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1. Introduction

It is Brighton & Hove City Council's policy to operate a choice based lettings scheme. This is the Council's scheme as required under section 167 of the Housing Act 1996. It sets out the priorities and procedures for the letting of permanent council housing, and our nominations to Housing Association (RSL) housing. The scheme applies to existing Council and Housing Association tenants in Brighton and Hove on the Transfer Register and to Homeseekers applying to the Joint Housing Register.

It meets the requirements set out in Part VI Housing Act 1996 (as amended by the Homelessness Act 2002), giving reasonable preference to those applicants in greatest need. It incorporates the Council's key aims and objectives outlined in its Housing Strategy for Sustainability in Housing and the recommendations detailed in the Best Value Review of Allocations December 2003.

The Council is committed to a lettings scheme that offers greater choice to all those seeking housing and enables people to make well-informed decisions about their housing options.

Choice based lettings will help improve the sustainability of our housing stock to maximise its effectiveness and encourage residents to have a stake in their community. This scheme applies across the city but also complements regeneration work that has been undertaken in East Brighton and the Neighbourhood Renewal programmes in Hollingdean and Tarner.

Under the choice based lettings scheme, called Homemove, Tenants and Homeseekers are placed in one of four broad Bands of housing need according to their circumstances. All applicants become members of Homemove and actively search for a home. Vacant properties are advertised in a regular freesheet magazine and on the Internet and members are able to bid for properties. Adapted properties will be classified and advertised as suitable for applicants with a matching mobility need.

The Council's lettings scheme incorporates targets set for Transfers and Homeseekers. Targets will be set taking into account the Council's statutory obligations, financial considerations and the housing situation across the city. Targets will be set and agreed in advance and will be reviewed annually based upon projected supply and demand for the coming year.

Equalities

The council's choice based lettings policy aims to ensure that our services are fair, equitable for all our customers. Services should be accessible and useful to everyone regardless of age, disability, gender, race, national origin, sexual orientation or any other factor that may cause disadvantage. This policy has been drafted with reference to the Race Relations Act 1976, Sex Discrimination Act 1975, and the Disability Discrimination Act 1995 (2005) and all other applicable equality and diversity legislation. In addition Brighton & Hove City Council has adopted the Commission for Racial Equality's Statutory Code of Practice on Racial Equality in Housing 2006.

Brighton & Hove City Council is committed to help all people who need assistance to access social housing in the City. The Homemove Team will work closely with agencies and supported housing providers to try and assist customers to access the scheme, and have ensured that information meets the requirements of people with a disability, or sight or hearing impairment and is in other languages. For more information see the Council's Strategy for meeting the needs of vulnerable people, available at www.brighton-hove.gov.uk/homemove.

An Equalities Impact Assessment is carried out on all existing and new services including the Homemove Scheme and annual equalities monitoring is carried out on the service, which is scrutinised by Housing Cabinet.

Joint Housing Register Partners

The following Registered Social Landlords are partners on the Joint Housing Register (JHR):

- Hyde Martlett Housing
- Downland Housing Association Ltd
- Home Group
- Kelsey Housing Association Ltd
- MOAT Homes Ltd
- Orbit South Housing Association
- Places for People
- Sanctuary Hereward
- Servite Houses
- Southern Horizon
- Southern Housing Group
- The Guinness Trust

2. The Joint Housing Register

How to apply

All Homeseekers requesting housing and tenants requesting transfers must complete an application form to be put on the housing register. These are available from the Homemove team, from local housing offices (Manor Place, Lavender Street, Oxford Street, Selsfield Drive & Victoria Road) and from www.brighton-hove.gov.uk/homemove. If you need help completing the form, need information in another language or in large print, or on CD, you can contact the Homemove Team on 01273 293130.

Who can apply?

The Housing Register is open to anyone who is 16 years of age or over (subject to the statutory exclusion provisions) although applicants under the age of 18 will only be offered accommodation in certain circumstances (see below).

Priority will be given to:

- People with a local connection found to be unintentionally homeless under Part VII of the Housing Act 1996.
- Households with a need to move for welfare or medical reasons that make their current home unsuitable.
- Young people leaving care who are referred by Social Services under quota arrangements.
- People moving on from supported housing.
- Households who occupy accommodation that is unsanitary, overcrowded or does not provide adequate facilities
- Households who occupy accommodation where there is substantial disrepair.
- Households needing sheltered accommodation where the applicant has been assessed as having a support need.
- Households with a local connection who have an address in the city, employment within the city or have a written offer of employment or in full time study at the point of application.

Exclusions from the Register

The following persons are not eligible for entry on the Housing Register for the allocation of social housing:-

By virtue of the Housing Act 1996 (section 160A) the Council cannot allocate housing accommodation to the following:

- A person who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996 unless that person falls within an exemption specified by the Secretary of State.

Any applicant where the Council is satisfied that:

- The applicant, or a member of the household, has been guilty of unacceptable behaviour, which if the applicant was a secure tenant of the Council would entitle the Council to a possession order (part 1 of Schedule 2 of the Housing Act 1985). These can include:
 - Serious breach of tenancy conditions: Involvement in serious nuisance or annoyance to neighbours;
 - Conviction of using the accommodation or allowing its use for immoral or illegal purposes
 - Allowing the property to be seriously damaged by the tenant or other resident
 - Conviction of an indictable offence committed in the locality relating to violence or threats of violence.
 - Eviction from social housing for nuisance or harassment (racial or otherwise) where this behaviour is apparent at the time of application

And

The unacceptable behaviour is serious enough to make the applicant unsuitable to be a tenant.

And

The applicant is unsuitable at the time the application is considered. Consideration will be given to the length of time that has elapsed and whether there has been any change in circumstances.

Or

All exclusions will be considered on an individual basis for any applicant who has demonstrated 'unacceptable behaviour'.

Where the applicant knowingly gave false or misleading information or withheld information that was reasonably requested.

Eligibility for the JHR will be considered on a case-by-case basis taking into account exceptional circumstances or special needs.

