

## Appendix 2

# **Neath Port Talbot County Borough Council & Tai Tarian Shared Lettings Policy**

## **Summary**

### **Part 1- Introduction**

This is a short summary of Neath Port Talbot County Borough Council (**the Council**) and Tai Tarian's Shared Letting Policy.

The full policy is available on the Council's website ([www.npt.gov.uk](http://www.npt.gov.uk)) or Tai Tarian's website ([www.taitarian.co.uk](http://www.taitarian.co.uk)).

The Council in partnership with Tai Tarian Limited (Tai Tarian) has adopted the Lettings Policy. The policy meets the requirements in Part VI of the Housing Act 1996 (**the HA 1996**) (as amended by Homelessness Act 2002 and the Housing (Wales) Act 2014) (**the HWA**)), giving reasonable preference to those applicants in greatest need.

The Council has transferred to Tai Tarian the administrative functions and operation of a housing register (the **Housing Register**).

The policy is important because it sets out how the Housing Register will operate, who is eligible for housing, how to apply for accommodation, how applicants' housing needs are assessed and how Tai Tarian allocates accommodation.

The allocation of properties by Tai Tarian will be undertaken in accordance with the provisions of the policy, which incorporates the following:-

- Homes by Choice Scheme: applicants included on the Housing Register (or if authorised, the Council's Housing Options Team on behalf of such applicants) will be entitled to "bid" for vacant properties owned by Tai Tarian which are available for letting.
- Banding Scheme: where applicants are placed in one of four bands of housing need according to their circumstances.

The policy complies with the Equality Act 2010 and the Welsh Language Standards and Regulations made under the Measure.

### **Part 2 - Applying for housing**

Tai Tarian will manage the Housing Register which comprises both existing tenants wishing to transfer to another dwelling owned by Tai Tarian, and new applicants for accommodation.

Anyone can register an application who is aged 16 years and over, unless they are subject to immigration control or excluded on the grounds of “unacceptable behaviour”.

If an applicant is aged under 18 years they cannot legally hold a tenancy. In such cases, the legal tenancy will be held on trust for the minor, until they reach 18 years. When the Renting Homes Wales Act (**RHWA**) 2016 applies, an applicant under the age of 18 years cannot be granted an occupational contract and will need to be granted a licence or a tenancy held in trust.

Section 160A of the HA 1996 states that a Local Housing Authority shall only allocate housing accommodation to people who are eligible to join the scheme. The following persons are not eligible to join the Housing Register:-

- Persons from abroad who are subject to immigration control and not re-included by regulations.
- Any other person as prescribed by the Welsh Ministers.
- Where an applicant or a member of the household is considered to be guilty of unacceptable behaviour which is serious enough to make them unsuitable to be a tenant and at the time of their application for housing and they are still considered unsuitable to be a tenant due to that behaviour.

Any application by a person subject to the Asylum and Immigration Act 1996 (or any succeeding legislation) shall be assessed in accordance with the provisions of that Act.

### **Making the application**

All applicants shall be required to register an interest in applying for accommodation by following the instructions on how to apply on Tai Tarian’s website ([www.taitarian.co.uk](http://www.taitarian.co.uk)). If the applicant is not considered eligible at this stage an application will not be deemed to be “live”. This means the application will not proceed to the assessment stage but will be put on hold until it is considered eligible. Information on personal circumstances may then be verified and they shall be informed of the likelihood of their being accommodated in the near future.

Advice and assistance is available for anyone who experiences a difficulty in applying for housing.

Applicants shall be informed if they are required to provide certain information to Tai Tarian to determine how their application will proceed. In addition, checks shall be made with the appropriate sources to complete and/or verify the information provided such as credit checks.

A full assessment where required shall be undertaken using the most appropriate method. Applicants shall be informed that if their application is successful, they shall

be required to pay rent in advance in accordance with the tenancy agreement at the start of the tenancy.

Any information provided by applicants and processed by Tai Tarian is subject to the requirements of the current Data Protection Legislation. When sharing personal information, Tai Tarian will comply with all aspects of Data Protection Legislation.

### **Incomplete applications**

If an application has commenced and it is considered that further information is required and it has not been provided by the applicant within a reasonable period of time (28 days) from the request, Tai Tarian may decline to register the application and a new application may be required.

Applications may not be considered 'live' until all information requested has been provided by the applicant. Applicants will be asked to provide documentation which is reasonably required for the purpose of assessing their application and which they can reasonably be expected to provide.

Until an application has been deemed 'live' it will remain on the holding list and the applicant will not be eligible to bid for accommodation.

It is the responsibility of the applicant to advise Tai Tarian of any change that may affect their housing application.

### **Part 3 - Assessment of need**

To assess applicants a needs based banding system shall be operated.

