



**Dorset**  
Council

Dorset Council  
Housing Allocations Policy  
2021 - 2026

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## 1 Introduction

- 1.1. The Housing and Regeneration Act 2008 includes the definition of social housing as low-cost homes for rent to people whose housing needs cannot be met by the general housing market.
- 1.2. The Dorset Council Housing Allocation Policy describes how social housing is available through our Choice Based Letting Scheme, how the scheme operates, its processes and how you can use the service. The information in it explains how to apply to our housing register, how we manage the register, your choice about where you live, how we assess applications and allocate properties. Detailed examples and useful information is found in the appendices.
- 1.3 Dorset Council does not currently have its own housing stock and therefore works with social landlords (housing associations, community land trusts and alms houses) to maintain a housing register and support the aims of the scheme. The policy prioritises those people in most need of affordable housing and is open to social tenants who wish to transfer to a different property.
- 1.4 We have a statutory duty to have a Housing Allocation Policy and have taken into account various legislation and guidance including:
  - i) Housing Act 1996 (as amended)
  - ii) Localism Act 2012
  - iii) Dorset Council Homelessness and Rough Sleepers Strategy
  - iv) Equality Act 2010
  - v) Code of guidance for local authorities published 2002
  - vi) Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020
- 1.5 Within the framework of the scheme we have included necessary flexibility that will help us to consider all household circumstances and be able to respond appropriately.

## 2 Scheme Aims

- To ensure people understand their housing options and have an informed choice about where they live
- To help create mixed and sustainable communities
- To help social tenants be more mobile in where they live and work
- To meet all legal requirements and be flexible and responsive to changes
- A scheme for local people that is fair, modern and easy to use
- To offer advice and housing solutions to those in greatest need including the reduction and prevention of homelessness

## 3 Scheme Outline

- 3.1 Dorset Council's allocation scheme is called Dorset Council Home Choice and is a Choice Based Letting Scheme (CBL). This means that applicants have some choice about where they will live.
- 3.2 Dorset Council will maintain a housing register. Applications to the register are made online at [www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk) and are assessed using the scheme to determine eligibility.
- 3.3 The assessment is described as a band and the reason for that decision, the effective date and number of beds needed.
- 3.4 Homes available will be advertised digitally each day at [www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk). Each home advertised will have certain criteria and anyone on the housing register who meets the criteria for that property can express their interest electronically. This is called 'bidding' and must be made within the timeframe shown in the advert. Support is available for the most vulnerable to bid online to ensure everyone can fully participate in the scheme. See section 3.6 for information on getting this support.
- 3.5 Working with our social landlords, allocations will be made with fairness and equity having regard to the priorities of the scheme. Allocations will also take into account any specific criteria the social landlord or housing authority may have and any restrictions in either a local lettings plan or other planning requirement. See section 38 for information about local lettings plans.
- 3.6 Dorset Council will ensure anyone is able to access support to apply and to gain information about the scheme easily. This assistance is available:

Online: [www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk)

Phone: 01305 251010

Email: [housingoptionsteamb@dorsetcouncil.gov.uk](mailto:housingoptionsteamb@dorsetcouncil.gov.uk)

## **4 Statement on Choice**

- 4.1 There is a very high demand for social housing in the Dorset Council area and we will balance providing choice and housing need to ensure that housing is offered in a way that helps to best manage the housing stock (see appendix 8 for expected average waiting times).
- 4.2 The properties are advertised online at [www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk) and will provide valuable information about the property, together with links to information about the local neighbourhood, helping applicants to make informed decisions about which accommodation they want to be considered for.
- 4.3 Whilst the aim of Dorset Council and its' partners is to provide choice in the allocation of social housing in Dorset, there will be a number of exceptional situations where this will not be possible. In such cases the home will be let as a direct offer and not advertised in the scheme. Examples include but are not limited to:
- a) a housing provider needs to make an urgent management move
  - b) the requirement to make a direct offer to deal with an emergency case
  - c) the requirement to make a direct offer to meet the needs of a disabled applicant
- 4.4 The scheme prioritises the need to reduce and eliminate homelessness whilst also supporting the promotion of social and economic mobility by ensuring the best use of social housing stock and providing social housing tenants greater opportunity to move. Applicants will be encouraged to consider whether a property is suitable before they place a bid for example transport, education, employment and support needs or commitments.
- 4.5 Dorset Council is committed to extending choice of housing to those applicants who are accepted as homeless under the council's statutory duties, ensuring effective use of our resources and the provision of temporary accommodation.
- 4.6 Applicants accepted as being owed a prevention or relief duty will be expected to bid on each suitable property that becomes available otherwise Dorset Council may take action that includes making a direct offer of accommodation or reducing prioritisation by lowering the applicant's band.
- 4.7 Applicants accepted as being owed a full statutory housing duty under Part 7 Housing Act 1996 (as amended) will have bids placed on their behalf for each available property.
- 4.8 Applicants who have bids placed on their behalf because they are owed a homeless duty should not remove these bids. If bids are removed by the applicant, they will be replaced.
- 4.9 If a homeless applicant who is subject to Section 193(2) Housing Act 1996 refuses an offer of suitable accommodation, the council's duty is discharged.

- 4.10 In cases where officers need to make decisions outside the policy there will be delegated authority to the Service Manager for Housing Solutions to make such decisions. These cases include but are not limited to the refusal of an offer of suitable accommodation.

## **5 Equality and Diversity**

- 5.1 Dorset Council is committed to encouraging equality of opportunity for all applicants. People will not be treated unfairly due to gender identity, sex, race, colour, ethnic or national origin, religion, disability, marital status, age or sexuality. This list is not exclusive but illustrates the council's intention to ensure equality.
- 5.2 Applicants will be informed of their rights to seek assistance from the Equality and Human Rights Commission, if they believe Dorset Council has breached the Human Rights Act 1998, by contravening their human rights or unlawfully discriminated against them. Regard has been had to advice on allocating housing to disabled people published by the Equality and Human Rights Commission, along with other associated research and guides that are available.
- 5.3 The scheme will be accessible, responsive and sensitive to the diverse needs of individuals. Officers will be trained to a high standard in valuing and promoting equality and diversity in the delivery of the service.
- 5.4 Additional assistance including assisted bidding, translation services, large print, easy read and hearing loops are available to ensure everyone is able to access the scheme in full.
- 5.5 The impact of the policy will be monitored, to ensure that it promotes equality of opportunity to individuals and minority groups. In order to achieve this, all applicants will be invited to provide details of their ethnic origin and other demographic information when they apply to join the housing register.

## **6 Information sharing, confidentiality and data protection**

- 6.1 In accordance with our obligations under the Data Protection Act 1998, we will make all applicants aware when they apply that their personal information will be held and shared with our housing providers and other relevant external agencies. This is for the purposes of assessing an application, considering an offer of accommodation being made or to prevent fraud in accordance with the applicant declaration when making an application.
- 6.2 All personal information will be processed in accordance with the requirements of the Data Protection Act 1998. Applicants have the right to access personal information held about them under section 7 of the Data Protection Act 1998. Applicants may also correct any inaccurate information held about them.

6.3 All applicants will be made aware their personal information may be shared within Dorset Council to assist in meeting the applicants' housing or other social needs.

6.4 Where an applicant may have difficulty communicating directly themselves, their informed consent will be required before using advocates or interpreters to communicate on their behalf.

## **7. Information and Advice**

7.1 Elected Councillors of the Local Authority are prohibited from making decisions about any individual allocation pertaining to any accommodation situated in their electoral ward area or any person who is resident in their electoral ward area.

7.2 Elected Councillors may seek to obtain general information about the allocation of housing, can represent their constituents and discuss their cases with administrators.

7.3 Elected Councillors should participate in making decisions about the overall content of this scheme.

7.4 Elected Councillors should consider whether the Local Authority's Code of Conduct requires them to declare an interest before participating in such deliberations. If in any doubt, the advice of the Local Authority's Monitoring Officer should be obtained.

## **8 The housing register**

8.1 Joining the housing register

8.2 When considering applications to join the housing register, Dorset Council will ascertain if an applicant is eligible for an allocation of accommodation and if they qualify for allocation of a property. Only if these two criteria are met (subject to certain exceptions set out within this policy) can an applicant join the Dorset Council Home Choice housing register.

## **9 Eligibility**

9.1 Eligible applicants are defined by immigration legislation and include the following (see appendix 1 for a full list):

a) British and Irish citizens habitually resident in the UK



- b) Applicants who have Settled Status, Pre-settled Status or who arrived in the UK before 31.12.2020 and are in the process of applying for settled status or their qualifying family members under the European Union (Withdrawal Agreement) 2020
- c) People from outside the European Union with indefinite leave to remain, refugee status or humanitarian protection
- d) Applicants who are not classified as ineligible under S160Z(A) Housing Act 1996 (as amended by the Localism Act 2011)

9.2 Applicants who are not eligible to register with Dorset Council Home Choice will be informed in writing of:

- a) The decision and the reasons why and
- b) Their right to ask for a review and how to do this

Please note the law on eligibility is complex and subject to change.

