

# **Lewisham Housing Allocation Policy**

**Reviewed TBC**

**ADDRESS DETAILS  
LOCAL HOUSING OFFICES**

**Lewisham Homes**

Laurence House  
1 Catford Road SE6 4FN  
Tel: 0800 028 2028  
Open: Monday–Friday 9am-5pm except Wednesday's 10am-5pm  
<https://www.lewishamhomes.org.uk/contact-us/>

**Brockley PFI**

Ground Floor, 111 Endwell Road  
Brockley SE4 2PE  
Tel: 020 7635 1200  
Open: Monday–Friday 9am–5pm  
[brockley.customerservice@pinnaclegroup.co.uk](mailto:brockley.customerservice@pinnaclegroup.co.uk)

**Housing Options Centre**

Laurence House  
Catford Road SE6 4RU  
Tel: 020 8314 7007  
[HousingOptionsEnquiry@lewisham.gov.uk](mailto:HousingOptionsEnquiry@lewisham.gov.uk)

**Allocations & Lettings Service**

Tel: 020 8314 7007

**Housing Applications Enquiries**

[LewishamFindYourHomeApplications@lewisham.gov.uk](mailto:LewishamFindYourHomeApplications@lewisham.gov.uk)

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# **1. Introduction**

## **1.1 Introduction to Lewisham's Allocation Policy**

This Allocation Policy determines who is eligible for social housing in Lewisham and the priority they should receive. Eligible applicants are placed on a "Housing Register", and their priority is determined based on their current housing situation.

Priority is awarded by placing applicants in Priority Bands. The Bands are:

Band 1: Emergency Priority

Band 2: High Priority

Band 3: Medium Priority

Band 4: Low Priority.

The higher the Band, the quicker an applicant can expect to be offered a property to move into. Unless exceptional circumstances apply, within Bands those who have been in that Band or on the Housing Register the longest will be prioritised first.

Everyone on the Housing Register has a reason for wanting to move, but in general we can only offer homes to those in the greatest need. We must comply with the law, which says that we must give "reasonable preference" to certain groups of people.

Our overall objectives in designing this updated Allocation Policy have been to make sure that it is fair, efficient, flexible, and responds to the housing needs of the borough.

This Allocation Policy has been written to comply with the provisions of Part 6 of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Localism Act 2011. It also takes into account the Code of Guidance on Allocations June 2012 as revised, most recently in July 2021, Supplementary Guidance December 2013 *Providing social housing for local people*, March 2015 *Right to Move* and November 2018 *Improving Access to Social Housing for Victims of Domestic Abuse*. It has been drafted in line with the Council's Housing Strategy and Tenancy Strategy, the London Housing Strategy and in accordance with the Council's equality duties.

### **1.1.1 How long will I have to wait for a home?**

In Lewisham, there are many more people who need or who want to move than there are homes available for them to move to. There are over 10,000 households on the Housing Register, which is growing year on year, but the number of properties available to let is around 1,000 per year.

We operate a Choice Based Lettings Scheme called Lewisham FindYourHome. Choice Based Lettings means that applicants can express an interest in the homes they wish to be considered for. However, in reality, the shortage of housing is so severe that applicants who are restrictive about their choices may not be able to find the housing they need. In some circumstances we will directly allocate properties to those groups we consider to be in most urgent need.

How long you will have to wait for a property will depend on a number of factors, including:

- The priority you are allocated on the Housing Register
- The size of the property you require

- The location and the type of property you are looking for.

The Council will periodically update the Lewisham FindYourHome page with details of how long applicants may be required to wait.

### 1.1.2 What sort of properties are available to applicants?

Lewisham Council and our Housing Association partners have agreed to offer all our available homes to people registered on the Housing Register. We will also use this policy to let privately rented homes where landlords choose to work with us, and other Housing Association properties over which we acquire nomination rights. In this policy, we refer to the landlords who work with us in this way as our “Partner Landlords”. If you have indicated on your application form that you are interested in Housing Association properties, you may also receive an offer from a Housing Association who is not in partnership with us, but with whom we have nomination rights.

### 1.1.3 What sort of tenancy will I have in an allocated property?

If you are allocated a tenancy or nominated for a Housing Association tenancy, this is likely to be a probationary or introductory tenancy (sometimes also called a “starter tenancy”) to begin with. Unless steps are taken to end it within the probationary period, usually a year, this will be converted into a full secure or assured tenancy after the probationary period.

