

THE BOSTON CHOICE BASED LETTINGS SCHEME

**OFFERING QUALITY HOMES AT
AFFORDABLE RENTS**

POLICY FRAMEWORK, JULY 2017

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1 INTRODUCTION

- 1.1 Working in close Partnership with its Housing Provider (HP) partners, Boston Borough Council maintains a Common Housing Register which underpins a Borough wide Choice Based Lettings (CBL) Scheme through which customers can access affordable homes within the area.
- 1.2 The Scheme enables registered applicants to bid for properties in which they are interested and for which they are eligible. Once applicants have registered they become '**Members**' of the Scheme and are referred to as such throughout this document.
- 1.3 The Scheme is designed to make the process of registering for an affordable home as simple as possible. By completing one registration form, Members needing an affordable home become eligible to bid for housing in the location of their choice. The Housing Providers detailed below participate in this '**Partnership**':
- Boston Mayflower Ltd, Chantry House, 3 Lincoln Lane, Boston PE21 8RU, Tel 01205 318500
 - Lincolnshire Rural Housing Association Ltd, Markime House, Pool's Lane, Spilsby, Lincolnshire, PE23 5EY, Tel 01790 754219
 - Longhurst & Havelok Homes, Leverett House, Gilbert Drive, Endeavour Park, Boston, Lincolnshire, PE21 7TQ, Tel 0800 1114013
 - Accent Nene, Manor House, 57, Lincoln Road, Peterborough, Cambs, PE1 2RR, Tel 01733 295400
 - Waterloo Housing Group, 1700 Solihull Parkway, Birmingham Business Park, Birmingham B37 7YD, 0800 435016.
- 1.4 In addition, the Partnership also works closely with Private Sector Landlords and specialist accommodation providers who offer supported short and long term housing to people with particular support needs. Because of the nature of the accommodation provided and the support offered, a number of providers, including but not being limited to those listed below, do not directly participate in the Scheme. However, the Partnership can refer suitable applicants to these and other providers.
- Advance Housing
 - Nacro Services
 - Framework

2 VISION OF THE POLICY – OUR STATEMENT ON CHOICE

2.1 The Policy aims to be as open as possible and to offer the widest possible choice to people looking for an affordable home, however, social housing is a scarce resource and demand for the limited number of vacancies that arise is high. As required in law, priority will be given to applicants who fall within the reasonable preference categories or who are otherwise prescribed to have priority in law. In addition to prioritising applicants on the basis of need, individual providers **may** also use the flexibilities highlighted within the statutory code, for example, by restricting eligibility for certain homes to households in work, Housing Provider tenants who are currently under occupying or to other households who make a valuable and positive contribution to their community. Housing Providers will also directly endeavour to make the best use of their housing stock by giving preference to their tenants who are under-occupying properties by encouraging them to transfer to smaller dwellings

2.2 The main objectives of the Policy are:-

- To accord to the statutory requirements prescribed within the **Housing Act 1996** as amended (by the Homelessness Act 2002, the Housing Act 2004 and the Localism Act 2011), the Statutory Code of Guidance, **Allocation of accommodation, guidance for local housing authorities in England, 2012**, and **Statutory Instrument 2012 No. 1869 - The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 and The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967) together with its statutory guidance.**
- To provide a fair, open and accountable framework to people seeking an affordable home taking into account that social housing is a scarce resource and being realistic to applicants in regard to options where they have little or no prospect of being re-housed. See Section 5.
- To ensure that the best use of the limited housing stock available is made which will include giving preference to Housing Provider tenants who are under-occupying social housing within the Borough of Boston. Housing Providers will encourage these tenants to transfer to smaller accommodation and so releasing larger accommodation to applicants with the highest degree of housing need.
- To ensure that that balanced and stable communities are maintained
- To provide assistance to people who are unable to participate fully in the Scheme without assistance, support or advocacy.
- To ensure that relevant and timely advice is available to applicants about the Scheme, including information about their housing options in the Private Rented Sector and by signposting to independent advice agencies where appropriate.

- To prevent homelessness wherever possible
- To reduce the use of temporary accommodation wherever possible.
- To provide information which is easy to understand for all current or prospective Members of the Scheme.
- To provide a bidding process that is easy to access for all Members of the Scheme.

3 HOW THE PARTNERSHIP WORKS

- 3.1 The day to day administration of this policy is the responsibility of Boston Borough Council with the letting of homes being the responsibility of individual Housing Providers. In order for the Scheme to work effectively partners will share information about applicants.

4 EQUAL OPPORTUNITIES

- 4.1 The Partnership is committed to the promotion of equality of opportunity for all existing and potential Members wishing to access the Scheme. No one will be treated unfairly because of gender, race, colour, ethnic or national origin, religion, disability, marital status, age, sexuality, health or other reason. This list is not intended to be exhaustive, but indicative of the Partnerships intention and commitment to ensuring equality.
- 4.2 The Partnership aims to promote good race relations and equality of opportunity throughout the community. Copies of each Partners equality policies are available on request.
- 4.3 Individual partners **may** be able to provide interpretation and translation facilities or **may** have access to alternative methods of communication including:
- use of sign language interpretation
 - Information on tape/braille/large print
 - Translating guides and leaflets into languages other than English
 - Loop system for the hard of hearing
 - Staff to deal with any Type Talk calls that may occur

5 HOUSING OPTIONS

- 5.1 Due to the high demand in the Borough for affordable housing applicants may have to wait a considerable time before appropriate accommodation becomes available to them in areas of high demand. Applicants who have little or no prospect of being rehoused will be advised of this and provided with alternative options. This may include providing information about:-

- **The private rented sector** that can offer differing types and sizes of accommodation which may be more readily available in the private rented sector.
- **Shared and low cost home ownership Schemes** – there are various schemes available for people who cannot afford to buy a home outright on the open market to get onto the housing ladder.
- **Homeswap** – a National Mobility/Mutual Exchange Scheme which provides Council/Housing Provider tenants the opportunity to exchange dwellings with the consent of the landlord. There is a National Registration Scheme for these options details of which can be provided upon request.
- **Home improvement Schemes or provision of disabled facility aids and adaptations** - to enable applicants to remain in their existing accommodation and to allow disabled residents to move freely into and around their property and use the essential facilities within it.