An applicant shall be placed in the band which reflects the level of their housing need, so the higher the housing need, the higher the band. This is based upon their lead need and not a cumulative number of housing needs.

The applicant shall be notified of their eligibility and also the band into which they have been placed according to their housing needs following the assessment of their application. Information shall be given on the size and type of accommodation for which the applicant will be considered depending on the number of people in their household.

Eligible and qualifying applicants will be placed in one of the following four bands in date order.

The bands provide reasonable preference to those seeking assistance in accordance with Section 167(2) HA 1996.

### **Urgent Band - Urgent Housing Need**

This band is for applicants who have an urgent housing need, who need immediate re-housing and who are unable to resolve their housing need on their own. Priority within the Urgent Band is determined in date order of entry into the Urgent Band and not by the original application date.

Applicants who are placed within the Urgent Band shall have their case reviewed after three months to ensure their circumstances still demonstrate an urgent housing need and that they are actively bidding for suitable available properties. A review shall also be undertaken of what properties have become available. This may result in either:-

- A direct let – usually for statutory homeless applicants living in temporary accommodation.
- Priority being maintained.
- Moving into a lower priority band if the circumstances under which they were placed in the Urgent Band no longer apply.

### **Gold Band - High Housing Need**

This band is for applicants whose housing need is high and who are unable to resolve their housing need on their own. Subject to the 'Applicants Who Move Between Bands' section below, priority within the Gold Band is determined in date order of entry into the Gold Band and not by the original application date.

### **Silver Band - Medium Housing Need**

This band is for applicants who have a medium housing need and are unable to resolve their housing need on their own. Subject to the 'Applicants Who Move Between Bands' section below, priority within the Silver Band is determined in date order of entry into the Silver Band and not by the original application date.

### **Bronze Band - Low/No Housing Need**

This band is for applicants with either:-

- Low housing need
- No recognised housing need
- With a housing need but no local connection

Due to the high demand for properties, applicants are unlikely to receive an offer of accommodation in many areas of the County Borough under this scheme. Priority within this band will be arranged in order of entry into the band.

Details of the housing need bands are at the end of this document.

### **Applicants who move between Bands**

Where an applicant's case is reviewed and they move downwards between bands then their date priority in the new band will be the original date of entry into the higher band.

Where the reason is due to a change in the housing applicant's circumstances which Tai Tarian has been notified of; their date priority in the lower band will be the original date of entry into the higher band.

When a change in the applicant's circumstances results in the applicant moving up a band, their effective date will be the date of the decision following notification of the change and not their original registration date.

### **Local Connection**

Anyone living outside the Neath Port Talbot County Borough Council area (the **County Borough**) can apply to join the Housing Register subject to their eligibility. However, to meet local housing need, certain priority in terms of banding shall be given to persons who have a local connection to Neath Port Talbot.

For the purposes of the Lettings Policy a 'Local Connection' is defined as follows:-

- An applicant or a member of their household currently lives in the County Borough
- An applicant or member of their household is employed within the County Borough. This refers to where they work and not where the employer's Head Office is located. Employment will only qualify under this section if it is permanent or long term work and for a minimum of 15 hours every week
- An applicant or member of their household has a close relative (mother, father, brother, sister or adult child) who lives in the County Borough and has done so for the past five years on a continuous basis
- The applicant has just been or is about to be discharged from the British Armed Forces and who lived in the County Borough immediately before joining the Armed Forces
- The applicant has special circumstances, such as medical or support services that are only available in the County Borough. Cases of this nature are considered to have a local connection on exceptional grounds
- Where the applicant is a serving member of the Armed Forces then they, and other persons who normally live with them as part of their household, do establish a local connection with the County Borough by virtue of serving, or having served, there while in the forces.

An applicant who applies under 'No Fixed Abode' will need to prove a local connection to the County Borough. If they cannot do this they will be placed in the Bronze Band.

Where an applicant (other than an applicant at risk of domestic abuse – as defined in Section 58 of the HWA) has no local connection to the County Borough they shall be placed in the Bronze Band.

Where an applicant is assessed as at risk of domestic abuse (as defined in Section 58 of the HWA) and has no local connection to the County Borough they will be placed in the Urgent or Gold Band in accordance with the Council's duty under the HWA.

There may be exceptional circumstances when it is not considered appropriate to reduce priority to an applicant who would otherwise fall within one of the higher bands (Urgent, Gold, Silver) but who does not have a local connection with the County Borough. If exceptional circumstances exist, an applicant may be placed in one of the higher bands.

#### **Discretion to award no priority or adjusted priority where applicant/household member has been guilty of unacceptable behaviour**

A decision to award no priority or adjusted (reduced) priority may be made for applicants if satisfied that:-

- The applicant, or a member of their household, has been guilty of unacceptable behaviour serious enough to make the applicant unsuitable to be a tenant; and
- In the circumstances at the time their case is considered, they deserve due to that behaviour not to be treated as a member of a group of people who are to be given preference.

