



COFNOD O BENDERFYNIAD WEDI'I DDIRPRWYO GAN SWYDDOG
RECORD OF DELEGATED OFFICER DECISION

Penderfyniad Allweddol | Key Decision ✓

Mae'r Penderfyniad Wedi'i Ddirprwyo hwn wedi'i bennu yn 'Benderfyniad Allweddol' gan ei fod yn debygol o:

This Delegated Decision has been established as a 'Key Decision' as it is likely:

a) arwain at y Cyngor yn ysgwyddo gwariant sylweddol neu wneud arbedion sylweddol;
to result in the Council incurring expenditure which is, or the making of savings which are, significant;

☐

neu / or:

b) fod yn arwyddocaol o ran sut mae'n effeithio ar gymunedau sy'n byw neu'n gweithio mewn ardal sy'n cynnwys dwy etholaeth neu adran etholiadol neu ragor.
to be significant in terms of its effects on Communities living or working in an area comprising two or more electoral wards.

X

c) Eraill / Other:

PWNC | SUBJECT:

A report on the Council's Housing Allocation Scheme and Proposed Policy Changes

DIBEN YR ADRODDIAD | PURPOSE OF THE REPORT:

This report has been prepared to accompany the intended officer decision of the Director, Prosperity and Development and Director, Public Health, Protection and Community Services as described below.

The purpose of this report is to outline proposed amendments to Rhondda Cynon Taf's Housing Allocation Scheme, following a recent review and consultation with Registered Social Landlords, and to seek approval to undertake a public consultation on the revised Scheme.

PENDERFYNIAD WEDI'I DDIRPRWYO | DELEGATED DECISION:

Agreed that:

1. Approval is given to undertake a 6-week public consultation before finalising the draft new policy for consideration by Cabinet.

2. The timeline is noted within the report in section 7.4 which, highlights 'next steps' to be taken in order for the policy to be implemented in April 2026.



Llofnod y Prif Swyddog

Chief Officer Signature

Simon Gale

Director, Prosperity and
Development

9th June 2025

Enw (priflythrennau)

Name (Print Name)

Swydd

Designation

Dyddiad

Date



Llofnod y Prif Swyddog

Chief Officer Signature

Louise Davies

Director, Public Health, Protection and
Community Services

9th June 2025

Enw (priflythrennau)

Name (Print Name)

Swydd

Designation

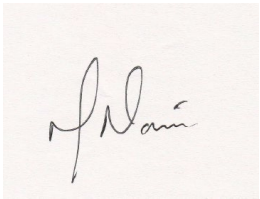
Dyddiad


Date

Mae'r penderfyniad yn cael ei wneud yn unol ag Adran 15 o Ddeddf Llywodraeth Leol 2000 (Swyddogaethau'r Corff Gweithredol) ac yn y cylch gorchwyl sy wedi'i nodi yn Adran 5 o Ran 3 o Gyfansoddiad y Cyngor.

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.

YMGYNGHORI | CONSULTATION

	Y Cyngorydd Mark Norris Aelod o'r Cabinet ar faterion Ffyniant a Datblygu / Councillor Mark Norris Cabinet Member for Prosperity and Development	6 June 2025
LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET CONSULTEE CABINET MEMBER SIGNATURE	ENW A SWYDD NAME AND DESIGNATION	DYDDIAD DATE

	Y Cyngorydd Bob Harris Aelod o'r Cabinet ar faterion Iechyd y Cyhoedd a Chymunedau Councillor Bob Harris Cabinet Member for Public Health & Communities	6 June 2025
LLOFNOD YR AELOD YMGYNGHOROL O'R CABINET CONSULTEE CABINET MEMBER SIGNATURE	ENW A SWYDD NAME AND DESIGNATION	DYDDIAD DATE

LLOFNODSWYDDOG YMGYNGHOROL CONSULTEE OFFICER SIGNATURE	ENW A SWYDD NAME AND DESIGNATION	DYDDIAD DATE

A FYDD Y PENDERFYNIAD YMA'N CAEL EFFAITH AR Y WARD?
WILL THIS DECISION HAVE AN IMPACT ON THE WARD?

BYDD | YES ✓ NA FYDD | NO

Unrhyw sylwadau pellach/Oes angen rhoi gwybod i'r Aelod Lleol: ✓
Any further comments/Need for Local Member to be informed:

RHEOLAU'R WEITHDREFN GALW-I-MEWN | CALL IN PROCEDURE RULES.

A YW'R PENDERFYNIAD YN UN BRYN A HEB FOD YN DESTUN PROSES GALW-I-MEWN GAN Y PWYLLGOR TROSOLWG A CHRAFFU?:

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YDY | YES x NAC YDY | NO ✓

Rheswm dros fod yn fater brys | Reason for Urgency:

Os yw'n cael ei ystyried yn fater brys - llofnod y Llywydd, y Dirprwy Lywydd neu Bennaeth y Gwasanaeth Cyflogedig yn cadarnhau cytundeb fod y penderfyniad arfaethedig yn rhesymol yn yr holl amgylchiadau iddo gael ei drin fel mater brys, yn unol â rheol gweithdrefn trosolwg a chraffu 17.2:

If deemed urgent - signature of Presiding Member or Deputy Presiding Member or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
(Llywydd | Presiding Member)

.....
(Dyddiad | Date)

DS - Os yw hwn yn benderfyniad sy'n cael ei ail-ystyried yna does dim modd galw'r penderfyniad i mewn a bydd y penderfyniad yn dod i rym o'r dyddiad mae'r penderfyniad wedi'i lofnodi.

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

AT DDEFNYDD Y SWYDDFA YN UNIG | FOR OFFICE USE ONLY

DYDDIADAU CYHOEDDI A GWEITHREDU | PUBLICATION & IMPLEMENTATION DATES

CYHOEDDI | PUBLICATION

Cyhoeddi ar Wefan y Cyngor | Publication on the Council's Website:- _____ 09.06.25 _____

DYDDIAD | DATE

GWEITHREDU'R PENDERFYNIAD | IMPLEMENTATION OF THE DECISION

Nodwch: Fydd y penderfyniad hwn ddim yn dod i rym nac yn cael ei weithredu'n llawn nes cyn pen 3 diwrnod gwaith ar ôl ei gyhoeddi. Nod hyn yw ei alluogi i gael ei "Alw i Mewn" yn unol â Rheol 17.1, Rheolau Gweithdrefn Trosolwg a Chraffu.

Note: This decision will not come into force and may not be implemented until the expiry of 3 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Yn amodol ar y drefn "Galw i Mewn", caiff y penderfyniad ei roi ar waith ar:

Subject to Call In the implementation date will be:

_____ **13.06.25** _____
DYDDIAD / DATE

WEDI'I GYMERADWYO I'W GYHOEDDI: ✓ | APPROVED FOR PUBLICATION :✓

Rhagor o wybodaeth | Further Information:

Cyfadrn Directorate:	Prosperity and Development
Enw'r Person Cyswllt Contact Name:	Claire Hutcheon
Swydd Designation:	Head of Housing Strategy and Investment
Rhif Ffôn Telephone Number:	01443 281114

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

KEY DELEGATED DECISION

**REPORT OF THE DIRECTOR OF PROSPERITY AND DEVELOPMENT, IN
DISCUSSIONS WITH THE CABINET MEMBER FOR PROSPERITY AND
DEVELOPMENT AND THE CABINET MEMBER FOR PUBLIC HEALTH AND
COMMUNITIES**

1st June 2025

**A REPORT ON THE COUNCIL'S HOUSING ALLOCATION SCHEME AND
PROPOSED POLICY CHANGES**

**AUTHOR: CLAIRE HUTCHEON, HEAD OF HOUSING STRATEGY AND
INVESTMENT.**

Appendices: Appendix A: RCT Housing Allocation Scheme Consultation Report
Appendix B: Summary Table of proposed key changes
Appendix C: RCT Housing Allocation Scheme Policy (draft)

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to outline proposed amendments to Rhondda Cynon Taf's Housing Allocation Scheme, following a recent review and consultation with Registered Social Landlords, and to seek approval to undertake a public consultation on the revised Scheme.

2.0 RECOMMENDATIONS

It is recommended that:

- 2.1 Approval is given to undertake a 6-week public consultation before finalising the draft new policy for consideration by Cabinet.
- 2.2 The timeline is noted within the report in section 7.4 which, highlights 'next steps' to be taken in order for the policy to be implemented in April 2026.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 To ensure that RCT Housing Allocation Scheme complies with relevant legislation, meets local strategic housing needs and enables the effective and fair allocation of social housing to people seeking affordable housing.

4.0 BACKGROUND

- 4.1 The Council has statutory obligations under the Housing Act 1996, the Homelessness Act 2002 and the Housing (Wales) Act 2014 in relation to the publication of a Housing Allocation Scheme and for ensuring equality of access to social housing for all people with a housing need.
- 4.2 In RCT, since 2002, the Council's Housing Allocation Scheme has been delivered in partnership with Registered Social Landlords (RSLs) through the operational mechanism of a Common Housing Register. In 2015, a choice based letting system was introduced to the Common Housing Register and it was re-branded as 'HomefinderRCT'.
- 4.3 HomefinderRCT offers a single route through which all those seeking social housing can apply. This approach delivers significant benefits to the Council, Registered Social Landlords and most importantly to those seeking accommodation in RCT. These benefits include simple, fair and consistent processes and efficient, co-ordinated administration. Applicants can apply online or over the telephone to join HomefinderRCT and once registered can 'bid' on properties that they are interested in.
- 4.4 The Scheme must give priority for housing to applicants who fall within certain categories, referred to as 'reasonable preference' categories. These are:
- People who are homeless (within the meaning of Part 2 of the Housing (Wales) Act 2014)
 - People who are owed any duty by a local housing authority under Section 66, 73 or 75 of the Housing (Wales) Act 2014
 - People who are owed a duty by a local authority under Section 190(2), 193 (2) or 195 (2) of Part VII of the Housing Act 1996 or who are occupying accommodation secured by any local authority under Section 192(3)
 - People living in poor or overcrowded housing
 - People who need to move for medical or welfare reasons
 - People who need to move to an area of Rhondda Cynon Taf for a particular reason e.g. to look after a family member
- 4.5 The Council also gives priority to other groups of people to meet its local strategic housing priorities effectively. These include the following:
- Applicants who by moving will release an adapted property
 - Applicants whose child is likely to be accommodated by the local authority if re-housing is not made
 - Applicants who have been recommended to foster or adopt children and whose current accommodation is not big enough
 - Households including children who are forced to live apart owing to a lack of suitable accommodation
 - Existing tenants with no housing need who wish to move
- 4.6 The Scheme uses a 'banding' system whereby applicants are placed into a 'band' according to their housing need. These are:

- Band A Urgent Housing Need
- Band B High Housing Need
- Band C Low Housing Need
- Band D No Housing Need

It is the Council's responsibility to accept applications for housing and assess them in accordance with the Scheme in order to determine their eligibility and priority. It is the responsibility of the RSLs to allocate their vacant housing in accordance with the Scheme and associated Operational Guidance through HomefinderRCT. These roles and responsibilities are managed through a Service Level Agreement.

- 4.7 When a property becomes void/empty, the relevant RSL advertises the property on HomefinderRCT and offers it to the applicant who has bid for the property, is in the highest band and who has waited the longest in that band.
- 4.8 RSLs are closely monitored by the Council to ensure that they are adhering to the Scheme when making offers of/allocating housing and to ensure that correct processes are following in accordance with the Scheme.
- 4.9 The number of applicants registered with Homefinder continues to increase each year with 3,565 applications made in 2018/19 to 4,637 made in 2024/25. However, at the same time there has been a steady decrease in the number of properties being allocated, from 1,330 in 2018/19 to 798 in 2024/25. This shows that the turnover of properties is decreasing, resulting in less properties becoming available for allocation.
- 4.10 The Current Housing Allocation Scheme Policy now needs to be reviewed. This is due to numerous best practice and legislation changes, and changes in the social housing landscape due to various factors including:
 - As part of the White Paper on Ending Homelessness in Wales, Allocations: understanding more, in the context of homelessness in Wales, social housing lists are increasing at a rapid rate with no signs of a decrease in the near future. This comes alongside a finite supply of stock and growing pressure on the social housing landscape.
 - In the Social Housing Allocation Feasibility from Welsh Government, Local Authorities have recognised the demand for social housing is equal if not more than during COVID-19. Local Authorities have outlined a disproportionate effect on those with complex needs, young people, and single males.
 - Legislation changes regarding the definition of homelessness during the Pandemic with a 'no one left out approach'. This and the priority level given has also contributed to the added pressure on housing registers.
 - Changes made in April to the Physical Adaptations Grant available to Registered Social Landlords means there is now less financial resource for adaptations and therefore adaptations need to be more carefully considered and planned for.
 - A slight overrepresentation of older people in RCT and with an ever-ageing population, the need for adapted properties is greater than ever and set to

rise.

5.0 REVIEW OF THE CURRENT HOUSING ALLOCATION SCHEME

5.1 HICO were commissioned to conduct the review of RCT's Housing Allocation Scheme. The scope of this review was to analyse the scheme with a specific focus on the following four areas:

- Rent Arrears Policy
- Requirement of Band D
- Adapted Properties
- Hate crime in relation to people with protected characteristics

5.2 HICO was tasked with the following:

- To ensure the Scheme is fair and transparent and operates in accordance with the Equality Act 2010 in relation to the four areas highlighted above.
- Provide evidence-based recommendations on necessary policy changes.
- Provide information on the identified issues with the Civica system and recommendations for any required updates.
- Provide information on the use of the Housing Allocation Scheme, identifying if allocations are being made in accordance with the policy – in order of priority band and then time waiting (except for the allocation of adapted properties).
- Review the allocations and shortlisting of adapted properties, whilst considering the rationale for the current approach (to make best use of existing stock), and whether this approach provides a fair and transparent allocation process.

5.3 In line with the scope of the review, HICO undertook a series of activities in order to gather the required information which included:

- **Inception Workshop:** An initial workshop with RCT to further define the scope, agree project roles, key activities, lines of enquiry, project timelines and ways of working.
- **Desktop review of current RCT arrangements:** A desktop review of the current RCT schemes and policies, including 2018 policy changes.
- **Desktop review of practice and policy in Wales and the UK:** A review of other housing allocation policies (including, Caerphilly, Carmarthenshire, Merthyr Tydfil, Cardiff, The Vale, Manchester, Bristol, Birmingham and Brighton & Hove).
- **Interview with stakeholders:** One-to-one and group interviews with external and internal stakeholders. A list of the interviews carried out can be found in Appendix One.
- **Client Workshop:** A review of the research carried out was shared and suggestions of solutions for each area were presented and discussed with the client.

5.4 Further information on the key observations made during the review can be

found on pages 5-10 in Appendix A

6.0 FINDINGS FROM THE REVIEW

Rent Arrears

- 6.1 A local authority has discretion to decide whether to treat applicants as ineligible to join the register on the grounds of prohibited conduct or not and must act reasonably in reaching its decision on a case by case basis. Prohibited conduct can include a breach of occupation contract obligations such as rent arrears, recharges, criminal damage to a property or common parts, premium paid for assignment/mutual exchange, conflict with conditions of tied accommodation.
- 6.2 Under the current rent arrears policy, applicants with the equivalent to 8 weeks or more rent arrears are assessed as being 'not eligible' to join the register. The equivalent of 8 weeks rent arrears figure was determined using an average of Local Housing Allowance (LHA) for all house types at the time in 2017-18 which was £93 per week. The figure of £744 has been used as the equivalent of eight weeks of rent arrears at that time.
- 6.3 The current figure is no longer in line with the reality of the cost of rent particularly when looking at the variation in rent from social housing to private rentals. The consequence is that certain applicants will reach that threshold within less than a month of missed payments, given payment, income and housing benefit cycles.
- 6.4 The review identified the need to move to a duration-based threshold for rent arrears. This will mean that applicants with the equivalent of 8 weeks (or two months) of arrears are ineligible to join the register unless they have made regular repayments for 12 weeks (or three months). If individuals are ineligible, they will be provided with a personal plan laying out the actions they need to take in order to be eligible.
- 6.5 Once an ineligible applicant has paid off their debt, their original application date will be reinstated (up to a maximum of 6 months). If the debt still remains after 12 weeks, they are eligible to join the register but must still make repayments until the debt has been repaid in full. If individuals default on their payment plan, their start date on the register will be pushed back by 6 months. (This suggestion would require extra staffing resources for the monitoring of defaulted payments).
- 6.6 It was noted that the current process in place, which allows for a for case-by-case judgement for special circumstances, made by an eligibility panel, should continue. This is based on how the debt has been accrued and the current situation of the applicant.

Requirement for a Band D

- 6.7 In RCT there are almost 2,000 people in Band D all of which require an annual assessment. The most recent data shows that during 2023/24 there were only 82 allocations made from this band. Given the sheer amount of people with

housing need, the likelihood of being housed from Band D is decreasing and it does not appear this trend will slow down. This is also reflected in the White Paper on Ending Homelessness in Wales which states '**It is very likely some people on the waiting list will be on the list for a considerable amount of time and may never be allocated social housing**'.

- 6.8 The review identified the potential benefits of removal of Band D. A pre-assessment form should then be used to capture lower-level need of everyone who applies to the register. This should include signposting for housing advice, Homeswapper etc.

Adapted Properties

- 6.9 There is a lack of stock available for adapted properties, therefore it is vitally important to match the needs of the property well with the needs of the applicant. However, the review found the current matching approach means some individuals are waiting for increased periods of time. Each applicant also has to be assessed, however there is a significant barrier in terms of the quality of information being provided to the Housing Teams through these assessments for those with additional needs. Therefore, it is advised that these assessments should be undertaken by an Occupational Therapist with a housing specialism in order to ensure quality assessments and correct adaptations.

