

South Cambridgeshire District Council

LETTINGS POLICY

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Chapter 1: Introduction

South Cambridgeshire District Council aims to help as many people as it can to find a home that is right for them. The Council can provide advice on appropriate housing options for people seeking rehousing.

This document outlines the Council's lettings policy with regard to registering and assessing the priority of people who wish to access social rented accommodation. The assessment of need is based on a banding system. A customer's housing need band will be determined based on the household's current circumstances and the type of home they currently live in. The lettings policy has been designed in collaboration with the sub-regional partner organisation of the Choice Based Lettings scheme, with the aim of having as much consistency in the letting of social housing as possible.

The policy enables South Cambridgeshire District Council to consider the individual needs of its customers whilst making best use of our homes. The policy sets out:

- How to apply for housing
- How customers can apply to go onto the register for housing
- Who is eligible to be accepted onto the housing register
- How an assessment of housing need is undertaken
- What the decision making processes are
- How homes will be let.

South Cambridgeshire District Council will also publish procedures, which will be available to view at xxxxx.

The majority of Council properties are let through the xxxxxx Choice Based Lettings scheme that covers the Cambridge sub-region. You may view the sub-regional Choice Based lettings framework document at xxxxx or request a copy.

Objectives of the lettings policy

The lettings policy has the following objectives:

- To meet the legal requirements for the allocation of social housing as set out in the Housing Act (1996) and Homelessness Act (2002);
- To assist customers in the highest assessed need;
- To let properties in a fair and transparent way and provide a consistent lettings process;
- To ensure that customers are not discriminated against, whether directly or indirectly;
- To form part of a housing options approach and to provide realistic choices to help customers meet their housing needs;
- To provide customers with feedback on lettings;
- To improve mobility across the sub-region; and
- To promote social inclusion and help achieve sustainable communities.

Statement on Choice

South Cambridgeshire District Council is fully committed to enabling customers to play a more active role in choosing where they live, whilst continuing to house those in the greatest need, through the sub-regional scheme.

In making a decision about the choices available, customers need to consider their housing need band against the availability and level of demand for properties within South Cambridgeshire and the sub-region.

Legal context

All lettings will be made in accordance with the lettings policy. South Cambridgeshire District Council will ensure the lettings policy complies with all legislative requirements, related legislation, case law and local policies and strategies. All references to statutory material are by way of summary and for convenience only and are not to be used as substitutes for the details within the original.

This is not a blanket policy, all cases will be considered on a case-by-case basis, on their individual circumstances.

Monitoring and reviewing the lettings policy

South Cambridgeshire District Council will monitor the implementation of the lettings policy by monitoring lettings to ensure potentially vulnerable customers are assisted and that the policy does not discriminate against any groups of people. We will regularly review the policy to ensure it meets its objectives and complies with legislative changes.

Equal opportunities and diversity

Our service will be responsive, accessible and sensitive to the needs of all. We will not tolerate prejudice and discrimination and we will actively promote equality.

Chapter 2: How to apply

To apply for housing, customers are required to complete a housing application form. This can be obtained from any sub-regional partner organisation's (POs) office, or via the following internet address: www.XXX

A customer may include anyone that may reasonably be expected to live with them as part of their application.

On return of the application form, we will assess the form and may request additional information and supporting evidence so that the customer's eligibility and housing need can be confirmed. We will verify the information provided which may include inviting the customer for an interview.

We will write to customers to inform them of:

- their eligibility to join the housing register;
- their application number;
- their date of registration for the scheme;
- the housing needs band the application has been placed in;
- their date placed in the band;
- the size of property the customer is eligible for; and
- how to have a decision reviewed.

Date of registration

The customer's application will be registered from the date the housing application form is received at the office of South Cambridgeshire District Council, or any of the sub-regional offices. If the form is completed over the internet, the date the form is received electronically is the date of registration.

Applicable date in band

Upon registration, or following a material change of circumstances, customers will be placed into a housing needs band, based on an assessment of their current situation. The

applicable date will be the date that a customer is placed in one of the four housing needs bands.

Customers may move into different housing needs band, if their circumstances change. When moving from one housing needs band to another the applicable date will be the date that the customer moves into that band.