#### **Part 4 - Allocations through Homes by Choice**

We wish, as far as possible, to give choice to applicants seeking accommodation. Most Tai Tarian properties that are vacant and available for letting shall be let through the Homes by Choice Scheme. This scheme offers applicants choice by advertising vacant properties on a regular basis.

Any applicant who wishes to be considered for a property on the Homes by Choice Scheme shall be expected to submit a bid for that property.

Applicants shall receive formal notification of their category, their chosen area/s and also the size and type of accommodation for which they can bid following the assessment of their application.

When a property is advertised as available through the Homes by Choice Scheme it will detail the category, size and type and which applicants can apply to bid for that property.

An applicant can bid for a maximum of five properties from each Homes by Choice Advert. It is the responsibility of the applicant to submit their bid within the set timescales.

Applicants should ensure that they only bid for properties that match their chosen area/s and property size criteria unless other categories have been included in the property advert as being applicable for their category. If they do not, their bid may be deemed ineligible.

Applicants who are Tai Tarian tenants (transfer cases) assessed as having no housing need and not meeting the transfer criteria will not be allowed to bid unless Tai Tarian considers exceptional circumstances exist and it allows the applicant to bid.

### **Part 5 - Allocations outside Homes by Choice**

These include specific cases where a decision may be made to either:-

- Make an offer of a specific property to the applicant outside of the Homes by Choice Scheme; or
- Award the applicant whatever banding priority is appropriate in the circumstances of the case. This can include either placing the applicant at the top of the awarded band or simply placing them into a band (in which case they will be considered in date order priority in the usual way); or
- Not to support a case or to defer/hold a case until further information is received.

Applicants awarded priority through management discretion under this section will be made one reasonable offer of accommodation only, taking into consideration the needs of the applicant. An unreasonable refusal of the offer will result in the preferences being removed and the applicant being returned to their original place on the Housing Register, subject to the criteria relating to refusal of offers.

The following are examples of where an allocation outside Homes by Choice may be made;

- Serious Offenders
- No demand for a property
- Request for sole/joint tenancy
- Decanting tenants
- Adapted Disabled Accommodation

### **Adapted disabled accommodation**

Tai Tarian is committed to addressing the housing needs of disabled applicants and/or other disabled persons within the household who are primarily resident with the applicant but we have a limited stock of adapted accommodation to achieve this. Offers of adapted accommodation will therefore be made outside the Homes by Choice Scheme after being identified as suitable for that applicant.

This will allow Tai Tarian to match an individual applicant's disability to the adaptations undertaken in the property, so as to allocate the limited stock in the best way.

Following the assessment of the application, where it is identified that the applicant has specific requirements for an adapted property then the applicant may be required to provide an assessment from an Occupational Therapist or other similar professional person, which details the requirements of the disabled person.

Tai Tarian will establish set criteria for assessing both the applicant and the property and retain a separate list of applicants suitable to be considered for adapted accommodation. Tai Tarian may, at any time, review the decision that the applicant requires adapted accommodation.

Where two or more applicants are best matched to the property on an equal needs basis the overriding factor will be the size of accommodation which best meets the household size of the applicant and if equal in terms of size then in date of application order.

## **Part 6 - Offers and Refusals**

The applicant with the earliest date order within the appropriate advertised band shall normally be offered a suitable property. At the offer stage, applicants shall be reminded that rent in advance in accordance with the tenancy agreement is required should they accept the offer.

No offer shall be made to the following applicants:-

- Applicants who do not meet all eligibility criteria, have not provided all required evidence in support of their application and/or are not able to sustain a tenancy to the satisfaction of Tai Tarian. If an offer has already been made and such circumstances come to light, Tai Tarian reserve the right to withdraw the offer. In terms of being able to sustain a tenancy this includes those not deemed to have capacity to fulfil the terms of a tenancy or who have high support needs which would be best met by a form of supported accommodation.
- An applicant who is deemed to not be able to afford the housing costs.
- An applicant with former tenant debt owed to Tai Tarian, which has not been repaid or where appropriate arrangements to repay have either not been made or, having been made have not been maintained.



- Applicants who are already Tai Tarian tenants, who shall be subject to further requirements as detailed below in Transfers.

## **Transfers**

Tai Tarian tenants seeking a transfer can access the Housing Register but they shall not be offered a property unless they have a housing need and meet the transfer criteria. However, offers may be made where Tai Tarian deem there to be exceptional circumstances.

Tai Tarian will not hold open an offer whilst tenants seeking a transfer remedy a breach of their current tenancy agreement. However, Tai Tarian will facilitate the provision of a plan to provide the tenant with any help and support they need to remedy the breach. Until such a time the application shall not be 'live'.

