



Housing Allocation Scheme

2026 – 2031

Version Control

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1.0	18 May 2018		Major changes to existing scheme
2.0	20 July 2026	Karen Shaw	Major changes to existing scheme

Approvals

Name	Title	Approved
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Document Review Plans

This document is subject to a full review every 5 years, sooner if there are legislative or regulatory changes. Updates shall be made in accordance with business requirements and changes and will be with agreement with the document owner.

Distribution

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Section 1: Introduction

1.1 The Housing Allocation Scheme

- 1.1.1 Every local Housing Authority is required to have a Housing Allocations Policy in accordance with the requirements of The Housing Act 1996 (Part VI) as amended. This Housing Allocations Scheme determines priorities and defines the procedures to be followed in allocating social housing in Slough Borough Council. It outlines how we will assess applications for housing, determine eligibility, qualification and level of housing need, prioritise applications and allocate accommodation.
- 1.1.2 Social housing is scarce in Slough and demand outweighs supply which poses a significant challenge to the Council. The Housing Allocation Scheme clarifies who will be accepted onto the Housing Register to make the most effective use of social housing stock in the borough.
- 1.1.3 The objectives of the Housing Allocations scheme are to:
- Provide an accessible, fair and transparent service
 - Meet local housing need
 - Help applicants to make realistic decisions about their housing options
 - Meet the housing need of the most vulnerable
 - Prioritise those with the greatest / most urgent housing needs
 - Make the best use of existing social housing stock
 - Ensure equality of treatment for all applicants.
- 1.1.4 A summary of the Housing Allocation Scheme is available to all applicants on the Council's website.

1.2 The Legal Framework

- 1.2.1 In developing this policy, the Council has taken into consideration statutory requirements and other relevant legislation, regulations and guidance.
- 1.2.2 Legislation relating to the allocation of social housing is set out in the following:
- The Housing Act 1996, Part 6 as amended
 - The Housing Act 1996, Part 7 as amended
 - Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) "the Code"
 - Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) "Supplementary Code"
 - Allocation of Housing (Procedure) Regulations 1997, SI 1997/483
 - Allocation of Housing (England) Regulations 2002, SI 2002/3264
 - Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments
 - 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)'

- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869
- Armed Forces Act 2021
- Homeless Reduction Act 2017 and all subsequent amendments to 2020
- Equality Act 2010
- Data Protection Act 2018 and contained within the General Data Protection Regulation 2018 (GDPR)
- Care Act 2014
- Human Rights Act 1998
- Domestic Abuse Act 2021
- Children and Social Work Act 2017
- The Regulatory Framework for Social Housing 2019
- The Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025.

1.2.3 The Housing Act 1996 (as amended) requires all Local Authorities to give **‘reasonable preference’** to certain groups of people who are in most housing need. These groups are set out as follows:

- i. All homeless people as defined in Part VII of the Housing Act 1996, including people who are intentionally homeless and those who are in priority need.
- ii. People who are owed a duty by any local housing authority under section 190(2), 193(2), 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3).
- iii. People occupying unsanitary, statutory overcrowded or otherwise unsatisfactory housing.
- iv. People who need to move on medical or welfare grounds (including grounds relating to a disability).
- v. People who need to move to a particular locality within the district to avoid hardship to themselves or others.

1.2.4 The policy is also required to have regard to the following considerations:

- The policy must be framed so as to give reasonable preference to applicants who fall within the categories set out in s.166a of the Housing Act 1996 over those who do not. These are:
 - i. Homeless households the Council has accepted a duty for under Part VII of the Housing Act.
 - ii. Households living in overcrowded or insanitary conditions
 - iii. Someone needing to move due to a medical condition or disability
 - iv. Someone who needs to move for welfare reasons such as a care leaver or someone with high support needs
 - v. Anyone needing to move for hardship reasons

- Whilst there is no requirement to give equal weight to each of the reasonable preference categories, housing authorities should demonstrate why applicants are given a particular priority.
- There is no requirement for housing authorities to frame their policy to afford greater priority to applicants who fall within more than one reasonable preference category (cumulative preference) over those who have reasonable preference on a single non-urgent basis.
- Under the Localism Act 2011, a local authority can identify groups who will not qualify for an allocation of social housing by taking into account:
 - i. A household's ability to meet their own housing costs
 - ii. Any behaviour that affects a person's ability to be a suitable tenant
 - iii. A local connection between the household and the local authority.

1.2.5 Additional preference can be given to other groups of people who have a reasonable preference, if they have urgent housing needs. The Allocations Code of Guidance provides the following examples to whom housing authorities should consider giving additional preference within their allocation policy because they have an urgent need to move:

- Those who need to move urgently because of a life-threatening illness or sudden disability.
- Families in severe overcrowding which poses a serious health hazard.
- Those who are homeless and require urgent re-housing as a result of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic violence.

1.2.6 The Social Housing Regulatory Act requires local authorities to allocate accommodation in the fairest way possible, ensuring accessibility to suitable **homes** for people with disabilities and balanced award of priority. This can be demonstrated by the publication of letting results.

1.2.7 We are working continuously to:

- i. Improve joint working with registered providers to ensure that social housing is allocated efficiently.
- ii. Remove barriers to accessing social housing for homeless households.
- iii. Ensure that vulnerable households are able to navigate our allocations system.

1.3 Definition of an 'allocation' of accommodation"

1.3.1 What is an Allocation?

The Housing Act 1996 as amended provides that local authorities allocate housing accommodation when they:

- Select a person to be an introductory or secure tenant of housing accommodation held by the partnership.

- Select a person to be a fixed term tenant of housing accommodation held by the partnership.
- Nominate a person to be an introductory or secure tenant of housing accommodation held by another housing authority.
- Nominate a person to be a starter tenant (also known as probationary) or assured tenant of housing accommodation held by a Registered Provider.

1.3.2 What is NOT an Allocation?

Secure, introductory or demoted tenancies arising in the following circumstances are not covered by the allocation's provisions of the Act and therefore fall outside of the scope of this document. These include:

- i. Succession to a tenancy on the death of a previous tenant
- ii. Assignment of a tenancy by way of a mutual exchange
- iii. Assignment of a tenancy to a person who would be qualified to succeed to the tenancy on the death of a current tenant
- iv. Transfer of the tenancy pursuant to a court order under family law or the Civil Partnership Act 2004
- v. Where a person becomes a secure tenant on ceasing to be an introductory tenant.

1.3.3 Transfers

Social housing tenants who do not have an identified housing need in accordance with the Allocations Policy must pursue mutual exchanges and will not be ordinarily entitled to join the housing register. For transfer applicants, we expect:

- The tenancy to be held for 12 months or longer (exceptions may be made where a tenant is at risk or vulnerable)
- The applicant must be the named tenant
- A clear current rent account
- Property to be kept to the standard in keeping the terms and conditions of their tenancy agreement.
- No tenancy breaches or pending legal action
- Have a housing need such as medical, under occupation, overcrowding, domestic abuse, victims of violence or the threat of violence.

1.4 Equality And Diversity

1.4.1 The Housing Allocation Scheme have been designed to ensure that its services are fair and equitable for all of its customers.

1.4.2 The Housing Allocation Scheme is accessible to all of those eligible and does not discriminate against anyone on the grounds of age, disability, gender, race, colour, national origin, sexual orientation or any other factor that may cause disadvantage.

- 1.4.3 Due to legal circumstances, there may be occasions when applicants are unable to join the housing register. This criterion has been outlined within the Eligibility and Qualification sections of this document.
- 1.4.4 This document has been drafted with reference to the Equality Act 2010 and also with regard to the Council's Public Sector Equality Duty.
- 1.4.5 The Council remains committed to help customers and applicants who have difficulties and who are vulnerable, to access this policy.
- 1.4.6 The Housing Allocation Scheme and application forms can be provided in other formats if required, such as large print or braille.
- 1.4.7 This policy has been developed following a consultation.

1.5 Information Sharing, Confidentiality And Data Protection

- 1.5.1 The Council will continue to build upon the existing information sharing protocols that are in place within their Council boundaries and, where appropriate, these protocols will be developed further across the sub-region to ensure consistency in sharing information with other statutory and voluntary organisations.
- 1.5.2 All information received relating to an applicant's housing application will be treated as confidential in accordance with GDPR and the consent given by applicants as part of the application process. Information will not be given to third parties unless consent has been given by the applicant. However consent will not be required where there is a sufficient public interest in disclosure including but not limited to fraud investigation, serious anti-social behaviour, prevention of crime and safeguarding.
- 1.5.3 Where an applicant has difficulty communicating directly unaided, reasonable efforts will be made to secure their informed consent before using advocates or interpreters to communicate on their behalf. For further details on how we treat your personal information, please see our privacy notice which is located on the website.