Joint applications

Where there is a joint application, permission from both customers will be required to cancel the application. If the customer wishes to re-apply for housing after their application is cancelled, the date of registration is the date they reapply.

Either customer may take their name off a joint application, and re-apply to the register. Under general circumstances we would then re-assess both applications except where doing so would place one of the customers at risk.

Multiple applications

A customer can have only one active application on the housing register at any time. The situation cannot occur where a customer is registered once as a main applicant and is named on another application as part of a family to be rehoused.

Change of circumstances

Where a customer has a change in their circumstances they must inform us. Customers can obtain a change of circumstances form from any PO. Their housing needs assessment will be based on the new circumstances. Examples of change of circumstances are detailed below, although this list is not exhaustive;

- people joining or leaving the household;
- pregnancy/birth of a child;
- a member of the household applying in their own right;
- relationship breakdown;
- change to your medical circumstances;
- death of a household member;
- change of income/ capital.

Customers moving home will be required to complete a new application form which will be treated as a change of circumstances with regard to the customer's original date of registration.

Customer's consent and declaration

When a customer applies for housing, they will be required to sign a declaration to confirm that:

- the information they have provided is true and accurate;
- they will inform us of any change in circumstances;
- they understand that information will be shared with all the POs; and;
- they consent to us verifying information they have provided. This could include checks with;
 - a credit reference agency to verify address, household and income details;
 - their previous and/or current landlord to establish whether tenancy conditions have been adhered to.

South Cambridgeshire District Council may take legal action against customers who withhold or provide false information regarding their housing application. Where a customer has been let a property as a result of providing false information, we may take court action to obtain possession of the property.

Application review

When a customer has not expressed an interest in any available properties for one year, we will write to them to see if they still wish to be on the housing register. If there is no response within 28 days the application will be cancelled. We will write to the customer to notify them of this. If a customer contacts us within 28 days of their application being cancelled and indicated that they still want to be considered for housing the application will be reinstated from their last applicable date.

Cancelling an application

An application will be cancelled from the housing register in the following circumstances:

- at the customer's request;
- if the customer becomes ineligible for housing (see chapter 3);
- when the customer has been housed by a local authority or housing association;
- when a customer purchases a property;
- when a customer has purchased a property via a shared ownership scheme;
- when a tenant completes a mutual exchange;
- where a customer does not maintain their application through the review process, or where they move and do not provide a contact address; or
- when we are notified by an executor or personal representative that a customer is deceased.

When an application is cancelled, we will write to the customer or their representative to notify them. Where an applicant has been highlighted as vulnerable, we will verify the customer's circumstances before cancelling the application. The customer has the right to ask for a review of the decision.

Where a customer wishes to re-join the housing register at a later date, their application date will be the date they re-apply.

Chapter 3: Eligibility to be accepted onto the housing register

Eligibility categories

Anyone 16 years of age and over can apply to the housing register if they are eligible to be housed. However, this does not guarantee housing under the scheme. We will not register people who are not eligible to be housed. Evidence of eligibility may be required to complete registration.

Under the Housing Act (1996), local authorities must consider whether applicants are eligible for housing assistance. This relates to some people who may have been living abroad or who do not have permanent permission to remain in the UK. Some people will be eligible, whether or not they are subject to immigration control. Those who are eligible for housing assistance are defined in SI 206 no 1294: The Allocation of Housing and Homelessness (Eligibility) (England) regulations 2006.

Who is not eligible

South Cambridgeshire District Council cannot, by law, allocate housing accommodation to anyone who is subject to immigration control within the meaning of the Asylum and

Immigration Act (1996), unless they fall within a class exempted from this restriction by Government regulations.

In addition, we cannot, by law, allocate housing accommodation to other classes of persons from abroad if Government regulations dictate we cannot.

Notifying an ineligible customer

Applications from ineligible customers will not be registered. The customer will be notified in writing of the decision and the reasons for the decision will be explained to them. If a customer is accepted onto the register, but subsequently becomes ineligible, their housing application will be cancelled and the customer notified. Customers found to be ineligible have a right to ask for a review of the decision (see chapter 14).