6 SERVICE STANDARDS

6.1 The Partnership will always endeavour to meet the following service standards:

- Process a fully completed Registration Form within five working days of receiving it.
- Registration Forms which are incomplete or have missing evidence will be returned to the applicant with a letter explaining what is required within five working days of receiving it.
- Write to Members informing them of any amendments made to their registration within five working days.
- Respond to customer emails within the standard set down by each partner organisation.
- Consult all of our customers on any major change in policy.

7 WHO CAN REGISTER?

7.1 Anyone has the right to make an application to join the Scheme. Applicants should generally be aged 18 years or over. In the case of joint applications, at least one should normally be aged 18. Special provisions apply to 16-17 year olds, and are set out in more detail below. Applications from the following groups will be considered:

- Persons not subject to immigration control:

- British nationals who are habitually resident in the Common Travel Area (CTA) i.e. United Kingdom, Channel Islands, Isle of Man or Republic of Ireland.
 - Commonwealth citizens who have the right of abode and are habitually resident in the CTA.
 - European Economic Area (EEA) and Swiss nationals who have the right to reside in the UK and are habitually resident in the CTA.
 - Those with lawful Retained Worker Status who are entitled to housing assistance.
- Persons subject to immigration control who have been granted:
 - Refugee Status
 - Humanitarian Protection or Discretionary Protection, provided that there is no condition that they shall not be a charge on public funds
 - Indefinite Leave to Remain, provided that they are habitually resident in the CTA and their Leave to Remain was not granted in the previous five years on the basis of sponsorship given in relation to maintenance and accommodation (or if their sponsor has died)
 - Persons subject to immigration control who are nationals of a country that has ratified the European Convention on Social and Medical Assistance (ECSMA) or the European Social Charter (ESC) provided that they are habitually resident in the CTA and lawfully present in the UK.
- In addition to European Nationals who are habitually resident in the UK, and have a current British National Insurance Number, applications from the following groups of people will also be considered: -
 - A person granted refugee status when his/her request for asylum is accepted.
 - Persons granted exceptional leave to enter or remain. This will be someone who has failed in the request for asylum, but has been given leave to remain where there are compelling, compassionate circumstances.
 - Persons granted indefinite leave to remain in the UK who are regarded as having settled status. Applicants still have to establish habitual residence.
- Applications from 16/17 year olds will also be **considered** from:
 - A single parent/couples with a dependent child/children who have a **stable income in place**.
 - People aged 16 or 17 who are homeless or whom are referred by a relevant support provider who have a **stable income in place**.

Some Housing Providers require 16/17 year olds accepted for housing to have a guarantor and/or sign up for support from the Housing Provider or their agent where satisfactory support is not in place from statutory agencies.

- 7.2 Under the Housing Act 1996, local authorities must consider whether applicants are eligible for housing assistance. This relates to some people who may have been living abroad or who do not have permanent permission to remain in the UK. Any person making an application who is identified as falling under the Asylum and Immigration Act 1996 will be assessed in accordance with the Act. We reserve the right to seek independent advice and assistance to resolve the issue of eligibility.
- 7.3 Those who **CANNOT** join the Choice Based Letting Scheme or whom are otherwise to be considered ineligible are: -

- Persons who are ineligible to reside in the United Kingdom.
- Persons granted exceptional leave to enter or remain but do not have recourse to public funds.

In addition, the Partnership reserves the right not to accept an application or to exclude and remove a Member/applicant from the housing register as a result of unacceptable anti-social behaviour deemed serious enough to make them unsuitable to be a tenant. The Partnership will take into account all relevant factors before excluding an applicant or removing a Member. In reaching any decision, enquiries may be made with the police, anti-social behaviour teams or other Statutory organisations. Behaviour exhibited by Members/applicants which may be regarded as unacceptable includes, but is not limited to:

- those who are subject to a Criminal Behaviour Order; a Civil Injunction; a Community Protection Notice (level 1 or 2) or a Dispersal Power.
- Behaviour which may also be regarded as unacceptable includes (and this is not an exhaustive list) nuisance or annoyance to others, use of a property for immoral or illegal purposes, domestic abuse, a deliberate act of non-payment of rent etc.
- When reaching a decision to refuse or remove an application, the Partnership will take into account all relevant factors that a Court would consider before making an Order. A decision will be taken on the length of time an applicant will be excluded and the reasons why and what the applicant can do to enable a further application to be considered in the future.

- 7.4 Members/Applicants will be notified in writing of any decisions taken, the grounds for refusal/removal and of the appeal process.

8 PROVIDING INFORMATION

- 8.1 Applicants are required to provide proof of their National Insurance Number(s) and proof of identity as detailed in 8.2 below.

- 8.2 Before accepting any registration which includes anyone from abroad, proof of identification, nationality and immigration status will be required. Verification will be sought from the Immigration Service to safeguard the use and allocation of public funds.
- 8.3 In order to determine the priority a registration receives, a duty is placed upon the Member(s) to provide any and all information reasonably required by the Partnership. Such information may extend beyond that requested on the Registration Form. Until all required information is provided the application will not be registered and the applicant(s) will **NOT** be eligible to bid.
- 8.4 Prior to being made an offer of accommodation by a Partner to this Scheme, scheme Members may be required to undergo a **full financial assessment** or may be asked to provide a **range of further, up to date information about themselves, household Members and/or their circumstances**. Failure to provide information reasonably requested by a Housing Provider may result in an offer not being made by that provider; in addition, the information provided itself may also result in a provider choosing **not** to make an offer of accommodation. In such event, the provider will inform the applicant and the Council that they will not be making an offer. Any disputes which may arise as a consequence between a scheme Member and the provider should be routed through the respective providers own complaints policy (see s.35).
- 8.5 It is important that the information provided by applicants is accurate and complete if a registration is to receive the correct level of priority. The Housing Act 1996 section 171 states that a person commits an offence if, (a) they knowingly or recklessly make a statement which is false, or (b) they knowingly withhold information which the authority have reasonably required them to give. The offender could be fined up to £5000 and the Council reserve the right to prosecute applicant(s) where it is in the public interest to do so, especially where they obtained housing accommodation fraudulently.