There is a right under Part VI of the Housing Act 1996 to ask the Council to review a decision not to accept an application to join the JHR. A senior officer from the Council not involved in the decision to exclude, will carry out the review.

The Homemove Team will write to anyone who is being excluded from the Register giving our reasons, the length of time for the exclusion and their right to request a review of the decision. After the review the Homemove Team will provide the decision, the reasons for it and the facts that have taken into account.

A fresh application will be considered if:

- The applicants immigration status has changed, or
- The applicant can demonstrate that the behaviour has improved for a set period of time.
- The applicants financial circumstances have changed

Who can be included on the application?

- Anyone who is part of the household at the date of registration and is still in occupation
- A partner, husband or wife of the main applicant living at the same address. This includes couples in same sex relationships
- Dependents under 18 years who live with the applicant where the applicant is the parent or guardian in receipt of Child Benefit or has a court order agreeing residency for exactly 50% of the time
- Someone not currently living with the applicant but for whom it would be reasonable to do so, for example: a relative needing care but unable to live with the applicant at present due to a genuine lack of or the unsuitability of the present accommodation
- A carer where the applicant can prove that a live in carer is essential, one has been identified and has moved in with the household or is ready to do so when accommodation available
- Any other non-dependant adult who is normally permanently resident with the applicant

Under 18s

Anyone over 16 can join the housing register, although they will not usually be offered a property until they are over 18. In the event that there is an urgent housing need, a further assessment will be carried out and work will be carried out with the individual to find the most suitable accommodation to meet their need. An offer of permanent accommodation will only be made if Brighton & Hove City Council is satisfied that:

the young person is able to live independently;

able to sustain a tenancy;

and has an identified package of support available to them.

Owner occupiers and people with savings/capital

Section 167(2A) of the 1996 Housing Act (as amended by the 2002 Homelessness Act) allows allocation schemes to give less priority to an applicant who was financially able to secure alternative accommodation at market rent or to buy a home. Therefore owner-occupiers or those with a substantial amount of savings or substantial equity in a property that would enable them to obtain accommodation suitable to meet their needs will generally be placed in band D. These applicants will be provided with advice and guidance on other housing options. Decisions will be made on a case-by-case basis and medical, disability, community care and other relevant needs will be taken into account.

Where there are medical problems, applications will be considered in the following circumstances:

- Where it is not possible to adapt the current accommodation to meet the needs of the owner occupier's medical condition
- Where it is too expensive to adapt the existing accommodation to meet the needs of the owner occupier's medical condition and they cannot afford to buy or rent suitable alternative housing.
- The sale of the property would not enable the owner occupier to purchase or rent an alternative property suitable to their needs.

False Information

Section 171 of the Housing Act 1996 makes it an offence to withhold information that may reasonably be required to assess an application, or to provide false or misleading information. Appropriate action may be taken against anyone who knowingly provides false information.

Data Protection

The Data Protection Act 1988 (the Act) is designed to protect personal data about living individuals (Data Subjects). The Act also places obligations on those organisations that process personal data (Data Controllers). As a Data Controller, the Council and its partners in the JHR are committed to complying with this legislation by applying the Principles of Good Information Handling across all services related to Homemove.

3. Tenants who wish to transfer

Who Can Apply?

Any secure Council tenant or any assured tenant of any of the City Council's partners in the Joint Housing Register living in the city.

The Council will not normally make an offer of accommodation to a Transfer applicant where the tenant is guilty of a breach of tenancy resulting in:

- A valid Notice of Seeking Possession, a Postponed Possession Order or Suspended Possession Order for rent arrears.
- Housing Act Injunction, Anti-Social Behaviour Order, Notice of Seeking Possession, Suspended Possession Order or demoted tenancy (if adopted) granted as a result of the breach of other aspects of the tenancy agreement.

The Council will regard a failure to pay rent or other housing-related charges or debts as behavior affecting the suitability to be tenants. Other than in exceptional circumstances (to be agreed by Housing Management and the Housing Income Management Team), an applicant with outstanding rent arrears or other housing-related debts owed to the City Council or to other social landlords in Sussex will not be allocated housing if there are other applicants eligible for housing under this policy.

4. The Registration and Assessment Process

Homeseekers and Tenants must apply by completing the Council's Housing Application Form. These are available from the Homemove Team, City Direct Centres, from local housing offices and from www.brighton-hove.gov.uk/homemove. Some eligible persons however may be registered without completing the form, e.g. nominations from Social Care & Health.

- If someone is not eligible to register the Homemove Team will notify the applicant in writing giving the reason for the decision and informing them of their right to request a review and the timescale that the request must be made within.
- Once accepted onto the Housing Register the Homemove Team will make an initial housing needs assessment based on the information on the registration form and other information made available.
- In order for this Banding assessment to be completed official proof of ID and other relevant information will need to be provided. This information is stated on a checklist on the front of the Housing Application Form.
- Medical priority is assessed by an Independent Medical Adviser based on the information supplied by the applicant using the Council's Self Assessment Medical form and applicant's GP/consultant where appropriate. The Medical Adviser will refer the Self Assessment Medical Form to the Housing Occupational Therapist (OT) where there is a need for an OT assessment.
- Once assessed the applicant is placed in the appropriate bedroom category and into one of the four priority bandings and awarded a priority date.

- The Homemove team will write to the applicant to inform them of their priority date and registration number and give the following information:
 - Priority Band and reason for it
 - Priority date, which is the date the application is received, or in the case of homeless applicants, the date that Brighton & Hove accepts a duty to rehouse
 - The minimum and maximum bedrooms they can bid for
 - Mobility group (level of access requirement) if applicable
 - Advise the applicant that they have a right to see the information held in relation to the application. If they consider any details inaccurate then they can request a review

Re-Registrations

All Homeseekers and Transfer applicants must complete a re-registration form to stay on the Register. The Homemove Team will send the form within three months of the anniversary of the registration date. Applicants will be able to re-register after the review date, if no response to this form is made then a final letter will be sent advising of the cancellation date.