16 to 17 year olds

Any customer aged 16 or over can apply for housing, however a tenancy will not usually be granted to a person who is under 18 unless:

- the customer is found to be statutorily homeless; or
- under Section 27 of the Children Act (1989), housing authorities are required to respond to Social Services, who have duties towards children under the act; or
- the customer will be supported in the tenancy and we are satisfied with the level of support provided.

Some 16 and 17 year olds who cannot live with their parents, and who require social housing, may be offered semi-independent accommodation with support.

If a tenancy is offered to a customer who is under 18 an equitable tenancy will be offered and a rent guarantor may be required until the customer reaches the age of 18.

Chapter 4: Assessment of housing need

Legal background

All customers will be placed in a housing needs band based on an assessment of their household's needs. This is to ensure that councils meet their legal obligations as set out in the Housing Act (1996) amended by the Homelessness Act (2002).

Housing needs bands

There are four bands of housing needs. Customers will be placed in one of the following bands depending on their circumstances. Customers placed in Band A will have the highest assessed need, Band D the lowest.

Advice and assistance

We will make sure that advice and information is available free of charge to everyone in the district on how to apply for housing accommodation. If a customer is likely to have difficulty making an application without help, then help will also be made available free of charge.

Customers have a right to request general information about their housing application that will allow them to judge:

- a) how their application is likely to be treated under our lettings scheme;
- b) whether accommodation appropriate for their needs is likely to be made available and, if so, how long it is likely to be before it becomes available.

A range of information will also be available on request both district-wide as well as for individual villages, about our and housing association homes, numbers waiting for rehousing, numbers rehoused and likely new developments in the district. However, it will only be possible to give approximate timescales about when a customer can expect to successfully secure a property through the choice based letting scheme. This will be based on current trends in the availability of properties by size, type and location as well as the banding of a customer.

We will not give out information to other members of the public about a person being registered for housing without the customers consent. Personal information about any individual application will always be kept confidential.

The housing advice and options team can provide further advice about the lettings policy, the choice based lettings scheme and other housing options.

Band A: Urgent Need

Customers with the following circumstances will be placed into Band A

a) Emergency Transfer

Where a tenant of a PO needs to move urgently because of circumstances that could include:

- major repairs required on the property which cannot be undertaken with the tenant living in the property;
- the property is being demolished – those in private tenancies in clearance areas may also be considered;

b) Statutorily homeless:

Homeless applicants accepted as homeless (in priority need, not intentional and eligible to receive a full housing duty) by one of the POs, under Part VII of the Housing Act (1996), as amended by the Homelessness Act (2002).

c) Statutorily overcrowded

Customers who are statutorily overcrowded. The Housing Options Officer, will determine if a household is statutorily overcrowded.

d) Current supported housing resident

The resident has been assessed by South Cambridgeshire District Council and the supported housing provider as ready to move into permanent accommodation and local move-on arrangements are in place and have not been found to be homeless and in priority need. This will be confirmed by the Housing Options officer after consultation with the support provider.

e) Urgent health and safety risk

Where it has been assessed that the customer is living in a property that has conditions that are classified as unsafe, or there is a risk of imminent harm which cannot be remedied in a reasonable time and where the damage has not been a result of deliberate action by the occupant. The Housing Options Officer will assess whether this priority is appropriate in conjunction with the Environmental Health department.

f) Urgent medical need

Where a customers housing is having a major adverse effect on the medical condition or disability of the customer or member of their household, which will be significantly improved by alternative accommodation, they will be assessed as having an urgent medical need..

g) Urgent multiple needs

Where we have assessed the customer as having two or more Band B needs. The Housing Options officer will decide if a customer has multiple high needs.