- 6.10 There are 2 proposals offered for adapted properties these are:

- (i) If a shared Occupational Therapist role becomes available, revert to the pre-2018 policy of allocating properties based on the appropriate property level, but implement a more robust system for categorising properties with adapted needs.”.
- (ii) If a shared Occupational Therapist is not available then RCT reverts to the pre-2018 Policy where properties are allocated by relevant level of property (Level 1 or 2) and then by band and waiting time. Level 1 (homes that meet all the needs of an individual with various disabilities) and Level 2 (homes that have some adaptations and modifications) categories will be replaced by ‘fully adapted’ and ‘partially adapted’.

Hate crime/equalities

- 6.11 Currently there is no specific process for managing incidents of hate crime and it is not referenced in the policy. Whilst the consultation report states that interviewees did state that RCT is a homogenous local area, this should not dismiss the parameters put in place to protect those from minority backgrounds, this is especially important when observing the potential increase in diverse communities in the future. The move to outline a specific approach to hate crime also allows space to better understand communities within RCT and their individual needs.
- 6.12 Although some of the below points are already in place, the proposal is to ensure that the new policy provides:

- A clear definition of hate crime and hate incidents.
- A clear and transparent approach to reporting incidents.
- An escalation process for when incidents signify that tenants are in significant danger and therefore require to be moved from their current accommodation.
- A process for the sharing of information across other Registered Social Landlords and private landlords within the area to monitor any increase in hate incidents.

7.0 RECOMMENDED CHANGES TO THE HOUSING ALLOCATION SCHEME

7.1 Based on the proposals outlined in the report it is recommended that RCT undertake a 6-week public consultation on the below proposals:

- 1) Change the Rent Arrears process to a duration-based threshold. Therefore, applicants with the equivalent of 8 weeks (or two months) of arrears are ineligible to join the register unless they have made regular repayments for 12 weeks (or three months) or before this time in accordance with an agreed repayment plan.
- 2) Allocate adapted properties by matching the applicants needs to the most appropriate adapted homes while also considering the priority of need and time waited to date. This will make the best use of stock without disproportionately affecting those waiting on the register with specific needs that don't match already adapted properties.
- 3) Ensure the new policy includes Hate Crime/Equalities definitions and processes to protect those from minority backgrounds

7.2 With regards to the findings to potentially remove Band D, this is currently being reviewed by Welsh Government as part of the White Paper on Ending Homelessness in Wales. Therefore, it is advised that we wait for the outcome of this review before making any recommendations.

7.3 Further information on the recommendations and proposed changes can be found in Appendix B.

NEXT STEPS

7.4 If the report is approved the following steps will be progressed:

- **May 2025:** Report sent for Counsel opinion
- **May 2025:** Report presented to Housing Leaders Group
- **June – July 2025:** 6-week consultation with general public
- **August 2025:** Finalise Housing Allocation Scheme Policy
- **September 2025:** Report the Final Housing Allocation Policy to Review Panel
- **October 2025:** Report the Final Housing Allocation Policy to SLT

- **November 2025:** Report the Final Housing Allocation Policy to Scrutiny
- **December 2025:** Report the Final Housing Allocation Policy to Cabinet
- **Jan – March 2025:** Update MIS systems and staff training
- **April 2026:** Implement the new Housing Allocation Policy

8.0 EQUALITY AND DIVERSITY IMPLICATIONS/ SOCIO-ECONOMIC DUTY

- 8.1 An Equality and Socio-Economic Impact Assessment is in progress. This will be complete following the consultation period and included in the report for approval of the Final Housing Allocation Scheme Policy.

9.0 WELSH LANGUAGE IMPLICATIONS

- 9.1 A Welsh Language Impact Assessment is in progress. This will be complete following the consultation period and included in the report for approval of the Final Housing Allocation Scheme Policy.

10.0 CONSULTATION/INVOLVEMENT

- 10.1 There have been a number of consultation and involvement activities that have taken place in order to gather the required information for this report. This includes inception workshops, interviews with stakeholders and applicant workshops.
- 10.2 The findings of the review and proposed changes will be presented to Private Cabinet and the Housing Leaders Group, which includes the CEO's of all 11 RSLs. Following this it is proposed a further 6 consultation will take place to share the proposed changes with the general public.

11.0 FINANCIAL IMPLICATION(S)

- 11.1 Some of the policy changes proposed will require an update to the HomefinderRCT website and back-office system provided by Abritas (Civica), which will incur a cost. It is not expected that this cost will be significant and would be shared between the Council and the 11 Registered Social Landlords who are currently part of HomefinderRCT.
- 11.2 Funding will be required to resource the Homefinder team in order to manage the new debt threshold policy if approved.
- 11.3 Funding will also be required for Occupational Therapist capacity if the Adapted Housing Policy change is approved. The funding for this by CHR partners would be subject to approval and agreement by Registered Social Landlords. This would be shared by the 11 Registered Social Landlords who are currently part of HomefinderRCT.

12.0 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 12.1 The proposals presented in this report have been developed in accordance with the Council's statutory obligations under Part VI of the Housing Act 1996, and Part 2 of the Housing (Wales) Act 2014 and have been produced with reference to the 'Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness (2016)'.
- 12.2 A Barrister's opinion on the proposed Scheme will be sought to ensure compliance with the legislation and relevant case law and this will be taken into consideration before the scheme is submitted to Cabinet for final approval.

13.0 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

- 13.1 As such, the RCT Housing Allocation Scheme contributes to the delivery of the Council's Corporate Plan 'Working with our Communities 2024 – 2030'. Within the Corporate Plan there are four well-being objectives to help improve the social, economic, environmental and cultural well-being of Rhondda Cynon Taf; these are:
- People and Communities
 - Work and Business
 - Nature and the Environment
 - Culture, Heritage and Welsh Language
- 13.2 Housing cuts across three of these strategic priorities, People and Communities, Work and business and Culture, Heritage and Welsh Language. The Allocation Scheme fulfils a basic need for shelter with good quality homes that are warm and safe and contribute significantly to improving health, wellbeing, educational attainment and the economy. Housing therefore supports many wider strategic agendas and has a key role in the creation of balanced and sustainable communities.
- 13.3 This Scheme contributes particularly to the 'people and communities' objective by delivering the priority;
'residents will have access to affordable, good quality and energy efficient homes'.
- 13.4 The Scheme also assists the Council to contribute to three of the seven wellbeing goals that 'The Well Being of Future Generations (Wales) Act 2015' puts in place as follows:
1. A healthier Wales
 2. A prosperous Wales
 3. A Wales of cohesive communities

13.5 Finally, the Scheme strongly supports the Welsh Government's Sustainable Development approach and the way in which it has been developed reflects the 'five ways of working' which include:

- **Involvement:** With a wide range of internal and external stakeholders being involved in the review of the Scheme supporting the development of a sense of local ownership.
- **Long-term:** The Scheme provides a long-term sustainable vision for the future of allocating housing in RCT and outlines how this will be achieved through the operational guidance.
- **Prevention:** The Scheme aims to help prevent the homelessness agenda by providing a fair and transparent way for residents to bid on properties which they can then make their home.
- **Integration:** The Scheme is synonymous with both corporate and national priorities including those associated with the delivery of housing (both market and affordable), empty properties, homeless prevention, housing support and fuel poverty.
- **Collaboration:** The Scheme promotes a collaborative way of working and the way in which it has been developed reflects the Council's commitment to working with public, private and third sector partners.

14.0 **CONCLUSION**

14.1 The effective implementation of a fit for purpose Housing Allocation Scheme is critical to ensure the efficient allocation of social housing in RCT. It assists in building balanced and sustainable communities, helps to prevent homelessness and promotes independence and prosperity for residents, whilst ensuring that the Council is able to discharge its statutory housing responsibilities effectively.

14.2 This report has outlined the changes proposed to the Housing Allocation Scheme. These changes will ensure that it continues to meet housing need effectively, assists people to understand their housing choices and continues to be responsive to the changing housing market and financial circumstances of those seeking affordable housing in RCT.



RCT Housing Allocation Scheme Review

Contents

Introduction and background	3
Review scope	3
Methodology	4
Key observations	5
National policy and practice in other local authorities	5
Local Authority Housing Allocation Schemes	5
General Observations	8
Rent Arrears Policy	8
Requirement for a Band D	9
Adapted Properties	10
Hate Crime & Protected Characteristics	11
Recommendations	12
Rent Arrears Policy	12
Requirement for a Band D	14
Adapted Properties	15
Hate Crime & protected characteristics	16
Appendix One	19
Appendix Two	20
Rent Arrears Policy – Suggested Wording	20
Extension of Band C – Suggested Wording	20
Local Connection Policy – Suggested Wording	20
Adapted Properties Policy – Suggested Wording – Option A	21
Adapted Properties Policy – Suggested Wording – Option B	22
Hate Crime Policy – Suggested Wording	23

Introduction and background

HICO has been commissioned to conduct a review of Rhondda Cynon Taf's (RCT) Housing Allocation Scheme (HAS).

This requirement has arisen after numerous best practice and legislation changes, and changes in the social housing landscape due to various factors. Some of these areas are outlined below:

- As part of the White Paper on Ending Homelessness in Wales, [Allocations: understanding more, in the context of homelessness in Wales](#), social housing lists are increasing at a rapid rate with no signs of a decrease in the near future. This comes alongside a finite supply of stock and growing pressure on the social housing landscape.
- In the [Social Housing Allocation Feasibility](#) from Welsh Government, Local Authorities have recognised the demand for social housing is equal if not more than during COVID-19. Local Authorities have outlined a disproportionate effect on those with complex needs, young people, and single males.
- Legislation changes regarding the definition of homelessness during the Pandemic with a 'no one left out approach'. This and the priority level given has also contributed to the added pressure on housing registers.
- Changes made in April to the Physical Adaptations Grant means there is now less financial resource for adaptations and therefore adaptations need to be more carefully considered and planned for.
- A slight overrepresentation of older people in RCT and with an ever-ageing population, the need for adapted properties for those with complex need is greater than ever and set to rise.

As mentioned in the [Welsh Government White Paper on Ending Homelessness in Wales](#), allocation processes are not a 'silver bullet' and these issues cannot be solved by revising allocations processes. However, gains might be made in certain areas. The review of the Allocation Scheme has taken the above areas into consideration when considering observations and suggestions.

Review scope

The scope of this review was to analyse the Housing Allocation Scheme with a specific focus on the following four areas:

- Rent Arrears Policy
- Requirement of Band D
- Adapted Properties
- Hate crime in relation to people with protected characteristics

HICO was tasked with the following:

Passionate about public service

- To ensure the Scheme is fair and transparent and operates in accordance with the Equality Act 2010 in relation to the four areas highlighted above.
- Provide evidence-based recommendations on necessary policy changes.
- Provide information on the identified issues with the Civica system and recommendations for any required updates.
- Provide information on the use of the Housing Allocation Scheme, identifying if allocations are being made in accordance with the policy – in order of priority band and then time waiting (except for the allocation of adapted properties).
- Review the allocations and shortlisting of adapted properties, whilst considering the rationale for the current approach (to make best use of existing stock), and whether this approach provides a fair and transparent allocation process.

There was also a need for any solutions to remain in the margins of possibility considering the resourcing and capacity RCT has. Given the limited capacity and the strain on the register due to the quantity of applicants, any solutions also need to be fit for purpose in terms of the administration of implementing said solutions.

Methodology

In line with the scope of the review, HICO has undertaken a series of activities during the course:

- **Inception Workshop:** An initial workshop with RCT to further define the scope, agree project roles, key activities, lines of enquiry, project timelines and ways of working.
- **Desktop review of current RCT arrangements:** A desktop review of the current RCT schemes and policies, including 2018 policy changes.
- **Desktop review of practice and policy in Wales and the UK:** A review of other housing allocation policies (including, Caerphilly, Carmarthenshire, Merthyr Tydfil, Cardiff, The Vale, Manchester, Bristol, Birmingham and Brighton & Hove).
- **Interview with stakeholders:** One-to-one and group interviews with external and internal stakeholders. A list of the interviews carried out can be found in Appendix One.
- **Client Workshop:** A review of the research carried out was shared and suggestions of solutions for each area were presented and discussed with the client.



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Key observations

National policy and practice in other local authorities

Local Authority Housing Allocation Schemes

Numerous housing allocation schemes across Wales and the UK have been reviewed to assist with thinking around good practice. We should highlight at this stage that what is good practice for one local authority area might not be transferable to another area given the difference in supply and demand profiles. Summaries across all four areas are outlined:

Rent Arrears Policies

Most arrears policies focus on a figure-based solution. This figure is often paired with a tiered system for how debt is categorised and terms for repayment, e.g. Manchester and Merthyr Tydfil. Although a figure for arrears can be intentionally decided on current average rent etc. at the time, there is a high likelihood for the figure to become antiquated rapidly and consequently, disproportionately affecting those in greatest need. However, the requirements for repayment that many local authorities outline do appear to encourage a sustained behaviour change from owing tenants that is important for RCT to consider when refreshing the policy.

Requirement for Band D

All housing allocation schemes have between four to five priority bands with the lowest band reserved for either those with no housing need, or those with no priority due to debt owed. Both Manchester and Bristol City Council outline the extremely low chance of being housed from lower bands, reflecting the current landscape of social housing in the UK. When considering the requirement for Band D, it is crucial to reflect on the administration time and resource to maintain Band D priority applicants on the register versus the likelihood of being housed. It's also important to ensure that whatever approach is chosen that it allows for monitoring demand for anyone who presents and reports as being in housing need.

Adapted Properties

The clearest consistency across policies in relation to adapted properties is the clear wording of the rationale behind allocating properties outside of the standard protocol. There is commonly wording that outlines a lack of properties and therefore a need to match the correct properties to those that best match the properties. In terms of the approach to adapted properties there is no significant variance with all policies defining a best match approach, different categories of properties in accordance with level of adaptations and categorising of the level of need of individual applicant.

Hate Crime & Protected Characteristics

Few housing allocation policies explain their approach to hate crime incidents. Although an approach to priority banding is laid out, there is no mention of burden of proof or evidence required which suggests the need for discretion when managing incidents of hate crime. Some policies signpost to Homelessness Services as a default suggestion. Given the strain on homelessness services, careful thought needs to be taken into consideration to ensure any future policies do not increase an already



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overwhelmed system.

Specific areas pertinent to the observations for RCT are outlined below:

Rent Arrears

Manchester follows a figure-based policy with a three-tier system. For the arrears policy, debts of less than £100 are disregarded and move through the process as normal.

- Applicants owing £100 or more but less than £500 will be awarded reduced priority until they have signed a repayment plan.
- Applicants owing £500 or more but less than £1000 will be awarded reduced priority until they have signed a repayment plan and have made regular payments for at least 13 weeks.
- Applicants owing £1000 or more are ineligible to join the register.

The Bristol Scheme also follows a figure-based policy. If an applicant owes £500 or more, they are suspended from bidding until they have signed an agreement, and the repayment needs to be maintained for six months and debt is under £500. Once they are able to bid, if the debt is still outstanding, repayments are expected to continue. If repayments cease, applicants can be suspended for another six months.

Birmingham follows a duration-based policy for arrears. An applicant will not normally qualify for an allocation if they have debt amounting to eight weeks (or two months) rent. This will remain the case unless:

- There is a payment plan in place to repay the debt owed and it can be demonstrated that regular payments are being made.
- It can be demonstrated that the debt has been repaid in full or that regular payments are ongoing at the point of offer.
- A statutory homelessness duty has been awarded.

Caerphilly also follows a figure-based arrears policy. Applicants with less than £500 of arrears can be considered for housing if a payment plan is being followed and adhered to. If the debt is over £500, their application will be suspended until 1) a payment plan is in place 2) a minimum of 13 weeks payment has been made 3) 25% of the debt has been repaid.

Merthyr Tydfil also follow a figure-based policy and a three-tier approach:

- Those owing between £1 - £499 are eligible to join and apply but they will be on reduced preference until the debt is paid in full.
- Those owing between £500 - £999 are eligible to join but unable to apply. They won't have a priority band. Once the debt is reduced to below £500, they will be given a priority band but with reduced preference until all debt is cleared.
- Those owing £1000 or more are ineligible to join or apply and are ineligible for banding. Once the debt is below £1000, they will be able to join the register.

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Requirement for Band D

The Manchester scheme has five bands but makes specific reference to the high unlikelihood of being housed from band four and five. Due to this, applicants in band four and five are unable to make bids for properties unless there are no bids from bands one – three. The specific wording in the scheme to outline the chance of being housed is a clear effort at managing expectations from the outset.

The Bristol Housing Allocation Scheme also outlines at the beginning of their policy that those in lower bands will need to consider other housing options and signposts people to other options.

Adapted Properties

Manchester, Bristol and Birmingham policies state that adapted properties will initially be offered to applicants with a need for such accommodation (e.g. due to disability), over those with no such need, even when those with a need might have waiting a shorter time than those without a need.

Caerphilly has accessible housing classifications A1 – C, A1 being applicants with the highest level of adaptations needed, moving down to C with the lowest level of adaptations. Properties are awarded A1 – D. Shortlisting is based on the matching of the property and applicant.

Merthyr Tydfil has Category A and Category B properties. They also have a disclaimer on properties where applicants have to accept that adaptations will not be removed.

Since 2015, Conwy, Denbighshire and Flintshire have funded a part-time Occupational Therapist (OT) dedicated to housing. This role is funded by all partners. This role is responsible for banding decisions, assessments, and assistance in viewing of properties. In alignment with this role, they run a 6-weekly specialist housing panel which is attended by all partners for cases that need individual attentions. All partners also fund a compliance role to review why certain applicants have been overlooked for certain properties and they host an operational monthly panel for any appeals. The consistency in both the OT and compliance role allows for a level of consistency across adapted properties allowing for a reduction in errors in property listings, a reduction in needs assessments, inappropriate bids being made and an increase level of robustness and integrity in the decisions made. Both roles have now been in place for eight years and are welcomed by all partners and have strengthened partnership working across all areas.