If the applicant fails to re-register on time the Homemove team will check their contact details. If the applicant appears to be a vulnerable person and/or has a high priority need the Homemove team will visit or contact them by phone or letter, or refer to the relevant support service for intervention.

If there is no contact and the applicant fails to re-register after the final letter is sent the application will be cancelled.

5. The Banding Structure

The four priority Bands are:

Band A

- Accepted Homeless households owed the main duty by Brighton & Hove City Council placed in B&B or short term temporary accommodation where the only prospect of meeting the households' needs is in permanent accommodation (e.g. the applicant has obtained employment and is experiencing severe financial hardship or the household has severe medical or disability needs).
- Accepted Homeless households owed the main duty by B&HCC placed in temporary accommodation where the landlord requires the property back or the property is unsuitable to meet the applicant's needs or a member of the household's needs (to be agreed by the Temporary Accommodation Allocations Manager).
- Accepted Homeless households owed the main duty by B&HCC making their own temporary arrangements or suffering family split due to a genuine lack of accommodation.
- Overriding medical priority awarded by the Independent Medical Advisor – where the housing conditions are having a major adverse effect on the medical condition of the applicant or member of the household as to warrant emergency priority.
- Social Services nominations under quota arrangements.
- Witness Protection nominations under a quota arrangement and agreed through the National Witness Mobility Service.

- Transfer applicants under-occupying family sized accommodation qualifying for the Transfer Incentive Scheme.
- Households who are statutorily overcrowded or Court Order (as defined in Part X of the Housing Act 1985) or under a Court Order to rehouse.
- Transfer applicants needing permanent or temporary decant where the property is imminently required for major repair.
- Housing Order issued under a quota arrangements as agreed by Environmental Health.
- Releasing an adapted property or to make best use of adapted stock – at the Council’s discretion, where the tenant does not require adaptations or where the existing property cannot be adapted to meet the applicant’s needs.
- Move on from care as agreed by housing options or leaving supported housing as agreed by supporting people.
- Priority transfer, agreed in exceptional circumstances due to significant and insurmountable problems associated with the tenant’s occupation and there is imminent personal risk to the household if they remain.
- Severe need – exceptional circumstances and/or multiple needs, which warrant emergency priority – to be agreed by Head of TA and Allocations.
- Non-statutory successors – where agreement has been provided by Housing Management and Housing Options that the Council will try to re-house in accommodation suitable for the applicants housing need.
- Retiring Council and RSL employees e.g. Sheltered Scheme Managers, Residential Estate Wardens where the Council or RSL has a contractual obligation to house.

Band B

- Severe Overcrowding - Households lacking 2 or more separate bedrooms.
- Management Transfers – agreed by Housing Management for transfers on management grounds, to properties of same size and type.
- Very High/High medical priority as agreed by the Independent Medical Advisor.
- Ex-tenants returning from institutions e.g.: rehabilitation - where a prior commitment has been made between Housing Management and the Homemove Team in order to secure the relinquishment of a Council or RSL tenancy on entering the institution.
- High priority hardship – Homeseekers with a dependent child/ren living in insecure accommodation and not having a bedroom and lacking or sharing amenities
- To enable fostering or adoption – where agreement reached to provide permanent accommodation on recommendation from Children & Young Persons Trust.
- Multiple Needs that warrant high priority –applicants whose needs when considered cumulatively are deemed to be so severe as to warrant applicant being placed in a higher priority band.

Band C

- Moderate Overcrowding - Households lacking one separate bedroom.
- Council and Housing Association tenants under-occupying that do not qualify for the Transfer Incentive Scheme.
- Accepted Homeless households occupying temporary accommodation on an assured short hold or non-secure tenancy until such time as the landlord requires the property back or the household's needs are no longer met unless offered permanent accommodation.
- Households identified in an Adult Social Care Plan where accommodation is required to assist in delivering a Care Plan or to relieve other social/welfare hardship as agreed in Adult Social Care & Housing.
- Medium/ Low medical priority as agreed by the Independent Medical Advisor.
- Unsanitary conditions that cannot be addressed by Environmental Health action including lacking one or more of the following; a kitchen (e.g. sink and space for a cooker), an inside WC or a bathroom (e.g. basin and bath or shower).
- Other unsatisfactory housing conditions (e.g. substantial disrepair as assessed by Environmental Health).
- Applicants for sheltered housing where no higher need.
- People who need to move to a particular area in the city where failure to meet that need would cause hardship e.g. to give or receive support.

Band D

- Transfer applicants with no other housing need.
- Homeseekers with no other housing need.
- Key workers.
- Owner-occupiers or those with a substantial amount of savings or substantial equity (not withstanding consideration of other needs e.g. medical)

Full details of how assessment and banding decisions are made can be found in Appendix A.

In areas of the city where there are unusually high concentrations of deprivation or vulnerable households with high support needs, the Council will consider giving preference to working households or those with limited housing need. These households would otherwise have less opportunity to access affordable housing. Through this process the Council seeks to help build balanced, sustainable communities and to ensure a mix of working and non-working residents, this will be through an agreed local lettings plan, and property eligibility will be clearly advertised.

The Government has placed an emphasis on key-worker housing and has made specific funding available for schemes to develop low cost home ownership and affordable rented housing for this group. These properties will be made available to applicants who are registered in Bands A - D who meet the qualifying criteria.

The national and regional housing agendas are encouraging new housing schemes to be of mixed tenure. Where the Council has the opportunity to nominate applicants to new schemes, the Council will consider the needs of

people in all Bands A - D to ensure new developments have a mix of residents.

Re-assessing need and priority dates

The Council reviews all applications annually. If an applicant's circumstances change they may be moved up or down one or more Bands depending on their need.

All applicants must inform the Homemove team immediately when their circumstances change. If any change results in a Band change, the Homemove team will write to inform the applicant of the new Band, the new priority date if applicable and of the right to request a review of this decision. The principle of the scheme is that no one should overtake existing applicants in a Band.

