



# **The London Borough of Bromley**

## **Housing Allocation Scheme**

**Revised 2015**

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## 1. Introduction

In the introduction of “Fair and Flexible; statutory guidance on social housing allocations for local authorities in England (Dec 2009)” it states that;

‘Social rented housing is an asset of great significance to the country, to local communities, to families and to individual people. It provides an essential part of the welfare safety net that supports many of the most vulnerable in our society. It provides a firm foundation, with the security and stability that can help people to overcome disadvantage and to build successful lives for themselves and their families and it can help to create prosperous, healthy local communities, as part of a balanced housing market.’

The guidance also goes on to acknowledge the continued and unprecedented rise in demand for housing and recognises the importance of robust and transparent Housing Allocation Schemes in ensuring that the allocation of social housing is conducted fairly and takes account of both national and local pressures.

Within Bromley it is also true that the demand for and, indeed, need for social housing far exceeds the available supply. It is therefore essential that the best use is made of all available housing stock *and* that those who apply for housing assistance are made aware of all the housing options that are available to them as, in reality, social housing alone is not in sufficient supply to meet the overwhelming needs of all those who would seek to acquire it.

It is also imperative that those applying for housing assistance take a proactive role in the prevention or solution of their own housing problems. This means that they must actively seek to address potential problems and must seriously consider any advice or options they are given rather than solely relying on a move into social housing to resolve their situation.

## 2. The Allocation Scheme

### 2.1 Devising a Housing Allocation Scheme and the legal framework

This Scheme has been drafted in accordance with Part VI of the Housing Act 1996<sup>1</sup>, as amended by the Homelessness Act 2002.

The Allocation Scheme first came into effect in 2012 and was revised in 2015 in order to ensure that it remains compliant with statutory guidance and is able to best reflect the competing conflicts between housing supply and demand.

In framing the Scheme consideration has been given to the following;

- Fair and flexible; statutory guidance on social housing allocations for local authorities in England<sup>2</sup> (Dec 2009)
- Allocation of Accommodation: Code of Guidance for Local Housing Authorities<sup>3</sup> (Nov 2002)
- Allocation of Accommodation: Choice Based Lettings Code of Guidance for Local Housing Authorities<sup>4</sup> (Aug 2008)
- The Regulatory Framework for Social Housing in England<sup>5</sup> (Apr 2010)
- Where are Tomorrow's Heartlanders? Unlocking the Potential of Social Housing<sup>6</sup> (Jan 2010)
- Housing Allocations – Members of the Armed Forces Circular<sup>7</sup> (Apr 2009)
- Allocations and Local Flexibility<sup>8</sup> (Feb 2010)
- The London Housing Strategy<sup>9</sup> (Feb 2010)
- The London Borough of Bromley Homelessness Strategy<sup>10</sup> (2012-17)
- The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2012/2989)<sup>11</sup> (November 2012)
- Providing Social Housing for Local People<sup>12</sup> (December 2013)
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967)<sup>13</sup> ('the qualification regulations 2015')

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<sup>1</sup> [Part VI of the Housing Act 1996: Allocation of housing accommodation](#)

<sup>2</sup> [Fair and flexible: Draft statutory guidance on social housing allocations for local authorities in England](#)

<sup>3</sup> [Allocation of Accommodation: Code of Guidance for Local Housing Authorities](#)

<sup>4</sup> [Allocation of Accommodation: Choice Based Lettings Code of Guidance for Local Housing Authorities](#)

<sup>5</sup> [The Regulatory Framework for Social Housing in England: A Statutory Consultation](#)

<sup>6</sup> [Where are Tomorrow's Heartlanders? Unlocking the Potential of Social Housing](#)

<sup>7</sup> [Housing Allocations: Members of the Armed Forces Circular](#)

<sup>8</sup> [Allocations and Local Flexibility](#)

<sup>9</sup> [The London Housing Strategy](#)

<sup>10</sup> [The London Borough of Bromley Homelessness Strategy](#)

<sup>11</sup> [The Housing Act 1996 \(Additional Preference for Armed Forces\)](#)

<sup>12</sup> [Providing Social Housing for Local People](#)

<sup>13</sup> [The Allocation of Housing \(Qualification Criteria for Right to Move\)](#)

The original Scheme and subsequent amendments were considered in conjunction with customer consultation.

Full details regarding the customer consultation are available on the Council's website [www.bromley.gov.uk](http://www.bromley.gov.uk)

In addition this Scheme has formally been approved by the Executive Portfolio Holder for Education, Care and Health Services.

## **2.2 Aims of the Housing Allocation Scheme**

The Housing Allocation Scheme aims to ensure that:

- The assessment process for inclusion onto the Housing Register is clear.
- Our procedures and practices are clear.
- Customers understand what they can expect of us and what their rights are.
- We manage expectations regarding the availability of social housing and promote awareness of alternative housing options and solutions.
- We promote independence and provide fair access to our services regardless of race, gender, disability, age, religion, nationality, social background or sexuality.
- We minimise the use of temporary accommodation, particularly shared or bed and breakfast type dwellings.
- We and partner organisations contribute to the development and maintenance of sustainable communities.
- We encourage long term and consistent partnership working on a local and sub-regional level.
- We make best use of all available social housing stock.

## **2.3 Partnership working**

Bromley Council has had no housing stock of its own since 1992. As a result we have continued to work in partnership with a variety of organisations in order to ensure the fair and equitable allocation of social housing within our borough, this includes:

- Council Members including the Policy, Development and Scrutiny Committee and the Portfolio Holder.
- Housing Portfolio Holder.
- London Borough of Bromley services including;
  - Housing
  - Residential Services
  - Children and Young People
  - Adult Care Commissioning
  - Extra Care Housing
  - Libraries

- Registered Providers.
- Representatives from the voluntary and advocacy sectors.
- National Witness Mobility Service (NWMS)
- Multi-Agency Public Protection Arrangements (MAPPA)
- Sub-regional working: South East London Housing Partnership (SELHP).
- Pan London working

#### **2.4 Sub-Regional working: The South East London Housing Partnership**

The London Borough of Bromley works in partnership on a sub-regional level with;

- The London Borough of Bexley
- The London Borough of Greenwich
- The London Borough of Lewisham
- The London Borough of Southwark

Through this partnership we endeavour to provide greater opportunity for cross-borough mobility, working together to promote best practice across the sub-region.

#### **2.5 Equality, diversity and accessibility**

In compiling the Allocation Scheme we have carried out an equality impact assessment to ensure that all customers regardless of race, gender, disability, age, religion, nationality, social background or sexuality have equal and fair access to the services we provide. A copy of the full assessment can be found on the Council's website [www.bromley.gov.uk](http://www.bromley.gov.uk)

In order to ensure that everyone is able to access housing advice and assistance and, where appropriate, bid for housing through Bromley Homeseekers we provide the following:

#### **2.6 The Bromley Homeseekers website**

- The website complies with the W3C Web Accessibility Initiative and has been built to be accessible to those who are hard of hearing, visually impaired or who have difficulty using a computer mouse. It is compatible with popular screen readers and can be navigated easily using a series of keyboard shortcuts.
- For those that have difficulty reading, have limited vision or for those for whom English is not a first language the Bromley Homeseekers website has Read-Speaker technology. By clicking on the Read-Speaker icon the information on the page will be played through your PC's speakers.

- For those with visual impairments the website has been designed to allow you to select the colour scheme that you find easiest to view such as black on white or white on blue.

## **2.7 Literature**

- Information is available to download from the Bromley Homeseekers and London Borough of Bromley websites; [www.bromleyhomeseekers.co.uk](http://www.bromleyhomeseekers.co.uk) and [www.bromley.gov.uk](http://www.bromley.gov.uk)
- Letters and documents can be translated to a language of your choice if English is not your first language.
- We provide quick guides and summary documents explaining the Allocation Scheme and how to use Bromley Homeseekers.

## **2.8 Access to the internet and training**

We know that not everyone has access to a computer and the internet. There are a number of places across the borough that people can go to in order to access the internet for free. Listed below are some of the places within the Bromley Borough that you can visit:

### Libraries

For those who have never used a computer before or who want a quick refresher the libraries offer assistance on how to access the internet. Some branches also offer more specific Bromley Homeseekers training. Contact your local Bromley Library for more information.

<https://arena.yourlondonlibrary.net/web/bromley>

### Council Offices

For more information visit our website [www.bromley.gov.uk](http://www.bromley.gov.uk)

### Community Learning Shops

For those who have never used a computer before or who want a quick refresher the Cotmandene Community Resource Centre and Mottingham Community and Learning Shops offer basic IT training and free internet access please contact your local service for more information.

Cotmandene Community Resource Centre: 64 Cotmandene Crescent, St Paul's Cray, Orpington BR5 2RG

Telephone: 0208 402 0123      Email: [ccrc@bromley.gov.uk](mailto:ccrc@bromley.gov.uk)

Mottingham Community and Learning Shop: 1-2 Cranley Parade, Beaconsfield Road, Mottingham SE9 4DZ

Telephone: 020 8860 1150      Email: [mcls@bromley.gov.uk](mailto:mcls@bromley.gov.uk)

## **2.9 Advice and assistance**

You can get housing advice and assistance on how to use Bromley Homeseekers from a number of different sources such as:

- Housing Register staff
- Other Housing Needs staff
- The Library
- Your local Community Learning Shop
- Your Landlord (if you are a housing association tenant)
- Advocacy Centres

The assistance offered may vary.

If you approach the Housing Register Team at Bromley Council the assistance we can offer may include:

- Help to fill in the online form either over the phone or by appointment in person.
- Providing advice and information regarding the Allocation Scheme, the Housing Register, Bromley Homeseekers and all other housing options.
- Assistance with bidding; explaining the bidding system and offering advice on how to make the most of your weekly bidding entitlement. For those who, having explored every available option, remain unable to use the system to bid we can also utilise an automated bidding service.
- Access to translators. This includes British Sign Language.

## **2.10 Statement on choice**

The Council is committed to offering choice in the allocation of social housing. In order to provide choice we will ensure that wherever possible all properties, including sheltered and adapted homes, are advertised through the Bromley Homeseekers website.

By exception we reserve the right not to advertise, or withdraw from advertising, a property that is required in order to proceed with a specific allocation. This will include, for example, emergency or public protection allocations.

Any such allocation or decision to limit bids or make a direct offer will be undertaken at the discretion of the Housing Needs Team in accordance with this Scheme.

## **2.11 Restricting choice**

Whilst we will offer as much choice as possible there are instances where an applicant's choice may be restricted. These include:

- In instances of public protection - See Multi-Agency Public Protection Arrangements (MAPPA)
- Direct offers – see section 21.

## **2.12 Rights of the customer**

In accordance with Part VI of the Housing Act 1996 s.167 (4) this Allocation Scheme has been framed to ensure that a customer has the right to request information to enable them to assess:

- How their application is likely to be treated under the Scheme. In particular, whether they are likely to be regarded within the preference categories.
- Whether a home appropriate to their needs is likely to be made available for them and, if so, how long they can expect to wait to secure a successful move.

