



South Staffordshire Council

Housing Allocations Policy Summary

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Housing Allocations Policy Summary

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1 Introduction

The purpose of this document is to summarise the key points of South Staffordshire Council's Housing Allocations Policy. A copy of the full policy can be provided electronically upon request, or can be viewed from the Council's website ([Link to be inserted](#))

The purpose of the Allocations Policy is to set out how South Staffordshire Council will allocate properties and

- Sets out who is, and who isn't, eligible for social housing in South Staffordshire and how the Council will make this assessment.
- Details how applications to join the Housing Register can be made
- Explains how priority between applicants will be determined
- Arrangements for nominating applicants to private registered providers of social housing

This revised Housing Allocation Policy will take effect on 1st April 2025. The assessment of need and qualifying criteria set out in the policy will be applied to all new and existing applicants from this date.

South Staffordshire Council are required by Part 6 of the Housing Act 1996 to have a Housing Allocation Policy.

1.1 Objectives of the Policy

1. To meet the legal requirements placed on South Staffordshire Council to give appropriate priority to applicants who fall within the Housing Act "*reasonable preference*" to ensure that social rented housing is let to those in greatest need.
2. To enhance how local people with a long-standing connection to South Staffordshire gain access to social housing.
3. To allocate homes in a fair, transparent and effective way, that prioritises applicants who are most in need, is lawful and makes best use of the homes available.

2 Who can apply to join the Housing Register

The Housing Register is open to anyone over the age of 16 years who has a housing need and has lived in the district continuously for 2 years, unless they come within one of the 'ineligible' or 'non qualification' categories set out in the policy.

A person can apply to join the Housing Register if their current address is their only home, or sole residence, and they are not already registered through someone else's housing application.

If an applicant is under 18 years of age, they will not normally be offered a property by a Housing Association unless there are exceptional circumstances.

2.1: The eligibility 'persons from abroad' qualification rules

There are some groups of people who by law cannot join the register regardless of their housing need or circumstances. These are people who:

- Come under a Government eligibility rule which means they cannot lawfully access social housing
- Do not live habitually in the 'Common Travel Area' (UK, Channel Islands, the Isle of Man or the Republic of Ireland)
- Do not have the right to live in the UK
- Plus, other categories of people who the Government may in the future, decide are not eligible for housing assistance.

2.2: The qualification and non-qualification rules that have been adopted under the policy

Qualification rule 1: Applicants who do not meet the housing need criteria for an award of a band 1-3 will not be admitted to the Housing Register.

Qualification rule 2: Applicants (or joint applicant if appropriate) need establish a local connection to the area, to do so must meet one of the following rules.

- a) Lived in the area continuously for the last 2 years and that residence was of their choice, or
- b) Are employed in permanent employment in the area and to travel to work by public transport would take them more than one hour each way.

Note: Employment must be their actual place of work in area and not employment based on a head office or regional office situated in the area but from which the applicant does not work. Where working hours fluctuate an average will be taken over the last 3 months.

- c) Have close family (normally considered to be a mother, father, brother, sister, or adult son or daughter) that have lived in the district for a minimum of the last 5 years. In addition, the circumstances must be that the applicant

needs to be in the South Staffordshire district to give or receive essential support from close family. It is for the Council to assess and decide on whether the support is essential.

Note 1: The Council will consider whether there are exceptional circumstances whereby other family members may be considered to provide a local connection. For example, the circumstances where a person has been brought up by an extended family member, in the absence of their own parents and the applicant continues to receive essential support from this person.

Note 2: the level of support required must be significant and cannot be short term or low level such as to carry out shopping once a week, and there is no existing support package in place.

Once registered an applicant must continue to meet one of the 3 local connection qualification rules. If the applicant no longer meets this rule they will be removed from the register as they will no longer qualify for inclusion under this rule.

Qualification rule 3: Circumstances where an applicant has a current or former housing rent arrears, or another relevant recoverable housing related debt.