## **Timescales for Considering Offers of Accommodation and Viewings**

An applicant who is made an offer of accommodation has 2 working days within which to contact the specified person from Tai Tarian to arrange a viewing of the property. Following the viewing, a further 2 working days shall be given in which the applicant can either accept or refuse the offer. In exceptional circumstances, these timescales may be extended at the discretion of Tai Tarian, for example, when dealing with vulnerable clients, or for other exceptional reasons.

If after the period 2 working days (or such other period as may be agreed by Tai Tarian) the applicant has not accepted or rejected the offer, the applicant shall be deemed to have refused the offer. The offer of accommodation shall be withdrawn at this stage.

Applicants may only be provided with one suitable offer of accommodation through the Choice Based Letting Scheme. Where an applicant refuses (or is deemed to have refused) an offer of accommodation their application may be placed on the holding list for a period of 3, 6 or 12 months dependent upon their previous bidding history. Upon any such decision to place an application on the holding list, the applicant shall be re-assessed at the end of the held period and put into the appropriate band.

## **Part 7 - Decision Reviews**

If an applicant does not agree with certain decisions they can request a review where they are able to provide the appropriate supporting information in support of their request. Any applicant wishing to request a review should be advised to seek legal advice from a solicitor, Law Centre, Housing Aid Centre or the Citizens Advice.

An applicant is provided with **21 days** to request a review from the date of the letter informing them of Tai Tarian's decision, unless the review request is made against the decision by Tai Tarian to refuse a bid made by the applicant for a property.

This request must be made in writing to Tai Tarian, stating the reasons why they would like the decision to be reviewed and provide additional information in support of their request.

If the review request is received after the 21 day period then it will not normally be heard, unless there are exceptional circumstances agreed by Tai Tarian that have prevented the request from being lodged within the specified period.

In the case of a review in respect of a bid for a property, any request for a review must be made within 48 hours of the application being notified of the decision. This is necessary to ensure properties are not left unallocated.

An applicant who submits a request for review shall be informed of the right to choose between a review by written submissions or by an oral review.

Reviews will be undertaken by a Tai Tarian appointed person who was not involved in the original decision and is more senior than the person who made the original decision.

In cases where the Council owes a duty to the applicant under Section 75 of the HWA but a decision is made that the applicant is excluded from the scheme or is given reduced preference due to unreasonable behaviour then the Council's Housing Options Team will be notified of the decision and a review will be undertaken by a panel, comprising of a representative from Tai Tarian and a representative from the Housing Options Team. The final decision on the review will be made by the Tai Tarian representative, although they will have regard to any representations made by the Housing Options Team representative.

In all cases (other than reviews to bidding decisions) the review request must be completed within 28 days from the date the applicant lodges their request for review.

In cases of bidding decisions, the review must be completed within 48 hours of the applicant lodging the request for a review.

## **Part 8 - Monitoring and Reviewing the Shared Lettings Policy**

The implementation of this policy will be jointly monitored by the Council and Tai Tarian on a regular basis to ensure that it remains up to date and continues to meet the needs of individuals requiring accommodation in the County Borough, complies with current law and that it does not impact unfairly and disproportionately upon persons sharing any recognised characteristic.

The Council and Tai Tarian will hold a joint review of this policy at least every five years or sooner if requested by one of the parties in writing or where there are changes in legislation, regulations or Welsh Ministers' guidance which materially affects the operation of this policy. In the latter case, the parties may agree to review only those sections of this Policy affected by the changes in law, regulation or guidance.



## Part 9 - DETAILED CRITERIA FOR EACH OF THE BANDS COMPRISING THE SCHEME

*Note:*

- *The bands are to be considered in conjunction with other relevant sections of the policy, including eligibility for the Register;*
- *Sub categories for all bands will only apply where the applicants' circumstances would be significantly improved by moving to suitable accommodation;*
- *Lists within bands are not exhaustive and some circumstances may not be covered but are relevant for consideration.*

<b>URGENT BAND – URGENT PRIORITY (REASONABLE PREFERENCE PLUS ADDITIONAL PREFERENCE)</b>	
<b>Sub Categories of Band</b>	<b>Examples of Qualifying Circumstances / Summary of Criteria</b>
<p><b>Homeless applicants where the Council has an interim duty under Section 68 of the HWA to secure accommodation in priority need.</b></p> <p><b>Applicants in temporary accommodation under Section 68 HWA and who are owed a duty by the Council under either Section 73 HWA (duty to help secure accommodation for homeless applicants) or Section 75 HWA (duty to secure accommodation for applicants in priority need following the end of a duty under Section 73)</b></p>	<p>Applicants who have been accepted by the Council as being entitled to temporary accommodation under Section 68 of the HWA.</p> <p>Applicants living in temporary accommodation arranged by the Council to meet its duty under Section 68 of the HWA <b>and</b> where the Council has accepted a duty under either Section 73 or Section 75 of the HWA.</p> <p>Temporary accommodation is any accommodation identified by the Council for an applicant to discharge its duty under Section 68 and which includes refuge accommodation.</p>
<b>MARAC CASES</b>	<p>At risk applicants who are subject to a MARAC (Multi Agency Risk Assessment Conference) which supports an urgent move to suitable accommodation in specified areas. The move will not be within the same area unless it is with the agreement of the Council's Housing Options Team and/or MARAC Co-ordinator. This will be as part of an agreed safety plan for high risk victims who will be eligible for additional</p>