Hate Crime & Protected Characteristics

Birmingham is one of the only schemes reviewed that explicitly outlines what happens to victims of racial harassment or hate crime. Victims are automatically placed in Band A at the highest priority. Although this is explained in the policy, the evidence or burden of proof that is required is not mentioned.

Caerphilly state that additional preference will be awarded by the Council, where upon consultation with the relevant agencies, it is satisfied that the applicant or member of their prospective household



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is: (i) a high-risk victim of domestic abuse, who is subject to a MARAC (Multi Agency Risk Assessment Conference), as part of an agreed safety plan for high-risk victims; or (ii) suffering extreme violence, harassment or discrimination, whether a hate crime or otherwise, and that it is not safe for them to remain in their present home/locality.

General Observations

When hearing from interviewees regarding the Scheme in general the most common themes were that the Scheme is well worded and transparent in comparison to other allocation schemes. It is therefore paramount that when making any adjustments or changes, the clarity and transparency remains as a core throughout the RCT Scheme. Many external partners felt that the issues they were discussing were not isolated to RCT but are wider systemic issues due to the housing landscape across Wales and the UK.

Rent Arrears Policy

The current arrears threshold is based on the average Local Housing Allowance (LHA) for all house types at the time in 2017-18 which was £93 per week. The figure of £744 has been used as the equivalent of eight weeks of rent arrears at that time.

The current figure is no longer in line with the reality of the cost of rent particularly when looking at the variation in rent from social housing to private rentals. The consequence is that certain applicants will reach that threshold within less than a month of missed payments, given payment, income and housing benefit cycles.

"It feels like an arbitrary figure now and can be quite problematic...and causes lots of aggravation...A general needs or family accommodation could take 3 weeks to get to the figure".

Some of the interviewees have suggested a weeks-based policy rather than a figure as this could then be related to the individual circumstances rather than a blanket policy for all.

Another issue raised by numerous people was a lack of incentive and reward for people making repayments. There is a need for a better understanding of how the debt has been accrued and what efforts have been made by landlords to retrieve the debt. Registered Social Landlords (RSLs) may find it harder to retrieve debt, but they have set processes in place and communications sent out the show a history of effort in debt recuperation. In comparison, private landlords at times, are unable to provide a track record of communications sent out to retrieve debt. Some interviewees stated that landlords should have to provide evidence for reasonable attempts to retrieve debt for the applicant to be considered as ineligible. If the landlord has not made the required communication, the tenant should be eligible.

"If the landlord hasn't taken what we deem to be acceptable and respectable actions to recover debt, tenants should be allowed on the register. We need to record the landlord response to hold them to account".

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Currently applicants are ineligible to join the register unless they are under the threshold of £744. There is no ask within the policy for regular repayments to be made for a sustained period. Some interviewees felt that an addition to the policy in terms of a repayment plan being adhered to would show a change in behaviour and commitment to clearing the debt.

“It could be a threshold of 8 weeks at the current rent. If they’re over the threshold, they’re allowed on the register if they’ve been on a payment plan and cleared a certain percentage of the debt”.

There were split views on whether the behaviour change should be measured by the number of payments made or a percentage of the debt. There were also calls for looking at historical behaviour of commitment to repayment plans when considering debt and future repayment plans.

There was an understanding that there needs to be mitigations for people in certain situations and how to assess the validity of certain claims is difficult. In relation to rechargeable works, looking for burden of proof is not easy when communicating with vulnerable members of the public.

“Not having a blanket policy is important so we are making sure we can look at individual needs in order to adapt.”

Requirement for a Band D

There were differing opinions on the inclusion of Band D. Some interviewees felt there was a need to register the lower-level need and the need to allow access for those looking for sheltered accommodation, older people’s accommodation and adapted properties.

“People do get housed from Band D if they need sheltered accommodation or they are older. How do we provide for them? Are we saying they have to wait until they are in dire need?”.

However other interviewees explained:

“Band D is a want rather than a need. Given the lack of stock at the moment, it should be about housing need. If there are people that aren’t in need, the priority should be going to those in need”.

On the other hand, a clear emerging theme was the decreased likelihood of those applicants from Band D to be housed. With more applicants than ever applying to the register, those in Band D can be waiting for a significantly long period of time.

With this comes a recognition from interviewees to manage expectations transparently so applicants are aware of all the facts when making their application. Suggestions mentioned were ideas such as outlining the likely waiting time, signposting for alternative options etc. The alternative pathways need to be clearly displayed and offered to applicants.

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Adapted Properties

The allocation of adapted properties appears to be causing the most significant difficulty both internally and externally.

“Adapted properties just isn’t working. It’s not fair at all”.

The key issue when reviewing adapted properties is the stock available, the quality of the evidence provided and allocating those most in need to the right properties. In short, there are not enough adapted properties for the quantity of applicants who require adapted properties.

In addition, the best match approach implemented in 2018 has caused an increase in complaints that RCT has received in terms of complaints from individuals on the waiting list. Since 2018 adapted properties have been matched in accordance to the individual who best meets the adaptations already in place. After adaptations have been looked at, the allocation process defaults to band and date. This approach leaves certain individuals that do not match 100% of the property’s adaptations waiting an exceptionally long time on the register.

However, there were also observations made regarding the advertising of properties, the quality of information received pertaining to applicants and the number of adaptations that are being asked for in the early stages of a tenancy. When referring to the advertising of properties, there have clearly been instances where a property has been displayed as an adapted property with level access but on further inspection, the access to and from the property includes stairs. There was a consensus that clearer advertising of properties would reduce the number of applicants either allocated in or bidding for unsuitable properties. Given the differentiation between Level 1 and Level 2 properties, the accuracy of the information is paramount.

“Level 2 covers such a wide gammit of adaptations and when looking at a property, you don’t know what adaptations there are. You can get in touch to ask questions but a response can take up to 14 days, by then it’s too late. And if you do bid and then it’s not an appropriate property, you get penalised. They need proper photos of properties, that would reduce incorrect bids.”

One specific issue was raised on numerous occasions when it came to those requiring either a ground floor property or a property with a stair lift. Because of this criterion, the applicant is marked for additional needs properties and therefore doesn’t show up when a ground floor general needs property is made available. The consequence is a ground floor property going to someone in a lower priority band because someone from a higher band is not being shown on the list.

There were clear calls for more robust assessment measures for those with additional needs. For example, more complex adaptations should require an OT assessment and evidence. There is a lack of evidence required, for example PIP or DLA payments. Independent assessments and face to face conversations would be the ideal solution. Historically there has not been a huge amount of capacity within the OT team so OT assessments have been outsourced to private OTs. This can cause issues when it comes to the quality of assessments, especially if the OTs carrying out the assessments don’t



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have a housing specialism.

There were also calls for a re-assessment of an applicant's needs when they move closer to confirming a property. There seems to be a reoccurring issue that due to the complex needs of some individuals, paired with an increased wait time, the needs of individuals can change significantly since the original application. This can mean the needs for a property are different, however this is unknown until there are at the move in stage.

The change in the Physical Adaptations Grant in April 2023 has caused huge changes in the way adaptations are approached. Pre-April 2023, there was a higher budget available for significant adaptations that were needed. Now, there is not the budget to make those extensive adaptations regularly. Any adaptations need to be well planned for to make the best use of the money available. This reinforces the need for RCT to be making best use of stock so the right applicants are being matched to the properties that best match their needs.

Hate Crime & Protected Characteristics

Most observations from interviewees were that incidents of hate crime or harassment are not regularly reported. There were comments from interviewees that indicated RCT isn't a hugely diverse area, however this seemed to be related to BAME rather than other minorities.

However, incidents of hate crime and harassment have been reported within RCT and there is currently no specific policy to manage these incidents when they do arise. Housing Officers do understand how to manage reports of hate crime but there is nothing publicly facing and there is no definition of what constitutes hate crime/harassment.

"I'm transgender and I have had numerous incidents where I currently am. I have local support and a community of people close by but I can't get on the list to make a swap."

The view from interviewees was that if tenants are at risk of harm, the process of managing a transfer or move, does need to happen outside of the normal processes. There was a suggestion that those individuals at risk of harm or violence should be placed in Priority Band A. However, observations were also made in terms of the need for an approach where other options (e.g. Homeswapper, management transfers) are considered first and therefore the priority banding should be a last resort.

Interviewees highlighted that there is a reluctance to report via the 'normal' challenges due to the vulnerability of the victims so there is a barrier to overcome in relation to how to mitigate for that and how to validate these incidents.

In relation to accessibility, gaining access to the register consists of multiple barriers, particularly for those with additional needs. For example, the 30-minute deadline to complete an application is an insufficient time period for some. The need for everything to be completed online can create further barriers for those who don't have access to and/or don't use technology.



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Recommendations

A series of recommendations are outlined below. However, these should also be scrutinised by a legal expert to ensure they comply with existing and emerging legislation.

Rent Arrears Policy

When evaluating the Arrears Policy, two key issues were raised: the threshold and the incentive for repayment.

When reviewing the threshold, based on the desktop research, there are two options for the implementation of the Arrears Policy: a figure-based approach or a duration-based approach.

A figure-based approach, such as the current RCT policy, the figure can be chosen and decided on based on the current situation at the time of that decision and can work effectively soon after implementation. The issue arises when the figure becomes outdated and is no longer in line with the current rental rates and cost-of-living. This point becomes a dual issue when there is a recognition of the disproportionate impact on marginalised populations. One interviewee explained:

“There is an over representation of marginalised groups in social housing, this means they are also overrepresented in rent arrears, that prejudice then carries over”.

This, with the recognition of higher levels of unemployment and lower wages for marginalised groups indicates an unfair strain on those groups when it comes to arrears and debt repayment. This is highlighted specifically in relation to people with disabilities in Tai Pawb's report; [‘The experiences of homelessness of people with protected characteristics in Wales’](#). The report mentions that *‘Disabled people face a lower employment rate and often work for less money, while also facing additional costs due to their impairment. This contributes to their risk of homelessness.’*

There are of course some local areas who have implemented tier-based policies to allow for nuance and individual circumstances however, even those tiers will ultimately, disproportionately affect marginalised groups. RCT needs to be cognisant of the [Socio-economic Duty](#) and the need for strategic decisions should have due regard of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.

The additional barrier when implementing a tier-based system is the amount of administration time this takes for individual cases to be monitored. It is suggested that having one clear threshold allows for more time to look at individual cases that call for more discretion or nuance in their evaluation.

The second option of a duration-based approach appears to be a more effective way of managing arrears while taking into account individual circumstances.

With a duration-based approach, there would be a fixed threshold which would amount to the equivalent of 8 weeks of rent which is then based on each individual's tenancy. This approach would



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help improve the effect on marginalised groups while simultaneously enabling the Policy to remain up to date for future years to come rather than becoming out of date rapidly.

In addition, interviewees shared the need to incentivise repayments. This may help with the retrieval of arrears and there were calls for some wording around repayment to be explicitly outlined within the policy.

When discussing repayments, it is challenging to judge a true change in behaviour and given behaviour change is hugely objective, any tests or thresholds around behaviour change would be difficult. However, as seen in other local areas, there are approaches that are being utilised to encourage repayment.

Again, there seems to be two options to incentivise repayments; repayments for a sustained duration (spanning from 13 weeks to 6 months) and a percentage of the debt being repaid. Most policies reviewed outline a commitment to regular payments rather than a percentage repaid.

Bristol's Policy seems to be the only policy that allows applicants to apply and be housed when below a certain threshold but requires applicants to keep making repayments until the debt has been cleared. There are then consequences if those repayments are not made.

Regular repayments appear to be the most comprehensive method of judging a change in behaviour.

Throughout the interviews there were also comments regarding the need for discretion and mitigations for those instances where debt may have been accrued in exceptional circumstances. There should be clear wording in the policy to allow for Housing Officers to exercise their discretion for individual cases as required.

Based on all the information gathered, suggestions for the Arrears Policy are the following:

- Move to duration-based threshold and therefore applicants with the equivalent of 8 weeks (or two months) of arrears are ineligible to join the register unless than have made regular repayments for 12 weeks (or three months). If individuals are ineligible, they will be provided with a personal plan laying out the actions they need to take in order to be eligible.
- Once an ineligible applicant has paid off their debt, their original application date will be reinstated (up to a maximum of 6 months).
- If the debt still remains after 12 weeks, they are eligible to join the register but must still make repayments until the debt has been repaid in full. If individuals default on their payment plan, their start date on the register will be pushed back by 6 months. (This suggestion would only be possible to be administered if the removal of Band D was approved as this would free up resource for the monitoring of defaulted payments)
- Wording to outline clearly that some circumstances will require a case-by-case judgement based on how the debt has been accrued and the current situation of the applicant. This would need to via the Eligibility Panel to ensure the consistency and integrity of the approach.
- In relation to the retrieval of debt and reasonable action required from landlords, the recommendation is for RCT to approach the private landlord forum to reach a mutual

Commented [JP1]: Is this best to go in operational guidance rather than a suggestion for the policy?



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agreement on what is deemed reasonable from both parties. This is suggested in order to maintaining positive relationships with private landlords and increasing the likelihood of them continuing to hold their properties for social housing.

Appendix Two suggests changes that could be made to the current policy in terms of the wording based on the suggestions above.

Requirement for a Band D

Given the sheer amount of people with housing need, the likelihood of being housed from Band D is decreasing and it does not appear this trend will slow soon. This is echoed in the White Paper on Ending Homelessness in Wales:

“It is very likely some people on the waiting list will be on the list for a considerable amount of time and may never be allocated social housing”.

In RCT during the first 6 months of 2023, the data on the housing statistics for different bands is as follows:

- Housed from Band A – 172
- Housed from Band B – 118
- Housed from Band C – 110
- Housed from Band D – 36 (18 of which were sheltered accommodation and 18 of which were either adapted properties or management transfers)

The only applicants who are being housed from band D are those with adapted needs, those moving into sheltered accommodation or those over 55.

The difference in the percentage of applicants on the register in Band A in comparison to Band D is stark. 4% of the register are currently in Band A and 45% are in Band D. Due to the overwhelmingly high percentage of those in Band D, this subsequently influences the resource required to maintain them on the register. Again, this strain on resource is mentioned within the White Paper,

“Local authority resource is still required to manage the list and the high numbers of people waiting can overwhelm local authority teams and make prioritisation and management very challenging”.

Paired with these observations in the White Paper, a proposal has been outlined to provide local housing authorities with a power to specify that certain groups of people, who are not in housing need will not qualify for their allocation scheme. If this proposal becomes legislation, this aligns with a move to removing Band D.

The recommendations in relation to Band D are as follows:



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- Band D is removed and Band C is expanded to include those looking for sheltered accommodation, older people's accommodation and adapted properties.
- A pre-assessment form (outlined below) to capture lower-level need of everyone who applies to the register. This should include signposting for housing advice, Homeswapper etc.
- A local connections policy is implemented and those without a local connection (excluding exemptions) are ineligible.

When addressing the concerns around capturing the need of applicants with no housing need, the following approach is suggested:

1. Prospective applicants complete a short questionnaire that captures the key information to assess whether someone has a housing need or not.
2. If they are deemed to have a housing need, they will move through the process as normal and will be placed in Priority Bands A, B or C.
3. If they are deemed to have no housing need, they will be told they are ineligible to be placed on the register and will be given other options and signposted to other support.

Appendix Two indicates the proposed wording for this change in banding.

Adapted Properties

There is no perfect solution in terms of the approach to adapted properties and whatever changes made will only contribute to marginal improvements.

There is clear evidence from both legislation and the research carried out that there is limited knowledge of the adapted properties stock across Local Authorities and RSLs which leads to a lag in allocations and inappropriate property allocations. This, paired with inaccessible bidding and application systems and pressure to accept accommodations due to fear of cancelled applications as a result of rejecting an unsuitable property means an increase in poor allocation matches. Alongside the maintenance and accuracy of information when it comes to properties, also comes the need for effective filtering within the Civica system to allow for accurate and appropriate filtering for those with additional needs. Adapted properties also must be categorised effectively to fit the range of needs and adaptations required to match the needs of individuals on the waiting list.

Assessment of need is also a significant barrier in terms of the quality of information provided to Housing Teams for those with additional needs. OT assessments are an apparent need with the need for those assessments to be carried out by OTs with a housing specialism in order to ensure quality assessments and correct adaptations.

Due to the lack of stock available for adapted properties, there is a need to match the needs of the property well with the needs of the individual. However, the current matching approach means some individuals are waiting for increased periods of time. Given the type of stock available within RCT, the majority of adapted properties are new builds which can be more easily adapted to the needs of an individual. Whatever approach is taken, RCT need to be comfortable there is clear rationale and



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integrity in the allocations that are made. It is highly recommended that the policy allows for discretion when called upon for certain cases.

Based on the success in Conwy, Denbighshire and Flintshire there is scope for the consideration of a compliance role to offer integrity to the decisions made in terms of the allocation of adapted properties.

The recommendations and suggestions for Adapted Properties are as follows and are dependent on whether the shared OT role is possible or not.

If shared OT role is implemented:

- RCT reverts to the pre-2018 Policy where properties are allocated by relevant level of property but with a more robust system of the categorisation of adapted needs properties e.g. Newham County Council approach is applied on property adverts to give applicants more detailed information and an increased likelihood to match a property.

