Solihull's Housing Allocation Scheme

2025

Solihull Community Housing
Shaping our neighbourhoods

Solihull Home Options

Solihull Metropolitan Borough Council
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Solihull Council

Housing Allocation Scheme

Contents

Section 1 Overview

- Legal Framework
- Strategic Framework
- Management of the Scheme
- Aims of the Scheme
- Statement of Choice
- Context
- Housing Options
- Nominations
- Equalities
- Personal Information
- Information and Right to Review
- Complaints

Section 2 Applying to the Housing Register

- How to apply
- Who can apply
- Who can be included
- Property size eligibility and the bedroom standard
- Providing information

Section 3 Eligibility and Qualification

Section 4 Prioritisation of Applicants - The Banding System

Section 5 The Choice Based Letting System

Section 6 Management of the Scheme

Appendices

Appendix A Legal and regulatory background

Appendix B Data protection and equalities statements

Appendix C Local connection

Appendix D Rights to information and review

Appendix E Verification requirements

Section 1

1. Overview

1.1 Section 166A (1) of the Housing Act 1996, as amended, requires all local authorities to have a housing allocation scheme for determining qualification and priorities between applicants for housing and the procedures to be followed in allocating housing accommodation.

1.2 Solihull Community Housing (SCH) manages and maintains council homes and delivers housing services on behalf of Solihull Metropolitan Borough Council (SMBC). Although SCH provides day-to-day housing services, the Council remains the owner of the housing stock and is your landlord. The Council retains the responsibility for ensuring your home is managed in line with the Consumer Standards.

1.3 This Scheme sets out how the Council will:

- assess applications for housing
- determine eligibility, qualification, and level of housing need
- prioritise applications and place them within the banding system
- provide for applicant choice and preferences

1.4 This Scheme applies to:

- New applicants
- Existing tenants who want to transfer from one social housing tenancy to another
- Nominations to Registered Providers

1.5 In developing this Scheme, the Council has consulted with customers, staff, partner Registered Providers (formerly known as Housing Associations), local voluntary and statutory agencies, and elected Members.

1.6 Legal Framework

1.7 For the purpose of this Scheme, an allocation occurs when the Council:

- selects a person(s) to be a secure or introductory tenant of the Council; or
- nominates a person to be a secure or introductory tenant of housing accommodation held by another person/other local authority; or
- nominates a person to be an assured tenant of housing accommodation held by a private registered provider of social housing or a registered social landlord.

1.8 The following are not ‘allocations’ and therefore are not covered by this Scheme:

- Succession to a secure tenancy on the death of a tenant
- Assignment of a tenancy by way of mutual exchange
- Assignment of a tenancy to a person who would be qualified to succeed to a secure tenancy on the death of the tenant
- Transfer of a tenancy by way of a Court Order under family law or the Civil Partnership Act 2004

- Where a person becomes a secure tenant on ceasing to be an introductory tenant
- Accommodation provided without security of tenure (e.g. temporary accommodation provided to homeless households that are owed a duty of assistance)
- Temporary moves arranged by the council in the exercise of its property management powers e.g. decants for major property works

The Legal and Regulatory Framework is detailed further at Appendix A.

1.9 All allocations will be made in accordance with the provisions of this Scheme.

1.10 Strategic Framework

1.11 In formulating this Scheme, specific regard has been given to the Council's Homelessness and Rough Sleeping Strategy and its Tenancy Strategy.

Consideration has also been given to the contribution that the Scheme may make to other relevant council strategies and priorities, including the Domestic Abuse Strategy and the Council's Housing Strategy.

1.12 Management of the Scheme

1.13 The Council operates its Housing Allocation Scheme under the name of Solihull Home Options.

1.14 The Council's housing stock, and administration of its Housing Allocations Scheme are managed by Solihull Community Housing (SCH), an Arms-Length Management Organisation, on behalf of the Council. SCH will manage allocations in accordance with this Allocations Scheme and will advertise Council and Registered Provider properties via the Solihull Home Options choice based lettings system.

1.15 Letting of Council properties and nominations to partner Registered Providers within Solihull are covered by this Scheme. This includes general needs accommodation for single persons, couples and families, and supported accommodation.

1.16 The Aims of the Scheme

1.17 The Council's objectives for the Housing Allocations Scheme are to:

- Have an accessible, clear, fair, and transparent scheme
- Prioritise and allocate to those in greatest housing need
- Reduce the number of people and families becoming statutory homeless
- Support the best use of social housing stock
- Offer applicants choice and informed decision making in relation to available accommodation and housing options
- Contribute to the Council's strategic priorities and support the development and sustainability of thriving communities.

1.18 Statement of choice

The Council is committed to enabling applicants' choice in relation to property type and preferred location, whilst continuing to prioritise those applicants in the greatest need and making best use of social housing stock.

However, social housing in Solihull is in high demand, particularly for some property types and areas, this may limit the degree of choice that the Council is able to offer. For example, there may be a need to limit choice to resolve a person's housing situation urgently, such as a homeless household to whom a statutory duty is owed.

1.19 A choice-based lettings system called Solihull Home Options is used to enable applicants to express a preference (bid) on the accommodation they would like to consider being allocated to them. It allows applicants to see both Council and Registered Provider homes that are advertised for letting. It also informs them of their relative position on a property shortlist, so enabling them to make an informed choice when deciding which property to bid on, and whether to consider alternative housing options.

1.20 In certain limited circumstances, it may be necessary to make direct allocations outside of the advertising system because of the very specific needs of the applicant, the attributes of the property or for better management of the stock. Further details are given in paragraph 5.14 below.

1.21 Where the Council accepts a Relief or Main Housing Duty (Part 7 of the Housing Act 1996), area choices and property types will be determined by the Council based on its assessment of the applicants' housing needs.

1.22 The Council will have due regard to where an applicant cannot live in certain areas due to well-founded fear of violence, harassment, domestic abuse, or similar circumstance.

1.23 Context

1.24 Solihull has seen a steady increase of applicants with an identified housing need, rising from around 2,500 at the start of 2020 to over 3,400 at the start of 2025. The number of properties that become available to allocate each year ranges from 500 to 650.

1.25 Applicants with low/no levels of housing need have little realistic prospect of receiving an offer of social housing in Solihull. The period of time it takes for a household to receive an offer of a property will vary due to:

- the available stock at any one time
- the type/size of property needed
- the number of people applying for homes during that period
- the level of priority that applicants have been awarded.

1.26 Housing Options

The Council recognises that it will never meet the demand for affordable rented accommodation in the borough solely through use of its own housing stock, or through Registered Providers of social housing. Applicants are encouraged to explore all housing options that are open to them, whilst making the best use of the limited supply of properties that become available in social housing.

1.27 The Scheme aims to focus on those in greatest housing need, whilst making the best use of stock and offering choice.

1.28 SCH will therefore provide applicants with a range of information regarding their housing options. This will include information about:

- Arranging mutual exchanges with another council or housing association tenant
- Affordable home ownership - such as shared-ownership. Also see Government website on the range of affordable home ownership products
- Renting in the private sector
- Options to remain in the current home. This includes advice on money and benefits, homeless prevention initiatives and home adaptations
- Open market ownership – dependent on income and savings
- Short term accommodation
- Movement incentives (subject to available finances) to enable tenants to move to smaller properties that are a more manageable size for them
- Renting through a Registered Provider

Further information on the range of options is available on the SCH website at www.solihullcommunityhousing.org.uk or the Solihull Home Options website at www.solihullhomeoptions.org.uk

1.29 Nominations

1.30 The Council shall agree specific nomination agreements with the Registered Provider operating within its local authority area. This will define the number, property type, size and location of properties, administrative arrangements and monitoring.

1.31 Equalities (refer to Appendix B for further details)

1.32 This Scheme is subject to the provisions of the Equality Act 2010 and specifically, section 149 which states that the Council has a duty to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity, and to foster good relations between persons who share a relevant protected characteristic and those who do not i.e. the Public Sector Equality Duty. The Council has undertaken a Fair Treatment Assessment and has due regard to the protected characteristics as defined in Section 4 of the Equality Act 2010, which are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

1.33 As permitted by the Localism Act 2011, preference for allocations will be given to applicants in the reasonable preference categories under section 166A (3) of the Housing Act 1996 and local lettings policies will not unjustifiably discriminate against persons possessing protected characteristics.

1.34 Where necessary, the Council will seek to make reasonable adjustments to ensure all applicants are able to access the service, for example, provide interpretation and translation services and/or use alternative methods of communication, within a reasonable timescale.

1.35 The Council has had regard to section 11 of the Children Act 2004 and the need to safeguard and to promote the welfare of children when developing this Scheme.

1.36 Personal information

1.37 Personal information that the Council holds in relation to applications will be processed in accordance with the Data Protection Act 2018. Information may need to be disclosed to partner Registered Providers or other landlords who may be able to offer accommodation. This is set out within the Data Protection Statement in Appendix B.

More information about how and why the Council may process personal data, data protection rights or how to contact the Council's Data Protection Officer is available in the Council's Privacy Notice, accessible on the Council's website at www.solihull.gov.uk

1.38 Information and right to Review

1.39 Information

1.40 A copy of the Housing Allocation Scheme is available online and hard copies are available free of charge on request. A summary of the Scheme is available routinely to everyone making an application for social housing.

1.41 All applicants have the right to request general information about their application. Applicants will be notified of this in writing where requested.

1.42 Right to Review

1.43 Applicants have a right to request a review of a decision not to accept their application onto the Housing Register because of their immigration status, or because they are a non-qualifying person and the reasons why.

1.44 The Housing Act 1996, as amended, gives applicants the right to request a review if the Council:

- Decide not to allow them to join the Housing Register
- Make any decision that affects their housing application

1.45 If an applicant wishes to request a review of a decision made under this Scheme, they must make this within 21 days of the decision. Any request for a review must be made in writing and clearly set out the reasons why an applicant does not agree with the Council's decision. The Council will seek any further information it requires, including advice from medical and other specialist advisors.

1.46 Further details regarding the Right to Review process are included at Appendix D.

1.47 Complaints

1.48 If SCH consider that a complaint should be treated as a request for a right to review, the applicant will be informed of this, and the request will be dealt with under the procedure set out in Appendix D, with the request treated as being made on the date it was referred to the Reviewing Officer.

1.49 Complaints should be made using the SCH Policy for Customer Comments and Complaints. A copy of the current procedure along with guidance is available on the SCH website at Complaints - Solihull Community Housing

Section 2 – Applying to the Housing Register

2.0 How to apply to the Register - Application Process

2.1 To be considered for an allocation of social housing an applicant must be included on the Housing Register.

If an applicant believes they meet the eligibility and qualifying criteria outlined in Section 3, they can apply as detailed below.

2.2 All applicants will need to make an application using the prescribed form. This should be completed online at www.solihullhomeoptions.org.uk. Computers are available at Solihull Connect Offices to facilitate the online application process for applicants who do not have access to the internet.

Applicants requiring assistance can contact SCH who will discuss what assistance can be provided. This may include, for example a referral to a support organisation or a member of the Housing Options service, guiding them through the application. Information or advice can be obtained by contacting SCH on 0121 717 1515 or by visiting a Solihull Connect Office.

2.3 Each applicant will be provided with a user account that they will be able to securely log into via the Scheme website. Solihull Housing Options Team will primarily communicate with applicants via their user account about their application on matters such as advice and assistance, notifications, clarification on evidence etc. Whenever necessary, SCH will also communicate with the applicant via other means such as email, telephone, virtual calls, letter/leaflet, in person, such as when they are having difficulty using their scheme account, including when a person needs or asks for an alternative format or reasonable adjustments to be made.

2.4 Applying to the Register

2.5 Who can apply

2.6 Any person aged over 18 years of age who meets the eligibility and qualification criteria may apply to join the Housing Register.

2.7 Where a person under 18 years is making a joint application with a person over 18 years and they intend to live together as joint tenants and as a cohabiting couple, any offer of accommodation will be made to the applicant 18+ years; the Council will consider a request for a joint tenancy when the joint applicant reaches the age of 18 years.

2.8 Two people may make a joint application if they are both eligible and qualify to register and will be treated as one application. Joint applicants are both responsible for the security of their application and must ensure that the log in details and password are kept safe.

