

# Wandsworth Council

# The Housing

# Allocation Scheme



Approved September 2016  
Effective from February 2017



If you try to obtain accommodation by making a false or misleading statement, by withholding information or by failing to inform us of a change in your circumstances, it is likely that your application will be cancelled. You may also be prosecuted. If you have moved into a council or housing association home, legal action may be taken against you to recover possession of the property. You may also be guilty of a criminal offence and be fined.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you provide for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

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# Part I. Introduction and overview

## Introduction

- 1.0.0. This document is the housing allocation scheme used by the council with effect from 3 April 2018. Housing authorities are required by section 166A(1) of the Housing Act 1996 (as amended) to have an allocation scheme for determining priorities and to set out procedures to be followed in allocating housing accommodation. For the purposes of Part VI of the Housing Act 1996, a housing authority allocates accommodation when it selects a person to be a secure or introductory tenant of accommodation held by that authority or nominates a person to be an tenant of accommodation held by a private registered provider of social housing (PRP) or a registered social landlord (also known as housing associations). Nominations to PRPs are made using the same priorities as for allocations to council dwellings. However, the council does respect the integrity of the lettings policy of the PRPs concerned. The scheme only covers allocations made by the council exercising its housing authority functions. It does not apply to the granting of family intervention tenancies.
- 1.0.1. The scheme provides details of how applications for housing may be made, the supporting information required to allow the council to assess such applications and how the council gives reasonable preference to applicants with certain indicators of housing need. Also in these sections are details of how the council determines priorities when allocating properties. The scheme details the procedure for eligible and qualifying applicants who do not have a statutory right to succeed to a tenancy and circumstances where the tenant has moved to a more supported environment leaving family members or carers in occupation.
- 1.0.2 The scheme also provides details of:
- the points scheme(s) and banding system(s) adopted by the council to assess competing applications within the various access queues;
  - when and how applicants dissatisfied with decisions taken under the scheme may seek a review;
  - the procedures used to administer the scheme; and
  - which officers are responsible for decisions under the scheme.
- 1.0.3. This scheme does not set out details of the types and lengths of tenancies that will be offered to applicants who are allocated properties. The type and length of tenancy an applicant will be offered if they are allocated a property will be determined by the tenancy policy of the landlord. For Wandsworth Council properties, applicants will be offered tenancies in accordance with the council's tenancy policy which is available on the council's website [www.wandsworth.gov.uk](http://www.wandsworth.gov.uk). For PRPs, applicants will be offered tenancies in accordance with their individual tenancy policies.
- 1.0.4. In adopting this scheme the council has had regard to statutory guidance issued by Government and in particular to:
- the code of guidance on social housing allocations published by the CLG (Communities and Local Government Department) on 29 June 2012,
  - the Allocation of Housing (Qualification Criteria for Armed Forces) (England) (Amendment) Regulations 2024;
  - the Housing Act 1996 (Additional Preference for Armed Forces)(England) Regulations 2012;
  - the Allocation of Housing (Qualification Criteria for Right to Move)(England) 2015;

- the Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025;
- guidance provided through applicable case-law;
- Improving Access to Social Housing for Victims of Domestic Abuse in Refuges or other types of Temporary Accommodation. (England) Regulations 2018;
- The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861 and
- changes to the scheme as agreed by the council (council committee papers can be viewed on the council's website [www.wandsworth.gov.uk/councilanddemocracy](http://www.wandsworth.gov.uk/councilanddemocracy)

The scheme remains in force unless and until amended by decision of the council.

- 1.0.5. This document contains the council's allocation scheme and is available for inspection at the Town Hall concourse and the Housing and Regeneration Department's reception. The scheme is available on the council's website at [www.wandsworth.gov.uk/housing](http://www.wandsworth.gov.uk/housing). Copies of the scheme are also obtainable, free of charge, from the housing services section (020 8871 6840).

## Overview of the Scheme

- 1.1.0. Under the Scheme, applicants apply to the council for accommodation by completing an - online form. Advice on completing the form is available from the Customer Services & Options Team (see Annex A for contact details). Practical assistance with making an application, for example with interpretation, translation, where the council agrees that an applicant is unable to use the online form or through a home visit may be provided where appropriate.

- 1.1.1. This Scheme has been framed to give reasonable preference to those groups identified within the Housing Act 1996 S.166A(3). At the time of adopting this scheme those groups were defined as follows:

- (a) people who are homeless (within the meaning of Part VII);
- (b) people who are owed a duty by any local housing authority under section 189B, 190(2), 193(2), 195, 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3);
- (c) people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- (d) people who need to move on medical or welfare grounds (including any grounds relating to a disability); and
- (e) people who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

- 1.1.2. The Scheme has also been framed to give additional preference to people within those groups with urgent housing needs who qualify for 'priority rehousing status'. With limited exceptions, the scheme is not framed to give priority for allocation to persons who do not fall within the 'reasonable preference' categories.

- 1.1.3. Each application is considered to establish whether the applicant is:
- eligible for allocation of accommodation;
  - a qualifying person under this scheme;
  - entitled to any reasonable and/or additional preference; and

- in need of housing (based on the points and band applicable to their circumstances).
- 1.1.4. Each application made by an eligible and qualifying person is placed within one of the council's 'access queues'. These queues reflect either the type of accommodation required, such as sheltered accommodation, or the principal 'reasonable preference' group, which applies to the circumstances of the application, such as homeless applicants. Access queues may have specific 'criteria for allocation' and/or 'rules of allocation' and these are set out under separate headings. Across all access queues, cases justifying 'priority rehousing' status (3.8.1.) can be identified and accommodation may be allocated to such applicants ahead of others with less urgent needs.
  - 1.1.5. Each year the council considers the forecast supply of accommodation available for allocation and receives recommendations for an indicative distribution of this supply across the various access queues taking into account demand and other relevant factors arising from national, regional or locally set priorities. This process is known as the resources and commitments forecast with the latter forming the 'allocations plan' of the council. The plan covers each financial year and is approved in the Summer committee cycle for that year. The allocations plan is drawn up to ensure that the balance of allocations made under the scheme will be such to secure a reasonable preference is provided for each of the categories of persons set out in the Housing Act 1996 S.166A(3).
  - 1.1.6. The allocations plan also serves as the basis for determining the allocations across the various queues/bands during the year. Within the access queues and, as applicable, one of the four bands (A to D, with band A being the highest), properties will be allocated to the applicant in the highest band who has been registered in that band for the longest period (subject to suitability considerations). To ensure that the scheme provides flexibility to meet urgent or unforeseen housing needs, officers acting under delegated authority have the discretion to vary the spread of allocations between the access queues, allowing the council to use the resources available as efficiently as possible. Activity under the scheme is reported to every meeting of the council Overview and Scrutiny Committee with responsibility for housing.

## **Equal Opportunities and Monitoring**

- 1.2.0. The council is committed to the principle of equal opportunities in the delivery of all its services and:  
 The council will seek to ensure that its allocation policies are operated in a manner which is fair to all sections of the community regardless of colour, race, religion, nationality, ethnic origin, marital status, sexual orientation, age, gender, gender reassignment or disability. All applicants for housing or rehousing will be asked to provide details of ethnic origin. However, this will not be a requirement for acceptance of an application. Records of ethnic origin will be kept and monitored on a regular and systematic basis to ensure properties are being offered and allocated fairly in accordance with stated objectives.  
 Allocation policies and any changes to them will be reviewed regularly to ensure they do not operate in ways that discriminate against or disadvantage any particular group with protected characteristics.

## **Confidentiality**

- 1.3.0. Employees of the council will treat all information provided by applicants in accordance with the council's confidentiality procedures and within any inter-agency protocols that apply to particularly sensitive information known to the council.

## **Access to information under the Data Protection Act 2018**

- 1.4.0. All applicants for housing have the right to see information held about them by the council, in accordance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). The right applies to all personal information regardless of the date that information was recorded.
- 1.4.1. With regard to housing application records, applicants have a right of access to information held about themselves and members of their family held for the purposes of that application. This right of access extends only to 'personal' information, namely, factual information and expressions of opinion which relate to a living individual. In certain circumstances the council may refuse access. This arises where, for example, the information:
- may identify a third party and that party has not consented to the disclosure;
  - concerns an individual's health and disclosure may cause serious harm to the well being of the applicant; or
  - is held for the purpose of prevention or detection of crime or in respect of some other legal proceedings.
- 1.4.2. Requests for access to records can be made by emailing [HRDirectorate@richmondandwandsworth.gov.uk](mailto:HRDirectorate@richmondandwandsworth.gov.uk) or standard forms are available from main service points. Forms should be completed and returned to the council, along with proof of identity (eg. Driving license/passport). Applications will be processed within one calendar month from the date that the request and proof of identity are received. For more information go to the Council's website [www.wandsworth.gov.uk](http://www.wandsworth.gov.uk) and search for 'personal data and data protection'.
- 1.4.3. Applicants have the right to challenge the accuracy of the information held about them and may request the erasure or correction of records which they believe to be inaccurate. If the Director of Housing and Regeneration or nominated officers agree that the information is inaccurate, the record will be corrected and the applicant will be given a copy of the corrected documentation. If the Director of Housing and Regeneration does not agree that the information is inaccurate, or refuses access to the information, the applicant has a right of appeal to the Information Commissioner. This information will be provided free of charge. Requests for information should be made to the Customer Services and Options team, using the contact details in annex A.

## **Rights to information about assessment under the scheme**

- 1.5.0. In accordance with the Housing Act 1996 S166A(9) all applicants have the right to request information to enable them to assess: how their application is likely to be treated under the scheme, including: whether they fall within one or more of the groups entitled to reasonable preference; whether accommodation is likely to be allocated to them; and, if so, how long this is likely to take. Furthermore, applicants can request that the council inform them about any decision about the facts of their application which is likely to be taken into account when considering whether to allocate accommodation.

## **Changes to the allocation scheme**

- 1.6.0. The council will periodically review the policies and procedures set out in this document and where appropriate make changes to them. Before making an alteration to the allocation scheme, which reflects a major policy change, consultation will take place with every registered provider of social housing with whom the council has nomination arrangements. Consultation will also take place with other appropriate consultative bodies.