1.6 Circumstances Beyond The Council's Control (Force Majeure)

We will not be liable for any delay in performing our obligations under this policy if the delay is caused by a circumstance beyond the Council's control, provided that reasonable action and notification to customers is taken. Examples include strikes, lock outs, acts of God, cyber-attack, the act or omission of any governmental or other competent authority, war or national emergency.

1.7 Changes to the Housing Allocation Scheme

- 1.7.1 To ensure that the aims and objectives of this policy are met and that overall priority is given to those in the reasonable preference categories, we will ensure that robust monitoring arrangements are in place to monitor lettings outcomes. Information from

the register will be analysed to assess housing need and demand. This will help determine where new social housing is both needed and developed.

- 1.7.2 Applicants' satisfaction levels will also be monitored in order to identify any improvements to the scheme in terms of ease of access to the service and the quality of the information and advice they receive.
- 1.7.3 Where there are changes that are required urgently for legal reasons, minor in nature or changes in government policy and / or legislation, these changes will be approved by the Director of Housing Needs and Support. Any major change required to the policy will be subject to a full public consultation and Cabinet approval or delegated to the Lead Member for Housing.
- 1.7.4 The policy will be reviewed in full every 5 years in accordance with sector standards. Changes will be noted on the version control page of this document.

1.8 Statement On Choice

- i. The Council operates a Choice Based Lettings Scheme under which applicants are able to see a choice of housing accommodation and express preference for available properties by bidding for advertised properties. The Council seeks to give all applicants choice in relation to accommodation but may have to limit choice in certain circumstances, such as where there is limited availability or where the Council is discharging a statutory duty to a homeless household or providing move on accommodation from supported housing.
- ii. Whilst the aim of this policy is to assess, accept and prioritise households most in need of housing, unfortunately demand for housing outstrips supply. This means applicants, in the highest priority including those with significant medical needs, can wait a considerable time before being rehoused. In view of this we encourage households to consider all options to resolve their housing need. We also require applicants to consider anywhere in the borough, all property types, all bedsizes they have been assessed for.

Section 2: Options For Housing In Slough

2.1 Slough Allocations Model

Slough operates a choice-based lettings scheme for the majority of properties in the borough. Some of those may be targeted for only the applicants who are eligible for them such as age restricted or adapted properties. We may make a direct offer of accommodation, to meet the needs of a household or the challenges facing the Council in relation to homelessness.

2.2 Housing Register

A Housing Register is a way of recording the details of a household who has applied to the Council for rehousing. Data from a Housing Register will be used to monitor trends, assess demand and provide grounds for future housing development and the creation of tailored housing advice services. The Council administers a Housing Register in order to fairly assess and record the needs of those who apply for housing assistance.

Whilst having a Housing Register helps to organise the details of those requiring housing it does not in itself increase the number of properties that become available to be let each year. There is a shortage of housing in the borough and demand far exceeds supply. Unfortunately, it is not possible for the Council to rehouse everyone who applies and those who can join may have to wait a long time, especially for the larger properties.

2.3 Underoccupation Scheme

The Council operates an Underoccupation Scheme for council tenants who underoccupy their present home and are willing to move to a smaller property. They are entitled to receive a grant based on the size of the property they are releasing and moving expenses. Debt owed to the Council and the cost of repairs deemed tenant responsibility will be deducted from the payment.

2.4 Mutual Exchange

If you are a Council or Registered Provider tenant, mutual exchange (or swapping properties with other tenants) gives you the best chance of moving. You can exchange your property with any other social housing landlord's tenant, anywhere in the country subject to landlord approval.

If you are looking to move for work or to be near to family and friends, national schemes will allow you to see homes across of the whole of the UK. You may exchange with other social housing tenants if everybody involved in the exchange process agrees. Contact your landlord for more details.

2.5 Adaptations To Your Home

If you would prefer not to move home but are looking to do so because you or a member of your household are disabled or have a chronic illness that affects your housing requirements, you may like to consider having your current home adapted to meet your needs.

For private tenants or tenants of registered providers, there may be financial assistance that can be provided to help you do this, depending on your circumstances, in the form of a disabled facilities grant. Further information on disabled facilities grants can be found on the Council's website. If you are a social housing tenant, please contact your landlord. If you are a homeowner or private tenant, please see our website.

2.6 Low Cost Home Ownership

If you are interested in owning your own home, there are schemes which are backed by the government which may be able to assist. More information can be found at: www.gov.uk/affordable-home-ownership-schemes. Your Council or your landlord will be able to provide you with the details of the schemes run locally.

One of the products is shared ownership which is a great opportunity for those who want to get a foot on the property ladder but can't afford to buy a home outright on the open market. The scheme gives you the chance to buy a share in a brand-new leasehold property (either a house or an apartment) on a part buy/part rent basis. You buy a share of between 25% and 75% of a home from a registered provider. You then pay a subsidised monthly rent to the registered provider for the remaining share.

2.7 Private Renting

We are unable to help everyone who registers for rehousing as demand far exceeds the supply. Considering moving to private rented accommodation allows you to decide where you move to, what type of property you move to and when you move. There are many internet sites that provide details of available properties including:

Right Move	www.rightmove.co.uk
Zoopla	www.zoopla.co.uk
Gumtree	www.gumtree.com
Spare Room	www.spareroom.co.uk
Loot	www.loot.com
Home	www.home.co.uk
DSS move	www.dssmove.co.uk
On the Market	www.onthemarket.com

Additionally, you may be able to find private rented accommodation through a letting agent. It is worth remembering that letting agents may need you to have sufficient money to secure the property, whilst fees they can charge are restricted under the Tenant Fees Act 2019, they may still require money for a deposit, rent or have a rent guarantor and you may also have to be able to provide references. If you have difficulties

in securing private rented accommodation, the Housing Needs service may be able to assist you.

2.8 Help And Advice

The Council can offer specialist housing advice to help you keep your current home, source alternative accommodation or provide advice on alternative housing options. Assistance may be provided on but is not limited to:

- Mediation services.
- Referrals to supported accommodation.
- Applying for social rented accommodation.
- Advice to those threatened with homelessness.
- Assistance to obtain private rented accommodation.
- Specialised housing options for victims of domestic abuse.

2.9 Registered Providers

Registered Providers (known as Housing Associations) are social housing landlords operating in the borough. They are required to give a percentage of their empty properties to the Council under a nominations agreement. Nominations agreements are monitored by the Council to ensure a maximum supply of social housing for applicants on the Housing Register. The lettings criteria for each registered provider may differ. Please make sure you read and understand who is able to bid on each property before you make your bid. The property advert will list information on the landlord of the property. Whilst registered providers will retain their own lettings criteria, they must give due regard to this Housing Allocation Scheme when making decisions.

2.10 New Developments

We are committed to providing high quality homes where people want to live and will continue to build new housing developments where the financial resources are available. We recognise that newly built properties that are a product of regeneration or restructure schemes may have certain restrictions placed on them when they are let for the first time. This may be dictated by targets set for the development by funders of the scheme and will mean that the property adverts may be targeted at specific groups of applicants e.g. where displaced residents have priority for new housing stock in a particular regeneration area. Some schemes have planning conditions attached to them that limit the allocation of these homes to people who are not able to afford to buy a home that meets their needs on the open market and who have a local connection to the community.

Section 3: Eligibility And Qualification

3.1 Eligibility

- 3.1.1 An applicant may be ineligible for an allocation of accommodation under section 160ZA(2) or (4). Authorities are advised to consider applicants' eligibility at the time of the initial application and again when considering making an allocation to them, particularly where a substantial amount of time has elapsed since the original application.
- 3.1.2 The regulations setting out which classes of persons from abroad are eligible or ineligible for an allocation are the [Allocation of Housing and Homelessness \(Eligibility\) \(England\) Regulations 2006](#) (as amended) ('the Eligibility Regulations').
- 3.1.3 The rules can be complicated but can be summarised as follows; persons are **not** eligible to join the register:
- People who are "subject to immigration control" (unless they fall within a class prescribed by regulations made by the Secretary of State section 160ZA (2)). These classes often include refugees, asylum seekers and those with indefinite leave to remain.
 - People who are not subject to immigration control, but are nevertheless prescribed by regulation as being "persons from abroad" (this may include British citizens who are not habitually resident in the UK)
 - People who do **NOT** have recourse to public funds.
 - Any other person as prescribed by the Secretary of State.
- 3.1.4 If you have been admitted to the register, but cease to be eligible, you will be removed from the register. We routinely check eligibility at registration, renewal, where there is a change of circumstance and if an offer of accommodation is made.

3.2 Qualification Rules

- 3.2.1 In order to join the Housing Register, you must be both eligible and qualify. The rules around qualification are set out below.
- 3.2.2 **Local Connection to Slough**
- You will qualify if you meet the local connection requirements set out below:
- i. You have lived in Slough continuously for the last 5 years or more.
 - ii. You have paid permanent contracted employment in Slough for 16 hours per week or more which you have had continuous for 12 months or more

prior to the application and you are struggling financially because of the travel costs.