Through the Allocation Scheme we will ensure that customers are:

- Treated fairly, with respect and without prejudice.
- Notified in writing of any decision made regarding their application for rehousing and the grounds on which that decision was reached.
- Given the opportunity to appeal against decisions made in respect of their application.

## **2.13 What do we expect from you?**

In this Allocation Scheme we will outline what you can expect from us, but there are also some things that we expect from you.

### Appropriate behaviour

We will always be polite to you and we will treat you with respect. We ask that you, anyone attending our offices with you or acting on your behalf treat our staff in the same way.

Verbal or physical abuse will not be tolerated. Anyone using abusive, racist or derogatory language will be politely asked to stop. Anyone using behaviour deemed to be aggressive or threatening will be politely asked to stop.

Failure to do so may result in:

- You being asked to leave Council premises.
- Your appointment being rescheduled or cancelled.
- A written warning being issued.

- A ban being issued preventing you from
  - contacting staff in certain formats i.e. via the telephone.
  - attending Council premises unless by way of pre-booked appointment.
- The reduction of your priority on the Housing Register
- The cancellation of your Housing Register application.
- The police being called.

Any decision to restrict your access to staff, reduce your priority on the Register or ban you from Council premises will be subject to review. You will be notified in writing of the timescales for any such review.

### Honesty

We will be honest with you. We will keep you informed of the progress of your application and we will explain any decisions that we make, including how we made them. In turn we expect you to be honest about your circumstances so that we can fairly assess your housing need and ensure that you receive the right housing advice to suit you.

Social housing is in very short supply and we will do everything that we can to ensure that best use is made of it.

You must:

- Provide all information that is, or may be, relevant to your application for rehousing at the point that you apply and throughout the course of your application.
- Advise us of and provide evidence of any changes in your circumstances. This includes, but is not restricted to;
  - any changes to your address including change of tenure.
  - the birth of a child.
  - the removal of someone from your application
  - the addition of someone to your application

### **2.14 Fraud**

If we discover that you or someone acting on your behalf has supplied false information or have failed to provide us with information that is relevant to your application in order to gain a priority or accommodation we will immediately cancel your application.

If you have obtained accommodation through the Housing Register and it is discovered that you or someone acting on your behalf has supplied false information or failed to provide us with information that would have been relevant to your ability to secure that accommodation we will work with your landlord to end your tenancy.

We will robustly investigate any circumstances that we believe to be fraudulent.

It is an offence to obtain, or attempt to obtain, a tenancy by deception. S.171 of the Housing Act 1996<sup>14</sup> makes it an offence to knowingly or recklessly provide or withhold information when applying for housing and subsequently if your circumstances should change.

**Anyone suspected of giving false information or withholding relevant information is also liable to be prosecuted and fined up to £5000.**

## **2.15 Requesting, sharing and verifying information**

We may verify information both at the point of assessment, when conducting a Housing Register review or renewal or directly prior to making an offer of accommodation.

In completing the online application form you, or a person acting on your behalf, gives the Council permission to request further information, share information given with appropriate third parties and make further enquiries in order to correctly assess the application or verify the information or the circumstances presented.

We may conduct arranged and unannounced home visits to confirm that what you have told us about your circumstances is true.

In order to offer you appropriate advice and to assess your application, it may also be necessary to contact those people or organisations whose details you have provided in addition to any other relevant parties whose details come to light during our enquiries. This may include but is not restricted to:

- Cross checking the information you have given against the full Register of Electors of the London Borough of Bromley or any other Council.
- Cross checking the information you have given with other Council departments such as Housing Benefit and Council Tax.
- Contacting current and previous landlords.
- Sharing information with Registered Providers.
- Sharing information with other Local Authorities.
- Cross checking with data matching companies such as Experian or other credit reference agencies. These agencies will record details of any search made whether or not the application proceeds.
- Other third parties considered relevant to your application.
- Your employer or prospective employer.

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<sup>14</sup> [Part VI of the Housing Act 1996: Allocation of housing accommodation s.171 \(1\) + \(2\)](#)

You may also be asked to provide further evidence in order to verify the information that you give us. This includes but is not restricted to;

- Photographic proof of ID (passport or driving licence).
- Proof of any benefits claimed (Child Benefit, Income Support, Job Seekers Allowance, Family Tax Credit, DWP).
- Birth certificates for each household member included on the application.
- National Insurance number.
- Proof of your current and/or previous addresses (utility bill, bank statement, Council tax payment book).
- Proof of income; wage slips or a letter from your employer confirming your annual salary.
- Passport size photo.
- A contract or formal offer of employment
- Contact details for your employer.
- Immigration documents.
- Information regarding property ownership.

Where appropriate, any information that you provide may be shared with Registered Providers and prospective landlords.

Failure to provide information when required to do so or in the event that we are unable to contact the relevant person or organisation or are not satisfied with the information that is provided may mean that;

- There is a delay in the assessment of your application
- There is a reduction of any priority awarded to you
- An offer of accommodation is withdrawn
- We consider you have refused an offer of accommodation
- Your application is cancelled.

## **2.16 Data protection**

The information that you provide is required for the proper conduct of the Council's housing function and may be held on a computer or paper file which you have the right to access. We are under a duty to protect the public funds we administer and to this end may use the information we have obtained and that you have provided within this authority for the prevention and detection of fraud. We may also share this information with other bodies administering public funds solely for these purposes. For information regarding access to records please see the Council's website:

[http://www.bromley.gov.uk/downloads/file/677/access\\_to\\_records](http://www.bromley.gov.uk/downloads/file/677/access_to_records)

## **3. Supporting the community**

### **3.1 Tackling unacceptable and anti-social behaviour**

The safety of those applying for rehousing and that of the local community is a key consideration in any Allocation Scheme. The Council and its partners work together in order to provide a safe and secure environment for residents to live, work and prosper in.

Those found guilty of unacceptable or anti-social behaviour will either not qualify for inclusion onto the Housing Register or will have their priority reduced until they can demonstrate to our satisfaction that their behaviour has demonstrably improved.

### **3.2 National Witness Mobility Service (NWMS)**

In order to assist the police both nationally and locally to tackle serious crime and to support witnesses in the legal process, the Council works in partnership with colleagues in the National Witness Mobility Service (NWMS) and will, as required and where able to do so, accept referrals from this source. Such cases will have been assessed and verified by the NWMS and referrals will only be accepted with the agreement of a named officer within the Council's Housing Needs Team. There are particular confidentiality considerations for such cases. Any proposed offer will be checked for suitability by the NWMS before the offer is formally made and details of successful lettings may be anonymised or not be made available for public consumption.

### **3.3 Multi-Agency Public Protection Arrangements (MAPPA)**

If an applicant is shown to be a danger or potential danger to themselves or to others then appropriate safeguards will be put into place. This may include preventing the applicant from bidding for accommodation, making a direct offer and/or identifying the risk factors on the application and sharing this information with relevant named parties or partner services. Applicants within this category may include, amongst others, those who are referred via the Multi-Agency Public Protection Arrangements (MAPPA) service. Under MAPPA the local authority has a duty to co-operate and when such cases are referred to us a judgement will be made to establish if the client meets the eligibility criteria as set out in this Allocation Scheme and whether they are suitable for general needs social housing. Otherwise, such clients may fall within the category of those who are ineligible for housing. Offers made to MAPPA households will be verified as suitable with the appropriate authorities (normally the police and/or HAWK officer) before being made.

## 4. The Housing Register

### 4.1 What is a Housing Register and why is it needed?

A Housing Register is a way of recording the details of households who have applied to the Council for rehousing. Data from a Housing Register can be used to monitor trends, assess demand and provide grounds for future housing development and the creation of tailored housing advice services.

The London Borough of Bromley administers a Housing Register in order to fairly assess and record the needs of those who apply for housing assistance.

Whilst having a Housing Register helps to organise the details of those requiring housing it does not in itself increase the number of properties that become available to be let each year. Unfortunately there is insufficient social housing available to meet the needs of all those that approach us for assistance. Those whose circumstances are outlined within the reasonable and local preference categories will be included on the Housing Register and will be able to bid for homes advertised on the Bromley Homeseekers website unless otherwise notified. This is necessary to manage the expectations of both those able to secure a move via the Housing Register and those who will need to explore other options to resolve their housing need.

For those not included on the Housing Register advice and access to alternative housing options will be provided by housing staff, through literature and on the London Borough of Bromley and Bromley Homeseekers websites.

### 4.2 How is priority determined?

For those included on the Housing Register priority is determined in accordance with the Reasonable and Local Preference categories.

The current statutory reasonable preference categories are set out in the Housing Act 1996 s167(2)<sup>15</sup>. These categories were rationalised in the Homelessness Act 2002<sup>16</sup> (refined by the Housing Act 2004)<sup>17</sup> and subject to regulatory additions in 2015 to ensure that they are directly based on housing need. This means that any Allocation Scheme must be framed to give reasonable preference to applicants who fall within the categories set out in s167(2)<sup>18</sup> over those who do not. While local authorities must demonstrate that, overall, reasonable preference is given to applicants in all the reasonable preference categories this does not mean that they must give equal weight to each of the reasonable preference categories. Local authorities are able to take into account local pressures both in determining the suitable priority afforded to any reasonable preference category but also through giving some preference to identified local preference categories.

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<sup>15</sup> [Part VI of the Housing Act 1996: allocation of housing accommodation s.167\(2\)](#)

<sup>16</sup> [Homelessness Act 2002 Chapter 7: Allocation schemes s.16 \(3\)](#)

<sup>17</sup> [Housing Act 2004](#)

<sup>18</sup> [Part VI of the Housing Act 1996: allocation of housing accommodation s.167\(2\)](#)

## 5. Who qualifies to go on the Housing Register?

Applicants to the Housing Register should normally be aged 18 years or over. They should be eligible for rehousing in accordance with the scheme guidelines and should be able to manage in independent housing. If a person is aged 16 or 17 they will normally only be placed onto the Housing Register if we accept that we have a duty towards them as a homeless person or if their details have been referred to us by Bromley Children and Families Social Services under their designated powers and agreed procedures.

### 5.1 Local connection

We understand that local connection is important when providing access to accommodation and in allocating local resources. However, due to the scarcity of available housing, local connection will not in itself warrant inclusion or a priority on the Housing Register.

We define local connection as:

- Those who are currently resident within the borough boundaries *and* have resided here for at least 5 years (continuous residence).

This does not include those who have been placed in the borough under another local authority's homeless duty.

Proof of your residence will be required either during the assessment process and/or at the point that you are successfully offered accommodation.

### 5.2 Local connection exceptions

In most instances those applying from outside of the borough boundaries will not be included on the Housing Register. However, certain groups may be subject to further consideration or exemption from the local connection rule. These include:

- Tenants of partner Registered Providers who require a transfer and have a housing need in accordance with a Local or Reasonable Preference category.
- People who are homeless (within the meaning of Part 7 of the 1996 Act); this includes people who are intentionally homeless, and those who do not have a priority need for accommodation.
- Returning members of the armed forces who have a housing need in accordance with either the Local or Reasonable Preference categories.
- Those referred via a South East London Housing Partnership agreement.
- Those accepted under the Right to Move Reasonable Preference category.

