

Lettings Policy 2017



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 If you need this in your language or a different language
 phone **0191 277 2020**. This information is also available in
 easy read, large print, Braille and audio tape. We can also
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1. Introduction

Newcastle City Council recognises that what makes a house feel like home is important. A home can provide a base from which to lead our lives and build a future, it helps towards realising ambitions and can provide stability and security.

The Allocations and Lettings Policy helps deliver the main priorities of the City Council. It contributes to:

- Getting Newcastle working - by recognising the need to maintain and grow the city's population and attract skilled people and their families to live and work in Newcastle.
- Tackling inequalities - by ensuring that you are provided with the right information and support to find the right housing option to meet your needs.
- Decent and safe neighbourhoods - by talking to you about what you need and aspire to have, and provide you with a range of options to help you make the right choice of housing. We believe that by helping you to make the right choice we will strengthen communities, increase independence, employability and satisfaction with where you live.

The Council's Allocations and Lettings policy sets out how to apply for social housing in Newcastle. It also sets out how we decide who is selected for social housing.

We have a wide range of properties available throughout the city and will offer advice and assistance on where you are most likely to find appropriate housing to meet your needs.

The aims of our scheme

For our customers we aim to:

- Offer a simple, fair and transparent process.
- Make sure those who have the greatest need for housing have the greatest opportunity to get it.
- Offer realistic options and informed choice.
- Promote independence by providing support to find and remain in their homes.

For our communities we aim to promote:

- Places where people want to live and work by allowing people to make positive choices.
- Equality of opportunity.

- Sustainable and mixed communities.

We will achieve these aims by having an Allocations and Lettings Policy which:

- Puts people at the heart of the process.
- Makes best use of housing resources.
- Combines housing need and support and care requirements.
- Offers a range of housing options.
- Helps us to understand housing need and respond appropriately.

This policy will also contribute to the strategic objectives of the council in making best use of its resources.

We will give you good quality information about our services. This will help you make better choices about your future home.

How the scheme works

Tyne and Wear Homes is the allocation and lettings partnership for social and affordable housing in Gateshead, Newcastle, North Tyneside and South Tyneside.

Its purpose is to provide one process for accessing social and affordable housing and advice on housing options throughout the areas mentioned above. Further information is available on the following website: www.tyneandwearhomes.org.uk.

The partnership includes the various local authorities, social housing providers and private landlords who work in the area. **Partners will determine priorities for their homes through their individual allocation and lettings policies.** Some registered landlords **may** decide to adopt the local authority's policy for where their homes are situated.

Newcastle City Council uses a '**Choice Based Lettings Policy**'. This means you are offered choice and involvement in selecting a home. We also work with other registered social housing providers where the council has nomination rights.

Your Homes Newcastle (YHN), the council's housing management organisation, manages the Choice Based Lettings Policy on behalf of Newcastle City Council and its partner registered housing providers through the Housing Options Service. YHN and the partner landlords will share the responsibility to make sure you are aware and understand the policy and the process.

The Housing Option Service in the city centre is like an estate agent. It provides advice on housing options, advertises homes, tells you how to use the scheme, helps you to bid and assesses housing need.

Help and advice is also available from other teams, like the council's Housing Advice Centre or YHN Housing Options Teams based in one of the local service outlets, Pathways, Advice and Support Service or the Young People's Service.

Information about the standards of service you should expect are available from the Housing Options Service, the YHN website (www.yhn.org.uk), and any other YHN office.

In this policy, when we talk about housing offices, officers and managers, we mean YHN, its offices, local Housing Options Managers and similar officers of partner landlords.

See Appendix 1 for a list of housing options contacts and addresses, and Appendix 2 for a list of registered housing providers.

Legislation

In preparing, modifying and operating this scheme, we have followed the relevant legislation. We have also had regard to our Homelessness Strategy, our Tenancy Strategy and the Allocation of Accommodation Code of Guidance for local housing authorities in England that was issued by the Government in July 2012. We have also considered relevant case law and regulations.

Statement of choice

We aim to give all eligible applicants who qualify for the scheme choice in where they live. You have the opportunity to express preference by being able to bid for areas and types of housing. However, this must be balanced with the need for the council to meet its legal duties as a local authority in relation to addressing local housing need and ensuring the efficient management of its housing stock. This means we may give priority to households who need a particular property size or type when we place our regular adverts.

Equalities statement

We are strongly committed to fairness and equal treatment for all. We aim to prevent unlawful discrimination (both direct and indirect), harassment and victimisation on the grounds of age, disability, pregnancy and maternity, race, religion or belief, sex, sexual orientation and transsexuality. More information on our legal duties and responsibilities is available on Newcastle City Council's website.

Confidentiality statement

We will treat the information you provide as confidential. It will only be available to those employees who are managing and monitoring allocations and lettings, which includes local authorities and registered housing providers participating in the Tyne and Wear choice based lettings scheme. Your details are also subject to the controls of the Data Protection Act regarding unauthorised disclosure. Any other sharing of information will only happen with your consent or in circumstances that the law provides to protect people from harm or prevent crime. Hence, if you wish someone to act on your behalf, then you will be required to provide authorisation for this to happen.

2. How the scheme works and what help is available

To apply for help with housing you will need to be aged 16 or over.

When you apply we will discuss with you the reasons you need help with housing so that we can understand your needs and aspirations. We will then provide you with a range of options to suit your needs. This may be providing information, advice and support to help you remain in your home, or help finding privately rented accommodation, low cost home ownership or social housing.

Demand for our homes varies, depending on location and type of property. We have a wide range of properties available throughout the city and offer advice and assistance on where you are most likely to find appropriate housing to meet your needs.

What properties are advertised?

Through Tyne and Wear Homes we will advertise and allocate:

- Homes managed by YHN on behalf of Newcastle City Council or any other landlord.
- Homes owned by YHN.

We will also:

- Advertise and nominate to partner social landlords according to the nominations agreement. The nominations agreement says that at least 50% of all available homes will be sent to the Housing Options Service to advertise. All newly built homes will be advertised through Tyne and Wear Homes.
- Advertise low cost home ownership initiatives where appropriate.
- Advertise and allocate extra care and supported housing where appropriate.

We will also:

- Advertise private rented accommodation where appropriate.

How we advertise and select people for homes

We aim to advertise homes on a weekly basis. You can bid for up to three homes each week. If you are the successful person for more than one property at the same time you will not be invited to view all properties. Instead, you will be asked to select one as a formal offer of accommodation.

Once on offer for a property, any future bids will not be considered. See Section 7, 'How to Find a Home'. **See our guide to How the Scheme Works in Appendix 3.**

To be considered for a home you must:

- Be eligible to bid on the scheme.
- Qualify to bid on the scheme.
- Meet any specific criteria on the advert, and
- Bid for the property.

One of the main aims of the policy is to offer choice to people. However, we have a duty to meet housing need, and because of this we will band people according to their housing need. The banding system will ensure that those in the greatest housing need are given greatest preference for re-housing. In some circumstances, properties may be offered to existing tenants, which will release a social home for someone else in housing need.

If you are eligible, and qualify for the scheme, your application will be placed in either Band A, B, C or D according to your housing need. We will normally offer a property to the person who has the greatest need. That is, applicants in Band A, then thereafter Band B, C and D. If applicants are in the same band we will offer the property to the person who has been in that band the longest.

If you are a social housing tenant placed in Band D, and you have breached your tenancy in any way, you will not be allowed to bid until you have remedied that breach. We will give you help and advice on what you need to do to put things right. **Further information can be found below at section 3 ‘Eligibility, qualification and reasons for suspending you from bidding’.**

If you need to move quickly or have been unable to find a home through the normal bidding process, you may be able to find a home from our “available now” properties. We will usually allocate “available now” properties on a first come, first served basis.

Section 7, ‘How to find a home’ tells you about how to bid and the criteria that are placed on adverts.

Help to use the scheme

If you need help to join the scheme, or to use the scheme, you will be offered advice and support.

We will try to identify your support needs when you apply. We will work with you and anyone who you have authorised, to provide you with help and support to make sure you can make your bids.

We can also provide information in alternative formats. For example, if your first language is not English, we can arrange for an appointment to be made with an interpreter via a telephone interpretation service.

3. Eligibility, qualification and reasons for suspending you from bidding.

Anyone aged **16** years or over can apply, whatever their current housing circumstances are. However, there will be some people who will not be **eligible** or **qualify** for housing in Newcastle. If you are under 18, any offer of accommodation will be linked to a support package and you may need a trustee who can hold the legal title of your tenancy.

Who is not eligible?

Housing law sets out who can and cannot be considered for social housing under what is called “eligibility”.

You may not be eligible to join the scheme if you are from abroad or subject to immigration control.

The terms ‘person from abroad (PFA)’ and ‘person subject to immigration control’ (PSIC) have a housing specific meaning. There are two categories of person from abroad:

- Persons subject to immigration control within the meaning of the Asylum and Immigration Act (AIA) 1996.
- Persons who are not PSIC but are ‘other persons from abroad’ for example a British or Commonwealth citizen who has failed the habitual residence test.

Applicants in either category may be eligible as determined by the Secretary of State. The rules that concern who we can accept onto the scheme are very complex.

Please see Appendix 4 for more information.

Who does not qualify for the scheme?

Newcastle City Council has decided that we will not consider certain applicants for social housing. This includes people who:

- Are guilty of unacceptable behaviour (see further information below).
- Have sufficient resources to purchase their own accommodation in the private sector.

Unacceptable behaviour

This means any person who the council decides should not qualify for the scheme, because they, or a member of their household, have been guilty of behaviour serious enough to make them unsuitable to be a tenant.

The council, its partner landlords, and people who live in Newcastle have a right to expect certain standards of behaviour. Therefore, before we accept you onto the scheme and/or make a firm offer of a property, we may seek references to help us decide whether or not you qualify for the scheme. These will usually be from previous landlords.

Newcastle City Council has decided that the test of unacceptable behaviour is behaviour which would, if the person was either a council tenant or a member of a council tenant's household, entitle the landlord to take possession proceedings under certain grounds contained in the Housing Act 1985.

Some examples of the type of behaviour that could result in you not qualifying for the scheme could be:

- Previous/current rent arrears, other housing related debt, or other breaches of tenancy.
- Previous/current property damage.
- Serious anti-social behaviour. For example, nuisance or annoyance to neighbours, discriminatory behaviour or harassment, violence and intimidation.
- A conviction for using or allowing a property to be used for illegal or immoral purposes, including offences involving illegal drugs.
- Domestic violence or abuse including harassment, threatening behaviour and controlling or coercive behaviour.
- A conviction for an offence in the property or in the area of the property.
- Making a false statement in order to obtain accommodation dishonestly or fraudulently.
- Failing to provide relevant information that has been reasonably requested to verify an application for housing.

Your individual circumstances will be fully considered when deciding if you should be disqualified from the scheme.

The test is whether you or a member of your household were guilty of behaviour serious enough to make you unsuitable to be a tenant of the council (whoever your landlord was at the time).

Financial circumstances

There may be circumstances where your income or assets are such that you are able to meet your own housing needs in the private sector. In which case, you will not qualify for social housing. If you have an annual income of over £50,000 or assets worth £100,000 or over, you will not qualify for housing. This may be waived in exceptional circumstances.

See Section 5, 'Verification checks' for more information.

If we decide you are not eligible or do not qualify for the scheme, the officer or manager who made the decision will write to you and tell you the reasons why, what information they have considered and what you can do to become eligible or qualify. You have the right for this decision to be reviewed. You can also request us, at a later stage, to review such a decision should you be able to provide evidence that the reasons for your ineligibility or disqualification have been changed or addressed.