- iii. You have left an institution such as a prison or secure unit or a hospital, rehabilitation centre, refuge, hostel or supported accommodation scheme and had a local connection immediately before you moved into that institution.

3.2.3 Local Connection Exemptions

Exemptions from local connection are as follows:

- i. Applicant to whom a homeless duty is owed including those placed in temporary accommodation outside of the borough by the Council.
- ii. Applicant who has been unable to establish normal residency due to rough sleeping.
- iii. Applicants covered under reasonable preference as set out in section 1.2.4.
- iv. Applicants covered under additional preference as set out in section 1.2.6.
- v. The applicant is a care leaver or surviving domestic abuse as defined under the Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025. See sections 3.6 and 3.7.
- vi. The applicant does not have a local connection to any other Council.
- vii. Where the applicants are travellers or gypsies, and this has prevented local connection through the normal residency criteria.
- viii. Applicants moving under the Right to Move scheme. See section 3.8.
- ix. Applicant is a current or former member of the armed forces. See section 3.9

- 3.2.4 If you cease to qualify, you will be removed from the Housing Register with immediate effect.

3.3 Disqualification Rules

- 3.3.1 There are some circumstances where people are disqualified from joining the housing register as the Council will only allocate social housing to those people that it has defined as “qualifying persons” under Section 160ZA(6)(a) of the Act. Where applicants are disqualified from the housing register, they will still be able to access advice and assistance on the housing options outlined in section 2 of this document.

- 3.3.2 If you are disqualified or accepted onto the Housing Register but is subsequently disqualified; you will be notified in writing. You have the right to ask for a review. This is covered in section 6.4.

3.3.3 An applicant will **not** qualify if they have at least one of the following:

3.3.4 **Unacceptable Behaviour**

- i. Where an applicant or a member of their household has demonstrated 'unacceptable behaviour' in their conduct of a current or previous tenancy, they will be disqualified. An exception may be made where someone is homeless, **and** the Council has accepted a duty. See section 3.7.
- ii. Unacceptable behaviour can include, but is not limited to:
 - Owing more than 8 weeks rent or equivalent; or other housing-related debt from a current or former tenancy with a registered housing provider or a private landlord.
 - Using premises for illegal or immoral purpose.
 - Commits anti-social behaviour as defined in the Council's Anti-Social Behaviour Policy.
 - Convictions for violent criminal offences and housing fraud.
 - Perpetrates domestic abuse for which they have been convicted or met the threshold for an injunction or court order.
 - Obtaining a tenancy by deception, for example by giving false information.
 - The applicant is subject to a civil injunction due to unreasonable behaviour.
- iii. Before disqualifying someone due to unacceptable behaviour, we will consider the following:
 - Has the applicant or a member of the applicant's household demonstrated unacceptable behaviour?
 - Was the unacceptable behaviour serious enough to have entitled a landlord to obtain an order for possession, whether or not such an order was sought?
 - At the time of the application, is the applicant still unsuitable to be a tenant by reason of that behaviour, or the behaviour of a member of his/her household?
- iv. Unacceptable behaviour will result in an initial disqualification period of 12 months, which may be extended unless the applicant has rectified their behaviour. Appendix 2 lists a number of examples on how the anti-social behaviour may be rectified.

3.3.5 **Rent Arrears**

- i. Household in rent arrears will not normally be considered for an allocation except in exceptional circumstances such as severe or urgent medical cases or where the council needs to discharge a homeless duty. See section 3.7. We will

consider the reason for the arrears, if the cause was not in the applicants control, we will not unfairly penalise someone.

- ii. Applicants living in temporary accommodation, will be offered permanent accommodation, but will be expected to make an agreement to clear any rent arrears. They will be expected to adhere to the repayment agreement even after they have moved into their new home until the arrears are cleared.
- iii. Tenants who wish to downsize because of the spare bedroom subsidy in their benefit claim, and they are in rent arrears and these are getting worse, they will be considered for a smaller property provided they sign an agreement to clear the arrears.
- iv. Tenants in arrears where the Council needs to move you due to a management transfer or a decant, will have the arrears disregarded for the purpose of joining the Housing Register on the provision that a repayment plan is made at the point of making an application.

3.3.6 Property Ownership

Applicants will not qualify to join (or remain on the Housing Register) if they own a property either in the UK or abroad (either freehold, leasehold, under mortgage or shared ownership), unless they can demonstrate that:

- They are in housing need and/or it is unreasonable for them to continue to occupy the accommodation, **and**
- They cannot liquidate or sell the property which would enable them to purchase or rent an alternative property suitable to meet their needs prior to joining the Housing Register.
- All alternative housing options have been exhausted including funding adaptations to allow you to stay in your home and gaining possession on any homes owned that they current rent out.
- Before joining the Housing Register, if we have accepted you under exceptional circumstances, you must have sold the property or provide proof of the fact that a sale has been agreed and the capital available to home owner does not exceed the threshold set out in 3.3.8.

3.3.7 Household Income

The Council is permitted to take into account the applicants' financial resources and whether this is sufficient for them to find their own accommodation. We use average annual earnings as a threshold, and this is reviewed annually in line with any guidance from the government, local economic factors and the law. If your household's income is **£39,059** per year or more you will **not** qualify to join the register. For this purpose, we will take into account the income of all household members including the income of non-dependent children. All sources of income will be taken into consideration with the exception of disability benefits or payments made in relation to an injury.

3.3.8 Savings, Assets and Capital

If you have capital/savings/assets/investments in excess of **£16,000**, you will **not** qualify to join the Housing Register as you will be regarded as having sufficient resources to meet your housing need. This amount is in line with the DWP criteria for eligibility for Housing Benefit. The savings threshold will be reviewed annually in line with any government guidance, local economic factors and the law. Savings due to an injury or disability payment for a member of the armed forces will be exempt from the calculation. On a case-by-case basis we may allow applicants who exceed this threshold but require specialist accommodation which cannot be found within the private rented sector or purchased on the open market to qualify.

3.3.9 Adequately Housed

If you have no housing need and are deemed adequately housed within the definitions outlined in the Housing Allocation Scheme, you will not qualify to join the Housing Register. The demand for social housing in the area exceeds supply and therefore has to be allocated to those who are in the most housing need. We need to manage the demand for housing, providing clear information to manage a residents expectations.

3.3.10 Refusal Of Accommodation

Where applicants have refused their permitted number of suitable offers of accommodation, they will be removed from the Housing Register and will not be permitted to reapply for 12 months. The 12 months will commence on the date of the refusal of the last offer. Homeless households will be referred back to the Homeless Service.

3.4 Exceptional Or Mitigating Circumstances

On rare occasions, someone who does not qualify, has exceptional circumstances not covered by the Housing Allocation Scheme. These cases will be presented to the Housing Allocations Panel for a decision. See appendix 1.

3.5 Applicants Under 18 Years Old

You must be over 16 to join the Housing Register. However you will not receive an offer of accommodation until you are 18 when you are legally entitled to hold a tenancy. We will activate your application when you are 18 or above and deemed ready to live independently by your personal advisor where relevant or your supported housing provider.

3.6 Care Leavers

- 3.6.1 A care leaver is generally defined as any adult who spent time in care before turning 18, whether in foster care, residential care, or other state-approved arrangements, including secure units or approved schools. Legally, under The Children (Leaving Care) Act 2000, a care leaver is someone who has been in the care of a local authority for at least 13 weeks spanning their 16th birthday. Care leavers will be considered for housing upto the age of 25. The local connection criteria **will not** be applicable.

3.7 Domestic Abuse

The Council is committed to ensuring that those who need to escape from domestic abuse are given as much support and assistance as possible so that they are able to rebuild their lives away from abuse and harm. We recognise that housing provision is a key element of this support. Many victims of domestic abuse are forced to flee their homes to seek safety and support in domestic abuse safe accommodation (such as a refuge) or other form of temporary accommodation. New duties on local authorities within the Domestic Abuse Act 2021, came into force on 1 October 2021 to ensure that all victims and their children across England can access the right support in safe accommodation when they need it.

To this effect the government has issued some guidance which is intended to assist local authorities to apply the allocation legislation to ensure that victims of domestic abuse are able to move into social housing from domestic abuse safe accommodation (such as a refuge) or other form of temporary accommodation by ensuring that:

- they have appropriate priority under the local authority's allocation scheme, **and**
- those who have fled to another local authority area are not disadvantaged by any residency or local connection requirements. The local connection criteria **will not** be applicable.

3.8 Right To Move

The Right to Move qualification regulations 2015 states that residency criteria must **not** be applied to existing social tenants who seek to move from another local authority district in England and who have a need to move for work related reasons to avoid hardship to themselves or others. The work **must not** be short term, marginal in nature, ancillary or voluntary.