Councillors, SCH or private Registered Provider Board Members, as well as employees and their close relatives (parents, children, spouse, or former spouse) can apply to join the

Housing Register. In order to ensure that the Council is treating all applicants fairly, any application from any of the above must disclose their relationship at the point of application or, if circumstances change, after the initial application has been submitted.

When handling an application from an individual that falls into one or more of these groups, they will be assessed for eligibility and qualification and prioritised in the same way as all other applications. However, the Housing Options Manager will be the officer responsible for verifying and approving the following:

a) The level of priority awarded to the application.
b) The vetting of offers of accommodation made as part of this Scheme.

2.9 16/17-year-olds

2.10 Legislation allows for young persons aged 16 and 17 years old to apply to the Housing Register in the same way as any other applicant, however the law prevents those in this age group from holding the legal interest of a tenancy agreement until they turn 18 years of age. A person may therefore apply to go on the Housing Register but will not normally be offered a tenancy until they turn 18 years.

2.11 Exceptions to this are care experienced young people where the Council has a duty to assess and meet the needs of young people who are in care or care leavers. Solihull Council, acting as a 'corporate parent', aims to ensure care experienced young people have a smooth transition into independent living. A joint Housing/Children's Services Protocol exists to facilitate this transition.

2.12 An application by a child to go on the Housing Register may indicate a need for the Council's Children's Services Team to get involved. The duties of Children's Services under the Children Act 1989 take precedence over the duty on Local Authorities under the Housing Act 1996. This means that if a child or young person aged 16 or 17 years seeks help from the Local Authority as a result of homelessness, their needs will be assessed under section 17 Children Act 1989; if they are subsequently found to be in need of accommodation, they may need to be accommodated under section 20 of the same Act and become a 'looked after' child.

2.13 In an exceptional case, the Council may wish to offer accommodation to a 16- or 17-year-old and will consider an arrangement such as a family member, appropriate adult friend or professional person holding a tenancy on trust for the young person until they turn 18 years.

2.14 Who can be included in an application

2.15 An individual can only be included on one active application at any one time, either as a Main or Joint Applicant, or as a Member of an Applicant's Household.

2.16 Applicants should only include people in their application who will be part of their household and occupying the accommodation as their principal home. Applicants can only include people who normally reside with them or could reasonably be expected to do so.

This can include:

- a partner, civil partner, or spouse

- dependent children, including children for whom they have been approved to foster/adopt within their household
- non- dependent children or parents living as part of the household
- other adults who are dependent upon them, or care for them, with supporting evidence of the dependent or caring role

2.17 Applicants should not include people they currently live with who will not be moving with them except for children for whom approval has been given to be fostered or adopted into the household.

2.18 Children of applicants are only counted as part of a household where appropriate evidence has been provided to determine parental responsibility for them and where they have their main home. This will principally be with the parent to whom Child Benefit is paid. For these purposes, a child is defined as someone who is either under the age of 18 years or who is still dependent on the applicant for example, due to continuous education. The upper age limit of a dependent child who remains dependent due to education is 25 years. This does not include those who remain dependent due to disability or care needs. The household will be expected to provide evidence of dependency.

2.19 A child will only be counted as part of one household. A child will be counted as part of the household where they have their main home. Where a child lives equally between two households, for example as the result of a shared care arrangement, and only one household is applying for housing, the child will normally be expected to be included in the household that is not applying. If both households are applying, they should decide between them which household will include the child. If they cannot agree, SCH will make a determination.

2.20 Property Size Eligibility

2.21 An applicant is only eligible to bid for a property of the appropriate size for the applicant and their household in accordance with the bedroom standard set out in this Scheme.

2.22 The priority in establishing this standard is to ensure that households are offered accommodation which they can afford, which meets their needs and ensures best use of housing accommodation. The standard is aligned to eligibility for welfare benefits and will be reviewed regularly to ensure that changes to the welfare system are appropriately reflected.

2.23 <u>The bedroom standard</u>

2.24 The Solihull Homes Options Scheme will use the following rules to determine the size of accommodation needed by a household:

One bedroom for:

- Each married or cohabiting couple (including civil partners).
- Each adult aged 21 years or more, not in a couple.
- Any two children/adolescents of the same gender under 21 years.
- Any two children of opposite gender under 10 years.
- Any other child who cannot be paired with another as above.
- An additional room if required by a carer who does not live as part of the household

but provides the applicant or a member of the household with overnight care on four or more nights per week (the applicant will be required to provide evidence of this need such as DWP claim or support from adult social care). Living areas would normally be expected to be used as a sleeping area for occasional carers. Only in exceptional circumstances will applicants be eligible for an additional bedroom.

2.25 Additional bedrooms (if required) for applicants who are pregnant, will be awarded after 26 weeks of pregnancy. Proof of pregnancy will be required.

Whilst potential affordability issues will be discussed with applicants, as any housing benefit shortfall will be limited in timescale, the additional bedroom allocation will be automatic on receipt of proof.

2.26 Applicants are eligible under this Scheme for properties within their bedroom standard entitlement. Where there is limited supply of accommodation, for example, larger family homes, the Housing Options Manager may exercise their discretion to allow the applicant to place bids on properties that are one bedroom short of the assessed need, providing this would not result in statutory overcrowding under section 325 of the Housing Act 1985.

Applicants will not usually be eligible for the allocation of a property with more than the bedroom standard except in exceptional circumstances, which will require approval from a Senior Delegated Officer.

2.27 Consideration may be made to offering two or more separate properties to a large household, particularly in circumstances where there are other non-dependent adults forming part of the household. The Council will consider the types of properties required and ensure that there is an adult as part of each household. Applicants are asked to give this due consideration given the context of housing in the borough, to reduce the length of time they could be waiting for larger accommodation in Solihull.

2.28 Providing Information

2.29 Both at the point of application and prior to any offer of accommodation, applicants will be required to produce documentary evidence to support the information on their application form. This can include but is not limited to:

- proof of identity and eligibility for all those included on the application.
- proof of current address.
- details of any dependants and other household members, and parental responsibilities.
- confirmation of income and savings.
- details and supporting evidence relating to previous accommodation, where appropriate.

- details and supporting evidence, where required of their housing need and circumstances.

2.30 Applicants who have indicated that they have a medical, mobility, welfare or hardship need will be required to provide supporting evidence and may need to be referred to an appropriate agency for an assessment. Further details are given in paragraph 4.11 below.

2.31 All applicants will be required to give consent for third parties to be contacted to check information, and to obtain any further information relating to housing need and circumstances (if required).

2.32 Further details relating to providing information and verification are set out at Appendix E.

2.33 Applicant declaration and false statements

2.34 To access the Housing Register, applicants will be required to declare that the information provided as part of their application is accurate and true. Applicants will also be asked to declare any of the following:

- Details regarding income and assets, including any interest in land and/or property
- Details of any criminal convictions, previous possession orders or injunctions made against them and any incidents of anti-social behaviour
- Details of any outstanding housing related debts, including rent and mortgage arrears

2.35 Statement on Fraud

2.36 It is a criminal offence to engage in social housing fraud. Additionally, it is a criminal offence under section 171 of the Housing Act 1996 for an applicant to provide false information knowingly or recklessly, to withhold information, or to allow a third party to provide false information on their behalf in relation for a Housing Register application.

Such an offence could result in prosecution and an unlimited fine.

Applicants should also ensure that any material changes that could affect their application are notified to the Council as soon as possible.

If an applicant provides false information, withholds information, fails to update outdated information or allows a third party to provide false information on their behalf, the Council reserves the right to disqualify the applicant from the Register, withdraw any offer of accommodation and recover possession of any tenancy obtained as the result of false information, recover any monies obtained as a result of the fraud, for example, rent paid to someone to whom the property is unlawfully sub-let, and bring a criminal prosecution.

A Warning Notice concerning deliberately withholding or giving false information will be drawn to the attention of all applicants at the time of applying to join the Housing Register.

2.37 Assessment of Applications

2.38 SCH will assess completed applications and any supporting evidence provided. This may involve, for example, further information into medical or mobility needs or referral to other services provided by SCH, Solihull Council, or other agencies. SCH will decide whether the applicant is eligible and qualifies for the Housing Register, which banding is applicable to their circumstances, and the number of bedrooms they are eligible for.

2.39 Incomplete applications (i.e. those that have not been fully completed and submitted via their online housing application) will not be assessed and the incomplete application will be closed after 28 calendar days.

2.40 If an applicant is accepted onto the Housing Register, the applicant will be notified of the band their application has been placed in, and the number of bedrooms they are eligible for. A medical assessment outcome letter will include property type, and where applicable, floor level of accommodation that has been recommended, for example ground floor.

2.41 Tenancy Ready

2.42 To assist applicants to explore housing options, receive financial guidance on sustaining a tenancy and understand the rights and responsibilities of being a tenant, SCH will ask some applicants to view a pre-tenancy 'Are you Ready' course before their application is activated.

2.43 The course consists of two online modules and Solihull Housing Options expect applicants to confirm they understand the information provided before their application is activated by completing and returning a confirmation form. The modules are provided to support prospective tenants with advice and guidance around Money Management and Managing a Tenancy. Further guidance can be found on the SCH website. The following applicants are expected to view these modules:

a) Those who are not a current Council tenant or housing association tenant
b) Those who have a tenancy with a private landlord
c) Those who have had rent arrears or where there is a history of other tenancy related issues, including anti-social behaviour, which would not necessarily deem them ineligible for an offer under qualifying criteria

2.44 For those who do not have access to online services, alternative options will be made available.

2.45 These online modules will be made available to any applicant who wishes to view them. Whilst these are not mandatory, the Council highly encourages completion of these modules to support any potential applicant in preparing to be a social housing tenant and to help sustain a new tenancy.

2.46 Review of circumstances

2.47 Applicants within Band A will be contacted every 6 months to determine whether the circumstances/needs that led to the award are still current. If upon the Council's reassessment a lesser award is given, the application will retain its original registration/effective date, depending upon the lesser banding.

2.48 Applicants within all other bands will be contacted at least every 12 months to determine whether the circumstances/needs that led to the award are still current.

2.49 Applicants must respond to such requests within a specified time (normally 28 calendar days). Failure to respond within the specified time will result in the application being closed. One final reminder will be issued prior to closure.

2.50 If at any time the Council receives evidence that an applicant who has already been accepted onto the Housing Register no longer qualifies or is no longer eligible, the applicant will be notified in writing that their application has been closed and the reasons for the closure. The applicant has a right to request a review of this decision

Section 3 – Eligibility and Qualifying for the Housing Register

3.0 Access to the Scheme

3.1 Who can join the Scheme - Eligibility

3.2 In considering an application, the Council will firstly assess if an applicant is eligible for an allocation of accommodation and secondly, whether an applicant qualifies for an allocation of accommodation. To join the Housing Register, applicants must be eligible as per Part 6 Housing Act 1996 and meet the qualification criteria (see section 3.11).

3.3 The Housing Act 1996, as amended, restricts access to the Housing Register for certain people if they are subject to immigration control, or have limited rights of residence, or have failed the habitual residence test access for the Housing Register, as well as some European Nationals depending on their residency and/or employment status. There is no discretion when looking at this element of eligibility, with definitions set out by Central Government.

3.4 The statutory eligibility criteria for social housing is set out in the Housing Act 1996 (as amended) section 160ZA and associated regulations. This determines that a person(s) who fall(s) into the following categories may not be allocated accommodation:

- A person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 (unless he or she comes within a class prescribed in regulations made by the Secretary of State) or
- Other persons from abroad who are not subject to immigration control but are prescribed by regulations as not eligible for an allocation of accommodation including British Citizens not currently residing in the UK and therefore not Habitually Resident

3.5 The eligibility status can change from time to time. All applicants will be required to provide evidence to verify their eligibility at the point of application, following any change in circumstances and again at the point of being made a formal offer of allocation or nomination. SCH will consider housing applicants' eligibility under the law as it stands when the application, change of circumstances or formal offer of accommodation is made. Applicants must inform SCH of any change in their immigration status.

3.6 If an applicant is not eligible based on the legislation and regulations, they will not be able to join the Housing Register.