9 **BANDING PRIORITIES**

- 9.1 The Partnership has adopted a simple **Banding Scheme** in order to prioritise the housing needs of applicants. The Banding Scheme has four categories based on an applicant's current housing circumstances. The bands are gold, silver, bronze and copper. Registrations are prioritised firstly by band, and secondly by date - see Section 20.
- 9.2 To determine whether a household is statutorily overcrowded we will use the Space standards contained in Part 10 of the Housing Act 1985 and the Housing Act 2004 which includes the Housing & Health Safety Rating Standard (HHSRS). The HHSRS is a tool for assessing the living conditions of a property; it is based on 29 possible hazards to the most vulnerable occupier and is structured around an evidence based risk assessment process. It is a two stage process which addresses firstly the likelihood of an occurrence and then the range of probable harm outcomes. These include space standards.

- 9.3 Additional priority will be given to HP tenants within the Boston Borough Area who are releasing family accommodation or downsizing to move to smaller property.
- 9.4 If any applicant accepts a property which they would under-occupy according to the bedroom tax criteria, they will not subsequently be given priority on the grounds of under-occupancy to move unless they have experienced a material change in circumstances.
- 9.5 Housing Priority can be reduced or even taken away in certain situations, for example:
- Committing anti-social behaviour
 - Has rent arrears or housing related debts
 - Housing circumstances have improved/changed
 - Applicant has worsened their circumstances
 - Recovered from an illness which gave medical priority
 - Can afford to buy or rent accommodation for themselves

Where priority has been reduced Members will always be informed in writing stating the reasons.

GOLD BAND

- **You have been accepted as statutorily homeless by the Local Authority**
- **You are threatened with homelessness through no fault of your own within the next TWO months and you do not have the financial means to resolve your own housing issue.** Your registration only remains in this band until the date you become homeless. Then your circumstances will be reassessed and your registration may be re-categorised.
- You are a Member of the armed forces who will be discharged within the next 2 months. **Only registrations from those who are being discharged because their commission has expired (though time or redundancy) or are retiring on age or health grounds fall into this category. Personnel who have been dismissed or who have voluntarily surrendered their commission are considered under the other parts of the Scheme. A copy of discharge papers is required.**
- You have recently ceased or will cease to be entitled to remain in accommodation provided by the Ministry of Defence following the death of a spouse or civil partner.
- You are being discharged due to serious injury, illness or disability. This applies to serving personnel and/or former personnel.
- **Your household is assessed as being statutorily overcrowded as defined within Part 10 of the Housing Act 1985 or as having a Category 1**

hazard for Crowding and Space as assessed by the Housing Health and Safety Rating System

- **You have been given High Priority from the Medical Assessor.** Medical banding is independently assessed and priority based on how and why your current living conditions are not appropriate to your medical needs.
- **The property in which you live is subject to a Demolition, Compulsory Purchase or Prohibition Notice/Order.** Members do NOT qualify for this band if such orders have been made because they have failed to satisfactorily maintain their own property or because the disrepair has been caused by them and had the financial means to prevent the disrepair.
- **You are a retiring agricultural worker who falls under ADHAC (Agricultural Dwelling-House Advisory Committee) and your home is required for a new employee and you do not have the financial means to resolve your own housing issue.**
- **You are suffering from harassment or domestic abuse and it is considered that your accommodation is unreasonable to occupy as defined in the homelessness legislation.**
- You are a HP tenant within the Borough of Boston who is releasing 2 or more bedrooms to move to smaller accommodation.
- You are a HP Tenant within the Borough of Boston who is affected by the Housing Benefit Cap causing you severe financial hardship. You will need to complete a financial statement. Each case will be assessed on an individual basis.

SILVER BAND

- **You are being accommodated by the Local Authority as homeless under a main housing duty in a HP self-contained property.**
- **You have been determined by the Council to be Street Homeless i.e. no access to accommodation at all.**
- **You have been given Medium Priority from the Medical Assessor.** Medical banding is independently assessed and priority based on how and why your current living conditions are not appropriate to your medical needs.
- **Your household is assessed as needing one more bedroom under the Welfare Reform Act 2012 - size criteria.**

Note : changes to the Housing Benefit system mean that if you have two children of the opposite sex under the age of 10 or two children of the same sex under the age of 16 you will only be entitled to housing benefit for a 2 bedroom property.

- **Your current home is assessed as lacking basic essential facilities and it is through no fault of your own, such as:**
 - Does not have an inside toilet
 - Does not have hot and cold running water
 - Does not have bathing facilities
 - Does not have any mains services i.e. electrical / water supplies

This category excludes caravans/mobile homes. It will not be used where any of the above has been caused by the occupier.

- **You are experiencing undue financial hardship which is a direct result of your current housing circumstances.** To fall into this band your situation must be;
 - one that is not likely to be short lived
 - one that is not/has not been caused by a deliberate act or omission on your behalf or any of your household and,
 - one that you are unable to have any reasonable control over

A full financial assessment will be undertaken.

- **You are an HP tenant, within the Boston Homechoice area who is releasing 1 bedroom to move to a smaller property.**
- **You are a household with dependent children but are unable to live together as a family unit (this is defined as spouse/partner/children) and you wish to live with them.**
- **Your present home is deemed by your current Social Housing Provider to be unsuitable for young children.** This category applies to some but not all HP/Private flats within the area. Suitability is assessed in terms of access to and from the flat and is determined by each HP provider.
- **You are a household with dependent children and are lodging with friends or family.** To fall into this category you must not fall under any category within the copper band.
- **You have a housing a need that you cannot reasonably meet yourself and have formerly served in the Regular Forces in the last five years.**

BRONZE BAND

- **You are homeless intentionally and you have not had a settled home within the last 6 months.** You have been assessed as being intentionally homeless under the Housing Act 1996 as amended by the Homelessness Act 2002.
- **You are a household without dependent children and are lodging and sharing facilities with friends or family.** To fall into this category you must not fall under any category within the copper band