See Section 12 ‘Reviews and appeals’ which will tell you how to do this.

We will provide help and advice on alternative housing options and how to address any issues you may have in order for you to qualify for the scheme.

Suspension from bidding

If you are a tenant of a social housing landlord, either YHN or your landlord will visit you to ensure that you have conducted your tenancy in an appropriate manner.

If your application has been assessed and you have little or no housing need, having been placed in Band D and are found to have breached your tenancy, then you will be suspended from bidding until you can demonstrate that you have remedied any breach. Examples of the type of behaviour which could result in you being suspended from bidding include:

- Any previous or current rent arrears.
- Any other housing related debt.
- Any outstanding work required to your property for which you are responsible.
- Failure to maintain your property to an appropriate standard, which would incur cost to your landlord in order for them to re-let the property.
- A member of your household committing anti-social behaviour in or around your neighbourhood. For example, nuisance or annoyance to neighbours, discriminatory behaviour, harassment, violence and intimidation.
- Unacceptable behaviour towards NCC, YHN staff, elected members, boards members as well as partners and their employees.

If you have housing need which results in you being awarded a Band A, B or C status, we will not suspend your application as long as you remain eligible and qualify for the Scheme.

If we decide you should be suspended from bidding, the officer who made the decision will write to you and tell you the reasons why, what information they have considered and what you can do to put right the problem and have the suspension lifted. You have the right for this decision to be reviewed. You can also request us, at a later stage, to review such a decision should you be able to provide evidence that the reasons for your suspension have been addressed.

See Section 12 ‘Reviews and appeals’ which will tell you how to do this.

We will provide help and advice on how to address any issues you may have in order for you to have your suspension from bidding lifted.

4. How to apply

What you need to tell us

You will need to provide us with information about:

- You and who you want to share your home with (in order to determine the size of property you require).
- Your housing history – where you have lived for up to five years.
- Your housing need – why you are seeking a new home. .
- Your support needs.
- Demographic information (for monitoring purposes).
- Your financial circumstances.
- Any financial or legal interest you may have in any property.
- The names of two referees and permission to seek references from them.

Sometimes we may need to contact other agencies to decide your eligibility and qualification for the scheme.

You can contact the Housing Options Service or any Housing Office when you want to apply. We will contact you to tell you that we have received your request to move and tell you about what checks we have to make. **See Appendix 1 which gives a list of contact details.**

What the offices can help you with

No matter where you apply, we will be able to:

- Discuss why you want to move.
- Provide information on other housing options.
- Help you apply and get the information needed to verify your application.
- Tell you how likely it is you will be housed in your area of choice.
- Provide assistance in bidding for accommodation.
- Arrange appropriate support.

See Section 5 ‘Verification checks’ for more information.

We will offer additional help if you have difficulty at any stage of the process or you have a language or literacy difficulty. We can also arrange a home visit for you if you would prefer this and/ or if you are disabled. Tell us if you are having problems.

Providing information

Please note obtaining a tenancy by deception or deliberately misrepresenting your circumstances so that you are allocated a property is fraud.

You will need to confirm that the information you provide is truthful. It is a criminal offence if you knowingly or recklessly make a statement which is false or withhold information which we require you to provide. In such circumstances we will automatically refer your case for legal action which can result in criminal proceedings being taken against you which may result in a fine or imprisonment. If you have been granted a tenancy we may also commence possession proceedings to evict you.

Please take care when providing information and supporting documents.

You must also ensure that you notify us of any change to your circumstances which affect your application. We may take legal action and evict tenants who have knowingly misled us in any way.

In accepting an offer of accommodation you agree that you will live in this property as your only or principal home.

You will need to tell us if you have an interest in any other property. You will be expected to dispose of any interest in any other property should you be allocated a home through Tyne and Wear Homes.

What happens next?

If you are eligible or qualify for the scheme we will write to you and confirm:

- Your application reference number.
- The band you are in and the date you were placed in that band.
- How to find out about homes and how to bid.

Applying to the scheme does not mean any participating landlords have to offer you a particular property or any property at all.

We will contact you on a regular basis, usually once a year, to make sure you still wish to remain on the scheme.

Housing applications from members of staff and their families

To show that the policy is fair and transparent, applications for housing from employees or representatives of the following organisations must declare their interest when they apply or when they are offered a property:

- Newcastle City Council, including elected members.
- Your Homes Newcastle, including board members.
- Representatives operating on behalf of Tyne and Wear Homes.

Applications from relatives, members of their household or close friends of employees and elected or board members must also declare an interest.

These applications will be assessed in the normal way, but offers of accommodation will not be made without the approval of the manager responsible for allocation and lettings.

5. Verification checks

You will need to provide information when you apply as we will need to check the details provided with your application. Some of the things we may ask for are:

- Proof of identity and household details.
- Information about where you have lived in the last five years.
- Information about eligibility or qualification and suitability to be a council tenant.
- Information about your financial circumstances.
- Confirmation of a local connection to Newcastle.

In addition, at the time of signing your tenancy agreement, you may be expected to provide proof of your identity, such as:

- A passport or photo driving licence
- An acceptable recent photo of yourself
- A photo taken by ourselves.

We will also require confirmation that you meet the specific criteria for the property.

We aim to give customers who apply choice and quality of service. However, the communities where you may choose to live have a right to expect certain standards of behaviour from their neighbours, as does your landlord. You, as a potential tenant, have obligations to the communities where you will live and to your landlord. We tell you about these checks when you apply and that they may include references about your suitability as a tenant. This may also apply to anyone that you wish to have living with you.

See Section 3, 'Eligibility, qualification and reasons for suspending you from bidding'.

Checks may be done at any stage of the process and on more than one occasion for the following reasons:

- Current or previous rent arrears or other breaches of tenancy.
- Current or previous property damage.
- Harassment/anti-social behaviour or relevant criminal activity.

If you are an existing social housing tenant you will be expected to leave your current home in a reasonable state of decoration and undamaged (other than fair wear and tear). As part of our checks we will visit you at home. If there are any issues you will be given the chance to either repair or pay for any damage.

If you are an existing social housing tenant placed in Band D and are in breach of your tenancy agreement you will be suspended from bidding (see section 3 'Eligibility, qualification and reasons for suspending you from bidding').

If you can't provide us with all of the required information to confirm your circumstances and suitability as a tenant, you may ask us to get references from previous or current landlords. Council Tax records may be checked to confirm you live in the address you are applying from. Checks may also be made with the Police through the Safer Estates Agreement or with a relevant statutory agency where appropriate.

If the checks are satisfactory and you meet the stated eligibility and qualification criteria, you will be formally accepted to the scheme.

If you fail to provide information that has been reasonably requested we will not be able to complete our check and you will not be offered a property.

You will not be able to bid for any available home until we have carried out the verification checks and approved your application.

If your application has been approved but information later comes to light that shows you should no longer qualify as a suitable tenant, then your application will be disqualified.

We are also able to withdraw an offer of accommodation where there has been a change in circumstances.

Remember

It is your responsibility to provide the information required to carry out the verification checks. Failure to do so may mean your application cannot be progressed and will be closed.

This includes giving consent to contact other relevant people if this cannot be easily confirmed by YHN or the council.

6. Pre tenancy support assessments

We will carry out a pre tenancy support assessment with you to help determine whether you are able to manage and sustain a tenancy. The assessment helps determine appropriate housing options for you and whether any additional support services will be needed to help you maintain your tenancy.

The assessment will include a review of:

- **Your ability to pay your rent now and in the future.**
- **Your ability to meet all obligations under the tenancy agreement.**
- **Any support needs you may have in order to meet your obligations.**
- **Any tenancy training needs you may have.**

Your application will not be verified until the pre tenancy support assessment is completed.

Where the pre tenancy support assessment identifies any support needs, our Pre Tenancy Team will help with the following:

- Maximising income and managing debt.
- Arranging for appropriate support services to be put in place.
- Providing tenancy training on how to manage a tenancy successfully.
- Recommending appropriate housing options to meet need.
- Setting up rent payment systems.
- Providing training on budgeting.
- Providing support to find employment.

There may be circumstances where your support needs are such that we may restrict your bidding to a particular housing option, and in some cases we may not have an appropriate housing solution to meet your needs. If this is the case we will offer advice and assistance on other services and agencies that may help you meet your needs.

In circumstances where applicants do not have capacity to manage their own affairs, we will treat each case on its own merits. Consideration will be given to the individual's personal circumstances, available support and risk.

7. How to find a home

We will discuss with you the reasons why you are applying for housing. This will help us to understand your needs and aspirations. Where possible we will then provide you with a range of options to suit your needs. This may be providing information, advice and support to help you remain in your home, or help finding privately rented accommodation, low cost home ownership or social housing.

Information and advertising

We will tell you where to get information on available homes which will include social and privately rented housing. We will also advertise any available, low cost home ownership schemes. If you have difficulty accessing the service we may also provide additional information and arrange advice and support from a range of partner agencies.

Bidding

To bid you can:

- Log on to our website www.tyneandwearhomes.org.uk, search for a home and bid.
- Text your bid using your mobile phone to 0753 740 4367.
- Call our automated telephone line 0300 7777245.
- Email us at tyneandwearhomes@yhn.org.uk.
- Write to us and tell us which home you want to bid for.
- Call in to any office or partner landlord.
- Contact the Housing Options Service or any YHN office.

We aim to advertise properties each week. We will inform you of the advertising cycle and where you can find out about available homes when you apply to the scheme.

When we advertise properties the advert will confirm the deadline for bids. You can bid for up to **three properties** in any given lettings week. The advertising cycle may be subject to change.

Letting a home

We will compile a list of people who have bid for each property. Where more than one person has bid we will check if they meet the criteria for the property. People with the highest housing need will normally be selected; Band A having the highest priority and Band D the lowest. Where there is more than one person in the same band applying

for the property, the person who has been waiting in the band the longest will be selected first. They still have to meet any specific criteria for the property.

There might be some cases where someone else will be selected first, but this will only be for good housing management reasons. **See Section 8 ‘How we select people for properties’.**

Individual registered social providers, private landlords and other landlords may decide not to use the banding system or waiting time as a tiebreak in circumstances where it does not fit with the policies of their organisation or criteria for certain schemes. YHN can provide information about certain schemes, but if you are in any doubt you should contact the relevant social provider association for further advice.

“Available now” properties

We will advertise some properties on an “available now” basis.

If you have expressed an interest in an “available now” property, we will check to make sure you meet the criteria for that property. Normally, the first person to express an interest will be selected. In some circumstances, we may allow persons who have been disqualified to apply for “available now” properties. This will be on the condition that any prior unacceptable behaviour will be addressed. **See Section 10 “Other lettings arrangements”.**

Before you are offered a property, further verification checks may be carried out to confirm identity, housing need, financial circumstances, and update information from previously obtained references. **See Section 5, ‘Verification checks’.**

Should your circumstances have changed, then we may not be able to offer accommodation.

We may not grant you a tenancy, and may review whether you are still eligible or qualify for the scheme, if at this stage you tell us:

- You want to have a joint tenancy with someone who is, or would be, ineligible or would not qualify to join the scheme. For example, if they have previously caused unacceptable behaviour
- There is someone in your household who was not previously included in your application, and their previous behaviour has been serious enough to disqualify you from the scheme as set out in Section 5
- You or someone in your household has behaved in a way that would disqualify you from the scheme since you joined
- You do not intend to use an offer of accommodation as your main home
- You have the financial means to find your own accommodation
- You are a social housing tenant in Band D and are in breach of your tenancy agreement.