Under the Localism Act 2011, local housing authorities and Housing Associations are able to grant fixed term tenancies called “flexible tenancies” instead of the traditional “lifetime tenancies”. Lewisham’s aim is to retain full security of tenure where possible. If flexible tenancies are allocated, Lewisham’s aim is that these should be for a minimum of 5 years, and that lifetime tenancies would continue to be granted to the over 65’s and people with serious permanent physical or mental vulnerabilities. Where a fixed term tenancy is given to a family with children we would aim to see the length of tenancy match the 21<sup>st</sup> birthday of the youngest child.

## 1.2 Your options

You are strongly recommended to consider all possible options for your future housing. Even if you are awarded a high priority under this Allocation Policy, other options may still meet your needs more quickly. Our Housing Advisors will discuss this with you.

Options include:

- **Privately rented housing.** You can contact local lettings agents and use local newspapers to find privately rented properties.  
<https://lewisham.gov.uk/myservices/housing/get-housing-support/renting>.
- **Low cost home ownership.** There are schemes to help you to buy a home of your own. If you are in regular employment, you may be eligible for one of these schemes. There are income limits, so you need to look at [www.housing.org.uk](http://www.housing.org.uk) for more information. They include properties built especially for low cost home ownership and properties available on the open market.  
<https://lewisham.gov.uk/myservices/housing/get-housing-support/affordable-ways-to-buy-a-home>.

- **Homefinders UK.** This platform allows applicants to bid for social housing elsewhere in the UK provided they meet the relevant criteria.
- **Staying where you are now but getting help to make the property more suitable for your needs.** If your property is in a poor state of repair or you are having problems with your landlord we may be able to help. Please contact the Environmental Health residential team at: [pshe@lewisham.gov.uk](mailto:pshe@lewisham.gov.uk); or [healthandsafety@lewishamhomes.org.uk](mailto:healthandsafety@lewishamhomes.org.uk) if you live in a Lewisham Homes property. You may also be eligible for grant assistance to help you remain where you are. Please contact the team at [gateway@lewisham.gov.uk](mailto:gateway@lewisham.gov.uk); or [housingassistance@lewisham.gov.uk](mailto:housingassistance@lewisham.gov.uk) for more details.
- **A mutual exchange.** This is where an existing social housing tenant agrees to swap homes with the Council's consent. There are rules about the size of home you can move to. If you are an existing tenant you should consider registering for a mutual exchange even if you need a different size property to the one you are in now. Further information can be found at: <https://lewisham.gov.uk/myservices/housing/information-for-social-housing-tenants/moving-house-if-you-are-a-social-housing-tenant/swap-your-home-with-another-social-housing-tenant>.
- **Fresh Start.** This scheme helps households who want to relocate to different parts of the country find accommodation in the private sector. It is particularly aimed at those on the Housing Register that are overcrowded or homeless. <https://lewisham.gov.uk/organizations/fresh-start>.
- **Seaside and Country Homes.** This scheme offers mobility to people living in Council and Housing Association homes in Greater London looking to move to seaside and country towns. It is open to single Londoners aged over 60, or couples where at least one partner is aged over 60. <https://www.london.gov.uk/what-we-do/housing-and-land/council-and-social-housing/seaside-and-country-homes>
- **Reciprocal arrangements - Safer London scheme.** This scheme helps move tenants who have an urgent need to move to another local authority to ensure their or a member of the households safety. <https://saferlondon.org.uk/places-housing-and-communities>.
- **Housing Moves.** The Mayor's Housing Moves scheme enables Council or Housing Association tenants of London's boroughs to be considered for vacancies in another London borough. <http://www.housingmoves.org>.

Our officers or your landlord will advise you on options that may be suitable for you. They can also give you general advice about how realistic your chances of being offered a Council or Housing Association home might be. It is very difficult to tell you how long you may have to wait for a property.

### 1.2.1 Your options if you are homeless or at risk of homelessness

If you are already homeless, or think you may be going to lose your home, you should contact the Council's Housing Options Service. It is important that you talk to us as soon as possible – we may be able to help you to keep your current home, or help you to avoid becoming homeless.

If you do become homeless, you may face a long period of time in temporary accommodation before being housed. The Council will work with you to find longer-term housing, either in the private sector or in social housing.

For advice about your housing options, please contact your landlord and/or the Allocations & Lettings Service on 020 8314 7007.

If you think you may become homeless, you should contact the Council for advice at the earliest opportunity. The earlier you contact us the more chance we have of helping you to avoid becoming homeless. You can call the Housing Options Centre (HOC) on 020 8314 7007 or apply for assistance through our [website](#).