## **10 Eligible applicants – providing information**

10.1 Eligible applicants need to provide evidence online when they submit their application. If for any reason applicants are unable to provide all documents at the time of submission, a period of up to 20 days can be allowed for further documents to be provided otherwise the application will be closed. Applicants requiring assistance should contact the housing service. Documents required are:

- a) their national insurance number (Nino) and
- b) photo identification in the form of either a current passport; driving licence; bus pass; residents permit or issued by the Home Office; national identity card; EEA member state identity card or firearms and shotgun certificate
- c) evidence of their settled or pre-settled status where applicable
- d) proof of local connection and their last 5 year address history
- e) EU Settlement Scheme: evidence of relationship – biometric residence card; family permit; residence card; marriage or civil partnership certificate; valid overseas registration document for same sex relationship under Civil Partnership Act 2004 this list is not exhaustive.

10.2 Applicants from abroad will be required to also provide proof of their nationality and immigration status which will be verified.

10.3 Applicants who are unable to make an online application will be supported in various ways depending on the reason and should contact the housing services team on:

Phone: 01305 451010

Email: [housingoptionteamb@dorsetcouncil.gov.uk](mailto:housingoptionteamb@dorsetcouncil.gov.uk)

- 10.4 Applicants whose circumstances change after the date of their application must advise the council of the changes immediately as it may affect their band. Once a change of circumstances is submitted applicants will be unable to make any new bids until the re-assessment is completed. Re-assessments will be prioritised in these circumstances. If the result of the change is to increase the band awarded the new effective date will be the date of the change. If the result of the change is a decrease in band awarded the effective date remains the original banding effective date.
- 10.5 The social landlord will ask applicants to provide evidence of their eligibility and qualification again at the point of making an offer of a property.

## **11 Providing false information**

- 11.1 The Housing Act 1996 section 171 states 'a person commits an offence if, in connection with the exercise by a local housing authority of their functions under this Part – (a) he knowingly or recklessly makes a statement which is false in a material particular, or (b) he knowingly withholds information which the authority have reasonably required him to give in connection with the exercise of those functions'. The offence is punishable on summary conviction by magistrates by a fine of up to £5000.
- 11.2 Obtaining social housing fraudulently may result in eviction and the imposition of a fine.

## **12 Qualification**

- 12.1 In addition to eligibility criteria, applicants are subject to the Dorset Council qualification criteria as follows:
- 12.2 Anyone aged 16/17 years please note a tenancy will not usually be awarded without a guarantor for example social services, parent, guardian, friend etc. Partner social landlords may have differing policies in dealing with applicants aged under 18 years. Details can be provided directly from the provider.
- 12.2 Applicants must also meet ONE of the Dorset Council local connection criteria to ensure wherever possible social housing goes to local people. Individual circumstances will be considered according to statutory guidance and the exceptions in this policy, otherwise they will not qualify to join the housing register.

### 13 Local connection criteria

13.1 Dorset Council local connection criteria are:

Residency in the area	2 years or 3 years out of the last 5 years
Close family continuous residency in the area (parents, siblings, non-dependant children)	5 years evidenced
Paid employment in the Dorset Council area.	16 hours per week average for minimum period of 1 year (including zero hours contracts).
Offer of permanent employment to social tenant in the Dorset Council area	16 hours per week average for period no less than 1 year (including zero hours contracts) and where it is unreasonable to travel from current social housing property
Location requirements	Any requirements detailed in a Section 106 Town and Country Planning Act 1990 and or a local lettings plan.

13.2 A local connection is not established if residency is a consequence of being detained under the authority of an Act of Parliament or by being placed in the area to receive treatment or rehabilitation of any kind for any kind of dependency.

### 14 Exceptions

14.1 The local connection criteria will not apply to the following applicants:

- a) who are assessed as having an urgent (emergency) need due to imminent risk of violence or those who are part of a witness protection scheme, or
- b) who are homeless within the meaning of Part 7, Housing Act 1996 and Dorset Council has accepted a full housing duty under S.193(2) or S195(2) or S189(b) of the act, or
- c) who are owed a full housing duty when re-applying after private sector rent (S195A(1)) of the above act regardless of priority need and
  - i. the person makes a re-application for assistance within 2 years of accepting a private rented sector offer, and
  - ii. the person is eligible for assistance and has become unintentionally homeless, or

- d) able to demonstrate the need to move for essential and/or critical receipt of support where significant harm would result if this was not provided. This is limited to applicants whose immediate family associations have resided in the Dorset Council area continuously for the past 1 year.
- e) who have special circumstances for example - receive specialist medical services within the area which cannot be provided elsewhere, or
- f) who have experienced domestic abuse (within the meaning of the Domestic Abuse Act 2021) and are homeless or threatened with homelessness.
- g) are subject to Multi-Agency Public Protection Arrangements (MAPPA) or High Risk Domestic Abuse (HRDA) or witness protection and it is safe to do so, or
- h) a person has received threats to life, racial or homophobic harassment, extreme anti-social behaviour or
- i) a person who has any other significant and or immediate need for a move to more suitable alternative social housing accommodation, or
- j) where the council has a corporate parenting responsibility, or
- k) Those who are currently serving in the Regular Armed Forces or who were serving in the Regular Forces at any time in the 5 years preceding their application for an allocation of social housing or
- l) Bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service or
- m) Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service or
- n) applicants who are eligible for housing for older people, or
- o) a person from the transient community who does not have a connection to another local authority area, or
- p) a person who has been verified as a rough sleeper, where there is proof of rough sleeping in the Dorset Council area and where the person has no connection with another local authority area as defined by S199 of the Housing Act 1996, or
- q) a person who lives within another county, but their housing need has been included when affordable housing has been developed within the Dorset Council area. They will be allowed to bid within that parish only.

Applicants accessing the register due to the above local connection exception will be banded according to this exemption reason only.

14.2 Applicants who meet any of these exceptions will need provide supporting evidence.

## 15 Exclusions

15.1 Some eligible applicants may not qualify because of other factors including:

Unacceptable behaviour serious enough to make them unsuitable as a prospective tenant	Section 16
People who have assets and/or income above the financial resource limit	Section 17
People who own their own home	Section 18
People who have deliberately worsened their circumstances	Section 19
Prisoners whose release date is more than 2 months	Section 20

## 16 Unacceptable Behaviour

16.1 This means the applicant, or a member of their household, have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a social housing tenant or would be serious enough that a county court judge would probably make an outright order for the Local Authority to obtain possession, had the applicant been a tenant at the time the unacceptable behaviour was carried out. This behaviour must normally have occurred in the previous two years and that it would, if the applicant had been a secure tenant, or a member of their household, allow the landlord to obtain an outright possession order under section 84 of the Housing Act 1985 in relation to Grounds in Part 1 of Schedule 2 other than Ground 8.

16.2 Examples of unacceptable behaviour may include but are not limited:

- a) Rent arrears of 8 weeks or more or breach of tenancy obligations where no attempt is being made to repay the debt or remedy the breach (debt relating to MOD properties known as mesne profit debt may be excluded on a case by case basis).
- b) Conduct likely to cause serious nuisance, annoyance or harassment to neighbours to the Local Authority or a Social Landlord or agents acting on their behalf to carry out housing management functions
- c) Using accommodation or allowing it to be used for illegal purposes
- d) Serious damage or neglect of a property by the tenant or other occupants
- e) Perpetrators of domestic abuse who are subject to a non-molestation order, an injunction order, an occupation order or a restraining order, which is in force at the date an application is being determined.

- f) Knowingly giving false or misleading information or withholding information that has been reasonably requested
  - g) Threatening or perpetrating violence or abuse against members of staff or a partner organisation
- 16.3 Cases will be considered on an individual basis and when reaching a decision to refuse a registration because of unacceptable or anti-social behaviour. All reasonable and relevant factors will be considered before making any decision
- 16.4 Applicants have a right to ask for this decision to be reviewed (see section 41).

## **17 Financial resource limit**

- 17.1 £60,000
- 17.2 This can include disposals for nil (for example, transfer of ownership) or below market value.
- 17.3 The council consider a combination of income, savings, investments and/or capital total of £60,000 gross or more is sufficient to help buy a home or pay market rent in the area.
- 17.4 The following exceptions apply:
- a) people in receipt of an income-based benefit
  - b) existing social tenants with the right to transfer may be excluded from the financial resource limit subject to an agreement we have with a social landlord
  - c) lump sum payments received by a member of the Armed Forces (including former service personnel) as compensation for an injury or disability sustained on active services, or similar awards made to civilian e.g. for industrial injury
  - d) people who meet the criteria for older persons housing
  - e) people who require specialist housing because they have a disability or a medical condition
  - f) if the applicant or partner, where applicable, has been accepted as unintentionally homeless and in priority need by Dorset Council
- 17.5 Applicants have a right to ask for this decision to be reviewed (see section 41).