## 6. Who does not qualify to go on the Housing Register?

### 6.1 Out of borough applicants

Anyone currently living outside of the London Borough of Bromley will not normally be included on or placed into a priority band on the Housing Register.

Anyone wishing to apply to the London Borough of Bromley who currently resides outside of the borough boundaries should in the first instance seek the support of their own local authority or social housing provider (if applicable) in order to resolve their housing needs.

If your local authority or social housing provider agrees that you have an urgent need to secure accommodation in the London Borough of Bromley, in accordance with their own Allocation Scheme or Transfer Policy, they should submit a request for assistance to the Councils Housing Register team supporting your application. In most instances we will only agree to assist an out of borough applicant where their own borough or landlord is prepared to enter into a reciprocal agreement with us. This means that, if we are able to assist you to secure accommodation, they will normally offer a property (of the same size and type as you require) for advertisement on Bromley Homeseekers or for use as a direct offer in order to benefit a local resident. Applications will not normally be considered for those not supported by their local authority or social housing provider by way of a reciprocal agreement.

### 6.2 People who are guilty of anti-social or unacceptable behaviour

Definition of anti-social behaviour:

The act of 'engaging in or threatening to engage in conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in lawful activity in the locality'.

*The Housing Act 1996*<sup>19</sup>

Behaving in 'a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself'.

*The Crime and Disorder Act 1998*<sup>20</sup>

Definition of unacceptable behaviour:

Those who are guilty of behaviour serious enough to make them unsuitable to be a tenant of a social housing provider at the time of their application.

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<sup>19</sup> [Chapter III of the Housing Act 1996: Injunctions against anti-social behaviour s.152 \(1\)](#)

<sup>20</sup> [Part I Chapter I of the Crime and Disorder Act 1998: Prevention of crime and disorder \(1\)](#)

The following are examples of what is considered anti-social or unacceptable behaviour;

- Noise nuisance;
- Perpetrating domestic violence;
- Harassment, for example on the grounds of race, religion, disability, gender or sexuality;
- Intimidation;
- Drug dealing;
- Gang related activities;
- Causing damage to property;
- Rent or mortgage arrears where the wilful actions of the occupier have caused the arrears to accumulate.

You will not qualify to join the Housing Register if we are satisfied that you or any member of your household, including children, have a history of or are currently engaging in any of the behaviour outlined above.

In reaching a decision that an applicant does not qualify on the grounds of anti-social or unacceptable behaviour we will take into account:

- The circumstances at the time of the application;
- The needs of the household including dependents or medical requirements;
- Relevant supporting information including police or landlords' records, including those of partner RPs;
- Timescales i.e. is the alleged behaviour current or historical;
- Likelihood of reoccurrence;
- Whether or not the behaviour was such that, had the person in question been a secure local authority tenant, a court would have considered it reasonable to grant an outright possession order (under s84 of the Housing Act 1985, Part 1, Schedule 2 excepting Ground 8)<sup>21</sup>

### **6.3 A person or persons subject to immigration control**

All those who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996<sup>22</sup> (unless the Secretary of State has stated that they should be eligible for housing) will be excluded from joining the housing register. This includes the following groups:

- Those who have limited leave to enter or remain in the UK, granted on the understanding that they are not entitled to receive public funding;
- Those who have valid leave to enter or remain in the UK, which includes the stipulation that they are not entitled to receive public funding;
- Asylum seekers;

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<sup>21</sup> [Part I of the Housing Act 1985: secure tenancies s.84 \(schedule 2\)](#)

<sup>22</sup> [Asylum and Immigration Act 1996](#)

- Those who are not habitually resident in the UK, including certain people who are resident here under sponsorship arrangements;
- Illegal entrants;
- Those who have overstayed their leave;
- Any other person from abroad who the secretary of state has judged ineligible for housing.

#### **6.4 Home owners**

A person who owns their own home will not normally receive a priority on the Housing Register. They will be offered advice and be signposted to suitable agencies in order to resolve their underlying housing difficulties. Only in exceptional circumstances, where a person has a need for rehousing in accordance with the reasonable preference categories and where all other options have been fully explored and ruled out will a person who owns their own home be included onto the Housing Register. Any outstanding legal interest in their home would normally have to be disposed of prior to them successfully securing alternative accommodation via the Housing Register.

## 7. The preference categories

### 7.1 Reasonable preference categories

Listed below are details of each of the categories to which we are required, by law, to give reasonable preference through the Allocation Scheme.

- People who are homeless (within the meaning of Part 7 of the 1996 Act)<sup>23</sup>; this includes people who are intentionally homeless, and those who do not have a priority need for accommodation.
- People who are owed a duty by any local authority under section 190(2)<sup>24</sup>, 193(2)<sup>25</sup> or 195(2)<sup>26</sup> of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any local authority under section 192(3) of the 1996 Act<sup>27</sup>.
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
- People who need to move on medical or welfare grounds, including grounds relating to a disability.
- People who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others).
- Existing social housing tenants who need to move to take up employment or an offer of employment in order to avoid hardship.

### 7.2 Local preference categories

Listed below are details of each of the locally agreed categories which we will give a degree of preference to through the Allocation Scheme.

- Housing Association tenants looking to downsize to smaller accommodation (also known as under-occupiers).
- Housing Association tenants identified as part of decant programmes.
- People aged 55 or over who wish to move to older persons' or sheltered housing.

In addition to this the Council reserves the right to review the local preference categories in order to:

- Include additional or time limited local preference categories in order to pilot new schemes or to meet the needs of a newly identified priority group.

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<sup>23</sup> [Part VII of the Housing Act 1996: Homelessness and threatened homelessness s. 175](#)

<sup>24</sup> [Part VII of the Housing Act 1996: Duties to persons becoming homeless intentionally s. 190 \(2\)](#)

<sup>25</sup> [Part VII of the Housing Act 1996: Duty to persons with priority need who are not homeless intentionally s. 193 \(2\)](#)

<sup>26</sup> [Part VII of the Housing Act 1996: Duties in case of threatened homelessness s. 195 \(2\)](#)

<sup>27</sup> [Part VII of the Housing Act 1996: Duty to persons not in priority need who are not homeless intentionally s. 192 \(3\)](#)

- Remove or suspend preference to any of the local preference groups listed above if the Housing Needs Team determines that there are sufficient grounds to do so.

### **7.3 Additional preference categories**

#### Members of the armed forces

In accordance with The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2012/2989) (November 2012) additional preference will be given to the following persons if they fall within one or more of the statutory reasonable preference categories and are in urgent housing need:

- serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- former members of the regular forces
- 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
- existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.

## 8. Who can be included on your application?

Household members who can be included on your application:

- Your partner, providing they are aged 16 or over. This includes married, unmarried and same sex partners.

You will be able to make an application jointly unless we consider that one of you is ineligible or has an interest in another property.

- Close relatives including: parents, siblings, adult children and grandparents.

In order to be included on your application your relative must normally already be living with you, and have done so on a long term basis.

Consideration may be given to including, as part of your household, relatives who are living elsewhere and are no longer able to live independently and require a higher level of care and support.

- Dependent children under the age of 18.

It must be evidenced to our satisfaction that any children included on your application will be residing with you on a permanent basis i.e. more than 50% of each 7 day week.

When considering the residency of children and in order to determine whether or not they qualify to be included as part of your household we will take into account:

- The benefits and tax credits you receive in respect of your children.
- Confirmation from the Courts regarding residency or parental responsibility.
- Referrals from social services in respect of fostering or adoption placements.
- Where the children currently reside.
- Whether or not the children are already included on any applications for rehousing.

Anyone included on your application must not have a legal interest in any other property. You or any member of your household cannot be included on more than one active Housing Register application at any one time.

## 9. Who cannot be included on your application?

The following are household members who would not normally be included on your application

- Anyone who does not have recourse to public funds, is an asylum seeker or is not resident in the UK.
- Anyone who does not intend to move into any accommodation offered to you.
- Cousins, aunts, uncles, nieces, nephews, friends, acquaintances, lodgers, sub-tenants

We will however give individual consideration where we are satisfied that there are exceptional and reasonable grounds for including one of the above on your application.

### 9.1 Carers

#### Including a carer

A carer is someone who, with or without payment, provides help and support to a partner, relative, friend or neighbour who would not be able to cope independently without their help. This could be due to age, physical or mental health, addiction or disability. In all cases the carer must have been identified by the applicant as the person who is primarily responsible for providing them with care. It must be demonstrated that the carer is able to provide the level of support required and that it is essential for them to live with or close to the person that they are caring for.

Even if a carer is in receipt of a Carer's Allowance it may not be essential for them to reside with the person who is being cared for. A request to include a carer as part of the household will normally only be considered if the carer has been assessed by Social Services as needing to provide overnight support. It is the responsibility of the applicant to provide supporting evidence in order to have any such request considered.

In exceptional circumstances it may be possible to consider cases where the carer is not in receipt of Carer's Allowance. Under these circumstances it will still be necessary for the applicant to demonstrate that the person looked after is in receipt of one of the following benefits:

- Disability Living Allowance (paid at the either the middle or higher rate for personal care).
- PIP (Personal Independence Payment)
- Attendance Allowance.
- Constant Attendance Allowance.
- Disablement Benefit.

In accordance with this Allocation Scheme we will determine whether or not it is essential for a carer to be included as part of your household. As well as taking into account the information listed above consideration will also be given to your current circumstances and that of the person you have listed as your carer. This may include:

- The level of care that is currently being provided and could reasonably be expected to be provided in the future.
- The ability of your carer to provide the level of stated care required.
- The current residence of yourself and your carer.

## **9.2 Separated households**

### Separated households at the point of application

If you have included someone on your application who does not currently live with you we will consider that you are a separated household. In order to assess your eligibility and priority on the housing register we will assume that you are living at the address occupied by one of the applicants and that we consider to be most suited to your households combined needs. Your application will be assessed as if all household members are resident at that one address. When considering which home would be most suitable we will take into account:

- The size of each property
- Any medical needs of the household
- Any proven risk to the household at either location

## 10. Financial resources

In considering how to address the shortfall between the supply and demand for social housing it is essential that we take into account the financial circumstances of those that approach us for assistance. Whilst we retain the right in exceptional situations to use our discretion regarding income, capital and savings we believe that, in the majority of cases, it is right and reasonable to only consider for social housing those on lower incomes and with less financial resources available to them i.e. those that are likely to be less able to pursue alternative housing options such as shared ownership or a move to the private rented sector.

When considering what housing options are available to you we will take into account the incomes, savings and circumstances of all members of the household aged 18 and over.

### 10.1 Income, savings and capital

We will not normally include on the housing register applicants or households who have a combined annual income of £60,000 or more before tax. This will include income generated from employment and/or benefits.

In the case of savings or capital we will not normally include on the housing register applicants or households who have combined savings or capital of £30,000 or more.