To qualify the applicant must be a social housing tenant living in England. Applicants wishing to join the Housing Register due to work related reasons to avoid hardship are able to do so provided that they can evidence these requirements. Applications accepted under 'Right to Move' will be awarded Band 3 priority.

We must be satisfied that the tenant needs, rather than wishes, to move for work related reasons and if they were unable to do so this would result in hardship. In determining whether the tenant needs to move we will consider the following:

- The distance and/or time taken to travel between work and home.
- The availability and affordability of transport, taking into account the tenant's level of earnings.
- The nature of the work and whether similar opportunities are available closer to home.
- Other personal factors, such as medical conditions and childcare, which would be affected if the tenant could not move.

- The length of the work contract.
- Whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects.

3.9 Armed Forces

3.9.1 The Armed Forces Covenant, created by virtue of the Armed Forces Act 2011, is a promise from the nation to those who serve in the Armed Forces, whether Regular or Reserve, and those who have served in the past, and their families. It commits that they should face no disadvantage compared to other citizens in the provision of public services. It also recognises that special consideration is appropriate in some cases, especially for those who have given the most such as the injured and bereaved. Therefore the local connection criteria under this policy **will not** be applicable.

3.9.2 Qualification under the statutory duty applies as follows:

- i. The individual is serving in the regular or reserve forces or who has served in the within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act. At Slough we do not apply this 5-year rule which means, if someone left the service over 5 years ago we will allow them to join the Housing Register.
- ii. Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where they served in the regular forces.
- iii. The individual is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability.
- iv. The individual is a divorced or separated spouse or civil partner of service personnel who need to move out of accommodation provided by the Ministry of Defence.

3.10 Serious Offenders

3.10.1 Applicants who are subject to MAPPA (Multi-agency Public Protection Arrangements) where the risk is deemed to be high, will be subject to a robust and appropriate assessment of their housing need and the type of accommodation they can be allocated. They may be treated as a sensitive let. See section 5.10. They will be placed in Band A under the public protection category or in a band suitable to their need. These cases will be subject to a direct let.

3.10.2 An allocation will only be made following a multi-agency risk assessment and once suitable accommodation has been identified and approved. This will consider MAPPA guidance for high-risk offenders. They will only be entitled to a direct let. See section 5.1. The property will be carefully selected in order to meet the recommendations for serious offenders.

3.11 National Witness Mobility Scheme (NWMS)

- 3.11.1 We support the National Witness Mobility Scheme (NWMS) and may consider at our discretion; referrals made to house witnesses. In order to assist the national police force to tackle serious crime and to support witnesses in the legal process, the Council will work with colleagues in the NWMS. The scheme enables witnesses to relocate outside their area to a place of safety. On receipt of a referral, the partnership will take into account the level of risk the applicant is facing, and the demand and supply issues at the time.
- 3.11.2 In order to protect the identity of the witness, the applicants will only be required to complete a housing application form, on acceptance of the referral. It will be necessary for the applicants to meet the eligibility criteria set out in section 3.1. The local connection criteria **will not** be applicable.
- 3.11.3 The applicant will receive a direct offer of suitable accommodation, and they will not be permitted to place any restrictions on the type of property they will consider.

Section 4: Application And Assessment

4.1 How To Apply

- 4.1.1 An application to join the housing register must be made using the online application portal at: **insert URL once it is set up**

When you complete your application, you will be advised on the evidence we need. Evidence must be uploaded at the point of registration. If you have any questions, or need help with your application, please contact us and a member of staff will assist you.

- 4.1.2 We will only accept applications from an applicant who:
- Is eligible to apply for social housing.
 - Meets our qualification rules.
 - Has a housing need within the reasonable or additional preference as stated in this policy.
 - Has been approved under an exceptional circumstance (rare).
- 4.1.3 Once an application has been checked against the eligibility and qualification criteria, the application will be assessed to determine the priority.
- 4.1.4 Multiple or duplicate applications for the same household are not allowed. If the applicant has already registered, they must decide which application they wish to retain.

4.2 Who Can Be Included On The Application

- 4.2.1 We accept joint and sole applications. Joint applicants will be accepted provided both applicants are eligible, aged 18 or over and intend to occupy the property together as their only or main home. If the joint applicant do not live with you, the application will be assessed and placed in a priority band based on the highest housing need affecting the household.
- 4.2.2 Additional people who can be included on the housing application must be members of your immediate family who normally live with you. Any other person will only be included on an application if we are satisfied that it is reasonable for that person to live with the applicant. This will **exclude** lodgers or anyone subletting from the applicant. Anyone over 18 years of age included on an application as part of a household will also be included in the full assessment of the application including income, capital and assets but will not be named on the tenancy.
- 4.2.3 Children of applicants are only allowed on the application of the parent/guardian who has residency of the child(ren) and to whom Child Benefit is paid. We will ask for proof of both these documents. We define a child as someone who is either under the age of

18 or who is still dependant on the applicant e.g. due to continuing education. Where a Child Benefit award letter can no longer be provided, we will accept a bank statement showing receipt of benefit, as long as there is also proof of relationship, for example, a child's birth certificate to show the parentage of the child.

4.3 Councillors, Employees And Their Relatives

Registrations can be accepted from employees, elected members, and their close relatives, provided they are eligible and qualify. Applicants must disclose any such relationship at the time of applying. In order to ensure transparency and impartiality, employees, elected members or their relatives must not attempt to apply any undue influence in the handling of an application. The assessment and the offer of accommodation must be approved by the Head of Allocations and Temporary Accommodation. Failure to disclose the relationship may result in further action and removal of the application from the Housing Register.

4.4 Fraud, Misrepresentation Or Withholding Information

- 4.4.1 It is a criminal offence for anyone applying for housing from a Council to give false information knowingly or recklessly or knowingly withhold information, which they have reasonably been required to give, (Section 171 of the Housing Act 1996).
- 4.4.2 Anyone found guilty of such an offence may be fined and could lose the tenancy if they have been rehoused as a result of providing false information or deliberately withholding information.
- 4.4.3 Applicants who are found to have made fraudulent claims, will be disqualified from joining the Housing Register and may not reapply for 12 months from the date of their disqualification.

4.5 Deliberately Worsening Circumstances

Whilst this policy is intended to make sure that those with urgent housing needs are rehoused more quickly, it is not intended to reward applicants who deliberately worsen their circumstances in order to secure housing. Any applicant who deliberately worsens their housing circumstances in this way will be removed from the Housing Register, or if they have not yet been processed, their application will be rejected.

Examples of deliberately worsening your circumstance include but are not limited to:

- Applicants who give up a home that they own, rent, or have rights to but choose to leave or dispose of it without good reason in the 5-year period immediately preceding the making of their application. This includes 'gifting' a home to friends and/or relatives, both within and outside the UK, where they could have reasonably been expected to reside, or to sell it.

- Applicants who have given up a social housing tenancy in the five year period immediately preceding the date of their application and this was, not due to violence / threats of violence / harassment / anti-social behaviour / domestic abuse / hate crime, or any other similar danger to life and welfare.
- Applicants who deliberately overcrowd accommodation other than where it is necessary to prevent homelessness.
- Applicants who deliberately move to a home which was clearly unaffordable at the point they move into it.
- Applicants who deliberately move into accommodation which will be overcrowded other than to prevent their homelessness and prevent the homelessness of their family.
- Applicants who leave suitable accommodation without making suitable provision unless there was good reason to leave.
- Applicants who deliberately deprive themselves of capital, equity or income following the sale of a property belonging to them whether jointly or in their sole name in order to qualify or gain priority for housing. Deliberate deprivation includes gifting money to relatives and friends and payments to third parties.

4.6 Verification and Checks

4.6.1 Applications are subject to verification checks:

- At the point of registration
- Notification of a change of circumstance
- At re-registration
- At the point of an offer of accommodation
- When a tenancy is signed.

4.6.2 Applications must be accompanied by any supporting information and evidence as well as relevant proof of identification. We will cancel applications where the documentation has not been provided. Applicants will usually be contacted and given the opportunity to bring the information in first, before it is cancelled.

4.6.3 We will verify the addresses for all applicants for the 5 continuous years prior to making the application. This applies equally any landlord you might have had.

4.6.4 Where applicants are privately renting, we will ask for a landlord reference to confirm the conduct of the tenancy and the reason they have been asked to leave. We will require proof of notices served by the landlord. This will be mandatory at the time an applicant is offered a property. Where an applicant is unable to provide this, the offer may be withdrawn.

4.7 Bedroom entitlement

The property size that will be allocated for a particular household will be assessed according to the following guidelines and will be based only on the actual household composition. The Council uses the Government's **bedroom standard** for housing benefit. We will count a second living room as a bedroom for allocation purposes.

Applicants are normally entitled to a bedroom each for the following groups:

- Single or a co-habiting couple.
- A parent and child will not be expected to share.
- Any 2 children of the opposite sex up to the age of 10
- Any 2 children of the same sex up to the age of 18
- Persons aged 16 and older will be assessed as requiring their own bedroom.
- Live in carers and young carers will be entitled to their own bedroom.
- An additional bedroom will be considered where there is a proven medical need or disability. Essential medical equipment will also be taken into consideration.