## **18 Property Ownership**

- 18.1 People who own their own property will not qualify

18.2 The following exceptions apply:

- a) people who are in financial difficulty because their home is being repossessed.
- b) people who meet the criteria for older persons housing
- c) people who require specialist housing because they have a disability or a medical condition where their current accommodation cannot be adapted.
- d) people who are fleeing domestic abuse and where a homeless duty has been accepted

18.3 Assessments will be made on a case by case basis and homeowners may be asked to market their property for sale before a social landlord will consider them.

18.4 Applicants have a right to ask for this decision to be reviewed (see section 41).

## **19 Deliberately worsening circumstances**

19.1 People who have deliberately worsened their circumstances

19.2 If an applicant deliberately worsens their circumstances so they can join the housing register or qualify for a higher band and there is evidence of this, their application will be refused unless a homeless duty has been accepted by Dorset Council.

19.3 Applicants have a right to ask for this decision to be reviewed (see section 41)

## **20 Prison Sentences**

20.1 Prisoners whose release date is more than 2 months

20.2 Applications received from people serving prison sentences who on their release will have a local connection and or be homeless will be considered when less than 2 months from their release date. Applications received in advance will be refused.

## **21 Other factors explained**

21.1 Applicants should be aware the council will take into account other factors that may affect their qualification or assessment as follows

## **22 Dependent Children**

22.1 Various factors will be considered on a case by case basis regarding whether a dependent child resides with the applicant. They include but are not limited to:

- a) whether the applicant receives child benefit for the dependent child and
- b) confirmation from professional bodies e.g. social worker; school; doctor; health visitor.

22.2 In the case of divorced or separated parents/guardians, if the child is co-resident with the two parents/guardians and is adequately housed with one they cannot be included on a housing application from the other parent/guardian.

22.3 A child's residence is regarded as the place where he/she is cared for by the parents/guardians or others with parental responsibility or legal equivalent and have agreed he/she lives. If this is not the same address as the applicant, he/she cannot be included on the application.

### **23 Sharing a home to provide mutual support**

23.1 Applications will be considered where the applicant; carer; friend or relative provides support, on a case by case basis. Evidence will be required to show the support is already established for a minimum period of 12 months or is essential and supported in a care plan provided by social services or other care agency.

23.2 The applicant will be required to evidence that the care supports the ability to sustain a tenancy or where there is a significant medical need or overnight care.

23.3 Support and care needs may include:

- a) Age
- b) Mental health
- c) Physical disability
- d) Drug or alcohol abuse
- e) Learning difficulties
- f) Rough sleeping

### **24 Medical Needs**

24.1 Medical banding is awarded to housing applicants or those to be rehoused with them who can demonstrate that their medical condition (physical or psychological) is currently being adversely affected by their housing situation AND that a change to more appropriate housing would benefit them medically.

24.2 An assessment of medical need is made by the council after receipt of a completed medical assessment form, evidence of any relevant benefits and list of medication. Supporting evidence and reports from medical professionals will be taken into account if provided but they may charge which the council will not pay.



- 24.3 If the assessment places an applicant into a higher band, then the registration will be re-dated to the date of the assessment. If the assessment does not change the band into which the registration falls, the existing effective date and banding remains unchanged.
- 24.4 The assessor determines medical priority based on the current housing circumstances in relation to the illness or disability of the applicant or household member (who is moving with them) as well as considering measures that could be taken to make the current home more suitable.
- 24.5 Applicants who require a specific type of property will normally only be allowed to bid for such as property. If applicants consider they can manage a different type of property, their medical assessment will be reviewed. For example, an applicant who needs a ground floor property due to a disability who wishes to bid for a first-floor property would either not be allowed or would have their medical assessment reviewed.
- 24.6 There are FOUR decisions that can be returned;
- Exceptional Medical Need** – Applicant placed into Band A  
**High Medical Need** – Applicant placed into Band B  
**Medium Medical Need**– Applicant placed into Band C  
**Low Medical Need** – Applicant placed into Band D

## 25 Disrepair

- 25.1 The level of property disrepair falls into each band and is assessed by the council using a nationally prescribed risk assessment called the Housing, Health and Safety Rating System (HHSRS). There are two categories:
- a) Category 1 hazard
  - b) Category 2 hazard
- 25.2 Category 1 hazards are the most serious hazards for which local housing authorities have a duty to act and resolve.
- 25.3 Category 2 hazards are less serious hazards for which local housing authorities have a discretionary power to act and reduce.

## 26 Overcrowding

- 26.1 Statutory overcrowding is assessed under the Housing Act 1985 and takes into account all bedroom space and space used as a living room.
- 26.2 Overcrowding is also assessed on a bedroom entitlement based on the ages and composition of all a household's occupants. A notional number of bedrooms are allocated to each household in accordance with its age, sex and status and then compared to the actual number of bedrooms which are available. Using this standard households may have bedroom space spare, have the correct amount or be deemed to be lacking bedroom space

## **27 Assessment of application**

- 27.1 When a complete application and documentation is received, we will assess it and tell the applicant their band; band reason; bedroom entitlement (see appendix 4) and the effective date of their application. The effective date is used to prioritise nominations when applications match all other criteria. The earliest effective date would be given the higher priority in these cases.
- 27.2 Social housing is in short supply in the Dorset Council area and waiting times may vary across the area. An indication of expected waiting times is available in Appendix 8.
- 27.3 The applicant is entitled to ask for a review (see Section 41).
- 27.4 We will explain in writing how the applicant can view properties online and register their interest in them, this is called 'bidding'.
- 27.5 Applicants will be provided with a personal reference number used to access their account and to see adverts online. A user guide will also be available.
- 27.6 We will support vulnerable applicants who evidence they are unable to bid for properties electronically. This support may include assisted bidding for matched properties. Applicants will qualify for this assisted bidding by:
- a) self-referral
  - b) request from support worker or housing officer
- 27.7 Applications received without all the required evidence will be not progressed until all the evidence is received. The date all evidence is received will be regarded as the effective date.
- 27.8 Social landlords will require an initial payment known as rent in advance which can vary in amount. Applicants who are socially or economically deprived will be supported or sign posted to suitable services so they can demonstrate their ability to manage their finances and be considered as tenancy ready.

## **28 Banding**

- 28.1 Housing need is prioritised in the scheme. There are four bands ranked in order of priority as follows:
- Band A – Exceptional Housing Need
  - Band B – High Housing Need

- Band C – Medium Housing Need
- Band D – Low Housing Need

Detailed explanatory notes are available in Appendix 3

## **Dorset Allocations Policy Reasonable Preference Bandings**

### **Band A - Exceptional Housing Need**

- Exceptional housing need that takes priority over other applicants
- Statutory Homeless and owed the full Housing Duty by Dorset Council s193 (2)
- Exceptional disrepair need
- Exceptional medical need
- Urgent welfare need
- Statutory Overcrowding Part X Housing Act 1985
- Other applicants

### **Band B - High Housing Need**

- Owed a relief duty under s189B (2)
- Under occupying social housing
- Overcrowded by 2 or more bedrooms
- Corporate parenting responsibility
- Proven social need/ support delivery of another service
- Severe and/or persistent harassment
- High disrepair need
- Social tenant living in adapted property
- High medical need
- Social tenant requiring extensive adaptations
- Corporate duty
- Supported housing and ready to move on
- Efficient management of housing stock
- Owed a relief duty under s189B (2) with no local connection
- High welfare need

### **Band C – Medium Housing Need**

- Owed a Prevention Duty under s195 (2)
- Homeless households
- Medium medical need
- Medium disrepair need
- Accommodation duty following deliberate and unreasonable refusal to cooperate (S193c(4)) duty owed

- Social tenant with right to move for work
- Split families
- Medium welfare need
- Owed a Prevention Duty under s195 (2) with no local connection
- Need to move for critical/essential support to avoid hardship
- Unsatisfactory or unsanitary conditions
- Overcrowded by 1 bedroom
- Affordability
- Service personnel

### **Band D – Low Housing Need**

- Low housing need
- Low medical need
- Low disrepair need
- Older people's housing
- Older peoples housing no local connection
- Supported housing or care leaver not ready to move on
- Low welfare need
- Applicants with other housing related debts

## **29 Bidding process**

29.1 Properties and advertisements

29.2 Properties are advertised on Dorset Council Home Choice on a daily basis. The information may include but is not limited to:

- a) Type of property
- b) Location of property
- c) Age restrictions
- d) Photograph of property
- e) Number of bedrooms
- f) Floor level and whether there is a lift
- g) Disability adaptations
- h) Type and length of tenancy
- i) Amount of rent and other charges
- j) Garden
- k) If pets are permitted
- l) Details of any local lettings plan
- m) Section 106 agreements
- n) Sensitive let details
- o) Closing date of advert

29.3 Properties may occasionally be withdrawn if necessary, to promote good management.

29.4 Adverts will indicate applicants who can bid and will include information

regarding restrictions to applicants with for example supported needs; specialist needs; or older persons.