Moving up a Band

If an applicant moves up a Band their priority date will be as follows:

- Overcrowding due to the birth of a child: the date will be taken from the child's date of birth
- Transfer Priorities: the date the request is agreed by the Housing Manager.
- For Environmental Health Reasons; the date the decision is received from the Environmental Health Department
- For Social Services nominations, the date the request is received from Social Services
- Medical reasons, the date the information is received into the Homemove Team.
- Homeless Households, the date duty was accepted by Brighton & Hove City Council.
- All other applicants, the date the application is received

Moving down a Band

If an applicant moves down a Band, then their priority date will revert to the date that applied when the applicant was previously in that Band, or any earlier date in a higher Band.

Multiple Needs

As part of the assessment of an applicant's needs, those applicants who have a range of needs will be identified (at least three from the current banding). These cases will be assessed to identify those applicants whose needs, when considered cumulatively, are deemed to be so severe as to warrant them being placed in a higher priority band. Where such exceptional circumstances exist and a higher priority band is thought to be appropriate the Homemove Team, having fully considered the details of the case, will forward their recommendation to the Head of TA and Allocations to seek authorisation that the applicant be placed in a higher priority band.

7. How does the Council advertise empty properties?

The Homemove Magazine and Website

The Council advertises its empty properties in a regular free magazine, 'Homemove', available every fortnight at Council offices and all public libraries, a full list is set out in the Scheme User Guide. The Homemove magazine is also available on the Internet at www.homemove.org.uk and can be posted to applicants for a small fee. Full details of how to bid are set out in the Scheme User Guide which is sent out to all new applicants or is available from the Homemove Team. The Council will advertise all properties as being for Transfer applicants or Homeseekers, or both and set the eligibility criteria for the property, such as:

- The minimum and maximum number of persons in the household
- If there are age limits or for households without young dependants
- The mobility group, if applicable, and details or potential for adaptation
- If applications are restricted to special cases such as key workers
- If pets are allowed
- Whether it is sheltered housing
- Who owns the property, whether Council or Housing Association
- The weekly rent, including any other charges

The size of property that can be bid on

An assessment of housing need is made and the applicant will be informed of the size of property they can bid for, please see the table below for guidance

Size	Minimum people	Maximum people	Example Types of Household
Studio	1	1	Single Person
1 bed	1	2	Single Person, Childless Couple, adult siblings or adult friends
2 bed	2	4	one to two dependant family or single person and carer
2 bed sheltered	2	3	A single person/couple and carer
3 bed	3	6+ (depending on size)	two or more dependants
4bed	4	8+ (depending on size)	Five or more dependants

In deciding the appropriate size of a property the age and gender of the dependants within the household are considered for example a male and female child where one is over 5 years are not expected to share a bedroom. Therefore some 2 dependant families are eligible for a 2 bedroom property and other 2 dependant families are eligible for a 3 bedroom property.

All properties adapted for Disabled people will be advertised across all bands. Properties will have a mobility classification as below and priority will be given to those with a matching need. Properties will also be advertised with notes where the potential for adaptation or further adaptation exists.

Mobility Group 1 – full time wheelchair user.

Mobility Group 2 – People who use a wheelchair some of the time.

Mobility Group 3 – Limited mobility who can manage three steps or less.

Where a disabled applicant applies for accommodation which does not meet their access needs, the Council will take into account whether it is reasonable and practicable to adapt that property when assessing the offer consistent with our duties under the Disability Discrimination Act 1995 and the Housing Grants, Construction and Regeneration Act 1996).

Homeless Applicants and Property Size

In cases where households have been accepted as homeless under Part VII Housing Act 1996 and have been awarded the relevant Band, a household may bid for accommodation that falls outside of the above criteria if it has been assessed that the property is reasonable for the households needs. The offer will discharge the City Council's duty under Part VII Housing Act 1996.

In addition

- Where there is overriding medical need to support the request the Homemove Team will award households up to one additional bedroom over the standards set above
- No applicants can bid for properties that would result in over-crowding or under-occupation
- Where a household is moving to smaller accommodation, they may be entitled to assistance under the Transfer Incentive Scheme
- Supported housing will only be offered to people who have support needs assessed by the Supporting People Assessment team or accepted by the City Council, and where the Housing Association or support provider offers the appropriate support.
- If there are no eligible bidders over 50 years of age where an age restriction applies, applicants under 50 without dependants will be considered

8. Sheltered Housing

Applicants can apply for sheltered housing using the Housing Registration form or can be referred by a relative, support worker, GP, or by the Independent Medical Adviser recommending sheltered housing.

The Council and RSL partners have a variety of sheltered accommodation specifically for an older community where it has been agreed with the Supporting People Team that a housing and support need is called for.

On receipt of an application for sheltered housing the Homemove Team and the Supporting People Team will register the application and place it in the relevant housing and support need band.

9. The Bidding Process

Eligible applicants can make bids for properties advertised by sending in a completed coupon, by telephone bidding, text bidding or by bidding online via the website. Applicants can also nominate a proxy bidder, and in exceptional circumstances request that the Council bid on their behalf. Full details of how to bid are set out in the Scheme User Guide, which will be sent out to all new applicants and is available on the website www.homemove.org.uk.

Applicants with support needs and those who have difficulty with written English will be supported by an appointed support provider, a Housing Officer or the Homemove Team.

Applicants who urgently need to move and who do not bid for properties may receive a direct allocation. (see section 13: Direct Lettings).

All bids for a property are checked against the eligibility rules, for example any age restrictions or size of property. Ineligible bids are excluded from consideration with no consultation with the applicant. The Homemove Team will provide advice and support to applicants who regularly bid for properties they are not eligible for.

Applicants can bid for up to three properties they are eligible for per fortnight. Bids can be made from the Friday the 'Homemove' magazine is published until 2pm the following Wednesday when bidding closes. Shortlists will be created within three working days and successful applicants contacted as soon as possible.