4.7.1 Over Occupation

The shortage of large family sized accommodation is particularly acute and waiting times are therefore substantially longer than for smaller sized accommodation. In some circumstances where households are waiting for large properties which are in short supply and subject to long waiting times; they may bid or be matched to a smaller property provided it would alleviate the severe overcrowding and provided everyone in the household has an adequate bedspace.

4.7.2 Pregnancy

Anyone who is pregnant on an application will be asked to provide a MATB1 form, then they will be reassessed for a property once the child is born.

4.7.3 Carers and young carers

Applicants claiming bedrooms for a carer who needs to live in, will need to provide evidence from Adult Social Care or Children's Services to show that overnight care is necessary. A young carer will be entitled to a separate bedroom from any siblings.

4.7.4 People with medical conditions who cannot share

Applicants with a medical condition and needing their own bedroom for them or medical equipment will need to provide sufficient evidence to satisfy us of the need for separate bedrooms. Awarding an additional bedroom will be assessed on a case-by-case basis and will involve considering not only the nature and severity of the condition, but also the nature and frequency of care required during the night, and the extent and regularity of the disturbance to the sleep of the other person who would normally be required to share the bedroom. The decision is made by the Housing Register Manager.

4.7.5 Fostering

Approved foster carers and adopters who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by Slough can apply to the Council to bid for homes that provide an additional bed space. This

provision also includes special guardians, holders of a residence order and family and friends' carers who are not foster carers but who plan to take on the care of a child. Approval for a 'size over-ride' will be considered by the Housing Allocations Panel.

4.8 How priority is determined

4.8.1 The Housing Register is made up of three bands. These bands are used to rank the level of housing need an applicant has based on their circumstances and the information provided.

- **Band A** contains emergency housing need cases.
- **Band B** contains urgent housing need cases.
- **Band C** contains moderate housing need cases

We do not operate a cumulative need scheme. If you have more than one housing need, we will award the band for the highest one. E.g. homeless households who are owed a main duty will normally sit in Band B, but if they also have an emergency medical condition, they will sit in Band A.

4.8.2 Banding Summary

The table below is a summary of the housing need categories and the band they sit in. The detail is captured in the section 4.9.

Band	Housing Need
Band A (Emergency Priority)	Emergency Health Priority
	Fleeing Violence (at risk of serious harm)
	Management Transfer (council tenant experiencing ASB, disrepair etc))
	Public and Witness Protection
	Insanitary Conditions
	Decants (within 3 months)
	Underoccupation (including a successor who is underoccupying)
	Release of a significantly adapted property
Band B (Urgent Priority)	Homeless – prevention, relief and main duty
	Urgent Health Award
	Care leavers (inactive until 18 and ready to move)
	Fostering/Adoption
	Move On from Supported Housing (inactive until ready to move)
	Decants (longer than 3 months)_
	Overcrowding (statutory or by 2 bedrooms or more)
Band C (Moderate Priority)	Homeless - non – priority and intentionally homeless
	Overcrowding (by 1 bedroom)
	Key Workers
	Right to Move

4.8.3 **Determination Of An Effective Band Date**

In order to determine the effective band date, we use the following:

- At registration of your application, your effective band date will be the date you provided all the supporting evidence needed to verify your application.
- If there is a change of circumstances and your priority goes up a band, we will use the date the change was verified.
- If there is a change of circumstances and your priority goes down a band, your effective band date will not change, i.e. it is protected.
- If you are homeless, the effective band date will be the date we accepted a homeless duty.

4.8.4 **Child Of Tenant**

Where a household is overcrowded, we will consider applications from children 18 and over provided it will significantly alleviate or remove the overcrowding for the main household. The young adult will be allocated a bedsit and once they are rehoused, the application for the main household will be reassessed. The applications will be linked to ensure this is clear when we allocate the first property.

4.9 **Housing Need**

4.9.1 **Band A: Emergency Priority**

i. **Emergency Health Priority**

Priority on health or disability grounds will only be awarded after an assessment if someone in the household has a severe long-term limiting illness, or a permanent and substantial disability AND their health or quality of life is severely affected by the home they live in. A priority medical award is not given on the basis of the medical condition or disability alone but upon the effect the housing circumstances are having on a long term and serious medical condition or disability. We will also consider if where you live now can be reasonably adapted to meet your needs. It may also be that there are combinations of serious health or disability concerns that mean that the health or quality of life of a household is being severely affected.

There are two levels of additional priority on medical grounds linked to housing circumstances that can be awarded; Emergency and Urgent.

Emergency will be awarded where an applicant or a member of their household cannot be discharged from hospital or equivalent medical facility within a reasonable timescale due to the lack of any suitable accommodation being available. Members of the armed forces who have been severely injured in the line of duty will also be considered for this award.

ii. **Risk Of Death Or Serious Harm**

Applicants whose property is unsafe or where they are fleeing violence. The Council places a high priority on community safety and the personal safety of all

its residents. We will take the necessary action against perpetrators of harassment and violence.

iii. **Management Transfer**

Awarded to council tenants who have been approved by the Housing Allocations Panel who need to move due to serious disrepair, victims of serious ASB. Discretionary successions and discretionary tenancies for victims of domestic abuse.

iv. **Public and Witness Protection**

Where an applicant has been referred as part of the witness protection scheme, this priority will be awarded. The award will also be given to high risk Multi-Agency Public Protection Arrangements (MAPPA) cases under the need for public protection. All decisions are made by the Housing Allocations Panel.

v. **Insanitary Conditions**

Awarded where the home is subject to a Notice or where there are serious health and safety risks to continued occupation.

vi. **Imminent Decants (Within 3 Months)**

Social housing tenants in this situation are living in a property that is due to be demolished or regenerated and the tenant must move within 3 months.

vii. **Underoccupation**

Social housing tenants who are prepared to move to a property with fewer bedrooms than their current property or where they have succeeded to a property which is too large for them will be awarded this priority.

viii. **Release of a significantly adapted property**

This priority will be awarded to social housing tenants who are living in a significantly adapted home that they no longer require and want to move to a home without adaptations.

4.9.2 **Band B: Urgent Priority**

i. **Homeless Households owed a duty.**

The homeless duties that sit in this award are specifically:

- **Prevention Homelessness Duty (s193):** Households who are owed a prevention duty by the Council under the homeless legislation and we are satisfied that all other reasonable options have been explored and where priority is required in order to prevent homelessness within a specific timescale.
- **Relief Homelessness Duty (s189B) (2);** households who are owed a relief duty and the interim accommodation duty
- **Main Homelessness Duty (s193(2));** households who are unintentionally homeless and in priority need (within the meaning of Part VII of the 1996 Act).

ii. **Urgent medical**

Urgent medical priority will be awarded where an applicant or a member of their household is assessed as suffering from a severe medical condition, mental health illness or disability which is being seriously impacted by their current housing situation and that would be improved by moving to appropriate accommodation.

iv. **Care Leavers**

This priority will be awarded to applicants who are or were previously looked after by Children's Services. Care leavers can be registered from the age of 16 and up to the age of 25. However they will remain inactive to bid and will not receive an offer of accommodation unless they are 18 and deemed ready to live independently by their personal advisor and if relevant their current housing provider. This is to minimise the risk of tenancy failure. A handover of support should take place between the Council and landlord.

v. **Fostering and Adoption**

People who are fostering and adoptive parents or prospective adoptive parents for Slough who need to move due to their current accommodation being unsuitable or who need to move to a different location to safeguard or promote the well-being of the child or children.

vi. **Move On From Supported Housing**

Applicants residing in supported housing schemes who are ready to move on to independent housing will be awarded this priority. They will remain inactive to bid and will not receive offers of accommodation until evidence has been provided from their supported housing landlord, support provider or professional, that they are ready to move on.

vii. **Decants (Longer Than 3 Months)**

Social housing tenants in this situation are living in a property that is due to be demolished or regenerated and the tenant must move, but they have longer than 3 months within which to do so.

viii. **Severe or Statutory Overcrowding**

This priority will be awarded where an applicant's household is overcrowded by two or more rooms or where there is statutory overcrowding. Households that are statutorily overcrowded will be awarded this priority only after any measures that can reasonably be expected to reduce the overcrowding, such as terminating licence agreements of any non-dependent household members, have been undertaken.