- 29.5 The advert criteria may be used by the housing service to:
- a) manage the housing register effectively
  - b) meet the requirements of local lettings plans or allocate to a new housing development efficiently
  - c) facilitate effective nominations for those with specialist need, medical need or temporary accommodation requirements
  - d) promote mobility for existing social tenants
  - e) aid social landlords operating alternative eligibility criteria
- 29.6 Social landlords are required to comply with the Equality Act 2010 if imposing restricted letting criteria and will be required to provide evidence for applying these criteria which may be refused by the housing service. It is acknowledged such restrictions may be required by social landlords to effect good future management of housing.

### **30 How to make a bid for a property**

- 30.1 Applicants can submit bids online [www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk) or by arranging assisted bidding with the housing service. Applicants can place up to 6 bids per day. No further bids can then be placed until an advert closes or a bid is removed.
- 30.2 Applicants may request support where assistance would enhance successful bids and they would otherwise not be able to participate fully in the scheme. Such circumstances include but are not exhaustive of applicants:
- a) where English is not their first language
  - b) with learning difficulties
  - c) with literacy difficulties
  - d) with physical disability
  - e) with mental health conditions
  - f) who have a chaotic lifestyle due to alcohol or drugs
  - g) domestic abuse
  - h) rough sleepers
  - i) who are blind or have visual impairment
- 30.3 Applicants who have not made a bid for a period of 12 months will be contacted to assess the reason. Applicants who fail to respond may be removed from the housing register.
- 30.4 Applicants in Band A who have not made a bid in the last 3 months **and suitable properties were available during that time** will be contacted, reassessed and their band may be decreased to Band B.

30.5 Where an applicant is accepted as homeless, the housing service will also bid on the applicant's behalf and can make a direct let outside the Housing Act 1996 Part 6 (see section 40) including for those applicants living in temporary accommodation.

### **31 Assessing Bids Received**

31.1. Once the bidding cycle for the advertisement is closed all bids will be shortlisted against the advert criteria. The council will contact the successful applicant to verify their circumstances have not changed. Any bid that fails to meet the criteria will not be considered.

31.2 Before a nomination is made the council will ask the applicant(s) to provide up to date original documentation.

### **32 Nominations**

32.1 The housing service will notify the social landlord of applicant(s) meeting the criteria and provide their applications for consideration.

32.2 The social landlord will consider the applicant(s) and may ask for additional documentation. The social landlord may liaise with the housing service and consider various factors including:

- a) household make-up
- b) financial matters
- c) health
- d) isolation
- e) support needs
- f) safeguarding
- g) own lettings policy
- h) criminal history
- i) tenancy history
- j) community cohesion

32.3 The social landlord will write to applicants they refuse and explain the reason, including the applicants' right of appeal in accordance with their own lettings policy.

32.4 It is the final decision of the social landlord to accept any nomination from the local authority in accordance with their own lettings policy.

32.5 The applicant will be invited to view the property and sign the tenancy agreement. The social landlord will accompany applicants to view the property and will agree a reasonable period to complete this process taking into account any special circumstances such as:

- a) disability
- b) hospitalisation
- c) vulnerability

d) travelling arrangements

32.6 Those applicants who are owed an accepted homeless duty will be expected to comply with the nomination process which includes the provision of requested documentation and attendance at arranged viewings. Failure to comply with the nomination process may constitute an implied refusal which may result in a discharge of the homeless duty.

### **33 Withdrawal of Offer**

33.1 The social landlord may withdraw the offer of a property in writing if the applicant:

- a) refuses to co-operate with the social landlord
- b) fails to respond to telephone calls or correspondence about the nomination
- c) fails to agree to accept the offer of the tenancy in a reasonable time
- d) makes a fraudulent or misleading application
- e) outgoing tenant withdraws notice to quit

### **34 Refusal of Offer**

34.1 Applicants can refuse the offer of a property and are required to provide a reasonable explanation for the refusal. The housing service may suspend the applications where two offers of suitable accommodation have been refused in a period of 12 months.

34.2 Applicants may ask for a review of this decision in writing to the housing service within 21 days of the decision (see section 41).

### **35 Specific Lettings descriptions**

35.1 Some properties have specific descriptions and are normally limited to applicants who meet the criteria.

### **36 Older Persons Property**

36.1 This property type is usually one bedroom and either a bungalow or flat. Age restrictions apply these are normally 55+ dependent on the social landlord's criteria.

### **37 Adapted or Accessible Properties**

37.1 Adapted or accessible properties include properties which possess at least one major adaptation or facility which makes them more accessible for a person with a disability who would benefit from that type of facility. These adaptations or facilities can include, but are not limited to:

- a) ramps and accessible access to a property

- b) accessible internal arrangements including widened doors
- c) level Access Shower
- d) home lift
- e) accessible kitchen
- f) ground floor accessible bedroom and bathroom
- g) other similar major adaptations

37.2 Applicants with a medical or other condition which demonstrates the need for an adaptation or similar listed above will be given priority when bidding for accommodation which possesses such an adaptation or facility.

37.3 Applicants with a medical or other condition may bid on a range of accommodation options in accordance with this policy. Where such accommodation requires an adaptation then a range of equipment, assistance, financial help for minor and major adaptations maybe available from Dorset Council at [www.dorsetcouncil.gov.uk/homeadaptation](http://www.dorsetcouncil.gov.uk/homeadaptation). Eligibility criteria applies.

### **38 Local Letting Plan**

38.1 Housing authorities may adopt a local lettings plan in accordance with the Housing Act 1996 (as amended) Section 167(2E) in order to manage:

- a) meeting demand of a particular group
- b) schemes that are having a significant impact on tenants' quality of life
- c) create community cohesion on new development

38.2 Housing providers working on a development are required to discuss the need with the local authority and provide clear evidence and justification of the requirement of a local lettings plan together with detailed plans at least 6 months before completion of the development and/or advertising properties. The details must show consideration has been given to:

- a) meeting the identified housing need
- b) assisting the housing authority meet its homeless needs
- c) mitigation steps
- d) timescale
- e) review date and monitoring arrangements

38.3 The Housing Solutions Service Manager will agree the terms of a local lettings plan which will be advertised on [www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk) and nominations will be managed in accordance with the plan.

### **39 Rural properties**

39.1 The availability of private housing in Dorset is restricted by high house prices, high numbers of second homes and a low wage economy. As a significant proportion of social housing in Dorset is rural this policy aims to sustain these rural communities by giving local people in housing need, priority for these properties and reducing reliance on new social housing developments (see appendix 6 for list of parishes).



- 39.2 Some rural properties are subject to Section 106 agreements imposed during their development which restricts residents to those applicants meeting specific criteria and these restrictions take precedence over the housing allocations policy standard criteria.
- 39.3 Rural properties not subject to Section 106 agreements will detail whether the personal residency in the local connection criteria and any other factors need to be met in the advertisement. In these circumstances' applicants may be required to hold a connection to a parish or settlement. Those applicants with this connection and the highest priority from the register will be selected.
- 39.4 Where no applicant meets the criteria, the area will be expanded to the neighbouring parish or settlement until a suitable application is received. Failing this, applicants with a less priority on the register would be considered.
- 39.5 Dorset Council will allocate 75% of these properties in this way in order to help create mixed, sustainable communities.

#### **40 Letting outside of the scheme**

- 40.1 Occasionally properties are let outside the scheme and outside Part 6 of the Housing Act 1996 examples include but are not limited to:
- a) hard to let properties where no suitable bids have been received
  - b) social landlords need to move (decant) tenants due to major refurbishment or demolition of their current property
  - c) at the request of Dorset Council to meet our duty to accommodate statutorily homeless households
  - d) the social landlord needs to transfer a tenant for a management purpose
- 40.2 Cases considered to be urgent and serious enough to require an allocation to be made outside of the council's normal policy and procedure are defined as follows:
- a) threats to life
  - b) harassment
  - c) extreme anti-social behaviour
  - d) vulnerable witnesses
  - e) any other significant and/or immediate need for a move to more suitable, alternative accommodation
- 40.3 Housing providers will be expected to demonstrate that they have taken reasonable steps to deal with urgent cases before referring for an Exceptional banding request.
- 40.4 The Council will carry out risk assessments and consult The Community Safety team, Police and Probation as well as existing and potential social landlords where appropriate, to assess the appropriateness of any resulting allocation which may arise from the award of Exceptional banding to an applicant.