## Complaints

- 1.7.0. All applicants have the right to be treated fairly. Where an applicant is not satisfied with the administration of an application, or with its outcome, he/she has the right to seek redress.
- 1.7.1. The council is committed to dealing with all complaints as courteously and as swiftly as possible in accordance with the council's complaints procedure. These documents describe how and where to complain and who will deal with a complaint. The expected response times are available from the council's website.

## Local Lettings Plan and Private Registered Providers

- 1.8.0 New build vacancies arising from PRP developments will, in the first instance, be 'ring-fenced' for consideration by under-occupying council tenants unless there are exceptional reasons for not doing so. The purpose of prioritising under-occupiers for these vacancies is to increase the number of under-occupation transfers and the availability of larger family units for letting. On occasion, the council will deviate from the above policy and work in partnership with PRPs to help build sustainable communities through a local lettings plan. For example, by allocating new properties to a mixture of applicants, for example those: entirely in receipt of benefits, in work or providing a community contribution. Local lettings plans will be devised for individual schemes and each will have its own separate agreement. The council typically allocates a proportion of properties with the rest being allocated directly by the PRP according to their own policies. The Assistant Director Allocations and Provision will decide whether the council should participate in local lettings plans. The council may also use local lettings plans for its regeneration programmes. Such local Lettings plans will be approved by the Overview and Scrutiny Committee with responsibility for housing

## Pan London Mobility Scheme

- 1.9.0. The council participates in the *housingmoves* Pan-London Mobility (PLM) scheme. Accordingly up to five per cent of the properties that become available to the council for re-letting or nomination each year, subject to local priorities, will be made available through the scheme to tenants from other boroughs. The scheme also allows existing social tenants to move to other London local authority areas.
- 1.9.1. The decision as to which vacancies will be put forward to the operators of the scheme for applicants from other boroughs will be made by the Voids Coordinator or more senior officer as applicable. The decision as to which of the PLM applicants will be let the property will be made by the same officer(s) in accordance with the PLM scheme's eligibility and prioritisation criteria.

For more information on the *housingmoves* scheme see:

[www.london.gov.uk/priorities/housing/housing-need/mobility/pan-london-mobility](http://www.london.gov.uk/priorities/housing/housing-need/mobility/pan-london-mobility).

## **Part II. Eligibility and Qualifying Criteria**

### **Who may apply and eligibility for allocation**

2.0.0. Any person may apply to the council for an allocation of housing. However, housing will only be allocated to applicants who are registered on the council's housing queues for social housing. To be registered an applicant must be:

- eligible for social housing in England (that is, not ineligible due to their immigration status); and
- a qualifying person for social housing in the borough (as determined by the following provisions of the allocation scheme).

### **Who is eligible for social housing in England**

2.1.0. All applicants will be eligible unless they are persons prescribed within the Housing Act 1996 S.160ZA(1) or by regulations made by the Secretary of State. This generally applies to persons from abroad without settled immigration status in the UK, apart from a limited number of exceptions.

2.1.1. Where a duty is owed to an applicant who is found to be homeless only by reliance on a household member who is a "restricted person" within the meaning of S184 of the Housing Act 1996, the applicant will not be given any preference under the scheme for an allocation of accommodation. The council will, so far as practicable, bring the duty to secure accommodation to an end by ensuring that an offer of accommodation, in the private sector for a period of at least 12 months, is made to the applicant. A restricted person is defined as someone who requires leave to enter or remain in the UK and does not have it, or a person who does have the required leave but that leave was granted on the condition that the person may not have recourse to public funds.

### **Criteria for being a qualifying person**

2.2.0. This section sets out the criteria that must be met for applicants to qualify for consideration for social housing in the borough i.e. to be admitted onto, and remain upon one or other of the access queues. There may be a limited number of situations where individuals will not qualify even if they do have reasonable preference such as those who commit anti-social behaviour (2.3.3.).

2.2.1. To be a qualifying person for an allocation of social housing in the borough and be (or remain) registered on the council's housing queues for social housing, an applicant, or one of joint applicants must, upon assessment, be entitled to reasonable preference as defined within the Act and:

- a) Be eligible for an allocation of housing accommodation (as determined by law, that is not ineligible due to immigration status); and
- b) Be 18 years old or over unless they are applying under the Homeless Queue, New Generation Scheme, Social Care Queue or the Supported Queue. However, applicants will not usually be offered a tenancy until they are at least 18 years old.

### **Who is not a qualifying person**

2.3.0. Applicants who, upon assessment, do not fall within one of the reasonable preference categories will not be qualifying persons (see 1.1.1.) unless it is in the councils interest to provide them with accommodation e.g. under-occupying social tenants, facilitating employment, meeting the needs of vulnerable people, applicants accepted for a discretionary offer under Part V of this scheme or where directed by the Secretary of State.

Further, and again upon assessment, persons who no longer fall within the reasonable preference categories may be removed from the scheme at any time on the grounds that the applicant is no longer eligible or becomes a person who does not qualify under the criteria (2.3.1. to 2.3.3.).

- 2.3.1. Applicants will not qualify for social housing in the borough and be (or remain) registered on the council's housing queues, following careful consideration of their individual circumstances, if they have refused any offer or nomination of suitable accommodation within the last two years, made or arranged by the council, and there has been no material change in their circumstances so as to make the earlier offer clearly unsuitable in the light of the applicant's changed circumstances.
- 2.3.2. Applicants will not qualify for social housing and be (or remain) registered on the council's housing queues if the council is satisfied, once the application has been assessed, that they are suitably housed, that is, they have no recognised housing need under the Housing Allocation Scheme. This criteria will be disappplied for applicants applying to the older person queue. Cases of applicants with no recognised housing need will be placed in Band D.
- 2.3.3. Applicants will not qualify for social housing in the borough and be (or remain) registered on the council's housing queues if, following assessment, any of the following circumstances apply:
  - a) The council is satisfied that they have, within the preceding 10 years, obtained or attempted to obtain housing or other housing related services/welfare benefits /public funds, from any public body in the UK, by making a false or misleading statement or withholding information, or encouraging someone else to do so on their behalf;
  - b) The council is satisfied that the applicant is unlikely to satisfactorily manage the tenancy and /or pay their rent because, for example:
    - I. they have been evicted due to anti-social behaviour or rent arrears;
    - II. they have been served, within the last year, with a notice for breach of their tenancy conditions;
    - III. another person who shared a property occupied by them left because of the applicant's violence/abuse or threats of violence/abuse against them or a person associated with them;
    - IV. they or a member of their household have a history of anti-social behaviour;
    - V. they have a record of failure to pay rent;
    - VI. they have outstanding debt liabilities to the council and are not making satisfactory arrangements to repay those debts.

### **Persons who will be accorded lower priority**

- 2.4.0. Applications from households attracting a reasonable preference may be accorded lower priority if they do not satisfy the criteria set out below in relation to: residency, homeownership, high income, savings or social tenants who have the ability to apply for a transfer to their landlord and have not done so (2.4.1. to 2.4.4.). Where the criteria has not been satisfied, upon assessment applicants will be placed into band D, or lowest available band for the relevant access queue as applicable, until they satisfy the criteria. The onus is on the applicant to contact the Department when they satisfy the criteria and their application will be reassessed. This rule of relative priority will be waived for cases awarded priority rehousing status (3.8.0.) or those accepted to have exceptional circumstances (2.5.0.).

### **Residency**



- 2.4.1. Usually, applicants will be placed into Band D, or lowest available band, if they have not been resident within the borough for a continuous minimum period of three years immediately preceding their application.
- 2.4.2. The statutory regulations detailed in 1.0.4 provides guidance which effectively “disapplies” the above residency qualification criteria in the specific circumstances as follows:
- armed forces, bereaved spouses and (former) reservists
  - applications from armed forces personnel serving in the regular forces.
  - bereaved spouses or civil partners of those serving in the regular forces where their spouse or partner’s death is attributable (wholly or partly) to their service and they have been asked to leave MOD accommodation and;
  - seriously injured, ill or disabled reservists (or former reservists) whose injury, illness or disability is attributable wholly or partly to their service
- 2.4.3. **Social tenants: 'Right to Move' for work**
- who are secure or introductory tenants, or assured tenants of a private registered provider of social housing and;
  - who qualify for a reasonable preference due to a need to move to the local authority's area to avoid hardship, and;
  - who work or need to move to take up an offer of (non-voluntary) work in the local authority's area (except work that is short-term or voluntary or marginal or ancillary to work in another district which is excluded).

#### **Domestic Abuse**

- 2.4.4. Where the council is satisfied that the applicant is at risk of homelessness (including, those who are living in a refuge or other form of safe temporary accommodation) or has become homeless, as a result of domestic violence/abuse, (within the meaning of Part VII of the Housing Act 1996 (as amended)), and regardless of whether they have made a homelessness application, residency criteria requirements within this scheme will not apply.

#### **Homeownership, High Income or High Savings**

- 2.4.5. Applicants will be placed into Band D, or lowest available Band, if they fall into one of the reasonable preference groups and:
- a) they own or jointly own accommodation (including shared ownership accommodation) in the UK or elsewhere, or have a legal right to occupy accommodation in the UK or elsewhere (other than as a tenant or licensee) unless they satisfy the council that it would not be possible and reasonable for them to:
    - I. occupy the accommodation; or
    - II. sell or let the accommodation in order to obtain suitable accommodation; or
  - b) the council is satisfied that they have income\* or savings that it would be possible and reasonable for them to use in order to obtain suitable accommodation.

\*An applicant, or one of joint applicants, must have a household income that is no greater than the household income threshold set by the GLA (Greater London Authority) for the ‘First Steps to Homeownership in London’ scheme and in place at the time the decision on qualification is made.



- 2.4.6. Enquiries will be made, where required, to ensure that household savings have not been deliberately reduced to below the threshold for the purposes of securing accommodation.

**Social Tenants Making a Transfer Application to their Landlord**

- 2.4.7. Applicants will be placed into Band D, or lowest available Band, if they are a tenant of a registered provider of social housing and have not made a transfer application to their landlord. This applies unless the application to the council is for sheltered housing or their landlord does not maintain a housing waiting list.