	<p>preference and will be placed in the Urgent Band. Move-on requirements from refuge accommodation will be considered by a Tai Tarian appointed person.</p>
<p><b>WELFARE CASE URGENT -</b> Deemed to have a very high social circumstance that is seriously affected by current housing</p>	<p>Examples of applicants who will fall within this Category are below:</p> <ul style="list-style-type: none"> <li>• Where the applicant is the main carer and needs to give constant care and support to a person with an Urgent health need (the nature of which comes within an Urgent band for health) but this is difficult to do at present because: <ul style="list-style-type: none"> <li>(i) Applicant lives too far away, or</li> <li>(j) There is extreme financial hardship for the applicant providing the care and support</li> </ul> </li> <li>• Applicant or member of household has received or is threatened with serious physical/sexual, racial or homophobic/transphobic abuse and needs to move away from the locality.</li> <li>• Witnesses of crime or victims of crime who are deemed by the Police to be at risk of intimidation or violence. (Note: Not applicable to applicants who go through homeless route).</li> <li>• It has been established that a serious threat to the well-being, education or safeguarding of a child exists and that their accommodation is a contributory factor to the risk. These are cases where Social Services can confirm that there is an urgent need to move to mitigate the risk to the child. This includes foster carers needing larger home, confirmed by Social Services.</li> </ul> <p>The above list is not exhaustive and some circumstances may not be covered but are relevant for consideration as a social/welfare need. Supporting evidence and/or a multi-agency approach to addressing the need is required. The decision on any such award to be at the discretion of a Tai Tarian appointed person considering the application. If an applicant bids for a property that would not achieve the objective of the social/welfare need award that has been given then we may remove the priority awarded under this category for that bid.</p>
<p><b>HEALTH CASE URGENT –</b> Deemed to have severe health needs. Health is seriously affected by their current housing making existing accommodation unsuitable – e.g. hospital</p>	<p>This applies where the applicant and/or members of their household have a severe health need, examples of which are below:</p> <ul style="list-style-type: none"> <li>• Where the applicant with an Urgent health need (the nature of which comes within an Urgent band for health) is ready for discharge from hospital and either of the</li> </ul>

discharge, currently receiving palliative care, has a life limiting condition, health is so severely affected by the accommodation that it is likely to become life threatening, disabled and assessed as requiring major works of adaptation, overcrowding resulting in a risk of a life threatening infection

following apply:

(i) Applicant has somewhere to live but it is deemed unsuitable for their needs and cannot be made suitable through adaptations due to cost, structural difficulties or the property cannot be adapted within a reasonable amount of time, or

(ii) Applicant has nowhere at all to live and all other reasonable housing options have been explored.

- Is currently receiving palliative care and urgently requires rehousing to facilitate the on-going provision of this care.
- Has a life limiting condition and their current accommodation is affecting their ability to retain independence or enable adequate care.
- Health is so severely affected by the accommodation that it is likely to become life threatening, e.g. applicant has severe mental health/learning disability problems that are significantly exacerbated by their accommodation.
- Is disabled and has been assessed as requiring major works of adaptation. As a direct result of the limitations posed by the current property they are unable to carry out day-to-day activities or have difficulty in accessing facilities inside or outside their home. The award of additional preference will not be made where it has been assessed that rehousing would not facilitate a reduction in the limitations identified.
- A Tai Tarian tenant living in accommodation assessed by Tai Tarian as being adapted, who no longer requires the adaptations in their current home, may be supported as an Urgent case for a transfer where Tai Tarian has identified a suitable applicant for the accommodation they are currently living in. This award may still be valid if the applicant requires adaptations, provided that the adaptations required are substantially different from those in their current home as assessed by Tai Tarian.
- Overcrowding in their current property leaves them at risk of a life threatening infection, e.g. is suffering from a late-stage or advanced infection.
- Is elderly, disabled (including a severe mental health or learning disability) and has a progressive illness resulting in them likely to require admission to hospital or residential /nursing care in the immediate future and re-housing would enable them to remain at home.
- Need to receive constant care and support due to being an urgent health case and transport is a problem or moving away from a community would cause hardship in receiving support.