## **41 Reviews & Complaints**

41.1 In the spirit of the statutory codes of guidance, Dorset Council offers applicants the option to request a review within 21 calendar days of a decision regarding the following matters:

- a) meeting eligibility or qualification criteria
- b) the effective date of their application
- c) reasons leading to the cancellation or suspension of their application
- d) the property type they are able to bid for
- e) entitlement to reasonable preference
- f) household members considered for housing

41.2 Applicants must request a review in writing and can provide supporting evidence at that time. Reviews will be accepted:

By email to: [housingoptionsteamb@dorsetcouncil.gov.uk](mailto:housingoptionsteamb@dorsetcouncil.gov.uk)

In writing to: Service Manager for Housing Solutions  
County Hall  
Colliton Park  
Dorchester  
Dorset  
DT1 1XJ

41.3 The review will be carried out by a senior officer and consider the facts of the application, the decision, the scheme and relevant legislation at that time. The review will be completed within 56 calendar days unless an extension is agreed with the applicant and will be provided in writing.

41.4 Applicants will be able to bid on properties in accordance with their assessment during a review.

41.5 Support may be available to applicants to request a review who otherwise would be unable to do so and will be considered on a case by case basis and may include:

- a) accepting representation from another person acting on their behalf
- b) accepting a verbal request for a review
- c) providing a written response for the applicant at a local Dorset Council office for collection within 30 calendar days where no postal address is available.

41.6 Applicants who remain dissatisfied with the result of a review may choose to make an application for judicial review if they feel they have grounds.

41.7 Applicants may make a complaint to Dorset Council by following our complaints procedure ([www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk)) where they feel we have:

- a) failed to provide a service or an acceptable standard of service

- b) delayed in providing a service
- c) made a mistake in the way we have provided a service
- d) failed to act in a proper way
- e) provided an unfair service

41.8 If the outcome of this proves unsatisfactory, an applicant may seek the help of the Local Government & Social Care Ombudsman. Complaints can be made by:

1. Telephone: 0300 061 0614
2. Online: <https://www.lgo.org.uk/contact-us>

41.9 Applicants will be advised of their right to make a complaint to the Office of the Information Commissioner (“ICO”) if they believe we have failed to fulfil our obligations and responsibilities as set out in the Data Protection Act 2018.

41.10 Concerns can be reported by telephoning the ICO’s helpline on 0303 123 1113 or online at <https://ico.org.uk/concerns/>

## **42 Scheme monitoring and review**

42.1 Dorset Council will continuously monitor the scheme to ensure the following objectives are met:

- a) the aims of the scheme are being met
- b) the scheme is updated to reflect any changes to legislation
- c) the scheme is administered in accordance with the terms set out in this document.
- d) to meet our legal requirements to provide central government with specified data

42.2 The policy will be reviewed annually to monitor the objectives set out above. Any changes necessary including any consultation or equality assessments required will be publicised on our website at [www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk)

42.3 The Portfolio Holder for Housing is able to approve minor amendments to the housing allocation policy at any time to ensure it meets legal requirements without the need for further approval.

42.4 A formal review of the housing allocation policy will be carried out by the housing service every 2 years in accordance with the statutory codes of guidance.

42.5 Dorset Council will use data stored on the housing register to support the delivery of other Council services meeting the health and wellbeing of our communities.

Last Review Date: July 2021

## **Appendix 1**

### Eligible Applicants

British citizens (constituting the nations of England, Scotland and Wales).

Commonwealth citizens with a right of abode in the UK immediately before 01 January 1983 who have remained commonwealth citizens throughout (excluding non-British citizens from Pakistan and South Africa, but inclusive of citizens from Gambia and Zimbabwe).

Irish citizens (constituting the nations of Northern Ireland and Republic of Ireland). From 24 August 2020 this will extend to a person who have limited leave to enter or remain in the UK as a family member of a relevant person of Northern Ireland, and that family member has been resident in the UK and a family member for at least five years, or the person of Northern Ireland is a worker, self-employed, self-sufficient, student, or have the right of permanent residence in the UK

Isle of Man citizens.

Channel Islands citizens.

EEA nationals with extended rights of residence:

- a. Jobseekers.
- b. Workers.
- c. Self-employed persons.
- d. Self-sufficient persons.
- e. Students.
- f. Family members of the persons referred to above.

EEA nationals with permanent rights of residence:

- g. EEA nationals in UK for a continuous period of 5 years.
- h. Family members of the persons referred to above.
- i. Workers or self-employed persons who have ceased activity.
- j. Family members of the persons referred to above.
- k. Persons who were a family member of the persons referred to above who has died and resided with them previously.

Persons exempt from immigration control (e.g. diplomats and their family members based in the UK and some military personnel).

Persons granted refugee status by the UK Government.

Persons granted exceptional leave to enter or remain in the UK with condition that they and any dependents have resource to public funds (e.g. humanitarian or compassionate circumstances).

Persons with current leave to enter or remain in the UK with no condition or limitation, and who are habitually resident in the Common Travel Area (a person whose maintenance and accommodation is being sponsored must be resident in the Common Travel Area for five years since date of entry or date of sponsorship, unless the sponsor has died).

Persons who have humanitarian protection granted under the Immigration Rules (e.g. a person whose asylum application has failed, but they face real risk of harm if they returned to their state of origin).

Persons who are Afghan citizens with limited leave to enter or remain in the United Kingdom, who are habitually resident in the Common Travel Area.

From 24 August 2020, persons who are habitually resident in the Common Travel Area (see 3.1.2) and who have been granted leave to remain as a stateless person under Immigration Act 1971

The following classes of person will not be eligible to be allocated social rented housing:

Persons not habitually resident in the Common Travel Area, which consists of:

- a. United Kingdom of Great Britain & Northern Ireland.
- b. Republic of Ireland.
- c. Isle of Man.
- d. Channel Islands (Guernsey & Jersey).

EEA nationals (job seekers or their family members) who have only an:

- e. Initial right of residence for 3 months.
- f. Derivative right of residence because the person is the primary carer of a British citizen.
- g. Right to reside as a result of the persons deportation, expulsion or other removal by compulsion of law from another country to the UK (including EEA nationals exercising EU Treaty rights, who were previously settled in the UK prior to deportation).

Persons whose only right to reside in the UK is an initial right for no more than 3 months, including those who would become an unreasonable burden on the social assistance system of the UK.

Persons who are excluded by section 115 of the Immigration and Asylum Act 1999 to entitlement to universal credit under Part 1 of the Welfare Reform Act 2012 or to housing benefit.

Persons who have leave to remain in the UK under appendix Hong Kong British national (overseas) of the immigration rules, whose leave is not subject to a condition requiring them to maintain and accommodate themselves, or any person dependent upon them, without recourse to public funds.

## **Appendix 2**

### **Supporting Documents**

Eligibility Documents (see page 10 of the policy)

- a) National insurance number (NINO) and
- b) Photo identification in the form of either a current passport; driving licence; bus pass; residents permit issued by the Home Office; national identity card; EEA member state identity card or firearms and shotgun certificate
- c) Evidence of their settled or pre-settled status where applicable
- d) Proof of local connection and their last 5-year address history
- e) EU Settlement Scheme: evidence of relationship – biometric residence card; family permit; residence card; marriage or civil partnership certificate; valid overseas registration document for same sex relationship under Civil Partnership Act 2004 this list is not exhaustive
- f) Birth certificate and evidence of child benefit for all dependent children

Qualification Documents (see page 11 of the policy)

- a) Proof of income, savings, investments and/or capital

Local Connection Documents

- a) Address history
- b) Employment history

## Appendix 3

### Banding Explanatory Notes

#### Band A – Exceptional Housing Need

##### Exceptional Housing Need that takes priority over other applicants

Applicants will be placed in the exceptional housing need band if their need for housing is assessed as so exceptional that they take priority over all other applicants or if there is an urgent need to allocate a property for financial or operational reasons.

Substantial evidence must exist and be provided by any relevant statutory or voluntary agencies before such priority is awarded.

##### Examples:

Example 1	To escape violence or threat of violence, serious harassment or a traumatic event. Where there is immediate and serious risk to a household living in a Dorset Home Choice partner authority. The Police or another appropriate agency will usually provide supporting evidence that the risk exists. The person at risk may be the applicant, or another person who might be reasonably expected to reside with them.
Example 2	There is an operational need to move the applicant quickly where the applicant is in a specific type of temporary accommodation such as a refuge, where they can no longer remain and further temporary accommodation is inappropriate.
Example 3	Where Dorset Council accepts a household being referred under the Witness Protection Scheme.
Example 4	Delayed transfer of care from hospital or from an interim care facility which has been a necessary move to avoid a delay in transfer of care from hospital.

Applicants will be given this priority for 3 months.

Please note that the award of 'Exceptional Housing Need Band' will be made by a Service Manager within Dorset Council.

## **Statutory Homeless and owed a full housing duty by Dorset Council S193 (2)**

Households owed a full housing duty under Section 193(2) of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by Dorset Council. This banding may be reduced to Medium Housing Need band if the applicant fails to bid for suitable accommodation that becomes available or fail to co-operate subject to Section 193C (4)

### **Exceptional Disrepair Need**

A property which would normally possess an imminent risk of serious harm to the health or safety of the occupiers akin to section 40 of the Housing Act 2004 (or a similar level of health or safety risk).

