

Proposed changes to NYHC policy	Reason for proposal	Suggested amendment
Requirement to revise eligibility	<p>Section 160ZA(2) and (4) of The Housing Act 1996, amending section 159 of the Act- Legal requirement.</p> <p>This replaces all previous guidance with regards to social housing allocations.</p>	To amend policy and implementation in accordance with Section 160ZA(2) and (4) of The Housing Act 1996.
Qualified person. Criteria to register on the waiting list: arrears	The Allocation Code of Guidance 2012 enables LA's not to allow someone to register on the waiting list due to unacceptable behaviour (nuisance, arrears etc)	To remove current 'exclusion' criteria and realign as 'qualification criteria' thus restricting acceptance onto the list to those with significant rent arrears (social and private) unless no fault of their own.
Qualified person. Criteria to register on the waiting list: nuisance , anti social behaviour.	The Allocation Code of Guidance 2012 enables LA's not to allow someone to register on the waiting list due to unacceptable behaviour (nuisance, arrears etc)	To remove current 'exclusion' criteria and realign as 'qualification criteria' thus restricting acceptance onto the list to those with significant tenancy or locality related nuisance / anti social behaviour / criminal activities.

<p>Qualified person. Criteria to register on the waiting list. Where people own their own homes</p>	<p>The Allocation Code of Guidance 2012 enables LA's not to allow someone to register on the waiting list if they own their own home – suggests elderly who cannot stay in their own home / need sheltered may be excluded.</p>	<p>To restrict anyone who owns their own home and who has no housing need onto the waiting list. Where there is a need which they are unable to resolve themselves can apply.</p>
<p>Restricting applicants with no Local connection</p>	<p>Localism Act 2011 gives LA's greater freedom to set their policies to determine according to need who can register on the waiting list. They can if they wish restrict those with no housing need.</p>	<p>To restrict anyone with no local connection from registering on NYHC. The local connection criteria should be amended to fall in line with that of Homeless legislation.</p>
<p>Restrict applicants with no housing need</p>	<p>Managing customers expectations</p>	<p>Applicants with no housing need will still be able to apply to the register, however those with no housing need (Bronze Band) will be reduced due to those with no Local connection failing to qualify for the register, those whose income/equity are above the agreed threshold failing to qualify for the register, homeowners who can satisfy their own needs (with equity released from the sale of their property etc) will fail to qualify for the register.</p>

<p>Restricting applicants who need to move for severe hardship reasons.</p>	<p>Reasonable preference</p>	<p>Issue that applicants gain gold band severe hardship status to resolve personal / financial crisis and then bid for properties across the sub region – negating hardship reason. To restrict offer of a property within the area they have been given the proven hardship award for, eg the need to move for work/transport reasons a successful bid must be in the LA area that the job has been secured in. Those given proven hardship award for the need to provide substantial support/care to prevent someone from going into full time care the successful bid must be in the LA area the person is residing in.</p>
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<p>Withdrawing option to bid for properties larger than family needs</p>	<p>Welfare Reform Act 2012 will reduce housing benefit entitlement on properties deemed too large for family needs, capped benefits, universal credit.</p>	<p>To re-align eligibility with actual need not desired need.</p> <p>Opposite sex siblings sharing to be updated in line with HB regulations to 10, same sex siblings sharing to remain at 21.</p> <p>NB where a LA/RSL partner wish to let a property to a family larger than assessed needs they still have the facility to do this through the advertising process, it has been agreed where partners have differing stock to needs such as no 1 bedroom properties that they can advertise 2 bed properties to those with a 1 bed need.</p>
<p>Giving priority to social tenants who under occupy</p>	<p>Good practice recommendation on Allocations Code of Guidance, minimise impact of Welfare Reform Act 2011</p>	<p>Difficult issue- need to ensure people are housing in adequately sized property but high demand for 2 bed roomed properties.</p> <p>Current policy already addresses this issue giving Silver band for current tenants of the partners (Transfer applicants) who are wishing to downsize by one bedroom and Gold band by those wishing to downsize by 2 bedrooms as with proven hardship the successful bid must meet these criteria.</p>