If share OT is **not** implemented:

- RCT reverts to the pre-2018 Policy where properties are allocated by relevant level of property (Level 1 or 2) and then by band and waiting time. Level 1 and Level 2 categories will be replaced by fully adapted and partially adapted

In addition to the following (applicable in both circumstances):

- The addition of a separate category for adapted housing meaning there would be four categories; General Needs, Sheltered, Older Persons and Adapted.
- Inclusion of clear wording within the policy for the reason behind the approach to allocation.
- Outlining of the required evidence for adapted properties and an OT assessment.
- Regular review of the adapted stock to ensure correct listing and correct information.
- The addition of internal photos and additional information regarding adaptations where possible.
- The Civica system should be updated to allow for variations on preference for certain combinations e.g. someone who could suit either ground floor properties or a stairlift.
- Consideration given for a compliance offer funded by all partners to review applications who have been overlooked.

Appendix Two suggests wording for the Adapted Properties Policy (both with or without the shared OT role).

Hate Crime & protected characteristics

RCT Council have acknowledged there needs to be a review of how hate crime is managed in relation to the policy.

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Although interviewees suggested that RCT is a homogenous local area, this should not dismiss the parameters put in place to protect those from minority backgrounds. This is especially important when observing the potential increase in diverse communities in the future. The move to outline a specific approach to hate crime also allows space to better understand communities within RCT and their individual needs.

Based on the interviews carried out and the policies reviewed, there is a clear gap in current housing allocation policies in relation to incidents of hate crime or hate incidents. [Hate Crime and Housing: Policy and Practice Update for Social Landlords](#) by Tai Pawb and Welsh Government was reviewed when considering recommendations.

It is important to outline the difference between hate crime and hate incidents. Hate crime is a criminal offence perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's actual or perceived:

- Disability
- Race or ethnicity
- Religion or belief
- Sexual orientation
- Gender identity

A hate incident follows the same guidelines except it can be considered criminal or non-criminal. The Equality and Human Rights Commission's (EHRC) inquiry identified a 'culture of disbelief'. The culture can mean victims can struggle to believe and recognise they are being targeted and simultaneously, disbelief from an organisation can discourage people from reporting hate crime. It is vital to understand, as laid out in the EHRC Report: [Hidden in Plain Sight](#), many cases start as low level incidents, seemingly unrelated to hate and can escalate substantially. In alignment with this, there is strong evidence indicating the impact of low-level incidents on victims. Therefore, the reporting of low-level incidents must be encouraged.

When evaluating the data collection process for tenants, allocation teams need to be aware of how to take account of applicants' potential history of victimisation, vulnerability, or history of perpetration. Staff should be trained to build awareness and understanding on the reporting of hate crime and the effect on victims. Evidence highlights the role of early intervention in tackling anti-social behaviour and hate crime. This intervention needs to be accompanied by support, information, and reassurance for victims, even if the incident is seen as low-level.

Taff Housing have a stand-alone hate crime policy which involves all hate related incidents are recorded and victims are attempted to be interviewed within one day to agree an action plan. After the report has been made, the matter is referred to a designated South Wales Police Hate Crime officer. This report is then added to the agenda at monthly rare and hate crime meetings which involves housing providers, support agencies and the Police. This encouragement of collaborative working and information sharing enables Taff Housing and other housing providers to identify wider problems within certain areas. If there are certain areas that have been identified as hate related



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incidents increasing, the Community Investment team will work to discuss with residents some of the issues.

RCT requires a clearly outlined approach to respond to hate crime and hate incidents. This should be separate to the approach for anti-social behaviour.

The recommendations for what the approach should include are as follows:

- A clear definition of hate crime and hate incidents.
- A clear and transparent approach to reporting incidents. The emphasis on the acceptance of reports of low-level incidents does not need to be explicitly laid out in the policy but there should be internal training for staff on the importance of accepting seemingly low-level reports.
- An escalation process for when incidents signify that tenants are in significant danger and therefore require to be moved from their current accommodation. Homeswapper and management transfers should be considered first but if tenants are considered at risk, they should be placed in Band A. **This would require an agreed on approach between all partners involved to allow for clear information sharing between the RSL and Homefinder.**
- A process for the sharing of information across other social landlords and private landlords within the area to monitor any increase in hate incidents. If there is an increase in certain localities, local community action should be taken to develop awareness of hate crime and hate incidents and to tackle prejudice within those areas. Connections with local police and services is encouraged.

In relation to accessibility of access to the register it is suggested that:

- A review of the questions asked in terms of adapted properties are reviewed with a focus group of those with additional needs to make sure there is a clear focus of need for each individual question and to remove any repetition.
- The 30-minute timeline to complete applications is removed and the ability to save and come back to applications is implemented.

Suggested wording for this policy is included in Appendix Two.

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Appendix One

External Stakeholders
Hafod
Habinteg
United Welsh
Trivallis
Conwy Local Housing Association
Newydd
Pobl
RHA Wales
Internal Stakeholders
Internal Project Team
Homefinder Team
Housing Support Officers
Supporting People Team
Occupational Therapist
Applicant Voice
2 x Adapted Property Waiting List Applicants

Appendix Two

Rent Arrears Policy – Suggested Wording

If an applicant has rent arrears/former tenant debt that equates to under 8 weeks (2 months) rent arrears, they will be eligible to join the Register in their assessed priority band.

If an applicant has rent arrears/former tenant debt equivalent to over 8 weeks (2 months) rent arrears they will be ineligible to join the Register until they have committed to a repayment plan and made regular payments for 12 weeks (3 months). At this point they will be eligible to join the register in their assessed priority band. If the debt still remains they will need to continue making repayments. If an applicant defaults on their payments, their date of entry to the Register will be delayed by 6 months.

Rent arrears may not be reasonable to take into account if the rent arrears/former tenant debt is historic. A definition of 'historic' will need to be agreed by all partners for this purpose and detailed in the Operational Guidance. It is suggested that 6 years (particularly where there has been no contact from either party regarding the debt) is reasonable.

Applicants with current/former tenancy related debt but who would otherwise be awarded Band A (and particularly those with a need to move due to abuse, violence, harassment, victimisation or threats) will be considered on a case by case basis by the eligibility panel under exceptional circumstances to both determine eligibility and priority band as relevant.

Applicants in other bands with rent arrears over 8 weeks (2 months) may also be considered eligible on a case by case if there are exceptional or extenuating circumstances e.g where the applicant is proven to have not been in control of the households finances at the time the debt was accrued; where the debt is as a result of welfare reform, or where they have not been made aware that they have rent arrears/former tenant debt by the relevant housing association. These cases will be assessed by the Eligibility Panel.

Extension of Band C – Suggested Wording

Band C includes:

- Applicants with medium priority to be housed
- Applicants looking for sheltered, adapted or older people's accommodation with a low priority to be housed

Local Connection Policy – Suggested Wording

A local connection is defined in s.199 of the 1996 Act as a connection which the applicant has with an area because:

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- He or she is, or was in the past, normally resident there, and that resident was of his or her own choice, or
- He or she is employed there (i.e. the applicant actually works in the area rather than that the area is the site of his or her employers' head office), or
- Of family associations; or
- Of any special circumstance (e.g. the need to be near special medical or support services which are available only in a particular area)

In assessing whether the applicant's household has a local connection with their area, the Scheme will consider whether any person who is reasonably expected to live with the applicant has such a connection.

Circumstances may arise where it is not appropriate to apply the local connection policy and managers' discretion will evaluate each case on its own merit:

- MAPPA cases will not be subject to local connection
- Applicants who have been placed outside of RCT while being looked after by Children's Services
- Homeless applicants
- Veterans and those who cohabited with veterans during service
- People at risk of abuse and exploitation and will experience trauma if they do not move from their current area

MAPPA stands for Multi-Agency Public Protection Arrangements – a set of arrangements established by police, probation and the prison services (known as the responsible authorities) to assess and manage the risk posed by sexual and violent offenders. A number of agencies are under a duty to cooperate with the responsible authority. These include: Local Authority social services, Primary Care Trusts and strategic health authorities, Youth Offending Teams, local housing authorities, registered social landlords, local education authorities, Jobcentre Plus, and electronic monitoring providers.

The purposes of MAPPA are:

- to ensure more comprehensive risk assessments, taking advantage of coordinated information sharing across the agencies, and
- to direct the available resources to best protect the public. Applicants with no local connection will be awarded the next Band down to the original band that they would have been awarded based on their housing need.

Adapted Properties Policy – Suggested Wording – Option A

RCTs approach to the allocation of adapted properties looks to match client's needs to the most appropriate adapted homes while also considering the priority of need and time waited to date. This approach has been decided on make the best use of stock without disproportionately affecting those waiting on the register with specific needs that don't match already adapted properties.



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Applicants requiring adapted properties will apply for housing in the same way as applicants requiring general needs properties. Applications will be awarded priority in accordance with the banding system as set out in Section 3. However, at the point of application, such applicants will be required to complete a self-assessment form. The purpose of the self-assessment form is to identify the appropriate classification of the disability needs of the applicant which will identify the type of property required. Further evidence may need to be provided in order to award the appropriate priority based on the self-assessment information.

Adapted Properties are categorised in the following way (categories will need to be defined in accordance with RCT needs).

- **A** Wheelchair accessible throughout
- **B** Wheelchair accessible to essential rooms i.e. a bedroom, shower, living room and kitchen
- **C** Lifetime homes, with wide doors and level access at the front door
- **D** Similar to a lifetime home, with wide doors and level access at the front door
- **E** Step free at front door but narrower doors
- **E+** Up to 4 steps at the front door
- **F** Less accessible and not suitable to adapt

The Council will match the property to the applicant by looking at the relevant property category first, priority banding, followed by the length of time the applicant has been waiting. Expert opinions may be sought from medical professions such as consultants or Occupational Therapists to assist in the decision making.

When a general needs property becomes available for allocation this will be allocated to the person at the top of the relevant band in accordance with Section 3.1. Some applicants requiring adaptations may not necessarily need a bungalow, level access or a fully adapted property and a general needs property, which can be adapted, may be suitable. If the applicant at the top of the band requires an adapted property, the housing officer will assess the suitability of the property to identify if the property can be adapted to meet the needs of the disabled applicant who is at the top of the list. Where the Housing Officer assesses the property as being suitable, an Occupational Therapist will be required to undertake a verification visit.

The Housing Officer and the Occupational Therapist must consider the suitability, practicality and the cost effectiveness of adapting the available property.

Adapted Properties Policy – Suggested Wording – Option B

RCTs approach to the allocation of adapted properties looks to match client's needs to the most appropriate adapted homes while also considering the priority of need and time waited to date. This approach has been decided on make the best use of stock without disproportionately affecting those waiting on the register with specific needs that don't match already adapted properties.

Applicants requiring adapted properties will apply for housing in the same way as applicants requiring general needs properties. Applications will be awarded priority in accordance with the banding



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system as set out in Section 3. However, at the point of application, such applicants will be required to complete a self-assessment form. The purpose of the self-assessment form is to identify the appropriate classification of the disability needs of the applicant which will identify the type of property required. Further evidence may need to be provided in order to award the appropriate priority based on the self-assessment information.

Adapted Properties are categorised in the following way:

- Fully Adapted
- Partially Adapted

The Council will match the property to the applicant by looking at the relevant property category first, priority banding, followed by the length of time the applicant has been waiting. Expert opinions may be sought from medical professions such as consultants or Occupational Therapists to assist in the decision making.

When a general needs property becomes available for allocation this will be allocated to the person at the top of the relevant band in accordance with Section 3.1. Some applicants requiring adaptations may not necessarily need a bungalow, level access or a fully adapted property and a general needs property, which can be adapted, may be suitable. If the applicant at the top of the band requires an adapted property, the housing officer will assess the suitability of the property to identify if the property can be adapted to meet the needs of the disabled applicant who is at the top of the list. Where the Housing Officer assesses the property as being suitable, an Occupational Therapist will be required to undertake a verification visit.

The Housing Officer and the Occupational Therapist must consider the suitability, practicality and the cost effectiveness of adapting the available property.

Hate Crime Policy – Suggested Wording

Local Priorities (3.4)

Hate Crime

Band B will be awarded to applicants suffering from Hate Crime where it is not safe for them or their household to remain in their current home.

Hate crime is a criminal offence perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's actual or perceived disability, race or ethnicity, religion or belief, sexual orientation or gender identity. A hate incident follows the same guidelines except it can be considered criminal or non-criminal.

Priority will only be conferred where severe harassment has been established and it is unreasonable to stay in the current accommodation. Applicants approved under this criteria will be entitled to two



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suitable offers of accommodation in line with their eligible property types with their priority.



Rhondda Cynon Taf County Borough Council



Housing Allocation Scheme



Contents	Page
Section 1:	4
1.1 The purpose of the Housing Allocation Scheme	4
1.2 The legal context in which the Scheme is framed	6
1.3 How the Scheme allows applicants to exercise choice	8
1.4 How the Scheme aims to offer fair and equal treatment to all types of applicant	8
Section 2:	9
2.1 Who is eligible to apply under the Scheme	9
2.2 Who is not eligible to apply under the Scheme	11
2.3 Who can be considered as part of the household	14
Section 3:	15
3.1 How the Banding System Works	15
3.2 The Additional Preference Categories	16
3.3 The Reasonable Preference Categories	19
3.4 Local Priorities	22
3.5 Discretionary Allocations and Local Lettings Policies	23
3.6 How the Size and Type of Accommodation is Assessed	23
3.7 Refusal of an Offer of Accommodation	27
3.8 Applicants with No Local Connection	27
Section 4:	29
4.1 How to Make an Application	29
4.2 The Provision of Advice and Information	31
4.3 Making a Bid and the Allocation of Properties	32
4.4 Homeless Right to Review	33
Section 5:	33
5.1 How Lettings to Councillors and Council Staff and Housing Association Board Members and Staff are made	34
5.2 How Lettings to Applicants Requiring Adapted Properties	

	are made	34
5.3	How Lettings to Applicants Requiring Older Persons or Sheltered Accommodation are made	35
5.4	How Lettings to the Council's Gypsy Traveller Caravan Site Are made	36
5.5	How Lettings to 16 & 17 Year Olds are made	36
Section 6:		36
6.1	The Service Standard for Administering the Scheme	36
6.2	Monitoring	37
6.3	The Annual Review of HomefinderRCT	37
6.4	The Procedure for Dealing with Changes in Circumstances	38
6.5	Cancelling Applications	38
Section 7:		39
7.1	How Personal Information and Confidentiality is Dealt with Under the Scheme	39
7.2	The Consequences of Providing False Information	39
7.3	The Applicant's Right to a Review of a Decision	40
7.4	How to Make a Complaint	41
Section 8: Operational Manual		42
Appendices		
Appendix 1: Rhondda Cynon Taf Banding System		43
Appendix 2: The Habitual Residence Test		48

Section 1:

This section of the document will explain

- 1.1 The purpose of the Housing Allocation Scheme
- 1.2 The legal context in which the Housing Allocation Scheme is framed
- 1.3 How the Housing Allocation Scheme allows applicants to exercise choice
- 1.4 How the Housing Allocation Scheme aims to offer fair and equal treatment to all types of applicant

1.1 The Purpose of the Allocation Scheme

Rhondda Cynon Taf County Borough Council's Housing Allocation Scheme (the Scheme) sets out the criteria used by the Council and its partners to allocate social housing accommodation. The housing accommodation available to the Council, which is covered by the Scheme, consists of the following:

- Housing accommodation owned by the HomefinderRCT partner Registered Social Landlords
- Registered Social Landlord accommodation for which the Council has an agreement which allows the Council to nominate an applicant for this accommodation

Rhondda Cynon Taf County Borough Council operates a common housing register Known as 'HomefinderRCT' in partnership with:

- Aelwyd Housing
- Beacon
- Cardiff Community Housing Association
- Cynon Taf Community Housing Group
- Hafod Housing Association
- Linc Cymru
- Newydd Housing Association
- Pobl
- Trivallis
- United Welsh
- Valleys to Coast

The Scheme and the operation of HomefinderRCT make it easier for people to find housing in Rhondda Cynon Taf as applicants only have to apply to one Scheme to be considered for housing by all the Housing Association partners.

Although the Council is a non-stockholding local authority, , it has a statutory housing duty to have a Housing Allocation Scheme and to discharge its

homelessness duties. The Council's Scheme operates alongside the separate allocation policies of some Registered Social Landlords that operate in Rhondda Cynon Taf but who are not a partner of HomefinderRCT.

This Scheme describes who is eligible to apply for housing. It also sets out the priority that is given to different applicants and how it is decided who is offered an occupation contract in Rhondda Cynon Taf. The Scheme ensures that those in greatest housing need (those who fall into a defined reasonable preference category (see Section 3)) are given overall priority for available social housing. The Scheme sets out how applicants can apply for social housing in Rhondda Cynon Taf and how eligible applicants are assessed through the use of a banding system.

The Housing Allocation Scheme will make a positive contribution towards the Council's Corporate Plan 'Working With Our Communities' (2024 – 2030) and the vision of *'all people, communities, and businesses can grow and live in a healthy, green, safe, vibrant, and inclusive County Borough where they can achieve their full potential in all aspects of their lives and work, both now and in the future'*; as it will deliver against the specific priority of *'People and Communities – Supporting and empowering RCT residents and communities to live safe, healthy, and fulfilling lives'*. It will also help the Council to meet three of the seven wellbeing goals that the Well-Being of Future Generations (Wales) Act 2015 puts in place as follows:

1. A healthier Wales
2. A more equal Wales
3. A Wales of cohesive communities

The Scheme also supports the Welsh Government's Sustainable Development approach and the way in which it has been developed reflects the 'five ways of working' which include:

- Long-term – the Housing Allocation Scheme will assist residents of RCT to secure long term and sustainable housing.
- Prevention – effective implementation of the Scheme will help to prevent people from becoming homeless. Living in good quality, affordable housing that is suitable also helps to prevent ill health.
- Integration – the Housing Allocation Scheme ensures that the approach to allocating housing in RCT is integrated with other council priorities e.g helping people to live independently and safely.
- Collaboration – the Housing Allocation Scheme promotes collaboration between the Council and all Registered Social Landlords with housing stock in the County Borough because it provides a common way of allocating all available social housing
- Involvement – The effective implementation of the Housing Allocation Scheme requires the involvement of the Council and its Registered Social Landlord partners and other third sector and statutory agencies.