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- **You need to live in a particular area for welfare reasons.** Each case will be assessed on individual circumstances by the Partnership and may not be subject to a local connection.
- **Your relationship with your partner has broken down and you do not have the financial means to secure alternative accommodation.**
- **You are a Housing Provider tenant within the Boston Homechoice area (Boston Borough) and have been assessed as requiring sheltered/supported housing.** A formal assessment by the RP/Support provider will be required to determine whether you are eligible for this type of accommodation.
- **You have been given Low Priority from the Medical Assessor.** Medical banding will be independently assessed and priority based on how and why your current living conditions are not appropriate to your medical needs.
- **Your existing tenancy is insecure i.e. an assured shorthold tenancy.** E.g. Private Rented Accommodation, Try before you Buy Scheme.
- **You are an HP tenant, within the Boston Homechoice area, wanting older person accommodation and are occupying accommodation suitable for families**
- **You are a qualifying tenant under the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 (SI 2015/967) and have:**
 - reasonable preference under s.166(3)(e) because of a need to move into the Boston Homechoice area to avoid hardship, and
 - need to move because the tenant works in the district, or
 - need to move to take up an offer of work.

To qualify for this category applicants will be subject to the **full compound assessment** set out within the prevailing Statutory Code that sits alongside the Statutory instrument or any successor legal qualification.

COPPER BAND

- **You do not fall into any other category and have no housing need.**
- **You have the financial capacity to resolve your own housing need and it is reasonable for you to do so.** Registrations will undergo an affordability assessment. **This overrides any qualification for higher bandings.**
- **You are found to have deliberately worsened your circumstances your application will be deferred for 12 months.**
- **You have a housing related debt over £500.**

- You are an owner and are not experiencing undue financial hardship.
- You have no local connection to the Borough.

10 AIDS AND ADAPTATIONS

- 10.1 These are alterations carried out to an applicant's home in order that they and/or household Members who, due to age, disability or illness require their home to be adapted to better suit their requirements.
- 10.2 Where an applicant's existing home has undergone adaptations to meet the needs of the applicant or household Member, any subsequent application made to join the Scheme would have its eligibility restricted to other similarly adapted homes unless there has been a material change in their circumstances. Properties advertised that have undergone adaptations will normally be prioritised for Members who require those adaptations. Where an applicant considers that they no longer need the adaptations in the home in which they live and want to move to an alternative, un-adapted home, the **applicant** will be responsible for securing a supporting statement from a Lincolnshire County Council Occupational Therapist confirming that they no longer have any additional needs.

11 MEDICAL BANDING

- 11.1 An assessment of medical need is made by an independent medical professional. If the assessment places a Member into a higher band, then the registration will be re-dated to the date of the assessment.
- 11.2 There are FIVE recommendations that can be returned; High Medical Need – placed into Gold Band, Medium Medical Need – placed into Silver Band, Low Medical Need – placed into Bronze Band, No Priority but need older persons accommodation on medical grounds or No Medical Need.
- 11.3 The Assessor determines medical priority based on the current housing circumstances in relation to the illness or disability of the Member or their household.
- 11.4 The Partnership will consider a request for a further medical assessment if it is satisfied that there has been a significant change in the medical circumstances of the Member or their household.

12 REASONABLE PREFERENCE

- 12.1 Legislation states that certain groups of people have “reasonable preference” within any Scheme of allocation operated by a local Housing Authority. These groups include:-

- People who are homeless (within Part 7 of the Housing Act 1996 as amended by the Homelessness Act 2002); this includes people who are intentionally homeless, and those who are not in priority need;
- People who are unintentionally homeless or threatened with homelessness and who are in priority need who are owed a duty by any housing authority under section 193 (2) or 195 (2) of the Housing Act 1996 (or under Section 65 (2) or 68 (2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under Section 192 (3)
- People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions;
- People who need to move on medical or welfare grounds;
- People who need to move to a particular locality in the area, where failure to meet that need would cause hardship (to themselves or to others).

12.2 In addition to the reasonable preference categories set out in 12.1, **STATUTORY INSTRUMENT 2012 No. 1869** - The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 describes how additional preference must be given to Members of the armed forces, and **SI 2015/967, The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015**, provide other groups with reasonable preference. The banding priorities set out within section 9 have been developed to take account of these statutory requirements.

13 HOMELESSNESS

- 13.1 Boston Borough Council will prevent homelessness wherever possible and have a number of prevention measures in place to assist with this. However in cases where the Local Authority have accepted a main housing duty to a household accepted as being statutorily homeless, Members will be placed into the appropriate band and are required to make bids on all suitable properties to which they are eligible and for which they qualify from the date that they were accepted as homeless. Homeless cases will be monitored and where applicants fail to make bids, the Partnership will then bid on their behalf for the next suitable property they are eligible for. If an applicant refuses a successful bid, the homelessness duty to them will be discharged. In such cases they will no longer have reasonable preference awarded and the application will be re-assessed.
- 13.2 The Council may however discharge their homelessness duty within the private rented sector. In doing so such a property must be suitable and affordable to the applicants need and conform to the HHSRS standards. If the household refuses such an offer the Council will discharge it's homelessness duty and the applicant(s) will have no reasonable preference on the Housing register and the application will be reassessed.

- 13.3 Where statutorily homeless Members have a housing related debt they will be placed into temporary accommodation under section 193 of the Housing Act 1996, during this time an affordable repayment agreement will be made with them to repay the debt. This will allow Member(s) to place bids, however, they will not be offered a property unless the debt has been cleared or regular payments have been made to reduce the debt over a period of time as determined by the Partnership.
- 13.4 Anyone provided with a temporary tenancy pursuant to a homeless application will be required to complete a new application form and then will be placed into the Silver band, as they are in secure temporary accommodation. Starter tenancies and demoted tenancies are not classed as being temporary accommodation in this sense.

14 ROUGH SLEEPING

- 14.1 Boston Borough Council works in Partnership in addressing rough sleeping defining it as 'being street homeless where applicants have no access to accommodation at all'. People/applicants who are for example staying at various locations as 'sofa surfers' with family or friends on a ad-hoc basis, are not regarded as being rough sleepers.