The award of priority under this section is always subject to

	<p>the proviso that if an applicant 'bids' for a property that would not benefit the reason why the priority was awarded then the priority will be removed for the purpose of considering the bid for that particular property.</p>
<p><b>ARMED FORCES SERVICE PERSONNEL</b> – who have been seriously injured or disabled in action and who have an urgent need for social housing</p>	<ul style="list-style-type: none"> <li>• This applies to any applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the Armed Forces.</li> </ul>
<p><b>EXISTING TAI TARIAN TENANTS WHO ARE UNDER-OCCUPYING</b> – and are prepared to downsize to a property with fewer bedrooms and who are suffering financial hardship</p>	<ul style="list-style-type: none"> <li>• This applies to an existing Tai Tarian tenant who is under-occupying a social rented property and is prepared to downsize to a property with fewer bedrooms, which is suitable for their needs, but only if they are suffering extreme financial hardship due to Welfare Reform. This involves a shortfall in Housing Benefit or Universal Credit Housing Contribution due to Welfare Reform changes such as Bedroom Tax, Benefit Cap or Local Housing Allowance. As a guide this equates to a 25% shortfall. An affordability assessment is undertaken in these cases.</li> </ul>
<p><b>HOUSING CONDITIONS URGENT</b> – Housing situation seriously unsuitable with no prospect of the issue being remedied in a reasonable period of time</p>	<ul style="list-style-type: none"> <li>• Cases which have highly exceptional and significant circumstances. Where the housing situation has been assessed by the Council's Environmental Health as being seriously unsuitable because (a) The property has been deemed as being at a high risk of causing harm and (b) The applicant has severe health issues which are seriously affected by their current housing. Applicants who have contributed to the housing conditions will not be considered in this band.</li> </ul>
<p><b>EXCEPTIONAL CIRCUMSTANCES</b> – Management Discretion</p>	<ul style="list-style-type: none"> <li>• This will include cases which have highly exceptional and significant circumstances, where an applicant needs to move urgently and the only way to expedite a move is through the use of management discretion.</li> </ul>

<b>GOLD BAND – HIGH HOUSING NEED REASONABLE PREFERENCE</b>	
<b>Sub Categories of Band</b>	<b>Examples of Qualifying Circumstances / Summary of Criteria</b>
<p><b>HOMELESS/THREATENED WITH HOMELESSNESS CASES (OTHER THAN APPLICANTS WHO FALL WITHIN THE URGENT BAND)</b></p> <p><b>Section 66 of the HWA (those where the Council has a duty to help prevent an applicant from becoming homeless)</b></p> <p><b>Section 73 (those where the Council has a duty to secure accommodation)</b></p> <p><b>Section 75 (those where the Council has a duty to secure accommodation for applicants in priority need when the section 73 duty ends)</b></p>	<p>Applicants who are not residing in temporary accommodation arranged by the Council to meet its duties under Section 68 of the HWA but where the Council has accepted a duty under either Section 73 or 75 of the HWA.</p> <p>Applicants who are owed a duty by the Council under Section 66 of the HWA</p>
<p><b>WELFARE CASE HIGH – MOVING HOME WILL BENEFIT APPLICANT (deemed to have a serious social circumstance)</b></p>	<p>Examples of applicants who will be given reasonable preference under this category are:-</p> <ul style="list-style-type: none"> <li>• Victims of harassment through antisocial behaviour – evidence of ongoing and targeted harassment.</li> <li>• Victims who need to move due to violence or harassment and where legal action is pursued. Also it will have been assessed and confirmed by the relevant agencies that they are not in any immediate danger but their housing circumstances would be significantly improved by moving to suitable accommodation in specified areas.</li> <li>• This band may be awarded where the applicant is at least one of the main carers and needs to give regular care and support to a person with serious health ailments or disability (the nature of which comes within a Gold Band for health) but this is difficult to do at present because: <ul style="list-style-type: none"> <li>(i) Applicant lives too far away, or</li> <li>(ii) There is extreme financial hardship for the</li> </ul> </li> </ul>



applicant providing the care and support. To receive this, the person the applicant is caring for has to be in receipt of Attendance Allowance, the care component of Disability Living Allowance or the daily living component of the Personal Independence Payment, and they spend at least 35 hours per week with them.

- Applicants leaving supported housing where after a review of support plan by support provider, they recommend a move to independent accommodation including young people at risk and care leavers.
- Currently residing in a supported housing scheme funded via Welsh Government programme funding for supported housing. The relevant band will only be awarded where the support provider has identified the need to move-on following a review of the applicant's support plan. This will not include floating support or Haven Housing Schemes.