Band B: High Need

Customers with the following circumstances will be placed into Band B.

a) High health and safety risk

Where it has been assessed that the customer is living in a property which has conditions which places them at a high risk of harm which cannot be remedied in a reasonable time and where the damage has not been a result of deliberate action by the occupant. The Housing Options Officer will assess whether this priority is appropriate in conjunction with the Environmental Health department.

b) High medical need

Where the customer's housing is having an adverse effect on the medical condition or disability of the customer or member of their household, which will be improved by alternative accommodation they will be assessed as having a high medical need.

c) Victim of harassment

Where the customer is a victim of harassment. This applies if the person is harassed due to their race, gender, sexual orientation, mental health, physical disability, learning disability, religion or because they are a member of another specific group not listed. An investigation into their circumstances will be undertaken and support options to resolve the situation will be considered.

d) Lacking two bedrooms

Based on the bedroom calculation in Section 4.5, the household is assessed as lacking two bedrooms.

e) Under-occupancy by two or more bedrooms

Where an existing social housing tenant in the district is living in a property which has two bedrooms more than is required by the household, or where a property has been adapted and the adaptations no longer required.

f) Threatened with homelessness

Where a customer has been assessed as being threatened with homelessness in more than 28 days time, is considered to be in priority need and has been through homeless prevention options with a PO and all other options have been exhausted.

Where a customer is threatened with homelessness within the next 28 days, they should approach the housing advice and options team who will undertake a housing options interview.

g) Multiple needs

Where we have assessed as having three needs from band C
The Housing Options officer will decide if a customer has multiple medium needs.

Band C: Medium Need

Customers with the following circumstances will be placed into Band C.

a) Insecure accommodation

Where a customer is living in insecure accommodation. This could be because the customer is:

- homeless or threatened with homelessness but not in priority need;
- sleeping rough or no fixed abode;
- has been found to be statutorily homeless but does not have a local connection to the sub-region;
- is living in a hostel which does not have a move-on agreement in place with us
- is living in tied accommodation and the employment is ending;

- is intentionally homeless.

b) Medical need

A medium medical need is awarded, where the customer's housing is having a minimal effect on the medical condition or disability of the customer or member of their household, and a move to different accommodation would improve their quality of life.

c) Under-occupancy by one bedroom

Where an existing social housing tenant in the district is living in a property, which has one bedroom more than is required by the household.

d) Social needs to move

Where it has been confirmed that a customer:

- needs to move to an area to give or receive support and a proven level of support is required and can be given;
- has found employment in an area and needs to move closer to work, or will otherwise lose their employment;
- has staying access to a child/ children whilst living in accommodation where children are not allowed to stay overnight,

This list is not exhaustive. The housing options officer will decide if customers have a social need to move.

e) Poor housing conditions.

Where the customer's home is lacking one of the following; or these are shared with people who are not part of their housing application.

- a bathroom;
- a kitchen;
- a living room;
- is lacking one bedroom (see section 6). or
- living above ground floor with children under 10 years of age.

Band D: Adequately Housed

A customer will be assessed as being adequately housed when they do not fall into any of the other housing needs bands.

Chapter 5: Decisions making processes

Decisions relating to the assessment of need will be made by the Housing Options Officer through the assessment process. These decisions will include:

- Emergency housing status
- Multiple needs
- Offers of accommodation outside the usual size criteria
- Suspension of applications
- Reduced preference through the shortlisting process
- Financial assessment

Emergency Housing

Where it is confirmed that a customer needs to move in emergency circumstances, as remaining in their home may cause risk of death or serious injury. Customers with an emergency housing status will sit in a housing needs band where they will bid for available properties, but their applications will be short listed before all other customers. Emergency

status is time-limited for three months and only in exceptional circumstances will it be extended.

An emergency housing status will be awarded to applicants with 2 or more identified needs in Band A.

Review for Band A customers

Where a customer has held Band A status for three months from their applicable date in band A, there will be a review of their circumstances. This will result in either;

- a direct let – usually for statutorily homeless customers living in temporary accommodation;
- priority being maintained;
- moving into a lower priority band if the circumstances under which they were placed in Band A no longer apply.

Decisions made outside the scope of the lettings policy

The following decisions are made outside of Part 6 of the Housing Act 1996, and are outside the scope of the lettings policy:

- mutual exchanges;
- persons transferring from introductory to secure tenancy in the same property;
- where a secure tenancy is assigned by way of exchange (succession) to the same property;
- where a secure tenancy is assigned to someone who would be qualified to succeed to that tenancy if the secure tenant died immediately before the assignment;
- creation of a joint tenancy from an existing sole tenancy; and
- where an existing tenant is moved on a temporary basis from their permanent property, to allow major work to be completed on the property.