15 HOUSING RELATED DEBTS

- 15.1 Where an applicant(s) has current/former rent arrears or another housing related debt over £500 they will be accepted onto the housing register and placed in the copper band. For those with debts under £500 they will be placed in the band according to their housing need. This allows Member(s) to place bids.
- 15.2 However, Members with a 'live' housing debt may not be offered a property by the individual Housing Provider unless the debt has been cleared or regular payments have been made to reduce the debt over a period of time determined by the Partnership. All cases will be looked at on an individual basis, but ultimately it is the decision of each Housing Provider as to whom they allocate accommodation.
- 15.3 Partners reserve the right to undertake credit reference checks.

16 HOUSING SUPPORT

- 16.1 A range of support services are available throughout the area and are there to help vulnerable people live safely and independently within the community.
- 16.2 In assessing support needs, the Partnership will require risk assessments, support plans and other relevant information from relevant organisations such as Social Services, Addaction, Probation, Community Mental Health Team, Public Health and other relevant agencies.
- 16.3 If reasonable and appropriate information is not provided by any relevant agency, a Members Registration will be refused with the agency and Member being formally notified.
- 16.4 Where identified support needs cannot be met or a Member refuses support, Housing Providers reserve the right to refuse their bid(s).
- 16.5 The Partnership reserves the right to overlook any bids made for accommodation it deems unsuitable to a Member and where in its opinion, support plans are not sufficiently detailed to provide support to the Member to ensure that their tenancy remains sustainable.

17 HOME VISITS

- 17.1 It is sometimes necessary to carry out home visits to assist with the assessment of housing applications. They will only be carried out by prior appointment, unless there are exceptional circumstances.

18 CARERS

- 18.1 Applicants who require full time care support in their home will be considered on an individual basis in regard to the size of property required. A larger property may not always be possible in all cases. Applicants who are in receipt of Housing Benefit may not be awarded full housing benefit allowance for additional bedrooms and will be responsible for payment of any shortfall.

19 RENT (AGRICULTURE) ACT 1976

- 19.1 The Rent (Agriculture) Act 1976 and the Housing Act 1988 give certain agriculture workers (including retired workers and successors) living in farm cottages, security of tenure. However, under these Acts a farmer may apply to the Local Authority to have the protected worker re-housed, if they need the cottage for another worker in the interests of efficient agriculture. To assist the authority in considering the farmer's application the 1976 Act provides for an Agricultural Dwelling Housing Advisory Committee (ADHAC) to give advice on the case made by the applicant concerning the interests of efficient agriculture and regarding the urgency of the application. If the ADHAC considers that the farmer requires the farm cottage for a new employee,

ADHAC may recommend that the local authority award priority re-housing to the retiring farm worker. If urgent re-housing is recommended, the application will be placed into the Gold Band.

20 DATING OF REGISTRATIONS

20.1 The initial registration date of an application form will be the date the housing application form is received at any of the Partners offices. All relevant documentation requested by the Partnership must be provided within 21 days of initial contact. Failure to provide relevant documentation will result in an application being rejected.

20.2 Applicants will be placed within a band in date order, the relevant date being:

- **new application**, the banding date will be the same as the applicant's registration date.
- **change in circumstances which results in a higher band assessment**: the banding date will be the date the Member provides satisfactory evidence of the change in circumstances.
- **change in circumstances which result in a lower band assessment**: the banding date will revert to the original registration date.

21 CHANGES IN CIRCUMSTANCES

21.1 All changes in Member's circumstances must be notified to the Local Authority as administrator of the Common Housing Register. Changes in circumstances that lead to re-banding will be dealt with in accordance with this policy and the Member(s) advised accordingly.

21.2 When a child is born and a copy of the birth certificate has been provided there will be a re-assessment of the Member's banding; where such an addition to a household increases a Member's priority the date used for this priority will be the date the information was received.

22 CANCELLATION OF APPLICATIONS

22.1 The Partnership will cancel applications where:

- An applicant is housed as a result of that application
- An applicant fails to respond to a review within the timescale set
- An applicant has moved and failed to notify the Partnership

- An applicant(s) fails to provide information requested within the timescale set
- As a result of proven Anti-Social behaviour or as a perpetrator of Domestic Abuse

Should an applicant(s) subsequently wish to re-join the Scheme then they will be required to complete a new application.

23 ASSISTED PERSONS LIST

23.1 Some vulnerable Members may require help to ensure that they have the same opportunity to access the Scheme. The Partnership therefore offers an “Assisted List” to allow those who cannot participate fully without assistance, easy access to the Scheme. This list will also extend to those who require help with applications for Registration.

23.2 The “Assisted List” seeks to provide a number of tailored services for vulnerable Members, such as;

- Contact with Members to advise them of available properties
- Referral to the appropriate local agency or support worker to enable proactive support for bidding, or bidding on the Members behalf
- Homechoice Magazine to be posted to the individual Member’s home in their preferred format: **there is a fee for this to cover postage.**
- Regular contacts will be made to ensure needs are being met in terms of bidding support.

23.3 Referrals for admittance onto the Assisted List may come from a number of sources, although most would come from the following (however this is not exclusive);

- From the Registration Form – where a badly completed form may indicate literacy or language problems or where the Member may indicate a particular disability such as hearing or sight impairment.
- Request from support worker – where a support worker specifically requests additional assistance for one of their clients.
- Self-referral.
- From monitoring Members who have not bid – where the Partnership identifies Members who are not making bids for accommodation.

23.4 Examples of those who may require help include:

- Those with communication difficulties i.e. language / literacy
- Those with access to transport difficulties

- Those with Learning Disabilities
- Those at risk of Domestic Abuse
- Those with a support worker
- Those with sensory / physical disability

24 THE BIDDING PROCESS

24.1 When applicant(s) have been accepted and registered on the Scheme and become a Member(s), they will be able to bid for properties in each cycle for which they are eligible.