3.7 If a person who has been accepted onto the Housing Register ceases to be eligible under the above criteria, they will be removed from the Register. If an applicant is found to be ineligible, they will be notified of the decision and the reasons for it and informed of their right to request a review.

3.8 Applicants who are eligible for housing but their partner is not eligible because they fall into one of the above groups may be able to bid for accommodation, but if they are successful in securing a tenancy, they will not be able to have a joint tenancy with their partner.

3.9 The eligibility rules are complicated and any applicant who believes they are or may be impacted by the rules can contact SCH for advice or seek independent advice.

3.10 Eligibility rules do not apply to applicants who are already secure, introductory, fixed term or flexible, assured shorthold or assured tenants of the Local Authority or a Registered Provider seeking to transfer and who come within the reasonable preference categories.

3.11 Who can join the Scheme - Qualifying Person

3.12 The law also enables local authorities to define other groups of people it does not consider should qualify for housing.

3.13 Qualification will be considered at the time of application, at the time of an offer of allocation to a property, or when SCH is notified of a change of circumstances.

3.14 The Council has decided to apply the following qualifying criteria in this Scheme:

a) If a household has the financial resources to meet their own housing costs; and/or
b) If a household has accommodation suitable for their need(s); and/or
c) If a household or a member of a household's behaviour means that they are not a suitable tenant; and/or
d) If there is no local connection between the household and the local authority.

If a person who has been accepted onto the Register ceases to qualify, they will be removed from the Register. They will be notified of the decision and the reasons for it in writing and informed of their right to request a review.

3.15 Financial Circumstances

3.16 Applicants with income/assets above the set limit

3.17 Applicants with income, levels of assets, or savings that would normally enable them to meet their own housing needs by purchasing or renting suitable accommodation on the open market will not qualify to join the Housing Register.

3.18 Households with a gross annual income above the set thresholds (not including means tested benefits) will not qualify to join the Housing Register.

Household Type	Gross Income
Single/Couples	£45,000
Families	£60,000

3.19 The assets / savings level will be based upon an annual average priced home in the Solihull local authority area; the annual level will be set at one-third of the average lower quartile housing price at the last quarter end (Jan-Mar, Apr-Jun, Jul-Aug, Sep-Dec).

A full calculation of the assets / savings level can be accessed using the below link: https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/medianhousepriceforationalandsubnationalgeographiesquarterlyrollingyearhpssadataset09

3.20 The threshold for household assets or savings will be consistent with the Government's upper limit for savings set out in the common rules of the Department for Work and Pensions (DWP) Benefit and Pensions Rates.

3.21 The Council will disregard any lump sum received by a member of the armed forces as compensation for an injury or disability sustained on active service.

3.22 An applicant is not a qualifying person if they own a freehold or long leasehold interest in a property in the UK or abroad. They may qualify where there are exceptional circumstances such as:

- Homeowners who can demonstrate that they are in housing need, and it is unreasonable for them to continue to occupy the accommodation AND they cannot liquidate or sell the property which would enable them to purchase or rent an alternative property suitable to meet their needs

The income and savings rules may not apply in these circumstances

3.23 Other exceptional cases may be considered by the Head of Housing or Housing Options Manager. Where any exceptional circumstances exist, these will be assessed on a case-by-case basis.

3.24 These figures will be renewed on an annual basis.

3.25 No Housing Need

3.26 Applicants who are assessed as having no housing need and are currently adequately housed (i.e., as assessed against the provisions of the scheme and the statutory reasonable preference categories) will not qualify to join the Housing Register.

3.27 Behaviour that affects a person's suitability to be a tenant

3.28 Applicants may also be excluded from the Housing Register if the main applicant, joint applicant, or any member of their household has been guilty of unacceptable behaviour serious enough to make him or her unsuitable to be a tenant.

The following list illustrates the type of serious unacceptable behaviour which may make an applicant unsuitable to be a tenant and therefore will lead to exclusion from the allocations scheme. This can include but not be limited to applicants and/or any member of the household.

3.29 In respect of housing related debt – within last 5 years

- have failed to comply with a current or previous tenancy or licence agreement (with a Council, Registered Provider or Private Landlord) in respect of rent arrears to the extent that they have been evicted or a court order has granted an outright possession order.

- have a significant housing related debt such as outstanding recharges, service charges, use and occupation, including current or former arrears amounting to 12 weeks / 3 months unless:

  a) there is evidence of genuine financial hardship or an overriding housing need, and the applicant has sought Debt Advice or is actively engaged with Citizen's Advice Bureau or a money advice service, and
  b) the debt advice has been acted on and/or there is a payment plan in place and it can be demonstrated that regular payments have been made for a period of 6 months, which are reasonable and proportionate amount to the debt owed.

3.30 Any rent arrears and/or housing related debt will be considered at the initial application stage, at any periodic review, and at the point of a potential offer.

3.31 In respect of Anti-Social/Unacceptable Behaviour

The applicant or a member of their household:

- has been served with a Notice of Seeking Possession (or equivalent notice), in relation to behaviour or conduct of a tenancy or licence, excluding non-payment of rent, regardless of tenure.
- has been served with a court order that is linked to a property or the locality of a property.
- has breached the terms of a crime or anti-social behaviour injunction, i.e., civil injunction, obtained in circumstances where an applicant or a member of their household has been guilty of conduct capable of causing a nuisance or annoyance)
- had been subject to a property closure order whereby their property has been closed as a result of a magistrates' court granting a closure order for more than 48 hours
- has been convicted by the magistrates' court for breaching a noise abatement notice
- is a perpetrator of domestic abuse who is subject to a non-molestation order, an injunction order, an occupation order, or a restraining order
- has been evicted from a tenancy due to a breach of a tenancy condition relating to anti-social behaviour
- has displayed threatening, violent, or otherwise abusive behaviour towards a Solihull Council or SCH employee, or partner or contractor employed to undertake work on their behalf
- has a record of persistent low-level offences of poor behaviour impacting upon neighbours or the community

3.32 In respect of criminal behaviour

The applicant or a member of their household:

- has unspent convictions for criminal offence(s) committed in or near to the person's home where the offence(s) have in the view of the Council a significant impact on the neighbours or the wider community.
- has been convicted or cautioned of a violent or sexual offence, an offence against property, supplying drugs or production with intention to supply drugs.

- has been convicted or cautioned for human trafficking, or exploitation of children or vulnerable adults
- has committed an act of fraud, withheld, falsified or misrepresented any information regarding access to public funds and/or services
- has been convicted or cautioned for some criminal offences (such as arson, violent behaviour, use or possession of offensive weapons or guns, knife crime)

3.33 The list of behaviours is not exhaustive, and cases will be considered on an individual basis.

3.34 In determining whether an applicant does not qualify due to unacceptable behaviour, consideration will be given to the following:

- the seriousness of the behaviour/offence
- the duration of the behaviour and/or the number and frequency of incidents
- the length of time that has elapsed since the behaviour occurred, its location and its relevance. Anything that happened more than 5 years before the application will normally be disregarded.
- the nature of the offence and type of any intervention previously taken by partner agencies such as police, probation services, other council services and support providers
- relevant vulnerabilities and support needs
- whether there has been meaningful engagement with support services leading to a demonstrable improvement in behaviour.
- whether there has been a significant and sustained change in the applicant's behaviour.
- whether any conviction has been spent

3.35 Non-qualification will apply until the applicant has demonstrated, to the satisfaction of the Council, that circumstances have changed such that the previous conduct is unlikely to recur. In many cases, this could include demonstrating co-operation with support agencies leading to a substantial improvement in behaviour.

3.36 The decision that an applicant does not qualify/no longer qualifies for the Housing Register may be taken at any point during the life of the application.

3.37 Applicants who are assessed as not qualifying under this section of the Scheme will be notified of the decision and the reasons for it in writing and informed of their right to request a review. The Council will accept a new application from applicants who are assessed as not qualifying but only where there has been no reasonable cause for complaint or concern against the applicant (or members of their household) for a continuous period of 12 months

3.38 Local Connection

3.39 Applicants who do not have a local connection to Solihull will not normally qualify to join the Housing Register.

3.40 Applicants can demonstrate a local connection if they can evidence one or more of the following:

- they are currently resident in the borough and have been for the two years immediately prior to their application, in accommodation that was of their own choice
- they have worked within the Solihull area for at least two years before the submission of their application. This means the actual physical place of work rather than the location of the employer's head office. This may include an apprenticeship if the usual place of work is in Solihull. Where working hours fluctuate, e.g. casual or zero hours contract, an average will be taken over 12 months
- they have close family connections with someone who has lived in Solihull continuously for the last five years (mother, father, adult children, adult brothers/sisters) where a meaningful relationship exists
- Where the applicant needs to move to Solihull to provide or receive support from a family member who lives in Solihull and can evidence the extent of this support, including significant ongoing care and support

3.41 Any work that will not be taken account of is as follows:

- short-term (e.g. a contract of employment is less than 12 months)
- marginal (e.g. less than 16 hours per week and earnings allow for claiming Universal Credit or entitlement to Working Tax Credits)
- ancillary (e.g. occasional, even regular) work that is undertaken in the Solihull area, but the main place of work is outside this area
- or voluntary (e.g. where no payment is received, or payment is made only for expenses)

3.42 Applicants who need to move home to take up an offer of work will be assessed on a case-by-case basis. When considering whether the applicant qualifies, SCH will consider evidence and any other appropriate factors and local circumstances, including potential financial hardship.

3.43 The local connection criterion does not apply to:

- People moving to escape domestic abuse
- Applicants connected to the Armed Forces who are classed as a relevant person under The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012
- Existing social tenants seeking to transfer from another local authority who have a need to move to avoid hardship or move to take up the offer of work under the Allocation of Housing (Qualification Criteria the Right to Move) England 2015
- Persons to whom the Council owes the main homelessness duty under Part 7 of the Housing Act 1996
- Children in Care of the Local Authority for whom the Allocations Scheme applies
- Care leavers and experienced care leavers who are:
    - Eligible Children: Young people aged 16 or 17 years who are currently looked after and have been in care for at least 13 weeks since the age of 14 years, including at least one day after turning 16 years.

- Relevant Children: Young people aged 16 or 17 years who are no longer looked after but were previously eligible children.
- Former Relevant Children: Young people aged 18 to 24 years who were previously either eligible or relevant children.

3.44 Other applicants without a local connection will only be registered in exceptional circumstances and will usually be placed in the Housing Need Band C. Applicants will need to explain their exceptional circumstances as part of the application process. The decision to register an applicant without a local connection will be assessed on an individual basis.

Further details of the local connection criteria, including exemptions are set out in Appendix C.

3.45 Decisions on qualifying criteria

3.46 The decision that an applicant does not qualify for the housing register may be taken at the time that the application is made, or at any point during the life of the application including any change in the applicants' circumstances which means they no longer meet the qualifying criteria, or if the local authority discovers new information that has a material impact on the decision. The application will then be closed subject to a right of review.

3.47 An applicant who has previously been told they do not qualify for the Housing Register will not normally be allowed to make a new application for a period of 12 months from the decision. However, applicants may make a new application if there has been a factual change in their circumstances.

At the point a new application is made, SCH will assess each case on its merits, which may include checks that:

- there have been no further reports of antisocial behaviour in the 12 months prior to the applicant re-applying

- the applicant has entered into an arrangement to clear their rent arrears, and this has been maintained for 12 months

This list is not exhaustive, and each reassessment will be on an individual basis. There is no automatic right to reassessment, and the applicant will be required to make this request for reassessment.

3.48 Applicants deliberately worsening their housing circumstances

3.49 Where there is clear evidence that an applicant has acted unreasonably or deliberately to worsen their housing circumstances to gain benefit under the Allocations Scheme, then the applicant will not qualify to join the Housing Register for a period of 12 months. Examples of this include:

- Where the applicant sells a property that was affordable and suitable for their and their household needs and where there was no requirement or obligation to do so

- Moving from a secure or assured tenancy to insecure, and/or overcrowded accommodation with family or friends where there have been no further reports of antisocial behaviour in the 12 months prior to the applicant re-applying
- Where the applicant has allowed family members or others to move into their property in circumstances where that person or people could reasonably have been expected to remain in their own accommodation or secure their own accommodation, and this has resulted in the applicants' property becoming overcrowded

3.50 Where there is evidence that the applicant has deliberately made their housing circumstances worse, inclusion onto the Housing Register will be refused for 12 months from the date of the decision. Applicants will be informed in writing stating the reasons for the decision and will have the right to request a review of the decision.