Once an offer has been made the applicant has the choice to refuse the property. If they refuse they may be able to bid again the following cycle. If an applicant is an Accepted Homeless case and refuses a successful bid (irrespective of bidding deadlines) then the Housing Options Team and the Homemove Team may consider that this is a full discharge of duty. Any accepted homeless case considering refusing any Part 6 offer should contact the Housing Options Team before formally refusing a property.

10. The Selection Process

All eligible bids for each property are placed in priority order. Priority is decided first by Band, second by Local Connection to Brighton & Hove, thirdly by priority date within the Band. Where a property has been advertised to give preference to a stated group, bids from these applicants will be prioritised in band order above bids from members who are not in that stated group. Every bid will be assigned a random number when the bid is made. This number is used to resolve a tie; the highest number gets the priority. If there are no eligible bidders for a property the Homemove team may decide re-advertise the property.

If the property is owned by a Housing Association, the prioritised list will be referred to the landlord for offer.

To minimise delays the landlord may arrange multiple viewings for up to three applicant households per property. Applicants are normally contacted within 7 days of close of bidding. Applicants will be required to bring proof of identity (for example Driving License or Passport) to the viewing. For general needs Council housing the Lettings team may:

- Arrange accompanied viewings, advise on any non-essential repairs to be completed after the tenancy start date and give a target date for the completion of these repairs
- Offer the applicant the option to accept and invite to sign for the tenancy or agree a decision within 24 hours
- If the applicant chooses to refuse, the Lettings Officer will note the reasons for the refusal and the next applicant is selected for an offer. Applicants are not penalised for refusing offers although checks will be made if the applicant refuses several properties or is an accepted homeless household Band A
- Applicants who do not provide proof of identity at the viewing will be given 24 hours to provide proof at a council office prior to signing for the tenancy
- Once an offer of accommodation has been accepted the Housing Application will be closed by the Homemove Team or the Lettings Team

If the property is considered to be a sensitive let any issues surrounding this will be discussed with the incoming tenant prior to a tenancy being granted.

11. How Shortlisting Takes Place

Offers will normally be made to applicants at the top of the shortlist. In very exceptional circumstances the Homemove Team may need to reject an applicant on the shortlist for a particular property to ensure that the following objectives are met. If an offer is not made to the applicant at the top of the shortlist, the reasons will need to be agreed by the Homemove Manager in line with this policy.

To ensure that communities are as balanced as possible.

Local Lettings Plans for specific areas may be adopted. These plans will need to be agreed by stakeholders and will consider the problems that need addressing, backed up by evidence. Properties subject to Local Lettings Plans will be clearly advertised and priority will be given to those that meet the agreed criteria.

To ensure that allocations are sensitively made

In exceptional cases, for housing management reasons, we may not offer to the person at the top of the shortlist. You will be contacted by the Landlord with the reasons for this decision.

To make best use of the council's stock and to reduce under occupation

In some cases properties may be advertised for those who are releasing larger council accommodation or reserved for those who need to move urgently because the council is undertaking work on the property.

To ensure properties are let quickly.

This is important to minimise rent loss and empty property turn around time. Applicants must be available and able to take up an offer of accommodation, applicants will be contacted by telephone and letter, and if there is no contact after three days then the offer will be withdrawn.

12. Time Limits for Bidding for Properties

There is a six-month time limit for bidding for the following categories of Band A applicants:

- Accepted Homeless households, with the exception of homeless households in B&B needing permanent housing who have a six week time limit to bid
- Retiring Council and RSL employees
- Ex- council & RSL tenants released or discharged from an institution that the Council has given an undertaking to house
- Non-statutory successors
- Priority transfers, except those placed in temporary accommodation or B&B who will have a six week time limit to bid
- Permanent & temporary decants
- Under-occupiers who have succeeded to the tenancy where the Council has grounds for seeking possession by offering suitable alternative accommodation
- Move on from care as agreed by housing options or leaving supported housing as agreed by supporting people
- Accepted Homeless households owed the main duty by B&HCC placed in temporary accommodation where the landlord requires the property back or the property is unsuitable to meet the applicant's needs or a member of the household's needs
- Social Services nominations under quota arrangements
- Witness Protection nominations under a quota arrangement and agreed through the National Witness Mobility Service
- Households who are statutorily overcrowded or Court Order (as defined in Part X of the Housing Act 1985) or under a Court Order to rehouse
- Transfer applicants needing permanent or temporary decant where the property is imminently required for major repair
- Statutory duty – Housing Order issued under a quota arrangements as agreed by Environmental Health
- Severe need – exceptional circumstances and/or multiple needs, which warrant emergency priority – to be agreed by Head of TA and Allocations
- Those leaving hospital under special arrangements have six weeks to bid

If an applicant does not bid within these time frames, the Homemove Team will contact the applicant to check there are no difficulties in using the system and that the circumstances of the applicant have not changed and the priority still applies. If the applicant still fails to bid bids may be made on their behalf for suitable properties in a suitable area, review or remove the priority awarded.

13. Direct Bidding

If the following applicants have not been successful at the end of their bidding time then the Homemove team will make bids on their behalf until a reasonable offer is made. Some of these applicants will not be able to bid at any time and these are also listed below.