24.2 **ADVERTISEMENTS** – Homes let through this policy are advertised in the following ways:

- **CBL Property Magazine** – This is available on request and circulated to stakeholders and for a small fee sent to Members' homes.
- **Website** – All Partner websites allow Members to view available properties and apply on-line for properties of their choice. Access to the website is available in some of the Partner's reception areas.
- **Computer Access** – Is available in some of the Partners reception areas.
- **Reception Areas** – some Partners advertise all properties available within the Scheme in their reception areas.
- **Telephone** – An automated 24 hour phone number is available.

24.3 All available properties will normally be advertised on a weekly basis, with the deadline for bids given in the advertising material. Any bids received after the deadline will not be considered.

24.4 **PROPERTY DESCRIPTIONS** – Properties advertised using the above methods will have (where possible) a photograph of the property and a full description. This normally includes:

- Type of property
- Number of bedrooms
- Location of property
- Any adaptations (e.g. disabled facilities etc)
- Services provided (e.g. warden, caretaker, cleaning)
- Heating type
- Rent charged/service charges
- Amenities in the area
- Type of tenancy being offered

24.5 **LETTINGS CRITERIA** – Whilst this is a Policy of the Council and HP Partners, it is the **sole discretion** of individual Housing Providers, as to the lettings criteria they attach to each property advert in order to make best use of their housing stock. Examples of the type of criteria that a HP may add

include but are not limited to: household type and size, applicant age support needs catered for and whether any priority will be given to working households or to households requiring adaptations.

24.6 **BIDDING FOR A PROPERTY** – Where a Member meets the eligibility criteria they may bid for that property within the deadline given. Members may use a range of methods to make a bid:

- By coupons issued to Members and stakeholders or printed in the property magazine
- Via the automated telephone number
- On Computers available in some Partners reception areas
- Through the Boston Homechoice website
- By text to the Schemes text number
- In person at a Partners reception area
- By email
- Through the assisted persons process (see section 22 for more details)

Where a property has been advertised and no bids have been received, the property may then be allocated on a first come first served basis providing that the applicant meets the eligibility criteria required by the Housing Provider.

24.7 **OFFERS OF ACCOMMODATION** – At the close of the bidding process a list will be produced in priority and date order. The Housing Provider will contact the first suitable Member and may arrange accompanied viewings. If it has not been possible to contact that Member by 12 noon the next working day the next suitable Member will be contacted. The Housing Provider will confirm circumstances are unchanged.

24.8 If it becomes apparent that the Member's circumstances have changed between the point of assessment and the point of potential offer, the bid may be overlooked and the next suitable Member on the list will be contacted.

24.9 Housing Providers within the Partnership always make formal offers of accommodation in writing to successful bidders, following a viewing of a property. However, to ensure that homes are let as quickly as possible, verbal offers may be made prior to a written offer. For applicants refusing an offer to view a property, where they have been successful, the offer will only be a verbal offer and will be treated in the same way as a written offer.

24.10 If the property is refused the next suitable Member on the list will be contacted until the list is exhausted. At that point the property will be re-advertised.

24.11 **REFUSALS / NON BIDDING** – If a Member refuses an offer of a property suitable to their needs in terms of size, type, condition and geographical location, their Registration will be re-dated (as in section 19). If a Member refuses 2 offers they will be suspended from the register for 12 months, after

which time the application will be de-suspended and re-dated to the date that this is done.

- 24.12 If a Member in Gold Band refuses an offer of a property that is suitable to their needs in terms of size, type, condition and geographical location their application will be re-assessed and re-banded.
- 24.13 All Members in Gold Band who have not placed a bid during a 3 month period will be monitored to establish if any suitable properties have been advertised during the period. If eligible properties have been advertised the Member may be interviewed to establish why they did not bid, and their Registration will be reassessed (see Section 35 on Partnership Decisions), except for Homelessness, see section 12.
- 24.14 All other Members who have not placed a bid during a 12 month period will be sent a review letter asking if they still wish to remain on the register. Members who fail to respond to this letter within 28 days will be removed from the register.
- 24.15 Occasionally, a Partner may be required to withdraw a property advert, circumstances for this may include:
- The current tenant of the property advertised has withdrawn their notice and the property is therefore no longer available.
 - Significantly incorrect information had been advertised in respect of the property or applicants eligibility for that property.
- 24.16 **FEEDBACK** – An important part of the Scheme is the need to give Members feedback on allocated properties. This will help Members make an informed evaluation of their housing options. Feedback information will include:
- Property size and type
 - Property location
 - Banding of the successful Member
 - Number of bids received
 - Registration date of successful Member
- 24.17 This feedback will be made accessible from Partners' websites and in the property magazine.

25 PROPERTY TYPES

- 25.1 This policy covers the letting of a range of property types throughout the area. These properties range from bed-sitting rooms to six bedroom houses. All properties advertised will clearly state who is eligible to bid for them and what additional priority may be sought.
- 25.2 Individual Housing Providers always endeavour to make the best possible use of their stock in terms of size and suitability when setting the criteria for

eligibility. For example, ground floor flats may be reserved for people with a disability. Housing Providers may also choose to exercise some discretion and invite bids from couples with 1 child for a 3 bedroom house if, for example, a particular village or area only has 3 bedroom houses.

- 25.3 Properties which have been adapted will normally be prioritised for Members who require those adaptations.
- 25.4 Children you have access to are not taken into account in determining the size of property you are eligible for.
- 25.5 The Partnership can amend the bid criteria of previously advertised properties to widen the eligibility and enable successful bids to be made.
- 25.6 Individual Housing Providers may give priority to existing tenants of their properties who are looking to transfer because they are under-occupying or overcrowded. All providers also have the ability to effect management transfers outside of this scheme.
- 25.7 Any local letting criteria will be specified on the advert: see section 27 of this Policy.