At the end of the 12-month period from the date of decision, applicants can make a fresh application.

Section 4 – Prioritising Applications – The Banding System

4.0 Prioritisation of Applicants - The Banding System

4.1 A banding scheme has been adopted to prioritise the housing need of applicants. There are four housing need bands

Band A – Additional Preference (Very Urgent Housing Need)

Band B – Reasonable Preference (Urgent Housing Need)

Band C – Reasonable Preference (Housing Need)

Band D – Reduced Preference

4.2 Statutory Reasonable Preference

4.3 Eligible and qualifying persons that join the Scheme will be prioritised according to their housing need, which is assessed with reference to the statutory 'reasonable preference' categories set out in section 166A (3) (a) to (e) of the Housing Act 1996 (as amended) This requires local authorities to give reasonable preference for housing to certain categories of households.

These are:

a) People who are homeless within the meaning of Part 7 of the Housing Act 1996 (including those who are found intentionally homeless and those not in priority need)
b) People owed a duty by the authority under the Housing Act 1996 Part 7 section 190(2) (intentionally homeless but in priority need); s.193(2) (the main housing duty); or s195(2) (duty to those threatened with homelessness); or those accommodated under section 192(3) (discretion to accommodate non-priority need homeless applicants)

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 a disability
e) People who need to move to a particular locality in the district where a failure to meet that need would cause hardship (to themselves or others)

4.4 Additional Preference

4.5 Section 166A (3) enables the Council to give additional preference to applicants who fall within the statutory reasonable preference categories and have urgent housing needs, and they must do so for some members of the Armed and Reserve Forces who fall within those categories. Examples of people with urgent housing needs to whom additional preference may be given include:

- Persons who have a life-threatening illness or sudden disability and must move urgently to suitable accommodation
- Families who are statutorily overcrowded
- Persons living in properties assessed by the Council as having serious health and safety hazards, which have resulted in the Council serving a Prohibition Order, a Suspended Prohibition Order or a Suspended Improvement Notice, the conditions of which cannot be remedied by the owner, and it can be established that the hazards are not an act of wilful damage or neglect by the occupant, or living in other properties which pose a serious health hazard.
- Those who are homeless and require urgent re-housing because of violence or threats of violence, including intimidated witnesses, and those escaping serious anti-social behaviour or domestic abuse

4.6 Armed forces

4.7 Additional preference must be given to an applicant who has an assessed housing need where they fall within one or more of the reasonable preference categories and have urgent housing needs. These are:

a) Former members of the Regular Armed Forces.
b) Serving members of the Regular Armed Forces who are suffering from a serious injury, illness, or disability (encompassing a mental ill health condition) which is wholly or partly attributable to their service.
c) Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness, or disability, which is wholly or partly attributable to their service.
d) Bereaved spouse or civil partners of those serving in the Regular 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.

4.8 Applicants that meet the above criteria that have very urgent housing needs that would place them in Band A, as this is the highest priority they can receive, will have their effective date adjusted to give one-year additional priority.

The definition of "armed forces, "regular forces" and the "reserved forces" is set out in Section 374 of the Armed Forces Act 2006. The "regular forces" means the Royal Navy, the Royal Marines, the regular army, or the Royal Air Force. The "reserve forces" means the Royal Fleet Reserve, the Royal Navy Reserve, the Marine Reserve, the Army Reserve, the Territorial Army, the Royal Airforce Reserve, or the Royal Auxiliary Air Force.

4.9 Other local priorities

4.10 This Scheme will also give priority to the following groups to meet strategic priorities as they meet local corporate priorities:

- Care leavers who are assessed as Tenancy Ready confirmed by Solihull Children's Service. This priority supports the role of the Council as corporate parent.
- Approved foster carers, special guardians or adoptive parents who Children's Services have confirmed require more suitable accommodation to enable fostering or adoption.
- Solihull Council or partner housing association housing tenants residing in Solihull who are significantly under occupying their current accommodation and wish to move to smaller accommodation.
- People fleeing violence, harassment or abuse.
- Households releasing an adapted property that is suitable for a disabled person, who no longer need that type of accommodation and wish to move.
- Social housing tenants who are required to move to enable a redevelopment or regeneration to take place.

4.11 Medical and Welfare reasonable preference categories

4.12 The Council utilises the Government's Allocation of accommodation: guidance for local authorities Annex 1 to frame its medical and welfare reasonable preference categories.

4.13 Assessments of priority will be based on the impact that the current housing is having on the applicant or household member's medical condition and/or welfare and whether they would improve through a move to alternative accommodation. This would include assessment of impacts relating to the physical circumstances of the property and/or its location.

4.14 Designated staff within SCH Housing Options Service will consider any evidence submitted by the applicant by way of a medical form, together with any relevant supporting information provided by a health or social care professional having direct knowledge of the applicant, such as the applicant's GP, hospital consultant or occupational therapist. SCH can seek independent advice where required.

4.15 Where a Council's Occupational Therapist has assessed an applicant's property needs, they will make the assessment according to clear criteria set out in the Council's Housing Assistance Policy. Consideration will be given as to whether an applicant's housing needs could be met by providing aids and adaptations to the current home, to enable them to

remain in their present accommodation. Priority will not be awarded in these circumstances. Where it is considered that a move to other suitable accommodation would be possible and/or the best solution, a priority banding will be given to the customer to enable them to move more quickly.

4.16 The Council's Occupational Therapist will work directly with the applicant in assessing the needs for suitable accommodation and the application will be placed in one of the three mobility groups. Properties that become available with existing adaptations that meet the Mobility 1 and Mobility 2 categories, may be ring-fenced to those requiring the adaptations and a direct offer will be made. In all cases of adapted properties, preference will be given to those in the following mobility groups:

- Mobility 1. Full wheelchair access. Property will include ramped or level access in and out of the property. Accessible kitchen and level access to bathroom.
- Mobility 2. Partial wheelchair access. Property will include ramped or level access. Accessible bathroom facilities.
- Mobility 3. Assisted access. Property will include level access or shallow steps with handrail and accessible bathroom facilities.

4.17 If a property is suitable for more than one applicant following assessment by the Occupational Therapist, the property will usually be offered to the applicant in the highest band, waiting for the longest length of time in that band. There may be occasions where the level of adaptations offered by a property is more suited to another applicant. These decisions will be delegated to the Housing Options Manager and Allocations and Lettings Manager. These outcomes will be fully documented and will be subject to periodic review.

4.18 Following an assessment of medical/welfare needs, if it is decided that reasonable preference should be awarded then a recommendation will be made to place the applicant in the appropriate band and, where appropriate, a recommendation as to the property type. If the impact is assessed as sufficiently severe, an additional priority on medical grounds will be awarded. If there is no indication that current housing circumstances may impact adversely on the health of the household, the applicant will be advised of such in writing and will have the right to request a review.

4.19 The Banding Scheme

4.20 Applicants will be prioritised according to the assessment of their housing need based on the priority banding criteria set out in the allocation scheme. Additional preference will be granted to applicants who fall within the reasonable preference categories and who have urgent housing needs. This ensures that, overall, priority for the allocation of housing is given to applicants with the greatest housing need.

4.21 Registration date/Effective Band Date/Prioritisation

4.22 All applications will be given a registration date which reflects the date that their application to join the housing allocation scheme was activated.

4.23 The effective date is the date from which an applicant was awarded their priority band.

4.24 The effective date will change if the applicant's housing needs change resulting in them being placed in a different band. The effective date is used when shortlisting to determine how long applicants have been assessed as requiring priority within the band. If circumstances change which results in an applicant moving to a higher priority band, the effective date applies from the date the higher banding is awarded.

4.25 If circumstances change which results in an applicant moving to a lower priority band, they will retain the earliest date that they went into this band, which could be their registration date.

4.26 Applicants will be prioritised for an allocation in the order of Bands A-D, where Band A has the highest priority and Band D the lowest priority. Applicants are prioritised by the date they were placed into their band, with the person who has been waiting the longest within that band having the highest priority.

4.27 If the applicant or member of their household has more than one identified need, they will be placed in the band that affords the greatest priority. For example, are overcrowded and need 1 additional bedroom (Band C) and have a very urgent housing need due to urgent medical or welfare need (Band A) they will be placed in the band with a higher priority, i.e. Band A.

4.28 If at any point an applicant is placed in the reduced preference band, they will retain their original registration date.

4.29 Where two or more applicants have the same priority and same effective date, then priority will be given to the applicant who applied to join the Housing Register first, i.e. with the earliest registration date.

4.30 For applicants who transitioned from the previous Scheme (prior to 27 July 2025), their original effective date will be retained at the point of initial re-registration, regardless of any changes made to their banding.

4.31 Those applicants who no longer qualify for the Housing Register following the changes to the Scheme, will be directly notified in writing.

4.32 Changes in circumstances

4.33 Applicants must notify the Council of any change in their circumstances. Following notification of a change in circumstances, the application will be reassessed, and the applicant may be moved from one band to another or removed from the Register. Applicants will be notified of the outcome in writing.

4.34 Banding Scheme Summary

Band A - Very Urgent Housing Need Additional Preference Housing Need Category	
Homelessness – S193 Main Duty Applicants who have been assessed by Solihull Council to be eligible, homeless unintentionally, in priority need, and have a local connection to Solihull Council, and are presently owed the Section 193 Main Housing Duty of the Housing Act 1996. See note 1 below	Managed bid Direct offer
Overcrowding - three+ bedrooms Applicants who are assessed as requiring an additional three bedrooms based on the bedroom standard will be awarded Band A. This will be awarded except where there is evidence that the applicant has deliberately caused the overcrowding as set out in paragraph 3.49.	6 months' time-limited review
Dangerous or hazardous housing conditions - Households living in conditions which give rise to an imminent risk of serious harm and where the Council has served a Prohibition Order under Part 1 of the Housing Act 2004. - Where the Council has determined that a private sector property (tenanted) contains one or more serious Category 1 hazards as defined by the Housing Health & Safety Rating System that is having a severe impact on the household, and where there is no prospect of the issues being remedied by the landlord or property owner within the timeframe defined by the Council (after appropriate Council enforcement action). See note 2 below	6 months' time-limited review
Redevelopment & Clearance Those who require rehousing due to Solihull clearance, demolition, compulsory purchase order and/or subject to a Solihull Council approved redevelopment, scheme or property repurposing, or regeneration scheme.	6 months' time limited review then direct offer

Very urgent need due to medical or disability - Where the applicant or a household member's current housing situation (property type or location) is having a significant impact on their medical condition (such as high health or safety risks) requiring very urgent or immediate need to move. - Applicant or household member has an immediate life-threatening or life limiting illness or condition which is seriously affected by their current accommodation and where re-housing would make it significantly easier to manage. - Applicant or household member is ready to be discharged from hospital, a rehabilitation unit or residential care into their current permanent accommodation which is not suitable for their medical needs or disability, and the property is not suitable for any relevant adaptations. - Applicant or household member has a significant mental health or other health problems that are being caused or made worse by their housing situation (property type and or location) and this could be resolved by urgent rehousing - Applicant or household member requires significant disabled adaptations to meet their needs, and this is not possible in their current accommodation, and a move is urgently needed. See Note 3 below	6 months' time limited review
Social and Welfare Need – very urgent These relate to circumstances where a move is very urgent due to the social and welfare needs of the applicant or member of their household. Cases will be assessed according to their own individual circumstances and will consider the impact of the current housing on the needs of the household. Circumstances applicable to Band A award include the following examples: Fleeing violence - domestic abuse, exploitation, or hate crime – assessed high risk Witness of crime or victims of crime assessed as high risk A Child Protection Plan with recommendation to move to more suitable accommodation	6 months' time-limited review