Generally, applicants who have housing related debt will either:

- a) not qualify to join the housing register if the debt owed is over £1,000 or
- b) can qualify but will not be entitled to be made an allocation of housing until the debt is resolved as per the rules set out below. If an applicant is allowed to join the housing register, they will be ineligible to be considered for an offer until the debt has been resolved but they will still be allocated a band and will accrue their time in band whilst they take action to resolve the debt as per the rules set out in this section of the policy.
- c) For housing related debts of £1 - £499 an applicant will normally be considered for an offer of accommodation with no penalty).

Housing related debt includes but is not limited to:

- a) Any current or former tenant rent arrears or charges for use and occupation owed to any local authority, registered provider or private sector landlord
- b) Temporary accommodation charge arrears for a license or a non-secure tenancy, where that temporary accommodation was provided by South Staffordshire Council

Housing related debts apply to both the applicant and any partner included in their application.

Qualification rule 4: Applicants where there is evidence of serious unacceptable behaviour from them or any member of their household, in the view of the council, makes them at the time of their application, or since their

application, unsuitable to be a tenant, will not be admitted to the Housing Register.

The unacceptable behaviour disqualification rule will also apply to applicants currently on the Housing Register.

Qualification rule 5: Applicants who are considered to have sufficient financial resources to buy or rent suitable accommodation in the private rented sector will not be admitted to the Housing Register.

Single and joint applicants will not qualify to join the register if:

- 1) Applicant/s have a total household income of £50,000 gross per year, or
- 2) Have resources of over £16,000 from investments or savings.

Dependent children or non-dependent adult children's income will not be considered as part of the household's total income assessment.

'Sufficient financial resources' includes any assets or investments even if they are not immediately available to the applicant.

Qualification rule 6: An applicant cannot qualify for the housing register if they or their partner own a residential property in the UK or elsewhere. Applicants who have been the owner of a residential property within the last 5 years will be required to provide proof of the proceeds from the sale and of the disposal of any proceeds. Where proceeds from any sale have been spent recklessly and, as a result, takes an applicant's financial resources below the disqualification level set, an applicant can still be determined as not qualifying for the housing register.

Qualification rule 7: Applicants who are found to have withheld or given false information may be removed from the register and will not be able to reapply for a period of 12 months. Decisions to remove the person from the register will be made based on the seriousness of the attempted fraud or false information given including an assessment of why information was withheld.

Qualification rule 8: Any applicant who refuses 2 reasonable offers within a 12-month period will be disqualified from the housing register and not allowed to reapply for a period of 12 months (Note: Applicants owed a statutory homeless duty are only allowed one suitable offer and a refusal will mean that their priority for being owed a statutory homeless duty will be removed).

Further information on how these qualification rules will be assessed and details on any exceptions to these rules can be found within the full Housing Allocations Policy ([link to be inserted](#)).

3 Applying to join the Housing Register

Applicants wishing to join the register must apply on-line through the Customer Portal <https://southstaffs.housingjigsaw.co.uk/>.

Any applicant who may need help in completing their on-line application can call the Housing Team on 01902 696000 or via email to homes@sstaffs.gov.uk, where they will be guided through the process of making their application on-line. There is free access to the 'internet' at libraries, and at some community facilities. A home visit or office appointment can be offered when an applicant has no access to the 'internet' or is unable to use the 'internet'.

On completion of the housing application, a list of the supporting documents that an applicant must provide in order for the Council to progress their application will be provided.

Once the application has been received there may be a need for additional information. If so, an applicant will receive a phone call, email or letter asking for the additional information needed.

If an applicant is unable to upload the supporting information to their application, they may email the documents required to homes@sstaffs.gov.uk, or they can be brought into the Codsall Community Hub, Wolverhampton Road, Codsall, WV8 1PX.

Any application forms that are not completed fully cannot be processed meaning that an applicant will not be able to access the housing register until the information is fully completed and assessed.

The Council will make enquiries it considers necessary in order to verify and assess an application for housing. This may involve contacting previous landlords, health or medical advisors, police etc.

The Council will process applications within a reasonable period of time (relative to the particulars facts given in the application) after all documentation has been received from an applicant.

If accepted onto the register the applicant will be informed of:

- 1) The band they have been placed in (this determines priority)
- 2) The date of application (may be used to determine priority within the band allocated)
- 3) The size and type of properties for which they can bid
- 4) Their application reference number (applicants will need this to bid)
- 5) How to seek a review against their banding if they think it is wrong.