### **1.2.2 Your options if you are hospitalised**

If you are in hospital, prison or another institution you can still apply for housing. The Council offers assistance to tenants who are in hospital to help them to retain their housing options when they are discharged. Further information on this topic is provided in section 2.5.3 (Former Council or Partner Landlord tenants leaving institutions).

The Council also has arrangements in place to assist those who cannot return to their home after a stay in hospital, because it is no longer suitable for their needs. This includes people who require adapted housing because they have become disabled.

You should contact the Housing Medical Advisor and/or the Community Occupational Therapy Team to see if your existing accommodation can be made suitable for your needs.

**Occupational Therapy Team:** [info.OTS@lewisham.gov.uk](mailto:info.OTS@lewisham.gov.uk), [020 8314 7777](tel:02083147777)

### **1.2.3 Your options if you are suffering domestic abuse**

If you are suffering from domestic abuse we will work with you to try to identify the best solution for you. This may include giving you support to remain in your current home and excluding the perpetrator. If you are experiencing domestic abuse you should seek advice from your landlord, Refuge or the Housing Options Service.

There are a number of initiatives the Council supports which may enable you to stay in your home. These include:

- Advice on Agencies who can access to floating support services for victims of domestic abuse
- Advice on legal remedies such as injunctions

Victims of domestic abuse who cannot remain in their current homes may be awarded Emergency Priority by a Housing Panel under 2.5.2 below. Applicants who move into refuges may still be owed the main housing duty under section 193 of the Housing Act 1996 and therefore be exempt from the residence requirement under 2.2.2 below.

### **1.2.4 Your options if you are suffering harassment and anti-social behaviour**

The Council and its Partner Landlords will not tolerate sexual, racial, homophobic or disability related harassment.



Wherever possible, a landlord should seek to resolve issues of anti-social behaviour and harassment by taking action against the perpetrator, rather than moving the victim. It is however, recognised that in extreme cases it is no longer safe for the victim to remain in the property. In very exceptional cases, such as where the police believe that there is a serious danger to you in remaining in the home, your case can be referred to the Housing Panel to be considered for Emergency Priority and we may be able to assist you with temporary accommodation or a permanent home.

### **1.2.5 Options for single people**

The Council is committed to working with partner agencies to promote housing options for single young people and there are a number of supported housing schemes that may be suitable for your needs funded throughout the borough. For more information on how to access these schemes please contact the Housing Options Centre at [HousingOptionsEnquiry@lewisham.gov.uk](mailto:HousingOptionsEnquiry@lewisham.gov.uk).

### **1.2.6 Options for young people**

There are particular legal and practical difficulties letting accommodation to 16 and 17 year olds, which have led us to decide not to allocate social housing to persons under 18 years of age. We are of the view that these difficulties, and the potential problems and costs which they give rise to, outweigh any reasonable preference a 16 or 17 year old may have for an allocation of accommodation – up until his or her 18<sup>th</sup> birthday.

## **1.3 What properties are excluded from this policy?**

This policy covers all Council and Partner Landlord properties, and other properties over which the Council has nomination rights that are available to let on introductory, secure, assured tenancies, and includes flexible tenancies and those let under the affordable rented regime (up to 80% of market rents), except for:

- Statutory rights of succession to a tenancy on the death of the original tenant
- When an introductory tenancy becomes a secure tenancy at the end of the probationary period
- Where a Court makes a decision about a tenancy (such as an order under the Children Act)
- Where we let a property directly to someone who needs temporary accommodation only. This may include people who need to move out for a while whilst refurbishment is carried out (known as a “temporary decant”), but does not include permanent decants
- Where the tenant is returning to the property after refurbishment or improvement
- Properties that are let in conjunction with employment by the Council, such as to caretakers
- Mutual exchanges
- Tenancies granted under section 39 of the Land Compensation Act 1973 or sections 554 and 555 of the Housing Act 1985
- A letting to a person who lawfully occupies a family intervention tenancy
- Properties given to other authorities to advertise via sub regional agreements
- Renewal of a flexible tenancy

The Council participates in pan-London mobility arrangements and accordingly a small number of the properties that become available to the Council each year will be made available to transferring tenants from other boroughs under those arrangements.

The decision as to which of our vacancies will be put forward to the operators of pan-London mobility for applicants from other boroughs will be made by the Allocations & Lettings Manager in the Housing Needs Group.

The ultimate decision as to which pan-London mobility applicant will be let the property will be made by the Allocations & Lettings Manager in the Housing Needs Group.