Extra care homes

Extra care homes are properties for older people where additional services are provided. Allocation to extra care homes will not be made through CBL. Each local authority has its own process for dealing with such allocations, often based on referrals from the Social Services Department.

Chapter 6: Assessment information and criteria

The following section outlines criteria taken into account when considering assessments of housing need.

Harassment and domestic violence

Where the customer is a victim of severe harassment, domestic violence or anti-social behaviour, it is the policy of the South Cambridgeshire District Council to take action against the perpetrator (where the perpetrator is a tenant) and support the victim to continue living in their home wherever possible.

Bedroom requirements

The list below, will be used to assess overcrowding and therefore whether they are lacking any bedrooms in their current home;

- couples require one double bedroom;
- single adults require one bedroom (an adult for this purpose is classed as aged 18 or more);
- two children of the same sex under 10 years old require one double bedroom;
- if there are three children in one room they will be assessed as lacking one bedroom;
- two children of the opposite sex, where the oldest child is aged 6 years or over require two bedrooms; and
- a pregnant woman expecting her first child requires two bedrooms after 24 weeks of pregnancy.

The assessment will be made on the basis of what the family could reasonably be expected to live in. Customers will be assessed on the assumption that they are making best use of their existing property i.e. if a single parent is sleeping in a double room, but their two children are in a single room, they would be assessed as adequately housed.

Where a customer has written approval from the Social Services Department of their local authority to adopt a child, this will be taken into account when considering the bedroom requirements of the family.

Medical assessments

Medical assessments will only be considered for medical conditions that are affected by the customer's current home. Where there is a temporary medical condition, a medical assessment will not usually be undertaken.

When a customer's current home is affecting their health they may apply for a medical assessment. A customer should complete a medical form which asks for details of the medical conditions, or disability, giving reason why their current property affects that condition and the reason why they wish to move.

The housing options officer will decide the medical priority.

Staying Contact with Children

Where a customer has staying contact with children, the children will only be considered as part of that housing application if they live with the customer for the majority of the time (over 50%).

Where access has been shared equally between two partners, it is unlikely that accommodation of the same size will be made available to both parents. Usually, a parent with staying contact to children for less than 50% of the time will not be allocated an additional bedroom for that child.

Split families

Where family members who would normally be expected to live together are presently living separately, housing need will be assessed based on the circumstances of whichever home is more appropriate, assuming that it were available for the entire family to live in.

A customer intentionally worsening their housing situation

If, in the reasonable opinion of South Cambridgeshire District Council, a customer has worsened their housing circumstances deliberately, their housing needs will be assessed on the basis of their previous accommodation.

Financial resources

All qualifying customers are entitled to apply for housing, no matter how much they earn, but if a customer has an income and/or capital which will enable them to access suitable owner occupied accommodation (including low cost home ownership) , they will not receive any preference for rented housing. We will calculate a household's financial resources based on 100% of the customers (including partner) income and any capital. Assessments will be based on these financial resources, average property prices across the district and a customer's ability to obtain a mortgage. The ability to be able to fund a mortgage of a suitable property is based on three times the relevant household income.

The housing options officer will assess whether any applicant exceeds these financial limits and whether they may be considered for rented accommodation based on a financial assessment and evidence of their inability to fund a minimum share under the low cost home ownership schemes.

If any customer has significant capital available to them for example savings/ investments or a property that together with their income, would enable them to buy a home on the open market or would enable them to purchase a share of a suitable property under a low cost home ownership scheme, they will not be given any preference for rented housing.

The housing options officer will assess whether any applicant exceeds these capital guidelines.

The financial criteria may be reviewed at any time.

If a customer exceeds the financial limits and they can prove that they still cannot afford to pursue a low cost home ownership scheme the housing options officer will assess the application, taking into account the households particular circumstances before making a decision.

Customers aged over 60 who have sufficient capital through ownership of property and/or in savings at the time they apply, or have owned a property at any time within five years of their application, will normally be considered for sheltered housing only in villages with such schemes and will be expected to take part in our leasehold equity share scheme. If an applicant wishes to live in a village with no sheltered housing scheme, in order to receive support from family or other formal or informal care networks, then they may be offered a non-sheltered bungalow but will be expected to take part in the shared ownership scheme.