Approved foster carer, special guardian or adoptive parent having a need to move to a larger home Children being returned from care of a local authority Moving to release socially rented disabled persons/and or adapted accommodation with major adaptations See Note 4 below	
Armed Forces Additional preference must be given to an applicant who has an assessed housing need under the reasonable preference categories and who is in urgent housing need as defined by this Scheme.	6 months' time-limited review
Under-occupation Social housing tenants living in the Solihull Borough who are under occupying their home by two or more bedrooms See Note 5 below	6 months' time-limited review
Band B – Urgent Housing Need – Reasonable Preference	
Homelessness – section 189B Relief Duty Applicants who have been assessed by Solihull Council to be eligible and homeless and therefore owed the section 189B Relief Duty of the Housing Act 1996, where a Personal Housing Plan is in place and the applicant is engaging with Solihull Housing Options to relieve their homelessness. See Note 6 below	Managed bid Direct offer
Homelessness – section195 Prevention Duty Applicants who have been assessed by Solihull Council to be eligible and threatened with homelessness and therefore owed the section 195 Prevention duty of the Housing Act 1996, where a Personal Housing Plan is in place and the applicant is engaging with Solihull Housing Options to prevent their homelessness. See note 7 below	During Prevention Duty
Overcrowding - two bedrooms Applicants who are assessed as requiring an additional two bedrooms based on the bedroom standard will be awarded Band B. This will be awarded except where there is evidence that the applicant has deliberately caused the overcrowding	12 months review

as set out in paragraph 3.49.	
Urgent need due to medical or disability Applicants will be placed in Band B where their current accommodation is having a negative impact on their physical or mental health and prompt rehousing is required to resolve or alleviate the issue. See Note 3 below	12 months review
Social and Welfare Need - urgent These relate to circumstances where a move is urgently required due to the social and welfare needs of the applicant or member of their household. Cases will be assessed according to their own individual circumstances and will consider the impact of the current housing on the needs of the household. Circumstances applicable to Band B award include the following examples: Supported Move on accommodation Care experienced young people See Note 8 below	12 months review
Releasing one bedroom (under occupancy) Solihull Council and Housing Association tenants in the borough who are financially affected by the shortfall in benefits as a result of having a spare bedroom, will qualify for Band B priority to assist them to move to accommodation where benefit entitlement will meet the full rental charge.	12 months review
Required to leave Solihull Council tied accommodation Where a Council service tenant occupying tied accommodation whose contract states that accommodation must be occupied, and their employment is terminated, the service tenant retires or tied accommodation is no longer available. This will not apply to employees leaving because of dismissal.	12 months review
Non-successors Households currently living in Council accommodation who are unable to succeed to the tenancy on the death of the previous tenant See note 9 below	6 months review then direct offer
Special Circumstances	12 months review

See note 10 below	
Band C – Reasonable Preference Housing Need Band	
Applicants who have been assessed to be eligible, qualify and are homeless but not in priority need Applicants who have previously been owed the Relief Duty of the Housing Act 1996, and following the end of the Relief Duty, it was assessed that they were eligible and homeless, but not in priority need.	12 months review
Overcrowded – one bedroom Applicants who are assessed as requiring one more bedroom than they currently have. This will be awarded except where there is evidence that the applicant has deliberately caused the overcrowding as set out in paragraph 3.49.	12 months review
Shared Facilities The applicant requires single person accommodation and is living with family or friends in accommodation where they are sharing facilities (bathroom, kitchen, or toilet) without sole use of a bedroom.	12 months review
Social welfare and hardship need Those who need to move to a particular locality within the borough, where a failure to meet this need would cause hardship to themselves or others, will qualify for Band C. See note 11 below	12 months review
Housing Need – No Local Connection – exceptional circumstances This includes applicants who are eligible and meet the qualifying criteria but do not have a local connection. They will only be registered in exceptional circumstances which the applicant has set out on the application. Each case will be assessed and decided on an individual basis.	12 months review
Under-occupation by one bedroom Social housing tenants in Solihull who are under occupying a property by one bedroom, who are not financially impacted as a result of the under occupation. The number of bedrooms required will be assessed using the bedroom standard.	12 months review
Band D – Reduced Preference	

Applicant has refused three suitable offers of alternative accommodation
Households where the main housing duty has ended due to a refusal of a suitable offer of accommodation, and following reassessment of application, their circumstances do not meet criteria for Bands A-C**.**
Applicant has not actively bid for suitable housing to meet an assessed housing need within their time restricted Banding, or for all other cases, within the last 12 months.
Applicants who have been assessed to be eligible, homeless and in priority need, but have become homeless intentionally as defined in section 191 of the Housing Act 1996

4.35 The Banding System – supplementary information

Note 1
Homeless Main Duty – section 193

Applicants owed the main duty can be offered accommodation either in the private sector or through the Housing Register. Bids for available properties shall be made by the SCH Housing Options team on their behalf.

A homeless applicant will need to be eligible and qualify for the Housing Register to receive this priority band.

If an offer is made through the Housing Register, the offer made will be treated as a final suitable offer. If a homeless applicant refuses an offer of suitable accommodation, (which may be an offer of private sector accommodation), the relevant homeless duty will be discharged, and their Housing Register application will be reassessed. Whilst the application is undergoing reassessment, it will be suspended and the applicant will not be eligible to place bids. If the reassessment results in reinstatement, their banding and effective date will be reinstated to the original date.

This band is only applicable whilst the Council is under a duty to secure accommodation for the applicant, and will be removed should that duty end at any point (for example becoming intentionally homeless from temporary accommodation provided).

Note 2
Dangerous or hazardous housing conditions

Applicants who are tenants of a privately owned property where the Council has determined that the property poses a Category 1 hazard (excluding overcrowding) under the Housing Health and Safety Rating System and the Council is satisfied that the property condition cannot be resolved by the landlord within a reasonable time period and continuing to occupy the property will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof or living conditions which are a statutory nuisance, and where there is no prospect of the

issues being remedied by the landlord or property owner within the timeframe defined by the council (after appropriate Council enforcement action).

Applicants occupying private sector property which is subject to a prohibition or demolition order related to disrepair, and the effect of that order is likely to mean that the applicant will lose the use of the property on a permanent basis. Additionally, the relevant conditions of the property must present an immediate threat of serious injury to the occupants or is life threatening.

Note 3
Exceptional or urgent need due to medical or disability

Where a medical assessment and/or Occupational Therapy assessment has been carried out that provides the applicant with a priority medical banding, and also recommends a specific type of accommodation to meet the medical/disability circumstances, the applicant will only be eligible to place bids on this specific property type, for example ground floor accommodation.

Note 4
Social and welfare need – very urgent

Circumstances applicable to Band A award include the following examples:

- Applicants who need to move immediately due to domestic abuse, serious violence, exploitation, racial harassment or hate crime, where there is an assessed high risk to the safety of the applicant or a member of their household by remaining in their current property or locality.
- Applicants who are suffering extreme violence or harassment where there is strong police evidence that an urgent move is required to protect the life of an applicant or a member of their household and can demonstrate to the satisfaction of the Council that it is not safe for the applicant / household to remain in their home.
- Victims of domestic abuse (defined as any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence, or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender. The abuse can encompass, but is not limited to, psychological, physical, sexual, financial and emotional abuse), including those have been provided temporary protection in a refuge or other form of temporary accommodation, who are homeless and/or have been identified as high-risk victims of domestic abuse at a local Multi Agency Risk Assessment Conference (MARAC) within the last 3 months.
- Victims of racial harassment amounting to violence or threats of violence.
- Victims of hate crime amounting to violence or threats of violence due to their age disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, sexual orientation.
- Applicants or members of their household who are a witness of crime or victims of crime giving evidence at court where Police have assessed there is a high risk due

to intimidation or serious threats of violence and are recommending very urgent rehousing.

- Decisions on this award will be made in consultation with partners such as Police, other statutory bodies, and support agencies, including multi-agency forums, such as MARAC.
- Where children are part of the application, and the current housing situation is a contributory factor to the risk to a child/children. This will occur where the child or children are subject to a Child Protection Plan and the Child Protection Conference recommends immediate rehousing as being important to the welfare of the child.
- Applicants or household members who are Solihull Council approved foster carers, special guardians or adoptive parents having a need to move to a larger home and there is written confirmation of this need from Children's Services.
- Applicants or household members have children being returned from care of a local authority, but this is dependent on a change of accommodation.
- Moving to release socially rented accommodation with major adaptations and these are no longer required by the applicant or household member, and there is an identified need for that property.

Note 5
Under-occupation by 2 or more bedrooms

There is a significant demand for larger accommodation, particularly houses in Solihull. To ensure the best use of existing housing stock the Council encourages social tenants living in Solihull who are under occupying their properties to downsize to smaller accommodation that meets their needs.

Social housing tenants in Solihull who are under occupying by 2 or more bedrooms and wish to move to a property with fewer bedrooms will be awarded a Band A. This award will be based on their entitlement under the bedroom standard

Note 6
Homeless Relief – section 189B

Applicants placed in this band will be reviewed when the Relief Duty is ended. At this point the household application will be reassessed and may result in a reduced band or no housing need where the applicant is not owed the section 193 Main Housing Duty of the Housing Act 1996.

A homeless applicant will need to be eligible and qualify for the Housing Register to receive this priority band.

Applicants placed in Band B Relief Duty can be offered accommodation in the private sector or through the Housing Register. Bids for available properties shall be made by the SCH Housing Options team on their behalf.

Any offer made will be considered a suitable offer of accommodation. If an applicant refuses this offer, relevant homelessness duties will end and their Housing Register application will be reassessed.

Note 7
Homelessness Prevention – section 195

Applicants placed in this band will be reviewed when the Prevention Duty is ended. At this point the household application will be reassessed, and the reassessment may result in a reduced band or no housing need where the applicant is not owed the s189B relief duty or section 193 Main Housing Duty of the Housing Act 1996.

A homeless applicant will need to be eligible and qualify for the Housing Register to receive this priority band.

Applicants placed in Band C Prevention Duty can also be offered accommodation in the private sector.

Any offer made will be considered a suitable offer of accommodation. If an applicant refuses this offer, relevant homelessness duties will end and their Housing Register application will be reassessed.

Note 8
Social and welfare need - urgent

Applicants needing urgent rehousing on these grounds will include:

- **Supported Move on accommodation.** A person living in designated supported provider accommodation may be nominated for this banding by their provider when they are assessed as being ready for independent living and engaging with relevant support.
- **Care experienced young people** - A young person who has been looked after, fostered, or accommodated who is ready for independent living, and is engaging with appropriate support as required (assisted through the Care Experienced Young People Joint Protocol).

Note 9
Non-Successors

There is discretion to allocate tenancies to persons residing with a tenant at the time of the death of the former tenant who are not entitled to succeed to that tenancy. In circumstances where a tenant dies and another household member (who does not have succession rights to the tenancy):

a) has been living with the tenant for the year prior to the previous tenant's death and the property was their sole or principal residence for a year before the previous tenant's death; this includes household members; or

b) has been providing care for the tenant and the property was their sole or principal residence for a year before the previous tenant's death; or

c) has accepted parental or caring responsibility for the former tenant's dependants who were living in the property as their sole or principal residence at the time of the previous tenant's death and need to live with them in order to do so.

d) is eligible and qualifies under this Housing Allocations Scheme.

Where the tenancy of the property is not granted to the non-successor, but the Council agrees to offer alternative accommodation, the non-successor shall be placed in Band B. The Housing Options Manager or Housing Services Manager has delegated authority to make these decisions.

Note 10
Special circumstances

The Housing Allocation Scheme is intended to cover the vast majority of applications so that they can be assessed in a consistent, equitable and accountable way. The banding system takes account of a wide range of circumstances that many applicants' detail in their housing applications.

For some applicants, there may be exceptional circumstances that create housing needs which are not recognised in the Housing Allocations Scheme. In such instances, designated Senior Managers within SCH will have delegated authority to make decisions, as he/she considers appropriate. These will be fully documented (discretionary lettings) and will be subject to periodic review.

Exceptional circumstances may also include the requirement for existing social housing stock to be amended or altered to facilitate the needs of the household. This may have specific resource implications and will be dependent on available funding.

Note 11
Social welfare and hardship need

Applicants will be assessed according to their own individual circumstances and priority will be considered based on the impact of the present housing on the needs of the household members.