Offer of a property

If you are the successful person for more than one property at the same time, you will not be invited to view all of those properties. Instead, you will be asked to decide which property you wish to consider. This means that the other property can be offered to another person.

In this case, if you do not act reasonably in reaching a quick decision, the landlord reserves the right to act as if your interest has been withdrawn. This means the property will be offered to another applicant.

If you are selected, the appropriate landlord will make a formal offer, arrange a viewing and then let the property. You will be expected to confirm that you accept as quickly as possible. This would normally be no later than 48 hours if we have to write to you. This may vary depending on your chosen method of contact. For example, if you ask to be contacted by text message we may ask you to respond sooner.

If you have accepted an offer of accommodation we will not consider you for any other property. You would only be able to continue to bid and be considered for other properties when you confirm that you have refused the offer or the offer is withdrawn by the landlord.

Where adults share accommodation as partners, or there is a wish for two or more adult members of the household to share the commitment to the household, a joint tenancy will normally be granted.

Either you or the landlord can withdraw from the arrangement up until the point you accept the tenancy in writing. This is when you sign the tenancy agreement and a formal agreement is reached.

When you accept an offer of a tenancy, you accept that you will live in this tenancy as your main home.

Before this stage, offers may be withdrawn in circumstances such as:

- You have provided false or misleading information.
- The property is required for exceptional housing management reasons.
- The outgoing tenant has withdrawn their notice of termination.

Property specific criteria

All council properties managed by YHN will be advertised unless a specific property needs to be used for a direct let or for a Local Lettings Plan. Local housing managers will be responsible for deciding which properties are not advertised through the scheme. This will be authorised by a senior manager and the Housing Options Service for audit purposes. We will produce information to tell you how many homes are let in this way.

We will make best use of our housing by making sure you are matched to the specific property type to meet your need. This means we will normally tell you a minimum or maximum size of household that the property is suitable for. When deciding the size of property you can bid for, we will take into account the number of people included in the application that would reasonably be expected to live with you, their gender and relationships. Our policy on bedroom entitlement is based on the Government's bedroom standards. The number of bedrooms you are assessed as needing will be based on the following:

- 1 bedroom for a cohabiting couple.
- 1 bedroom for an adult (over 16 years).
- 1 bedroom for two children under 16 years of the same sex.
- 1 bedroom for two children under 10 regardless of sex.
- 1 bedroom to allow for overnight care provision where a member of the household has a disability and a recognised support need.
- 1 bedroom for a child with a disability where there is medical evidence that they need their own room.
- 1 bedroom a foster child.

In some circumstances, we may choose to under occupy properties where:

- The property is not in high demand.
- A Local Lettings Plan is in place.
- There are specific management reasons as to why this will happen.
- The property has special features that make it particularly suitable for certain applicants.
- The property is in a neighbourhood which has a shortage of a particular property type.
- You are able to meet the rental costs.

Only those applicants who bid and who fit the criteria will be considered. However, where no specific criteria are attached to a property, then any customer who bids will be considered.

The following are examples of specific criteria that may be placed on a property:

Criteria	Reason
Minimum age	Applies where a property/scheme has been designated for certain age groups - for example an older person's housing scheme, some bungalows and multi storey blocks. It would normally be expected that all members of the household fit the criteria.
Minimum or maximum number of persons	We prefer that properties are not under or over occupied.
Preference to people requiring care or support due to age or disability	Supported housing schemes, extra care schemes or other older person's housing schemes.
Preference to persons with a disability	To make best use of an adapted or adaptable property.

If an adult is responsible for a child's day to day care, the child will be counted as a member of the household. This includes situations where two adults have equal joint care. However, if a child only visits at weekends and holidays, they will not be counted as a member of the household. This affects what size or type of property you will be considered for.

In cases when a child visits at weekends and holidays, we will tell you about other housing options that may be available where extra bedrooms could be provided to accommodate children. Supporting evidence may be requested from other agencies or the court depending on the individual circumstances.

Where a property has been adapted to meet the needs of people with a disability, preference will be given to people needing those specific adaptations. When there is no applicant who can make best use of the property we may remove the adaptations or advertise it as is.

8. How we select people for properties

Banding explained

We use a banding system to identify those in the greatest housing need and to reflect the aim and objectives of our policy. We will decide which band you will be placed in depending on the information you provide in your application. The following table provides details on the bands.

In all cases you will need to provide supporting evidence to verify your application. When you are placed in a band you can ask us to review this at any time if you feel your circumstances have significantly changed.

Band A – Immediate and exceptional need or at risk of serious harm
<ul style="list-style-type: none">• Emergency rehousing is required for medical reasons.• You are at risk of immediate and serious harm.• Approved homeless cases in temporary accommodation where there is an urgent need to free up accommodation.• Your home is made uninhabitable due to fire flood or other such emergency.
Band B – Urgent need
<ul style="list-style-type: none">• You are a serving or former member of the armed forces or reserve forces who has an urgent need to move because of a serious injury, medical condition or disability as a result of your service.• You are a serving or former member of the armed forces or reserve forces who has an urgent need to move.• You are a bereaved spouse or civil partner of a member of the armed forces leaving family accommodation following the death of your spouse or civil partner.• You have a severe disability or health ground• You are experiencing domestic violence or abuse including controlling, coercive or threatening behaviour.• You are experiencing harassment amounting to violence or threats of violence.• You are homeless and the council has a legal duty to house you.• Your home is subject to major building work or will be demolished as part of a regeneration scheme.• You are occupying housing that is unsatisfactory because it is insanitary or statutorily overcrowded.• You would suffer hardship if you could not move to a particular area.• Housing you would enable better use to be made of social housing.• You have welfare needs because you require significant ongoing care and support.

- You are a council tenant who has good tenant status.
- You are a foster carer who may or may not have a child living with you at the moment but need to move to be able/continue to foster or you have child protection issues which necessitate an urgent need for housing i.e. failure to find a housing solution would result in the child being cared for by the council (your case will need to be supported by Social Services).

Band C – Medium housing need

- You have been accepted as homeless but are not priority under the legislation.
- You have been accepted by the council as homeless and priority, but you have been found to be intentionally homeless.
- You are a young person leaving care.
- You need to move on from supported accommodation to help maintain a pathway to independence.
- You are overcrowded.
- You have a disability or health condition and your current home is having some impact on this.
- You share facilities with another household.
- You lack basic facilities or your home is in serious disrepair.
- You need to move due to a relationship breakdown.
- You need to move for employment, education or training reasons, such as return from service in the armed forces.
- You have a welfare need because you provide or receive some care and support.
- Your household is forced to live apart.
- You live in housing that is linked to your job and you have retired or been made redundant and your property is required for the new employee.
- You are suffering financial hardship and cannot meet the cost of providing your home.

Band D – Low housing need

- You have no recognised housing need in Band A, B or C.
- You have no local connection with the city or have applied to another partner through the Tyne and Wear lettings scheme.
- You have accommodation available to you that meets your housing needs.

Band A - Immediate and exceptional need or at risk of serious harm

This is for circumstances which are so serious that if you are not housed immediately there will be a risk of very serious harm.

Examples of such circumstances include:

- You require emergency rehousing for very urgent medical reasons as it is not possible for you or a member of your household to continue residing in your property. You will need to provide information to support your need and this will be assessed by the Health and Welfare Team.
- You or a member of your household are at serious risk of being harmed due to domestic violence, harassment or other exceptional reason and you cannot return to your home.
- Approved homeless cases in temporary accommodation where there is an urgent need to free up accommodation. This will be jointly agreed by the council and YHN.
- Your home is made uninhabitable due to fire flood or other such emergency.

In these circumstances you may be given Band A status and may be made a single suitable offer to discharge any legal duty.

If you receive an offer either after making a bid or as a result of a direct offer, and it is a reasonable offer which is suitable to meet your needs, we have fulfilled our legal duty to you. We will write to you and tell you if this is the case. If you do not accept a reasonable offer your application will be reassessed and placed at the bottom of another appropriate band.

You have the right to request a review of the decision to place you in another band and the suitability of any offer made to you.

People who are placed in Band A will have their housing need reassessed every two weeks to determine whether they should remain in the band.

Band B – Urgent need

This is for situations where you are in an urgent need to move within a short period of time.

Serving or former members of the armed force or reserve forces.

You are a serving or former member of the armed forces or reserve forces and you need to move for one of following reasons:

- A serious injury, medical condition or disability sustained as a result of your service.
- You are being discharged from the armed services and have no

accommodation available to you.

- You have an urgent housing need such as:
 - You are homeless.
 - Have an urgent need to move for disability or health reasons.
 - Need to move because you have experienced domestic violence/abuse or threats of violence to you.
 - Your home is subject to major building work or will be demolished as part of a regeneration scheme.
 - You would suffer hardship if you could not move to a particular area.
 - You have welfare needs because you require significant ongoing care and support.

You will be placed at the top of Band B which will give you additional preference over other applicants with urgent need. Should you refuse an offer of suitable accommodation for which you have bid then your application will revert to the band in which you would have otherwise been placed.

Confirmation of you or your household member's employment in the armed forces or reserve forces will be required.

You are a bereaved spouse or civil partner of a member of the armed forces, leaving family accommodation following the death of your spouse or civil partner

You will be placed at the top of Band B which will give you additional preference over other applicants with urgent need. Should you refuse an offer of suitable accommodation for which you have bid then your application will revert to the band in which you would have otherwise been placed.

Severe disability or health grounds

Your housing is seriously impacting on you or a member of your household's medical condition or is seriously affecting your or their quality of life or ability to manage. You are able to reside in your current home on a short term basis i.e. three months, whilst alternative housing is sought. We will consider the impact your home and surrounding environment has on you and whether or not you are able to access essential facilities within your home. Essential facilities include your bathroom, toilet, kitchen and access to and from the home.

You will need to provide information to support your need and this will be assessed by the Health and Welfare Team.

You are experiencing domestic violence or abuse including controlling, coercive or threatening behaviour

You are a victim of domestic violence or abuse including controlling, coercive or threatening behaviour but can continue to live in your accommodation on a short term basis. This may need to be supported by evidence to enable us to take appropriate action. Domestic violence or abuse is defined as: "any incident or patterns of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been intimate partners of family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

You are experiencing harassment amounting to violence or threats of violence

You are a victim of harassment, including racial harassment, amounting to violence or threats of violence but can continue to live in your accommodation on a short term basis. This may need to be supported by evidence to enable us to take appropriate action.

Homeless and the council has a legal duty to house you

You are someone we have a legal responsibility to house. For example, you are accepted as homeless or threatened with homelessness, assessed as eligible for assistance, in priority need and qualify to join the scheme. After three months of being in this band, we may make a single suitable offer to discharge our legal duty. If you do not accept this your housing need will be reassessed and you will be placed in another band based on this assessment.

If you are homeless and receive an offer as a result of a bid, and it is suitable to your needs, we have fulfilled our legal duty to you. We will write to you and tell you if this is the case. If you do not accept this your housing need will be reassessed and you will be placed in another band based on this assessment.

You can ask the council to make you a specific offer of a suitable property rather than bidding for properties when they are advertised. If so, we will make you a suitable offer as soon as we can. However, if you do not accept this, your housing need will be reassessed and you will be placed in another band based on this assessment.

If you have been placed in temporary or emergency accommodation provided by the council's Homeless Support Services, we may make a single suitable offer of accommodation. This will be because (a) you have not expressed interest in available properties, or (b) demand is being placed on temporary or emergency accommodation. Refusing a suitable offer will mean your housing need will be reassessed and you will be placed at the bottom of Band C. You would normally have to leave the temporary accommodation but may bid through the general scheme.