- Special circumstances, e.g. applicants who are assessed as high risk offenders have their application processed through a multi-agency panel. This group will be restricted from bidding and a property identified as recommended by the panel. The panel will make one reasonable offer and if refused the applicant can request a review
- Accepted Homeless households in Band A who have failed to exercise choice through the bidding process within the six-week/month timescale or who have bid within the timescale but have not been successful. The Council may make one reasonable offer of accommodation before duty is discharged, or priority lost
- Retiring Council employees, those who have highly specific requirements or who have failed to bid successfully within the 6 month time limit. If refused a Housing Manager and Housing Management will review and proceedings for possession may begin
- Tenants who need to be temporarily or permanent decanted. If the suitable offer is refused Housing Management will review and/or begin proceedings for possession
- Ex- council & RSL tenants released or discharged from an institution that the Council has given an undertaking to house who have not successfully bid within the timescale will be made one reasonable offer before priority is lost.
- Non-statutory successors who have not successfully bid within the timescale will be made one reasonable offer before priority is lost
- Priority Transfers who fail to bid successfully within the timescale who have not successfully bid within the timescale will be made one reasonable offer before priority is lost
- Those who have succeeded to a tenancy and are now under occupying will be made one direct offer. If refused Housing Management will review and /or begin proceedings for possession and priority will be lost
- Retiring Council and RSL employees who fail to bid successfully within the timescale will be made one reasonable offer. If the offer is refused Housing Management will review and/or begin proceedings for possession and priority will be lost
- Those leaving hospital under special arrangements who fail to bid successfully within the timescale will be made one reasonable offer before priority is lost
- Those Moving on from care as agreed by Housing Options or leaving supported housing as agreed by Supporting People who fail to bid successfully within the timescale will be made one reasonable offer before priority is lost
- Social Services nominations under quota arrangements who fail to bid successfully within the timescale will be made one reasonable offer before priority is lost
- Witness Protection nominations under a quota arrangement and agreed through the National Witness Mobility Service who fail to bid successfully within the timescale will be made one reasonable offer before priority is lost

- Households who are statutorily overcrowded or Court Order (as defined in Part X of the Housing Act 1985) or under a Court Order to rehouse who fail to bid successfully within the timescale will be made one reasonable offer before priority is lost
- Statutory duty – Housing Order issued under a quota arrangements as agreed by Environmental Health who fail to bid successfully within the timescale will be made one reasonable offer before priority is lost
- Severe need – exceptional circumstances and/or multiple needs, which warrant emergency priority – to be agreed by Head of TA and Allocations who fail to bid successfully within the timescale will be made one reasonable offer before priority is lost

Refusals following Direct Bidding

In the above cases the Council will make a reasonable offer, one, which as far as possible matches the size, and type of property the applicant is eligible for and in their areas of choice where possible. The applicant must give their reasons for refusing. The property will not be held empty while the refusal is reviewed but will be let to another applicant.

If the offer is to a homeless household the Temporary Accommodation Allocations Manager will review the case and will take the necessary follow-up action.

If an offer is to other categories of applicant the Homemove Manager will consider the reasons for refusal. If there is a clear mismatch, eg where applicant or property details were incorrect, the offer will be withdrawn and the applicant notified. If the offer was found to be a reasonable one, the Landlord of the property on offer will advise the applicant of the reasons for this finding and of the effect that this decision has on their application. They will also advise the applicant of their right to request a review of the decision and the timescales that this needs to be within.

14. Feedback on Let Properties

All properties let will be listed in a future copy of the freesheet magazine showing the number of bidders for each property and the Band and priority date of the successful applicant.

15. Ending a joint tenancy when one party to the tenancy leaves

Broadly speaking the Council will grant a joint tenancy to partners applying together for housing. A joint tenancy remains in joint names until one or both joint tenants terminate the tenancy. In the case where one party to the joint tenancy has left the property and has no intention to return, the City Council may agree to offer a new sole tenancy to the remaining party should they terminate the joint tenancy. Council tenants must contact their Housing Officer for advice.

16. Local Lettings Plans

A local lettings plan is an agreement between the Council or RSL and local tenants and residents that restricts lettings in the area to certain households. This is done to tackle a specific issue or problem that has been identified locally at either block, street, estate or neighbourhood level, or to achieve a sustainable community on a new development

Local Lettings Plans allow the Council or RSL to:

- Identify and explore the barriers to accessing housing
- Deliver better outcomes and improve life chances for current tenants and future residents
- Developing a stock and demand profile of the area alongside the views of Local tenants and residents groups will primarily identify the need for any local lettings plans

Four key elements will be considered when developing a new local lettings plan:

- Selective lettings - there may be some restrictions as to who can apply for certain properties or areas. For example this may involve age restrictions or a requirement to have a local connection
- Making the best use of housing stock
- Developing a balanced and sustainable community - where a local policy would promote community cohesion and balance the needs of existing and new tenants to create more inclusive neighbourhoods where people want to live. This may be in areas where there is a high turnover of properties either within an estate or amongst certain property types
- Attract potential tenants - for example certain properties may be offered with a level of furnishings

Key stages of development

- Developing a stock and demand profile of the area - this may include a breakdown of and information on
- Property types and numbers
- Household type, including customer profile information of residents
- Voids and lettings within last financial year
- Numbers and reasons for refusal
- Reasons for rehousing and reasons why tenants leave
- Where most availability has occurred and why
- Number of registered transfers
- The level of demand for properties in the area
- How long tenancies are lasting
- How quickly vacancies are filled
- The layout of the area and services available
- Social issues within the area and any multi-agency involvement
- An estimate of vacancies expected
- Local targets for performance

Involving and consulting residents and tenants

The Council and its partners will be responsible for consulting with residents and existing tenants and involving them in the development of any proposals for local lettings plans. This may involve carrying out 'door to door' surveys to collate resident and tenants views.

Partner landlords who have stock within the area will be consulted on the need or otherwise for a local plan.

Evaluating the information

The Council will evaluate the information in the stock and demand profile. It will also take account of tenants' views when identifying recommendations to develop local lettings criteria. The Council must also consider diversity and equal opportunity issues of local communities when formulating any local lettings plans.