## 11. Making your housing situation worse

In the event that your actions cause your circumstances to worsen or prevent them from improving we may reduce your priority or cancel your application. In some instances we may choose to disregard any circumstances that you have made worse when assessing your priority. Examples of this are:

- Moving into accommodation that you know to be of a significantly inadequate size for your household in accordance with the bedroom standard outlined within this scheme.
- Failing to allow repairs to your home to be carried out.
- Unreasonably withholding or failing to make rent or mortgage payments.
- Unreasonably failing to follow advice given by the Council in order to prevent homelessness.
- Refusing an offer of privately rented accommodation which was made in order to prevent homelessness.
- Refusing an offer of social housing which was made in order to prevent homelessness.

## 12. Assessing your application

All assessments will take into account your needs and the needs of any member of your household in conjunction with the accommodation that you currently occupy or that is available for you to occupy.

### 12.1 Bedroom requirements

Bedroom requirements, overcrowding and under-occupation are assessed in accordance with the following reasonable preference and local preference categories:

- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- Housing Association Tenants looking to downsize to smaller accommodation (also known as under-occupiers).

### 12.2 How do we assess how many bedrooms you need?

Under-occupation and overcrowding are assessed by working out how many rooms your household needs.

If you have more rooms available than your household is assessed to need, you are under-occupying the property.

If you have fewer rooms available than your household is assessed to need, you are overcrowded.

In accordance with the Bedroom Standard assessment<sup>28</sup> regarding the number of bedrooms allocated to a household we allow one bedroom for each of the following:

- a person living together with another as husband and wife or partner (whether that other person is of the same or opposite gender)
- a person aged 21 years or more
- two persons of the same gender aged 10 years to 20 years
- two persons (whether of the same gender or not) aged less than 10 years
- two persons of the same gender, where one person is aged between 10 years and 20 years and the other is aged less than 10 years, except in instances where the relationship is that of parent and child
- any person aged under 21 years in any case where he or she cannot be paired with another

Each person is only counted once in the first group they would come into.

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<sup>28</sup> [Bedroom Standard s.2 \(4\)](#)

## **12.3 Under-Occupiers**

### Freeing up family sized and general needs accommodation

Since the introduction of the Welfare Reform Act in 2012 social housing tenants who are under occupying their homes have been required to pay for any additional bedrooms that are within their homes. This means that for many, as their circumstances change they must look for smaller more affordable accommodation. We also recognise that there is a shortage of affordable family sized accommodation within the borough and we are committed to ensuring that the best use is made of the current housing stock. To this end those under-occupying general needs social housing by two or more bedrooms, where a reciprocal agreement is entered into, will be given a priority on the Housing Register.

Those moving from general needs social housing into sheltered accommodation will also be given a priority. This priority may be increased where a reciprocal agreement has been entered into.

We may also give a degree of priority to any social housing tenant downsizing by one bedroom or where no reciprocal agreement has been obtained.

In instances where an under-occupied property is in particularly high demand or would meet the needs of a particular high priority household we may opt to increase the priority of the under-occupied household *or* may look to make a direct offer in order to facilitate a single or chain move.

Tenants of non-partner Housing Associations and other Local Authorities will normally only be considered for a priority on the grounds of under-occupation where their landlord agrees to enter into a reciprocal arrangement in respect of their current property.

## **12.4 Overcrowding**

Depending on the level of overcrowding you are experiencing you may be awarded a priority on the Housing Register. There are also a number of other housing options that we may offer to the most severely overcrowded households rather than solely providing them with a priority on the Housing Register.

Very few 4 bedroom or larger properties become available for letting. As a result larger families may wait many years before they can secure a move into suitably sized accommodation. In such instances we will look at other housing options to alleviate levels of overcrowding. In some instances and where appropriate we may also suggest that a family considers separating the household in order to secure a number of smaller units that become available more readily. For example we may suggest that an elderly household member considers sheltered accommodation or that younger members of the household consider seeking accommodation in their own right. In such instances where this accommodation is offered via the Housing Register we

will seek to house the smallest household unit in the first instance and will normally reduce the priority of the larger household unit until a tenancy is secured by the smaller household.

Those who are assessed as lacking one bedroom will not normally be included on the Housing Register unless they are existing social housing tenants and their landlords have agreed to enter into a reciprocal agreement with the Council.

## 12.5 Homelessness

Homelessness is assessed in accordance with the following Reasonable Preference Category:

- People who are homeless (within the meaning of Part VII of the 1996 Act)<sup>29</sup>; this includes people who are intentionally homeless, and those who do not have a priority need for accommodation.

In the first instance all those who are homeless, threatened with homelessness, fleeing violence, subject to harassment, leaving institutional care or the armed forces will have their circumstances considered by the Council's Housing Options Team. They may be invited to undertake a comprehensive housing options interview in order to discuss their circumstances and to determine the appropriate housing options available to them.

In most cases the Housing Options Team will be able to resolve, delay or prevent homelessness and subsequently no Housing Register priority will be awarded on the grounds of homelessness.

Once a referral is received those who meet the criteria to join the Housing Register and are both unintentionally homeless and in priority need (within the meaning of Part VII of the 1996 Act)<sup>30</sup> will receive a higher priority than those who are intentionally homeless or are not in priority need within the meaning of Part VII of the 1996 Act).<sup>31</sup>

Not all households who are accepted as being homeless will be housed via the Housing Register. The Localism Act allows local authorities to fully discharge the full housing duty by a 'private rented sector offer' (s193(7AA)-(7AC) Housing Act 1996 as amended by s.148(5)-(7) Localism Act 2011<sup>32</sup>. This must be an offer of an assured shorthold tenancy with a minimum fixed term period of one year.

The Housing Needs Team will decide whether or not you will be included on the Housing Register or if you will be made a private rented sector offer. They

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<sup>29</sup> [Part VII of the Housing Act 1996: Homelessness and threatened homelessness s. 175](#)

<sup>30</sup> [Part VII of the Housing Act 1996: Homelessness and threatened homelessness s. 175](#)

<sup>31</sup> [Part VII of the Housing Act 1996: Homelessness and threatened homelessness s. 175](#)

<sup>32</sup> [Localism Act 2011: Duties to homeless persons s.148 \(5\)-\(7\)](#)

will take into account your circumstances, property availability and your ability to secure and maintain a tenancy.

If you accept a private sector property in discharge of the full homelessness duty owed to you and you then become unintentionally homeless from that tenancy within two years, the statutory homeless duty automatically revives (once only). The revived duty may again be discharged through a further offer of private rented accommodation, in accordance with the Allocation Scheme.

## **12.6 Medical need**

Medical priority is not awarded solely on the existence of a health problem.

It is normally only awarded in instances where the health of an applicant or a member of their household is made significantly worse by their accommodation to such a degree that the circumstances have, or are likely to become, life threatening and would be demonstrably improved by a move to alternative accommodation.

The decision not to assess an application on medical grounds or not to award a priority does not in itself mean that an applicant or a member of their household does not have a health problem.

Medical need is assessed in accordance with the following Reasonable Preference category:

- People who need to move on medical or welfare grounds, including grounds relating to a disability.

## **12.7 Medical problems relating to property condition**

If the condition of your property is aggravating your medical circumstances we will initially look to improve conditions in your home before any medical assessment is undertaken. This will normally require you to work either with your landlord, Care Manager, Occupational Therapist and/or the Council's Housing Enforcement team in order to ensure that the condition or accessibility of your property is acceptable.

## **12.8 Discharge from hospital**

Applicants who need to be discharged from hospital may have their circumstances considered on medical grounds and will generally fall into one of the following groupings:

- Those who have somewhere suitable to live but do not want to continue living there upon discharge from hospital and there are no medical reasons for them not returning to their home.

- Those who have somewhere to live but it is unsuitable for their long term medical needs and cannot be made suitable through adaptations because of cost effectiveness, structural difficulties or it cannot be adapted within a reasonable period of time.
- Those who have nowhere at all to live when they leave hospital.

### **12.9 How is a medical assessment determined?**

Ultimately it is the responsibility of the local authority to decide whether or not to assess your medical circumstances and award a priority on medical grounds.

The decision to undertake an assessment and determine whether or not to award priority will be made by members of the Housing Needs Team in accordance with the Allocation Scheme.

Physical disabilities, where adapted accommodation is required, may be assessed in conjunction with the Council's Occupational Therapy team.

Physical disabilities, where adapted accommodation is not required, will be assessed at the discretion of the Housing Needs Team.

Learning disabilities may be assessed in conjunction with the relevant services within the Council.

Mental illness may be assessed in conjunction with the Council's Housing Support team.

All other medical conditions will be assessed at the discretion of the Housing Needs Team.

### **12.10 What information is taken into account?**

In reaching a decision we **will** take account of:

- Your current accommodation. If your medical circumstances are not made worse by your current or primary home no medical assessment will be undertaken.
- Prognosis. If a move to alternative accommodation would not significantly improve your medical condition no medical assessment will be undertaken.
- Timescale. If your medical symptoms are likely to resolve within a reasonable period of time, or the waiting time currently being experienced by applicants (with the same bedroom requirement as you have) on the Housing Register, no medical assessment will be undertaken.

We **may** contact or seek further advice from third parties such as:

- Independent medical advisers, for example Now Medical.
- Specialist medical professionals.
- General Practitioners.

We **may** take account of:

- Any supporting medical information that you submit.

Applicants should be aware that even if they provide supporting documents stating that a move to alternative accommodation would be essential it is for the local authority to determine the appropriate level of priority in accordance with the Allocation Scheme.

If it is determined that a particular type of property is required on medical grounds; for example a home with no internal stairs, you will be expected to bid for or accept accommodation that matches that criteria. If you bid on accommodation that does not meet the criteria set your bid may be bypassed. If you continue to bid on accommodation that does not meet the criteria that has been set any priority afforded to you on medical grounds will be reviewed and may be removed.

If your medical circumstances improve any priority awarded to you on medical grounds will be reviewed and may be removed.

Any medical evidence submitted which reconfirms circumstances that have previously been assessed or reviewed and which do not highlight a significant change of circumstance will not be subject to further assessment or review.

### **12.11 Adapted accommodation**

Those requiring adapted accommodation are assessed in accordance with the following Reasonable Preference category:

- People who need to move on medical or welfare grounds, including grounds relating to a disability

If you or a member of your household uses a wheelchair and requires a specially adapted home your circumstances may be assessed by a Council appointed Occupational Therapist.

You or someone acting on your behalf can complete a self-referral by contacting the Early Intervention Service via:

Email [adult.early.intervention@bromley.gov.uk](mailto:adult.early.intervention@bromley.gov.uk)

Telephone 020 8461 7777

If a housing report is completed the Housing Needs Team will consider whether or not to award your application a priority on the Housing Register.

## **12.12 Freeing up adapted accommodation**

If someone is occupying fully adapted, wheelchair accessible, social housing and no longer requires the use of these facilities they may be given a priority on the Housing Register. Advice may be sought from the Council's Occupational Therapy team in determining the re-let suitability of any such property prior to a decision regarding priority being reached.