In some circumstances you may be placed in Band A if the temporary accommodation you are placed in is urgently required for other homeless families.

Even if you are not living in temporary or emergency accommodation, we reserve the right to make a specific offer to you if there are good housing management reasons for doing so.

If you have been accepted as homeless, and the authority has a s.193 duty to house you but you do not qualify to join the scheme you will be made one specific offer of suitable accommodation to discharge the duty.

Your home is subject to major building work or will be demolished as part of a regeneration scheme

If your home is to be demolished as part of a redevelopment scheme you will normally be awarded Band B status and can bid for any home advertised.

We will phase the award of Band B to match the phasing of redevelopment work in order to minimise disruption to tenants and the community. Your time waiting in the band will be based on the phasing of the redevelopment and when your application is assessed and you are placed in the band.

You may be given first preference when new housing becomes available to replace your existing home. You will be informed of this when the redevelopment scheme is formally approved.

You will only be made an offer of a property which matches your housing need unless there are exceptional circumstances.

Where possible you will be offered a suitable property in your area if you have a need to remain in the area and want to do so.

You are occupying housing that is unsatisfactory because it is insanitary or statutorily overcrowded

The physical housing condition of your home is so bad that it would be unreasonable to expect you to remain there other than the short term i.e. three months. This will need to meet legal (statutory) tests and will also usually need to be supported by evidence from a qualified assessor.

You would suffer hardship if you could not move to a particular area

You need to move to take up employment or training, particularly if you have been reliant on benefits and you would be unable to take up an offer of employment because of your housing circumstances.

Housing you would enable better use to be made of social housing

You are a tenant of the council, YHN or a partner landlord and moving would enable us to make better use of your home for another applicant. For example, you are someone who is under occupying your home by two or more bedrooms.

You have welfare needs because you require significant ongoing care and support

You are in urgent need of housing because you have significant ongoing daily and overnight support and care needs. This could be giving or receiving care and support which cannot be met without moving home.

You will need to provide information to support your need and this will be assessed by the Health and Welfare Team.

You are a council tenant who has received good tenant status

You are an existing secure council tenant who has not breached their current tenancy agreement. You have maintained your property to a level which would allow us to let it to another applicant without the need repair. For details of the scheme please contact your local housing office.

You are a foster carer who may or may not have a child living with you at the moment but need to move to be able/continue to foster or you have child protection issues (your case will need to be supported by Social Services)

Your application for housing under these circumstances will need to be supported by Newcastle's Social Services Directorate.

If you are placed in Band B and receive an offer which is suitable to meet your needs, we have fulfilled our legal duty to you. We will write to you and tell you if this is the case. If you do not accept a reasonable offer your application will be reassessed and placed at the bottom of another appropriate band.

People who are placed in Band B will have their housing need reassessed every three months to determine whether they should remain in the band.

Band C – Medium housing need

You are homeless under section 192 Housing Act 1996 but are considered non priority under the legislation

You are assessed as being unintentionally homeless under the Housing Act 1996 but do not have priority need.

You have been accepted by the council as homeless and priority, but you have been found to be intentionally homeless

Under Section 190 of the Housing Act 1996, if you are assessed as homeless, eligible for assistance with a priority need and qualify to join the scheme, but you are homeless intentionally (for example as a result of unacceptable behaviour or rent arrears) temporary accommodation will be offered to you but only for such a period that is sufficient to allow you to find your own accommodation. Advice and assistance will also be provided to you to assist in your attempts to secure accommodation.

We may make you a direct reasonable offer of accommodation which will be suitable to your needs and usually be a property that is "available now". This offer will help you find somewhere to live. If you do not accept this offer you may remain on the general scheme. If we decide that you do not qualify to join the scheme due to unacceptable behaviour you will need to address these issues first and show that you should qualify for the scheme. **See Section 3 'Eligibility, qualification and reasons for suspending you from bidding'**.

You are a young person leaving care or someone who needs to move on from supported accommodation to help maintain a pathway to independence

You will be supported by your Pathways Advice and Support Officer as requiring move on accommodation or there is a need for you to move on to free up space within supported accommodation.

You are overcrowded

The following applies:

- You are lacking a bedroom/s for members of your household.
- Two members of the household of the opposite sex, one who is over 10, are sharing a bedroom.
- More than two members of the household are sharing a bedroom.

You have a disability or health condition and your current home is having some impact on this

Your current home is having some impact on your health and your physical wellbeing. You may be able to access most of the areas in your home, but you either have difficulty or there may be an expected deterioration in your health. A move would minimise the impact of this.

You will need to provide information to support your need and this will be assessed by the Health and Welfare Team.

You share facilities with another household

You have to share facilities, such as a kitchen or bathroom, with another household who are not part of your immediate family.

You lack basic facilities or your home is in serious disrepair

Your home does not have basic facilities such as hot water or heating, or is in serious disrepair. This will be confirmed by a qualified assessor.

You need to move due to a relationship breakdown

You have a proven need to move from your current home because your relationship has broken down. This is considered for non-violent relationship breakdowns. Band C status will not be given if you were violent to your partner or family member.

You need to move for employment, employment related training or education reasons

You need to move to start or continue in employment, education or training. You would benefit from housing but is not causing extreme hardship. This does not include those in casual work.

You have a welfare need because you need to provide or receive some care and support

A move to give or receive daily support for health or social care reasons would benefit you but is not essential for ongoing care and support reasons.

You will need to provide information to support your need and this will usually be assessed by the Health and Welfare Team.

Your household is forced to live apart

You cannot live together as a household because there is not enough room, or for some other reason that is beyond your control.

You live in housing that is linked to your job

You are an employee who has retired or been made redundant, and your property is required for another employee or you are a returning member of the armed forces. This will not apply if you are losing your home through your own actions. For example, you have resigned from your job or have been dismissed by your employer.

You will need to provide evidence from your employer.

You are suffering financial hardship and cannot meet the cost of providing your home.

You will need to prove that you cannot afford your housing costs and could be at risk of homelessness in the future. You will also need to show that you did not intentionally contribute to the cause of your financial hardship.

People who are placed in Band C will have their housing need reassessed every six months to determine whether they should remain in the band.

Band D – Low housing need

If you qualify to join the scheme but do not have a housing need which falls within Bands A, B and C you will be placed in Band D. If we feel you have the financial means to secure your own home then we will offer you advice about your housing options.

If you have no connection to Newcastle you will be placed in Band D.

If you have accommodation available to you which meets your housing needs you will be placed in Band D.

People who are placed in Band D will have their housing need reassessed every twelve months to determine whether they should remain in the band.

Financial circumstances

We will look at your available income and assets to help you understand what you can afford to pay for your housing. We will carry out a “pre tenancy support assessment” which will advise you which properties you can bid for that are within your financial means. It will also help to identify what assistance you may benefit from to prepare you for your tenancy (see section 6 ‘Pre tenancy support assessment’).

If you own a property, we will assess your housing need and if you are unable to afford to purchase another property that meets your needs you will be placed in the appropriate band and be able to bid in the usual way.

There may be circumstances where your income or assets are such that you are easily able to meet your own housing needs in the private sector in which case we will disqualify you from the scheme.

In exceptional circumstances, where there is an urgent need for housing, your financial circumstances may be disregarded. Exceptional circumstances could include those who are fleeing domestic violence or who are homeless and have no local connection elsewhere.

You will be expected to provide evidence that you have disposed of interest in any property before an offer of accommodation is made.

You are entitled to request a review of this decision. **See Section 12 ‘Reviews and appeals’.**

Local connection

You do not need to have a local connection with Newcastle to join the scheme, however, preference will be given to those with a local connection.

You or your partner will have:

- Lived in Newcastle for six months in the last year. This does not include those whose only residence in the city is because of time spent living in a hospital or hostel accommodation.
- Lived in Newcastle for three years in the last five years. This does not include those whose only residence in the city is because of time spent living in a hospital or hostel accommodation.
- Been employed in non-casual employment or be training in Newcastle.
- Have close family living in Newcastle, such as a parent or sibling.
- Relatives or social networks in Newcastle that will provide support or care to needs.
- Served in the armed forces but previously lived in Newcastle or have been discharged from the armed forces in the last five years.
- Other special circumstances.

If you do not have a local connection with Newcastle you will be placed in Band D. In exceptional circumstances where there is an urgent need for housing this may be disregarded.

You are entitled to request a review of this decision. **See Section 12 ‘Reviews and appeals’.**

Exceptional need to remain within a specific area

If you are in Band A or B and you have an exceptional need to be housed within a specific area and that need cannot be met living elsewhere, we may make a recommendation for housing in that area. This means you will not be penalised for only bidding for that area. However, you would be expected to consider all available suitable homes within that area. Examples of exceptional need would be where the applicant has Band A or B status and would be at serious risk or harm, or whose health and wellbeing would be at serious risk should they not be able to reside in a specific area.

Recommendations and restrictions

In some cases we may attach a recommendation or restriction on the type or location of property for which you can bid. This can be for good housing management reasons, or to help us make sure that any property for which you bid will meet your individual needs. A restriction may also be made in conjunction with a specific tenancy condition, such as accepting a support package.

You will have the right to a review of these decisions. **See Section 12 ‘Reviews and appeals’.**

Deliberately worsening your circumstances

Where there is evidence that you have deliberately worsened your circumstances in order to qualify for a higher band under the scheme, no additional priority will be given. In some circumstances this may be considered as unacceptable behaviour and you may be disqualified from the scheme. **See Section 3 ‘Eligibility, qualification and reasons for suspending you from bidding’.**

Where you have deliberately worsened your circumstances, there must be evidence that it would have been reasonable for you to have remained in your original accommodation. You can request a review of a decision that you have deliberately worsened your circumstances. **See Section 12 ‘Reviews and appeals’.**

Reassessment periods

If you are assessed and accepted in Band A your housing need is immediate and exceptional, and you need to move very quickly. You will be given Band A status which will be reviewed after two weeks. If there have been suitable properties available for which you could have reasonably bid, your application may be reassessed and placed at the bottom of another appropriate band. We reserve the right to make a direct offer to alleviate your need.

During this period of time you will be able to bid for any properties advertised which you match the specific criteria for and will remain in the band if you can demonstrate that you are bidding for suitable properties.

If you are in Band B with urgent housing need, your status will be reassessed after three months. If there have been suitable properties available for which you could have reasonably bid, your application may be reassessed and placed at the bottom of another appropriate band. We reserve the right to make a direct offer to alleviate your need.

During this period of time you will be able to bid for any properties advertised which you match the specific criteria for, and will remain in the band if you can demonstrate that you are bidding for suitable properties.

If you are in Band C with medium housing need, your case will be reassessed after six months.

If you are in Band D we will carry out a reassessment after twelve months.

Should your circumstances change whilst you are in a band you must tell us. Your housing need will be reassessed based on any new information we receive.

If you are placed in a lower band, your time waiting will stay the same as it was in the previous band, except in circumstances where you have been demoted for not bidding for properties, have refused a reasonable offer of accommodation or withheld or provided false information.

Selection for properties

Selection for properties will normally be to those in the highest need or in some circumstances properties may be offered to existing tenants which will release a social home for someone else in housing need. Band A will have the highest priority and Band D the lowest. Where there is more than one person in the same band applying for a property, the person who has been in the band the longest will be selected first.

In exceptional cases, the council reserves the right to vary the criteria for good housing management reasons.

9. Local Lettings Plans

Section 167(2E) Housing Act 1996 allows housing authorities to allocate accommodation to people of a particular description by means of Local Lettings Plans. These properties can be of a generalised type, for example bungalows, or in a specific location in the city, for example a block or blocks of flats or by area or estate.