**Discretion to waive qualifying and/or relative priority criteria**

- 2.5.0. In exceptional circumstances the qualifying (2.3.1. to 2.3.3.) and/or relative priority criteria (2.4.1. to 2.4.4.), can be waived at the discretion of the responsible Deputy Manager or more senior officer in the Housing and Regeneration Department. Where an assessing officer considers that exceptional circumstances may apply, they will refer the application to the appropriate Deputy Manager in housing services or more senior officer to decide whether the criteria in this section should be waived.

## **Part III. Making an Application, Assessment and Offers of Accommodation**

### **Persons who can be included on an application**

- 3.0.0. Where two or more persons apply jointly for housing, both of them must be eligible for allocation and at least one of them must be a qualifying person.
- 3.0.1. Normally, persons included on an application form must be members of the applicant's immediate family who usually reside, or could be reasonably expected to reside, with the applicant. Any other person or persons will only be accepted as part of the applicant's household in circumstances in which it is reasonable for that person or persons to reside with the applicant. This will normally exclude lodgers or anyone subletting from the applicant. An adult applicant may not appear on more than one application for allocation of housing simultaneously.
- 3.0.2. An applicant may, at the discretion of a Deputy Manager in Housing Services or other senior officer, be permitted to appear on more than one application in exceptional circumstances. This is assessed on a case-by-case basis. Where an applicant appears on more than one application each application will be assessed in accordance with the housing access queue criteria and placed onto the appropriate access queue and in the relevant band.

### **Making an application**

- 3.1.0. Applications for the allocation of accommodation by the council must be made to the Housing and Regeneration Department by accessing the on line form at [www.wandsworth.gov.uk](http://www.wandsworth.gov.uk). Persons needing advice or practical assistance with making an application should contact the Customer Services & Options Team as detailed in annex A.
- 3.1.1. Applications for housing will be assessed under this Scheme according to the information the applicant has provided and/or established from enquiries. When the council has received sufficient information and supporting evidence to assess the application, the applicant will be notified in writing which queue and band they have been placed in.
- 3.1.2. Under section 213B of the Act, specified public authorities are required to notify a housing authority of service users they consider may be homeless or threatened with homelessness (i.e. it is likely they will become homeless within 56 days). Before making a referral public authority must:
  - a) have consent to the referral from the individual;
  - b) allow the individual to identify the housing authority in England to which they would like the notification to be made; and
  - c) have consent from the individual that their contact details can be supplied so the housing authority can contact them regarding the referral.

Referrals under section 213B must include the individual's name and contact details and the agreed reason for referral (e.g. that the individual is homeless or at risk of homelessness).

Referrals under section 213B will not in itself constitute an application for assistance under Part 7 of the Act. Referrals can be made via <https://wandsworth->

[self.achieveservice.com/service/Make a Homelessness Reduction Act referral online](https://self.achieveservice.com/service/Make%20a%20Homelessness%20Reduction%20Act%20referral%20online). If the individual is homeless or threatened with homelessness, the individual will be contacted to make an online application for assistance or given appropriate advice.

The list of public authorities are listed in the Homelessness Code of Guidance <https://www.gov.uk/government/consultations/homelessness-code-of-guidance-for-local-authorities>

## **Proof of identity and supporting information**

- 3.2.0. In addition to the relevant application form (which must be fully completed), the council may, at the point of application or allocation of accommodation, as applicable, request all applicants to provide recent, passport-sized photographs (or an alternative type of photographic ID acceptable to the council) of all members of the household, with the person's full name (and, if they are aged 16 years or over, their signature) on the back, proof of identity in a form acceptable to the council for all members of the household (originals must be provided), all documents as detailed in the application form and any other documents reasonably required by the council. Failure to do so will promptly and when requested, mean that the application cannot be assessed and will be returned to the applicant for completion and/or production of documents not provided. This could also delay any offer of accommodation being made if requested at the point of offer and could result in the offer being withdrawn.

## **Misleading information**

- 3.3.0. Any applicant seeking to obtain accommodation by making a false statement, by withholding relevant information or by failing to inform the council of any material change in circumstances commits a criminal offence and is liable to have her or his application cancelled. A prosecution may be pursued and/or the application refused on the basis the applicant is not a qualifying person. Such applications from members, employees, contractors or agents of the council are likely to result in action under the appropriate code.

## **Members of the council, staff members and their relations**

- 3.4.0. In order to ensure that the council is seen to be treating all applicants fairly, any application for the allocation of housing from members of the council, employees of the council or associated persons (as defined in S178 of the Housing Act 1996) must be disclosed on the application form.
- 3.4.1. Such applications will be assessed in the normal way but the acceptance of the application must be approved by the Head of Housing Services (Assessment and Adaptation), or Assistant Director (Allocation and Provisions), or a manager reporting to the Head of Housing Services (Assessment and Adaptation). Any accommodation allocated to the applicant under the scheme must be recommended by the Assistant Director of Allocations and Provision or a manager reporting to them and be approved by the Director of Housing Services.

## **Change of address and/or circumstances**

- 3.5.0. Applicants must notify the council if there are any changes in their circumstances as this may affect their chances of being offered housing. For example, applicants must notify the council if:
- they move;
  - they need to add someone to or remove someone from their application;

- their income changes;
  - they, or anybody included in their application, has medical conditions or disabilities which have changed since they were last assessed; or
  - they have been placed in Band D after being accorded a lower priority and they now satisfy the criteria for reassessment (2.4.0).
- 3.5.1. In order that applications can be assessed in the light of changed circumstances or to check that information held is correct and up to date, applicants may be required to complete a fresh application form. Where an applicant has been made an offer of accommodation and the change of circumstances affects the size/type of accommodation they require, the offer may be withdrawn. This will also be applied where the applicant's change of circumstances means that they no longer meet the criteria for the access queue for which they were assessed when they received their offer of accommodation.
- 3.5.2. Applicants may be contacted to confirm the information provided in relation to their application and to discuss any further relevant information which may need to be taken into account prior to an offer of accommodation being made. Any information obtained at this stage may be used to reassess the application.
- 3.5.3. Applicants will be required to re-register when requested to do so, failure to re-register when requested will result in the cancellation of their application. If the application is cancelled due to failure to re-register and the applicant subsequently contacts the council, the reinstatement of their application will be considered on a case-by-case basis, and they may be required to make a new application.

### **Assessing medical needs**

- 3.6.0. Applicants who indicate in their application that they consider their (or a member of their households) health or disability is seriously aggravated by their current housing conditions should provide as much information as possible on their medical needs to ensure a correct assessment. Applications involving a health related issue will be assessed by the council with advice from either the applicant's doctor and/or the council's medical advisor(s) as appropriate. The criteria for awarding medical points within the scheme will be applied. Where further information is required, officers of the council may make further enquiries into the issue, subject to the applicant's consent. Applicants will then be advised of the medical priority awarded in accordance with the scheme.

### **Opportunity to express preference for accommodation or area**

- 3.7.0. The council's policy is to offer all applicants the opportunity to express their preferences about accommodation to be allocated to them. Such preferences may cover such issues as property type or location. The council will aim to meet an applicant's preferences wherever possible. However, such preferences may be overridden by the supply of appropriate accommodation and will not preclude applicants being considered for allocation of accommodation which does not meet their preferences but which the council considers is appropriate to their assessed housing needs. Management transfer applicants registered on the council's interest queue will be considered only for areas that remove them from the source of harassment and or violence.

### **Awarding additional preference priority rehousing status**

- 3.8.0. Under the scheme, additional preference may be given to any case within any access queue, which meets the criteria for priority rehousing status, as set out below. Priority rehousing status will usually be awarded to cases involving multiple needs and/or where

there is a serious and credible risk to the applicant's safety in their current accommodation. Additional preference applies to cases which fall within one of the statutory 'reasonable preference' groups in which circumstances indicate an urgent housing need where:

- a) adequate priority is not provided within the access queue into which the application is placed and there is an urgent need to allocate accommodation to the applicant, justifying acceleration of the applicant ahead of others across all access queues, or
- b) any applicant who is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service, or
- c) any applicant who formerly served in the regular forces, or
- d) any applicant who has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner who served in the regular forces where death was attributable (wholly or partly) to that service, or
- e) any applicant who is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to their service.
- f) those who are homeless and require urgent re-housing as a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence

- 3.8.1. The award of priority rehousing status is at the discretion of the Deputy Manager in Housing Services or more senior officer in the relevant assessment team. It is assessed on a case by case basis. In addition the Director (Housing Services), on the recommendation of either Head of Housing Services, or appropriate manager in the assessment team or more senior officer, has discretion to deal with any case of an exceptional nature if the applicant urgently requires allocation but does not qualify for immediate consideration under the rules or the rules do not adequately cover her or his circumstances. Applicants awarded priority rehousing status and exceptional urgent cases will be placed in band A in accordance with the banding system set out in section 3.10.0.

### **Size of accommodation and bedrooms required**

- 3.9.0. With the exception of approved cases within the council's interest queue, the following will apply in assessing the number of bedrooms required by an applicant:

- I. Single person households (other than those listed in II.) will be assessed as requiring self-contained studio flat accommodation.
- II. Lone pregnant women and couples who are expecting their first child and persons aged 60 or over and care leavers nominated via the social care queue and single applicants accepted onto the PDQ will be assessed as requiring self-contained one bedroom accommodation.
- III. Accepted homeless households registered on the homeless queue consisting of a single person or couple and one child who is younger than three years of age will, as long as they are not expecting a second child, be assessed as requiring self-contained one bedroom accommodation.
- IV. A single person with regular, established and demonstrable staying/visiting contact/access to their children following relationship breakdown, where it would be unreasonable to allocate a self-contained studio flat, will be assessed as requiring self-contained one bedroom accommodation.

- V. No account is taken of rooms for living or sleeping which is less than 50 sq.ft.
- VI. The number of bedrooms needed by a household assumes the availability of one living room. Any living accommodation in excess of this is counted as a bedroom.
- VII. If a person has sole use of a room which is used for both living and sleeping it is counted as a bedroom.
- VIII. Where the applicant has child(ren) who is/are the subject of a shared residence order, the Deputy Manager of the team assessing the application or more senior officer will determine the appropriate accommodation size to be offered on a case by case basis. Their determination will take into account household composition and the period the child(ren) spend living with the applicant.
- IX. An under-occupying council tenant who is living in large family-sized accommodation and is willing to move may be considered for accommodation larger than their assessed need, on a case by case assessment.