The aim of this Scheme is to allocate homes in Rhondda Cynon Taf by:

- Treating people fairly and giving them choice
- Meeting the housing needs, wishes and aspirations of applicants
- Making the best use of the social housing stock
- Maintaining sustainable and safe communities
- Providing a route into permanent housing

The Council and its HomefinderRCT Registered Social Landlord partners share the use of the Abritas (Civica) IT system to operate HomefinderRCT. The formal descriptions of the sharing of the system and roles and responsibilities are set out in Service Level Agreements and/or contracts between the Council and its partners.

1.2 The Legal Context in which the Scheme is Framed

1.2.1 The Legal Framework

This Scheme has been developed in accordance with a range of Housing and other relevant legislation to meet the duties set out in Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002 (the legislation).

The legislation requires each local housing authority to make all allocations and nominations in accordance with a Housing Allocation Scheme. The Council is required to publish its Scheme and provide a summary free of charge to anyone who requests a copy. A summary of the Scheme is available from:

- Rhondda Cynon Taf County Borough Council's offices
- the Council's website at www.rctcbc.gov.uk

This document is the full version of the Scheme and is available for inspection at the Council's offices at Sardis House, Sardis Road, Pontypridd, CF37 1DU.

The legislation states that existing contract holders are treated on the same basis as other applicants applying for accommodation under the Scheme. The Scheme must ensure that reasonable preference is given to certain categories of people; consider all applications properly made; not allocate to persons ineligible because of their immigration status or who are from abroad and ineligible; ensure advice and information is available about the right to make an application; and to provide assistance to those who have difficulty making an application.

The legislation gives applicants rights under the Scheme to request certain information; to request to be informed of certain decisions and in some cases to request reviews of decisions. The Council will consult with its HomefinderRCT partners and other Registered Social Landlords with whom it has nomination arrangements before making any changes to the Scheme. If making a major policy change, for example where amendments affect the relative priority of a large number of people being considered for social housing, the Council is required to notify all those likely to be affected by the change within a reasonable period.

The legislation also sets out the type of housing circumstances that the Council must take account of (the 'reasonable preference' categories) when deciding who will be offered a property.

The Scheme has also been written in accordance with Part 2 (Homelessness) of the Housing (Wales) Act 2014 and takes into account the Code of Guidance for Local Authorities on Allocation of Accommodation and Homelessness 2016 issued by the Welsh Government, the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014 and the Social Services and Well-being (Wales) Act 2014.

The Scheme has undergone an Equality Impact Assessment. The Scheme is operated in accordance with the Rehabilitation of Offenders Act 1974.

1.2.2 What is an Allocation?

Housing Allocation Scheme is the term used to describe both the Council's policy for allocating accommodation and the Operational Manual that officers use to make sure the policy is implemented correctly. It covers all of the accommodation owned by the HomefinderRCT partners and other Registered Social Landlords who the Council has nomination agreements with, and also includes everyone who applies for housing.

An allocation is a selection of a person to be offered an occupation contract or a nomination by the Council to a Registered Social Landlord which is not part of HomefinderRCT.

1.2.3 Nominations Agreements

The Council will nominate applicants to those Registered Social Landlords who are not part of HomefinderRCT. These nominations will be made on the basis of formal Nomination requests by relevant Registered Social Landlords.

1.3 How the Scheme Allows Applicants to Exercise Choice

The Council promotes choice and accessibility to social housing by operating a choice-based lettings system called HomefinderRCT. This means that applicants can choose which homes they are interested in and in which area, provided the homes are suitable to their needs. Applicants must remember that in some areas and for certain types and size of homes, availability may be limited due to high demand and the responsibilities the Council has to meet priority housing need. As a result, the Council's ability to satisfy choice may be limited.

Although applicants can choose any area, they will be asked if there are any areas they believe they cannot live due to a risk of violence, harassment or domestic abuse. This information will help support workers who are assisting applicants in making bids.

To help applicants to make informed choices, they will be provided with in-depth information on the demand for accommodation in certain areas and the estimated length of time they are likely to wait. Some applicants, particularly those in lower bands, will need to consider other housing options which are available on www.homefinderrct.org.uk. Also available on this website is an average waiting time calculator that can provide information about recent lets via Homefinder and estimate possible waiting times for properties by area across the borough.

1.4 How the Scheme Aims to Offer Fair and Equal Treatment to all Types of Applicant

This publication is available in both Welsh and English and will be made available in other languages and formats upon request.

This Scheme has been designed to ensure fairness and consistency in allocating housing, through setting a fair and transparent framework for assessing housing need.

The Council aims to deliver services that recognise the needs of different groups within the County Borough. The Council and its HomefinderRCT partners will ensure that no applicant is treated less favourably on the grounds of age, disability, ethnicity, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, caring responsibilities or Welsh language. The eligibility criteria, set out in Section 2, will be used to make decisions on allocations under this Scheme.

Applicants will be able to apply for housing in the County Borough using a range of methods. In addition to this, interpretation services, large print information or braille and printed information in other languages will be available upon request.

The Scheme will be widely promoted to ensure that no individual or group is excluded from accessing services due to lack of information. To ensure that the services offer equality of opportunity, service provision and satisfaction they will be monitored by age, disability, ethnicity, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Participating organisations will need to ensure that similar levels of support are made available when advertising and letting their accommodation.

Section 2:

This section of the document will explain

- 2.1 Who is eligible to apply under this Scheme
- 2.2 Who is not eligible to apply under this Scheme
- 2.3 Who will be considered as part of the household

2.1 Who Is Eligible to Apply Under the Scheme

2.1.1 Who is eligible to be part of the Council's Allocation Scheme

It is the Council's policy to consider all applications from anyone who is eligible to HomefinderRCT.

2.1.2 Allocations to 16 and 17 Year Olds

Anyone who is 16 years or over can apply under this Scheme. However, anyone under 18 years of age cannot legally hold an occupation contract.

For young people under the age of 18 years the Registered Social Landlord may grant permission to occupy the property by way of a licence agreement or have someone who can act as a guarantor and hold their contract in a trust for them.

2.1.3 Allocations to Owner-occupiers

Owner-occupiers can apply under this Scheme and will be assessed in accordance with the banding system and whether or not they fall into a reasonable preference category. Owner-occupiers assessed as having no housing need and/or with the financial resources to buy or rent privately will be placed in Band D.

2.1.4 Capital, Savings, Assets and Income

All applicants will be assessed in accordance with the banding system and whether or not they fall into a reasonable preference category. Applicants with savings and/or realisable assets over £75,000 will be eligible to join the register and will be placed in Band D.

2.1.5 Eligible Applicants Taking into Account Nationality and Immigration Status

The following groups are the main categories of applicants to whom an allocation can be made taking account of nationality and immigration status:

- **Existing social contract holders** – Section 160A(6) of the 1996 Act, provides that none of the provisions relating to the eligibility of contract

holders with respect to their immigration status is to affect the eligibility of an applicant who is already a contract holder of housing accommodation allocated by a Local Authority. It is therefore the case that where such a contract holder applies for an allocation the Local Authority need not question eligibility and an allocation can be made regardless of immigration status or habitual residence.

- **A person from abroad other than a person subject to immigration control** - A person from abroad other than a person subject to immigration control will include British nationals who arrive from abroad, even in cases where they are born in the Common Travel Area. Such British nationals are subject to the same eligibility criteria as European Economic Area nationals. European Economic Area nationals are nationals of the European Union (EU) countries (see below on EU enlargement) plus Iceland, Norway, Liechtenstein and Switzerland.

All European Economic Area nationals have an initial right to reside in the UK for up to three months, and “qualifying persons” (jobseekers, workers, self-employed persons, students and people who are self-sufficient have an extended right to stay.

A person who falls into one of the following categories is to be treated as a person from abroad who is ineligible for an allocation of accommodation:

- (i) a person who is not habitually resident in the Common Travel Area, subject to certain exceptions – see paragraphs below.
 - (ii) (ii) a person whose only right to reside in the UK is derived from their status as jobseeker (or family member of a jobseeker)
 - (iii) (iii) a person whose only right to reside in the UK is an initial right to reside for a period not exceeding three months
 - (iv) (iv) a person whose only right to reside in the UK is a derivative right to reside under regulation 15A(4A) of the Immigration (European Economic Area) Regulations 2006*
 - (v) (v) a person whose only right to reside in the Common Travel Area is a right equivalent to paragraphs (ii) to (iv) above.
- **The following persons from abroad who are not subject to immigration control are eligible for an allocation of accommodation even if they are not habitually resident in the Common Travel Area:**
 - (i) a worker
 - (ii) self-employed person
 - (iii) Croatian nationals who are treated as workers for the purpose of the definition of ‘qualified person’ in regulation 6(1) of the Immigration (European Economic Area) Regulations 2006
 - (iv) a family member of a person referred to in paragraph (i) to (iii) above
 - (v) a person with a permanent right to reside

- (vi) a person who is in the UK as a result of the person's deportation, expulsion or other removal by compulsion of law from another country to the UK.

Persons Subject to Immigration Control prescribed as eligible—persons subject to immigration control within the meaning of the Asylum and Immigration Act 1996 are not eligible for housing accommodation. A person subject to immigration control requires specific permission to stay in the UK and will usually be subject to conditions attached to that permission. However, under s.160A(3) of the 1996 Act, Welsh Ministers have prescribed classes of person who are to be considered eligible in the Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014(the Eligibility Regulations). These are:

(a) **Refugees** – A person is granted refugee status when his or her request for asylum is accepted.

(b) **Exceptional Leave** - A person who has been granted exceptional leave to enter or remain in the UK outside the provisions of the Immigration Rules and whose leave is not subject to a condition requiring that person to maintain or accommodate themselves, and any person who is dependent on that person, without recourse to public funds is eligible for housing assistance;

(c) **A person with current leave to enter or remain in the UK with no condition or limitation, and who is habitually resident in the UK, the Channel Islands, the Isle of Man and the Republic of Ireland**, will be eligible for housing assistance. However, where the leave to enter or remain was granted on an undertaking that a sponsor would be responsible for the applicant's maintenance and accommodation, five years must have elapsed since the person's arrival in the UK – or the date of the sponsorship undertaking, whichever is the later – for the applicant to be eligible. Where a sponsor died within the first five years, the applicant would be eligible;

(d) **Persons who have been granted Humanitarian Protection** – Humanitarian Protection was introduced on 1 April 2003 and partly replaced the policy on Exceptional Leave to Enter/Remain. Humanitarian Protection is granted to non-European Union citizens who do not meet the strict definition of refugee but who have international protection needs. Humanitarian Protection is granted under the Immigration Rules. The Immigration Rules are issued by the Home Secretary under the Immigration Act 1971 and set out how immigration law shall be administered, and are published on the UK Border Agency website. Humanitarian Protection is granted for five years. Towards the end of this period leave holders have the opportunity to apply for indefinite leave to remain but there is no presumption that it will be granted.

(e) **An Afghan citizen** who, as a result of serving the UK Government, has been granted permission to relocate to the United Kingdom, the Channel

Islands, the Isle of Man or the Republic of Ireland, and who is habitually resident in one of those areas will be eligible.

2.2 Who is not Eligible to Apply under the Scheme

2.2.1 Ineligible Categories

The following categories of people are not eligible to apply:

- Young people under 16 years of age
- Current contract holders who have been a contract holder for less than 12 months and do not fall into a Reasonable Preference Category
- Individuals, or any member of their households, who have been guilty of anti-social behaviour and other prohibited conduct serious enough to make him or her unsuitable to be a contract holder. Prohibited conduct may include:
 - A breach of occupation contract obligations such as rent arrears, recharges, criminal damage to a property or common parts, premium paid for assignment/mutual exchange, conflict with conditions of tied accommodation
 - Anti-social behaviour such as causing nuisance or annoyance, racial or other harassment, illegal or immoral behaviour, making threats or actual violence against neighbours, landlords, Council staff, managing agents or contractors
 - Specifically, any applicant who has been previously evicted by a social landlord under Section 84A of the Anti-Social Behaviour and Policing Act 2014
 - Obtaining an occupational contract by deception for example by providing false information or excluding relevant information in support of an application
- Contract holders wishing to transfer where their current property is in such poor condition that it cannot be re-let within a reasonable timescale
- Persons subject to immigration control unless they come within a class of person prescribed in regulations made by the Welsh Ministers (sections 160A(1) and (3) of the Act).
- Persons who are not subject to immigration control who come within a class of person prescribed as ineligible by virtue of regulations made by the Welsh Ministers under sections 160A(1) and (5)

In assessing whether an applicant is ineligible due to anti-social behaviour or prohibited conduct, the Council will consider:

- Where there is evidence of prohibited conduct, was it serious enough to have entitled an authority to make a possession claim?
- Was the behaviour serious enough to render the applicant or a household member unsuitable to be a contract holder?
- Is the behaviour still unacceptable at the time of application?

Applications are not assessed as completed and given a band until information confirming eligibility has been provided and checked.

An applicants' eligibility to join the Scheme will be kept under review during the application process. Although some applicants may initially be informed that they are eligible for the scheme, this decision could change if further information and checks are necessary. Applicants who have been classified ineligible due to anti-social behaviour or prohibited conduct are permitted to make an application in the future if they can demonstrate a changed pattern of behaviour. The Council will determine if the changed behaviour makes the applicant eligible under the Scheme at the re-application stage.

Evidence that could be provided by an applicant in order to demonstrate a changed pattern of behaviour could include, for example:

- evidence that an applicant has reduced their rent arrears
- evidence that an applicant is receiving support or training to manage behaviour and engaging with this support

All applicants will be notified in writing of the decision on eligibility and the grounds for this decision. All applicants have the right to request a review of any decisions as to eligibility and a right to be informed of the decision of the review and the grounds on which that decision was made. All requests to review an application will be presented to the Eligibility Panel. In cases where the Eligibility Panel has determined an applicant is not eligible for an allocation, requests for a review of the application will be referred to the HomefinderRCT Steering Group for decision.

2.2.2 Applicants with Outstanding Housing Related Debts

As outlined above (section 2.2.1) some applicants may be ineligible on the grounds of prohibited conduct, which can include housing related debts. Housing related debt includes current or former rent arrears (including temporary accommodation arrears), damage to a former social housing property, clearance or storage costs, or the legal costs arising from court action in connection with a current or former tenancy.

HomefinderRCT will consider the following when assessing eligibility and prohibited conduct as a result of housing related debt:

- Whether the applicant still owes arrears/debt and if so what is the extent of the rent/debt
- Whether there are any exceptional circumstances for the applicant's debt, whether the applicant was in control of their finances at the time of the debt accrued
- Whether the applicant has demonstrated a commitment to repaying the debt and has a suitable arrangement in place to include the amount of arrears paid off, any outstanding debt and the regularity of the payments made

After the above considerations have been made HomefinderRCT may conclude that the applicant is ineligible.

2.2.3 Non Compliance to Occupation Contract

Some applicants who have failed to adhere to any current or previous social housing or private rented housing occupation contract terms and conditions may be considered ineligible on the grounds of unacceptable behaviour as outlined in section 2.2.1. This will include failing to maintain their previous social rented or private rented property within the terms of their occupation contract, or cause nuisance or annoyance to neighbours or others within the locality of where they live or have previously lived.

When assessing eligibility and unacceptable behaviour as a result of non-compliance to an occupational contract HomefinderRCT will consider whether the applicant can demonstrate that their circumstances have changed and the previous conduct is unlikely to happen in the future. This could include demonstrating co-operation with support agencies.

2.3 Who Can Be Considered As Part Of The Household

When assessing an application the Council will consider the housing circumstances of everyone in the household. A household is considered to be:

- People who are part of the settled household at the date of registration, or in the case of existing contract holders, were part of the household at the start of the occupation contract and are still in occupation
- Partners who are living together in a settled relationship
- Children born since the registration date, or the start of the occupation contract, or other dependent children joining the household where the applicant or contract holder is the principal carer of the child. Birth certificates will need to be produced to verify dependent relationship(s). Applicants must inform Homefinder of any change to their household
- An adult relative who has become a settled member of the household because they are in need of support and cannot live independently. Such persons must have lived with the household for at least 12 consecutive months before being considered part of the household unless in exceptional circumstances
- Housing applications where an applicant and partner or their child/children are forced to live apart owing to lack of suitable accommodation

Section 3:

This section of the document will explain how the assessment of need is carried out under the scheme

- 3.1 How the banding system works
- 3.2 The additional preference categories
- 3.3 The reasonable preference categories
- 3.4 Local Priorities
- 3.5 Allocations exempt from this policy
- 3.6 Discretionary allocations and local lettings plans
- 3.7 How the size and type of accommodation is assessed
- 3.8 Refusal of an Offer of Accommodation
- 3.9 Applicants with No Local Connection

3.1 How the Banding System Works

The Council is committed to working in partnership with organisations and individuals both statutory and voluntary to deliver this Scheme to ensure it meets the needs of both individual applicants and the community as a whole in an effective and sustainable way. Where the waiting list exceeds the supply of vacancies it is necessary to prioritise applicants so that properties are offered fairly.

All applications for social housing in Rhondda Cynon Taf will be assessed using a banding system. The bands are arranged to reflect housing priority;

- Band A Urgent housing need,
- Band B High housing need
- Band C Low housing need
- Band D No housing need

The banding system aims to identify applicants with a similar level of housing need and allocates a band based on the level of priority of the housing need as detailed above. Appendix 1 outlines the banding system and the circumstances and criteria used to assess the most appropriate band for the applicant's housing circumstances and need. The principle of this Scheme is that an applicant's priority for housing should reflect both their level of housing need and length of time spent in need. Therefore, priority will increase with time and a new applicant should not normally overtake an existing applicant within the same band. The circumstances where an allocation can be made to an applicant who is not at the top of the band will be outlined in the Operational Guidance and will be monitored by the Council.