Example 1	The means of escape in case of fire from a second-floor bedroom is via a kitchen – a room of higher fire risk.
Example 2	There is significant disrepair to the property's fixed electrical wiring, putting the occupants at demonstrable risk of electric shock

### **Urgent Medical Need**

Urgent Medical need which is life threatening or which is causing bed blocking with hospital/care facility.

Example 1	An elderly applicant who the medical specialists will not allow to be discharged from hospital back to a second-floor split-level flat which necessitates the climbing of stairs both to gain access and also within the flat itself. This person suffers from a chronic heart condition and the only accommodation available to them would place their life at risk. This view is amplified when further research reveals that the applicant lives alone, has virtually no contact with any neighbours, becoming in effect, a prisoner within the flat should the medical authorities decide to discharge him/ her from hospital
Example 2	Mr Stevens, a frail, elderly gentleman, lives on his own in an old caravan in the grounds of a house in a country area. The only mains service is electricity. He fetches his water from an outside cold water tap and must use an Elsan bucket toilet situated some distance from the caravan. Mr Stevens suffers from dizzy spells, arthritis and was admitted to hospital as a result of the cold during the winter and the danger of falls when collecting water or using the outside toilet.



## Urgent Welfare Need

Severe and persistent welfare risk to the applicant.

Example 1	A family living in Sherborne. Son has severe illness that requires access to Dorchester hospital. Family car is in use for work, mother looking after children doesn't drive and isolation from medical care is causing problems for other children.
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## Statutory Overcrowding

Statutory overcrowding can be caused by too many people living in a dwelling and depends on the size of the habitable rooms.

### Room Standard

The room standard is contravened if two people of the opposite sex have to sleep in the same room the accommodation will be overcrowded unless the two people are:

- a married or cohabiting couple, or
- at least one occupant is under ten years old

The number of people of the same sex - unless they are a same sex couple - who can sleep in one room is restricted by the size of the room within the dwelling.

Rooms that are counted as space for sleeping include living rooms, dining rooms, bedrooms and the living area of an open-plan kitchen/living room. For the space and floor area calculations:

- children under one year old are ignored
- children aged from one to 10 count as a half
- anyone aged over 10 counts as 1.

### Space Standard

The Space Standard is contravened when the number of persons sleeping in the dwelling is in excess of the permitted number having regard to the number and floor area of the rooms of the dwelling available as sleeping accommodation.

- children under one year old are ignored
- children aged from one to 10 count as a half
- anyone aged over 10 counts as 1.
- A room is available as sleeping accommodation if it is of a type normally used in the locality as a living room or as a bedroom

The permitted number for a dwelling is the lower of the figures obtained by reference to both tables below:

Table 1

- 1 room = 2 people
- 2 rooms = 3 people
- 3 rooms = 5 people
- 4 rooms = 7.5 people
- 5 or more rooms = 2 people for each room.

Table 2

- floor area 110 sq. feet (10.2 sq. metres approx.) = 2 people
- floor area 90 - 109 sq. ft (8.4 - 10.2 sq. m approx.) = 1.5 people
- floor area 70 - 89 sq. ft (6.5 - 8.4 sq. m approx.) = 1 person
- floor area 50 - 69 sq. ft (4.6 - 6.5 sq. m approx.) = 0.5 people.

Applicants accommodated by Dorset Council under a homeless duty are excluded.

## **Band B – High Housing Need**

### **Owed a relief duty under S189B (2)**

Households owed a relief duty under section 189B of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by Dorset Council. This banding will be time limited and can be ended in a number of ways.

### **Under-occupying social housing**

The applicant is a social tenant who resides within Dorset Council area, under-occupies their existing property and is looking to move to a smaller, more suitable property that matches their need. Note: Where a tenant lives in specialist two-bedroom property this may not apply.

### **Overcrowded by 2 or more bedrooms**

These applicants are assessed by a housing officer overcrowded by lacking two or more bedrooms according to the bedroom entitlement (see appendix 4) but are not statutorily overcrowded. This criteria will NOT be awarded where evidence exists that proves the overcrowding is deliberate. This banding does not apply to households accommodated in temporary accommodation by Dorset Council.

### **High Medical Need**

This band is awarded due to serious problems/medical issue(s) which have a serious impact on your housing need or make it unreasonable to remain in your current accommodation. Note that where public monies have been committed or works begun to adapt the applicant's property to meet the applicants housing needs the applicant may be moved to Band D – Low Housing Need.

Example 1	Mrs Smith, an elderly widow, lives on her own in a first floor flat. She suffers from severe rheumatoid arthritis and is unable to climb stairs. As a consequence, she is housebound. This is clearly not putting her life at risk, but is having a serious effect on her lifestyle, which a move to ground floor accommodation would resolve. [Note the key fact here is that the applicant is housebound because of their condition – were the applicant able to move around more freely this case would likely to be assessed as Band B medium medical need
Example 2	Mr and Mrs Brown, are both aged 70, are the owner-occupiers of a large Victorian property. Mrs Brown also suffers from osteoarthritis and now finds mobility painful, which is aggravated by this large dwelling, where only the WC facilities are on an upper floor. Mr Brown has a blood disorder and has considerable problems keeping warm, which is aggravated by this old property with its large rooms and high ceilings. The GP is concerned on both accounts and has advised the Housing Team accordingly.

### High Disrepair Need

Based on the conditions identified by the Dorset Council's Housing Standards Team who have deemed the applicant's (your) home to have at least one or more category 1 hazards (or a similar level of health or safety risk) as defined under the Housing Act 2004 Housing Health and Safety Rating System which cannot be resolved within 6 months (when the disrepair has been resolved the banding will be reviewed and revised accordingly)

Example	A property has no fixed central heating system to habitable rooms, no insulation to the loft and rising damp to a number of ground floor rooms. Significant renovation is required to bring it up to an acceptable standard
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## High Welfare Need

Serious and persistent welfare risk to the applicant

Example 1	A child within an applicant's family has been abused outside of the family home. The child is now seeing the abuser regularly in the local community and this is causing serious hardship to the child.
Example 2	An applicant has a terminal illness and the management of their condition would be improved if they could move to a different property.
Example 3	This would include applicants who are foster carers, those approved to adopt, or those being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority. It would also include special guardians, holders of a residence order and family and friends, carers who are not foster carers but who have taken on the care of a child because the parents are unable to provide care.

## Severe or Persistent Harassment

The applicant is a victim of severe and/or persistent harassment or violence at their current property within the Dorset Council area providing evidence exists to substantiate the claim (e.g. from Police/Housing Officer), and re-housing is the most appropriate course of action.

## Proven Social Need/Support of another Service

Applicants will also be placed in band B if there is a proven social need or to support the delivery of another service. This applies to applicants who, for exceptional reasons, fall outside of the rest of Dorset Council Home Choice scheme and need to be found secure alternative accommodation. This may include children at risk issues where children would otherwise be accommodated by social services.

## Social Tenant Living in Adapted Property

Social tenant living in a property with extensive adaptations within the Dorset Council area, which are no longer required by either the applicant or a member of the household.

## **Social Tenant Requiring Extensive Adaptations**

Social tenant or a member of their household within the Dorset Council area who requires extensive adaptations and is prepared to move to a property with such adaptations rather than having them done in current home.

Examples of extensive adaptations may include stair lift; through floor lift; level access shower; ramp

## **Corporate Parenting Responsibility**

Dorset Council has a corporate parenting responsibility where a young person who has been looked after, fostered or accommodated and has had a duty of care accepted under the Children Act in Dorset Council, and is ready for independent living. They should be awarded band B to enable a planned move on to independent suitable accommodation providing a support plan is in place.

The following criteria will apply:

- a) they are ready and prepared to move to independent settled accommodation
- b) they have the life skills to manage a tenancy
- c) they have a support package and appropriate Pathway Plan
- d) they have not, or have not previously, been a tenant of a registered provider as a result of being granted this priority

In exceptional circumstances priority may be given to former relevant children (up to the age of 25) who have completed higher education funded by Dorset Council.

## **Corporate Duty**

Referrals from Adult Social Care and Children's Services will be considered under this band where it is identified that a corporate duty exists under social care legislation and it is demonstrated that an allocation will prevent a residential placement or a placement outside the council's area.

## **Supported Housing and Ready to Move On**

The applicant resides within a short-term Supported Housing project (usually available for up to a maximum of two years) and is seeking to 'move-on' into independent accommodation. NB: The Project Manager of the scheme must confirm in writing and provide evidence that the applicant is ready for such a move and has acquired reasonable skills to sustain a tenancy. Until this time, the applicant will be placed within Band D.

## **Owed a relief duty under S189B (2) with no local connection**

Households without a local connection but who are owed a relief duty under section 189B of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2018) by Dorset Council. This banding will be time limited and can be ended in a number of ways.