If an application to join the housing register is refused the applicant will be informed in writing and will have a right to review the decision made.

3.1 Persons entitled to be considered as part of the application

Joint applications may be accepted and will be treated as one application. The housing need of the whole household will be considered in assessing housing need.

Specifically, a person's housing application can include the following household members:

- a) spouses or civil partners where the applicant lives with and/or intends to live with their spouse or civil partner
- b) partners where the applicant is currently cohabiting with a member of the same or opposite sex
- c) children who reside with and are dependent upon the applicant. Children are defined as under 18 for these purposes
- d) any other household member such as an adult child where it is accepted that:
 - they have been part of the applicant's household for a period of 12 months prior to their application to the council; and
 - they reside with the applicant as part of their household,
 - and the applicant will also need to demonstrate that this is not a short term or temporary arrangement.

Family members who do not currently reside in the UK cannot be added to a Housing Register application.

The council may also refuse to consider an application for assistance or someone's inclusion on an application if the person concerned (i.e., other than the applicant) has made a separate housing application.

3.2 The requirement to inform the Council of any change of circumstances

Applicants are required to inform the council in writing of any material change in their circumstances that may affect their priority for housing. Examples of a change in circumstances include but are not limited to:

- a) a change of address or contact details, for either themselves or members of their household
- b) a change in their medical condition or disability (either existing or newly acquired)
- c) additional family members or other people they wish to add to their application (It will be for the council to decide whether they will allow additional people to join the application)
- d) any family member or any other person on the application who has left their household; and/or
- e) any significant changes in income, savings, or assets, that may require a reassessment under the income and savings qualification rule.

Note: on allocation of accommodation, verification checks into the applicant's current circumstances are likely to be carried out again by the council team administering the nomination, or Housing Association that owns the property. This is to ensure the allocation is being made in accordance with the applicant's current housing circumstances and needs at the time of a prospective offer. Therefore, a failure to notify the council of a change in circumstances may lead to an offer of housing being withdrawn and the application suspended whilst changes that were not notified to the council are assessed.

3.3 Assessing overcrowding and the bedroom size that can be allocated

In determining the number of bedrooms required, one bedroom is required for each of the following:

1. Applicant and Partner
2. One bedroom for any additional adult couple
3. Two children of different sexes up to the age of 10
4. Two children of the same sex under the age of 18
5. Each child over the age of 18
6. Where the Council agree that an overnight carer is required

Notes on how the Council will apply the above criteria:

- 1) Children are not considered as part of the household of the applicant if the children have a main permanent residence elsewhere.
- 2) Families headed by a single parent will be treated in the same way as a family headed by a couple.
- 3) Couples should always have their own bedrooms and not share with children.
- 4) Any property with 2 reception rooms will have one counted as a bedroom
- 5) Unborn babies are not considered when determining the number of bedrooms needed.
- 6) An applicant should note that when nominated the Housing Association may have adopted different criteria for determining the number of bedrooms a household requires.

3.4 Reviewing the Housing Register

Every applicant on the Register will have their application reviewed annually, or more frequently as decided by the Council in order to manage the administration of the register. An annual review (renewal), message is sent to an applicant prompting them to renew their application. Each applicant is asked to agree to renewing their application and to check that their circumstances have not changed. If an applicant has not responded after 28 days a second reminder will be sent by email (or by letter, if the applicant does not have an email account). If no response is received to the renewal reminder then the application will be cancelled.

3.5 Deliberate worsening of circumstances

Where there is evidence that an applicant has deliberately made their housing situation worse in order to gain a higher priority on the register, the assessment of their needs will be based on the circumstances before the change in their situation brought about by their actions to deliberately worsen their circumstances.

3.6 The Review Procedure

Under the housing legislation an applicant has a legal right to request a review of any of the following decisions reached by the Council:

- a) A decision that an applicant is ineligible, or not a qualifying person to join the Housing Register.
- b) A decision regarding which band an applicant has been awarded.
- c) The priority date granted for the band awarded.
- d) To remove an applicant from the Housing Register.
- e) Any decision about the facts of the case that has been used to assess their application including the decision the Council has made on who can be included in the application.
- f) Where an applicant considers that a decision has been reached based on incorrect information.