#### **1.4 Equality and diversity**

Lewisham is home to people from a wide range of backgrounds, from many communities. This Allocation Policy contributes to our aspirations for making Lewisham a good place to live, work and learn for people of all communities. In our Corporate Strategy 2018-22, we committed to creating an “Open Lewisham”, making sure that Lewisham is a place where diversity and cultural heritage is recognised as a strength and celebrated. This means that we are trying to ensure that no section of the community should be excluded from the benefits and opportunities available, and that we have regard to the need to eliminate discrimination, harassment and victimization, the need to advance equality of opportunity and to foster good relations between minority groups and others. We will operate the Allocation Policy equally to everyone who applies to or is on the Housing Register, regardless of their race, gender, gender reassignment, disability, age, sexual orientation, marital or civil partnership status, pregnancy or maternity, religion or belief. We are committed to delivering quality services to all. An Equality Analysis Assessment was carried out in relation to the Housing Allocation Policy review in 2021.

#### **1.5 Who can you contact for advice, or to make a complaint?**

If you want to join the Housing Register you can do this by referring to our information on the website, [www.lewisham.gov.uk](http://www.lewisham.gov.uk) or <http://www.lewisham.gov.uk/myservices/housing/find/Pages/Apply-for-social-housing.aspx>.

If you are vulnerable (for example you are elderly, have a learning or other disability, or do not have the ability to read English or another language) and are not presently a social housing tenant, we can assist you in accessing housing and bidding for properties. The FindYourHome Support Officer based in the Allocations & Lettings Service assists applicants to engage with the choice based lettings system and can assist clients with bidding. Please contact the Allocations & Lettings service for further information on 020 8314 7007 or [FindYourHomeSupportOfficer@lewisham.gov.uk](mailto:FindYourHomeSupportOfficer@lewisham.gov.uk).

If you are a vulnerable applicant who is currently in social housing you should seek assistance from your landlord.

#### **1.6 What to do if you disagree with our decisions**

If we make a decision about your housing application that you do not agree with, you can ask for a review within 21 days of the decision being notified to you. Your request should be in writing, and should give us as much information as possible.

You should write to: [housingreviews@lewisham.gov.uk](mailto:housingreviews@lewisham.gov.uk).

If you need help in making a request, you can contact our officers or other advice centres, such as the Citizen Advice Bureau ([www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)) who will be able to assist you in submitting your review.

We will give you a response as soon as possible, and aim to reach a decision within 56 days of receiving your request. We will tell you how we made our decision. A decision will always be reviewed by someone who did not make that decision. We will tell you who has reviewed the decision.

There is no right to a review of a decision by a Housing Panel or the Service Group Manager for Housing Needs and Refugee Services.

## **2 The Allocation Policy**

### **2.1 Who can join the Housing Register?**

Anyone aged sixteen or above can join the Housing Register, unless you are ineligible or disqualified. You will be ineligible if you are:

- A person that the Government says cannot be on the register (this includes people who are subject to immigration control and do not have permission to be in the UK, or whose immigration status does not allow them to benefit from government help). These rules are summarised in section 2.1.1.

However, if you are aged 16 or 17 you will be able to register but you will not be offered a property until you are 18 years old.

#### **2.1.1 Ineligible because of immigration status**

The Government says that in general we cannot allocate housing to persons who need leave to enter or remain in the UK – and this applies to all persons except British citizens and persons with a right to reside in the UK under European law.

If you need leave to enter or remain in the UK (regardless of whether or not you have leave) you will only be eligible to join the Housing Register if you fall into one of the following categories: (A) a person recorded by the Secretary of State as a refugee, (B) a person granted Exceptional Leave to Remain outside of the Immigration Rules which is not subject to a condition of non-recourse to public funds (Indefinite Leave to Remain), (C) a person who has unconditional and unlimited leave to remain in the UK, is habitually resident in the Common Travel Area (UK, Channel Islands, Isle of Man or EIRE) and who (subject to exceptions) is not sponsored, (D) a person who has been granted Humanitarian Protection, (E) Afghan citizens granted limited leave to enter the UK under paragraph 276BA1 of the Immigration Rules, (F) a person granted limited leave to enter or remain in the UK on family or private life grounds under article 8 of the European Convention of Human Rights under paragraph 276BE(1) or 276DG or Appendix FM of the Immigration Rules which is not subject to a condition of non-recourse to public funds, (G) a person who is habitually resident in the Common Travel Area, who has been transferred to the United Kingdom under section 67 of the Immigration Act 2016 and has limited leave to remain under paragraph 352ZH of the Immigration Rules, (H) a person who is habitually resident in the Common Travel Area and has Calais leave to remain under paragraph 352J of the Immigration Rules, (I) a person who has limited leave to enter or remain in the UK by virtue of Appendix EU of the Immigration Rules and is a family member of a relevant person of Northern Ireland, (J) a person who is habitually resident in the Common Travel Area and who has limited leave to remain in the UK as a stateless person under paragraph 405 of the Immigration Rules and (K) a person who is habitually resident in the Common Travel Area and who

has limited leave to remain in the UK by virtue of Appendix Hong Kong British National (Overseas) of the Immigration Rules which is not subject to a condition of non-recourse to public funds.