The following list is intended to be illustrative:

Applicant/household members needing to:

- Give or receive care - consideration of factors such as medical or welfare issues where support cannot be achieved or maintained through reliance on public transport or the applicant's own transport. Supporting evidence of their care requirements will be required (GP, Adult Social Care, Children's Services for example) and/or evidence of benefits relating to disability, care or carer's allowance
- Access specialised medical treatment – consideration of a need to access specialist medical care that cannot realistically be met through reliance on public transport, customer's own transport or through provided transport. Supporting evidence of the need to access specialist medical services and the expected duration of the services will be required.
- Take up a particular employment, education, or training opportunity and in respect of transfer applicants, be closer to work. Applicants will only be considered where they do not live within a reasonable commuting distance and will be required to provide confirmation of employment details from the employer. The factors considered to determine a need to move on the grounds of employment hardship will those set out in the Right to Move – See Appendix A

Circumstances Applicable to Band D award

Band D – Reduced Preference

There are several reasons that an applicant can be placed in reduced preference Band D which includes:

- Applicants from Bands A or B, or C have refused three offers of suitable accommodation
- Homeless households where the main housing duty has ended due to a refusal of a suitable offer of accommodation.
- Not actively bidding for suitable housing to meet an assessed housing need within their time restricted Banding, or for all other cases, within the last 12 months. The circumstances of the applicant and properties that have been advertised during that time period will be reviewed prior to any reduction in banding

4.36 An applicant being placed in Reduced Preference Band could occur at any stage of the Housing Register process (e.g. at application or offer stage) and will be subject to a right of review request by the applicant.

4.37 Applicants will remain in Band D for a period of 12 months from the date of final refusal, after which time, applicants will be required to renew their application and will be reassessed. Failure to renew an application will result in an application being closed.

4.38 Notification of Reduced banding and/or change of banding

A reduced banding and/or change of banding could occur at any point during the life of the application. The applicant will receive written notification of this change and the reason for

the decision. Applicants may request a right to a review of the decision within 21 days of being notified.

4.39 Reduced Preference Band – Change of circumstances/request for reassessment

4.40 Applicants whose circumstances change once they have been placed into a reduced preference band, will need to complete a change of circumstances form along with supporting evidence. These forms can be accessed through the Solihull Home Options choice based lettings system at www.solihullhomeoptions.org.uk. SCH will assess each case on its merits, which may include checks that:

- a period of 6 months has passed since the applicant was placed in a reduced preference category due to non-bidding activity.
- a period of 6 months has passed since the applicant was placed in reduced preference due to the refusal of 3 offers of accommodation.
- circumstances may have changed since a homeless household refused an offer.

This list is not exhaustive, and each reassessment will be on an individual basis. There is no automatic right to reassessment, and the applicant will be required to make this request for reassessment or to make a fresh application.

Section 5 – Choice Based Lettings Scheme

5.0 The Choice Based Letting Scheme

5.1 A choice-based lettings system called 'Solihull Home Options' is used to facilitate the matching of applicants to available properties. Council and agreed Registered Provider properties which become available to let are advertised weekly on the Solihull Home Options website.

This allows applicants on the scheme to express an interest in available properties which are suitable for their needs. Expressing an interest in a property is known as 'bidding' or 'placing a bid' There are circumstances in which this will not apply, and the Council will restrict access to bidding, or make direct offers. The Council reserves the right to do this at any time to effectively manage allocations of properties against housing need.

5.2 The Bidding Cycle

5.3 Applicants may express an interest (bid) for up to two properties every week. The weekly advertising cycle will run from 12.00am Wednesdays until the following Tuesday up to 11.59pm. No expressions of interest (bids) will be accepted on properties advertised in that week after the 11.59pm Tuesday deadline.

5.4 After each weekly advertising cycle has ended, those applicants that have expressed an interest in a property are shortlisted in line with this Scheme. The selected applicant will be

offered the opportunity to view the property, and the successful applicant will then be made a formal offer of a tenancy of the properties.

5.5 The results of each bidding cycle are published on the Solihull Home Options choice based letting system. This shows the number of bids on each property, the band and effective date and/or registration date of the successful applicant. Those who are supported to access choice-based lettings through the newsletter alternative will receive the bid outcomes in this format instead.

5.6 Extent of choice

5.7 Applicants in Band A where the Council has accepted the section 193 'Main Housing Duty' and applicants in Band B where the Council has accepted the section 189B 'Relief Duty' under homelessness legislation (Housing Act 1996, Part 7) will have limited exercise of choice through the Choice Based Letting System at any time. Suitable bids will be made for them by a member of the Solihull Housing Options team. This is to ensure that the duty to secure an offer of suitable settled accommodation is complied with as soon as possible. Those owed either the 'Main Housing Duty' or 'Relief Duty' under homelessness legislation will have been informed of this in writing.

5.8 All other applicants in Bands A-C (unless otherwise specified in this scheme) will have access to choice-based lettings and will be able to express an interest (bid) in 2 eligible properties each week. Applicants are expected to bid on all available properties that are suited to their needs.

5.9 Applicants who have not bid for a suitable property for 6 months or more and there were suitable properties available in that time, may be placed in Band D.

5.10 Applicants in Band D because of refusal of offers or due to non-bidding activity will not have access to the choice-based lettings scheme to bid for properties until they have been in Band D for 6 months and subsequently returned to their housing need band. Applicants will retain access to their account to update their details, complete their annual review or complete a change of circumstances form.

5.11 Exceptions to Bidding

5.12 Extra Care, Specialist or Supported Housing will be normally advertised as part of the Solihull Home Options scheme but an additional process involving other agencies may apply. This recognises the specialist nature of Extra Care housing and the need to ensure that applicants fulfil the scheme-specific eligibility and allocations criteria agreed jointly by the parties to any relevant commissioning arrangements.

5.13 Available properties which are adapted, suitable for adaptation, or which are otherwise potentially suitable for applicants with an exceptional or urgent medical need or disability or other special or support needs may also be allocated outside of banding and date order priority set out in this Scheme, or a direct offer may be made to make best use of stock.

5.14 Direct Offers

5.15 The Council may choose to make a direct offer outside of the choice based letting (CBL) system and, in exceptional circumstances, outside of the band and date order system.

5.16 Not all properties that become available will be advertised and offered through the CBL system. There may be circumstances where for operational or financial reasons there is a need to make a direct offer of housing outside of CBL and, in exceptional circumstances, outside of the band and date order criteria set out in this policy.

5.17 Direct offers of accommodation may be made in certain circumstances. Examples include but are not limited to:

a) offer suitable settled accommodation to those households owed a statutory homelessness duty
b) make best use of social housing where a property is specifically adapted, or can be adapted for the applicant or a member of their household
c) where urgent rehousing is required for a specified location
d) where a specific property would meet an applicant's very specific needs (for example, Multi Agency Public Protection Arrangement cases – where there is a need to control where a person is placed, or the applicant has a serious offending history and there is a need to consider a managed allocation)
e) where a property is required as an emergency move for a current tenant, for example due to fire/flood
f) where an agreement has been made with a supported housing provider
g) for households who may not be able to engage in the Solihull Choice Based bidding process due to support needs or urgency
h) for applicants who may be subject to Child Protection or exploitation, where strict control is needed on where applicants are placed
i) for low demand properties allocated for a specific initiative or purpose provided that, overall, reasonable preference is given to those in most housing need.

This is not intended to be an exhaustive list and direct offers will be considered on a case-by-case basis.

5.16 To ensure consistency and fairness all direct offers of accommodation will be monitored by the Housing Options Manager.

5.18 How properties are advertised

5.19 Information on the properties advertised can be accessed in the following ways:

- Solihull Home Options website www.solihullhomeoptions.org.uk Applicants can access the website at a range of locations

- A newsletter for applicants requiring support who have signed up to receiving this.
- General advice and support on accessing and using the scheme can be obtained from SCH's Contact Centre on telephone number 0121 717 1515, or by visiting one of the Council's Connect Offices.
- Vulnerable customers who cannot access the Scheme and do not have any other support available to them can contact the Contact Centre for advice on alternative options available.

5.20 Advertisement Information

5.21 SCH and the Registered Providers have responsibility for preparing the property description and advertising their vacancies on Solihull Home Options.

The property advertisement will include the following information:

- The landlord of the property
- The type of property – house, flat etc.
- Location of the property – street name, area, location map
- Number of bedrooms and minimum and maximum occupants
- How the applicant or tenant can show an expression of interest for the property
- The closing date for bidding
- Weekly rent and service charges if applicable
- Number of bedrooms
- Floor level
- Special features/adaptations, including 'Extra Care' housing
- Other restrictions (e.g., where a Local Letting Plan is in place)
- Mobility assessment of the property and details where known of any specific adaptations
- If the accommodation is accommodation for older people
- Any age restrictions applicable, for example, over 60+
- Neighbourhood information
- Tenancy type, e.g., Secure, Assured etc

5.22 Where a property is adapted, it will be advertised with a relevant mobility level of the accommodation corresponding to the mobility groups as follows:

1) Mobility 1 – Full wheelchair access. Property will include ramped or level access in and out of the property. Accessible kitchen and level access to bathroom
2) Mobility 2 – Partial wheelchair access. Property will include ramped or level access. Accessible bathroom facilities
3) Mobility 3 – Assisted access. Property will include level access or shallow steps with handrail and accessible bathroom facilities.

5.23 Registered Provider landlords may specify additional criteria relating to their properties.

5.24 Properties are generally advertised during the notice period of the exiting tenant.

5.25 The Council may decide to apply a different qualification criterion in relation to types of stock, for example properties which might otherwise be hard to let. These decisions will be delegated to the Housing Options Manager or Head of Housing.

5.26 Expressions of Interest /Placing a Bid

5.27 Applicants can express interest in the properties advertised ('bids') in one of the following ways:

- Solihull Home Options website www.solihullhomeoptions.org.uk (using their unique PIN number)
- Visiting Solihull Connect Offices
- Calling SCH Contact Centre 0121 717 1515

5.28 Applicants may make up to two bids for properties advertised in any single advertising cycle.

5.29 At the end of each advertising cycle, bids will be checked to confirm that they match the letting criteria for the properties in question. Ineligible bids will not be considered.

5.30 Shortlisting and Selection

5.31 SCH will allocate properties in accordance with this Scheme.

Properties will be shortlisted in the following order:

- By need for specialist components in the property e.g., disabled adaptation
- By priority band and effective date within the band

5.32 If more than one applicant has the same band and effective date, we will allocate based on the earliest registration date

5.33 At the end of each advertising cycle, eligible bids will be shortlisted according to the priority of applicants under the banding scheme. This will determine which applicant will be invited to view the property. The property will generally be offered to the household in the highest priority band for the longest length of time. However, there will be limited exceptions to this e.g. where larger households require larger family accommodation.

5.34 Where an applicant is selected for an offer of an adapted home, a specialist such as an Occupational Therapist may be consulted on the suitability of the property for the applicant.

5.35 Bids that may be overlooked (skipping)

5.36 Shortlisted applicants may be overlooked for several reasons.

The list below is not an exhaustive list and is provided as a general guide, as each case will be assessed individually, and the personal circumstances of the applicant considered:

- Any of the circumstances relating to non-eligibility, non-qualifying status, reduction of priority listed are found to apply at the point of shortlisting
- Applicant has failed to inform SCH of a change in their circumstances, and they are no longer suitable for the property they have bid on
- The property is specialist or has been adapted and the applicant does not require these adaptations
- Applicant has already bid for a property, and this has been offered to them
- Applicant requires a specific property type or attribute based on medical or occupational therapist recommendation
- The property is in a location where former victims of the applicant or members of their household are living in the locality of the property, where known

5.37 SCH will maintain records of applicants who are overlooked (skipped) following a bid, identifying the reasons that an applicant may have been overlooked.

5.38 Lettings Outcomes

5.39 Lettings outcomes will be closely monitored to ensure that in overall terms the Scheme continues to give preference to those in the greatest housing need.

5.40 If no interest is shown in a particular property, then SCH may:

- Make a direct allocation in accordance with section 5.14
- Re-advertise the property
- Advertise the property as an immediate let in accordance with section 5.58

5.41 The outcomes of previous lettings will be available on the Solihull Home Options website and in the weekly newsletter. This will not include personal details but will publish the banding and effective date of the successful applicant.

5.42 Verification Process

5.43 Offers of accommodation will be subject to several verification processes. This will include proof of identity and appropriate evidence to verify housing circumstances. Acceptable forms of proof and verification are listed at Appendix E.