## **12.13 Housing association decants**

Housing Association decants are assessed in accordance with the following Local Preference category:

- Households identified as part of decant programmes.

If you are a tenant of a partner Housing Association and your landlord advises that you need to move as part of a decant programme you may be given a priority on the Housing Register. The level of priority you receive will depend on the length of time remaining until your property is due for decant.

You will normally only be allowed to bid for the size of accommodation that your household is deemed as requiring in accordance with the Allocation Scheme. This may be different from the size of property that you are being decanted from or that you are being offered by your landlord (if also being considered for an internal transfer).

If you fail to move within the proposed timescales your landlord may request that you be made a direct offer of accommodation. If you then fail to accept the direct offer your landlord may seek to terminate your tenancy.

For further information regarding decants please contact your landlord directly.

## **12.14 Insanitary housing conditions**

People living in insanitary housing conditions are assessed in accordance with the following Reasonable Preference Category:

- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions:  
If your home is in a state of disrepair you will not normally be awarded a priority on the Housing Register. The Council's Housing Enforcement team may offer you advice or assistance to ensure that your home is maintained to a decent standard and that outstanding repairs are carried out.

If you are a Housing Association tenant your landlord will have published standards that they must meet with regards to property maintenance and condition.

Whether you are a Housing Association or private tenant, if you are experiencing problems relating to disrepair you must contact your landlord in the first instance. You will need to explain to them what the problems are and work with them to resolve the issues.

If your landlord will not discuss these problems with you or is not carrying out the appropriate repairs to your home then you can contact the Council's Housing Enforcement Team. They may assess your situation either by speaking to you over the phone or by arranging a home visit. If necessary, they will work with both you and your landlord to resolve any outstanding issues.

You will need to confirm that you have already been in touch with your landlord and that they have failed to resolve the works that are outstanding within a reasonable timescale before seeking assistance from the Housing Enforcement team to improve the condition of your home.

Priority on the Housing Register will only be awarded in exceptional circumstances where your home is assessed as having an irresolvable category 1 hazard and where a Prohibition Notice is required or has been sought on the grounds that the property is deemed prejudicial to health and where continued occupation poses a significant threat to the health and safety of the occupiers.

If you own your own home you are responsible for maintaining it and will not normally be awarded a priority on the Housing Register. The Council's Housing Enforcement team can offer you advice and assistance as well as details of any current schemes and initiatives to help you maintain and remain in your home.

### **12.15 Welfare and social grounds**

Those requiring a move on welfare and social grounds are assessed in accordance with the following Reasonable Preference Categories:

- People who need to move on medical or welfare grounds, including grounds relating to a disability.
- People who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others).

A priority on welfare and social grounds can be considered in two parts. Firstly where you or a person included on your application needs to move to be closer to specialist support or services. For example this could be:

- Needing to move closer to a school that is named as essential in a statement of special educational needs.
- Where support is required from family members or a specialist service to allow you or a person included on your application to continue to live independently.

Secondly a priority on social and welfare grounds can be considered where you need to provide significant care and support to a person not included on your application. For example this could be:

- Caring for an elderly relative in order to allow them to continue to live independently.

When considering whether or not to award a priority on welfare and social grounds there are a number of factors that we will take into consideration, such as:

- Bromley is an urban area with extensive and reliable public transport networks. We will look at how long the journey takes via public transport or private vehicle.
- Availability of transport i.e. whether you have access to a private vehicle or use public transport.
- The level of support that is currently provided including details of any care packages and carers allowances.
- The ability of the person offering support to provide it.
- When considering access to a school that is highlighted in a statement of special educational needs we will look at the age of the child/children and how long they will remain at the school in question.

There are many people who provide assistance and support to their relatives and friends. This can take the form of assisting with shopping, household chores and general emotional support. In most instances priority will not normally be awarded to applicants who claim that they require ongoing support from relatives or friends unless there is a severe mental health, medical or welfare issue relating to them or a member of their household. There must be exceptional reasons why this support cannot be met within their current circumstances or why this support cannot be made available through a reliance on public or personal transport.

In order to award a priority on the basis of a welfare and social need we must be satisfied that the support provided is so significant that, without it, the person in question would be at risk of significant harm or would no longer be able to live independently.

### **12.16 Right to Move**

Existing social housing tenants that currently live outside of the borough boundaries but who need to move into Bromley to take up employment or an offer of employment are assessed in accordance with the following reasonable preference category;

- The Right to Move.

In order to establish whether or not you qualify in accordance with this reasonable preference category we will take into account;

- The distance and/or time taken to travel between work and home:  
In accordance with the guidance set out by the Job Centre Plus we consider that a commute of 90 minutes or under (no more than 3 hours per day) is reasonable.
- The availability and affordability of transport, taking into account level of earnings:  
This will be assessed on a case by case basis.
- The nature of the work or work based apprenticeship and whether similar opportunities are available closer to home:  
This will be assessed on a case by case basis. Consideration will also be given to those cases where an offer of work has been made and where the applicant can demonstrate, to the local authority's satisfaction, that there is a genuine intention to take up that offer.
- Other personal factors, such as medical conditions and child care, which would be affected if the tenant could not move:  
This will be assessed on a case by case basis and will take into account how child care and medical needs are currently managed.
- The length of the work contract:  
This must be for a minimum of 12 months and the applicant must work 16 hours or more per week.
- Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship:  
This will be assessed on a case by case basis.

We must be satisfied that your circumstances meet the above criteria **and** that it is the case that you not just wish to move but need to move in order to avoid hardship.

The following will be excluded from consideration;

- Volunteering e.g. work that is unpaid.
- Work that the local authority considers marginal in nature by either virtue of the hours worked or job undertaken.
- Work that the local authority considers to be ancillary in nature for example where the applicant works for a period of time within the borough but where this is not their main place of work such as those who are self-employed or who work from home.

The following will not normally be considered;

- Those who have a combined annual income of £60,000 or more. This will include income generated from employment and/or benefits.

## 12.17 Those owed a duty by the local authority

Those owed a duty by the local authority are assessed in accordance with the following Reasonable Preference category:

- People who are owed a duty by any local authority under section 190(2)<sup>33</sup>, 193(2)<sup>34</sup> or 195(2)<sup>35</sup> of the Housing Act 1996 (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any local authority under section 192(3) of the 1996 Act.<sup>36</sup>

Subject to approval from the Housing Needs Team referrals may be received by other sections within the local authority. Consideration will also be given to referrals from other local authorities where evidence is submitted to support a move to our borough. These will include, but are not exhaustive of, the following:

- Care leavers.
- Those with learning disabilities.
- Those approved for fostering or adoption where a home is required to meet the needs of a particular child or children.
- Children in need in accordance with the Children Act 1989<sup>37</sup>

## 12.18 Moving to sheltered or older persons' housing

People wishing to move into accommodation suitable for those aged 55 and over are assessed in accordance with the following Local Preference category.

- People aged 55 or over who wish to move to older persons' or sheltered housing.

They must be aged 55 or over and not currently occupying sheltered or older persons accommodation.

Anyone accepted onto the Housing Register as a result of requiring older persons housing only will only be considered for this type of accommodation and will not be able to bid on general needs accommodation unless otherwise notified.

In exceptional circumstances the Housing Needs Team can undertake to make a direct offer of general needs as well as older persons accommodation to a household within this category.

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<sup>33</sup> [Part VII of the Housing Act 1996: Duties to persons becoming homeless intentionally s.190](#)

<sup>34</sup> [Part VII of the Housing Act 1996: Duty to persons with priority need who are not homeless intentionally s. 193 \(2\)](#)

<sup>35</sup> [Part VII of the Housing Act 1996: Duties in case of threatened homelessness s. 195 \(2\)](#)

<sup>36</sup> [Part VII of the Housing Act 1996: Duty to persons found to be homeless or threatened with homelessness s.192 \(3\)](#)

<sup>37</sup> [Children Act 1989](#)

## **12.19 Lettings to Council and Registered Provider staff, Council Members or their relatives**

Council and Registered Provider staff, Council Members and their relatives are allowed to apply to join the Housing Register and to have their circumstances assessed in accordance with this Scheme. Their application will be assessed in the same way as all other applicants and they will not gain any advantage, receive any preferential treatment or be disadvantaged in the course of their application.

In order to ensure that any application from a member of staff, Council Member or their relative is correctly administered the following will apply:

- A member of staff that is applying for housing must have no direct input into any aspect of the process relating to their housing application. This includes not inputting, amending, prioritising or making decisions in respect of their application.
- Staff members must have no direct input into any aspect of the process relating to the housing application of a relative. This includes not inputting, amending, prioritising or making decisions in respect of their application.
- It will be clearly recorded both on the applicants file and on the Housing database that they are a member of staff, Council Member or relative of the aforementioned.
- Before a member of staff, Council Member or relative of the aforementioned receives a formal offer of accommodation any such offer must be authorised by a senior member of the Housing Needs Team.
- Where a partner Registered Provider is completing their own shortlisting for accommodation any such offer must be authorised by an appointed, senior, member of staff.

## 13. Traveller sites

Bromley Council owns and manages two traveller sites, containing a mixture of single and double pitches, within the borough.

The prioritisation of potential applicants and the allocation of available pitches will be made in accordance with the Allocation Scheme and vacant pitches may be advertised via Bromley Homeseekers.

In addition to the eligibility criteria already outlined within this Scheme applicants wishing to be considered for a pitch on one of the sites must be a Gypsy or Traveller, either by ethnic group or under the current legal definition which is set out in s225 of the Housing Act 2004 and which states:

*“gypsies and travellers” means:*

- (a) persons with a cultural tradition of nomadism or of living in a caravan; and*
- (b) all other persons of a nomadic habit of life, whatever their race or origin, including:*
  - (i) such persons who, on grounds only of their own or their family’s or dependant’s educational or health needs or old age, have ceased to travel temporarily or permanently; and*
  - (ii) members of an organised group of travelling showpeople or circus people (whether or not travelling together as such).*

The ongoing sustainability of the site community will be taken into consideration before any formal offer of a pitch is made.

## 14. The Bands

Anyone who applies to the Housing Register will be assessed and placed into one of five bands. The qualifying criteria for each band reflects the level of housing need of the applicant and ranges from urgent to low and not included.

In all cases we will only consider those circumstances that are made worse or prevented from improvement by your current housing circumstances. All other circumstances will not normally be considered as part of the assessment of your housing need.

### 14.1 Summary of households likely to be included within each band

It should be noted that these lists are not exhaustive and the examples given merely represent, in outline, those cases likely to accrue a priority. In each case a decision will be made according to the needs of the individual household and the circumstances as they are known to the Council. As each household's circumstances will vary significantly it is not possible to fully list each potential scenario in this Allocation Scheme.