Information on how to request a review will be include on the decision letter sent.

4 How an applicant's housing needs and circumstances are assessed

The demand for social housing exceeds supply in South Staffordshire and therefore this policy prioritises the housing of applicants assessed as being in the greatest need.

A banding system will normally be used to decide when to make an offer of accommodation and to whom, unless the Council applies the direct lets procedure as set out in this policy.

It is important to note that applicants will be placed in the appropriate band following an assessment that their housing need meets the threshold for that band. An applicant who qualifies under more than one of the housing need criteria will be awarded the highest priority they are entitled to under the criteria.

4.1 Criteria for Band 1 - EXCEPTIONALLY URGENT NEED TO MOVE

1: Exceptional or medical impact with an immediate need to move. Where an applicant (or a member of their household) is unable to continue to occupy their current accommodation due to exceptional medical need or disability. (See appendix 5 ([link to be Added](#)) for how band 1 medical will be assessed and awarded)

2: Exceptionally urgent need to move due to violence, harassment, or protection issues

3: Unfit or unsatisfactory housing

4: Severe Overcrowding - People currently living in severely overcrowded accommodation defined as needing three or more bedrooms as defined by the bedroom standard set out in this policy.

5: Armed Forces who meet the following criteria

- a) Are serving (and will soon leave) the regular forces and is suffering from serious injury, illness, mental ill health, or disability which is attributable to the person's service
- b) Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the MOD following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service or
- c) 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 the person's service

6: Care leavers

7: Move on from Supported Housing

8: Applicants owed a main section 193(2) homelessness duty by South Staffordshire District Council, or are owed a relief duty and would be likely to be owed a main duty if the relief duty is unsuccessful.

4.2 Criteria for Band 2 – URGENT/HIGH NEED TO MOVE

1: Overcrowded by 2 bedrooms as defined by the bedroom standard set out in this policy

2: Severe impact medical need. Where an applicant (or a member of their household) is living in accommodation with a severe, long term, medical conditions (chronic or progressive) or severe disability that means they urgently need to move because their home is assessed as being highly unsuitable and is directly detrimental to the applicants' physical or mental health.

(See appendix 5 ([link to be Added](#)) for how band 2 medical will be assessed and awarded)

3: Unsatisfactory housing conditions or fitness. Private sector tenants that the relevant Council has determined that the property poses a category 1 hazard under the Health and Safety fitness rating and the Council's assessing officer is satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a 6-month time period, and the household are not able to resolve their own housing problem by moving to alternative private sector accommodation

4: Former Regular Armed Forces Applicants who meet the following criteria

- a) They are serving in the regular forces and will be discharged within 6 months and have served for 5 years or more, or
- b) They were serving in the regular forces and they apply to join the housing register within 1 year of discharge, and
- c) Had been previously living in South Staffordshire immediately before joining the armed forces or since leaving

And d and e below must also apply

- d) They did not leave the armed forces as a result of a dishonorable discharge, and
- e) They do not own or have a legal interest in any other property

5: Band 2 for a statutory homeless duty defined as:

- a) Applicants owed a section 195 (2) prevention of homelessness duty and the applicant is, at the point of that duty being accepted, considered likely to be in priority need and unintentionally homeless if the prevention or relief duty is unsuccessful. *Note when shortlisting any*

applicant in this first group will appear on any shortlist before an applicant in groups 2,3 and 4.

- b) Applicants owed a section 189B (2) Relief duty by South Staffordshire Council and the applicant is, at the point of that 189B duty being accepted, considered unlikely to be in priority need, or likely to be intentionally homeless,
- c) Applicants owed a section 195 (2) prevention of homelessness duty and unlikely to be owed a main duty if the prevention or relief duty is unsuccessful
- d) Applicants where the relief of homelessness duty has been brought to an end and the applicant determined to be homeless but not in priority need

6: Insecurity that risks homelessness

“A pregnant woman or applicant with a child or children who are sharing a home with family who are not part of their household and where:

- a) They have no ownership or tenancy rights, and the arrangement is short term and very insecure and only available whilst the applicant is actively seeking an offer of social housing or alternative accommodation with friends or in the private rented sector, and
- b) They were owed a prevention of homelessness duty as they were assessed as likely to become homeless within 56 days, and that duty has ended because they have been allowed to remain at home whilst they bid for social housing with their Band 2 priority and it is likely that they can remain for at least a year, and
- c) The family member with the interest in the home has agreed to allow the applicant to remain for at least a year.