*In both of the above instances for supported housing, the support provider makes a recommendation to the Move-on Panel, who is required to approve the move. Move-on requirements from other forms of accommodation which do not come within the remit of "supported housing" will be considered by a Tai Tarian appointed person.*

- There are children that are part of the application, who need to move and their accommodation has been assessed by Social Services as being a contributory factor to the risk of the child. The award will only be made where:
  - (i) There is a child protection plan in place; and
  - (ii) A report from the child's social worker supports the need to move, with rehousing being an important factor to the ongoing welfare of the child. The report will need to be countersigned by the relevant Social Services team manager.
- This band applies to applicants which come under the provisions of the Rent (Agriculture) Act 1976, where a displaced Agricultural worker requires assistance with accommodation.

The above list is not exhaustive and some circumstances may not be covered but are relevant for consideration of a social/welfare need. The decision on any such award to be at the discretion of a Tai Tarian appointed person considering the application.

If an applicant bids for a property that would not achieve the objective of the social need award that has been given then we may remove the priority awarded under this category for that bid.

**HEALTH CASE HIGH – MOVING HOME WILL BENEFIT APPLICANT**  
(deemed to have serious health ailments or disability)

Reasonable preference will be awarded to applicants **and/or** members of their household because housing is unsuitable due to serious health ailments or disability, but who are not housebound, or whose health, or safety is not at such a risk level to require immediate urgent housing. The serious health ailment(s) would be significantly improved by moving to suitable accommodation.

Examples of applicants who will fall within this Category are below:

- Need to receive regular care and support due to being a Gold health case and transport is a problem or moving away from a community would cause hardship in receiving regular support.
- Receiving regular health treatment /care, which is difficult to access.
- Is disabled and has been assessed as requiring works of adaptation. As a direct result of the limitations posed by the current property they are unable to carry out day-to-day activities or have difficulty in accessing facilities inside or outside their home. The award of additional preference will not be made where it has been assessed that rehousing would not facilitate a reduction in the limitations identified.
- A person whose disability means that re-housing would enable them to overcome physical barriers created by their current accommodation e.g. stairs and steps.
- A person with a terminal illness or long term medical debilitating condition whose current accommodation is not having a significant impact on their condition but where their quality of life would be significantly improved by moving to alternative settled accommodation which may or may not be closer to support.

The award of priority under this section is always subject to the proviso that if an applicant 'bids' for a property that would not benefit the reason why the priority was awarded, then the priority will be removed for the purpose of considering the bid for that

	particular property.
<b>EXISTING TAI TARIAN TENANTS WHO ARE UNDER-OCCUPYING</b>	<ul style="list-style-type: none"> <li>• This applies to an existing Tai Tarian tenant who is under-occupying a property and is prepared to downsize to a property with fewer bedrooms, which is suitable for their needs, but only if they are suffering severe financial hardship due to Welfare Reform. This involves a shortfall in Housing Benefit or Universal Credit Housing Contribution such as Bedroom Tax or Benefit Cap. As a guide this equates to a 14% shortfall. An affordability assessment will be undertaken in these cases.</li> <li>• This includes an existing Tai Tarian tenant wishing to downsize from 2, 3, 4 or 4+ bed family accommodation, which will free up a property which meets the needs as deemed by Tai Tarian of another applicant.</li> </ul>
<b>ACUTE OVERCROWDING – as defined by the ‘bedroom standard’</b>	We are satisfied the applicant is overcrowding their current accommodation by 2 or more bedrooms (see Bedroom Standard Section). Applicants who have contributed to the overcrowding will not be considered in this band.
<b>HOUSING CONDITIONS HIGH –</b> insanitary, or unsatisfactory housing conditions	<p><b>INSANITARY</b> - Where the property has been assessed by the Council's Environmental Health as either filthy or so contaminated <b>or</b> seriously infested by pests, so as to give rise to an imminent risk of serious harm AND these matters cannot be rectified while the property is being occupied. Applicants who have contributed to the housing conditions will not be considered in this band.</p> <p><b>UNSATISFACTORY –</b> Where the property is:</p> <p>(a) Inadequate by virtue that its condition does not protect the applicant from an imminent risk of serious harm AND these matters cannot be rectified while the property is being occupied. This includes properties where any of the following basic facilities and provisions are absent:</p> <ul style="list-style-type: none"> <li>• Internal WC</li> <li>• Internal bath or shower</li> <li>• Cooking provisions</li> <li>• A supply of cold or hot water</li> <li>• Room heating to habitable rooms</li> <li>• Natural or artificial lighting</li> <li>• Appropriate fire detection and a suitable means</li> </ul>

of escape in high risk properties (e.g. houses in multiple occupation)

(b) Subject to a Demolition or Compulsory Purchase Order.

(c) Suffering from severe dampness (excluding condensation caused by the occupancy of the property) which prevents the habitable rooms from being occupied.