Failure to produce appropriate evidence may result in an investigation into the eligibility or priority of the application and a decision not to make an offer.

5.44 **Viewing properties and receiving offers**

Applicants will be contacted by SCH if they are successful in bidding for a property. The shortlisted applicant will be sent a letter or email to confirm they have been successful with their bid.

Applicants who are under managed bidding or receiving a direct offer, will be contacted by their relevant case worker.

Once the property is available to view, SCH will contact the applicant again. If they are unable to make contact within 48 hours, the offer will be withdrawn, and the next shortlisted applicant will be contacted. It is therefore important that the applicant ensures that all contact details on their application are kept up to date.

5.45 SCH will arrange for the successful bidder to:

- Complete a pre-tenancy assessment
- Receive a pre-vacation visit for transferring applicants to check that tenancy conditions have been complied with
- View the property at a jointly agreed time

5.46 Viewing may be conducted during repair works to the property. SCH will ensure that it is safe to do so before inviting an applicant for a viewing.

5.47 In order to minimise delays, multiple viewing arrangements may be made for some properties. Specific appointments will be agreed to enable each applicant to view the property separately.

5.48 SCH staff will accompany applicants viewing Council-owned accommodation

5.49 Decisions Not to Make an Offer

5.50 Designated Officers of SCH or partner Registered Providers may decide not to proceed with an offer of accommodation if:

a) Any of the circumstances relating to eligibility or qualifying status are found to apply at the point of selection or offer
b) Personal or household circumstances have changed resulting in reduced priority or a banding change
c) The accommodation would be overcrowded by the proposed household
d) Where it has been assessed that the applicant or member of their household has mobility needs that cannot reasonably be met by the property in question
e) There is reasonable evidence that to do so might endanger the health, safety, or well-being of neighbouring residents.

f) Existing tenants of other social or private landlord references prove not to be satisfactory due to breaches of tenancy such as anti-social behaviour or rent arrears

5.51 Refusals of suitable offers

5.52 SCH will consider the circumstances of each refusal on a case-by-case basis and confirm with the applicant whether the refusal was reasonable.

5.53 If applicants refuse three offers of suitable accommodation (one offer for main duty homeless and homeless relief applicants), they will be placed in Band D for 6 months. After 6 months their application will be reassessed based on their current housing circumstances. Where applicants are owed a homelessness duty, refusal of suitable properties will be dealt with under the Housing Act 1996 Part 7. Where homeless duties come to an end as a result of refusal of a suitable property, their housing application will be reassessed.

5.54 An applicant has a right to review of this decision and will be required to contact SCH within 21 days of the decision, providing evidence that the refusals were reasonable for their application to remain in their housing need band. If they do not or their reasons are not agreed to be reasonable the application will be placed in Reduced Preference for a period of 6 months or closed if the application is not renewed.

5.55 Not responding to contacts made regarding the offer of a property, failing to attend a viewing, or refusing a property following a viewing will all be considered a refusal of a reasonable offer. An applicant who had a good reason for not responding to contacts or failing to attend a viewing will be entitled to seek a review of that decision.

5.56 It will not be considered reasonable to refuse a property on grounds that were made clear in the property advert (for example, the location of the property) unless there are exceptional circumstances. Applicants must consider all factors carefully when deciding whether to express an interest in (bid on) a property.

5.57 Where a suitable offer is made that will be discharging or ending a homeless duty, and that duty is subsequently discharged or ended, the applicant's circumstances will be reassessed, and any priority banding awarded for their homelessness will cease.

5.58 Immediate Lettings

5.59 Properties identified as being in low demand or difficult to let may be considered for immediate letting in situations when no bids were received when the property was advertised or not let despite bids being made after the shortlist is exhausted.

5.60 This means that these properties can be advertised outside of the normal advertising cycle and other methods of advertising will be extended outside of the Scheme, for example, through social media or SMBC/SCH or other relevant websites. Applicants with a housing need and a local connection to Solihull will be given first consideration, but other applicants may be considered for an offer. The applicant will need to be eligible for the property type.

5.61 Local Lettings Plans

5.62 Section 166A(6)(b) of the 1996 Act enables the Council to allocate accommodation to people of a particular description whether or not they fall within the reasonable preference categories.

5.63 The Council and Registered Providers can use local lettings schemes to achieve a wide variety of housing management and policy objectives, for example special allocation arrangements may apply in respect of newly built or refurbished properties, or in defined areas if there are issues affecting the sustainability of the area or where there are there are housing schemes developed and planning permission specifically relates to housing being provided to meet local housing need.

5.64 Any local lettings plan will be agreed with Solihull Council and SCH and will clearly define lettings priorities for a specific area of properties. Any Lettings Plan must set clear objectives to be achieved, have clear evidence for the approach being taken, be fair in its operation and be reviewed regularly to assess its impact on the operation of this Scheme and on equalities within the area.

5.65 The use of a local lettings plan must be balanced against the Council's legal duty to allocate accommodation to people in housing need and must not dominate the Council's Allocations Scheme.

5.66 Special allocation arrangements may apply in respect of newly built or refurbished properties, or in defined areas. A local lettings plan will define lettings priorities for a clearly defined area or number/percentage of properties.

5.67 Age Restricted properties

5.68 The details of any age restrictions relating to age will be included in the advertisement details. Bungalows will only be let to people over the age of 50, or to those younger than the age restriction if the applicant has health or social care needs for bungalow accommodation.

5.69 Severely Overcrowded Households

5.70 In certain cases, the Council may allow severely overcrowded households to improve their housing situation by moving to a property where they may still over-occupy but to a lesser extent than before, whilst still retaining their banding and effective date on the Housing Register. This would be on a case-by-case basis and would need the approval from the Housing Options Manager.

5.71 Former Joint Tenants – council tenancies

5.72 There is a discretion to allocate tenancies to former joint tenants who remain in occupation of the property after the termination of a joint tenancy.

Former Council joint tenants will be considered for the tenancy of the property. Factors that will be taken into consideration in deciding whether to grant a new tenancy to the remaining former joint tenant will include whether the property will be significantly under-occupied by the granting of the tenancy, the current household members, that the allocation has no other adverse implications for the good use of the housing stock, and the conduct of the applicant in meeting qualification criteria.

Where the joint tenancy has ended through service of a valid notice to quit on the landlord arising out of circumstances relating to domestic abuse, and the survivor wishes to continue living in the property after the perpetrator has left, the Council is committed to ensuring the survivor has the same security of tenure as they had before.

If the survivor of domestic abuse does not wish to remain in the property after the perpetrator has left, the Council is committed to offering the survivor a property with the same level of security as they had before as far as this can be arranged.

Section 6 – Management of the Scheme

6.0 Management of the Scheme

6.1 Housing Register Management - Re-registration

6.2 Applicants registered with Solihull Home Options will be responsible for ensuring that their application details are up to date and correct.

6,3 Applications will automatically be closed unless renewed by the applicant every twelve months. This will be confirmed in writing to the applicant.

6.4 The Solihull Home Options system will prompt applicants when they access the Scheme, for example to look at advertised properties or to make bids.

6.5 Where applicants are unable to manage self-registration, or are unable to access the internet, support will be available from SCH officers.

6.6 Removing applications from the Housing Register

6.7 Applications will be removed from the Housing Register in the following circumstances:

- It is found that the applicant has never been, or ceases to be, an eligible or qualifying person (as defined in legislation and in section 3).
- Failure to re-register their application annually. This process will involve several stages of attempted contact prior to removal through a variety of methods
- Failure to respond to formal communication concerning the application
- The applicant requests removal

- The applicant fails to place a bid within a twelve-month period (or within their time restricted banding) and there is evidence of suitable properties that have been advertised
- Where a bid is successful, and a tenancy is secured

6.8 Once removed from the register, applicants may register again and will be awarded a registration date at the point that the new application is activated. Applicants will need to be eligible and qualify for the housing register at the point of making their new application.

6.9 Housing Management Delegations

6.10 Authority for managing and operating Solihull Council's Housing Allocation Scheme is delegated to SCH.

6.11 Officers acting under these delegated powers take operational decisions: Chief Executive, Executive Directors, Head of Service, Housing Options Manager or a direct report delegate, Community Safety Manager and Housing Options staff.

6.12 The Chief Executive or Executive Directors can designate additional delegations in the absence of officers defined in this section.

6.13 Decisions on eligibility, qualification and reduction of priority are delegated to the Housing Options Manager. This includes delegated authority to grant exceptions to the residence and poor behaviour criteria in relation to the move-on provisions agreed for designated supported housing schemes, where it is demonstrated that:

- The applicant is now suitable for independent living; and
- The applicant has established links with the area; and
- There is no reasonable alternative option available.

6.14 The authority to grant special circumstances priority for a move to a specific property type and/or area in circumstances that warrant an urgent move, but which are not adequately reflected by standard housing need (bands). These decisions are made under delegated responsibility by the Housing Options Manager.

6.15 The authority to grant priority where the applicant is releasing Council accommodation that is particularly important for meeting housing need, will be delegated to the responsibility of the Allocations Manager.

6.16 The authority to grant priority where the applicant needs to move to Solihull, where failure to meet that need would cause hardship (to themselves or to others) will be delegated to the responsibility of the Housing Options Manager.

6.17 Varying letting criteria, including bedroom entitlement relating to low demand properties in order to make best use of council stock, is delegated to the responsibility of the Tenancy Sustainment Manager.

6.18 Waiver of age restrictions on the letting of properties designated for elderly persons is delegated to the responsibility of the Housing Options Manager.

6.19 The Housing Services Manager has delegated authority to make decisions in relation to non-successors.

6.20 The Housing Services Manager has delegated authority to make decisions in relation to former joint tenants.

6.21 The Community Safety Manager and Housing Options Manager have delegated authorities to make decisions in relation to racial harassment, hate crimes and domestic abuse.

6.22 Authority to amend the quota arrangements for move-on from supported housing schemes will be subject to approval from designated officers in Solihull Council.

6.23 Reviews may be delegated to external agencies.

6.24 The Assistant Director for Housing shall retain delegated powers to make minor alterations to the Housing Allocations Scheme. Any changes made will need the consent of both parties and will require to demonstrate the need to make the changes. Registered Providers operating within the local authority area will be given reasonable notice prior to any change taking effect.

Appendices

Appendix A - Legal and regulatory framework

A1 Legislation and statutory guidance relating to allocations is set out in the following:

- Housing Act 1996 Part 6 (as amended)
- Localism Act 2011
- Subordinate legislation including Allocation of Housing (England) Regulations 2002, Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015, Allocation of Housing (Qualification Criteria for Victims of Domestic Abuse and Care Leavers) (England) Regulations 2025
- Allocation of accommodation: guidance for local housing authorities in England
- Right to Move: statutory guidance on social housing allocations for local housing authorities in England 2015
- Statutory Guidance on improving access to social housing for members of the Armed Forces
- Statutory Guidance on improving access to social housing for victims of domestic abuse
- Statutory Guidance on providing social housing for local people

A2 When framing the allocations scheme, regard has also been given to:

- The Housing Act 1996 Part 7 (homelessness)
- Homelessness Act 2002
- Homelessness Reduction Act 2017

- The Council's Homelessness and Rough Sleeper Strategy
- The Council's Tenancy Strategy
- The Council's Domestic Abuse Strategy

A3 The Housing Act 1996 requires all local housing authorities to give reasonable preference to certain groups of people:

- All homeless people as defined Part 7 of the Housing Act 1996, including people who are intentionally homeless and those who are not in priority need
- People owed a duty by any local housing authority under sections 190(2), 193(2), or 195(2)
- People occupying unsanitary, overcrowded or otherwise unsatisfactory housing
- People who need to move on medical or welfare grounds (including grounds relating to disability)
- People who need to move to a particular locality within the district to avoid hardship to themselves or others

A4 In framing this allocation scheme the Council is also required to have regard to the following considerations:

- The Scheme must be framed to give reasonable preference to persons who fall within the categories set out in section 166A(3) of the Housing Act 1996 over those who do not
- Whilst there is no requirement for local housing authorities to give equal weight to each of the reasonable preference categories, it should be demonstrated why applicants are given a particular priority
- There is no requirement to give to afford greater priority to applicants who fall within more that on reasonable preference category (cumulative preference)
- Local housing authorities can give additional preference to other groups of people who have reasonable preference if they have urgent housing needs. The Allocations Code of Guidance provides the following examples of where additional preference could be given:

    - Those who need to move urgently because of a life-threatening illness or sudden disability
    - Severe overcrowding which poses a serious health hazard
    - Those who are homeless and require urgent re housing because of violence or threats of violence, including intimidated witnesses, serious anti-social behaviour, or domestic abuse

A5 The Social Housing White Paper: The Charter for Social Housing residents was published in November 2020. The following areas of focus were identified:

- Improve joint working with housing associations to ensure that social housing is allocated efficiently
- Remove barriers to accessing social housing for homeless households
- Ensure that vulnerable households can navigate allocations schemes

<u>The Right to Move</u>

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A6 Right to Move

- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 state that Local Connection criteria must not be applied to existing social tenants who seek to move from another local authority district in England and who have a need to move for work related reasons to avoid hardship.
- To qualify the applicant must be a social housing tenant living in England
- Applicants wishing to join the Housing Register due to work related reasons to avoid hardship can do so if they can evidence these requirements.
- The Council must be satisfied that the tenant needs, rather than wishes, to move for work related reasons and if they were unable to do so this would result in hardship.
- In determining whether the tenant needs to move the Council will consider the following factors:
    - the distance and/or time taken to travel between work and home
    - the availability and affordability of transport, taking into account the tenant's level of earnings

- the nature of the work and whether similar opportunities are available closer to home
- other personal factors, such as medical conditions and childcare, which would be affected if the tenant could not move
- the length of the work contract
- whether failure to move would result in the loss of an opportunity to improve their employment circumstances or prospects.