### 14.2 Emergency band

Very few applicants will qualify for this level of priority. This is an emergency banding and represents those with the most critical and immediate need to move. It includes:

- Management Priority Cases, which include:
  - Where there is immediate risk to your life or the life of a member of your household.
  - Where failure to move you would result in a severe and significant deterioration in your or a member of your household's physical or mental health to such a degree as to be life threatening or would result in hospital admission.
  - Where failure to move you would result in the welfare of any child within your household being severely prejudiced in accordance with the Children's Act 1989<sup>38</sup>.
  - In instances of public safety as referred through MAPPA or the NWMS
- People living in insanitary housing conditions so severe that a Prohibition Notice has or is in the process of being served.
- Those included under the Right to Move Reasonable Preference category. In most instances, unless otherwise notified, applicants who receive this priority will not be able to bid for accommodation and will instead be made a direct offer of accommodation.

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<sup>38</sup> [Part III of the Children Act 1989: Provision of accommodation for children/provision of accommodation for children in police protection or detention or on remand, etc s. 20/21 general](#)

### 14.3 Band 1

This represents those households with a high level of housing need where an urgent move is required to significantly improve their quality of life or to free up accommodation. It includes:

- Tenants of partner Housing Associations subject to decant proceedings within 12 months. Where a reciprocal arrangement has been agreed.
- Under-occupiers in Housing Association accommodation who are:
  - Downsizing within general needs housing.
  - Moving from general needs into sheltered accommodation.
  - Moving from fully adapted into general needs or sheltered accommodation.
- London Borough of Bromley referrals for the following households: supported housing move on, leaving care and learning disability, who have been assessed as ready for independent living.
- People who are owed a duty by the local authority under section 195(2)<sup>39</sup> of the 1996 Act. Where we are satisfied that all other reasonable options have been explored and where priority is required in order to prevent homelessness within a specific timescale.
- Households who are overcrowded by two or more bedrooms.
- Households with severe medical needs including those requiring adapted accommodation and whose current homes are not and cannot be suitably adapted to their needs.

### 14.4 Band 2

This represents those households with a moderate level of housing need where a move is necessary but not urgent. It includes:

- People who are unintentionally homeless and in priority need (within the meaning of Part VII of the 1996 Act)<sup>40</sup>.
- Tenants of partner Housing Associations subject to decant proceedings within 24 months.
- People who need to move on welfare grounds to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others).

### 14.5 Band 3

This represents those households with a low level of housing need where a move is desirable but not essential. It includes:

- People who are homeless but not in priority need (within the meaning of Part VII of the 1996 Act)<sup>41</sup>.

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<sup>39</sup> [Part VII of the Housing Act 1996: Duties in case of threatened homelessness s.195 \(2\)](#)

<sup>40</sup> [Part VII of the Housing Act 1996: Homelessness and threatened homelessness s.175](#)

<sup>41</sup> [Part VII of the Housing Act 1996: Homelessness and threatened homelessness s.175](#)

- Elderly people, including existing social housing tenants, who are not classed as under-occupiers but who wish to move from general needs into sheltered housing.
- Social housing tenants who are lacking one bedroom and whose landlord has entered into a reciprocal agreement with the local authority.

#### **14.6 Band 4**

This represents those with a reduced priority and applicants within Band 4 have a significantly reduced opportunity to secure accommodation via this scheme. It includes:

- People who are intentionally homeless (within the meaning of Part VII of the 1996 Act)<sup>42</sup>.
- Those engaging in anti-social behaviour.
- Those with a high level of rent arrears who are failing to stick to an agreed payment plan.
- Those who are awarded a priority in accordance with a reasonable preference category but are not yet ready for move on

It is the responsibility of those in Band 4 to advise the Housing Register team of any changes in their circumstances that may lead to their banding being increased. For example, if they have subsequently entered into and kept to a payment plan to clear their arrears it will be their responsibility to provide evidence to confirm this.

It is also the responsibility of a recognised support worker to provide evidence that their client has been assessed as ready for move on.

#### **14.7 Not included**

Those with no identified housing need, in accordance with the reasonable and local preference categories, or those who do not qualify to join the Scheme will not be placed onto the Housing Register

Information regarding not included applicants will be used in conjunction with information regarding applicants on the Housing Register to monitor trends and the levels of housing need within the borough. Anyone who is not included on the Housing Register will not be able to bid for accommodation via Bromley Homeseekers.

#### **14.8 Priority within a band**

Waiting time determines your position within a band. It begins from the date that the current banding priority was awarded. We call this your effective date. For example, if at the time you applied you were placed into, and have

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<sup>42</sup> [Part VII of the Housing Act 1996: Homelessness and threatened homelessness s. 175](#)

remained in, Band 3 your waiting time will be effective from the date of your initial application.

If, after you apply, your circumstances change and you either:

- Require a larger or smaller property, or;
- There is an increase or decrease in your banding priority

Your effective date will be the date when we became aware of the new circumstances. For example, if you already had two children and were waiting for two bedroom accommodation and then you had a third child and were subsequently assessed as needing three bedroom accommodation your new effective date would be the date of birth of your third child.

Normally anyone moving from Band 4 to a higher band will have an amended effective date which is reflective of the date that their priority was increased. However, in exceptional circumstances the Council retains the right to exercise its discretion in this matter and those to whom the Council has accepted as homeless within the meaning of Part VII of the 1996 Act may retain their original homeless effective date.

#### **14.9 Multiple needs**

Your circumstances may be such that you would qualify for priority under more than one reasonable or local preference category. If this is the case your application will be placed into the highest band, reflective of your need, as assessed in accordance with the Allocation Scheme.

#### **14.10 Allocations outside of the banding system**

There are circumstances where a household's needs are so complex or urgent that they warrant an offer of accommodation outside of the banding system. Such decisions will only be made in exceptional circumstances at the discretion of the Housing Needs Team. We reserve the right in such instances to either make a direct offer of accommodation or to allow the household to bid for accommodation via Bromley Homeseekers, in an agreed band, for a specified period of time.

## 15. Lettings plans

Lettings plans are an important tool in meeting allocation targets. They are agreed by the Council and partner Registered Providers.

An Annual Lettings Plan sets out how the Council intends to let the number of properties it predicts will become available within a 12 month period.

A Local Lettings Plan can be introduced in order to support local priorities and non-statutory responsibilities.

Whilst both plans are reviewed annually it is acceptable for specific local lettings plans to be put in place for a limited time frame.

### 15.1 Annual lettings plan

In agreement with partner agencies an Annual Lettings Plan is produced to ensure that we meet our statutory obligations in accordance with letting accommodation. The figures are set in accordance with the number of vacant properties expected to become available within the following twelve month period and all lettings made via this Scheme are counted for the purposes of the Lettings Plan. The plan is subject to regular monitoring and is reviewed annually. If monitoring shows that lettings outcomes are not in line with the Lettings Plan the Council reserves the right to implement a quota system and/or restrictive labelling on adverts to ensure that our statutory obligations are met.

### 15.2 Local lettings plan

We may implement a Local Lettings Plan in order to meet a local demand or priority. We may also agree a Local Lettings Plan with the Police or individual Registered Providers for specific areas or developments to reflect local circumstances and to facilitate viable and sustainable communities. Any Local Lettings Plan will reflect considerations such as the social mix of residents within a block, estate or area. All Local Lettings Plans may be subject to an equalities impact assessment and may take into account the following factors:

- child density (the number of children in an area)
- age range
- vulnerability of tenants
- access to resources (such as facilities for vulnerable people, schooling or healthcare)
- community stability and cohesion
- areas of low demand

### **15.3 Suspension of the lettings plan in exceptional circumstances**

In the event of a large scale emergency affecting housing or the need for housing within the borough the Housing Needs Team may vary, suspend or review the lettings plan wholly or in part.

### **15.4 Equality within a lettings plan**

In accordance with the equalities impact assessment whilst the lettings plan is used to support local and Government agendas within housing it will not be used to discriminate against those requiring housing. Any exclusions or preferences will be specified with the agreement of the Housing Needs Team and will be subject to internal review.

### **15.5 Lettings to those participating in employment or volunteering**

We will not normally award a priority or allow inclusion onto the Housing Register solely on the grounds of employment or participating in voluntary work. There is an exception to this which is detailed in section 12.16 Right to Move.

Predominately housing need is the first and foremost factor when considering whether or not to award a priority on the Housing Register. However, we do feel that it is important that we recognise those that are included on the Housing Register and who are making a positive contribution to the community either through their current employment status or through their commitment to volunteering.

As part of an ongoing local lettings plan we propose to advertise a number of good quality homes each financial year where preference is given to those who are currently in permanent employment or participating in voluntary work.

Initially, when completing an application, you will need to provide details of the work you are participating in. You will need to keep us updated with any changes to your circumstances as only those currently volunteering or employed, at the time a tenancy is offered, will be considered for these properties.

When shortlisting properties advertised in accordance with this preference we will consider applicants in the following order:

- Banding
- Date the banding was awarded
- Participation in employment or volunteering

In order to qualify for these properties applicants must have been employed or participating in voluntary work for a minimum of 6 months, at the time of placing a bid, in order for that bid to be successful.

Those not participating in employment or volunteering will have their bids bypassed for properties where preference to this group of applicants is specified.

At the point of offer you will need to provide proof that you are employed or volunteering. Where applicable you will need to provide the following:

- Wage slips for the last 6 months.
- A contract confirming your employment or volunteering status over the previous 6 months.
- Contact details for your employer or voluntary work provider.

All relevant parties will be contacted before you are formally offered accommodation and asked to confirm your status in order to ensure that you qualify for the property being offered.

If we cannot contact the relevant person or organisation or are not satisfied with the information that you have provided you will not be formally offered the property.

## **16. The bidding process**

### **16.1 Advertising homes on Bromley Homeseekers**

Bromley Council works in partnership with Housing Associations and other Local Authorities to advertise properties on Bromley Homeseekers. All of the information submitted, including details regarding the number of bedrooms, property type, available facilities, timescales and adaptations, is provided by the landlord. Whilst we will do all that we can to ensure that the information provided is correct Bromley Council does not accept responsibility for any inaccurate information supplied by a Housing Association or other Local Authority.

### **16.2 Property adverts**

Properties will be advertised on the Bromley Homeseekers website during the bidding cycle. Details of when the bidding cycle starts and ends can be found on the Bromley Homeseekers website. A weekly property advert sheet can also be downloaded from the website, during each bidding cycle, as required.

### **16.3 Property adverts and the lettings plan**

In order to meet the annual or a local lettings plan adverts may specify that priority will be given to a specific reasonable or local preference category household. It may also state that preference will be given to people of a certain age, for example, if the property is categorised as sheltered or that preference will be given to those with a disability, for example, if the property is adapted or suitable for adaptations. Preferences will be clearly outlined in property adverts.

When shortlisting accommodation priority will be given to the applicant that best meets the preferences outlined in the advert. This will be the case even if they have a lower band than applicants who placed a bid but did not meet the advert preference criteria. This will be done both to meet the directives of the lettings plan but also to ensure that the best use is made of all available housing stock.