Full details of the equity share scheme are available from the housing advice and options team.

A person who would normally be required to take part in this scheme, but who does not have enough money to do so, for example they need to move from a part of the country where house prices are lower, then we may consider offering a home to that customer. A full financial assessment will be carried out by the housing options officer who will decide whether the customer is eligible or not for rented accommodation.

High Risk Offenders

Where a high-risk offender is subject to a Multi Agency Public Protection (MAPP) panel, we will liaise with the panel to ensure an appropriate housing solution to meet the needs of the customer and the community as a whole.

Chapter 7: Suspension

Introduction

In certain circumstances, customers will be accepted onto the housing register, but their application will be suspended. Their application will not be placed in a housing needs band and they will not be able to express interest in available properties. It will be the housing options officers' decision whether to suspend an application.

Suspension criteria

A customer will be suspended if they (or a member of their household) have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant - based on s.160A of the Housing Act (1996) as amended by the Homelessness Act (2002).

Unacceptable behaviour is behaviour by the customer or a member of their household that would have entitled the landlord to a possession order under s.84 of the Housing Act (1996) in relation to any of the grounds in Part 1 of Schedule 2 other than ground 8, had they been a secure tenant of South Cambridgeshire District Council at that time.

Informing customers of their status.

Customers who have been suspended will be notified of this in writing. They have the right to a review of the decision.

Suspension decisions will be reviewed regularly. Each case will be treated individually.

Customers will be notified how their application can be removed from suspension, for example, through agreeing an arrangement to make payments towards rent arrears, and maintaining regular payments for a specified time.

Chapter 8: Local connection criteria and sub-regional allocations

To ensure local housing needs are met, 90% of properties advertised through the CBL scheme will be labelled as available to customers with a local connection to South Cambridgeshire District Council. It has been agreed that 10% of advertised properties will be available to a customer who has a local connection to any authority within the Cambridge Sub-region. It has also been agreed that 25% of new growth homes will be made available for cross boundary mobility. The relevant local connection requirement will be clearly labelled on the property advertisement.

Local connection criteria

One or both of the main or joint customers must fit one of the following criteria to be considered as having a local connection to South Cambridgeshire District Council;

- they live or work in the local authority area; and/or
- they have lived in the local authority for at least 6 of the last 12 months, or 3 of the last 5 years; and/or;
- they are an ex-resident of the local authority and previously lived there for 5 years or longer; and/or;
- they have family members who are resident in the local authority area. Family members are defined as parents, children or brothers or sisters who have been resident in the local authority for a period of 5 years; and/ or;
- there are special circumstances, which we consider gives rise to a local connection.

The same criteria will be used by the other POs in the Cambridge Sub-region when assessing local connection to their areas. For the properties which are advertised on a sub regional basis, the successful customer must meet the above criteria for any Local Authority within the Cambridge Sub-region.

The housing register is open to anyone, irrespective of their local connection to South Cambridgeshire District Council.

Chapter 9: Area Specific Policies

Area Specific policies are used in specific areas to help create balanced and sustainable communities. Where this applies, it will be stated in the property label. Details of these schemes are available from the Housing Advice and Options Team. Some schemes may ask for a customer to have a local connection to a specific parish or village. In those cases, the connection criteria may be defined above for that specific locality or a different definition will be included in the policy.

Chapter 10: Making offers of accommodation

Properties that have been advertised through CBL will be allocated as follows.

A shortlist will be drawn up from customers who have bid for the property. Customers will be shortlisted based on whether they are eligible to be housed and if they meet the labelling criteria (see the scheme framework document for labelling criteria).

The property will be offered to the shortlisted customer in the highest housing need band. If there is more than one customer in that band, the property will be let to the customer who has been waiting longest in that band. If two or more customers are placed into the housing needs band on the same date, the property will be let to the customer with the earlier date of registration.

Former and current rent arrears, and any incidents of anti-social behaviour will be taken into account in the shortlisting process and reduced preference may be given to these customers, following consideration of the amount of debt outstanding, the date the debt accrued, arrangements to clear these debts and adherence to these arrangements and/or current behaviour

We will contact the highest prioritised bidders from the shortlist to arrange an accompanied viewing. Customers may be asked to provide additional information at this stage if further verification of the application is required.