4.9.3 **Band C Priority Categories**

i. **Homeless Households owed a duty**

The homeless duties that sit in this award are specifically:

- **Intentionally Homeless;** households owed s.190(2) HA 1996 duty who have priority need and have become homeless intentionally.
- **Non-Priority Homeless;** households owed a Section 195(2) prevention duty and not considered likely to be in priority need or households who are homeless and not owed a homeless duty under Part 7 of the Housing Act 1996.

ii. **Overcrowding (1B)**

This priority will be awarded where an applicant's household is overcrowded by one bedroom.

iii. **Key Workers**

This priority will be awarded to applicants who have been accepted through a Slough approved key worker scheme. Key worker schemes are initiated by a local need where there is a shortage of professionals such as health workers or police officers. A need assessment for the borough is undertaken with other key agencies in order to determine and quantify the shortage before a scheme is approved.

iv. **Right to Move**

This is awarded to applicants accepted under the national Right to Move Scheme.

4.10 Pitches For Gypsies And Travellers

The allocation of any pitches on a Gypsy and Traveller site will be in accordance with the priority given to all applications to the Housing Register. However, additional priority for pitches will be given to close family members of existing licensees, who already live on site, to relieve overcrowding and to maintain family connections on the site.

4.11 Notification Of An Assessment

On registration, applicants will be written to and given:

- The **date** they were registered
- The **priority band** they have been awarded
- Their **username** and **password**
- Guidance on how to **bid** for a home
- **Bedroom** entitlement
- Who to contact for advice and information
- What to do if they have a **change in circumstance**
- How to request a **review** of decisions
- Advice on **verification and checks** that will take place.

Further information is available on the website.

Applicants must check the accuracy of this information, as it will be used to inform what they can bid for and decide their priority for receiving an offer of housing.

4.12 Change In Circumstances

4.12.1 Once registered it is the applicant's responsibility to inform the Council of any change in their circumstances that may affect their application. Examples could include but are not limited to:

- A change of address or contact details, for themselves or any other person on the application.
- Any changes in the household of where the applicant lives or in the household included on the application.
- Any change in income and/or savings of the applicant.
- If the applicant becomes a property owner.
- Any medical/welfare or mobility needs which will affect the type of accommodation required by the applicant.
- Any changes to the immigration status of the applicant.

4.12.2 Following a change in circumstance the application will be reassessed and may result in a change in priority band or bedroom/property eligibility. The applicant will be informed in writing of the outcome of their reassessment.

4.12.3 Failure to notify the Council of a change in circumstance may result in removal from the Housing Register or the withholding of an offer of accommodation whilst the application is investigated and/or reassessed.

4.13 Removal from the Housing Register

4.13.1 Where an applicant no longer meets the legal requirement to be eligible (as per section 3.1) or no longer qualifies; the Council may remove their application and they may not reapply for 12 months. We will confirm our decision in writing, giving clear grounds for taking the action and how to request a review of the decision as outlined in section 6.2.

4.13.2 The reasons for removal may be:

- No longer meet national eligibility rules.
- Falls under one or more of the disqualification rules.
- Providing false or misleading information.
- Deliberately worsening their circumstances.
- Failure to attend viewings.
- Refusal of a second suitable offer.
- Failing to re-register when a banding review is undertaken.
- Applicant requests removal.

Section 5: Allocations and Lettings

5.1 Direct Lets

- 5.1.1 Not all properties that become available will be advertised and offered through choice-based lettings (CBL). There may be circumstances where there is a need to make a direct offer of housing outside of CBL and, in exceptional circumstances, outside of the normal band and date order criteria set out in this policy. Specifically, this would be where there are urgent operational or financial reasons to depart from advertising and letting a property.

Examples include but are not limited to:

- Where the Council owes a homeless duty and they are in temporary accommodation, a direct offer may be made to manage any budgetary or legal impact on the Council.
- Where urgent rehousing is required because an applicant's existing property is uninhabitable, or where there are serious health and safety or personal protection issues.
- Where the housing need is extremely urgent, where, given the applicant's circumstances, it would **not** be reasonable to wait for a successful bid through the CBL system to deliver an offer.
- Where an authority has a duty to rehouse under section 39 of the Land Compensation Act 1973.
- Where an applicant is not being realistic in the areas they are bidding for and, as a result, may be occupying a temporary accommodation unit that is needed for a newly presenting homeless applicant.
- Where a vacant adapted property becomes available and that property could be allocated to an applicant whose disability needs best match that property regardless of the date they were registered.
- Where an applicant may be vulnerable and it is inappropriate for the applicant to participate in CBL. For example, a vulnerable applicant nominated by Adult Social Care or Children's Services where the outcome of an assessment is that a direct let is the best letting solution for that applicant.
- Other examples, including individual circumstances of some applicants subject to Multi Agency Public Protection Arrangements (MAPPA), or it is assessed they present a risk to themselves or others.
- Age designated housing cases where some older applicants are less confident in using the CBL system to increase the take up of sheltered schemes.

- 5.1.2 A direct let is simply an offer made directly to an applicant without the property being advertised. Allocations of this nature will be kept to a minimum to maintain a fair and transparent Housing Allocation Scheme, with the majority of applications being made to applicants that fall within the reasonable preference categories set out in section 3.

5.2 Choice Based Lettings

The majority of properties are let via choice based lettings. The onus is on the applicant to actively bid for suitable properties.

5.2.1 Advertising A Property

- i. Choice based lettings works by allowing applicants to express interest in available properties that are advertised each week. From those applicants responding (bidding), the successful applicant will be decided in line with the priority they have been awarded.
- ii. Both the Council and Registered Providers will advertise their vacant properties, including properties that have been designed or adapted to meet the needs of disabled or older people.
- iii. The Council reserves the right to advertise some properties giving preference to certain applicants such as homelessness cases, underoccupiers or decants to achieve best use of housing stock.
- iv. Applicants will be informed at registration what types of property they will be able to bid for. Bids from applicants will only be accepted if they can match the requirements in the advert.

5.2.2 Withdrawing A Property

In exceptional circumstances we may have to withdraw a property that has been incorrectly advertised. We may also withdraw a property in order to make an urgent direct offer for a priority household at any point provided it has not yet been offered.

5.2.3 The Bidding Cycle

- i. Properties available to rent are advertised **for insert Slough bidding cycle once it has been set up.**
- ii. It makes no difference when a bid is placed within that timeframe, so long as it is placed before the closing date.
- iii. Bids will be ranked according to the applicants priority.
- iv. Applicants (or their advocates) wanting to bid can do so directly by accessing the website at any time at home or by visiting locations in the borough with internet access.
- v. Advice and support will be provided to applicants who need it, to ensure they are able to bid for properties.
- vi. Applicants can bid for up to **3** properties per week. They will be able to see their position on the list at the time they place their bid, but as other applicants place bids, this position may change.
- vii. When an applicant has placed a bid, they will only be able to withdraw it whilst the bidding cycle is open.

5.2.4 **Autobidding And Assisted Bidding**

Homeless applicant and applicants who are vulnerable or need more help can be placed on 'auto bid.' The system will then auto match the applicant to a property that meets their housing need.

5.2.5 **Advertising similar properties in the same week**

Where there is more than one property of the same description in the same location, only one of the properties may be advertised. The remaining empty properties will be offered to qualifying applicants that have also replied to the original advert. The property advert will show the number of properties of the same type that are available at the same time. An example is where there are a number of flats with a similar description available in a multi-storey block or where a new development has several identical properties on offer.

5.2.6 **Failure to bid**

Applicants who fail to bid in any 12 month period will be disqualified and not permitted to reapply for 12 months from the date of the disqualification. This is provided there were suitable properties available, but the applicant simply failed to bid. We will contact the applicant first to assess whether they need further information or support.

5.3 **Shortlisting and Selection**

5.3.1 **Closing date**

When the bidding cycle closes a shortlist is prepared. Applicants are ranked by band, effective band date and registration date. If there have been a change of circumstances since the bid was placed, the property may not be suitable and the applicant will be bypassed.

Applicants who place bids for properties will be shortlisted in the following order:

- By need for any specialist components in the property (such as a significant adaptations)
- By housing need band from Band A down to Band C.
- By banding effective date (from oldest to newest).

5.3.2 **Bypassing a bid**

Your bid may be bypassed if:

- Your circumstances do not match the criteria outlined in the property advert.
- You have been offered another property.
- There are public protection concerns.
- You, or a member of your household, are involved in anti-social behaviour.
- It is identified that you require an adapted home, and the property cannot be sufficiently adapted.
- You have rent arrears and are not keeping to an agreed payment plan.

5.3.3 **Successful bidders**

You can only be shortlisted in first place for one property at a time, all subsequent bids will be bypassed, whilst the first bid is resolved. A successful bidder will be allowed to view the property.

5.3.4 **Unsuccessful bidders**

You will not be contacted if your bid is unsuccessful. You will be able to bid during the next bidding cycle as normal.

5.4 **Viewing**

The viewing, offer and sign-up is conducted by the landlord of the property. Some will invite you to view the property first, whilst others may arrange a home visit or request that you attend a meeting at their offices prior to allowing you to view a property. You will be contacted by phone and email at least 48 hours before the viewing date. You will be advised of any information you need to take with you to any meetings or viewings. You must ensure your contact details are up to date at all times. Applicants failing to attend viewings or applicants failing to respond to an offer will be treated as a refusal.