In exceptional circumstances the Housing Needs Team may decide that an applicant's circumstances are so severe that their bid will still be considered even if they do not meet the advertised preferences, providing that the property is of the correct size for their household. Such decisions will only be made in exceptional circumstances where we believe that failure to consider the household's bid would likely result in the loss of life or a severe and significant deterioration in the household's circumstances that might otherwise be prevented by a move to the accommodation advertised.

### **16.4 Advertising adapted homes on Bromley Homeseekers**

Adapted accommodation will be advertised for bidding on the Bromley Homeseekers website. Preference for adapted accommodation will be given

to those that are assessed as requiring such accommodation by the Housing Needs team. If an advertised property does not attract bids from those that require such accommodation the Council may seek to contact directly those who have been assessed as requiring adapted accommodation with a view to making a direct offer.

We also reserve the right to make a direct offer of adapted accommodation where:

- A property has been secured or adapted to meet the needs of a specific household.
- An urgent move is required in order to allow a household to continue to live independently.
- A move is required in order to free up hospital or specialist accommodation.

### **16.5 Homes for people aged 55 and over**

Properties are regularly advertised specifically for people aged 55 or over. These are often referred to as sheltered or older persons housing.

We will sometimes advertise de-designated sheltered accommodation. This will be for people who are aged 50 and over but do not have access to warden assistance.

Extra Care Housing, which is housing for those who are unable to manage independently and require a higher level of care, is not managed by the Housing Needs Team and will not be advertised via Bromley Homeseekers.

### **16.6 Withdrawing a property**

In exceptional circumstances we may have to withdraw a property that has been incorrectly advertised.

The Housing Needs Team also has the right to withdraw a property in order to make an urgent direct offer for a priority household at any point prior to it formally being offered.

If a property has been incorrectly advertised it will be withdrawn. This may be either during or after the bidding cycle. At any point, prior to you signing a tenancy, a property can be withdrawn from you if the details advertised were incorrect. We will do this as it is essential that we make best use of all housing stock in order to meet the requirements of those on the Housing Register.

## **17. Bidding**

### **17.1 Number of bids**

You will be able to place up to two bids during each bidding cycle. It is essential that you bid each week in order to increase your chance of moving as quickly as possible. However, even if you bid each week you may still experience a lengthy wait particularly if you do not place sensible bids. Social housing stock is very limited and in some areas very few or no homes become available. If you have very specific preferences regarding the type or location of your home you may find that it is easier to secure a move via the private rented sector or through another housing option such as shared ownership.

### **17.2 Number of bedrooms**

You will normally only be able to bid on the size of property that we have assessed as meeting your requirements under this scheme. Occasionally though there may be some exceptions to this, such as:

- If you require a 4 bedroom home or larger you will normally be able to place a bid on a property that is one bedroom smaller than you are assessed as needing, as long as your household does not exceed the maximum number of persons permitted within the home.

### **17.3 Bidding position**

Your position on the bid list may alter as the bidding cycle progresses. Bids are held in band order and within each band, date order. If you place your bid as soon as the bidding cycle opens you may find that your bid position is different once bidding has closed. Your bid position will drop if someone with a higher band or the same band (who has held that band for a longer period of time) bids on the same property as you.

### **17.4 Withdrawing your bid**

When you have placed a bid you will be able to withdraw it, whilst the bidding cycle is open.

You will not be able to withdraw a bid after the bidding cycle has closed. Any such bid will be treated formally in accordance with the guidance set out within the Allocation Scheme.

If we have made a direct offer or if you are registered for automated bidding you will not be able to withdraw any bids we make on your behalf.

## 18. When bidding closes

### 18.1 What happens when bidding closes?

When the bidding cycle closes a shortlist of the top bidders is prepared. Shortlisting can be carried out either by the Housing Needs Team or staff of partner Housing Associations.

### 18.2 What happens if my band is increased after bidding closes?

Once you have placed a bid and the bidding cycle has closed your position on the bidding list cannot be altered, i.e. your banding and date on the bid for that property will not alter. If your priority is subsequently increased on the Housing Register only future bids will be affected and your place on previous bid lists will not be altered retrospectively.

### 18.3 What happens if my band is decreased or my application is cancelled after bidding closes?

You are unlikely to be shortlisted for the property you have bid upon. Your circumstances will be considered and the decision regarding whether or not to allow you to proceed with a viewing or to be offered accommodation will be done at the discretion of the Housing Needs Team.

### 18.4 Bypassing a bid

Your bid may be bypassed if:

- Your circumstances do not match the “preference given to” criteria outlined in the property advert.
- You have already been successfully shortlisted for another property.
- There are public protection concerns.
- You, or a member of your household, are involved in anti-social behaviour.
- You have rent arrears and are not keeping to an agreed payment plan.
- It is identified that you require an adapted home and we are notified by the Housing Association and/or LBB Occupational Therapist that the property cannot be sufficiently adapted.

### 18.5 Rent arrears

In the case of rent arrears we will normally allow you to be shortlisted for a property if:

- You have **less than** 4 weeks worth of arrears, have entered into a payment plan and have kept to it consistently for **3 months**.
- You have **more than** 4 weeks worth of arrears, have entered into a payment plan and have kept to it consistently for **6 months**.

The above are guidelines only and consideration will be given in those instances where there are extenuating circumstances or where an urgent move is required.

Those who have a high level of rent arrears or are not sticking to an agreed payment plan may have their priority reduced until they successfully engage and reduce their arrears.

If you accrue arrears in Council allocated temporary accommodation you will be expected to clear those arrears in full. If you move on from temporary accommodation details of your new address will be made available to the appropriate services in order that any outstanding monies may be reclaimed.

## **19. Shortlisting**

### **19.1 Successful bidders**

More than one bidder will normally be selected to meet the Housing Association and/or view the property. You will be told if you have been selected for a multiple viewing and what your listed position is. This will enable you to see how likely you are to secure the property. For example if you are shortlisted as 1<sup>st</sup> out of 6<sup>th</sup> you have the best chance of securing the property. If you are shortlisted as 6<sup>th</sup> out of 6<sup>th</sup> you will be less likely to secure the property.

Each Housing Association follows different procedures once a property has been shortlisted. Some will invite you to view the property first, whilst others may arrange a home visit or request that you attend a meeting at their offices prior to allowing you to view a property.

### **19.2 What happens if your bid is shortlisted?**

You will be contacted either by phone, email or in writing and you will be advised what position your bid has been shortlisted in.

You can only be shortlisted in first place for one property at a time. If you are shortlisted in first position for a property any other bids that you make will be bypassed whilst that shortlist is resolved. At their discretion the Housing Needs team may allow an applicant to be shortlisted in first place for more than one property if they are satisfied that there are exceptional grounds to do so.

You will be notified of the date and time that you are required to meet the Housing Association or view the property.

You will be advised of what information you will need to take with you to any meetings or viewings.

### **19.3 What happens if your bid isn't shortlisted?**

You will not be contacted if your bid is not shortlisted. You will be able to bid during the next bidding cycle as normal.

If your bid is bypassed you will be able to see the reason your bid was unsuccessful by logging into your Homeseekers Account and reviewing your bids.

### **19.4 What happens if the Housing Association rejects your bid?**

If a Housing Association rejects your bid they must notify us of their reasons before offering the property to the next shortlisted household. If the reasons they provide are acceptable in accordance with our Allocation Scheme and

nominations agreement they will be allowed to reject your bid. You will be notified of any rejections and the reasons for them.

If we believe that the Housing Association has unfairly or unreasonably rejected your bid we will request that your bid be allowed to proceed.

In the first instance, the Housing Allocations Team Manager and their counterpart at the Housing Association will attempt to resolve any areas of dispute. If they are unable to resolve the matter it may be escalated to other members of the Housing Needs Team.

## 20. Turning down a property

### 20.1 What happens if you turn down a property that is offered to you?

We will normally consider that you have turned down a property if:

- You fail to attend a viewing arranged by a Housing Association.
- You fail to attend an interview or appointment by us or a Housing Association
- You fail to provide the information requested by a Housing Association.
- You are offered a property and you decline it.

### 20.2 Limiting the number of properties offered to you

Through the Allocation Scheme the numbers of offers made to each applicant is limited to ensure that those on the Housing Register bid sensibly and are able to move within a reasonable period of time.

You are able to turn down **one** property but will then be expected to accept the second property offered to you.

If you fail to accept the second property offered to you we will review your application. At that stage we may either:

- Reduce or remove your priority.
- Where there is a legal duty to do so, make you a direct offer.
- Cancel your application and remove your details from the Housing Register.

It is not considered to be turning down a property if:

- We bypass your bid.
- The Housing Association rejects your bid.
- Someone short listed above you accepts the property.
- The property is withdrawn.

## 21. Direct offers

We reserve the right to make direct offers as required. Examples of where we may consider that a direct offer is required are:

- Where a household has received a priority in accordance with the reasonable preference categories but has either failed to bid, has placed limited bids or has unreasonably turned down accommodation.
- Where a property is identified as meeting the needs of a particular urgent or high priority household.
- In discharge of our duty in accordance with Part VII of the Housing Act 1996<sup>43</sup>.
- In order to facilitate a decant programme.
- A management transfer priority identified by a Housing Association partner.

When making a direct offer we will consider employment, education, support and your preferences. However, due to the limited availability of accommodation, it may not be possible to offer you the size, type or location of property that you would prefer. Any direct offer made to you would be of a suitable size in accordance with the Allocation Scheme. It would not be within a location where it was proven you were at risk.

We will normally only make **one** formal direct offer of accommodation. This means that you will not be able to turn down the property and receive a further offer of accommodation. You will be notified of this in writing, minimally, when the offer is made.

If you are placed in temporary accommodation that we consider to be suitable for the needs of your household and where it is possible to do so that property may be offered to you formally as a direct offer in discharge of any housing duty owed to you.

Where we consider it is reasonable to do so we may make a direct offer to you of a property you have already refused.

If you refuse a direct offer we will review and will normally cancel your application and no further offers will be made to you.

### 21.1 Refusing a direct offer

You have the right to request a review of the direct offer made to you.

If you refuse a property it will not be held for you during the review period.

You can sign up for a property and still request that a review be undertaken. Accepting a property whilst submitting a review will not impact on the outcome of the review, but will instead ensure that you continue to have a home to

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<sup>43</sup> [Part VII of the Housing Act 1996: Homelessness](#)

occupy. You will be expected to move into the property if you accept it whilst the review is being carried out.

If the outcome of the review is that the offer made to you was reasonable, no further offers will be made to you. Your application will be cancelled. If you are residing in temporary accommodation provided by the Council this will also be cancelled and you will need to make your own housing arrangements.

If the outcome of the review is that the offer made to you was unreasonable then your banding will be re-instated. You will not lose any waiting time. If you have accepted the property offered you will be able to remain there until a more suitable offer is made.

For further information regarding reviews see section 23. Reviews and Cancellations.

## 22. Publishing results

Details regarding successful bidders will be advertised on the “**this week’s lettings and results**” section of the Bromley Homeseekers website. The published information will show the band and the date that it was awarded of the successful bidder. Within your own Bromley Homeseekers account you will be able to view this information in conjunction with previous unsuccessful bids you have made. Bidders can use this information to better understand waiting times for certain areas, types and sizes of accommodation and can in turn use that knowledge when making decisions regarding future bids.