These households will be able to bid for properties, but their bids will only be considered after all bids from other households who do meet local connection criteria have been dealt with in the same band.

### **Efficient Management of Housing Stock**

This priority will be awarded in a number of situations set out below to aid efficient management of social housing stock e.g.

- a) those moving from one bed general needs property to one bed sheltered accommodation
- b) as a management tool to resolve issues affecting a block or estate
- c) as a tool to help partner organisations address their housing responsibilities contained within employment contracts

### **Band C – Medium Housing Need**

#### **Overcrowded by 1 bedroom**

These applicants are assessed by a housing officer overcrowded by lacking one bedroom according to the bedroom entitlement (see appendix 4) but are not statutorily overcrowded. This criteria will NOT be awarded where evidence exists that proves overcrowding is deliberate. This banding does not apply to households accommodated in temporary accommodation by Dorset Council.

#### **Homeless Households**

People who are homeless including those who have not made an application (within the meaning of Part 7 of the 1996 Housing Act as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017). This includes people who are intentionally homeless and those who are not in priority need.

People who are owed a (homeless) duty by any local authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985). The letter detailing the outcome of a homeless application will specify whether one of these sections applies.

#### **Owed a Prevention Duty under Section 195(2)**

Households owed a prevention duty under section 195 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017) by Dorset Council. This banding will be time limited and can be ended in certain circumstances.

#### **Owed a Prevention Duty under Section 195(2) with no local connection**

Households owed a prevention duty under section 195 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act

2017) by Dorset Council but do not meet the local connection criteria as set out in this policy.

These households will be able to bid for properties, but their bids will only be considered after all bids from other households who do meet local connection criteria have been dealt with in the same band.

### **Accommodation Duty Following Deliberate and Unreasonable Refusal to Co-operate (s193c (4)) Duty Owed**

This band applies to applicants who would ordinarily be deemed as unintentionally homeless and having a priority need but the relief duty has been ended due to their failure to co-operate. The relief duty will have been discharged in accordance with the non co-operation procedure.

### **Medium Medical Need**

Medium medical issue(s) which have a moderate impact on your housing need or make it unreasonable to remain in your current accommodation.

Example 1	Sarah and Jane are a same sex couple and live in a rented property. Sarah considers that their relationship has broken down, although her partner refuses to accept this fact. Whilst she has not been subjected to physical violence, there is a great deal of mental cruelty which has led to Sarah seeking the help of a Consultant Psychiatrist and being unable to work for several months. She has been advised that her mental health is being affected by her relationship with her partner. In a case such as this, it would be essential for the Housing staff to consult the Community Physician before making a banding award.
Example 2	Mrs Coles and her daughter are living in a property where Mr Coles (husband and father) died of cancer. The young child (7 years old) is now constantly looking for her father in the property and this is causing considerable upset.

### **Need to move for critical/essential support to avoid hardship**

People who **NEED** to move to a particular area to avoid hardship to themselves or to others for example:

- a) The applicants need to receive care
- b) The applicant needs to give critical care or support to someone within the council area

- c) To access specialist medical treatment
- d) Victims of harassment or violence

Evidence will be necessary to show the support can only be attained by moving.

**Medium Welfare Need**

Moderate and/or intermittent welfare risk to applicant.

Example 1	An applicant is isolated in a rural area with no family to provide support and no transport to enable them to visit Doctor regularly.
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**Medium Disrepair**

Based on the conditions identified by the Dorset Council's Housing Standards Team who have deemed the applicant's (your) home to have at least one or more high ranking category 2 hazards (ranked D or E) (or similar level of health or safety risk such as a household that is determined to be lacking in 1 bedroom as defined using the 'bedroom standard') as defined under the Housing Act 2004 Housing Health and Safety Rating System which cannot be resolved within 6 months (when the disrepair has been resolved the banding will be reviewed and revised accordingly)

<b>Example 1</b>	A property has an inadequate means of escape in case of fire and improvements are necessary to bring it up to standard
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**Social Tenant's Right to Move for Work**

Applicants who are able to demonstrate the need to move nearer their place of work within the Dorset Council area because they have secured or have permanent employment (over 16 hours per week average) in the area (evidence of the employment must be provided) and are currently a social housing tenant and would experience hardship if unable to move to the area.

**Affordability**

Where a property becomes unaffordable due to a change in the applicants circumstances applicants may be awarded Band C Medium Housing Need to reflect this hardship and prevent homelessness. This will be subject to a financial assessment.

**Split Families**

Applicants that have previously lived together but who, not by choice are living in separate households due to the lack of suitable accommodation available, and



cannot live together and wish to be re-housed together and have not been accepted by Dorset Council under Part 7 of the Housing Act 1996 (as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017).

This includes those who may not have been living as part of the household at the time of the application, but whom it would be reasonable to expect to live with the applicant, as part of his/her household.

An application form should be completed by the household living in the worst property out of the households applying, to ensure the application is placed in the correct banding.

### **Service Personnel**

Applicants that fall within one of the following groups will be placed in Band C Medium Housing Need (if no other identified housing need exists) when they have provided proof of their date of discharge, subject to the overall financial assessment set out within the policy:

- a) Former members of the Regular Armed Forces
- b) Serving members of the Regular Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- c) Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- d) Bereaved spouses or civil partners of those serving in the Regular Forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.
- e) Current members of the Regular Armed Forces

### **Unsatisfactory or unsanitary conditions**

Applicants who are living in unsatisfactory or unsanitary conditions such as but not limited to:

- a) lacking a bathroom or kitchen
- b) lacking inside WC
- c) lacking cold or hot water supplies, electricity, gas or adequate heating
- d) sharing living room, kitchen, bathroom/WC
- e) property in disrepair
- f) poor internal or external arrangements

## **Band D – Low Housing Need**

### **Low Housing Need**

Applicants, who at the time of their application, live in a property which is adequate for their needs in terms of size and facilities and do not meet any of the other banding criteria. These applicants will consider their current property does not meet all of their needs but are otherwise excluded from registering. This criteria means their need can be recognised and there may be properties they are interested in, for example:

- a) a Community Land Trust property
- b) independent affordable accommodation
- c) properties that are hard to let

### **Low Medical Need**

The degree of the problem is minor, but it is recognised that a move to another property will be beneficial for the applicant. For example:

Example 1	A couple in their early 60s have signs of generalised arthritis and rheumatics. There are some difficulties with the accommodation because it is difficult to maintain a constant temperature during winter months. The garden is also becoming an increasing chore, but out of a sense of pride the occupants continue to try and keep on top of it.
Example 2	Minor problems relating to recurring colds/asthma or regular depression or unusual allergies could be pointed under this heading providing a link to the existing accommodation could be demonstrated.

### **Low Disrepair Need**

The applicants' home has one or more category 2 hazards (F or below) (or similar level of health or safety risk) as defined under the Housing Act 2004 Housing Health and Safety Rating System as identified by Dorset Council's Housing Standards Team.

Example 1	A property has mould growth due to condensation in a number of habitable rooms. The property has gas central heating but would benefit from some improved mechanical ventilation to the bathroom and top up insulation to the loft.
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## Low Welfare Need

Minor and or occasional welfare risk to applicant.

Example 1	Applicant has a low-level medical condition which requires periodic trips to the hospital for check-ups and lives in a rural location with only limited public transport.
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## Older People's Housing

Applicants who may otherwise be assessed as adequately housed but have a local connection to Dorset Council with a requirement for older peoples housing. Older peoples housing is often determined when the property is built. This band will be subject to certain age restrictions but not to the financial restrictions.

### Older People's Housing with no Local Connection

Households eligible for housing for older persons who are deemed to have no local connection may be considered for hard to let sheltered accommodation. Properties can be hard to let for various reasons for example, they have age restrictions applied at planning or are in areas that have reduced amenities

Households in this band will be able to bid for properties but their bids will only be considered after all bids from households who do meet the local connection requirements have been dealt with in the same band. Any bids placed for properties other than housing for older persons will be considered as ineligible bids and not considered for nomination.

### Supported Housing Not Ready to Move on

Applicants who are residing within a short term supported housing project, (usually available for up to a maximum of 2 years), but who are not yet assessed as ready to move on.

### Other Housing Related Debt

Where an applicant(s) has any current/former rent arrears or other housing related debt such as such as:

- a) outstanding service
- b) support charges
- c) rent in advance or rent deposit payments
- d) storage and removal costs
- e) housing benefit debts
- f) property repair
- g) cleaning costs
- h) outstanding temporary accommodation or bed and breakfast debts
- i) legal costs associated with debt recovery

The applicant might be accepted onto the housing register and placed in the appropriate band. This would allow applicant(s) to place bids however; social landlords might still refuse to offer a property whilst the debt is still outstanding. Applicants, who have such as debt, should clear the debt or make regular payment to reduce the debt.