The level of priority for each application will be awarded from the date of receipt of all relevant and requested information to support that band. Upon receipt of information the application will be placed into the relevant band with an effective

date. This effective date will be used to assist Registered Social Landlords in the shortlisting process for properties advertised on the HomefinderRCT.

Each Registered Social Landlord will advertise their vacant properties on HomfinderCT and applicants will be able to register their interest in a property by placing a bid. When the bidding cycle has closed, the RSL will review the shortlist for each property and, in most cases, will allocate the property in the highest band with the longest waiting time.

The Housing Act 1996 (amended by the Homelessness Act 2002) states that Housing Allocation schemes must be framed to ensure **reasonable preference** is given to applicants experiencing certain types of housing need. However, while housing authorities will need to ensure that, overall, reasonable preference for allocations is given to applicants in the relevant categories these should not be regarded as exclusive and an allocation scheme may allow for other factors such as **local priorities**, provided that they do not dominate the scheme and that overall the scheme gives adequate priority to applicants in the reasonable preference categories. As well as ensuring reasonable preference is given to applicants in greatest housing need, **additional preference** can be awarded to applicants who require urgent re-housing for various reasons.

3.2 The Additional Preference Categories

The legislation gives housing authorities the ability to give additional preference to particular types of applicant. This means that the Council can give a priority to some applicants considered to have a particularly urgent housing need. Additional preference includes both Reasonable Preference categories and also local priorities. The Council will award additional preference to applicants with an urgent need to move and will be placed in Band A.

3.2.1 Additional Preference for Homeless Households

Applicants who are homeless and are owed a duty by the local housing authority under Section 75 of the Housing (Wales) Act 2014 will be awarded **Band A**. These are applicants who are homeless, eligible and in priority need.

Applicants who are awarded Reasonable Preference on Homeless grounds will be awarded **Band A** where they require an offer of accommodation within a short period of time as they have suddenly lost their existing home as a result of fire, flood or other disaster.

3.2.2 Additional Preference for People leaving the Armed Forces

Band A will be awarded to applicants who have served in the regular or reserve armed forces of the Crown who have been homeless since leaving the armed forces.

Band A will be awarded to bereaved spouses or civil partners of those serving in the regular or reserve forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence

accommodation following the death of their service spouse or civil partner, and
(ii) the death was wholly or partly attributable to their service

3.2.3 Additional Preference for Applicants Living in Unsatisfactory Housing Conditions

Band A is awarded to applicants who currently occupy a property where there is a statutory requirement to vacate due to a prohibition order / demolition order / compulsory purchase

3.2.4 Additional Preference for Emergency Medical, Welfare or Disability Related Need

Applicants who are awarded Reasonable Preference on medical, welfare or disability grounds and have an urgent need to move will be awarded **Band A**. These would include applicants with an emergency need to move due to high risk or life threatening grounds which will not improve or stabilise until more suitable accommodation is offered as their current accommodation is wholly inappropriate.

Examples of cases where applicants would qualify for **Band A** as having a Reasonable Preference and an additional preference under this category are:

- The applicant's health condition is terminal and their current home is a barrier to receiving urgent medical care
- The applicant's health condition is life threatening and their existing accommodation is a significant contributory factor
- Applicants who are disabled and their current accommodation cannot be adapted and it completely restricts them from carrying out day-to-day activities both internally and outside the home and they require a fully adapted property
- Planned discharge from hospital is imminent and there is no accommodation available to them that it is reasonable for them to occupy
- Applicants (including those leaving Care) that are leaving supported housing and have been assessed and approved by the Move-On panel as ready for re-housing*
- The applicant is currently under occupying social housing by one or more bedrooms and needs to transfer to a smaller property due to the current property being unaffordable

* Not all those leaving care will be awarded reasonable preference. Applicants must be vulnerable with an urgent housing need that is best met by the provision of long-term independent housing. Applicants who do not qualify for reasonable preference will be assisted by Children's Services with support from HomefinderRCT to identify accommodation through alternative housing options.

The evidence to support this will be provided by the social worker via the Move On referral form and will consist of confirmation that:

- The relevant child or former relevant child is ready to move to independent settled housing and is genuinely prepared for a move to independent living
- The relevant child or former relevant child possesses the life skills to manage a tenancy including managing a rent account
- The relevant child or former relevant child has either long term or medium term tenancy support arranged, as required
- Ongoing support needs have been determined and, where appropriate, a support plan is in place

* Not all applicants who occupy supported housing will be awarded reasonable preference. Applicants must be vulnerable with an urgent housing need that is only met by the provision of *long term* independent housing. Applicants who do not require *long term independent* housing will be assisted by the supported housing project and HomefinderRCT to identify alternative suitable accommodation through alternative housing options. The criteria for an award of reasonable preference will be:

- An applicant is ready to move into independent settled housing as confirmed by the Move On Panel
- The applicant is in need of medium to long term ongoing tenancy support rather than short term support
- A support package has been assessed and is in place
- An applicant's vulnerability is such that accommodation in the private rented sector would through its own short term have a detrimental effect on their vulnerability
- All tenants in supported accommodation will be expected to evidence that they have completed specific training around being tenancy ready, this may be completed as part of an arranged group session facilitated by a housing provider or dependent on circumstances on a one to one basis. The Move On referral form will need to have details that this has taken place, otherwise the referral may be deferred until it is completed

3.2.5 Additional Preference for Applicants Releasing an Adapted Property

Band A will be awarded to applicants who occupy a property assessed as a Level 1 adapted property that they no longer require and there is a suitable applicant on the waiting list for the adapted property which will be released through the move.

3.2.6 Additional Preference for Child Protection

Band A is awarded to applicants where there is a likelihood that their child will need to be accommodated by the local authority if re-housing is not made.

3.2.7 Additional Preference for Exceptional Circumstances

Band A is awarded to applicants whose circumstances are not dealt with under any of the other circumstances in Band A, however their housing need has been

assessed by the Eligibility Panel as urgent and they require immediate re-housing.

3.3 The Reasonable Preference Categories

The Housing Act 1996 requires local authorities to ensure that reasonable preference is given to all of the following categories of people:

- a) People who are homeless within the meaning of Part 2 of the Housing (Wales) Act 2014
- b) People who are owed any duty by a local housing authority under Section 66, 73 or 75 of the Housing (Wales) Act 2014
- c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- d) People who need to move on medical or welfare grounds, including grounds relating to disability
- e) People who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or to others)

The following section details applicants who fall within the Reasonable Preference categories. Applicants with a Reasonable Preference will be banded according to their housing need.

3.3.1 People who are homeless (within the meaning of Part 2 of the Housing (Wales) Act 2014

People who are owed any duty by a local housing authority under Section 66, 73 or 75 of the Housing (Wales) Act 2014

This includes a person who has no accommodation available for their occupation, which they are legally entitled to or it is not reasonable for a person to continue to occupy the accommodation if it is probable that this will lead to abuse against them, or against a person who normally resides with the occupant or any other person who might reasonably be expected to reside with them.

Band A will be awarded to applicants who are homeless under Section 75 of the Housing (Wales) Act 2014. These are households who are homeless, eligible and in priority need. The following have been classed as priority need categories under section 70 of the Housing (Wales) Act 2014.

- A pregnant woman or person with who she resides or might reasonably be expected to reside
- A person with whom dependent children reside or might reasonably be expected to reside
- A person who is vulnerable as a result of some special reason for example old age, mental illness or physical disability, or with whom such a person resides or might reasonably be expected to reside

- A person who is homeless or threatened with homelessness as a result of an emergency such as a flood, fire or other disaster or with whom such a person resides or might reasonably reside
- A care leaver or person at particular risk of sexual or financial exploitation, 18 years or over but under the age of 21
- A 16 or 17 year old or with whom such a person resides or might reasonably reside
- A person who is homeless or threatened with homelessness as a result of being subject to domestic abuse or with whom such a person resides or might reasonably reside
- A person who has served in the regular armed forces who has been homeless since leaving those forces or with whom such a person resides or might reasonably reside
- A person who has a local connection to the area of the local housing authority and who is vulnerable as a result of –
 - having served a custodial sentence within the meaning of section 76 of the Powers of Criminal Courts (Sentencing) Act 2000
 - having been remanded in or committed to custody by an order of a court
 - having been remanded to youth detention accommodation under section 91(4) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012
 or with whom such a person resides or might reasonably reside
- A person who is street homeless or with whom such a person resides or might reasonably reside

Band B will be awarded to applicants who are threatened with homelessness, and eligible under Section 66 and Section 73 of the Housing (Wales) Act 2014.

3.3.2 Reasonable Preference category s167 (2) (c) – people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions

Band B will be awarded to applicants who are occupying accommodation which is short by 2 or more bedrooms suitable to their needs

Band B will be awarded to applicants where overcrowding in the property leaves the applicant at risk of infection, for example, where an applicant is suffering from late stage or advanced HIV infection

Band C will be awarded to applicants living in accommodation which is not suitable to their needs because it is short by one bedroom which is suitable to their needs

Band C will also be awarded to applicants who have to share facilities with other households and are confirmed as no fixed abode and where they do not have an occupation contract.

3.3.3 Reasonable Preference category 167 (2) (d) – Medical, Disability and Welfare

3.3.3.1 Medical and Disability

Applicants will be awarded Reasonable Preference where a move will improve a medical condition. Applicants who indicate that they or a member of their households have an illness or disability that is affected by their current accommodation or who may be vulnerable on physical or mental health grounds will need to have their application supported by a GP or Consultant. The assessment is not of the applicant's health but how their accommodation affects their health or welfare.

Band C will be awarded to applicants who have a health condition which is being adversely affected by an aspect of their current home which can only be resolved by moving house.

3.3.3.2 Welfare

Reasonable preference (d) will be awarded to applicants with a need to move on welfare grounds.

Band B will be awarded to applicants who have an urgent need to move on welfare grounds due to any of the following:

- The applicant has been referred because they are at risk of being admitted to residential care or hospital if re-housing is not made
- The applicant needs to move due to relationship breakdown and there is a need identified to safeguard and promote the welfare of any children associated

3.3.4 Reasonable Preference category s167 (2) (e) – People who need to move to a particular locality within the local authority's district where failure to meet need would cause hardship to themselves or to others

Reasonable preference (e) will be awarded where the applicant needs to move to a particular locality within the local authority's district where failure to meet the need would cause hardship to themselves or to others.

Band B will be awarded to applicants who meet any of the following:

- The applicant is giving or receiving essential support which can only be delivered if they live in a specific locality within the area
- The applicant has an offer of or has permanent or part time employment or a long term training or education placement cannot continue unless they live in a specific locality within the area and are otherwise adequately housed

Band C will be awarded to applicants who meet any of the following:

- The applicant needs to move to be nearer to:

- A child's school where the child's need to move to a school has been recommended by the Director of Education and Lifelong Learning
- A place of worship where there is no suitable place of worship where the applicant currently resides

3.4 Local Priorities

Whilst the Council is required by law to give overall priority to applicants who fall within the Reasonable Preference categories the Scheme allows for flexibility to ensure that the strategic aims of the Local Authority are also taken account of.

The following local priorities have therefore been adopted:

3.4.1 Hate Crime

Band B will be awarded to applicants suffering from Hate Crime where it is not safe for them or their household to remain in their current home.

Hate crime is a criminal offence perceived by the victim or any other person to be motivated by hostility or prejudice based on a person's actual or perceived disability, race or ethnicity, religion or belief, sexual orientation or gender identity. A hate incident follows the same guidelines except it can be considered criminal or non-criminal.

Priority will be awarded where severe harassment has been established and there is evidence that it is unreasonable for the applicant and their household to remain in their current accommodation.

3.4.2 Fostering and Adopting

Band B will be awarded to applicants who have been recommended by the Council to foster or adopt children and whose current accommodation is not large enough.

3.4.3 Separated Households

Band B will be awarded to applicants whose households are forced to live apart because their current accommodation is unsuitable

This does not apply to those who are legally separated or are living apart due to relationship breakdown or family dispute.

3.5 Allocations exempt from this Policy

The following grants of secure or introductory occupation contracts are exempt from the allocation scheme as they do not fall within the definition of an allocation:

- Management transfers
- Succession
- Assignment
- Transfers as a result of family proceedings
- Conversion of an introductory standard contract to a secure contract
- Those rehoused as a result of a compulsory purchase from a defective dwelling

3.6 Discretionary Allocations and Local Lettings Policies

The aim of this policy is to ensure that overall priority for allocations is given to applicants in the relevant categories described above and to those that have waited the longest to be housed. However, some flexibility is required in order to meet urgent housing need, create sustainable communities and provide for the efficient use of the social housing stock. There are often circumstances where the only way these issues can be resolved is to give Registered Social Landlords discretion to make the most appropriate allocation under the circumstances.

3.6.1 Local Lettings Policies

The legislation enables housing authorities to allocate accommodation to people of a particular description who may not be at the top of their Band. For example, to ensure sustainability some accommodation may be restricted to persons over the age of 50.

Local Lettings Policies can also be implemented to help to improve the sustainability of some communities. Local lettings policies are developed and approved in accordance with an agreed procedure which considers the specific aims and justification of the plans. The policies are reviewed on an annual basis to determine whether they are still required. All local lettings policies are evidence based with an aim of achieving community sustainability and ensure that they fit with and inform strategic priorities. The Council will ensure local lettings policies do not discriminate on the grounds of any protected characteristic and that they are monitored and evaluated to assess their impact.

From time to time a sensitive lettings approach may also be agreed with a Registered Social Landlord, to deal with specific local issues at an individual property or street level. The Registered Social Landlord must provide evidence to the Council as to why they are undertaking a sensitive let of a property.

3.7 How the Size and Type of Accommodation is Assessed

Applicants can apply for any area and type of property that is suitable to their needs. However, the size of accommodation that can be allocated to an applicant will be calculated according to the standard set out in the following sub section. There may be circumstances where a larger size property may be allocated than what is needed. In such cases applicants will be made fully aware of the financial implications of having a property which is larger than their

household size and will receive a financial assessment to determine that they are able to afford a larger property.

In addition, some types of accommodation will only be allocated to certain groups of applicants. Further details of this are set out in sub section 3.6.2.

3.7.1 Size of Accommodation

The assessment for the type and size of accommodation is done in accordance with the Department of Works and Pensions' rules. Under these rules applicants are entitled to one bedroom for each of the following:

- every adult couple
- a person who is not a child (aged 16 and over)
- any two children of the same sex aged under 16
- any two children who are aged under 10
- any other child (other than a foster child or child whose main home is elsewhere)
- a non-resident overnight carer (or group of carers)
- foster carers will be allowed one additional room, as long as they have fostered a child or become an approved foster carer with the last 52 weeks

The following table provides an example of the above criteria

Household Size	Accommodation Size
Single Person	1 bedroom
Couple	1 bedroom
Co-tenant	2 bedroom
Single parent or couple with one child	2 bedroom
Single parent or couple with two children of the same sex	
- both aged under 16	2 bedroom
- one or both aged over 16	3 bedroom
Single parent or couple with two children of opposite sex	
- both aged under 10	2 bedroom
- one or both aged 10 or over	3 bedroom
Single parent or couple with three children	
- two are able to share a room (under 16 same sex / under 10 opposite sex)	3 bedroom
- none able to share a room	4 bedroom
Single parent or couple with four children	
- if all children are able to share rooms	3 bedroom
- if two children are able to share a room	4 bedroom
- all other	4 bedroom

Household members who are temporarily living away from home, for example in further education or the armed forces, will be included as part of the household. The individual currently living away will need to confirm in writing that they wish to be considered as part of the household and until the letter is provided the application will be considered as the individual not being part of the household.

Each application is assessed on the individual needs of the applicant in recognition that individual needs vary. There may be circumstances where a larger house size than which an applicant is entitled to may be awarded as outlined below:

- **Where the applicant has a disability and a non-resident carer, the applicant will be entitled to funding for an extra bedroom (WG Changes to Housing Benefit)**
- **Where there is a medical reason for requiring a separate or additional bedroom** – this will be considered on an individual basis
- **Where the applicant is pregnant** – applicants who are pregnant and have no other children will be accepted on to the waiting list for a 2 bedroom property. However applicants who already have children living with them will not automatically be awarded an extra bedroom because the sex of the baby is unlikely to be known at the point of application and therefore it is not possible to determine whether an additional bedroom is required. In these cases applications will be amended once the baby is born.
- **Where a separated couple has access rights to a child/children** – in some circumstances where the applicant can evidence that they provide essential support to the primary carer, then the Council may allow the applicant one additional bedroom, however the applicant will receive a financial assessment to determine affordability for a larger property.

3.7.2 Type of Accommodation

Applicants can usually apply for any type or size of accommodation that is suitable to their needs. However, some types of properties may only be designated to certain client groups, for example sheltered or older persons' accommodation will usually be offered to people over 55 or 60, depending on the landlord of the sheltered scheme.

Certain types of properties and areas are available more readily than other areas and applicants will receive detailed information on areas of choice when they apply to HomefinderRCT.

3.7.3 Access to Children

The primary carer will be classified as the parent who receives Child Benefit, Child Tax Credit or Working Family Tax Credit in respect of the child / children, and accommodation will be allocated in accordance with the criteria set out above (Section 3.6.1).

Applicants who are separated or divorced, have joint custody, and can evidence via a court order or legal agreement that they provide essential support to the primary carer may be considered for a property based on the family size. Applicants who do qualify for this reason for a larger size property will be awarded reasonable preference category in accordance with Section 3.3. Applicants will need to provide evidence, such as a birth certificate, to support their application and each application will be assessed individually.