Typically this has meant setting a maximum or minimum age restriction.

YHN, with the approval of Newcastle City Council, are able to draw up local lettings plans. These plans use information about letting trends in their area as a means of creating more sustainable communities in Newcastle.

Local Lettings Plans may be used to:

- Help meet particular unmet needs within an area.
- Help regenerate areas.
- Help to target the best use of properties in higher demand areas.
- Help promote properties which are in low demand.
- Encourage greater community cohesion and sustainability.
- Respond to particular housing management issues where problems of anti-social behaviour, nuisance or crime occur, and where there may be an imbalance of customers from different age groups or family type within existing properties.
- Help achieve balanced communities when letting new developments.

All Local Lettings Plans will be subject to an equality impact assessment, and regular review. Details of the Local Lettings Plan process are available on request.

10. Other lettings arrangements

Direct lets

There will be circumstances when properties will not be advertised in the normal way. These will normally apply to the following situations where the council and its partner landlords may need to use vacant properties for specific management purposes. The qualifying person will normally be either resident in Newcastle or have a local connection, and they will receive one reasonable offer of accommodation:

- People having to move from areas affected by major repairs or demolition.
- Emergency plan housing where there is no temporary accommodation available (for example accommodation which may be required following fire, flood or other major incident).
- People we are asked to house under the Witness Protection Scheme.
- Some homeless cases where the person does not qualify for the scheme, intentionally homeless or there is a need to move customers rapidly through temporary accommodation to avoid the use of bed and breakfast; or where the band status has expired and the council has a duty to provide accommodation.
- Some asylum seekers and other national priorities.
- Other exceptional housing management reasons.

In these circumstances, the date the decision was made to offer a direct let will normally determine the order in which properties are offered. Where a direct let is awarded to someone who otherwise would not qualify to join the scheme (because of a current or previous breach of tenancy such as rent arrears or property damage) any property offered will normally be in the area of the city where this breach occurred. It will not be in an area considered by YHN or other landlord to be of higher demand.

Tyne and Wear mutual exchange scheme

You may also apply on the Tyne and Wear Sub Regional Mutual Exchange Scheme which advertises properties of tenants throughout Tyne and Wear who wish to exchange homes.

Low cost home ownership policy

If you have the means to purchase your own accommodation, you may be eligible for a low cost home ownership (LCHO) property. You will need to provide satisfactory evidence that you cannot afford to purchase a home on the open market within Newcastle. The definition of a LCHO property includes:

- A property with a discounted purchase price as determined by the scheme specific Section 106 agreement.

- A shared ownership property.
- A shared equity property.

You will usually need to be eligible and qualify to join the scheme to be considered for these properties. **See Section 3, 'Eligibility, qualification and reasons for suspending you from bidding'**.

Preference for low cost home ownership properties will be given to the following:

- Social housing tenants.
- Applicants in the highest band.
- Applicants with a local connection to Newcastle or as detailed in the specific schemes planning application.

You will not be considered if:

- You are ineligible or do not qualify for accommodation.
- You can afford to purchase 100% of a property that suits your needs on the open market.
- You are unable to afford the mortgage repayments on the loan secured to purchase the property without having to borrow more than four times your annual household income.
- You currently own another home and have sufficient resources to meet your housing needs on the open market.
- You are unwilling to provide income/mortgage details.
- You have provided false or misleading information.

Wherever possible we will try to make sure you are offered accommodation that best meets your needs and circumstances. However it is recognised that you may choose to accept a home which does not meet all of your household needs.

Private rented offer

We may advertise private rented property. This will be clearly indicated on the advert along with any other criteria the landlord may want to apply.

All properties advertised will have been approved by the council. If successful, you are likely to be offered a twelve month short hold assured tenancy which may be renewable. We will provide you with advice and assistance on privately renting.

If you are threatened with homelessness you may be entitled to help with a rent deposit.

Extra care and supported housing

These schemes are developed and funded to meet specific needs, such as extra care provision for older people, or people with specific care needs. Specific criteria will be placed on the property to make sure we match need to available supply. These criteria will be produced at the beginning of the scheme by Newcastle City Council in partnership with YHN, the service providers and the landlord. The criteria will be reviewed by the council's Fairer Housing Unit, the directorate with overall commissioning responsibility, YHN, the landlord and any other relevant partner.

Decisions on who will be housed in these schemes will be made by a lettings panel. Members of the panel will include the council, YHN, the service providers, the landlord, the commissioners, and any other relevant partner. This will ensure the best use of specialised property to meet need.

Succession

When a secure tenant dies, it may be possible for a member of their family to claim their tenancy. For further information please contact your local housing office. If an occupant of the property is not allowed to succeed to that tenancy they will be asked to join the scheme and be considered under this policy.

National mobility schemes

It is the council's policy to take part in national mobility schemes where they apply to Newcastle to help those people who want to move to another area of the country. Those people wishing to move into Newcastle can do so through this policy. Further details of how the scheme can assist people wishing to move out of Newcastle are available from YHN.

Garages

The council has lock up garages available to rent at various locations throughout the city. You can apply to YHN for these. The application form tells you the order in which we allocate these. Date order will normally be used to make a decision between applicants in the same priority category.

Where the garage is required for a vehicle used by a registered disabled person, the disabled person may be entitled to an allowance. Further details are available from YHN.

Regeneration

If your home is to be demolished to enable a regeneration scheme to take place, the housing redevelopment process provides full details of what to expect. This includes whether new housing will be provided to replace your existing home and whether you will receive first preference for this housing.

Family intervention tenancies

The Family Intervention Project is aimed at those families who are most at risk of losing their homes due to a range of issues. Its purpose is to provide support and assistance to resolve these issues and any underlying problems which have contributed to this. Families are required to sign up to a behaviour support agreement which sets out the intentions of the support agencies and what is required of the family.

The best chance for success can be to provide housing and support away from where the family currently lives. In this case, an offer of a family intervention tenancy will be made by way of a housing management let. Family intervention tenancies are not secure tenancies and can be brought to an end if the family does not keep to the agreement.

11. Monitoring and openness

Results of all completed lettings will be published regularly and made available to customers. Details will include the following:

- Types of property let during the period.
- Total number of bids received for each property advertised.
- Confirmation of band and waiting time.

We will monitor personal information from your application and use this to improve services. We will also monitor the scheme to ensure it is meeting its aims and objectives.

The council and YHN will monitor:

- Housing management performance i.e. re-let times and refusals.
- Support mechanisms.
- Nomination agreements.
- Lettings outcomes.
- Equality and diversity data.
- New communities.
- Potential disadvantaged applicants.
- Tenancy sustainment.
- Bidding behaviour.
- Inter authority or inter regional mobility.
- Customer satisfaction.

This is not an exhaustive list and your information may be used for other monitoring purposes.

12. Reviews and appeals

Right to review and appeals

You have the right to information about certain decisions that are taken about your application and the right to review those decisions.

We will notify and provide you with reasons why you may be found ineligible to join the scheme or whereby we disqualify you from the scheme.

You will be able to request information and a review against decisions relating to:

- Your eligibility for the scheme if you are from abroad or subject to immigration control.
- Your disqualification from the scheme because you are guilty of unacceptable behaviour or have sufficient financial resources to purchase your own accommodation.
- You are being denied Band A, B or C status, an extension of your band status or a direct let.
- The reasonableness of any offer made to you with band status or as a direct let.
- Your bidding being restricted or being refused an offer because of a lack of an appropriate housing solution.
- Your waiting time within a band.
- You being denied a local connection.
- Your ability to be able to afford accommodation in the private sector.
- Your suspension from bidding.
- Other exceptional circumstances.

To request a review you must write to the person who made the original decision within 21 days of the date of the letter notifying you of the original decision. You should explain why you think the decision was wrong and provide evidence if you have this available. If you are unable to do this yourself we will be able to advise you of organisations who can assist you and we will allow an authorised representative to submit a request for a review on your behalf.

Within five working days they will write to you to confirm that your letter has been received and will reconsider their original decision based on your written submission.

If their decision remains the same, the review will be automatically forwarded as an appeal and dealt with by a more senior independent officer not involved in the original decision. In the case of decisions made by managers, the appeal will be forwarded to a panel of at least two senior independent officers not involved in the original decision.

They will then consider your review request, again on the basis of your written submission. This will be dealt with within 21 days of the review request being received.

Written confirmation of the review decision will be sent no later than five working days after the appeal period.

If you remain dissatisfied with the outcome of a review, there is the right to appeal to a Housing Appeals Panel. This is made up of elected members. Appeals to the Housing Appeals Panel will be considered at the discretion of the Managing Director of YHN. In order for an appeal to be referred to a Housing Appeals Panel you must demonstrate that there are unusual or exceptional circumstances or raise points of principle or policy not covered by the existing scheme.

Your request for an appeal must be submitted to the Managing Director of YHN in writing, within 21 days of the date of the appeals decision letter. Written confirmation of the Managing Director's decision will be given within 21 days of the appeal request. If the decision is to allow your appeal, you will receive notification of the panel meeting and may attend with representation. If the decision is not to allow a further appeal you have the right to forward your concerns to the Local Government Ombudsman. The Managing Director has the discretion to extend the time limit in exceptional circumstances.

If you need help with your appeal we will provide details of where you can get independent support and advocacy.

Reassessment of any decision

You may request a review of any decision at any time after the 21 days if you can provide additional information not considered when the original decision was made. This should be sent to the manager who made the original decision, who will consider and review their decision. If the decision remains unchanged as we feel you have not provided any new information you will not have the right to a further appeal. However, if you have provided new information not previously considered and the decision remains unchanged you will have the right of a further appeal.

If you need help with your appeal, we will provide details of where you can get independent support and advocacy.

Homeless review

If you have been denied band status because the council considers it does not have a duty to house you under Part VII Housing Act 1996 (Homelessness), you should make a request for a review to the council's Housing Advice Centre. A Senior Homelessness Officer not involved in the original decision will then review your case.

Appeals on a point of law in homeless cases should be made to the County Court within 21 days of notification of the review decision.

Registered housing provider appeals

Individual registered housing providers may decide to vary the practice of making an offer to someone in line with the band status of this scheme in circumstances where it

does not fit with the policies of their organisation or criteria for certain schemes. **Where this is the case and you do not agree with the decision, you must seek information about the appeals procedure operated by that landlord.**

13. Reviewing and amending the policy

The council will continue to review the appropriateness of the policy and will retain its ability to respond accordingly to changes such as legislation, demand and supply and other strategic issues.

The Director of Place can exercise his or her discretion (subject to compliance with the provisions contained in legislation and in any regulations or guidance laid down by the Secretary of State):

- To implement such amendments as may be required to ensure compliance with the legislation and Government Guidance.
- To make minor amendments to the scheme to ensure that it remains responsive to individual and local housing needs.

Exceptions policy

This document sets out how the Choice Based Lettings Scheme operates. Whilst this document is comprehensive, on an exceptions basis, there may be some applications that require specific intervention or require specific measures being taken. In such cases, the council's Director of Investment and Development will take such decisions in the spirit of this policy and will ensure that all decisions made on an exceptions basis are transparent, equitable and have been subject to an equalities impact assessment.