3.9.1. The size of accommodation offered depends upon the size and composition of the applicant's household. With the exception of the council's interest queue, this will apply across all access queues, as follows:

- Single person households may be offered either a studio flat or one bedroom accommodation.
- Accepted homeless households registered on the Homeless Queue consisting of a single person or couple and one child who is younger than three years of age will, as long as they are not expecting a second child, be offered self-contained one bedroom accommodation.

Thereafter one bedroom is required for:

- a couple
- each un-partnered adult aged 21 years or more
- each pair of adolescents aged 10-20 years of the same sex
- each pair of children aged under 10 years regardless of sex
- where none of the above applies, a person aged 10-20 years will be paired with a child aged under 10 years of the same sex
- any remaining unpaired person will be allocated a separate bedroom.

3.9.2. These criteria may not be applied where the Housing Register and Reviews Manager or Head of Services (Assessment and Adaptation) or Head of Services (Prevention and Casework) have considered the recommendations of the Deputy Manager of the team assessing the application or more senior officer, and is satisfied that there would be a serious risk to the health and safety of any member of the household if they were to share a bedroom. Each application will be considered on its own merits, having regard to medical and or other relevant professional reports.

#### Notes

- a) Other applicants requiring separate bedrooms for medical purposes (as recommended by the council's medical advisor) will be allocated separate bedrooms.
- b) Where additional persons or family members are married or co-habiting they will be considered as a couple and assessed as requiring one bedroom.
- c) Applicants are able to register for one or two bedrooms less than their assessed need, except where statutory overcrowding is likely to be caused.
- d) A bathroom or shower room is defined as a separate room. A WC may be a room on its own or incorporated within a bathroom.



- e) Single person households living in bedsit or studio accommodation are considered to be adequately housed unless they lack or share facilities.
- f) Households requiring family-sized accommodation may be offered more than one unit of accommodation if the properties are so located as to enable the family to live together in practical terms.
- g) Properties with 5 bedrooms or more will be allocated taking into account the size, composition and age of the household and any offer shall be agreed by the Deputy Allocations Manager, Allocations Manager, or more senior officer.

### **The banding system and points scheme**

- 3.10.0. All applications will be assessed under the scheme according to the information provided by the applicant and established from enquiries. Points are awarded to applicants on the general needs, council tenant transfer and older persons housing queues as detailed in the table below. This is referred to throughout the scheme as the 'main' points scheme. All eligible and qualifying applicants are placed within one of four bands, with band A being the highest band and band D being the lowest, as set out in the table overleaf.

<b>Band</b>	<b>Description of housing circumstances falling within band</b>
<b>A</b>	Accepted homeless families with or expecting a child in bed and breakfast (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer) and accepted onto the older persons queue
	All assessed qualifying cases with 300 points or more
	Cases awarded priority rehousing status
	Management transfer and essential repair cases accepted onto the council's interest queue
	Management transfer and essential repair cases accepted onto the older persons housing queue
	Under-occupying social housing tenants where two or more bedrooms would be released upon transfer
	Urgent cases approved by senior management
	Cases needing adapted housing due to physical disability where there is an urgent need to relocate
<b>Order of Offers</b>	Time waiting - offers made to cases in date order from date of entry into this band, subject to suitability considerations and targets within annual Allocations Plan
<b>B</b>	All accepted homelessness cases in temporary accommodation provided by the council or in referring accommodation (unless matched to a private rented sector offer)
	All other assessed qualifying cases with 150-299 points
	Cases accepted onto the supported and/or social care housing queues
	Sheltered housing support need transfer
	Under-occupying social housing tenants affected by the social sector size criteria where one bedroom would be released upon transfer
	Under-occupying social housing tenants on the older persons queue where one bedroom would be released upon transfer
	All other cases needing adapted housing due to physical disability
	All assessed qualifying households accepted under either the New Generation Scheme, the Housing into Work Scheme or the Armed Forces Scheme and ready to be made an offer of accommodation
	Qualifying households where an offer of accommodation would prevent a statutory homeless duty
	Cases moving under agreed housing mobility schemes including Housingmoves and pan London domestic violence reciprocal protocol
<b>Order of Offers</b>	Time waiting - offers made to cases in date order from date of entry into this band, subject to suitability considerations and targets within annual Allocations Plan
<b>C</b>	All other assessed qualifying cases with between 50 and 149 points
	All other under-occupying social housing tenants
	Other cases on the physical disability queue who are already in adapted housing
<b>Order of Offers</b>	Time waiting - offers made to cases in date order from date of entry into this band, subject to suitability considerations and targets within annual Allocations Plan



<b>Band</b>	<b>Description of housing circumstances falling within band</b>
<b>D</b>	<p>All other assessed cases including those with 1 to 49 points</p> <p>All assessed qualifying cases who have not resided continuously within the Borough for a minimum period of 3 years, immediately preceding their application.</p> <p>All assessed cases whom do not satisfy the homeownership, high income and high savings criteria.</p> <p>All assessed cases of social tenants who can apply to their landlord for a transfer but have not done so.</p> <p>Applicants on the older persons queue with no recognised housing need.</p>
<b>Order of Offers</b>	Time waiting - offers made to cases in date order from date of entry into this band, subject to suitability considerations and targets within annual Allocations Plan

<b>Points</b>		
<b>Overcrowding</b>	For one bedroom lacking	<b>50</b>
	For two bedrooms lacking	<b>150</b>
	For three or more bedrooms lacking	<b>200</b>
<b>Statutory Overcrowding</b>	Additional overcrowding points for households statutorily overcrowded	<b>20</b>
<b>Unsanitary</b>	Lacking a living room, kitchen, bathroom/WC	<b>30</b>
<b>Sharing</b>	Sharing a living room, kitchen or bathroom/internal WC with persons outside of your household.	<b>15</b>
<b>Unsatisfactory Housing</b>	Two or more children having to share bedroom with a parent or parents	<b>25</b>
	Exception to the above points: single persons assessed as requiring a self-contained studio flat	
<b>Medical Need</b>	Diagnosed ill health or disability, but not of significance to current or future housing needs	<b>0</b>
	Diagnosed ill health or disability, with minor relevance to current or future housing needs	<b>25</b>
	Diagnosed ill health or disability, with moderate relevance to current or future housing needs	<b>75</b>
	Diagnosed ill health or disability, with major relevance to current or future housing needs	<b>150</b>
	The above points award will be made in respect of the person in the household whose ill health has the greatest relevance to current or future housing needs. Five additional points may be added for each additional person within the household affected by diagnosed ill health or disability which is relevant to current or future housing needs	
<b>Tenure</b>	Households who are homeless, including rough sleepers, within the meaning of Part VII of the Housing Act 1996 (as amended) excluding cases accepted within the 'Homeless Queue'	<b>25</b>
<b>Hardship</b>	Households with an established need to move to a particular locality within the borough where failure to meet that need would cause hardship (to themselves or others)	<b>10</b>
<b>Back Boiler</b>	Additional points for overcrowded households who use the living room for sleeping purposes and a back boiler is located in this living room	<b>25</b>
<b>Working Households</b>	Households awarded points under any of the criteria above with at least one household member who is 16 years old or over and working 24 hours or more per week in paid employment	<b>50</b>

## **Offers of accommodation**

- 3.11.0. All applicants will normally receive only one offer of accommodation which the council considers suitable to meet their assessed needs. An exception to the one offer rule may be applied to decants and under-occupiers who may be considered for multiple offers.
- 3.11.1. An offer of accommodation which is made following a nomination to a PRP housing management co-operative, a property in the private rented sector for homeless households or other agency counts as an offer of accommodation. Applicants are notified in writing that they have been nominated for a permanent offer. Applicants are advised that the council have fully considered their needs and believe it to be a final, suitable offer.
- 3.11.2. If a nomination is made to a PRP, the applicant will receive the offer letter from the PRP, following a nomination to the landlord from the council.
- 3.11.3. For lettings within the council stock, the type and length of tenancy offered will be as set out in the council's tenancy policy.

## **Arrangements to view and tenancy agreements**

- 3.12.1. All applicants will be given an opportunity to view the property prior to the acceptance of a tenancy.
- 3.12.2. When the Allocations and Nominations team has decided upon an allocation within the council's stock, a formal invitation to view (the offer letter) will be either sent or hand delivered to the applicant, as appropriate. This will set out the details of the dwelling, the arrangements for viewing and any other information prescribed by statute.
- 3.12.3. Applicants will be advised that if they fail to view the property or sign the tenancy by the deadlines detailed in the offer letter, this will be classed as a refusal and the application may be cancelled.
- 3.12.4. Applicants will not normally be in competition with others when viewing properties, but in certain circumstances (normally those estates with a high turnover or for the PLM scheme) more than one applicant may be invited to view the property. In these cases the offer will be made to the accepting applicant with the highest priority. Viewing arrangements for council vacancies in council sheltered schemes are detailed in section 4.2.3.
- 3.12.5. Following a refusal of an offer of accommodation officers within the Allocation and Nomination team have discretion to extend the period for response to an offer where this is appropriate.
- 3.12.6. The tenancy will normally commence on the Monday following acceptance.

## **Tenancy agreements**

- 3.13.0. Tenancies between partners are normally joint tenancies. The Council will generally not grant inter-generational joint tenancies (for instance between a parent and a child) other than in exceptional circumstances.
- 3.13.1. Tenancies are created by the prospective tenant(s) signing a tenancy agreement. The tenant(s) will be given a copy of the signed tenancy agreement. An offer of accommodation is made on condition that any existing council tenancy is given up by the applicant. Applicants (including those who have been accepted as homeless by the council)

who have an existing council tenancy will be required, before a new tenancy is granted, to serve a Notice to Quit or Break Notice to end the existing tenancy. Failure to do so is likely to result in the offer of accommodation being withdrawn. The Assistant Director of Resident and Estate Services or more senior officer and Assistant Director (Housing Services) have discretion to waive this requirement in exceptional cases. Once a tenancy agreement has been signed, the conditions of tenancy come into effect and the tenant is bound by their legal obligations.