26 WELFARE REFORM

- 26.1 The Welfare Reform Act 2012 sees the biggest change to the Welfare Benefits system for over 60 years. The Act will make the benefits and tax credits systems fairer and simpler by:
 - Creating the right incentives to get people into work
 - Protecting the most vulnerable
 - Delivering fairness to those claiming benefit and to the taxpayer
- 26.2 The two most significant areas of the Act that apply to social housing are:
 - The Size Criteria - under the new rules if an applicant has one or more spare bedroom(s) than they require and are in receipt of housing benefit to help pay their rent then their housing benefit will be reduced. Those of pension credit age are exempt.
 - Limit on Benefits - the overall amount of benefit someone can receive will be capped.
- 26.3 As set out within the Statutory Code, account of such circumstances has been taken into account in the framing of the prioritisation scheme set out within Section 9 of this policy.

27 LOCAL CONNECTION

- 27.1 Where there are local connection restrictions, these will be detailed on the property advert. They will vary depending upon the Provider and Local Authority restrictions.
- 27.2 To be considered as having a local connection one of the following must apply:
- Have been permanently resident for at least the last **TWELVE** months.
 - Applicants have family Members who are resident. Resident family Members are defined as parents, adult children or brothers or sisters who have lived here continuously for the last **FIVE YEARS**.
 - Have previously lived for a continuous period of **TWELVE** months (whilst aged 18 or over) in the last **FIVE YEARS**.
 - Applicants work for 32 hours or more per week for a continuous period of **TWELVE** months within the Borough.
 - Those who are currently serving in the regular forces or who were serving in the regular forces at any time in the **FIVE** years preceding their application for housing.
 - Bereaved spouses or civil partners of those serving in the regular forces where the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and the death was wholly or partly attributable to their service.
 - Existing or former Members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
 - Applicants will be deemed to have a local connection if the Local Authority accepts or would owe a full homelessness duty to them.

Proof will be required in all of the above cases.

28 LOCAL LETTINGS POLICIES AND SECTION 106 AGREEMENTS

- 28.1 Local Lettings Agreements are usually introduced to meet a particular local need and have an overall positive effect on a locality. For example, if an estate had a high level of anti-social behaviour, Members who bid for the advertised property may have a criminal check completed to ensure they were suitable for the property.
- 28.2 To be considered for a property within one of these Schemes, the Member would have to meet the criteria listed in the advert. Members would usually need to have a local connection to the town or village of the advertised property. Suitable Members for tenancies will be selected from those who bid

for the properties and invited for interview with the Housing Provider, the Council or Police. Selection will be based on the interview, employment, current accommodation and history of Member.

- 28.3 When new developments are advertised restrictions may have been set on the development by the Planning Department of the Local Authority, these are known as Section 106 agreements. These are legal agreements between local authorities and developers, which are linked to a planning permission.

29 MANAGING RISKS

- 29.1 The primary aim of the Partnership is to maintain balanced and stable communities. In working towards this vision, the Partnership recognises that all people have a right to a home that is more than just somewhere to live. However, there will always be people who are more difficult to integrate into mainstream housing. To manage risks to individuals and communities, a multi-agency approach must be taken. For example, securing accommodation for a high-risk ex-offender will be done in consultation and with the approval of the appropriate agencies. In order to achieve this there may be occasions when the Member(s) who has/have the greatest priority within the Scheme may not be offered a particular property. In such cases they will be written to by the Housing Provider explaining the reasons why.
- 29.2 Where an applicant is subject to MAPPA (Multi Agency Public Protection Arrangements), we will liaise with the panel to ensure an appropriate housing solution to meet the needs of the applicant and the community as a whole. In such cases, the offer of any accommodation following a successful bid, will be directed and approved by relevant statutory agencies. For any case registered with MAPPA and Divisional High Risk Meetings, Boston Borough Council, the nominated point of contact, will take the lead on working with the Partnership in the provision of suitable accommodation.
- 29.3 An integral part of managing risks is to ensure that appropriate support networks are in place and are regularly monitored and reviewed by the partners involved.
- 29.4 Any successful bid will be overlooked if the relevant agencies have not provided a relevant Care Plan/Risk Assessment to manage the risk.
- 29.5 A significant business risk to Housing Providers is the ability of tenants to pay their rent. Partners to this Scheme each therefore have their own independent financial assessment model and assessment process. As independent, autonomous organisations that are independently regulated, it will be for individual Partners to assess whether or not an applicant is reasonably able to afford to live in one of their homes. Each Member of the Partnership reserves the right to undertake a financial assessment of an applicant(s) prior to making any offer of accommodation. Where a Partner considers that an applicant is not able to reasonably afford to live in one of their homes the Member and the Council will be informed by that Partner that an offer will not be made.

- 29.6 Partner organisations each have their own risk assessment processes that they may apply to any Member and their household before any offer of accommodation is made. As a result of an assessment, partner organisations may seek to put in place a support plan or risk management programme that takes into account the circumstances of a Member or a member of their household, any requirements of the partner organisation and the needs of the wider community. Where, as a result of an assessment, a Partner decides not to make an offer of accommodation, the Member and the Council will be informed by that Partner that an offer will not be made.
- 29.7 Any disputes which may arise between a Member and a Partner organisation as a consequence of a partners requirement to undertaken any assessment, or, which arises from of the outcome of any assessment, must be routed through the respective Partners own complaints policy (see s.35) as **Boston Borough Council DOES NOT have any right of veto over such decisions.**

30 LOCAL COMMUNITY SAFETY PARTNERSHIP

- 30.1 The Partnership actively works with the Local Community Safety Partnership in addressing a range of issues that impact upon community safety. These issues include drugs misuse, anti-social behaviour and domestic abuse amongst others. The Partnership reserves the right to liaise with the Local Community Safety Partnership and/or Members of it when considering any exclusion or other issues which have an impact upon community safety.

31 ALLOCATIONS TO EMPLOYEES/COUNCILLORS/BOARD MEMBERS

- 31.1 The Scheme's application form requires applicants to declare if they or a Member of their household are either a Member of staff/councillor/board Member or related to a Member of staff/councillor/board Member of any Partner within the Scheme. In such cases there will be stringent procedures and checks in place to ensure the application is processed in accordance with this Policy and other applications. Prior to any offer of accommodation being made the relevant Partner will notify their Responsible Officer(s) for approval.