Access cases, where there is no essential support being provided, will be assessed according to the applicant's housing need and may be entitled to a property with one bedroom more than the permanent family's needs depending on the outcome of a financial assessment.

Applicants will be made aware of the cost implications of having a larger property as housing costs for a larger property will only be paid to the primary carer.

3.7.4 Areas of Preference

Applicants may request housing in an area where there is currently no social housing as it will help the future planning of new developments. In these circumstances, applicants will be made aware that if they only choose these areas, they are likely to have to wait a very long time to be re-housed.

Due to the demand for social housing in RCT, the pressure on the Homefinder waiting list, lack of availability of housing and the requirement for the Council to discharge its homelessness duty, applicants owed a duty under Section 66, 73 or 75 of the Housing (Wales) Act 2014 are required to expand areas of choice in order to be rehoused within a reasonable timescale.

3.8 Refusal of an Offer of Accommodation

Applicants may refuse two reasonable offers of accommodation that they have bid for. A reasonable offer of accommodation is one that meets the housing need, size and location as specified on the applicant's application. When an applicant refuses two reasonable offers of accommodation, without offering a valid reason, their application will be closed.

Applicants owed a homelessness duty by the Council under section 66, 73 or 75 of the Housing (Wales) Act 2014 will be given one offer of suitable accommodation. If the offer is refused and the homelessness duty is ended by the Council (subject to review), the priority band status will be removed, and the application will be reassessed and awarded a band in accordance with their current housing need.

3.9 Applicants with No Local Connection

Following an assessment of eligibility, applications can be accepted from people living anywhere in the United Kingdom. However, applicants will have

less priority within the scheme than those with a local connection to Rhondda Cynon Taf. A local connection is defined in s.199 of the 1996 Act as a connection which the applicant has with an area because:

- He or she is, or was in the past, normally resident there, and that resident was of his or her own choice, or
- He or she is employed there (i.e. the applicant actually works in the area rather than that the area is the site of his or her employers' head office), or
- Of family associations; or
- Of any special circumstance (e.g. the need to be near special medical or support services which are available only in a particular area)

If an applicant is placed into Band C but has no local connection to Rhondda Cynon Taf, the application will be closed as it cannot be demoted.

In assessing whether the applicant's household has a local connection with their area, the Scheme will consider whether any person who is reasonably expected to live with the applicant has such a connection.

Applicants with no local connection will have their priority adjusted and will be awarded the next band down to the original band that they would have been awarded based on their housing need.

Applicants whose priority is adjusted will be provided with written notification of the decision which will include the following:

- The reason for the decision
- The band that they would have been awarded and the new band as a result of reduced priority
- The applicant's right to appeal and that this has to be done within 21 days of the written notification of the decision
- Any actions they need to take before they can be considered for a higher band
- Any appeal will be dealt with by an officer who was not involved in the original decision. All appeals will be dealt with within 8 weeks

Circumstances may arise where it is not appropriate to apply the local connection policy and managers' discretion will evaluate each case on its own merit:

- MAPPA cases will not be subject to local connection
- Armed Forces Personnel will be deemed to have established a local connection with Rhondda Cynon Taf by virtue of serving, or having served in the County Borough whilst in the Forces.
- Applicants who have been placed outside of RCT whilst being looked after by Children's Services
- Applicants who are currently living in institutional arrangements where they have a connection with the area and a known date for discharge which is not unreasonably distant e.g. prisoners, hospital patients.

- Homeless applicants owed a duty by RCT CBC under Sections 66, 73 and 75

MAPPA stands for Multi-Agency Public Protection Arrangements – a set of arrangements established by police, probation and the prison services (known as the responsible authorities) to assess and manage the risk posed by sexual and violent offenders. A number of agencies are under a duty to co-operate with the responsible authority. These include: Local Authority social services, Primary Care Trusts and strategic health authorities, Youth Offending Teams, local housing authorities, registered social landlords, local education authorities, Jobcentre Plus, and electronic monitoring providers.

The purposes of MAPPA are:

- to ensure more comprehensive risk assessments, taking advantage of co-ordinated information sharing across the agencies, and
- to direct the available resources to best protect the public.

Section 4:

This section of the document will explain the process for making an application

- 4.1 How to make an application
- 4.2 The provision of advice and information
- 4.3 Making a bid and the allocation of properties
- 4.4 Homeless right to review

4.1 How to Make an Application

Anyone can make an application to join HomefinderRCT. However, the supply of vacant social housing for letting varies greatly across the County Borough and the waiting time for rehousing can be very long. For this reason, all applicants will be contacted by HomefinderRCT to discuss their reason for making an application and their areas of choice.

4.1.1 Making an Application

Applications to join HomefinderRCT can be made face-to-face at the Housing Advice Centre in Sardis House, Sardis Road, Pontypridd CF37 1DU, Aberdare Library and Treorchy Library or by telephoning 01443 425678. Applicants can also apply online at www.homefinderrct.org.uk.

Upon receipt of the application, a member of staff will contact the applicant in order to verify their application, to discuss the reasons for applying and their areas of choice. Applicants can also contact HomefinderRCT by emailing Homefinder@rctcbc.gov.uk

Applicants with a criminal conviction will be referred to the Eligibility Panel. The Eligibility Panel is responsible for confirming eligibility based on the following test of unacceptable behaviour:

- Has the applicant been evicted for neighbour nuisance / and or anti-social behaviour; or
- Has the applicant been convicted of specified conduct or in view of the panel have been guilty of such conduct; or
- Has the applicant made a clear attempt to obtain accommodation by deception

Where the Eligibility Panel assesses the applicant or member of their household as having unacceptable behaviour, where the behaviour is serious enough to make them (the applicant) unsuitable to be a contract holder and where the behaviour is still deemed to be unacceptable at the point of application, the applicant will be determined as being ineligible to join the Scheme.

Where the Eligibility Panel has assessed the application as ineligible, the Homefinder and Accommodation Manager will write to the applicant and advise them of this, providing full reasons for the decision and advising of their right to appeal.

Where an applicant is deemed eligible HomefinderRCT will continue the application process and inform the applicant of this decision. Applicants who are required to provide any supporting evidence are advised of this in writing once their application has been assessed and need to present this evidence to HomefinderRCT. Upon receipt of all supporting evidence the application is completed and a band is awarded. The decision is confirmed in writing to the applicant and includes information on the applicant's right to appeal.

All completed applications, regardless of whether supporting evidence is required, are verified by HomefinderRCT. The band is then confirmed in writing along with advising the applicant on their right to appeal.

Where supporting evidence is required, applicants are advised of this and are asked to present the required evidence to HomefinderRCT. The relevant band will not be confirmed until the evidence has been assessed.

4.1.2 Registering an Application Online

Applicants can register to HomefinderRCT online at www.homefinderrct.org.uk. Upon receipt of the application, a member of staff will contact the applicant in order to verify the application, to discuss their reasons for applying and discuss their areas of choice. Applicants can also contact HomefinderRCT by emailing Homefinder@rctcbc.gov.uk

Where supporting evidence is required applicants are advised of this and asked to present the evidence to HomefinderRCT. The relevant band will not be confirmed until the evidence has been assessed.

4.1.3 Face to Face Visits

In exceptional circumstances, some applicants may require a face-to-face visit and therefore at the point of contact to HomefinderRCT, the Team will:

- Arrange an appropriate time to visit the applicant and undertake a brief telephone assessment to assess eligibility and identify any supporting evidence that may be required, this can then be presented at the home visit
- Once eligibility has been confirmed undertake the visit and verify supporting evidence
- Complete the application process and verbally confirm the band
- Confirm the band in writing and advise of the applicant's right to appeal

4.2 The Provision of Advice and Information

All applicants must provide the information that is requested so that HomefinderRCT can confirm their details and award the appropriate band. If supporting evidence is not provided then this will delay the application process and therefore hold up any potential allocation.

The Council aims to provide advice and assistance to enable applicants to make informed choices about the most suitable housing option for them and to ensure that no applicant is disadvantaged.

Applicants will be provided with information regarding their own applications as follows:

- What band they have been awarded
- What information they need to supply for verification purposes
- The band that their application has been awarded
- If the applicant has been awarded reduced priority or are found to be ineligible what actions, if any, need to be undertaken to resolve this

4.2.1 Housing Options Advice

The Council aims to provide applicants with detailed information about the availability of social housing and alternative housing options available in Rhondda Cynon Taf. All potential applicants will be provided with sufficient information to enable them to make an informed choice about whether to apply to the Scheme.

The HomefinderRCT website, www.homefinderrct.org.uk provides all types of housing advice, including average waiting times, housing options and housing support/assistance.

4.2.2 Financial Assessments

The Council and its Registered Social Landlord partners are committed to ensuring that applicants can afford and sustain an occupation contract. For this reason, at the point of application the HomefinderRCT Team will ask applicants some key questions regarding their finances to assess their ability to pay their rent and other housing related costs. This will ensure that applicants consider affordability when they are making housing choices and also will provide an opportunity to signpost applicants who are already experiencing financial difficulty to appropriate advice and support.

A more detailed financial assessment will be undertaken by Registered Social Landlords at the point at which they make an offer of accommodation. Registered Social Landlords will not use the findings of a financial assessment to exclude an applicant from housing or withdraw and offer of accommodation.

4.2.3 Advice on Decisions and Reviews of Applications

The Council will inform applicants of their rights regarding decisions made on their applications:

- The right to be notified in writing of any decision not to give an applicant any preference under the scheme because of unacceptable behaviour serious enough to make him/her (or a member of the household) unsuitable to be a tenant;
- the right, on request, to be informed of any decision about the facts of the applicant's case which has been, or is likely to be, taken into account in considering whether to make an allocation to him/her; and
- the right, on request, to review a decision mentioned in paragraph (i) or (ii) above or in respect of s.160A(9) regarding those who are ineligible or who may be treated as such on the grounds of unacceptable behaviour. The applicant also has the right to be informed of the decision on the review and the grounds for it.

4.3 Making a Bid and the Allocation of Properties

Properties are advertised on the HomefinderRCT website and applicants can bid for properties any area according to the type of property that they require. For all advertised properties, the eligibility of bids are checked against the labelling of the property used in the advertisement. Bids cannot be placed for properties that applicants are not eligible for. The allocation of advertised properties will be based on the priority of bids received, which means that Band A applicants will be given highest priority and Band C the lowest priority. Within each band applicants will be prioritised according to their waiting time, known as an effected date within their allocated band. Applicants with the longest waiting time will be given highest priority within each band. If there are multiple bids for a property from one band, the applicant with the longest waiting time in that Band will be offered the property by the relevant Registered Social Landlord.

4.4 Homeless Right to Review

Homeless applicants have the right, within 21 days, to request a review of suitability of an offer whether or not they have accepted the offer. If the applicant has been accepted as being owed a statutory duty by the Council, this duty, subject to a right of review, will have ceased if a final offer is refused.

The Council will cease to owe a duty if the applicant, having been informed of the possible consequence of a refusal and of their right to request a review of accommodation, refuses a final offer of accommodation. An offer of accommodation is considered a final offer if it has been made in writing and states that it is a final offer as the Council ceases to owe a duty as the applicant is no longer eligible for assistance.

The Homeless Review Panel will consider any requests to review the suitability of an offer of accommodation and will carry out the following:

- **If the offer is found to be unreasonable** reinstate their priority need status, or

- **If the offer is found to be reasonable** advise the applicant of the reason for this decision and of the effect that the decision has on their priority need status

Homeless applicants also have the right to appeal to the County Court on a point of law, arising from the decision on the review. A homeless applicant must bring an appeal to the County Court within 21 days of the date on which they are notified of the decision on review.

Where the Council ceases to owe a duty due to the above, the applicant will remain on the housing register as a general needs applicant and be considered for further offers based on their housing need and within their chosen areas.

Section 5:

This section of the document will explain how lettings to specific groups are made under the scheme

- 5.1 How lettings to Councillors and Council Staff and Housing Association Board Members and Staff are made
- 5.2 How lettings to applicants requiring adapted properties are made
- 5.3 How lettings to applicants requiring older persons or sheltered accommodation are made
- 5.4 How lettings to the Council's Gypsy Traveller Caravan Site are made
- 5.5 How lettings to 16 and 17 years olds are made

5.1 How Lettings To Councillors and Council Staff and Housing Association Board Members and Staff are made

Rhondda Cynon Taf County Borough Council and its partners are committed to providing a fair and equitable Housing Allocation scheme to all its applicants. We do not exclude any employee, Council Member, Board Member, close relatives of employees or Board Members, or former staff from applying for a tenancy.

All persons eligible are entitled to apply to the Scheme and all applicants will undergo the same assessment procedure.

Staff, Board Members and Council Members and their relatives will be treated the same as any other applicant and will not receive any preferential treatment.

However, the following steps will be followed when a member of staff, Board Member or Council Member submits an application:

- The applicant will have no involvement in any decisions or the inputting of their application
- The applicant will have no involvement in the awarding of priority or band
- Applications should be clearly marked that the application is that of a staff member, Board Member, Council Member or a relative
- At the point of offer the relevant form must be completed and signed off before the offer is complete

Guidance on permitted payments and benefits to staff and board members of Registered Social Landlords in Wales states that when an offer is made there is an exemption to permit the grant of a tenancy or the disposal of a house to

an officer or to a close relative of an officer provided that the written consent of the Welsh Government has been obtained.

5.2 How Lettings To Applicants Requiring Adapted Properties are made

Applicants requiring adapted properties will apply for housing in the same way as applicants requiring general needs properties. Applications will be awarded priority in accordance with the banding system as set out in Section 3. However, at the point of application, such applicants will be required to complete a self-assessment form (Appendix X). The purpose of the self-assessment form is to determine the appropriate classification of the applicant's disability needs, this will identify the type of property required. Further evidence may need to be provided in order to award the appropriate priority based on the self-assessment information.

Adapted Properties are categorised in the following way:

- Level 1 – Fully adapted
- Level 2 – Partially adapted

The Council will match the property to the applicant by looking at the relevant property category first, priority banding, followed by the length of time the applicant has been waiting. Expert opinions may be sought from medical professionals such as Consultants or Occupational Therapists to assist in the assessment of the suitability of the property for the shortlisted applicant.

When a general needs property becomes available for allocation this will be allocated to the person at the top of the relevant band in accordance with Section 3.1. Some applicants requiring adaptations may not necessarily need a bungalow, level access or a fully adapted property and a general needs property, which can be adapted, may be suitable. If the applicant at the top of the band requires an adapted property, the Housing Officer will assess the suitability of the property to identify if the property can be adapted to meet the needs of the disabled applicant who is at the top of the list. Where the Housing Officer assesses the property as being suitable, an Occupational Therapist will be required to undertake a verification visit.

Where the Housing Officer assesses the property as being unsuitable, the applicant will be skipped, and the next shortlisted applicant will be considered for the property. The skipped applicant will be able to check the reason why they have been skipped via their HomefinderRCT account.

The Housing Officer and the Occupational Therapist must consider the, suitability, practicality and the cost effectiveness of adapting the available property.

5.3 How Lettings To Applicants Requiring Older Persons and Sheltered Housing Accommodation are made

Sheltered housing offers accommodation, often within complexes, especially designed with the needs of older people in mind.

It aims to provide a safe environment where people can make friends and enjoy a range of social activities while living independently. In some cases, a warden service is supplied for greater reassurance and better security.

To be eligible for Sheltered Housing applicants must be:

- aged 55 or 60 and over, depending on the accommodation
- eligible for housing as detailed in the Scheme and appear in an appropriate band as set out in the Scheme
- be made aware of the cost of moving into a Scheme before a letting is carried out

Applicants wishing to apply for older persons' accommodation which is not sheltered accommodation can find details of this in Appendix 2.

5.4 How Lettings to the Council's Gypsy Traveller Caravan Site are made

Letting to the Council's Gypsy Traveller Caravan Site will be made in accordance with the Beddau Caravan Site Allocation Policy.

Section 6:

This section of the document will explain the service standards of the scheme and how it will be monitored

- 6.1 The service standard for administering the scheme
- 6.2 Monitoring
- 6.3 The annual review of the HomefinderRCT
- 6.4 The procedure for dealing with changes in circumstances
- 6.5 Cancelling Applications

6.1 The Service Standard For Administering The Scheme

The Council has a statutory duty to have an allocation scheme for determining priorities, and the procedure to be followed in allocating social housing.

The Council has a responsibility to ensure the needs of residents are met through housing services provided locally and has a duty to help people who are homeless or threatened with homelessness.

The Council will consider every application received and will:

- Provide free advice and information about the right to apply for accommodation
- Provide detailed advice on eligibility to join HomefinderRCT
- Ensure that all information is easy to understand and is readily accessible
- Outline how choice is offered and the ability of applicants to indicate their preferences
- Provide detailed advice on the types of accommodation that is available throughout the County Borough
- Provide detailed information on the length of time applicants are likely to have to wait to be re-housed in their area of choice, and also information on the length of waiting time for any other area
- Publicise the Scheme on the Council's website
- Publish a summary of its Scheme and provide a summary free of charge to anyone who requests a copy.
- Make the Scheme available for inspection at Sardis House, Sardis Road, Pontypridd, CF37 1DU
- Provide a copy of the Scheme (for a fee) to any member of the public that requests one
- Treat applicants equally in accordance with their housing need and where possible their choices, regardless of race, religion, ethnic or national origin, disability, gender, gender reassignment, sexual orientation, marital status or age
- Regularly undertake equality monitoring

- Ensure that all information provided by applicants will be treated with strict confidentiality
- Applicants who have difficulty reading and understanding the Scheme will be offered the following services:
 - An interpretation service if their first language is not English
 - An interpretation service if they require British Sign Language interpreter
 - Provision of documents in large print
 - An interview to explain the Scheme and information where independent advice can be obtained regarding the Scheme

6.2 Monitoring

The Housing Act 1996 requires housing authorities to determine and publish a Housing Allocation Scheme setting out how it prioritises applicants for social housing. Monitoring reports are published quarterly and presented to the HomefinderRCT Steering Group. The monitoring reports are devised to ensure that the Local Authority meets its statutory obligations and to ensure that Reasonable Preference is provided to specific groups.