### **Refusal of a suitable offer**

3.14.0. Where a homeless applicant refuses a suitable offer the council will consider whether any legal duty owed to the applicant has been discharged. Generally, where an applicant in any queue other than the Homeless Queue (to whom the specific criteria under Part VII of the Housing Act apply) refuses a suitable offer, the application will be cancelled. Furthermore, for a period of two years following an applicant's refusal of suitable accommodation the applicant will not qualify to be (or remain) registered on the council's housing queues, unless there has been a material change in their circumstances so as to make the earlier offer clearly unreasonable in the light of their changed circumstances. The implications of refusing an offer of accommodation will be notified to applicants in their registration, offer or nomination letters.

3.14.1. Except in cases where the applicant is homeless or seeking a management transfer, if an applicant refuses an offer of accommodation, decisions regarding suitability and whether the application should be cancelled will be taken by the Deputy Allocations Manager or a more senior officer.

3.14.2. Refusals of offers of accommodation from applicants granted a management transfer will be considered jointly by the Assistant Director (Allocations and Provision) or Allocations Manager and the Area Manager (or Deputy Area Housing Manager in their absence) who awarded the management transfer status, or a more senior officer. Representations should be made in writing to the Area Manager and Head of Housing Services (Allocations and Provision) and will be dealt with under the council's suggestion and complaints procedure.

Where the Area Housing Manager (or in their absence, Deputy Area Housing Manager) and the Head of Service are unable to reach an agreement on the appropriate action, the matter with supporting documentation will be referred to the Head of Resident and Estate Services or more senior officer for a decision.

3.14.3. Homeless applicants who are considering refusing an offer of accommodation made to them in discharge of the council's statutory obligations will be advised to contact the Allocations and Nominations team. Officers will then make an initial assessment of whether the offer is suitable for the applicant's assessed need and advise the applicants of the review process and the consequences of refusing an offer.

3.14.4. An offer of accommodation made following a nomination to a PRP will count as an offer of accommodation on the same basis as if the offer has been made by the council.

3.14.5. Under-occupiers and decants refusing an offer may be exempt from having their application cancelled and their applications may remain active. Decisions not to cancel their application following an offer of accommodation will be decided based on the merits of individual cases and taken by the Deputy Allocations Manager or more senior officer.

## **Right to request reviews**

- 3.15.0. The Housing Act 1996 gives applicants the right to request the council to review certain decisions made under the scheme. Under S166A(9)(c) of the Housing Act 1996 applicants have the right to request a review of the following and to be informed of the decision on the review and the grounds for it:
- a) any decision about the facts of their case which is likely to be or has been taken into account in considering whether to allocate housing accommodation to them; and
  - b) any decision made under S160ZA(9) of the Housing Act 1996 that they are either;
  - c) ineligible for an allocation by virtue of S160ZA(2) or S160ZA(4) of the Housing Act 1996; or
  - d) not a qualifying person.
- 3.15.1. Applicants will be notified in writing of any decision taken under S160ZA(9), the grounds for the decision and the administrative arrangements for exercising their right to request a review.
- 3.15.2. Applicants placed on the homeless queue have an additional right to request a review of the suitability of accommodation offered to them under the Housing Act S202. The Allocations and Nominations team will notify this right to the applicant within the homeless queue at the time of allocation. Applicants who are homeless and who have a priority need only by reliance on a household member who is a “restricted person”, have the right to request a review of the suitability of accommodation offered as a ‘private sector offer’.
- 3.15.3. Generally, requests for a review must be made within 21 days of the person being informed, in writing, of the council’s decision. Requests received after this period may proceed at the discretion of the reviewing officer or a more senior officer as appropriate. The applicant will be notified of the outcome of a review in writing, including any reasons if the original decision is confirmed.

## Part IV. The access queues

### Homeless queue

4.0.0. Homeless applicants will be assessed under the allocation scheme when the council accepts it has a duty (under the Housing Act 1996 S193 (2)). Each homeless person owed this duty will be interviewed by their allocated case officer to discuss future housing options, needs, prospects and preferences. Applicants owed this duty will then be placed in the homeless queue, unless already matched to a private rented sector offer. Accepted homeless cases for which the homelessness application was made on or after 9 November 2012, will be considered for a settled offer in the private sector. Homeless applicants accepted under the prevention and relief duty, and require an urgent offer (unless already matched a private sector offer) will require authorisation by either Heads of Service, or more senior officer. The Heads of Services will consider whether these cases need urgent allocation on the recommendation of a deputy manager or more senior officer in the relevant assessment team. These cases will be placed in Band A.

Accepted applications within this queue will be placed into one of two bands, A (highest) or B, and priority between applicants in the same band will be determined by time waiting. Offers will be made in date order from date of entry into the band, subject to suitability considerations and targets within the annual Allocations Plan.

Band	
A	Cases awarded priority rehousing status
	Urgent cases approved by senior management
	All accepted homeless families with or expecting a child in bed and breakfast (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer) and accepted to the older persons queue
B	All other accepted homeless cases in temporary accommodation provided by the council or referring accommodation (unless matched to a private rented sector offer)

### General needs queue

4.1.0. The general needs queue will include qualifying applicants who are:

- homeless but not owed the principal homelessness duty under the Housing Act 1996 S.193(2);
- not an existing introductory or secure (including flexible) tenant of the council seeking transfer;
- not applying for specialised adapted or supported accommodation;
- displaced persons; e.g. households who have lost their accommodation due to demolition, a closing order or through compulsory purchase;
- HM Forces applicants not threatened with homelessness or accepted as being owed the duty referred to in (a) above or awarded priority rehousing status. Each year, a small number of offers for applicants who are serving or who have served in HM Armed Forces for housing will be provided within the general needs queue. At the discretion of the appropriate Deputy Manager or more senior officer in Housing

Services, applications made via organisations from which the council has agreed to accept referrals may be considered regardless of whether the applicants have a local connection to the borough or when they left the armed forces. The forecast number of properties to be made available will be determined as part of the approval of the Allocations Plan;

- f) accepted by the council as a qualifying person and eligible for an offer under the New Generation (NGS) scheme where:
- the applicant has been living with parents or other family members in Wandsworth and the council is satisfied that the presenting address is their main and only home. The council will need to be satisfied that the applicant has not moved specifically to seek housing assistance, and enquiries will be made, where required, if the applicant recently moved to that address; or
  - the applicant was living as an assured shorthold tenant of a private landlord in Wandsworth and has lost that accommodation through no fault of their own and can make alternative but insecure living arrangements with family or friends; and
  - the applicant would be, if assessed, likely to be accepted as eligible for assistance under Part VII of the Housing Act 1996, and unintentionally homeless assuming a homeless application were to be made; and
  - the applicant must be assessed as able to remain safely, with no risk of domestic violence or other abuse at their current accommodation, for at least a year from date of acceptance onto the scheme; and
  - the applicant, including any joint applicant(s), is / are at least 16 years of age at the point of acceptance onto the scheme; and
  - the applicant must be aware of the rules of the scheme and be willing to abide by them.

Note: Applicants who meet the above criteria will be offered the New Generation Scheme as an option to consider subject to availability of places.

Once these conditions have been met and at least 12 months have elapsed, one suitable offer of social housing will be made via this queue. All applicants accepted onto the scheme will be subject to regular unscheduled visits to their address to confirm their continuing residence there on an insecure basis. Applicants who find alternative settled accommodation before being made an offer will forfeit their right to an offer.

- g) Accepted by the council as eligible for an offer under the Housing into Work scheme. Each year, a small number of offers for applicants who are accepted onto the council's Housing into Work scheme will be provided within the general needs queue. The forecast number of properties to be made available will be determined as part of the approval of the Allocations Plan. The Housing into Work scheme is for persons nominated by the scheme's liaison officer.
- h) The council will consider on a discretionary basis, applications for separate rehousing for under-occupying tenants (registered on the council's interest queue) and their adult children (or other family members living in the same household) where such a move would free up a larger family home for reletting. Such applications are linked to under-occupation requests for rehousing. Requests for separate rehousing under these arrangements will normally only be considered from family members who have been living with the tenant as their main home for a minimum of two years prior to the date of request. See section 4.7.0 to 4.7.15 for the under-occupation and the council's interest queue.

#### 4.1.1. Housing Into Work Scheme

To be considered for acceptance onto the council's Housing into Work scheme applicants must, at the point of acceptance onto the scheme, be:

- a) eligible for social housing in England and a qualifying person for social housing in Wandsworth (see sections 2.0.0 to 2.8.0); and
- b) registered unemployed or who are in employment up to and including 16 hours a week and claiming Job Seekers Allowance (JSA) or who are able to and are willing to claim JSA on joining the pilot; and
- c) registered as an applicant for social housing in Wandsworth or a member of an existing household currently holding a Wandsworth Council tenancy or a participating RP tenancy in the borough which is overcrowded by more than one bedroom. The household may or may not be currently registered for a transfer of accommodation but if not would be required to do so; and
- d) willing to commit to a personal activity programme that will ensure the individual is work prepared with a view to moving into employment prior to an offer of either a flexible fixed-term council or fixed-term assured shorthold RP tenancy being made.

4.1.2. Potential applicants for the council's Housing into Work scheme will be identified through the application process and / or by approaches to overcrowded households (both council and RP) which might benefit from participating in the scheme. Particular focus and priority will be given to any household who is participating in one of a number of programmes aimed at working with troubled families (e.g. through the family recovery project, European Social Fund work initiative or the troubled families initiative).

4.1.3. In order to qualify for an offer of accommodation under the Housing Into Work scheme applicants must have:

- a) agreed to the terms of the scheme (the contract including any personal activity programme) and be adhering to the agreed terms. This will include agreeing a plan as to the things that the participant must do in order to become work ready. In respect of the "work prepared" element of the scheme, the liaison officer will confirm whether or not the participant is meeting / has met the "work prepared" requirements set out in the plan. Where this is not confirmed, the Director of Housing and Regeneration will decide whether continued participation in the scheme should be permitted.
- b) sought advice on employment and training options, attended training courses, successfully completed any work placements and attended job interviews as agreed with the liaison officer and set out in the plan and / or where in employment to sustain employment as agreed with the Housing Into Work liaison officer taking into account any statutory requirements and satisfying any work related requirements.