When making a formal offer, we will set a deadline by which the successful applicant may accept or refuse the offer.

Whilst an offer of accommodation has not yet been accepted or refused, the customer will not be able to express interest in or be considered for other properties within the sub-region.

Withdrawal of offers

In very exceptional circumstances, we may withdraw an offer of accommodation:

- where there has been a change in the customers circumstances;
- following verification the customer is not eligible for the home; or
- where an error has been made in the advertising criteria.

Lettings in exceptional circumstances

To ensure that allocations are sensitively made, in exceptional circumstances, we may make an offer a property to a customer below the person who tops the shortlist. This may be to protect vulnerable customers or to make best use of housing stock. The housing options officer will decide when this is necessary.

Offer refusals through CBL

Usually, if a customer refuses an offer of accommodation through CBL, they will not be removed from their housing needs band. If a customer refuses three offers of a home made through CBL, their case will be reviewed.

Allocations to staff, family members of staff and elected members

Members of staff, their close family and elected members who require housing may apply for housing in the same way as other customers. Their status should be disclosed on the application form at the time of applying.

Before a customer who is a member of staff, their direct family or an elected member is made an offer, approval will be sought from the Executive Director.

Chapter 11: Direct lets

Introduction

Most properties will be advertised through the CBL scheme. However, in certain circumstances, we will allocate properties directly to customers and not advertise the property. These are known as direct lets.

Feedback will be provided showing all properties that have been allocated as a direct let.

Customers who are eligible for a direct let will usually be made one reasonable offer to meet their household's needs. The offer will, where possible, take into account their preferences, such as property type and areas. In certain circumstances, this will not be possible, for example where properties are in very short supply and we have a statutory duty to rehouse.

Customers may continue to bid for properties through the CBL scheme whilst waiting for a direct let.

Direct let examples

Illustrative examples of direct lets are as follows:

- where an allocation is required to ensure protection of the public, for example, following a decision made by a Multi-Agency Public Protection panel, or where a customer has been referred as part of the witness protection scheme;

- where an existing South Cambridgeshire District Council social housing tenant is required to move to make the best use of stock; for example, if they are under-occupying the property;
- where an existing social housing tenant in the district needs to move due to imminent risk to safety.
- where a sensitive let is required for a particular property, because of issues such as drug dealing, violence, public protection, or anti-social behaviour in the area;
- where a customer's property is being repaired and they need to be moved from the property on a temporary or permanent basis.
- Statutorily homeless applicants who have been in band A for more than three months.
- Properties let as temporary accommodation.

Customers in Band A will have their case reviewed regularly and may be given a direct let. Each authority has a local policy stating the length of time spent in Band A before a direct let may be made.

Refusals of direct lets

Where a customer refuses a reasonable direct let offer, they may lose any housing priority they held, and their application will be re-assessed, dependent on the reasons for the offer refusal. Customers have the right to ask for a review of this decision (see chapter 14).

Chapter 12: Statutorily homeless

The homeless application

If a customer is accepted by South Cambridgeshire District Council as being Statutorily Homeless and in Priority Need, based on the Housing Act (1996), as amended by the Homelessness Act (2002), their application for housing will be placed in Band A. The customer will remain in their existing housing needs band during the homeless assessment.

During the homeless assessment, we will establish areas in which it is reasonable for the customer to be housed. Customers will be expected to select 25 villages within the district once accepted as homeless. This information will be used to help us make a direct let to discharge our duty if a customer who has been found to be statutorily homeless has not been successful in bidding for available properties within three months.

Where customers do not select the required number of villages in line with the council's policy, we will select these villages automatically and may include the whole of the district. Customers are expected to consider a wider area than specific villages that they would ideally wish to be housed in. They may bid for properties outside these pre-selected villages.

Direct lets to homeless customers

Customers who have been found to be statutorily homeless are eligible for a direct let in addition to being able to express interest in available homes. Where a customer who is considered to be statutorily homeless refuses an offer of accommodation which they bid for through CBL, they will stay in the same housing band and duty will not be discharged. However, if a reasonable offer made as a direct let is refused, the council's duty towards the customer as a homeless household will be discharged and they will have to leave any temporary accommodation being provided.