Appendix 1 – Contact details

Office	Address	Contact details
Housing Options Centre	6-8 Saville Row Newcastle upon Tyne NE1 8JE	For general enquiries telephone: 0191 278 8600 To make a bid for a property telephone our automated number: 0300 7777 245 You can also text your bids to: 0753 740 4367 Email: tyneandwearhomes@yhn.org.uk
Outer West Customer Service Centre	West Denton Way, Newcastle, NE5 2QZ	Telephone: 0191 277 7940 (option 3) Email: outerwestoptions@yhn.org.uk
West End Customer Service Centre	Condercum Road, Benwell, Newcastle upon Tyne NE4 9JH	Telephone: 0191 277 1484 (option 3) Email: westendoptions@yhn.org.uk
The Kenton Centre	Hillsview Avenue, North Kenton, NE3 3QJ	Telephone: 0191 277 4360 (option 3) Email: kentonoptions@yhn.org.uk
East End Customer Service Centre	83-85 Shields Road Byker NE6 1DL	Telephone: 0191 278 1566 (option 3) Email: eastoptions@yhn.org.uk
Walker Centre	Church Walk, Walker, Newcastle upon Tyne, NE6 3BS.	Telephone: 0191 278 8455 (option 3) Email: walkeroptions@yhn.org.uk
YHN House	Benton Park Road Newcastle upon Tyne NE7 7LX	Telephone: 0191 278 8600 Email: yhn@yhn.org.uk

Appendix 2 – Registered Housing Providers

Housing Association	Address	Telephone Number	Fax Number
Bernicia Homes (Cheviot Homes)	Beaminster Way East Kingston Park Newcastle upon Tyne NE3 2ER	0844 800 3800	0191 238 3900
English Churches	Customer Service Centre 2 Estuary Boulevard Estuary Commerce Park Liverpool L24 8RF	0845 111 0000	0845 111 7766
Guinness Trust	West 3, ASAMA Court Amethyst Road Newcastle Business Park Newcastle upon Tyne NE4 7ED	0191 273 6233	0191 273 6063
Home Housing	2 Gosforth Park Way Gosforth Business Park Gosforth Newcastle upon Tyne NE12 8ET	08456008 242	N/A
Riverside NE	Customer Service Centre 2 Estuary Boulevard Estuary Commerce Park Liverpool L24 8RF	0845 111 0000	0845 111 7766
NomadE5	Number Five Gosforth Park Avenue Gosforth Business Park Newcastle upon Tyne NE12 8EG	0191 268 4800	0191 292 2600
Places for People	4th Floor Maybrook House Grainger Street Newcastle upon Tyne NE1 5JE	0845 604 4446	0191 232 3976
Two Castles	154 New Bridge Street Newcastle upon Tyne NE1 2TE	0191 261 4774	0191 261 9692
Affinity Sutton Housing	Maple House 157-159 Masons Hill Bromley Kent, BR2 9HY	0300 100 0303	N/A

Appendix 3 - How the scheme works

How to join the scheme

- Membership is open to customers over **16** years of age
- When you apply we will ask you for references from current or previous landlords
 - Support will be given if required
- We will ask you to provide information on your income and assets
- We will check on tenancy history, anti-social behaviour and other criminal activity

How we will tell you what homes are available

- Available homes will be advertised on our website, in property adverts, in housing offices and at the Housing Options Service
- We can give you advice about our communities, including transport, local facilities and jobs

How we will select people for a home

- We will list all people who match the property criteria
- The landlord will select people who have the greatest housing need or who have been in the band the longest

When a formal offer is made

- We will check information again to confirm identity and match property criteria
- We may also check housing history, anti-social behaviour or other criminal activity

We will provide feedback

- We will contact you within 6 days of an advert closing if you are successful
- Information on lettings will be published each month. This will include the type of home, the number of bids and Band of selected applicant

Appendix 4 - Eligibility

The Allocation of Housing and Homelessness (Eligibility) Regulations 2006 explain how a person subject to immigration control (PSIC), and person not subject to immigration control (PNSIC), can be eligible for an allocation from a local authority.

1. Person subject to immigration control (PSIC)

A person subject to immigration control (PSIC) is defined as a person who requires leave to enter or remain in the UK (whether or not such leave has been given).

Broadly speaking this includes people from outside the European Economic Area (EEA) and EEA nationals who do not have the right to reside.

The following are eligible for accommodation:

- Those granted refugee status (Class A). (Often granted as Leave to Remain for 5 years).
- Those granted exceptional leave to remain which is not subject to restrictions on recourse to public funds¹ (Class B).
- Those with settled status (Class C) (indefinite leave to remain, residence) which is not subject to any limitation or condition, except:
 - a) those who do not pass the habitual residence test
 - b) those who arrived as sponsored immigrants subject to an undertaking and the undertaking or the arrival was less than five years ago unless the sponsor has died (in which case they have the same rights as other settled people).
- A person who has humanitarian protection granted under the Immigration Rules. (Class D).
- Those granted limited leave to enter as a relevant Afghan citizen who are habitually resident in the Common Travel Area (CTA) (United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland) (Class E).
- A person who has limited leave to enter or remain in the United Kingdom with no conditions as to recourse to public funds including:
 - o Those granted leave to remain on the basis of family or private life in the UK. This may include being the family member of a British or settled person or of a child who has lived seven years in the UK, or those granted leave on the basis of long residence in the UK.
 - o Under paragraph 276BE(1), which grants leave to the dependents of Afghan citizens covered by Class E above.

Paragraph 276DG which grants leave to remain to people who would normally get indefinite leave to remain but have not got it because they cannot pass the English/life in the UK tests or because of criminal offences
 - o .
- A person who has been granted a Destitution Domestic Violence concession from the UK Border Agency².

Any person allocated accommodation by the Council prior to 31 January 2003 is not affected by these rules regardless of their immigration status.

2. Person not subject to immigration control (PNSIC)

The following do not need leave to enter or remain and so are not treated as Persons Subject to Immigration Control, however they may not be eligible for allocation of accommodation:

- British citizens who are not habitually resident in the UK, Channel Islands, the Isle of Man or the Republic of Ireland. (CTA, Common Travel Area).
- Commonwealth Citizens with the right of abode who are not habitually resident in the UK, Channel Islands, the Isle of Man or the Republic of Ireland.
- EEA nationals whose only right to reside in the UK is derived from their status as a jobseeker or the family member of a jobseeker.
- Since 8 November 2012, those whose only right to reside is the initial right to reside for a period not exceeding three months under Regulation 13 of the EEA regulations.
- Those whose only right to reside is as the parent of a UK citizen child who has no other rights to reside in the UK. This is given to the sole carer/s of a UK citizen child who would otherwise have to leave the UK and is granted under regulation 15A (4A) of the EEA regulations as amended on 8 November 2012. (However they could be eligible if applied before 8/11/2012).

3. Person not subject to immigration control (PNSIC) cont'd

The following people do not need to pass the habitual residency test and are eligible for accommodation:

- EEA workers*+.
- EEA self-employed persons+.
- Workers from Croatia who are working under the authorisation scheme during the first twelve months of their employment.
- A family member of one of the above groups*+.
- A person who has a permanent right to reside in the UK because they are:
 - An EEA worker or a self-employed person who has ceased economic activity. This will arise where someone has reached retirement age or (for workers only) taken early retirement and they have lived in the UK continuously for more than three years prior to termination and they were economically active for the 12 months leading up to the termination.
 - An EEA worker or self-employed person who has stopped work as a result of permanent incapacity and either he resided in the UK continuously for more than two years prior to the termination, or the incapacity arose from an accident at work or occupational disease which entitled him to a pension payable in the UK.
 - A family member of a worker or self-employed person who has ceased activity.

- An EEA national has lived continuously in the UK for three years but is now economically active in another EEA state, but has retained a place of residence in the UK which s/he returns to at least once a week.
- The family member of a worker or self-employed EEA national, where the EEA national has died, the family member was resident with them before their death, and either they had worked in the UK continuously for the two years prior to death, or their death was the result of an accident at work or occupational disease.
- A person who is in the UK after deportation, expulsion or removal from another country is exempt from this requirement. There are also occasional exemptions relating to those fleeing civil conflicts.

*Rules are different for Croatian nationals.

+Refer to Appendix 5

Croatian Nationals

Worker Authorisation Scheme

Croatian nationals generally need prior authorisation to work in the UK, which is only granted for specific types of work, but there are important exceptions.

The Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013 SI 1460 defines how Croatians can enter the labour market.

The following categories do not need authorisation to work:

- People who have already completed 12 months lawful employment in the UK on or after 30th June 2013.
- Those who had leave to remain in the UK before 30th June 2013 with no restrictions as to taking employment (such as people with ILR, refugee status, ELR, HP or DL).
- Those married to a UK national or a person settled in the UK.
- Family members of EEA nationals (including Bulgarians, Romanians and Croatians who have full EEA rights or are authorised to work).

Highly skilled workers can apply for a registration certificate that confirms that there are no restrictions on them taking employment, and will then have the right to work.

Other prospective workers need to first have a job offer and then apply for an accession worker card before being able to enter employment legally as authorised workers.

Cards will only be issued for certain types of employment, including:

- Work for which visas would normally be granted under Tiers 2 and 5 of the points-based system.
- Work as a representative of an overseas business.
- Postgraduate doctors and dentists and trainee GPs.

- Domestic workers including au pairs.

Anyone who has worked for 12 months as an authorised or exempted worker then becomes an ordinary EEA worker.

If a worker is unable to complete 12 month of work and becomes unemployed prior to the 12 month ending then they lose their right to reside and their rights to benefits and housing allocation.

Family members (including non-EEA nationals) have the right to live in the UK with workers who are authorised or exempted. This includes husbands, wives, and children up to the age of 21.

Housing Allocation for Croatian nationals

If a Croatian national is working legally, whether they are exempted from or in compliance with the authorisation scheme, then they are eligible for a housing allocation, with no habitual residence test. A Croatian who is self-employed, or has the permanent right to reside, or is studying, is eligible on the same terms as any other EEA citizen.

Parents with care of an EEA child

Any EEA citizen – including a child – has the right to live in any EEA member state.

In order for a child to exercise that right it follows that their parent or (carer) must also be able to live there, even if that parent is not himself/herself an EEA national.

If the child is an EEA national (not a UK citizen) then the parent/carer is not entitled to housing or benefits, since they are required to have sufficient resources for the child ‘not to become a burden on the public finances of the host Member State’³.

An EEA national may lose worker status whilst being registered on Tyne and Wear Homes. Eligibility checks will be carried out before an offer of property is made.

Changes in Housing Benefit rules (Appendix 5) mean that not all applicants will be awarded benefit even if eligible for accommodation. If an applicant does not have the ability to make rental payments they will not be offered a property.

EEA Worker and Housing Benefit

Not all EEA workers will be awarded Housing Benefit, therefore ability to meet rental costs will be taken into account before an offer of property is made.

What is Habitual Residency and the Habitual Residency Test (HRT)?

There is no comprehensive definition of the term ‘habitual residence’, however there are two elements to the phrase ‘habitual residence’

- 'Residence': the person must be actually resident – mere intention to live here is not sufficient nor is mere presence.
- 'Habitual': there must be a degree of permanence about the residence - it implies a settled state in which the person is making their home here.

Gaining habitual residence

A person who leaves another country with the intention to settle in the UK does not become habitually resident immediately on arrival. Instead there are two main requirements⁴:

- Residence must be for an 'appreciable period of time'.
- There must be an intention to settle in the UK.

When deciding whether a person is habitually resident, consideration will be given to all the facts of each case including the following:

- The test focuses on the fact and nature of residence and not the legal right of abode.
- A person who is not resident in this country at all cannot be habitually resident.
- Residence is a more settled state than mere physical presence in a country. To be resident a person must be seen to be making a home. It need not be the only home or a permanent home but it must be a genuine home for the time being. For example a short stay visitor or a person receiving short term medical treatment is not resident.
- It is a question of fact whether a person who has established residence in a country has also become habitually resident; this must be decided by reference to all the circumstances of the particular case.
- The most important factors for habitual residence are the length, continuity and general nature of actual residence.
- The practicality of a person's arrangements for residence is a necessary part of determining whether it can be described as settled and habitual.
- Established habitual residents of this country who have periods of temporary or occasional absence of long or short duration may still be habitually resident during such absences.