5.5 **Offer Of Accommodation**

5.5.1 **Suitability**

An offer is made in writing (often sent by email) containing all the details of the property. If you view before an offer is made an offer letter will be sent after the viewing. It will be subject to a clear rent account or where the applicant is reducing the debt in line with a repayment arrangement.

An offer of accommodation must be deemed suitable and should state the following:

- Household type and size
- Rent and service charges
- Property type, size and condition
- Adaptations where relevant
- Affordability checks
- The right to request a review if the applicant does not agree it is suitable.

It may be accompanied by information on the local area, together with a summary of the Housing Allocations Policy.

5.5.2 **Limited Offers**

The Council operates a **single offer only** policy. This means you will receive one offer of suitable accommodation. Applicants who are underoccupiers or releasing a significantly adapted property are exempt from limited offers as the Council needs these properties for other households on the Housing Register.

5.6 Affordability

All successful bids will be screened for affordability see appendix 3. Where an applicant has a low income, they will be referred to the debt advice service for further advice on income maximisation. All applicants must be able to show that they are working and have sufficient income to pay their rent or that they are in receipt of appropriate benefits in order to afford the total amount payable for their property i.e. rent and additional costs such as service charges. We have a duty to protect public funds. Therefore, where an applicant is unable to demonstrate that they will be able to afford any offer of accommodation made to them, we retain the right to withdraw the offer. See appendix 3 for more detail.

5.7 Refusals

5.7.1 The following are considered refusals:

- You fail to respond to an offer of accommodation.
- You fail to attend a viewing.
- You fail to provide the information requested by the landlord.
- You are offered a property, and you decline it.

5.7.2 The consequences of refusing an offer of accommodation will depend on the circumstances in which the offer is made.

- It is important for a homeless household to understand that the refusal of a suitable offer of accommodation is highly likely to result in discharge of the homeless duty, the potential loss of any temporary accommodation, and a change to their priority under this policy.
- For other applicants who are subject to a single offer only; a refusal result in disqualification and removal from the Housing Register. This will be made clear in the offer letter and at viewing.

5.8 Tenancy Determination

Each social landlord has their own tenancy management policy. It is the applicant's responsibility to familiarise themselves with the tenancy management policy of the landlord they have been nominated to.

- In most cases, the landlord will grant a probationary tenancy to an applicant who has never held a social tenancy before. This will convert to a lifetime tenancy after 12 months.
- For some properties, a landlord (but not the Council) will grant a fixed term tenancy between 2 and 5 years. The advert will state clearly if a property is subject to a fixed term tenancy.
- Where an applicant has held a social tenancy before and conducted that tenancy successfully, they will usually be granted a lifetime tenancy. This will be secure for council tenants and assured for registered provider tenants.

5.9 Tenancy Sustainment

We want people to be able to live happily in their homes and recognise that some people need more support to do this. The Council is committed to:

- Signposting the applicant to the right team when they approach us for rehousing.
- Considering the support needs, both immediately and longer – term when allocating a home.
- Assessing the applicants housing priority correctly.
- If the tenancy is failing, we will work with the tenant to prevent them from becoming homeless.
- Maximising the household's income to promote affordability.

5.10 Sensitive Lets

Sensitive lets are rare and must be approved by the Council. There are two main reasons:

- i. Where a household requires careful placement for their safety or the safety of others, we may need to consider where we place them in order to minimise any risks, **or**
- ii. Where a property has a management history which requires the careful selection of the next tenant to ensure harmony in the area where it is located. In these cases, we may target the advert and select only the most suitable applicants.

5.11 Hard To Let

It is unusual for a property to be hard to let because we operate a single offer only policy for the majority of applicants. In rare circumstances where a property does prove hard to let we will readvertise it or make a direct offer.

5.12 Reciprocal Arrangements

On rare occasions we may approach a landlord or local authority outside of the region, if we have an applicant we are unable to assist. On agreement they would be nominated to the landlord/authority. At times we may be approached by a landlord or local authority outside of the region in similar circumstances. These are called reciprocals, as the landlord who has housed an applicant under these arrangements will be owed a property in return. These will be direct lets.

5.13 Allocation Of Specialist Accommodation

5.13.1 Age Designated Accommodation

- i. Age designated units are self-contained properties for applicants usually referred to as Sheltered Housing. The age threshold is 55 years or older depending on the scheme.
- ii. Acceptance into an age designated property is at the discretion of the landlord. In order to be considered the applicant must provide evidence of their medical condition and be in receipt of Enhanced PIP or High Rate DLA, if they do not meet the age requirement.
- iii. Applicants for age designated accommodation must be able to live independently with only low level support needs but will have access to

assistance such as an on-site warden and alarm to call for emergency assistance.

- iv. If you would like to be considered, you will need to complete the relevant section on the application form. Applicants cannot be considered for general needs accommodation at the same time. Where an applicant is applying with a spouse or partner at least one of them must meet the age threshold, but both must be over 55.
- v. Applicants for age designated accommodation will be assessed against the same priority band criteria as general needs applicants and shortlisted for accommodation in the same way.

5.13.2 Extra Care

Properties which provide extra care facilities or support services are not usually advertised as part of the scheme. Vacant properties are directly matched to qualifying applicants via an Extra Care Panel. You must contact Adult Social Care if you wish to be considered for this type of property.

5.13.3 Accessible Properties For People With Disabilities

Accessible properties are homes that have been designed for or significantly adapted to meet the needs of people with physical or sensory disabilities.

- i. Accessible homes will be advertised as part of the scheme to ensure that applicants assessed as needing this type of accommodation are given the widest possible choice.
- ii. Applicants with a need for accessible accommodation will be given priority for this over those without that need, and the property advert will make this clear. The advert will also describe the accessible features together with local neighbourhood information to help people choose whether to bid or not.
- iii. In selecting an applicant for an accessible property from the shortlist of qualifying applicants, the full circumstances of each household is undertaken to make the best match for the adaptations in the property.

5.13.4 Other schemes

Other schemes may be provided for certain client groups such as those with learning difficulties or mental health problems. In these cases, vacant properties may be directly matched to qualifying applicants who meet the eligibility criteria, following a detailed assessment into their housing and care needs by Adult Social Care or their care or support providers.

5.14 Lettings Plans

5.14.1 Annual Lettings Plan

The Council will produce an annual lettings plan based on an estimate of the number and type of properties that are anticipated to be available for letting in any financial year. This plan could include specific opportunities for bidding, which may include limiting bidding for homes in higher demand to those in higher bands. It may also have targets for homeless households and others. Targets will be reviewed annually. Annual lettings plans will be published on the website.

- A homeless target of 70% has been set for 2026/27 which means 70% of lettings will be given to homeless households in temporary accommodation, this is to meet the financial challenges faced by the Council and will be reviewed every 3 months.

5.14.2 Local lettings plan

Section 167(2E) of the 1996 Housing Act enables housing authorities to allocate particular accommodation to people of a particular description, whether or not they have a priority need. Specific allocations may be considered when made to a particular estate or community. They are used to achieve a wide variety of housing management and other housing policy objectives and are usually developed where there is a wish to alter the balance of the community or ensure a balanced community. For a list of the current local lettings plans, see appendix 5.

5.14.3 Section 106 Agreement

Properties developed on sites that incorporate a section 106 agreement determining the allocation of housing on that site will be let in accordance with the terms of the agreement. Such agreements have been developed to ensure that secure mechanisms are in place to restrict the occupancy of the dwelling both on first occupation and in perpetuity to those who have a local community need for an affordable dwelling. Where these exist, they are covered in appendix 5.

5.14.4 Publishing Lettings Results

Lettings results will be published openly on the website and will include but is not limited to the following information:

- The property type, size, landlord and neighbourhood
- The total number of bids made for the property
- Time waited on the Housing Register by priority and band.

Section 6: Decisions, Complaints and Reviews

6.1 Decisions

6.1.1 When we process an application, we will have to make a number of key decisions such as:

- The decision that confirms or denies your eligibility to join the housing register.
- The decision that confirms or denies whether you qualify.
- The decision that awards your housing need (band).
- The decision to reassess your application as reduced preference or treat it under exceptional or mitigating circumstances.
- The decision to reassess your priority following a change of circumstance.
- The decision to cancel or disqualify your application.
- The decision following a submission of a right of review by you.
- The decision that deems your refusal of a property as unreasonable or that you cannot afford a property.

6.1.2 When contacting you with a decision we will:

- i. Make decisions with reference to the relevant legislation and our statutory duties.
- ii. Consider all relevant evidence provided before making a decision.
- iii. Not take irrelevant matters into consideration when making a decision.
- iv. Make every effort to ensure our decisions are reasonable, exercising discretion if the situation warrants it.
- v. All decisions will be made with due regard to this policy.
- vi. State the reasons for our decision
- vii. Keep a record of the decision and the evidence provided.