## SILVER BAND –MEDIUM HOUSING NEED

<p><b>OTHER HOMELESS / THREATENED WITH HOMELESSNESS APPLICANTS -</b></p> <p>Homeless and threatened with homelessness applicants who are not owed duties under sections 66, 68, 73 or 75 of the Housing (Wales) Act 2014.</p>	<p>Applicants who are threatened with homelessness but who are not owed duties under section 66 to prevent them from becoming homeless. This could be because they are not eligible for help.</p> <p>Applicants who the Council has reason to believe are homeless or who the Council has decided are homeless but are not owed duties under sections 68, 73 or 75. This could be, for instance, because the applicant does not have priority need, because they are not eligible for assistance, because they have been found to be intentionally homeless, etc.</p>
<p><b>SHARING FACILITIES</b> (not for applicants that have left the family home)</p>	<p>This category applies where an applicant is deemed to be sharing all of the following rooms with another household:</p> <ul style="list-style-type: none"> <li>• Living Room</li> <li>• Kitchen</li> <li>• Bathroom</li> <li>• WC</li> </ul> <p>Applicants who have never left the family home will not be considered to be sharing, unless there is evidence to suggest a newly forming household.</p>
<p><b>APPLICANTS LACKING A BEDROOM –</b> having regard to the ‘bedroom standard’</p>	<p>The ‘bedroom standard’ is defined in below. This applies to applicants overcrowded by 1 bedroom according to the ‘bedroom standard’ for overcrowding (see below), <b>unless</b> the accommodation they have applied for would have the same number of bedrooms as their current accommodation.</p>
<p><b>WELFARE CASE MEDIUM -</b> Deemed to have a minor social circumstance</p>	<p>This category applies where an applicant and/or members of their household are deemed to have a minor social circumstance that is affected by current housing and which would be improved by moving to suitable accommodation.</p> <p>This category applies for instance to:</p> <p>Applicants experiencing difficulty in accessing employment or education, or other services where there is a need to move to avoid hardship by being able to:</p> <ul style="list-style-type: none"> <li>(i) Overcome barriers to employment and education due to severe mental health issues, long term unemployment, caring responsibilities, physical ill health, criminal record</li> </ul>

	<p>and substance misuse. In recognition of the multiple problems which can stop individuals finding work, they will be receiving ongoing extra help from government funds (costs related to parents with young children and carers etc.) or</p> <p>(ii) Take up or be near specific work, or training or job opportunities not available elsewhere in the county borough. Applicants will only be considered for this award where they do not live within a reasonable commuting distance of their place of current or prospective employment, taking into consideration their ability to use and the availability of public/private transport. Evidence is required that the difficulties being experienced are greater than those commonly experienced by others across the county borough. The applicant will be required to provide confirmation of employment details from their employer or enrolment on a training course from the training provider.</p>
<p><b>HEALTH CASE MEDIUM – MOVING HOME WILL BENEFIT APPLICANT</b> (deemed to have a minor ailment)</p>	<p>Will be awarded to applicants under this category where the applicant <i>and/or</i> members of their household have a minor health ailment that would be improved by moving to suitable accommodation.</p>
<p><b>HOUSING CONDITIONS MEDIUM -</b> Unsatisfactory/Disrepair</p>	<p>Where the property has been assessed by the Council's Environmental Health that it does not pose an imminent risk to the health or safety of the applicant, but there are unsatisfactory conditions or disrepair caused by the lack of upkeep or maintenance of the property.</p> <p>This category applies for instance to:</p> <p>The current accommodation directly exacerbates a recognised medical condition, is the direct cause of a medical condition or impacts on the ease of use of the facilities within their home for a disabled person. The award of this band will only be made where it has been assessed that rehousing would facilitate an improvement in wellbeing, taking into consideration all relevant supporting information.</p> <p>This band will not be used where there is evidence alleging any damage, unsatisfactory conditions or disrepair was caused by the applicant, current occupiers or visitors to the property.</p>

## BRONZE BAND – LOW/NO HOUSING NEED

<b>ANY APPLICANT</b> that does not fall within Urgent, Gold or Silver bands.	Includes any applicant who does not fall into bands Urgent Gold or Silver above
<b>APPLICANTS</b> who do not have a local connection	This covers applicants who do not have a 'local connection' with the County Borough within the meaning of this policy.

### The Bedroom Standard

For the purpose of this scheme it is recognised that persons considered for sharing a room must be family members. Therefore two persons (who are not in the same family) in a relationship are considered as requiring their own bedroom and should not share that room with any other person. The table below shows the bedroom entitlement for adults and children according to the Bedroom Standard

#### Bedroom Standard:

	NUMBER OF BEDROOMS	
<b>HOUSEHOLD MEMBERS</b>	1	2
Single adults over 21	x	
Couple (married or cohabitating) wishing to live together	x	
Single person/couple who are supported for an additional bedroom		x
20 x weeks pregnant woman with or without partner and no other children		x
One child	x	
Two children under 10 regardless of sex	x	
Two children of the same sex aged between 0 and 21	x	
Two children of different sex aged between 10 and 21		x