Making recommendations

Recommendations may include some of the following criteria:

- Setting a maximum or minimum age limit for certain properties
- Preference to tenants / applicants with a local connection or who already live or work in that area
- Preference to tenants / applicants who are giving or receiving support to or from family/extended family, voluntary work, day care, play groups or other support from locally based organisations
- Preference to people who are employed
- Preference to other household types who would not normally be eligible under the Council's letting policy - eg. This could be couples without dependants, where there is a high density already in the area of families with dependants
- Preference to specific groups of people for specific types of properties or in specific localities where this would benefit the community
- Preference to people from BME and religious cultures
- Meeting need of a category of people to ensure most appropriate use of stock

Impact of Local Lettings Plans on the Lettings Policy

Once a report with recommendations has been finalised, which Housing Cabinet and HMCC Cabinet will have to formally adopt the plan and this will override the current eligibility criteria. This will take into account the impact of overall lettings in the district. Any property subject to a local lettings plan will be clearly labelled within the advertisements.

Review of local lettings plans

The Council will ensure that Local Lettings Plans are publicised and implemented. In addition they will ensure that these plans are continuously monitored and reviewed annually with the involvement of local tenants and residents. If a local lettings plan is agreed it will be promoted within the affected area.

17. Other Housing Options

There is a shortage of social housing in Brighton & Hove and a huge demand for accommodation. This means that council and housing association properties are not widely available and usually only go to those who are in the most need. Here are some other housing options

Help and Advice

The Housing Options Team is based around preventing homelessness by offering housing options tailored to individual needs. They can offer specialist housing advice to help keep people in their current home, people wishing to find alternative private rented accommodation, advice for people who need support to live independently and advice on alternative housing options. Phone (01273) 293111 or e-mail housing.advice@brighton-hove.gov.uk for more information.

Mutual Exchanges

The council operates a mutual exchange system for council or housing association tenants who wish to swap their homes. Go to www.homemove.org.uk.

Low Cost Home Ownership

Low Cost Home Ownership can be registered for at www.homebuy.co.uk or call Moat Housing on 07002 662846.

18. Appeals and Reviews

This section sets out the procedure for reviewing or appealing the following decisions:

1. Not to put someone on the Joint Housing Register (or to exclude them from bidding) who has applied to be put on it or to remove someone from the JHR other than at his or her request
2. That a member is ineligible for an offer
3. Other decisions relating to the Choice Based Lettings Scheme, including banding and priority dates
4. Where a priority has been removed and Direct Bidding implemented
5. 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

- A request for a review must be made within 21 days from the day on which the applicant is notified of the council's decision and the reasons for it. The council has discretion to extend the time limit if it considers this would be reasonable
- A request can be made in person, over the telephone or in writing
- The officer carrying out the review will carry out an investigation, and, if further information is needed, invite the applicant to write or if unable to do this, make oral representation, or the applicant may also appoint someone on his or her behalf to do this
- 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

- The officer will notify the applicant of their decision and the reasons for it within eight weeks of the request for a review; there is no right to request a review of the decision unless the applicant's circumstances change.

Appendix A: Assessments and Banding Decisions

Following the registration a decision will be made on what, if any, follow up action is appropriate e.g. referral to the Independent Medical Adviser, Occupational Therapist, Environmental Health Officer, Housing Options Team if there is a threat of homelessness, Social Services or Supporting People. The Homemove Team makes decisions about banding in the light of appropriate advice and the following guidelines.

Medical Needs

Members who indicate that they or anyone in their household have an illness or disability, which is affected by their current housing situation, or who may be vulnerable on physical or mental health grounds and in need of settled accommodation are requested to complete a medical self assessment form and/or mobility form. The Homemove Team considers this form, together with any relevant information from the General Practitioner, Hospital Consultant, or Occupational Therapist as appropriate. Where appropriate the Team also seeks advice from the Independent Medical Advisor.

Assessments are made of the effect of present housing on the state of health of the member or anyone in the household. In reaching the decision we will consider whether the overall effect on the household or any member of the household is sufficiently severe to warrant inclusion in a higher band.

In each case the recommendation is based on a judgement of need. Members with medical needs will be placed in one of the following bands:

Band A

Overriding Medical Priority will be recommended where the member (including accepted homeless members) or one of the household has a medical condition which is seriously affected by their current housing. Band A will also be given where current housing conditions and/or other circumstances are having such severe and major adverse effect on the medical condition of any member of the household as to warrant emergency priority.

Band B

Very High/High Medical Priority will be recommended where the current housing conditions are having a major adverse effect on the medical condition of the member or one of the household.

Band C

Medium/Low Medical Priority will be recommended where the current housing conditions are having an adverse effect on the medical condition of the member or one of the household which creates a particular need for them to move.

Where a household is overcrowded and/or there are other adverse circumstances the medical assessment will take into account the effect of the overcrowding and the adverse circumstances on the health of the household.

Mobility Needs

Irrespective of the band assessment, where a member, or one of the household, has a substantial and permanent physical disability which may place them in mobility groups 1, 2 (see below) the Homemove team will refer to the Occupational Therapist (where possible), for a report on their housing needs. Taking into account the recommendations of the report the Homemove team will place the member in one of the following mobility groups:

Mobility Group 1 – full time wheelchair user.

Mobility Group 2 – People who use a wheelchair some of the time.

Mobility Group 3 – Limited mobility who can manage three steps or less.

Unsatisfactory Housing Conditions and Statutory Duty

The Head of Temporary Accommodation and Allocations agrees with Environmental Health an annual quota for housing clients in housing need and who have a Housing Order issued by Environmental Health where households have:

- A Closing Order has been issued (ie property is unfit for human habitation) as assessed by Environmental Health where there are no alternative measures to render the property fit.
- There is a similar duty where emergency housing is essential.

Households will be placed in **Band C** where there are:

- Insanitary conditions that cannot be addressed by Environmental Health action including lacking one or more of the following; a kitchen (e.g. sink and space for a cooker), an inside WC or a bathroom (e.g. basin and bath or shower).
- Other unsatisfactory housing conditions (e.g. substantial disrepair as assessed by Environmental Health).

Overcrowding

Where the property is deemed to be 'statutorily overcrowded' by an EHO under section X of the 1985 Housing Act and there are no means to make the property fit the applicant will be placed in band A.