4.1.4. A process of joint assessment between the scheme's liaison officer and the Housing and Regeneration Department determines the priorities for allocation between the applicants on the scheme.

4.1.5. Applications within the general needs queue will be assessed according to the main points scheme and then will be placed into one of four bands (A (highest) B, C, D). Priority between applicants in the same band will be determined by time waiting. Offers will be

made in date order from date of entry into the band, subject to suitability considerations and targets within the annual Allocations Plan.

<b>Band</b>	
<b>A</b>	Cases awarded priority rehousing status
	Urgent cases approved by senior management
	All assessed qualifying cases with 300 points or more
	Under-occupying social housing tenants where two or more bedrooms would be released upon transfer*
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer) and accepted to the older persons queue
<b>B</b>	Under-occupying social housing tenants affected by the social sector size criteria where one bedroom would be released upon transfer*
	All assessed , qualifying households accepted under either the New Generation scheme, the Housing into Work Scheme or the Armed Forces scheme and ready to be made an offer of accommodation
	Qualifying households where an offer of accommodation would prevent a statutory homeless duty
	Cases moving under agreed housing mobility schemes including housingmoves
	All other assessed qualifying cases with 150 to 299 points
<b>C</b>	All other under-occupying social housing tenants*
	All other assessed qualifying cases with 50 to 149 points
<b>D</b>	<p>All other assessed qualifying cases including those with 1 to 49 points</p> <p>All assessed cases who have not resided continuously within the borough for a minimum period of 3 years immediately preceding their application.</p> <p>All assessed cases whom do not satisfy the homeownership, high income and high savings criteria.</p> <p>All assessed cases of social tenants who can apply to their landlord for a transfer but have not done so.</p>

\* This would apply to under-occupying housing association tenants

## Older persons housing queue (sheltered housing)

4.2.0. The council maintains a separate queue for older people seeking sheltered housing.

### Sheltered housing

4.2.1. Any eligible and qualifying person aged 55 years or over, can apply for sheltered housing. The main points scheme is used to determine priorities for allocation of sheltered accommodation. Partners, carers or other person(s) reasonably expected to reside with the applicant(s) may be included in the application.

4.2.2. If the applicant meets the age criteria, the assessing officer will determine if they are suitable for council sheltered housing. Examples of factors that may be taken into consideration in deciding whether an applicant should be registered on the older persons queue are:

- whether appropriate and satisfactory risk and support plans are in place



- whether the applicant would be able to live in a sheltered scheme without any risk to existing residents or staff and not affect the balanced community and well being within any scheme.

The Deputy Manager or more senior officer in Housing Services will decide, in consultation with the Head of Supported Housing as necessary and taking any necessary advice, whether on the basis of the information submitted:

- a) the applicant would be suitable for sheltered housing managed by the council and
- b) which sheltered schemes would be appropriate

Applicants will be notified of the decision on their application and also if appropriate, the specific schemes that are suitable for them.

Homeless applicants accepted under the prevention and relief duty, and require an urgent offer of older person housing (unless already matched a private sector offer) will require authorisation by either Heads of Service, or more senior officer. The Head of Service will consider whether these cases need urgent allocation on the recommendation of a deputy manager or more senior officer in the relevant assessment team. These cases will be placed in Band A.

- 4.2.3. Formal offers of council sheltered accommodation will be made to qualifying applicants following a viewing of the vacant accommodation and satisfactory completion of an Independence Plan with a Sheltered Housing Officer. The purpose of the viewing will be to confirm whether the property and sheltered scheme would be suitable for the applicant. The Independence Plan will be used by the Deputy Allocations Manager or more senior officers to decide whether the sheltered housing officer would be able to support the applicant within the scheme.

Decisions not to make a formal offer of the property, or to make offers to only specific council schemes, or to remove the application from the older persons queue (if they only want council schemes) following this viewing and the completion of Independence Plan, will be agreed jointly by the Head of Supported Housing and the Allocations Manager.

If the applicant is dissatisfied with the decision

- a) not to proceed with a formal offer of accommodation and / or b) that they should be considered for alternative council schemes or c) on the basis of any new information and the completed Independence Plan, that they should not be considered for any council sheltered schemes, the applicant is entitled to seek redress in accordance with the council's suggestion and complaints procedure. A senior officer, not involved in the original decision, will review the facts of the case.

- 4.2.4. Applications for sheltered housing will be placed into one of four bands: A (highest), B, C and D. Priority between applicants in the same band will be determined by time waiting. Offers will be made in date order from date of entry into the band, subject to suitability considerations and targets within the annual Allocations Plan.

#### **Sheltered housing support need transfers (Wandsworth Council tenants only)**

- 4.2.5. The Head of Supported Housing Services will recommend any sheltered housing tenant who needs to move due to a combination of factors. By way of example, referrals may be

made in the following situations :

- meet individual specific support reasons based on a risk assessment plan;
- the need to create a balanced community and well being within a scheme.

## Applications

- 4.2.6. Applications for support need transfers will be assessed in accordance with the scheme. All enquiries should be made to the Head of Supported Housing Services who will investigate and recommend whether the application warrants a support need transfer.
- 4.2.7. Where the Head of Supported Housing Services has considered all the evidence and decides that the application does not warrant a support need transfer, the tenant can request a review of this decision within 10 days of being informed, in writing, of this decision. Tenants can submit their reasons for requesting a review in writing to the Head of Resident and Estate Services or more senior officer and will be notified of the outcome in 10 working days.

Band	
<b>A</b>	Cases awarded priority rehousing status
	Urgent cases approved by senior management
	All assessed qualifying cases with 300 points or more
	Management transfer and essential repair cases accepted onto the older persons housing queue
	Under-occupying social housing tenants where two or more bedrooms would be released upon transfer
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer) and accepted to the older persons queue
<b>B</b>	Under-occupying social housing tenants on the older persons queue where one bedroom would be released upon transfer
	Qualifying households where an offer of accommodation would prevent a statutory homeless duty
	Cases moving under agreed housing mobility schemes including housing moves
	All accepted homelessness cases in temporary accommodation provided by the council or in referring accommodation (unless matched to a private rented sector offer)
	Sheltered housing support needs transfer
	All other assessed qualifying cases with 150-299 points
	Qualifying households where an offer of accommodation would prevent a statutory homeless duty
<b>C</b>	All other assessed qualifying cases with between 50 and 149 points
<b>D</b>	<p>All other assessed qualifying cases including those with 1 to 49 points</p> <p>All assessed cases who have not resided continuously within the Borough for a minimum period of 3 years immediately preceding their application.</p> <p>All assessed cases whom do not satisfy the homeownership, high income and high savings criteria.</p> <p>All assessed cases of social tenants who can apply to their landlord for a transfer but have not done so.</p> <p>Applicants on the older persons queue with no recognised housing need.</p>

## Physical disability queue

- 4.3.0. The council maintains a separate queue for people seeking specially designed or adapted property (mainly for wheelchair users) suitable for persons with physical disabilities. The physical disability queue is open to all applicants who are an eligible and qualifying person for allocation and who, due to disability, require specifically designed or adapted accommodation.
- 4.3.1. All applications are subject to an assessment by, and recommendation from, the council's occupational therapy service (OT) or the children's occupational therapy service. Following receipt of an OT assessment, the applicant will be notified of the outcome.
- 4.3.2. Applications within the physical disability queue will be placed into one of three bands (A (highest) B, or C). Priority between applicants in the same band will be determined by time waiting. Offers will be made in date order from date of entry into the band, subject to suitability considerations and targets within the annual Allocations Plan.
- 4.3.3. Tenancies may be deferred if adaptations to the property are required which cannot be completed with the tenant in occupation.

Band	
<b>A</b>	Cases awarded priority rehousing status
	Urgent cases approved by senior management
	Cases needing adapted housing due to physical disability where there is an urgent need to relocate
	Accepted homeless families with or expecting a child in bed and breakfast (unless matched to a private rented sector offer)
	Under-occupying social housing tenants where two or more bedrooms would be released upon transfer
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer) and accepted to the older persons queue
<b>B</b>	All other cases needing adapted housing due to physical disability
	All other accepted homeless cases in temporary accommodation provided by the council (unless matched to a private rented sector offer)
	Under-occupying social tenants affected by the social sector size criteria where one bedroom would be released upon transfer
<b>C</b>	All other under-occupying social housing tenants
	Other cases on the physical disability queue who are already in adapted housing
<b>D</b>	<p>All other assessed cases</p> <p>All assessed qualifying cases who have not resided continuously within the borough for a minimum period of 3 years immediately preceding their application.</p> <p>All assessed cases whom do not satisfy the homeownership, high income and high savings criteria.</p> <p>All assessed cases of social tenants who can apply to their landlord for a transfer but have not done so.</p>

## Supported queue

- 4.4.0. The council maintains a separate queue to provide general needs housing to assist care management processes for those households consisting of, or including someone with a particular need for housing on welfare grounds. Applicants within this queue will include persons nominated by social services under inter-department co-operative working arrangements, persons suffering mental ill health and persons with learning disabilities who require specific support.
- 4.4.1. Households with a mental health illness or disability for whom the council has accepted a duty under the Housing Act 1996 S.193 (2), subject to an individual assessment, may be added to this queue.
- 4.4.2. The supported queue is open to applicants who are eligible and a qualifying person for allocation where the council accepts that they require housing with support provided and where they have been nominated to the Housing and Regeneration Department by either social services or other approved partner support agency.
- 4.4.3. Referrals will be made in line with inter-agency agreements agreed from time to time.

## Applications

- 4.4.4. Nominations must be made by the relevant nominating agency on the prescribed form and forwarded to the appropriate team. The Deputy Manager in Housing Services or more senior officer may require further information from the nominating agency before approval where inadequate information has been provided.
- 4.4.5. The council will notify the nominating agency of the outcome in writing following receipt of all necessary information.
- 4.4.6. The nominating agency will be advised of an offer of accommodation at the same time as the nominee.
- 4.4.7. Applications within the supported queue will be placed into one of two bands (A (highest) or B). Priority between applicants in the same band will be determined by time waiting. Offers will be made in date order from date of entry into the band, subject to suitability considerations and targets within the annual Allocations Plan.