The council will continue to review each customer's circumstances and property availability. The customer will be informed at what point they will be allocated a property via a direct let in order to resolve their homelessness.

Where a customer is allocated a property through the direct let process, we are responsible for determining the suitability of the allocation. We will do this by assessing the household's particular circumstances and needs and have regard to the housing conditions in the area.

Where a customer is offered a direct let, but does not feel that this is a suitable offer, they have the right to request a review of the offer. Details of the review process can be obtained from the housing advice and options team. Customers are advised to accept the direct offer whilst the review is carried out. If, after review, the property is felt to be a reasonable offer, no further offers of accommodation will be made, the council's duties will be discharged and the customer will lose Band A status. If the customer is in temporary accommodation provided by the council they will have to leave the accommodation. If, on review, the property is felt to be unsuitable then they will be made a further offer of suitable accommodation as soon as possible.

Chapter 13: Confidentiality and Access to information

When a customer applies for housing, we will seek only information that we require to assess the customer's application and housing needs. Information supplied by the customer will be shared amongst the POs and participating RSLs. The customer will sign a declaration to agree to this.

Information held about an application will be kept in accordance with the Data Protection Act (1998) and the Freedom of Information Act (2000). Under the Freedom of Information Act/ Data Protection Act customers have the right to ask to view and receive a copy of any information held about them on computer or on paper records. This information must be provided within 40 days of a written request being made. In accordance with the Act, there will be a £10 charge for requests information.

Confidential information held about customers will not be disclosed to third parties apart from:

- where the individual who is the subject of the confidential information has consented to the disclosure;
- where we are required by law to make such disclosures;
- where disclosure is made in accordance with an information sharing protocol.

Chapter 14: Reviews of decisions

Statutory reviews of decisions

A customer has the legal right to ask for a review of certain decisions made regarding their housing application. These are:

- if the customer has been suspended
- any decision about the facts of the customer's case which has been taken into account in considering whether to make an allocation; or
- the customer has been found to be ineligible for rehousing.

If a customer requests a review of one of these decisions, they should contact us. All relevant letters notifying customers of a decision being made regarding their application will advise them of the right to a review and provide appropriate guidance on how to request a review.

The housing advice and options manager will usually consider your review unless they have had any involvement in the initial decision. In these circumstances, reviews will be considered by the housing services manager or another senior council officer.

A request for a review of a decision can be made in writing or verbally to a member of staff. The request should be made within a reasonable period since the customer was notified.

Reviews will be considered within 28 days of the request being received and the customer will receive a written response outlining the result of the review.

A customer may only have a decision reviewed once. If a customer is still unhappy following the review of a decision, they can make a complaint through the council's complaints procedures, contact the Local Government Ombudsman, or seek further advice from, for example, the Citizens Advice Bureau.

Homeless reviews

Homeless applicants have the right to request a review of certain decisions. This includes the decision to discharge duty through a reasonable offer of accommodation via the housing register for those accepted as statutorily homeless. Applicants are generally advised to accept the property and continue with their request for a review. If the review goes in their favour alternative accommodation will be provided as soon as possible, however, if the council's decision remains the same no further accommodation will be provided in relation to their homeless application. The review request must be made within 21 days of notification of a decision, although a late review request can be accepted under exceptional circumstances at our discretion. Please contact the housing advice and options team for further details of the homeless review procedure.

The Local Government Ombudsman

The Local Government Ombudsman investigates complaints of injustice arising from maladministration by local authorities and other bodies. They can be asked to investigate complaints about most council matters including housing.

If a complainant is not satisfied with the action the council takes, he or she can send a written complaint to the ombudsman. A complainant must give us an opportunity to deal with a complaint first, using its complaints procedure.

The Local Government Ombudsman can be contacted at:

Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry CV4 8JB

Tel: 01904 380200 Website: www.lgo.org.uk

If a customer wishes to make a complaint against a housing association, they should contact:

The Housing Ombudsman Service
Norman House
105-109 Strand
London
WC2R 0AA

Tel: 020 7836 3630 E- mail: ombudsman@ihos.org