32 DIRECT LETTINGS

- 32.1 The majority of available properties will be advertised through the Choice Based Lettings Scheme. However, there may be circumstances where a property is be let outside of the Scheme by a direct letting. Examples of this include where:
- a Housing Provider has been requested to help the Local Authority in their duty to accommodate statutorily homeless households

- a Housing Provider has to temporarily decant (move) a tenant whilst major works are carried out at their current property
- a Housing Provider is carrying out major refurbishment works leading to the demolition of property and a tenant has to be housed in alternative accommodation
- High Level Supported accommodation, such as Extra Care Schemes
- a Housing Provider carries out a Management Transfer

32.2 Applicants who are eligible for direct lettings will normally be made one reasonable offer suitable to their household's housing needs.

32.3 Properties let through direct lettings will not be advertised through the Choice Based Lettings Scheme.

33 CONFIDENTIALITY AND ACCESS TO INFORMATION.

33.1 Everyone has the right to be informed about how to join the Scheme.

33.2 Every Member accepted has the right to be informed of the band into which they have been placed and the reasons why they have been placed into the particular band.

33.3 Applicants/Members have to right to request information regarding any decision about the facts of their case which is likely to be, or has been, taken into account in considering their application to join the Scheme.

33.4 When an applicant applies to the Scheme we will only seek information that we require to assess the applicant's application and housing needs. We will collect and keep data in accordance with the guidelines on handling personal data. These guidelines are in accordance with the Data Protection Act 1998 that covers both electronic and manual records and the act governs everything we do with the data, including collecting, storing, using and disposing of it.

33.5 Confidential information held about applicants/Members will not be disclosed outside of the partnership to third parties apart from:

- Where the person(s) who is the subject of the confidential information has consented to the disclosure
- Where the Partnership is required by law to make such disclosures
- Where disclosure is made in accordance with information sharing protocols

34 REQUESTING A REVIEW

34.1 Every Member has the right to request a review of;

- The band into which they have been placed
- Any decisions taken in relation to their Registration
- The outcome of their support needs assessment e.g. sheltered housing, risk assessment

34.2 All requests for a review must;

- Be in writing, addressed to the Head of Housing, Health and Community Services, Boston Borough Council, Municipal Buildings, West Street, Boston, Lincolnshire, PE21 8QR.
- Be received within 21 days from the date of the decision letter, from the Member(s) or their representative, clearly stating the grounds on which the review is being sought.
- Members of the Partnership, who were not involved in the original decision, will meet to review such requests and reach a decision. The Partnership aims to conclude all reviewed decisions within 28 working days.

34.3 Applicants will be notified of the outcome of a review in writing.

35 COMPLAINTS

35.1 Each partner has a formal complaints procedure which can be requested from each individual partner.

36 PARTNERSHIP DECISIONS

36.1 All Partners will aim to deal with individual enquiries at the initial point of contact including correspondence from Members of Parliament. Where necessary the Partners will meet to agree an appropriate response or decision(s).

36.2 Representatives of the Partnership will meet on a regular basis to consider the following:

- To agree Repayment Agreements and the length of time these will be expected to be kept to
- Managing Risks
- Recommendations for move-on to include support

- Complaints received
- All other cases that warrant consideration

37 INFORMATION SHARING

37.1 An information sharing agreement setting out how information will be managed is set out at **Appendix 1**.

38 POLICY REVIEW

38.1 This policy will be formally reviewed every three years or as a consequence of relevant legislative change in order to:

- Ensure that every application is dealt with fairly and consistently in accordance with legislation
- Ensure priority is given to those in housing need, the definition of which may from time to time be amended by the Government
- Give adequate priority to homeless people
- Ensure performance meets service standards

38.2 The Partnership will consult with a range of stakeholders, including existing applicants where any proposed changes may affect the existing priority of existing applicants, before making fundamental changes to this policy.

39 MONITORING

39.1 In addition to using a range of management information covering the performance of this policy at an individual partner level, the Council Partnership will formally monitor and report the following:

- The number of Members on the register each quarter
- The number of allocations in the financial year
- The number of new applications each quarter

In addition, the partnership will provide regular feedback to customers about each allocation covering:

- Address of property
- No of bedrooms
- Type

- General / Sheltered
- Banding of successful applicant
- No of bids placed
- Application date of successful applicant

39.2 Lettings may also be monitored by individual RPs through any national recording system put in place by the Government.

APPENDIX 1 – PARTNER INFORMATION SHARING AGREEMENT.

To be agreed by each Partner and by the Council’s Information Management Group.

Glossary of Terms

“Adequately Housed”	Living in a property that is suitable for your needs
“Applicant(s)”	A person or persons submitting an application for Registration
“Application”	An application for Registration submitted on a Registration Form
“Area”	The area of Boston Borough
“Banding Scheme”	How Members are prioritised within the Scheme
“Bid”	The process of applicants applying directly for homes in which they would like to live
“CBL ”	Choice Based Lettings
“Complaints Procedure”	The procedure followed to make a complaint
“Council”	Boston Borough Council being the Local Authority
“Household”	People who can be reasonably expected to live with you, e.g. dependent children, dependent adults, carers. Not everyone however will be a reasonable household member for example, friends and some family members may not be
“Housing Provider/HP”	Individual Registered Provider landlords that provide and offer social housing
“Housing Related Debt”	includes but is not limited to rechargeable repairs, mortgage debt, current or former rent arrears, rent assist or homeless prevention payment arrears
“Member”	Registered Members of the Choice Based Lettings Scheme
“NFA”	You have no fixed accommodation and are between friends
“Partner”	A Member Housing Provider or Council of the Scheme or a partner of another scheme such as the Community Safety Partnership
“Partnership”	Organisation listed at Section 1.3
“Policy”	The Choice Based Lettings Policy

“Registration”	The method of applying for housing
“Registration Form”	The form which must be completed to apply for housing
“Repayment Agreement”	An agreement made between the Partners and the applicant to repay any housing related debt
“Registered Provider/RP”	Individual Registered Provider landlords that provide and offer social housing
“Service Standards”	The service standards set out at Section 6
“Stakeholders”	Other agencies/organisation with an interest or involvement with the Scheme
“Street Homeless”	Sleeping rough on the streets