Applicants will be placed in Band B if they lack 2 or more bedrooms and Band C if they lack one bedroom below these minimum provisions:

An independent adult	1 bedroom, including a bedsit or studio
Co-habiting friends	1 bedroom
Co-habiting adult siblings	1 bedroom
Co-habiting couples	1 bedroom
1 dependant	1 bedroom
Two dependants of opposite gender where one is aged over 5 years	2 bedrooms
Two dependants of the same gender of any age	1 bedroom

Please note that if there is a second reception room it will generally be deemed to be available for use as a bedroom and box rooms, which can reasonably be used by a child, will count as a single bedroom

Accepted Homeless Applicants

Accepted Homeless households owed the main duty by Brighton & Hove City Council under s.193 of the 1996 Act or s.65 of the 1985 Act will be placed in the following bands:

Band A – Where an accepted homeless household is provided with temporary accommodation by the council and the landlord wants the property back, or the property is for some reason considered unsuitable to meet the household's needs, the member will be placed in band A. The Temporary Accommodation Team will inform the Homemove Team that the household's needs would not be best met by providing further temporary accommodation. Examples of circumstances in which such a decision can be taken are:

- One or more of the household has obtained employment, resulting in severe financial hardship for example through loss of benefits.
- There are severe medical or disability reasons
- Case of severe harassment or violence in the current property
- Severe disrepair of the current property

Accepted Homeless households making their own temporary arrangements, in B&B, in short term temporary accommodation or suffering family split due to a genuine lack of accommodation will also be placed in band A

Band C – Accepted homeless households who are occupying an assured shorthold or non-secure tenancy provided under the Housing Act 1996 Part V11 move to band C until such time as the landlord wants the property back or their needs can no longer be met, they are offered permanent accommodation by bidding through Homemove, or their housing situation whilst in assured shorthold or non-secure tenancy warrants a higher priority banding under other Homemove criteria.

Social Welfare Considerations

Where there are social/welfare needs the Homemove Team will consider the recommendations of Social Services and other relative agencies and take into account any multiple needs. They will place the member in the appropriate band as follows:

Band A - Severe Need

Authorised by the Head of Temporary Accommodation and Allocations where members are in 'severe need', where exceptional circumstances and/or multiple needs warrant emergency priority.

Band B – Multiple Needs

Authorised by the Homemove Manager where an applicant who would otherwise be placed in band C, has needs which when assessed cumulatively (3 or more band reasons from Band C) are deemed to be so severe as to warrant them being placed in Band B.

Band B - High priority hardship

To be authorised by the Homemove Manager for Homeseekers with a dependent child/ren living in insecure accommodation and not having a bedroom (see the minimum bedroom standards) and lacking or sharing amenities.

Band B - Enabling Fostering/Adoption

Where social services make a recommendation that permanent accommodation be provided to enable someone to foster or adopt a child, if the Homemove Manager agrees this then the applicant will be placed in band B.

Band C - Other social welfare/hardship

Households who need to move to a particular area in the city where failure to meet that need would cause hardship e.g. to give or receive care or support.

Band C - Delivering a Care Plan

This is where accommodation is required to assist Social Services in delivering a Care Plan (eg moving the member nearer to the source of care and support or to accommodate a carer), or to relieve other social/welfare hardship as agreed between Social Services and Housing.

Other High Priority Categories (applicable to Transfer Applicants only).

Band A - Priority Transfers

Agreed in exceptional circumstances by the Housing Manager and confirmed by the Homemove Manager where there are significant insurmountable problems associated with the tenant's occupation of a dwelling and there is imminent personal risk to the tenant or their family if they remain in the dwelling.

Where the Homemove Manager and Housing Manager agree a non-urgent management transfer band B will be awarded.

Band A - Moving for major works

Awarded to transfer applicants if their property is imminently required for essential works and the tenant cannot remain in the property. Although the Council will encourage and assist such tenants to make bids through the Homemove system we recognise that we have a duty to provide suitable alternative accommodation and will make bids that will result in a reasonable offer within the necessary timescale.

Council Interest Transfers

Band A is awarded to facilitate a tenant's move in one of the following circumstances;-

- Release adapted property – the decision to prioritise is made at the Council's discretion if there is an unmet need for the property occupied (eg where the tenant does not require adaptations such as wheelchair accessible facilities)
- Make best use of adapted stock – for example where providing adaptations in the current property is not feasible but there may be a suitable alternative property available
- Enable tenants under-occupying family accommodation or adapted property they no longer require, to move to smaller accommodation or alternative accommodation under the Transfer Incentive Scheme (information on this scheme can be requested from your housing officer or the Homemove Team). Under-occupiers who do not qualify for this scheme will be placed in band C

- Non-statutory successors – approved by Housing Management, Housing Options and The Homemove for an offer of suitable accommodation.
- Retiring Council and RSL employees e.g.: Sheltered Scheme Managers, Residential Estate Wardens where the Council or RSL has a contractual obligation to house.

Band B is awarded to facilitate a tenant's move in one of the following circumstances;-

- Ex-tenants returning from institutions e.g.: rehabilitation where a commitment has been made in order to secure the relinquishment of a Council or RSL tenancy on entering the institution

Other categories

Move on from care – Band A

The Housing Options Team assists those moving on from care to find suitable accommodation. For the majority of applicants, supported accommodation is appropriate, but some applicants are referred by Housing Options to the Homemove team who place the applicants in band A. Applicants must normally have a local connection as defined by Part V11 of the Housing Act 1996.

Move on from Support Housing – Band A

For the majority of applicants agencies will be expected to work with their clients to access the private rented sector. For exceptional cases, agreed by the Temporary Accommodation Manager, applicants will be placed in Band A. Details of the Move on Scheme Special Rules are available from the Supporting People Team.

Social Services Nominations under quota arrangements – Band A

The Homemove Manager and Housing Options Manager agrees with Social Services an annual quota for housing clients in housing need.

Witness Protection – Band A

The Head of Temporary Accommodation and Allocations agrees with NWMS (National Witness Mobility Service) an annual quota for housing clients in housing need.