6.1.3 It is important to understand the following:

- ✓ If you provide evidence that you did not provide for your original assessment. This is a **change in circumstance**.
- ✓ If you think we failed to deliver the service properly. This is a **complaint**.
- ✓ If you disagree with one of the decision types listed in section 6.1.1. This is a **statutory right of review**.

6.1.4 Decisions within the scope of the policy will be made by officers with the appropriate delegated authority. Decisions where additional scrutiny is needed or where it is beyond the scope of the policy will be referred to the Housing Allocation Panel. For terms of reference see appendix 1.

6.2 Statutory Right Of Review

- 6.2.1 Applicants have a right to request a review if they are unhappy with a decision including, but not limited to:
- Decisions to exclude them from Housing Register.
 - The level of priority awarded.
 - Decisions to remove them from the Housing Register.
 - Suitability of an offer of accommodation.
- 6.2.2 Applicants may feel that there has been a failure to take into account all relevant matters when making a decision or that a decision was unfair. This procedure enables applicants to request that a decision is looked at again.
- 6.2.3 A request for a review on a decision in relation to an application should be made to the Housing Register Team in writing within 21 days of the decision. Please state the reason for the request. You may appoint an advocate we will need your written consent to share information about your application with them.
- 6.2.4 Decisions in relation to a Homelessness Application should be directed to the Homeless Service.
- 6.2.5 Reviews will be acknowledged within 5 working day and carried out by an Officer who was not involved in the original decision. A response will be issued within 56 days of the request. The Officer will review the facts, consider the information submitted, apply legislation and consider this policy to determine the response which will be made in writing. A copy will be retained for record purposes for the duration of the application. All corrective action will be taken if the original decision is overruled and the review is upheld.

6.3 Judicial Reviews (Legal Action)

Where an individual or organisation feels the Housing Allocation Scheme is unfairly prejudicial, or their case has been dealt with in a prejudicial manner, they may wish to take legal action. They should seek independent advice before doing so. Cases being presented for legal action cannot be heard under a statutory right of review.

6.4 Complaints

If an applicant is unhappy about the service they receive then the Council has a three stage procedure for dealing with complaints. Details of the complaint procedure can be found on the council website or at the council offices. Complaints that are not resolved using this procedure can be referred to the Local Government Ombudsman.

6.5 Renewals

6.5.1 All applications will be renewed at prescribed intervals. This is to ensure the most accurate information is held against the application. Applicants will be contacted on their due date in writing. They will need to contact the Housing Options Team within 28 days of the letter, or their application may be cancelled. If their circumstances change, we will reassess the priority.

Band	Frequency
Band A	Every 3 months
Band B	Every 12 months
Band C	Every 12 months

6.5.2 In order to undertake a renewal, we will:

- i. Set the correct review period when we make the initial assessment and then all subsequent reassessments.
- ii. Our system will flag the application on its review date.
- iii. This will be assigned to an officer to review.
- iv. We will contact you using your preferred method to ask you to re-register and confirm any changes to your circumstances.
- v. You will be given 28 days to respond.
- vi. If you fail to respond your application will be cancelled.
- vii. If your circumstances remain the same, a new review date will be scheduled.
- viii. If you inform us that your circumstances have changed, you will be asked to provide the necessary evidence and your application will be reassessed.

Appendix 1: Terms Of Reference For the Housing Allocations Panel

Role Of The Housing Allocations Panel

- Approve a direct let for an applicant that does not meet the criteria set out in section 5.1
- Approve a sensitive let. Simple cases will be heard by 3 panel members via an online platform and the decision ratified at the next full panel meeting. Complex cases or cases where the decision will have a negative impact on the household will be heard by the full panel.
- Consider and approve Local Lettings Plans.
- Hear appeals where an applicant has exercised their right to a review, remains dissatisfied with the outcome and wishes to take it further.
- Make key decisions in relation to an application, exceptional circumstances, NWMS and other matters in relation to qualification, disqualification and/or suspension.
- Oversee the monitoring of nominations agreements.

Panel Membership

- Panels members are the Head of Allocations and Temporary Accommodation, Head of Homelessness, Director of Housing Needs and Support and the Director of Neighbourhoods.
- A Panel is quorate with 3 or more members
- A chair will be elected for appeal panels.

Requests and Appeals

The Panel will process requests and appeals by ensuring the following:

- A member cannot be part of the panel to hear an appeal if they were involved in the original decision.
- Requests and appeals must be submitted to the panel on the Council's website at: www.slough.gov.uk
- Submissions must be in the format of the proforma which can be download from the website.
- Panel members should have the papers for a request or appeal at least 5 working days prior to the meeting.
- The Panel must give due consideration and fair treatment in relation to:
 - a. The decision to have their appeal heard orally or by written submission.
 - b. The appellant to be accompanied by one person to advocate on their behalf.
 - c. Time for all parties to have sight of the papers in relation to a request or appeal
 - d. Necessary time for an investigation where necessary.

- e. Request for adjournments from the applicant if it is deemed reasonable

Panel Decisions and Recommendations

- i. Business discussed by the panel is confidential to panel members only. Named parties may request a copy of the decision. These will only be released at the discretion of the panel and with personal data other than the named parties redacted or removed.
- ii. Approval requires a majority vote and the meeting to be quorate.
- iii. The chair will be responsible for conveying the decision or recommendation of a panel.
- iv. The panel decision or recommendation is final.

Appendix 2: Mitigation Of Unacceptable Behaviour

Applicants who fail to qualify or have had their preference reduced because of bad behaviour will need to demonstrate how they are rectifying this in order to qualify or have their reduced preference removed. The table below summarises the behavioural causes and the mitigation measures required.

Cause	Evidence
Repayment arrears of a rent advance or deposit loan or other debt owed to the Council.	Repayment plan in place and adhered to for a minimum of six months or the debt has been cleared by regular payments whichever is sooner.
Eviction from a tenancy for rent arrears	Minimum six month settled accommodation with up to date rent account. Repayment plan in place and adhered to for a minimum of six months
Eviction from a property for mortgage arrears	Minimum six month settled accommodation with up to date rent account. Repayment plan in place and adhered to for a minimum of six months
Rent arrears and/or court costs greater than 14 weeks rent if the rent is charged weekly or greater than 4 months if the rent is charged monthly. This will apply equally whether they pay the rent in full, are on partial housing benefit and they pay the shortfall or are in receipt of full housing benefit where the arrears are solely the responsibility of the tenant.	Up to date rent account (where relevant) and repayment plan in place and adhered to for a minimum of six months or the debt has been cleared by regular payments, whichever is sooner. Confirmation of information provided for a housing benefit claim to be assessed.
Damage to a property and been charged for damages and/or recharges and/or court costs of over £1000.	Repayment plan in place and adhered to for a minimum of six months or the debt has been cleared by regular payments whichever is sooner.
Eviction from a tenancy for anti-social behaviour	Minimum six month settled accommodation with no complaints relating to their behaviour.

Appendix 3: Affordability Checks When Allocating Social Housing

Being able to pay rent and service charges is key to a resident being able to sustain their tenancy. How much a resident can afford to pay for their housing costs will vary depending on the type of accommodation they live in and their financial circumstances. Carrying out affordability checks and working with the resident to maximise their income when allocating a home gives confidence to residents and social landlords that the tenant will be able to afford the home.

The Law And Affordability Checks

The allocation of a social rented home is a matter of public law for the local authorities and social landlords. This extends to mutual exchanges and management transfers. Therefore any decision about an allocation and whether someone can afford to pay the proposed charges can be challenged in court, if that decision was made irrationally, illegally or for failing to follow public law procedural requirements.

Therefore:

- Decisions must be made using accurate evidence at the point of allocation.
- If the landlord must work with the resident to maximise their income.
- If an applicant states they can afford it, they must be allowed to provide evidence.
- The applicant has a right of review or to make a complaint to the Ombudsman if the property is withdrawn on affordability grounds and this must be made clear in all correspondence.

Tenants In Rent Arrears

The Housing Allocation Scheme clearly sets out qualification rules where a tenant is in rent arrears. Rent accounts are routinely checked at the point of an offer along with any other housing related debt. Current and former arrears will be examined; arrears repayments must be in place and adhered to. The tenant must be able to pay the new rent in addition to any repayment instalments.

Practicalities of carrying out an affordability check

In order to carry out the check, the following must be considered:

- i. Income of the household including salaries, benefits and investments.
- ii. Rent and other property charges.
- iii. Reasonable living expenses.
- iv. Priority debts.

The resident must be able to afford to support any dependent children or adults in the household. If the result of the check is that an applicant cannot afford social housing it is very unlikely that they will be able to afford private rented accommodation. Alternative sources of income to meet housing costs should be looked at including discretionary housing allowance or social care allowance.