**Note:**

In addition to an assessment under Part X of the Housing Act 1985 (Statutory Overcrowding), ‘Crowding and Space’ can also be assessed as part of a Housing Health and Safety Rating System (HHSRS) assessment under the Housing Act 2004. Any Category 1 or 2 hazard identified via this assessment will be dealt with in accordance with this policy.

Housing Standards enforcement is independent to this policy and details can be found at [www.dorsetcouncil.gov.uk](http://www.dorsetcouncil.gov.uk)

**Appendix 4**

Bedroom Entitlement

<b>Property type/size</b>	<b>Household</b>
Bedsit/studio	Single Applicant
1 Bedroom	Single Applicant or Applicants living as a couple with no children
2 Bedrooms	couple, with 1 child; or Single Applicant, or Applicants living as a couple, with 2 children of: (a) The same sex under 16 (b) Opposite sex under 10
3 Bedrooms	Single Applicant, or Applicants living as a couple with 2 children, with at least 1 of opposite sex over 10; Single Applicant, or Applicants living as a couple, with 3 children or 4 children: (a) Of the same sex under 16; or (b) Two children of each sex under 16 (c) of either sex all under 10
4 Bedrooms	Single Applicant, or Applicants with 5 or more children Single Applicant or Applicants with 4 children where at least one of them is aged 10 and is of the opposite sex of the others or one of them is aged 16 or

Exceptions allowing one additional bedroom:

- a) a disabled tenant or partner who needs a regular non-resident overnight carer
- b) foster carers who have fostered a child, become an approved foster carer within the last 52 weeks, or are about to become an approved foster carer and have written evidence to support.
- c) where the applicant or partner is pregnant, and the due date is within the next 12 weeks and it is the first child
- d) other exceptional circumstances

## **Appendix 5**

Social Landlord Partners

Abri  
Aster Group  
Bournemouth Churches Housing Association  
East Borough Housing Trust  
The Guinness Partnership  
Hannover Housing Association  
Hastoe Housing Association  
Home Group  
Housing and Care21  
Magna Housing  
Mill Street Housing Society  
Places for People  
Radian  
Sage Housing  
Sanctuary Housing  
Sandbourne Housing Association  
Sandown Housing Association  
Sovereign Housing Association  
Stonewater

## **Appendix 6**

### **Parish List**

- Abbotsbury, Affpuddle, Alderholt, Allington, Alton Pancras, Anderson, Arne, Ashmore, Askerswell, Athelhampton
- Batcombe, Beaminster, Beer Hackett, Bere Regis, Bettiscombe, Bincombe, Bishop's Caundle, Blandford St Mary, Bloxworth, Bothenhampton, Bourton, Bradford Abbas, Bradford Peverell, Bradpole, Broadmayne, Broadwindsor, Bryanston, Buckhorn Weston, Buckland Newton, Burleston, Burstock, Burton Bradstock
- Cann, Castleton, Catherston Leweston, Cattistock, Caundle Marsh, Cerne Abbas, Chalbury, Chaldon Herring, Charlton Marshall, Charminster, Charmouth, Chedington, Cheselbourne, Chetnole, Chettle,

Chickerell, Chideock, Child Okeford, Chilcombe, Colehill, Compton Valence, Chilfrome, Church Knowle, Clifton Maybank, Compton Abbas, Coombe Keynes, Corfe Castle, Corfe Mullen, Corscombe, Cranborne, Crossways

- Dewlish, Durweston
- East Chelborough, East Holme, East Lulworth, East Orchard, East Stoke, East Stour, Edmondsham, Evershot
- Farnham, Ferndown Town, Fifehead Magdalene, Fifehead Neville, Fleet, Folke, Fontmell Magna, Frampton, Frome St Quintin, Frome Vauchurch
- Gillingham, Glanvilles Wootton, Goathill, Godmanstone, Gussage All Saints, Gussage St Michael
- Halstock, Hammoon, Hanford, Haydon, Hazelbury Bryan, Hermitage, Hilfield, Hilton, Hinton Martell, Hinton Parva, Hinton St Mary, Holnest, Holt, Holwell, Hooke, Horton
- Ibberton, Iwerne Courtney or Shroton, Iwerne Minster, Iwerne Stepleton
- Kimmeridge, Kingston Russell, Kington Magna
- Langton Herring, Langton Long Blandford, Langton Matravers, Leigh, Leweston, Lillington, Littlebredy, Litton Cheney, Loders, Long Bredy, Long Crichel, Longburton, Lydlinch, Lytchett Matravers, Lytchett Minster and Upton
- Maiden Newton, Manston, Mapperton, Mappowder, Margaret Marsh, Marnhull, Marshwood, Melbury Abbas, Melbury Bubb, Melbury Osmond, Melbury Sampford, Melcombe Horsey, Milborne St Andrew, Milton Abbas, Minterne Magna, Moor Crichel, Morden, Moreton, Mosterton, Motcombe
- Nether Cerne, Nether Compton, Netherbury, North Poorton, North Wootton
- Osborne, Okeford Fitzpaine, Osmington, Over Compton, Owermoigne
- Pamphill, Pentridge, Piddlehinton, Piddletrenthide, Pilsdon, Pimperne, Portesham, Portland, Powerstock, Poxwell, Poyntington, Puddletown, Pulham, Puncknowle, Purse Caundle
- Rampisham, Ryme Intrinseca
- Sandford Orcas, Seaborough, Shapwick, Shillingstone, Shipton Gorge, Silton, Sixpenny Handley, South Perrott, Spetisbury, Stalbridge, St Ives, St Leanoards, Stanton St Gabriel, Steeple, Stinsford, Stockwood, Stoke Abbott, Stoke Wake, Stour Provost, Stourpaine, Stourton Caundle, Stratton, Studland, Sturminster Marshall, Sturminster Newton, Sutton Waldron, Swyre, Sydling St Nicholas, Symonds bury
- Tarrant Crawford, Tarrant Gunville, Tarrant Hinton, Tarrant Keyneston, Tarrant Launceston, Tarrant Monkton, Tarrant Rawston, Tarrant Rushton, Thorncombe, Thornford, Tincton, Todber, Toller Fratrum, Toller Porcorum, Tolpuddle, Trent, Turners Puddle, Turnworth, Tyneham
- Up Cerne

- Verwood
- Wareham St Martin, Warmwell, West Chelborough, West Compton, West Knighton, West Lulworth, West Orchard, West Stafford, West Stour, Whitcombe, Whitchurch Canonorum, Wimborne St Giles, Winfrith Newburgh, Winterborne Came, Winterborne Clenston, Winterborne Herringston, Winterborne Houghton, Winterborne Kingston, Winterborne Monkton, Winter borne St Martin, Winterborne Stickland, Winterborne Whitechurch, Winterborne Zelston, Winterbourne Abbas, Winterbourne Steepleton, Witchampton, Woodlands, Woodsford, Wool, Wolland, Wootton Fitzpaine, Worth Matravers, Wraxall, Wynford Eagle
- Yetminster

## **Appendix 7**

### Legislation

This scheme has been formulated with regard to the law and regulatory requirements, including:

1. Housing Act 1985
2. Housing Act 1996
3. Homelessness Act 2002
4. Housing and Regeneration Act 2008
5. Localism Act 2011
6. Armed Forces Act 2006
7. Asylum and Immigration Act 1996
8. Immigration and Asylum Act 1999
9. Children Act 2004
10. Equality Act 2010
11. Data Protection Act 2018
12. Statutory guidance on the relevant legislation
13. The regulatory framework for Private Registered Providers of social housing in England published by the Homes and Communities Agency, in particular the Tenancy Standard, published April 2012
14. Domestic Abuse Act 2021

## Appendix 8

### Expected Waiting Times

Waiting times for housing vary depending on several factors including but not limited to:

- Location
- Number of bedrooms
- Type of property
- Restrictions e.g. older persons or disabled facilities
- Priority of need

Average waiting times will also be affected depending on the number of households registered at any time. Each application is prioritised according to need therefore potentially increasing waiting times for existing applicants with lower priority need.

Other activities can positively influence waiting times including new housing developments and working with social landlords to maximise the availability of suitable homes through the scheme.

## Appendix 9

Glossary of terms:

“Applicant(s)”	A person or persons submitting an application for registration and those accepted on the housing register
“Application”	A request for registration submitted on a registration form
“Banding”	How applicants are prioritised in the scheme
“Bid”	The process for applications to say which property they would like to live in
“CBL”	Choice Based Letting
Dorset Council Home Choice	Name of the scheme
“Household”	People who can be reasonably be expected to live with you e.g. children, carers, dependent adults
“Housing Related Debt”	Rent arrears, rent in advance, rent deposit, prevention funds, outstanding debts to landlords



“Policy”	The choice based lettings scheme detail document
“Registration”	The method of applying for social housing
“Registration Form”	The form that must be completed to apply for social housing
“Scheme”	The housing register