<p>Members of HM Forces or ex-servicemen / bereaved partners / serving or former members of forces injured in combat moving for ill health reasons being given reasonable preference for social housing.</p>	<p>Allocations Code of Guidance suggests that they are given additional preference</p>	<p>Local connection will be awarded to all military personnel who meet the specified criteria. Additional preference will be given by backdating their registration date by 6 months.</p> <p>Housing need will be assessed as policy.</p>
<p>Working customers being given reasonable preference for social housing</p>	<p>Allocations Code of Guidance.</p>	<p>Consultation deemed this not to be feasible or fair. Allocation should be based on housing need but aware of need to ensure that this does not discriminate against those who are working. See financial restrictions.</p>
<p>Adopters and fosterers being given reasonable preference for social housing</p>	<p>Allocations Code of Guidance</p>	<p>To offer property large enough for adopted / fostered children BUT on fixed term tenancy (2 years) to confirm adoption or fostering. NB financial issues.</p>
<p>Carers – where possible account should be taken for need to have spare bedroom</p>	<p>Allocations Code of Guidance</p>	<p>In light of high demand for housing this can not be general policy – senior manager discretion exceptional circumstances</p>

Flexible tenancies	The Localism Act gives LA's power to offer flexible tenancies (minimum 2 years in exceptional circumstances, generally 5 years, can be longer). CYC tenancy strategy.	
Offer of private sector tenancies for homeless applicants	The Localism Act gives LA's power to offer private sector tenancies to accepted homeless applicants. Tenancies must be a minimum of 12 months and if the applicant becomes homeless within 2 years through no fault of their own they should be rehoused.	To include in policy stating. For those deemed to be statutory homelessness and to whom Local Authority has a duty to house the offer of accommodation may be in the private sector.
Maintain a separate transfer list for those with no reasonable preference	Allocations Code of Guidance 2012 states, offers to transfer cases are not under Part 6 Housing Act 1996 unless there is a reasonable preference.	Retain transfer list within NYHC as this maximises voids and mobility BUT see no housing need

Overcrowding	Allocation Code of Guidance – states bedroom standard is appropriate but this conflicts with HB regulations (sharing same sex 21 bedroom standard, 16 HB)	Current policy to remain other than the opposite sex sibling sharing which will now be 10 instead of 9 in line with HB regulations. As stated in the policy discretion can be exercised to adjust the number of bedrooms if the bedrooms are particularly large or small, a child requires their own room due to disability, applicant requires a bedroom for a carer or to facilitate specialist medical equipment, applicant needs a bedroom for a fostered or adopted child.
Financial considerations	Allows to consider if person has adequate financial means to resolve own housing problem	To introduce criteria of non qualification for the register for those with combined annual household income and or savings of £60k or above including those with significant capital or assets (this includes homeowners with sufficient equity within their existing property to buy on the open market), excluding lump sum received by member of the armed forces as compensation for an injury sustained on active duty. Such applicants would be offered advice on alternative housing options. This is unless of course there is an identified housing need and they are unable to resolve their own housing problem. Applicants aged 60+ who can

		not stay in their own home and may need specialist accommodation will be assessed as to whether they have sufficient resources to meet their housing needs elsewhere.
Behaviour	Allows for preference to model tenants	Good Neighbour is to be rebranded as Good Tenant and rather than automatically being awarded Gold band applicants will be awarded the band above their assessed need with a maximum of Gold Band being awarded.
Disabled adapted properties and required works	Needs clarification following several issues in current policy	Reword policy as: Adapted homes will be advertised to ensure that applicants assessed as needing this type of accommodation are given widest possible choice. Adverts will make clear if a property is adapted to encourage bids from people who need an adapted property.