- The qualification regulations only apply if work is not short-term or marginal in nature, nor ancillary to work in another district. Voluntary work is also excluded.

Regulatory framework

A7 The Tenancy Standard is one of four Consumer Standards which registered providers must comply with. The Tenancy Standard sets out the following required outcomes:

Allocations and lettings

Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants and prospective tenants into account.

Tenancy sustainment and evictions

Registered providers must support tenants to maintain their tenancy or licence. Where a registered provider ends a tenancy or licence, they must offer affected tenants advice and assistance.

Tenure

Registered providers shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock.

They shall meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements or terms of occupation.

Mutual exchange

Registered providers must support relevant tenants living in eligible housing to mutually exchange their homes.

Further information can be found here: Tenancy Standard - GOV.UK

Appendix B – Data protection and equal opportunities statements

Data protection statement

B1 We will only ask applicants to supply information that is required as part of the application process to determine eligibility, qualification and assess housing need. We will only record and store information that is necessary for the assessment and allocation of social housing.

B2 As part of the housing need assessment process, we will make enquiries into an applicant's housing history; by applying to be entered onto the housing register an applicant is agreeing to us making these enquiries. If an applicant does not agree to us making these enquiries, we are unable to accept their application

B3 We will ensure that all information held on the housing register remains confidential. This will not be disclosed to a third party without prior consent from the applicant.

B4 To enable us to share information and nominate applicants to our partner Registered Providers with homes in the district, we have developed an information sharing protocol. This protocol establishes the procedural arrangements for the secure exchange of information for the purpose of nominations to the Registered Providers. By applying to be entered onto the Housing Register, an applicant is agreeing to this information being shared with our partner Registered Providers. We will make this clear at the point of application and review.

B5 In accordance with the General Data Protection Regulation 2018, applicants have the right to request a copy of all the information held about them.

Equal Opportunities Statement

B6 We are committed to promoting equal opportunities, embracing diversity, and preventing and eliminating unlawful discrimination, harassment, and victimisation.

B7 We recognise that our customers are individuals; we will focus on their circumstances to assess their specific housing needs in line with the Allocation Scheme framework. We commit that the scheme will be accessible, responsive, and sensitive to the diverse needs of our customers, ensuring that equality and diversity is at the heart of everything we do.

B8 We will ensure that all potential applicants will have accessible information on how to access the scheme and how to express an interest in the homes available. We acknowledge that some people may require assistance in accessing the Housing Register and participating in the Allocations Scheme. For those people that do not have a trusted person, such as a family member or advocate upon whom they can rely, we will ensure that these individuals receive the help and assistance they require.

B9 The impact of the changes to the Scheme will be assessed through the Fair Treatment / Equality Impact Assessment process.

Appendix C – Local Connection

C1 The Scheme sets out persons who will or will not qualify for the scheme from paragraph 3.38

C2 Applicants or a permanent member of their household will need to meet, and provide evidence of the fact they meet, at least one of the following criteria in order to be defined as having a local connection to Solihull:

a) Residence

Have been resident within Solihull continuously for the last 2 years immediately preceding the date of application and for the duration of their application, in accommodation that was of their own choice. For the purposes of residency, we will only usually consider settled forms of accommodation i.e. medium to long term accommodation and generally where there is a legal right or express permission to occupy. See paragraph C4 for exemptions.

b) Employment

Have permanent employment or be self-employed in Solihull (meaning the actual physical place of work rather than, for example, the location of the employer's head office) for a continuous period of at least 2 years immediately preceding the date of application and for the duration of the application (although any employment need not necessarily be/have been with same employer). This employment must be for 16 hours or more per week. Where working hours fluctuate, e.g., casual or zero hours contract, an average will be taken over 12 months.

c) Close family

Local connection can be established through family where:

The applicant has a close relative* who has been living in Solihull continuously for the last 5 years and a meaningful relationship exists between family members, or;

Where the relative has been living in Solihull for less than 5 years but has health or care needs which require the support of the household that is applying to move to Solihull, or where a family member needs to move to Solihull to be closer to family who live there from whom they require care/support, and the current distance between homes makes it difficult for the provision of such support.

Applicants will need to provide evidence to support this criterion along with evidence to show frequent contact or dependency.

Close relative for this purpose is defined as parents, adult children, or adult siblings.

C3 An applicant will retain their local connection where they have left the area due to:

- Being in Hospital

- Having to move out of the area to provide care where they can evidence the reason for moving
- Being accommodated in supported accommodation through a homeless duty outside the borough
- Being placed in temporary accommodation outside of the borough by the Council
- Fleeing domestic abuse

C4 Local connection exemptions

The exemptions to satisfying these criteria are as follows:

The applicants are relevant persons for the purpose of the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012- Armed Forces:

a) Is serving in the regular forces or who has served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act.
b) Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner where—
   i) the spouse or civil partner has served in the regular forces; and
   ii) their death was attributable (wholly or partly) to that service; or
c) Is serving or has served in the reserve forces and who is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service. In accordance with the statutory guidance for 'Improving access to social housing for members of the Armed Forces 2020 (MHCLG) the authority will also exempt from any local connection requirements divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence.
d) Right to Move Regulations apply (see Appendix A)
e) The applicant is homeless, and the Council has accepted a full duty to them under the Housing Act 1996 (as amended) section 193(2)
f) Applicants who are owed a main homelessness duty requiring the Council to help them secure accommodation under section 189B of the Housing Act 1996, but only for as long as that duty is owed to the applicant
g) Applicants who are threatened with homelessness and who are owed a duty requiring the Council to take reasonable steps to help applicants ensure that their accommodation does not cease to be available for their occupation under section 195 of the Housing Act 1996, but only for as long as that duty is owed to the applicant
h) An applicant who is a single person who presented as at risk of, or already homeless to Solihull Council, and was placed in shared accommodation or hostel type accommodation outside of Solihull in order to discharge a homelessness prevention or relief duty, will maintain any existing local connection for as long as they remain in the accommodation secured for them. Should the applicant move from the accommodation provided by the service outside of Solihull, the local connection will be broken. This does not affect any alternative local connection.

i) A person who is or has been a victim of domestic abuse carried out by another person, who needs to move for reasons connected with that abuse, including from accommodation initially occupied on a temporary basis. in accordance with Statutory Guidance – Improving access to social housing for victims of domestic abuse

j) Care leavers and experienced care leavers who are:
Eligible Children: Young people aged 16 or 17 years who are currently looked after and have been in care for at least 13 weeks since the age of 14 years, including at least one day after turning 16 years.
Relevant Children: Young people aged 16 or 17 years who are no longer looked after but were previously eligible children.
Former Relevant Children: Young people aged 18 to 24 years who were previously either eligible or relevant children.

Appendix D - Rights to information and review

D1 Applicants have the right to receive information and to request reviews of decisions.

D2 Sections 166 and 168 of the Housing Act 1996 contain provisions relating to the rights of applicants to receive advice and information, as well as rights to request reviews of decisions made in respect of their applications. In operating the Scheme, officers of SCH will ensure that these obligations are met.

D3 Applicants have the right to request a review of the following decisions made in respect of their request for housing:

a) that a person is ineligible for housing because of his/her immigration status
b) that an applicant does not qualify for the Scheme because of local connection or their financial circumstances
c) to remove or reduce qualification status under the scheme because of unacceptable behaviour
d) the band in which they have been placed
e) the type of property for which they are eligible to bid
f) any decision about the facts of his/her case which is likely to be, or has been considered in determining whether to allocate housing accommodation to him/her
g) a decision that the applicant has deliberately caused overcrowding
h) any decision to overlook/skip on a bid

D4 Any such request for a review of a decision should be made in writing or by email to the Head of Housing or Housing Options Manager within 21 calendar days of notification of the decision. A representative of the applicant may do this on their behalf.

Freepost RLSSUEBARTUZ
Solihull Community Housing
Endeavour House
Meriden Drive
Solihull
B37 6BX

You can complete an online form on our website
https://www.solihullcommunityhousing.org.uk/online-find-a-home-enquiry/
select on the drop down option appeal against a decision

Or alternatively Email housingappeals@solihullcommunityhousing.org.uk

Reasonable adjustments will be made for those unable to submit their right to review request in writing or email. Applicants can call 0121 717 1515 to provide details of their request.

D5 When requesting a right to review, applicants will need to outline the purpose of their request and provide any further information that the Council may be previously unaware of and to put forward the reasons why they believe that the decision is incorrect.

D6 The Reviewing Officer, or another delegated Officer who is in more senior position to the officer who made the original decision, will then consider the request for a review alongside the decision that had been previously made.

D7 The applicant will be informed of the decision, in writing, within 56 calendar days of the request for a review being received. The applicant will be informed of the decision on the review and the reasons why the decision has been made.

D8 If the review does not reach the conclusion the applicant sought, they will be advised to seek independent advice. The only right to challenge the decision would be through Judicial Review, which will require specialist legal assistance. Applicants will be provided with information on local Citizens Advice Offices, solicitors or Shelter, who will be able to assist further.

Appendix E: Verification Requirements for the Housing Register

Applicants must provide a minimum level of information. This will include proof of identification for all those included on the housing application. If the applicant is not already a tenant of SCH it will be mandatory to provide information relating to current tenancy/residence.

Documents required may include:

 Birth certificate

 Proof of identify, i.e., driving licence

 Pregnancy confirmation (16 weeks)

 Divorce or separation papers

 Completion of sale document for the last property sold

 Proof of employment. We need this if the applicant works in Solihull but does not live here

 Child residence/custody papers

 Parental Responsibility Agreement

 If you are a property owner, please provide proof of savings and investments. If you have a recent valuation please enclose this too

 Child Benefit Book

 Passport

 Family Tax Credit

 Income Support & Housing Benefit

 British Armed Forces discharge papers

Applicants will be required to provide one or more of these forms of identification, together with confirmation of circumstances as requested. This is not exhaustive list and other supportive evidence may be requested. Failure to produce evidence to support the verification of the applicant's circumstances may result in the offer of accommodation being withdrawn and/or the temporary suspension of their housing application.

Where a Child Benefit award letter can no longer be provided the council will accept a bank statement addressed to the applicant clearly showing the correct amount being paid directly by Child Benefit if there is also proof of relationship, for example, a child's long birth certificate.

Housing
Economy & Infrastructure Directorate
Solihull Council
Council House
Manor Square
Solihull
B91 3QB

Solihull Community Housing
Shaping our neighbourhoods

Solihull Home Options

Solihull Metropolitan Borough Council
URBS IN RURE