If monitoring shows that priority is not being given to the higher bands, the Council reserves the right to implement a quota system to ensure its statutory obligations are being met.

6.3 The Annual Review of HomefinderRCT

Each HomefinderRCT application will be reviewed annually by writing to applicants and asking them to complete a short questionnaire to confirm that the information held on HomefinderRCT is up to date and accurate. Applicants in Band A will have their applications reviewed every 3 months to ensure that they are actively bidding and also that their housing circumstances have not changed i.e they are still in urgent housing need.

Applicants will be sent a reminder after 14 working days where failure to respond to this will result in their application being cancelled. All cancelled applicants will be notified in writing. If the applicant can provide an appropriate reason for not responding to the review request in time, such as being on holiday or in hospital, the application may be reinstated with their original application date.

6.4 The Procedure for Dealing with Changes in Circumstances

Applicants must immediately notify HomefinderRCT of any changes in their circumstances, for example a change of address, obtaining a job, household members moving in or out, and must provide evidence to support these changes as a change in circumstances could alter their position on HomefinderRCT.

Any applicants that do not respond within the timescale for providing additional information may be removed from the Scheme. Applicants will not be considered for an offer of accommodation whilst HomefinderRCT is awaiting the required information. Applicants who have been removed from the register have the right to a review of the decision within 21 days.

If a household deliberately worsens their circumstances following a voluntary change of address, the application may, for a period of not more than 12 months, be assessed as though the applicant were still living at the previous address. For example this could arise if an occupation contract is ended or a home abandoned with no appropriate reason or explanation. Anyone forced to leave their home through violence or a genuine fear of violence will not be considered to have deliberately worsened their circumstances.

6.5 Cancellling Applications

Applications will be cancelled for the following reasons:

- At the applicant's own request
- Upon changes in circumstances that result in them being ineligible for the Scheme
- Following failure to respond, without good reason, to an annual review
- An applicant has been housed in a secure or assured tenancy by another Local Authority or other Registered Social Landlord not part of HomefinderRCT
- Where an applicant leaves temporary accommodation without a forwarding address
- When the applicant moves to a new address and does not complete a new application form
- When the applicant fails to respond to an offer of accommodation
- When the applicant refuses two reasonable offers of accommodation

Section 7:

This section of the document provides information regarding additional legal duties

- 7.1 How personal information and confidentiality is dealt with under the scheme
- 7.2 The consequences of providing false information
- 7.3 The applicant's right to review of a decision
- 7.4 How to make a complaint

7.1 How Personal Information and Confidentiality is Dealt With Under the Scheme

The Council will ensure that all information stored on HomefinderRCT is treated in the strictest confidence and processed in accordance with the provisions of the Data Protection Act 2018 and the Housing Act 1996. This undertaking extends to all participating organisations that are signed up to this policy.

All applicants have a right to view and confirm the accuracy of information about them, which is held on our systems. Personal information obtained from or about an applicant will only be used to process an application. As part of the application process, applicants are required to consent to their personal information being shared for the purpose of being housed. Consent to share information is required to fully complete an application. Where an applicant is unwilling to share their information, the application will not be considered fully completed and will not be admitted onto HomefinderRCT.

Privacy and confidentiality are respected. Information will normally only be used to verify eligibility and priority. In some cases, the Council may contact other agencies to confirm this information. Where information is to be shared with third party agencies, this will not be done without the applicant's agreement, unless they have a legal right to obtain it, and information will be transferred in a secure way.

In some cases the law may require or permit, and disclosure may be necessary, information about an applicant to be shared without consent and this will not breach data protection, human rights or the common law obligation of confidence. In terms of obligation of confidentiality/privacy, this may be set aside where disclosure of information is necessary to ensure one or more of the following:

- National security
- Public security
- The detection or prevention of crime or disorder
- Protection of health or morals
- The protection of the rights of freedom of others

7.2 The Consequences of Providing False Information

It is a criminal offence for an applicant to knowingly or recklessly give false information or knowingly withhold reasonably requested information relevant to their application. This includes information requested for the application and information relating to any review of the application.

Where there is suspicion that a person has provided or withheld false information, the application will be recorded as 'application pending' until investigations are complete. If the outcome of the investigation is that the information was not false and was not withheld, then the application will be reinstated to the Scheme.

Where applicants have obtained a tenancy by withholding information or providing false information, under Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by the 1996 Act, s.146) the landlord can seek possession of the property.

If the Council determines that an applicant directly, or through a person acting on their behalf, has given false information or withheld required information it will result in them being ineligible for the Scheme.

7.3 The Applicant's Right To Review of a Decision

In accordance with Section 167 (4A) of the Housing Act 1996 this Scheme is framed to ensure that an applicant:

- (a) Has the right to general information to enable them to assess:
 - How the application is likely to be treated under the scheme (including whether the applicant is to be considered to be awarded reasonable preference)
 - Whether housing accommodation appropriate to their needs is likely to become available and how long such accommodation is likely to become available for allocation
- (b) Is notified in writing of any decision that determines:
 - the applicant, or a member of their household has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant
 - in the circumstances at the time the case is being considered, the applicant deserves by reason of that behaviour not be awarded reasonable preference
- (c) has the right to request any information of the decision about the facts of the case which is likely to be, or has been, taken into account when making the decision whether or not to make an allocation
- (d) has the right to be informed of the decision on the review and grounds for it

Every applicant has the right to appeal against the decision that the Local Authority makes about their applications.

Applicants can appeal against:

- the band they have been awarded
- the date their band was awarded
- the size of the property that they have been identified as needing
- how their application has been administered
- Exclusion from HomefinderRCT
- Restriction of the areas to be housed within

The applicant can request a review of any of the above within 21 days of the date of the decision letter. The request can be made orally by telephoning HomefinderRCT on 01443 425678 or in writing to HomefinderRCT, Ty Sardis, Sardis Road, Pontypridd, CF37 1DU

Upon receipt of a review request the Homefinder and Accommodation Manager will prepare a report for HomefinderRCT Steering Group. The Steering Group will consider the appeal within 28 days of the request. The applicant will be notified in writing of the appeal request within 7 days of the decision.

7.4 How to Make a Complaint

The Council aims to provide high quality service for its customers and values any feedback and comments. The Council promises to treat customers with respect, be fair and honest and admit and learn from its mistakes.

The HomefinderRCT Manager will deal and respond to all complaints and feedback regarding the Scheme and HomefinderRCT procedures and processes.

Complaints can be made in the following ways:

- Request a copy of the Council's feedback form from the member of staff you are already in contact with. Tell them that you wish to deal with the matter formally.
- Contact the Council by telephone to make a complaint on: 01443 425005
- Complete an online form at www.rctcbc.gov.uk
- Write a letter to the Council at: Customer Feedback, BSU, Ty Elai, Williamstown, Tonypany, RCT, CF40 1NY
- Visit one of the Council's One4all Centres based in Aberdare, Mountain Ash, Porth, Pontypridd or Treorchy

Section 8

Operational Manual

The Council will use an Operational Manual that describes, for the purpose of the staff of the Council and its Registered Social Landlord partners an explanation of how the Scheme will be operated and implemented. It will describe what officers should do, how decisions are made and will include procedures and processes. Its purpose is to guide the operation and implementation of the policy as described in the main body of the Scheme. The Operational Manual may be updated from time to time to take into account any administrative or ICT improvements and changes. The Operational Manual will be available at www.rhondda-cynon-taff.gov.uk

Appendix 1

Rhondda Cynon Taf Banding System

<p>Criteria for Band A</p> <p>Urgent Housing Need</p> <p>Applications awarded Band A will be reviewed every 3 months</p> <p>Local connection criteria will apply except for MAPPA and Homelessness Cases</p>
<p>Reasonable Preference Categories s167(2)(a), (b), (c), and (d)</p>
<ol style="list-style-type: none">1. Applicants who have suddenly lost their existing home as a result of disaster and require accommodation in a short period of time.2. Applicants who are homeless under Section 75 of the Housing (Wales) Act 2014. These are applicants who are homeless, eligible and in priority need.3. Applicants who have served in the regular or reserve Armed Forces of the Crown who have been made homeless since leaving the armed forces.4. Bereaved spouses or civil partners of those serving in the regular or reserve forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly or partly attributable to their service.5. Applicants who currently occupy a property where a prohibition order, demolition order or compulsory purchase order has been served.6. Applicants who have a health condition that is terminal and their current home is a barrier to receiving urgent medical care.

7. Applicants who have a health condition that is life threatening and their existing accommodation is a significant contributory factor.
8. Applicants who are disabled and their current accommodation cannot be adapted and which completely restricts them from carrying out day to day activities both internally and outside the home and they require a fully adapted property.
9. Applicants who are in hospital and a planned discharge is imminent but there is no accommodation available for them to reasonably occupy.
10. Applicants (including those leaving Care) that are leaving supported housing and have been assessed and approved by the Move On Panel as ready for re-housing.
11. Applicants who are currently under occupying social housing by one or more bedrooms and need to transfer to a smaller property due to the current property being unaffordable

Local Priorities

12. Applicants who currently occupy a Level 1 adapted property that they no longer require and there is a suitable applicant on the waiting list for the property.
13. There is a likelihood of a child being accommodated by the local authority if re-housing is not made
14. Applicants whose circumstances are not dealt with under any of the other circumstances in Band A, however their housing need has been assessed by the Eligibility Panel as urgent and they require immediate re-housing

Criteria for Band B
High Housing Need
Applicants awarded Band A but with no local connection

All Homeless Regardless of Local Connection
Reasonable Preference Categories s167(2) (a), (b), (c), (d) and (e)
<p>15. Applicants who are homeless within the meaning of Part 7 of the Housing Act 1996 or Part 2 of the Housing (Wales) Act 2014</p> <p>16. Applicants who are owed a duty under sections 66 or 73 of the Housing (Wales) Act 2014</p> <p>17. People who are owed a duty by a local authority under Section 190(2), 193 (2) or 195 (2) of Part VII of the Housing Act 1996 or who are occupying accommodation secured by any local authority under Section 192(3)</p> <p>18. Applicants who live in an overcrowded property which leaves them at risk of infection, for example, where an applicant is suffering from advanced HIV infection</p> <p>19. Applicants who are currently occupying accommodation which has two bedrooms less than required based on the needs of the household.</p> <p>20. Applicants who have an urgent need to move on welfare grounds and an application has been made because they are at risk of being admitted to residential care or hospital if they are not re-housed.</p> <p>21. Applicants who need to move due to relationship breakdown and there is a need identified to safeguard and promote the welfare of a child.</p> <p>22. Applicants who are giving or receiving essential support, which can only be delivered if they live in a specific locality within the area</p> <p>23. Applicants who have permanent employment which cannot continue unless they live in a specific locality within the area and are otherwise adequately housed</p>
Local Priorities
<p>24. Applicants suffering from Hate Crime where it is not safe for them or their household to remain in their current home.</p>

25. Applicants who have been recommended by the Director of Community and Children's Services to foster or adopt children and whose current accommodation is not large enough

26. Applicants who are forced to live apart from their partner or children because their current accommodation is unsuitable*

** This does not apply to those who are legally separated or are living apart due to relationship breakdown or family dispute*

Band C

Low Housing Need

Applicants awarded Band B but with no local connection

Reasonable Preference Categories s167 (2) (a), (b), (c) and (d)

27. Applicants who have a health condition which is being adversely affected by an aspect of their current home which can only be resolved by moving house.

28. Applicants who are currently occupying accommodation which has one bedroom less than required based on the needs of the household.

29. Applicants who need to move to be nearer to:

- a. A child's school (where the need to move to a school has been recommended by the Director of Education)
- b. A place of worship as there is no suitable place of worship where the applicant currently resides

Band D

No Housing Need

**Applicants awarded Band C but with no local connection
(except Homelessness)**

Reasonable Preference Category s167 (2) €

30. Applicants who are assessed as having no housing needs.

30. Applicants who are current contract holders of a Registered Social

Landlord who wish to transfer and have no housing needs*

**Applicants must have been a contract holder with their current landlord for 12 months or more*

Appendix 2

Habitual Residence Test

There is no legal definition “habitual residence” therefore each case must be considered individually. The most important factors for the habitual residence are period of residence, continuity and nature of actual residence.

The term ‘habitual residence’ is intended to refer to the permanence of the person’s residence in the Common Travel Area (the UK, the Channel Islands, the Isle of Man and the Republic of Ireland). When deciding whether an applicant is habitually resident, housing authorities should take account of the applicant’s period of residence and its continuity, the applicant’s employment prospects, the applicant’s reason for coming to the UK, the applicant’s future intentions, the applicant’s centre of interest and any other fact or circumstance which might be relevant.

A person who is in stable employment is more likely to be able to establish habitual residence than a person whose employment is, for whatever reason, transitory (for example, an au pair or someone on a fixed or short-term contract). Equally, a person, one of whose apparent aims is coming to the UK is to claim benefits, is less likely to be able to establish habitual residence.

A person who intends to take up permanent work is more likely to be able to establish habitual residence, as is a person who has immediate family or other ties to the UK.

While the majority of the categories eligible for housing require the applicant to be habitually resident in the CTA, most applicants for social housing will not be persons from abroad and there will be no reason to apply the test. It is also likely that persons who have been resident in the CTA continuously during the two years prior to their housing application will be habitually resident in the CTA. In such cases, therefore, housing authorities may consider it unnecessary to make further enquiries to establish habitual residence, unless there are other circumstances that need to be taken into account. A period of continuous residence in the CTA might include visits abroad e.g. holidays or to visit relatives. Where two years continuous residency in the UK is not established, housing authorities may need to conduct further enquiries to determine whether the applicant is habitually resident in the CTA.

Whilst habitual residence requires an appreciable period of residence, there is no minimum time limit set for an appreciable period. Case law suggests that in some circumstances ‘a month can be an appreciable period of time’.

A person cannot claim to be habitually resident in any country unless the person has taken up residence and lived there for a period. There will be cases where the person concerned is not coming to the UK for the first time, but is resuming a habitual residence previously held.

Housing Allocation Scheme Review - Proposed Policy Changes

	Current Policy	Proposed Policy	Reason for Change
Adapted Housing	<p>The current allocation of adapted housing prioritises the type of adaptations required over band. This allows RSLs to allocate properties that best matches in terms of the actual adaptations in the property, rather than the overall Level e.g Mrs Jones is in Band B and needs a stair lift which would classify her as needing a level 2 property. Mrs Davies is in Band C and needs a level shower which would also classify her as needing a level 2 property. The property being advertised has a level access shower, but no stair lift. Although Mrs Jones is in a higher band, the property will be offered in the first instance to Mrs Davies as the property best matches the adaptations she requires</p>	<p>All disabled applicants and adapted properties are assessed via a criteria which allows applicant to be matched to the most suitable type of property:</p> <ul style="list-style-type: none"> • Level 1 – fully adapted • Level 2 – partially adapted <p>When an adapted property becomes available to let, it is allocated to the person who needs that Level of property and who is in the highest band</p>	<p>The current approach has caused an increase in complaints from applicants because if they don't 100% match the property's adaptations they can be left waiting an exceptionally long time on the register.</p> <p>In addition to the above, people in a lower housing need band who require adapted housing can be prioritised over people in a high housing need band. As a result, the Scheme might not operate to give overall priority to those in a 'reasonable preference category'.</p>
Rent Arrears	<p>If an applicant has rent arrears/former tenant debt under £744, they are eligible to join the Register in their assessed priority band.</p> <p>If an applicant has rent arrears £744 they are ineligible to join the register until they have reduced their rent arrears to under this sum (calculated as the equivalent of 8 weeks rent arrears in 2017). At this point they are eligible to join the register in their assessed priority band.</p> <p>Rent arrears may not be reasonable to consider if the rent arrears/former tenant debt is historic.</p>	<p>If an applicant has rent arrears/former tenant debt that equates to under 8 weeks rent arrears, they will be eligible to join the Register in their assessed priority band.</p> <p>If an applicant has rent arrears over 8 weeks they will be ineligible to join the register. The sum of the 8 week will be calculated on the applicant's rent at the time they exit their tenancy. The applicant needs to set up a repayment plan and adhere to this for 12 weeks.</p> <p>Once the repayments have been made for 12 weeks they will be eligible to join the</p>	<p>The current policy is outdated when looking at the increase in rental costs. In addition, the current policy does allow for applicants to demonstrate a commitment or change in behaviour to repaying rent arrears/former tenancy debt.</p>

Housing Allocation Scheme Review - Proposed Policy Changes

	<p>Applicants with current /former tenancy related debt but who would otherwise be awarded Band A are considered on a case by case basis by the eligibility panel under exceptional circumstances to both determine eligibility and priority band as relevant. Applicants in other bands are also considered under exceptional circumstances on a case by case basis.</p>	<p>register in their assessed priority band (they will continue to make repayments until their debt is paid off).</p> <p>If they default on a repayment, their start date for joining the register will be set back by 6 months.</p> <p>Rent arrears may not be reasonable to consider if the rent arrears/former tenant debt is historic.</p> <p>Applicants with current /former tenancy related debt but who would otherwise be awarded Band A will be considered on a case by case basis by the eligibility panel under exceptional circumstances to both determine eligibility and priority band as relevant. Applicants in other bands may also be considered under exceptional circumstances on a case by case basis.</p>	
Hate Crime	Not referenced in the current policy	The policy has been updated to include hate crime as a category of housing need within Band B and also includes a definition of what is meant by the term Hate Crime.	There is no specific reference to hate crime in the current policy.