Band	
A	Cases awarded priority rehousing status
	Urgent cases approved by senior management
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer) and accepted to the older persons queue
B	All other cases accepted onto the supported queue

## Social care queue

- 4.5.0. The purpose of the social care queue is to provide housing for families with children or other persons nominated by Adult social services under joint protocol arrangements within the council.
- 4.5.1. By way of example, nominations may be made in the following situations:
- children leaving the council's care who have no viable home base but have achieved the necessary stage of readiness and preparation to live independently;
  - cases whose applications for rehousing are supported by social services in furtherance of the council's fostering policies;
  - parent(s) with a child/children who is/are the subject/s of a child protection plan, where social services considers their present housing to represent a significant risk;
  - a family with a child that needs to move due to requiring specifically designed and/or adapted accommodation arising from learning disabilities and/or difficulties.
- 4.5.2. All applicants must be eligible and qualifying persons for allocation of accommodation. The final decision on admission to the queue is made by the Deputy Manager in Housing Services or more senior officer. The Housing and Regeneration Department will notify the relevant service in writing of the outcome following receipt of all necessary information.
- 4.5.3. Applications within the social care queue will be placed into one of two bands (A (highest) or B). Priority between applicants in the same band will be determined by time waiting. Offers will be made in date order from date of entry into the band, subject to suitability considerations and targets within the annual Allocations Plan.

Band	
A	Cases awarded priority rehousing status
	Urgent cases approved by senior management
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer) and accepted to the older persons queue
B	All other cases accepted onto the social care queue

## Council tenant transfer queue

- 4.6.0. The council tenant transfer queue is open to existing Wandsworth Council tenants who are eligible and a qualifying person for allocation and who are seeking to move to alternative accommodation.
- 4.6.1. Applicants accepted for a management transfer, decant, essential repair or under occupier transfers will be assessed within the council's interest queue.
- 4.6.2. Applications within the council tenant transfer queue will be assessed according to the main points scheme and then will be placed into one of four bands (A (highest) B,C, D). Priority between applicants in the same band will be determined by time waiting. Offers will be made in date order from date of entry into the band, subject to suitability considerations and targets within the annual Allocations Plan.

Band	
A	Cases awarded priority rehousing status
	Urgent cases approved by senior management
	All assessed qualifying cases with 300 points or more
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer)
B	All other assessed qualifying cases with 150 to 299 points
C	All other assessed qualifying cases with 50 to 149 points
D	<p>All other assessed qualifying cases including those with 1 to 49 points</p> <p>All assessed cases who have not resided continuously within the Borough for a minimum period of 3 years immediately preceding their application.</p> <p>All assessed cases whom do not satisfy the homeownership, high income and high savings criteria.</p> <p>All assessed cases of social tenants who can apply to their landlord for a transfer but have not done so.</p>

## Council's interest queue

4.7.0. This queue is open to existing introductory or secure (including flexible) tenants of Wandsworth Council who are either:

- a) required to leave their homes at the request of the council because of the need to carry out major works or essential repairs to their homes;
- b) need to move from a situation of immediate risk where the applicant or a member of his/her household is being threatened or harassed or is subject to other exceptional circumstances (i.e. management transfer cases);
- c) under-occupiers who wish to "downsize" to smaller accommodation under the Room to Move scheme;
- d) requested to move in pursuance of other stated policy objectives, for example concerning community wellbeing, crime reduction or public protection;
- e) employees of the council who occupy tied accommodation provided by the council for the better performance of their duties where:
  - they have retired or are due to retire from the council's service within six months of the date of their application or nomination to the Housing and Regeneration Department; or
  - they have left or are due to leave the council's service as a result of redundancy within six months of the date of their application or nomination to the Housing and Regeneration Department; and
  - they have been employed by the council for at least five years; and
    - they have no other alternative, suitable accommodation available for their occupation; and
    - they otherwise do not have sufficient funds to secure alternative, suitable accommodation for themselves.

4.7.1. Approval for any offer to be made to employees in tied accommodation will be recommended by the Assistant Director (Allocations and Provision or the Allocations Manager and approved by the Director (Housing Services).

## **Health and safety risks**

- 4.7.2. Management transfers are granted for the prime purpose of removing a tenant and his/her household from a situation of immediate risk, not to improve their housing conditions, nor to circumvent the normal transfer system. Cases assessed and placed into this queue will be, by their nature, cases involving an urgent need to move, generally associated with an unacceptable and credible risk to the health and safety of the applicant and/or members of their household. Allocations within this queue will take into account pre-existing medical needs as assessed under the main points scheme set out at section 3.6.0. Applicants will normally be offered a similar sized property to the one they are currently living in, (i.e. same number of bedrooms) unless they are under-occupying. However, where such an allocation would not constitute a reasonable offer or where such an allocation would result in the applicant being offered accommodation that is particularly suitable for other applicants who have been assessed under the scheme as having a particular need for that type of accommodation on medical, welfare, hardship or other grounds, the similar sized property approach may be dis-applied. In all cases the applicant will be offered accommodation that is a suitable offer. Applicants who cannot remain or return to their address due to the risk or threat of violence may make a homeless application regardless of the decision to grant a management transfer.
- 4.7.3. Urgent transfer applications, i.e. those requiring a move away from a situation of immediate risk, will be reviewed after eight weeks if an offer of accommodation has not been made to assess whether an urgent move is still required.

## **Essential repairs**

- 4.7.4. In the case of essential repairs, tenants will, where possible, be offered the option to return to their former dwelling following completion of works. However, if the property concerned is subject to the council's sales programs, tenants wishing to return to their former home will only be given the option to return where the estimated cost of works is within the prescribed limits set by the council from time to time.

## **Applications**

- 4.7.5. All enquiries about management transfers and essential repair transfers should be made to the Area Housing manager (or in their absence, Deputy Area Housing manager), who will investigate and determine the appropriate action. Management transfers are agreed by the area Housing Manager (or in their absence, Deputy Area Housing manager).
- 4.7.6. Where the Area Housing manager (or in their absence, Deputy Area Housing manager) has considered all the evidence and decided that the application does not warrant an urgent move and therefore should not be registered on the council's interest queue, the tenant can request a review of this decision within 10 days of being informed, in writing, of the council's decision. Tenants should submit their representations in writing to the Head of Resident and Estate Services or more senior officer and will be notified of the outcome in 10 working days.
- 4.7.7. For employees of the council affected by retirement or redundancy, a nomination for an offer of accommodation will be made by the employing Director to the Director of Housing and Regeneration or authorised senior officer. The applicant will be asked to complete an application form and to provide any information reasonably required by the Housing and Regeneration department to verify her or his circumstances and to decide whether she/he is

eligible and a qualifying person for assistance and what accommodation would be suitable for her/him.

#### **Under-occupation (council tenants only)**

- 4.7.8. The purpose of this (sub) queue is to offer eligible and qualifying tenants who are under-occupying their property the opportunity to transfer to accommodation more suited to their needs and to improve the supply of larger accommodation for allocation generally. Applicants within this (sub) queue may be allocated accommodation larger than their assessed need on a case by case basis. Generally, this queue is for those whose only need is to downsize. If accepted onto another access queue and the assessed bedroom size need is smaller, an incentive payment will not be offered.
- 4.7.9. This (sub) queue is open to existing tenants of Wandsworth Council who are eligible and a qualifying person for allocation and who under-occupy their present accommodation.
- 4.7.10. Those who succeed to a tenancy in an under-occupied property may be required to move to smaller, suitably sized accommodation so that the council can make best use of its housing stock. Decisions will be taken on a case by case basis.

#### **Applications**

- 4.7.11. Applicants will be assessed for accommodation suitable to their needs, which may not necessarily be the same as the number of bedrooms the applicant is willing to give up.
- 4.7.12. The council will consider on a discretionary basis, applications for separate re-housing for tenants and their adult children (or other family members living in the same household) where such a move would free up a larger family home for re-letting. Such applications will be assessed under the general needs queue and linked to the under-occupier's application. Requests for separate re-housing under these arrangements will normally only be considered from family members who have been living with the tenant as their main home for a minimum of two years prior to the date of request. Where under-occupation has arisen as a result of family member/s leaving the tenant's home and applying to the council for accommodation, the status and rehousing prospects of any active rehousing applications by those family members will be taken into account in determining the level of under-occupation incentive the tenant may receive, as will any rehousing assistance that the council has provided to those family members (including placements within the private rented sector ) within the last five years. By way of example, where a family member leaves the tenant's home and subsequently is accepted or rehoused through the homeless queue, their rehousing will be taken into account in assessing the incentive payment. The council will assess this by setting off the total number of bedrooms that has been/will be allocated to the family/household members against the number of bedrooms the under-occupier will release when all the applicants have been rehoused.
- 4.7.13. Under-occupiers with rent arrears and other charges will be considered for a move on condition that the arrears will be deducted from any incentive payment. If the arrears exceed the payment by four weeks or more full rent, the applicant may be considered for a move on condition that an undertaking is made to clear the debt within an agreed timescale. These moves will be agreed by the appropriate Deputy Manager or more senior officer in Housing Services



4.7.14. For details of payments associated with under-occupation transfers see annex A.

4.7.15. Applications within the council's interest queue will be placed into one of three bands, A (highest) B or C. Priority between applicants in the same band will be determined by time waiting. Offers will be made in date order from date of entry into the band, subject to suitability considerations and targets within the annual Allocations Plan.