Note when shortlisting any applicant awarded the insecurity that risks homelessness group applicants will appear on any shortlist before an applicant in groups 1,2,3 and 4 from the statutory homeless band 2 groups set out above.

4.3 Criteria for Band 3 – ALL OTHERS ASSESSED AS HAVING A STATUTORY REASONABLE PREFERENCE

1: Band 3 Homeless

- a) Applicants where the relief duty has been brought to an end and an applicant has been assessed at that point as being intentionally homeless.
- b) Applicants owed the 193 C (4) main duty where the prevention or relief duty was ended by the Council due to their deliberate non-cooperation

2: ‘Right to move applicants’

3: Overcrowded by 1 bedrooms as defined by the bedroom standard set out in this policy

Note for Banding 2 or 3 for Homelessness

Any band 2 banding for applicants found to be not in priority need or band 3 for being intentionally homeless when a relief of homelessness duty have been brought to an unsuccessful conclusion, is dependent on the applicant remaining homeless. If their circumstances change and they are no longer homeless the banding will be removed. If an offer of accommodation was to be made and, upon verification, the assessment is that the applicant is no longer homeless, that offer would be withdrawn.

4.4 Advertising Properties

Choice based lettings is about the applicants being given more choice over where they would like to live. Properties will be advertised, and applicants will be able to indicate the properties for which they want to be considered by 'bidding'. Once the bidding process closes a shortlist will be compiled and the property allocated will be based on the banding priority of the applications and the time they have waited as long as they meet the criteria set out in the advertisement.

It should be noted that in certain circumstances a Registered Provider Housing Association might apply their own additional rules regarding the allocation of accommodation. For example, an association may wish to apply its own test of affordability. The aim of all partners is to keep these additional rules to a minimum.

Adverts will clearly indicate any restrictions on bidding (e.g., where properties have been adapted and/or are specifically for people with disabilities) and will detail any particular criteria that apply (e.g., any affordability criteria).

4.5 The bidding and selection process

Properties are advertised on a weekly cycle. Applicants may express an interest through bidding on any advertised property that meets their needs. Within bands, priority is awarded according to the effective date with the exception of offers made outside of band and date order as set out in the policy.

In the circumstances where there are two households with the same band and registration date that bid for a property a decision to offer the property will be based on the household who is assessed by the Council as being most suitable for that property.

4.6: Offers of accommodation

This section sets out the procedure that will apply to making an offer of accommodation once an applicant has been selected from a shortlist of successful applicants bidding for that property.

The size of a home that an applicant may be entitled to is determined by the rules set by each individual housing association.

Once selected and, prior to an offer being made, the Housing Register and Allocations Team will carry out a further verification of their eligibility and priority. In certain situations, the offer will not be made, or if made may be withdrawn if:

- Since joining the scheme an applicant has become ineligible.
- On verification of the applicants' details, the priority band has been incorrectly awarded due to the information received by the applicant, or due to mistakes in the assessment of the application itself.
- The applicants' circumstances have changed since the priority band was awarded and the applicant is no longer entitled to the same level of priority.
- The Housing Association landlord for the property being advertised has evidenced housing management reason not to offer the property to the person selected.

The Housing Association who owns or manages the vacant property that has been advertised will be responsible for writing to the successful applicant once notified by the Council. They should provide the applicant with additional detail of the property, a potential tenancy commencement date and details of how to view the property.

The Housing Association will normally seek a tenant reference and will undertake an affordability assessment before making a formal offer of a tenancy.

A suitable and reasonable offer of accommodation is defined in appendix 4 ([link to be added](#)) of the policy.

4.7: Local Lettings Policies

Local lettings initiatives may be applied to meet the particular needs of a local ward or area or to address sustainability and community issues to ensure that the housing allocation scheme is able to contribute to building sustainable communities. Appendix 2 ([Link to be added](#)) gives full details for how local lettings policies will be assessed and applied.