------------------|---|------------------------|-------------|------------------------|
|----------------------------|---|------------------------|-------------|------------------------|

Band C- (minus) Initial Preference

There are no guideline waiting times for this band, as it is difficult to anticipate the frequency with which people in this category will be successful on Locata. This group will always be considered *after* other property bidders in bands A+, A, B and C.

| | | | | |
|--------------------|---|---|----------------|--------------|
| Initial Preference | <p>Applicants who are assessed as having a significant housing need – i.e. they fit into one of the statutory “reasonable preference” priorities described in Section 8.1, are living in the borough of Harrow but have not been resident in the borough continuously for the last 5 years.</p> <p>With an identified housing need to whom the council give reasonable preference, where there has been a deliberate change in circumstances which has resulted in a worsening of a household's circumstances (for example: moving from suitable accommodation into overcrowded accommodation or inviting other people to join a household and make it overcrowded)</p> | <p>date the applicant registered on Locata</p> <p>Date all relevant information submitted</p> | No time limits | No penalties |
|--------------------|---|---|----------------|--------------|

Appendix 16 - Confidentiality and Data Protection

The Council treats housing applicants' personal information as confidential in accordance with data protection legislation. In normal circumstances, this information is only disclosed to landlords participating in the choice based letting scheme within Harrow (and outside where applicants bid on cross partner properties) to enable them to consider an application and to determine whether an offer of accommodation can be made. Applicants give their consent to this disclosure in completing the online housing application.

Personal information is only disclosed to other parties with applicants' consent or in exceptional circumstances where disclosure without consent is warranted, defined as follows:

- Where there are over-riding legal, social or public interest considerations, for example, a risk of serious harm to the person themselves or to others if the information is not disclosed, where there is a serious threat to another party's staff or contractors
- Where the information is required by a local authority department or its external auditors to carry out statutory functions
- Where the information is required by the police as part of a criminal investigation (Crime and Disorder Act 1998, Section 115)

Medical information obtained from an applicant's GP or other healthcare staff cannot be passed on without prior consent from the professional(s) involved.

All applicants for housing have the right to see information the Council holds about them, regardless of the date the information was recorded. This extends to their housing application records, and information about members of their family held for the purposes of that application. The right of access covers "personal" information, namely, factual information and expressions of opinion, which relate to a living individual.

In certain circumstances the Council may refuse access. This arises where, for example, the information: -

- may identify a third party and that party has not consented to the Disclosure;
- concerns an individual's health, and disclosure may cause serious harm to the wellbeing of the applicant; or
- is held for the purpose of prevention or detection of crime or in respect of some other legal proceedings

Requests for access to records must be made in writing to the officer dealing with the applicant's case.

Appendix 17 – Summary of amendments to Housing Allocations Scheme approved by the Council’s Cabinet on 21 January 2021 to take effect from 1 April 2021

1. Implement more robustly the penalties that already exists in the allocation scheme for refusals and not bidding

Following a review of the scheme, it was identified that a high number of applicants either refused an offer of a tenancy or did not bid for available suitable vacancies. The aim of Harrow's housing allocation scheme is to meet local priority housing needs, make the best use of Harrow's very limited social housing stock and be fairer to all by ensuring that the relatively few residents who are in the most need of housing, wait as short a time as possible for an allocation of public rented housing. In order to retain the principle of choice, ensure that those in most need of housing wait as short a time as possible and minimize loss of rental income due to void properties, the significant change in this revised scheme is to implement more robustly the penalties that already exists in the allocation scheme as follows:

- (j) Refusals – where an applicant has refused one or more reasonable offers or have not turned up to a viewing when invited, they will be downgraded to a lower priority band. The circumstances are set out in detail in the chart in appendix 16.
- (k) Not bidding – where an applicant who urgently need to move, for example where a band A+ and A applicant has not been bidding, they may receive a direct offer of accommodation. The chart in appendix 16 outlines which groups of applicants we may make direct offers.

2. Introducing a separate banding for sheltered Housing for Older People to make it easier to access sheltered housing.

Currently all sheltered applicants awarded Band B. Urgent cases are awarded Band A general needs but prioritised for sheltered housing which is difficult to administer. Demand for sheltered housing in Harrow is outstripping supply.

We have introduced the following banding for Sheltered Housing for Older People which will make it easier to administer and prioritise those with urgent need to move:

- A) Urgent Priority
- B) Standard Priority
- C) Out of Borough Applicants

As with the current scheme, applicants will be considered and banded in either the general needs scheme or sheltered scheme, but not both.

3. Allowing current temporary occupants of Council properties to be offered a secure tenancy of the property they occupy.

The property will be offered to the occupants when it is converted from the temporary use to a council managed permanent property. The offer will be subject to suitability of the property for the existing household and there being no recent tenancy issues such as arrears or ASB.

4. Implementing a Local Lettings Plan for Council Schemes where necessary as is currently the case with Registered Provider Schemes.

This will set out how properties will be allocated in exceptional circumstances to meet area specific issues, for a specific block or estate. The purpose is to have a planned approach to the letting of high density/high rise schemes to ensure sustainable mixed and balanced communities. The Divisional Director for Housing following consultation with the Portfolio Holder for Housing will authorise Local Lettings Plans for council housing stock under a delegated authority.

5. Ending allocations to designated people aged 50 years and over.

This is because some properties were previously designated for people aged 50 years and over. Over time and through the Right to Buy the age mix has changed and the blocks are no longer occupied only by over 50s. Therefore, there is no reason to continue to prioritise this group.

6. Removing the local residence criteria for applicants:

- i) moving because of domestic abuse and
- ii) people from the travelling community.

7. Correcting the current anomaly in the Housing Allocation Scheme where applicants accepted as homeless by another council are given higher priority than those accepted as homeless by Harrow Council.

All homeless applicants will be awarded Band C whether they are accepted by another Council or Harrow Council.