Losing habitual residence

Habitual residence can be lost in a single day, for example if someone leaves the UK with the intention to settle long-term in another country.

Temporary absence and returning residents

Once habitual residence has been established the following points apply about temporary absence:

- For a UK or EEA national it resumes immediately on return from work in another EEA member state; and
- In all cases it resumes immediately on return from a single short absence (e.g. a holiday).

In deciding whether habitual residence is regained after a longer absence or after a series of absences, a decision will depend on the circumstances in which the person left and returned to the UK; their intentions concerning the absence (was it intended to be temporary); and any continuing links with the UK.

The Habitual Residency Test

1. Applicants returning to the UK

If the applicant is returning to the UK after a period spent abroad, if it can be established that the applicant was previously habitually resident in the UK and is returning to resume their former period of habitual residence, then they are immediately habitually resident. For example someone returning from working abroad/extended visit may regain their Habitual Residency immediately.

We will need to establish and verify:

- When the applicant left the UK / (CTA - Common Travel Area)?
- How long did the applicant live in the UK before leaving?
- Why did the applicant leave the UK?
- How long did the applicant intend to remain abroad?
- Why did the applicant return?
- Did the applicant's partner and children, if any, also leave the UK?
- Did the applicant keep accommodation in the UK?
- If the applicant owned property, was it let, and was the lease timed to coincide with the applicant's return to the UK?
- What links did the applicant keep with the UK?
- Have there been other brief absences? If yes, obtain details.
- Why has the applicant returned to the UK?

If the applicant is returning for another reason then we need to establish their reasons as detailed below.

2. If the applicant has arrived in the UK within the previous two years and is not resuming a period of habitual residence

We need to consider their reasons for coming or returning to the UK.

a. *If the applicant states they have work and has a genuine offer of permanent work in the UK full or part time this would give them habitual residence status. We will need to establish and verify:*

- How many hours do/will they work?
- Is the work short term employment, e.g. au pair, seasonal work?
- Is the applicant on a short term contract with a current employer?
- Has the applicant had a succession of casual or short term jobs either in the UK or the previous country? Be aware that a history of working in short term jobs does not always mean an applicant is not habitually resident
- What is the name and address of the employer – are they well known for employing casual labour?
- Has the applicant worked in the UK previously? If so:

- how long ago
- for what period, either casual or short term
- Has the applicant work prospects?

If the applicant has come to the UK to seek work:

- Has a job been arranged?
- Who has the job been arranged with?
- If a job has not been secured, have enquiries been made about a job?
- Who were the enquiries made with?
- Does the applicant have qualifications to match their job requirements?
- Does the applicant, in your opinion, have realistic prospects of finding work?
- Are prospects of finding work in the UK any better than in the country they have left?

b. Joining Family or Friends

If the applicant has come to the UK to join or re-join family or friends establish and verify:

- Has the applicant sold or given up any property abroad?
- Has the applicant bought or rented accommodation or are they staying with friends?
- Is their move to the UK permanent?

c. Applicant's Plans

The fact that a person may intend to live in the UK for the foreseeable future does not, of itself, mean that habitual residence has been established. However, the applicant's intentions along with other factors, for example the purchase of a home in the UK and the disposal of property abroad may indicate that the applicant is habitually resident in the UK. An applicant who intends to reside in the UK for only a short period, for example on holiday, to visit friends or for medical treatment, is unlikely to be habitually resident in the UK.

- If the applicant plans to remain in the UK, is their stated plan consistent with their actions?
- Were any arrangements made for employment and accommodation before the applicant arrived in the UK?
- Did they buy a one-way ticket?
- Did they bring all their belongings with them?

- Is there any evidence of links with the UK, e.g. membership of clubs?

d. Length of Residence in another Country

It is possible that a person may own a property abroad but still be habitually resident in the UK. A person who has a home or close family in another country would normally retain habitual residence in that country. A person who has previously lived in several different countries but has now moved permanently to the UK may be habitually resident here.

We will need to establish and verify the length and continuity of an applicant's residence in another country:

- How long did the applicant live in the previous country?
- Have they lived in the UK before, if so for how long?
- Are there any remaining ties with their former country of residence?
- Has the applicant stayed in different countries outside the UK?

e. Centre of Interest

An applicant is likely to be habitually resident in the CTA, despite spending time abroad, if their centre of interest is located in the CTA.

People who maintain their centre of interest in the UK, for example a home, a job, friends, membership of clubs, are likely to be habitually resident in the UK. People who have retained their centre of interest in another country and have no particular ties here are unlikely to be habitually resident in the UK. We will need to establish and verify:

The centre of interest:

- home
- family ties
- club memberships
- finance accounts

If the centre of interest appears to be in the CTA but the applicant has a home abroad, consider the applicant's intentions regarding that property.

In certain cultures, e.g. the Asian culture, it is quite common for a person to have property abroad which they do not intend to sell, even if they have lived in the CTA for many years and do not intend to leave. This does not mean that an applicant's centre of interest is anywhere but in the CTA.

Misc.

What happens if the applicant is eligible but members of the household are ineligible⁵?

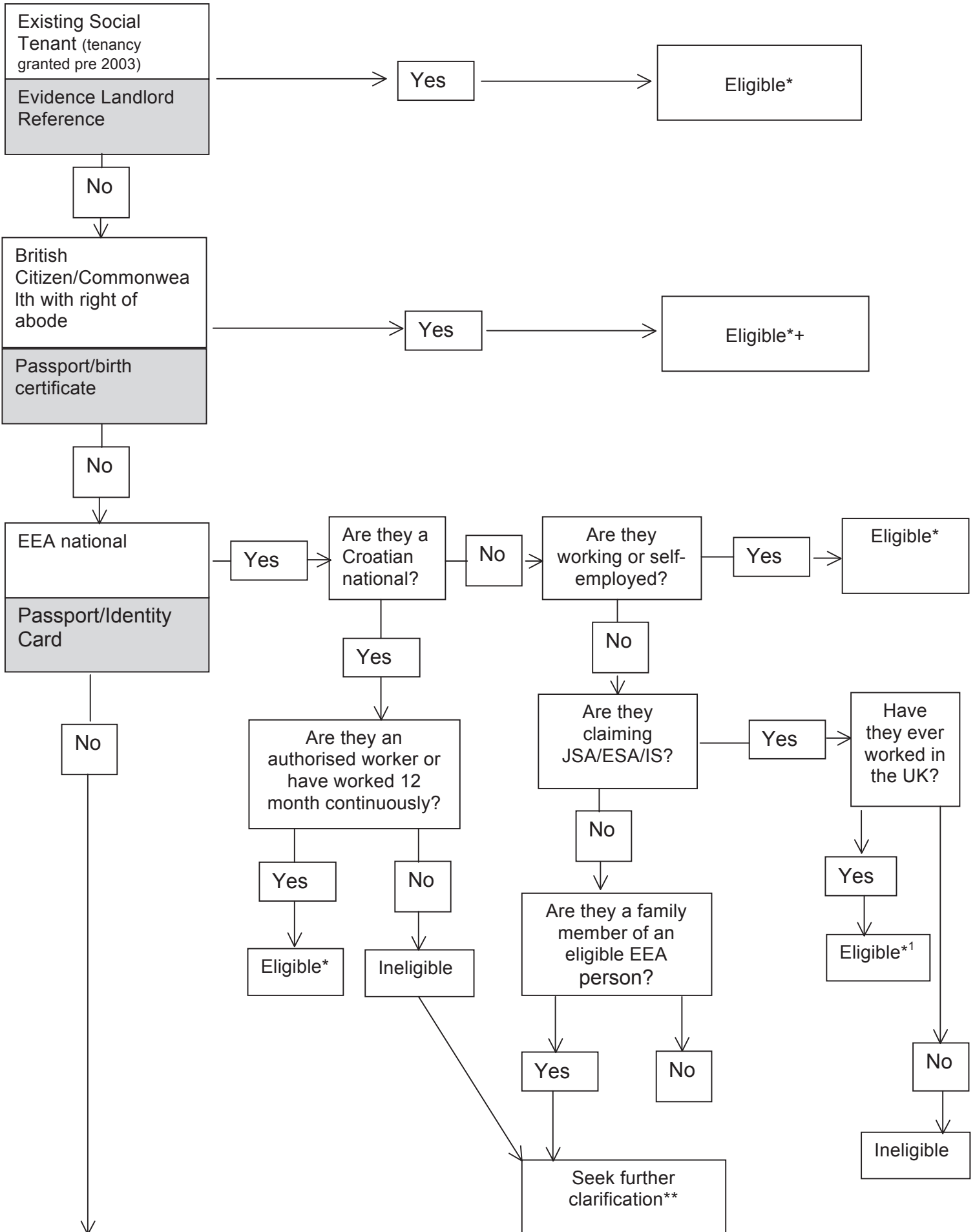
If an applicant is eligible but members of their household are ineligible, the ineligible persons' must still be taken into account for rehousing purposes i.e. property size and type.

However band status A, B and C cannot be given if the reason for the band status is solely reliant on the ineligible members housing need.

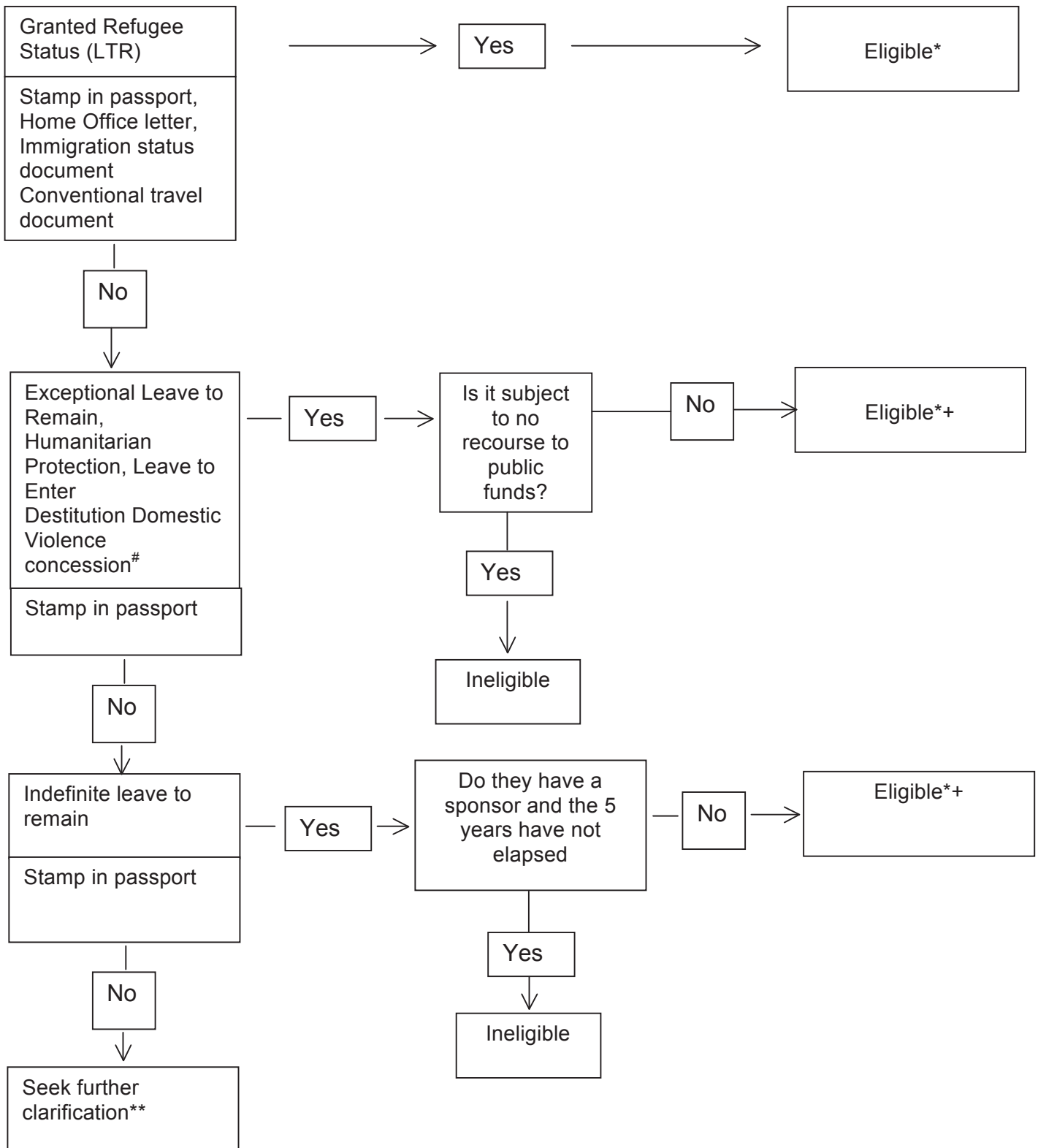
If eligible members of the household have a housing need which warrants Band A, B or C, then the application should be placed within the appropriate band.