We will periodically advertise more generalised details regarding waiting times.

## 23. Reviews and cancellations

### 23.1 Reviewing and cancelling applications

As there is such a severe shortage of housing it is essential that we keep the Housing Register up to date. It is also essential that those who are recognised as having an urgent or high priority secure accommodation as quickly as possible in order to alleviate their housing need and to keep the Housing Register waiting times from building up artificially. As a result we will regularly review the applications of those that are not bidding for accommodation or who have bid and turned down accommodation.

### 23.2 If we review your application

We reserve the right to review your application at any time.

Following a review if we are satisfied that you have not had the opportunity to secure suitable accommodation we may:

- Extend your bidding time for a further period.
- Discuss your situation with you and look to revise your preferences in order to secure a move.
- Discuss other housing options with you.
- Make a direct offer of accommodation.

If, having reviewed your application, we are satisfied that you have failed to bid on suitable accommodation, have failed to attend a viewing or have unreasonably refused an offer we may:

- Extend your bidding time for a further period.
- Discuss your situation with you and look to revise your preferences in order to secure a move.
- Discuss other housing options with you.
- Make a direct offer of accommodation.
- Reduce your priority on the Housing Register.
- Cancel your application.

Please note that if you are accepted as homeless and in priority need in accordance with Part VII of the Housing Act 1996 and we make you a direct offer of accommodation that you subsequently refuse we will consider that we have discharged our duty towards you. Your application will be cancelled and no further offers will be made to you.

### **23.3 Your right to a review**

We may make decisions that you disagree with. Before requesting a review you should consider the Allocation Scheme. We clearly outline how we will assess applications and why. If your circumstances are not outlined in the Scheme it is unlikely that you will be placed into a priority band on the Housing Register. Unfortunately a large proportion of staff time is spent reviewing the applications of those that have little or no housing need. We understand that you may want to be on the Housing Register but housing resources are scarce. The reason that only those in the most severe housing need are assisted is because there is not enough affordable housing stock to meet everyone's needs.

You are able to request a review of the following:

- The assessment of your application.
- The priority you have been awarded.
- The cancellation of your application.
- The decision to reduce your priority.
- The suitability of any property offered to you.
- The decision to bypass your bid. Please note that this will only be in the instances where your circumstances met any advertised preferences.

You must submit the review request within 21 days of receiving notification of the decision which you want to be reviewed. Any review requests submitted after that time will not normally be considered

Where possible, in your request for a review, you should make reference to the section of the Allocation Scheme that you think is applicable to your circumstances.

Please note that we can only review information that you have already supplied. If your application has been correctly assessed but you failed to supply the requested or appropriate information at the point of application you are not entitled to have your application reviewed taking those circumstances into consideration. You will instead be asked to submit a new application which gives a clear and up to date account of your current situation. If you are placed into a priority band on the Housing Register by virtue of this new application your priority will begin from that point, i.e. the date you supplied all correct information. Your application will not be backdated.

### **23.4 How long will it take for a decision to be made?**

From the date that we receive your correspondence we aim to respond to you within 56 days. If the review is likely to take longer than this we will let you know what the amended response time is.

### **23.5 Who is the review carried out by?**

The review will be carried out by a senior member of staff who was not originally involved in the decision that you have requested a review of. This may not be a member of the Housing Needs Team, but will be a senior member of staff.

The decision of the reviewing officer will be final and you will not be entitled to a further review of their decision.

### **23.6 Who to contact to request a review**

Please ensure that you entitle your correspondence **Review Request**.

You can send a review request in the following ways:

By email to: [housing.compliance@bromley.gov.uk](mailto:housing.compliance@bromley.gov.uk)

By clicking the “Contact Us” button on the Bromley Homeseekers website

By post to:

Housing Compliance and Development  
North Block  
Bromley Civic Centre  
Stockwell Close  
Bromley  
BR1 3UH

## 24. Complaints, compliments and comments

We want you to tell us what we're doing well so that we can keep doing it. We also want to hear your ideas and suggestions so that we can improve the service that we offer. This includes ideas and suggestions about the Bromley Homeseekers website, the literature we produce and our staff.

However, we appreciate that we don't always get it right and there may be times when you want to complain about the service you have received.

Please bear in mind any complaint regarding the following will be treated in accordance with the review guidelines and will not be listed as a complaint:

- The assessment of your application
- The priority you have been awarded
- The cancellation of your application
- The decision to reduce your priority
- The suitability of any property offered to you

### 24.1 Who will respond to a complaint?

Your complaint will usually be investigated by a senior officer or the manager responsible for providing the service you have complained about.

### 24.2 How long will it take to receive a response?

From the date that we receive your correspondence we aim to respond to you within 20 working days. If a response is likely to take longer than this we will let you know what the amended response time is.

### 24.3 Who to write to with a comment, compliment or complaint

Please ensure that you entitle your correspondence **Comment, Compliment or Complaint**.

This can be sent via email to: [socialcarecomplaints@bromley.gov.uk](mailto:socialcarecomplaints@bromley.gov.uk)

Via post to: The Complaints, Compliments and Comments Manager  
Bromley Civic Centre  
Stockwell Close  
Bromley  
BR1 3UH

By phone on: 0208 464 3333

Having received a response to your complaint if you are still unhappy with how it has been dealt with you can contact the Local Government Ombudsman via post at:

The Local Government Ombudsman  
PO Box 4771  
Coventry  
CV4 0EH

By phone on: 0300 061 0614 or 0845 602 1983  
Via email to: [advice@lgo.org.uk](mailto:advice@lgo.org.uk)  
You can also text 'call back' to 0762 480 4299.

## **25. Service standards**

### **25.1 When you visit us**

- If you have a scheduled appointment, the person you have come to see will aim to meet you within 10 minutes of your appointment time.
- If you don't have a scheduled appointment we will do our best to help you. This may be over the phone at one of our receptions or we may need to arrange an appointment for you at a later date. You are not guaranteed to be seen if you do not have an appointment.

### **25.2 When we visit you**

- We will aim to arrive on time and will call you if we are running late.
- We will show you our ID card when we arrive.

### **25.3 When you phone us**

- We aim to answer calls courteously within 30 seconds.
- We will always try to answer your query straight away if we can
- If we don't know the answer to your question we will find out the answer and get back to you within one working day.

### **25.4 When you email or write to us to update your application or with a general query**

- We aim to respond with a full answer as soon as possible, but ideally within 5 working days of receiving your letter.
- If we can't respond in full within 5 days, we will let you know we have received your letter and try to follow up with an answer within the next 5 working days.
- Whatever happens, we will keep you informed.
- We will write in a clear, concise and easy to understand way.
- We will make sure that our departmental e-mail boxes are checked at least once a day during working hours.

### **25.5 When you email or write to us in order to complain or request a review**

- We aim to respond with a full answer as soon as possible, but ideally within 56 days of receiving your review letter or 20 days of receiving your complaint letter.
- If we can't respond in full within these timescales, we will let you know we have received your letter and try to follow up with an answer within the next 5 working days.
- Whatever happens, we will keep you informed.
- We will write in a clear, concise and easy to understand way.

## 26. Temporary accommodation

This Scheme does not cover the allocation or management of temporary accommodation for those placed into accommodation by the Council under Part VII of the 1996 Housing Act, as amended by the 2002 Homelessness Act.

Access to temporary accommodation is limited and when provided it is not required to reflect the bedroom standards outlined within this Scheme. Those placed into temporary accommodation will not be assessed or awarded a priority in respect of overcrowding.

Any problems that arise in relation to disrepair should, in the first instance, be reported to the landlord in order to be rectified. If the problem persists you should then notify the Council's Housing Management Team who will work with you and the landlord to get the matter resolved.

There are separate guidelines covering the allocation of temporary accommodation details of which can be obtained by contacting the Council's Housing Management Team via email at [housing.management@bromley.gov.uk](mailto:housing.management@bromley.gov.uk)

## 27. Appendix 1 - Glossary

| Word                | Definition   |
|---------------------|--|
| Alleviate           | To make something bad such as pain or problems less severe.  |
| Advocate (Advocacy) | To publicly support or suggest an idea, development or way of doing something.   |
| Bid                 | This means that you can express your interest in the vacant properties advertised on the Bromley Homeseekers website. It does not mean that you have to use your own money to participate in the scheme.   |
| Bidding Cycle       | The period of time when properties are available to be bid on.   |
| Category One Hazard | A Category One Hazard is one where following a complicated assessment of defects and deficiencies at a property against 29 prescribed hazards detailed in the Housing, Health and Safety Rating System Regulations, (Part 1, Housing Act 2004), there is found to be a severe risk to any occupants or potential visitors during the course of the next 12 months when compared to a notional average for a property of similar age or type. |
| Cohesion            | When the members of a group or society are united.   |
| Community Stability | The capacity of a community (incorporated town or county) to absorb and cope with change without major hardship to institutions or groups within the community.  |
| Direct offer        | An offer of accommodation where the property has been selected by the local authority (bypassing the bidding process).   |
| Effective Date      | The date which your priority applies from.   |
| Facilitate          | To make possible or easier.  |
| Housing Needs Team  | Those included within the Housing Needs Team are the Housing Team Managers, Housing Group Managers and the Head of Housing Needs.  |
| Housing Stock       | This means dwellings such as houses, flats, maisonettes, bungalows and bedsits. It does not refer to caravans, mobile homes or plots of land.  |
| Liaison             | Communication between people or groups who work with each other.   |

|   |   |
|---|---|
| Misconception   | An idea which is wrong because it has been based on a failure to understand a situation.  |
| Ombudsman   | Someone who works for a government or large organization and deals with the complaints made against it.   |
| Partner RSLs also known as Housing Associations or Registered Providers | Registered Social Landlords who fully participate in Bromley Homeseekers; i.e. manage their transfer list through the Housing Register and advertise all of their vacancies via Bromley Homeseekers.<br><u>Or</u><br>Registered Social landlords who enter into a reciprocal agreement on behalf of an individual tenant or location. |
| Partnership Working   | Partnership working is working together across organisations. It brings different skills and resources together to deal with a common problem. It is a long term approach and requires flexibility and openness.  |
| Prognosis   | A statement of what is judged likely to happen in the future, especially in connection with a particular situation.   |
| Preference Categories   | The local and reasonable preference categories.   |
| Prohibition Notice  | An enforcement notice which is used to help authorities deal with serious risks, secure compliance with health and safety law and prevent harm.   |
| Reciprocal (agreement)  | A reciprocal action or arrangement involves two people or groups of people who behave in the same way or agree to help each other and give each other advantages.   |
| Recourse  | Using something or someone as a way of getting help, especially in a difficult or dangerous situation.  |
| Retrospective   | Looking back on or dealing with past events or situations.  |
| Sustainable Communities   | Communities planned, built, or modified to promote sustainable living. They tend to focus on environmental sustainability (including development and agriculture) and economic sustainability.  |