Band	
<b>A</b>	Cases awarded priority rehousing status (see section 2.28.0)
	Urgent cases approved by senior management
	Management transfer and essential repair cases accepted onto the council's interest queue
	Under-occupying council tenants where two or more bedrooms would be released upon transfer
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer)
	Urgent cases where a homeless duty has been accepted under prevention of homeless duties (s195) or relief of homeless (s189b) (unless matched to a private rented sector offer) and accepted to the older persons queue
<b>B</b>	Under-occupying social housing tenants affected by the social sector size criteria where one bedroom would be released upon transfer
<b>C</b>	All other under-occupying council tenants

## **Part V. Discretionary offers of accommodation**

### **Death of a tenant: applications from occupants of council housing with no statutory right of succession**

5.0.0. Where a secure (including flexible) or introductory tenant dies and there is no statutory right of succession, the council will consider granting a tenancy to another family member\* or to a person who provided care to the deceased tenant, if the applicant is a) eligible, b) has been resident in the borough for a continuous period of 3 years at the time of application, c) is otherwise a qualifying person (regardless whether they fall into a reasonable preference category) and then finally d) has:

- no other accommodation available to her or him, and has
- been living with the former tenant for the year prior to the tenant's death as their principal and only home, and
- was occupying the accommodation as their principal or only home at the date of the tenant's death, and /or
- provided care for the tenant whilst living in the accommodation as their principal or only home, and/or
- accepted responsibility for the tenant's dependants, for example children who are in full-time education, and needs to live with them in order to care for them, and
- the deceased had not lost their security of tenure.
- the council is satisfied that they do not have income† or savings that it would be possible and reasonable for them to use in order to obtain suitable accommodation.

5.0.1. In such cases the applicant's circumstances will be assessed and provided that an allocation to the surviving household member would not otherwise interfere with the good use of the council's stock overall, a tenancy may be granted. Such cases will be placed into Band B once registered.

5.0.2. Where the council decides to make such a discretionary offer, save in exceptional circumstances, only the applicant and those members of her or his household who were resident in the premises at the time of the former tenant's death and had been living continuously with the former tenant for the 12 months prior to the tenant's death as their only or principal home will be considered for the purposes of deciding what size of property (i.e. the number of bedrooms) may be offered. Normally, persons not resident at the time of the former tenant's death will be excluded from consideration.

5.0.3. Such decisions are taken by the Area Housing manager or Deputy Area Housing Manager and the appropriate Manager, Deputy Manager or more senior officer in Housing Services jointly.

### **Tenant(s) moving to a supported environment: applications from adult children and carers left in the property**

5.1.0. The council may consider granting a tenancy to another member of the tenant's family\* or a person who provided care to the former tenant. Where the secure (including flexible) or introductory tenant(s) has/ have moved to receive care/support from family or to supported accommodation, the council will consider granting a tenancy of the existing property to the remaining family members or carer of the tenant's household, if it is the appropriate size for the household, or may make an offer of alternative accommodation if the property has been adapted or if the accommodation does not meet their assessed needs. Consideration will be

given, as long as they are a) eligible and then b) has been resident in the borough for a continuous period of 3 years at the time of application, c) is otherwise a qualifying person (regardless whether they fall into a reasonable preference category) and then finally d)

- the applicant(s) must provide documentation to confirm that they had been living with the tenant continuously as their principal or only home for the last 12 months before the tenant left the property;
- no other accommodation is available to him or her;
- if the existing property is larger than the applicant's assessed needs, then the applicant(s) will be registered for the appropriate size of accommodation according to their needs. In such cases, only one offer of alternative suitable accommodation will be made. Only the applicant and members of their household reasonably expected to live with them will be considered as part of the household. Generally, other members who had not lived with the former tenant for at least 12 months prior to the tenant relinquishing their tenancy and as their only or principal home will not be considered;
- Where there is more than one applicant, only one tenancy will be offered unless there are exceptional circumstances or substantiated medical evidence to support the granting of separate tenancies. Separate tenancies may also be considered where the applicant(s) are living in large family-sized accommodation.
- the council is satisfied that they do not have income\*\* or savings that it would be possible and reasonable for them to use in order to obtain suitable accommodation.

\*family members as defined in the Housing Act 1985, S113;

\*\*an applicant, or one of joint applicants, must have a household income that is no greater than the household income threshold set by the Greater London Authority (GLA) for the First Steps to Homeownership in London scheme and in place at the time the decision on qualification is made. Enquiries will be made, where required, to ensure that household savings have not been deliberately reduced to below the threshold for the purposes of securing accommodation.

- 5.1.1. All of the applicant's circumstances will be assessed and provided that an allocation would not otherwise interfere with the good use of the council's stock overall, a tenancy may be granted. Such cases will be placed into Band B once registered.
- 5.1.2. Such decisions are taken by the Area Housing manager or Deputy Area Housing Manager and the appropriate manager, deputy manager or more senior officer in Housing Services jointly.

### **Applications for discretionary applications**

- 5.2.0. All enquiries should be made to the Area Housing manager, Deputy Area Housing Manager or managing agent, who will investigate and determine the appropriate action.
- 5.2.1. Where the Area Housing manager or Deputy Area Housing Manager and appropriate Manager, Deputy Manager or more senior officer in Housing Services have considered all the evidence and decided that the applicant is not eligible for housing or is not a qualifying person, the applicant may seek a review (3.15.0). If it is decided that the person qualifies for allocation but does not meet the discretionary criteria, the applicant can request a review of this decision within 10 days of being informed, in writing, of the council's decision. Applicants should submit their representations in writing to the Director of Resident and Estate Services or more senior officer. The review will be carried out by the Director of

Housing and Regeneration or their nominee and the applicant will be notified of the outcome within 10 working days of receiving the review request.

### **Refusals of discretionary offers of accommodation**

5.3.0. All applicants for discretionary offers of accommodation will normally receive only one offer of accommodation which the council considers is suitable to meet their housing and/or medical needs. The assessment will be discussed with the applicant at the time of the application. Following a refusal of suitable accommodation, the discretionary application will be cancelled and will not be subject to further offers, unless the applicant submits evidence or advises a change of circumstances which, in the council's opinion, makes the offer clearly unreasonable.

### **Evicted council tenants: application for a new tenancy of the same property**

5.4.0. The council may consider granting a new tenancy of the same property to a tenant who has been evicted for rent arrears. Applications will only be considered if:

- the tenant was evicted for rent arrears only and not anti social behaviour or other breach of the tenancy conditions;
  - the arrears and court costs have been cleared in full (although the Executive Director of Housing and Regeneration (or her or his nominated officers) has discretion to consider less than full clearance in exceptional circumstances);
  - the applicant has not applied as homeless and/or has not been found to be intentionally homeless; and
  - the property is available and has not been offered to another applicant.
- Such decisions are made by the Assistant Director of Resident and Estate Services or more senior officer on the recommendation of the Area Housing Manager or Deputy Area Housing Manager. All of the circumstances of the case, including the tenant's previous record of rent payments and management of their tenancy, will be taken into account in reaching a decision.

## Annex A

How to contact the Housing and Regeneration Department:

**General enquiries:** (020) 8871 6840

**Housing Register Team:**

[HousingRegisterApplications@richmondandwandsworth.gov.uk](mailto:HousingRegisterApplications@richmondandwandsworth.gov.uk)

**Allocation Team:**

[allocation.team@richmondandwandsworth.gov.uk](mailto:allocation.team@richmondandwandsworth.gov.uk)

**Property Management Team:**

[PropertyManagement@richmondandwandsworth.gov.uk](mailto:PropertyManagement@richmondandwandsworth.gov.uk)

If you would like to contact us about housing options advice, please contact:

**Wandsworth Homelessness Prevention and Solution Team**

[homelessnessprevention@wandsworth.gov.uk](mailto:homelessnessprevention@wandsworth.gov.uk)

## Annex B

### Home loss, disturbance, under-occupation, relocation and out-of-borough payments

#### Making payments

Payments, such as financial assistance, support or incentive, will only be made to assessed applicants under one scheme or initiative. Therefore, applicants will only be assessed for one scheme and therefore only receive one payment. Applicants will be advised which scheme they have been assessed for.

#### Room to Move scheme

Incentive payments are calculated on the number of bedrooms being released in the tenant's present home and the number of bedrooms in the new home. The payment will also be adjusted if any member of the household/family is rehoused separately or likely to be offered housing by the council. Other incentives are considered on a case by case basis.

Under-occupation (Room to Move Scheme)			
By 1 bedroom	Lump sum of £2,000	Discretionary	Housing (Re-let property) Section 2 of the local Government Act 2000
By 2 bedrooms	Lump sum of £3,500		
By 3 or more bedrooms	Lump sum of £5,000		

Payments will only be made to assessed and rehoused under-occupying tenants on the council's Room to Move scheme.

#### Under-occupation payments to RP tenants

Payments can be offered to under-occupying RP tenants who have moved to smaller accommodation provided by the council or their landlord and the vacated unit is provided for the council's nomination. Payments may be adjusted if a member of the household/family is rehoused or likely to be rehoused separately.

#### Out of borough payments scheme

Out of Borough Mobility Scheme Financial Assistance	
Council tenants* - size of accommodation given up	Financial Support
Bedsit/1 bedroom	£3,000
2 bedroom	£3,500
3 bedroom	£4,000
4 bedroom or larger	£5,000

Reason for move	Payment	Statutory/Discretionary	Authority
<b>1. Private Dwellings</b>			
Clearance areas, redevelopment areas and individual properties subject to statutory action (i.e. demolition and closing orders)	Disturbance payment including, removals, costs of disconnection and reconnection. Home loss payment £4,700 (subject to a one-year residence at the address)	Statutory	Land Compensation Act 1973, Sections 29 & 37; Planning and Compensation Act 1991, Section 68
<b>2. Council Dwellings</b>			
Essential Repairs	Disturbance payment including, removals, costs of disconnection and reconnection. Disturbance payment £150	Discretionary	Housing Act 1985, Section 26; Land Compensation Act 1973, Sections 29 and 37; Planning and Compensation Act 1991, Section 68.
Improvement/ Redevelopment (displacement)	Removals, costs of disconnection and reconnection. Home loss payment £4,700 (subject to one-year residence at the address)	Statutory	
At council's request in pursuance of policy objectives	As approved by housing committee	Discretionary	Housing Act 1985 Part 11 - Section 26

(NB1) Home Loss and disturbance payments payable only on permanent moves.

(NB2) Any monies owing to the council will be deducted from the sums payable.

**If you have questions about this booklet  
please call (020) 8871 6840**

**This booklet is available in large print.**

Please contact:

Housing and Regeneration Department  
Town Hall, Wandsworth High Street,  
London SW18 2PU

Telephone: (020) 8871 6840

**[www.wandsworth.gov.uk/housing](http://www.wandsworth.gov.uk/housing)**