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Eligibility Flowchart



Eligibility Flowchart (cont'd)



* Eligible subject to fulfilling other reference checks
 ** From Allocation Senior
 + Apply HRT if they have been in UK/CTA less than 2 year
 # Does not need to be Habitually Resident
 1 Check if worker status retained

Definitions

1. British Citizen (Common travel area)	UK Channel Islands Isle of Man Republic of Ireland	
2. EEA Citizen	Austria Belgium Denmark Finland France Germany Greece Iceland Ireland Czech Republic Estonia Hungary Latvia Bulgaria Croatia	Italy Liechtenstein Luxembourg Netherlands Norway Portugal Spain Sweden UK Lithuania Poland Slovakia Slovenia Romania
3. Commonwealth	Antigua and Barbuda Australia The Bahamas Bangladesh Barbados Belize Botswana Brunei Darussalam Cameroon Canada Cyprus Dominica Fiji Islands The Gambia Ghana Grenada Guyana India Jamaica Kenya Kiribati Lesotho Malawi Malaysia Maldives Malta Mauritius Mozambique Namibia	Nauru New Zealand Nigeria Pakistan Papua New Guinea Rwanda St Kitts and Nevis St Lucia St Vincent & the Grenadines Samoa Seychelles Sierra Leone Singapore Solomon Islands South Africa Sri Lanka Swaziland Tonga Trinidad and Tobago Tuvalu Uganda UK United Republic of Tanzania Vanuatu Zambia

Main types of immigration status against eligibility for housing and the proof of status required:

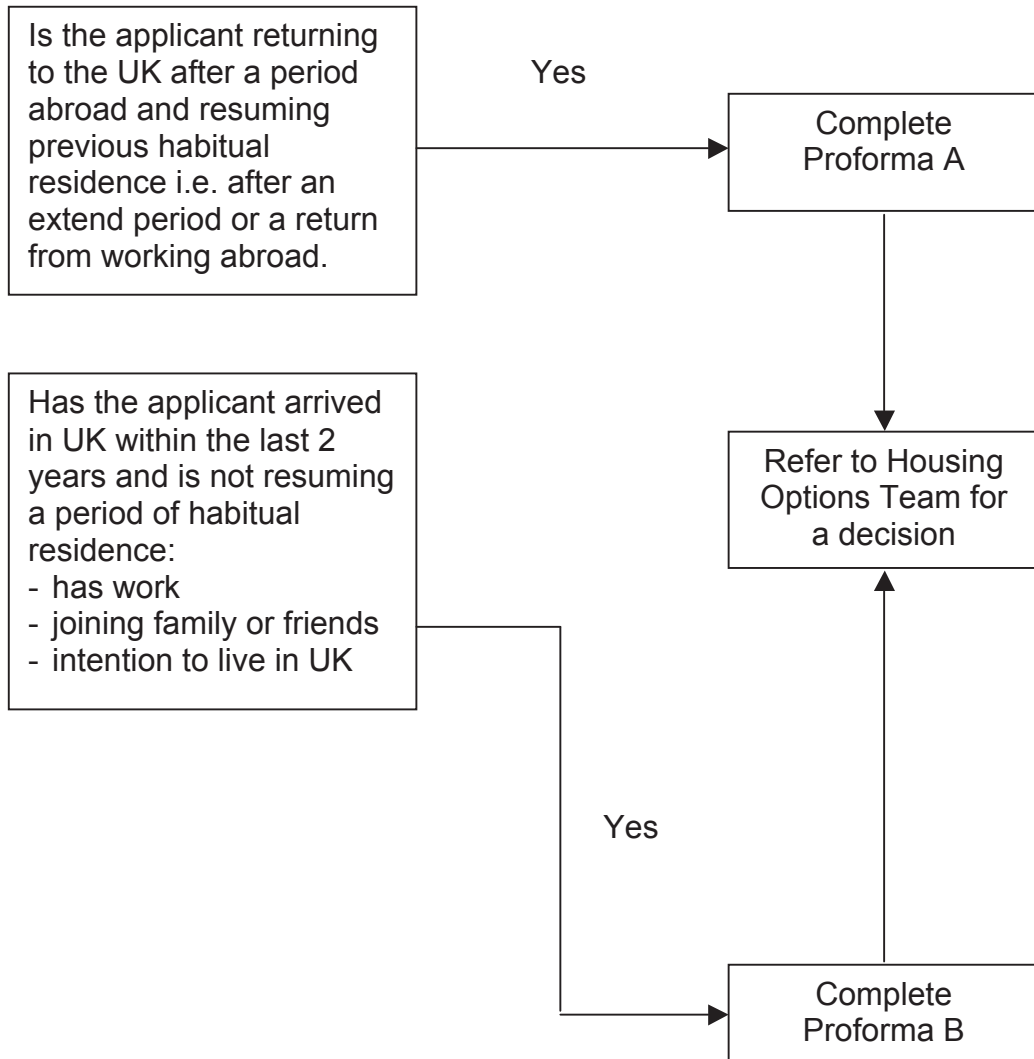
Class of applicant	Conditions of eligibility	Proof of status
Existing social tenant (allocated accommodation by LA)	None	
British citizen	Must be habitually resident in the Common Travel Area (CTA)	Passport or birth certificate
EEA citizen (and dependents)	Must be habitually resident in CTA, unless: Applicant is a worker, self-employed, is a family member of an EEA citizen who is a worker or self-employed.	Passport or national identity card
Person Subject to Immigration Control - granted refugee status (usually Leave to Remain 5 years)	None	Stamp in passport or Home Office letter. Immigration Status Document for more recent grants of leave. Convention travel document.
Person Subject to Immigration Control - granted exceptional leave to remain (ELR) or discretionary leave to Remain (DLR)	Applicant must not be subject to a condition requiring him/her to maintain him/herself and dependents	Stamp in passport or certificate of identity. Home Office letter. Immigration Status Document for more recent grants of leave.
Person Subject to Immigration Control - granted humanitarian protection	None	Home Office document.
Person Subject to Immigration Control - granted indefinite leave to remain	Must be habitually resident in CTA And, if ILR was granted on undertaking that a sponsor(s) would be responsible for maintenance & accommodation and 5 years has not elapsed since date of entry to UK or the undertaking no sponsor remains alive	Stamp in passport or Home Office letter.

Person Subject to Immigration Control granted limited leave in the UK via the Afghan resettlement programme.	Must be habitually resident in CTA	Stamp in passport or Home Office letter.
Person who is an asylum-seeker whose claim for asylum is recorded by the secretary of state as having been made before 3 rd April 2000.	<p>Must either :</p> <ul style="list-style-type: none"> • On arrival (other than re-entry) in the UK from a country outside the UK, Channel Islands, Isle of Man or Republic of Ireland. • Within three months from the day on which the secretary of state made a relevant declaration and the applicant was in GB on the day on which the declaration was made. • On or before 4th February 1996 by an applicant who was on 4th February 1996 entitled to benefit under regulation 7A of the Housing Benefit Regulations 1987. 	
Commonwealth Citizen	Right of abode	Passport Immigration documents
Person Subject to Immigration Control - granted Destitution Domestic Violence (DDV) concession	This is only valid for 3 months.	Home Office Document

The following site

<http://prado.consilium.europa.eu/EN/categories/GBR/F/resultByCountryCategory.html> has up to date detail of what documents are valid to ascertain a person immigration status.

Habitual Residence Test



Proforma A - Habitual Residence Test - Return to UK

Applicant Name _____ **Ref No** _____

Address _____

1.	When did they leave the UK?
2.	How long had they previously lived in the UK?
3.	Why did they leave?
4.	Why did they return?
5.	Did their family leave the UK with them?
6.	Did they keep accommodation in the UK?
7.	If they owned property was it leased in a time to coincide with return to the UK?
8.	Have there been other brief absences?
9.	Why have they come back to the UK?

Decision: Ineligible/Eligible	
Reason for decision	
Managers Signatures	Date

Proforma B - Habitual Residence Test - No Previous Habitual Residence

1. Work – either genuine offer or permanent	
Full or part time work?	
How many hours do/will they work?	
Is there a history or short term work? Provide Details.	
Name and address of employer?	
Have they worked in the UK before? Provide details of how long and the type of work.	
Does the applicant have work prospects?	
Has work been arranged?	
Who in the household works?	
If a job has not been secured – have enquiries been made?	
Who were the enquiries made with?	
Does the applicant have appropriate qualifications to match their job requirements?	
Does the applicant have realistic prospects of finding work?	
Are prospects of finding work in UK better than the country they have left?	

2. Joining Family or Friends	
Details of family or friends (including address)	
Has the applicant sold or given up property abroad? (If yes provide address)	
Has the applicant bought or rented accommodation or are they staying with friends?	
Is their move permanent?	
3. Applicant's Plans	
Are the applicant's plans to remain in the UK consistent with their actions?	
Did they make arrangements for employment or accommodation before they moved to the UK?	
Did they buy a 1 way ticket?	
Did they bring all their belongings?	
Do they have membership of any clubs?	
Has the applicant registered with a GP/Dentist? If yes, please provide details of the school.	
If the applicant has children are they enrolled at a school? If yes, please provide details of the school.	
Have they opened a bank account?	

4. Length of Residence in Another Country	
Does the applicant have a home in another country?	
Does the applicant have close family in another country?	
How long did the applicant live in the previous country?	
Have they lived in the UK before and for how long?	
Are there any remaining ties with their former country of residence?	
Has the applicant stayed in different countries outside the UK?	
5. Where is the applicant's Centre Interest	
Home	
Family	
Any Club Membership	
Finance Accounts	

1. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/284160/Public_funds_v12_0EXT.pdf
2. Destitution Domestic Violence (DDV) concession, Home Office, 1 April 2012
3. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/257777/chen.pdf
4. (R(IS) 6/96) (<http://www.osscsc.gov.uk/Aspx/view.aspx?id=676>)
5. S160ZA(1)(b) (part 6 1996 Housing Act)



Your Homes
Newcastle

Newcastle
City Council