The Government also says that we cannot allocate housing to anyone unless they are habitually resident in the Common Travel Area, subject to certain exceptions for: persons with rights of residence under European law, persons who are in the UK as a result of being deported or expelled from another country and frontier workers and their family members. The Government also says that we cannot allocate housing to a person whose only right to reside in the UK arises under European law based on their status as a jobseeker or an initial 3 months' right of residence, or is a derivative right of residence based on being the principal carer for a British citizen.

The Council is not allowed to allocate housing to an ineligible person by granting them a joint tenancy with another, eligible person.

These rules do not apply to a person who is already a secure or introductory tenant or an assured tenant of accommodation to which they have been nominated by a local housing authority. In that case, you are free to apply for a transfer regardless of your immigration status.

The above is a summary of the rules contained in legislation. These rules are also subject to change by statutory instruments issued from time to time.

## **2.2 Disqualification from the Housing Register or from receiving an offer**

We have identified certain groups of applicants to whom we will not normally allocate housing. Such applicants are either disqualified from being on the Housing Register or are disqualified from receiving an offer (although they are allowed to be on the Housing Register). We believe this is a fair approach, given the severe shortage of housing in the borough and the need to reserve scarce social housing for those groups who the Council considers to be the highest priority.

The Council considers that the factors set out in the grounds for disqualification below will ordinarily outweigh any reasonable preference to which an applicant is entitled.

We also disqualify certain applicants in accordance with our One Offer Policy, following the refusal of an offer of housing, as explained below at section 2.2.3.

We also disqualify certain applicants in accordance with our Two Offer Policy, following the refusal of two offers from the Housing Register, as explained below at section 2.2.4.

In addition, we will disqualify applications for two years where false information has been supplied in connection with the application, see section 3.1.2 below.

Some grounds of disqualification do not apply to: homeless persons to whom the Council owes the main housing duty under section 193 of the Housing Act 1996; transfer applications from existing secure tenants of the Council; or existing secure or assured tenants of our Partner Landlords. These are specified below.

The effect of being disqualified from the Housing Register is that your application will be cancelled. During the period of disqualification you will be unable to reapply. When the period of disqualification comes to an end, if you wish to pursue your application again, you will have to reapply. Your application will be taken to have been made on the date of your reapplication.

If you are disqualified but another person in your household qualifies, they may be able to join the Housing Register. The Council may grant a joint tenancy to you and that other household member, but we would normally allocate joint tenancies only to the applicant and their spouse or civil partner.

Further details on disqualification from receiving an offer are provided at section 2.2.5 below.

### **2.2.1 If you have significant financial resources**

If you or another member of your household has sufficient financial resources, including assets such as property, which could be used to resolve your own housing difficulties without the help of the Council, you will be disqualified from the Housing Register for so long as your household's income or assets exceed the limits.

The limits are as follows:

- Household gross annual income of £50,000 or more
- Household savings or assets of £16,000 or more.

We will also disqualify your application for a period of six months from the date of our decision if we are satisfied that you, or a member of your household has deliberately foregone income or disposed of savings or other assets for the purpose of pursuing an application for housing.

This does not apply: to homeless persons to whom the Council owes the main housing duty under section 193 of the Housing Act 1996; transfer applications from existing secure tenants of the Council or secure or assured tenants of our Partner Landlords; or leaseholders where the Council is buying back as part of a decant programme.

### **2.2.2 If you do not have a local connection to Lewisham**

If you do not have a local connection to Lewisham your application will be disqualified for so long as you do not meet the criteria set out below.

Local connection means that:

- You are currently resident in Lewisham and have been resident for a period of 5 years;
- The Council have accepted that they owe you the main housing duty under section 193 of the Housing Act 1996 (as amended by the Homelessness Act 2002) and you have been placed in temporary accommodation by the Council;
- You need to move to Lewisham for work, and will suffer hardship if you cannot move:
  - o You work in Lewisham and need to move in order to enable you to continue working in Lewisham; or
  - o You need to move to Lewisham to take up an offer of employment in Lewisham; and
  - o In either case, the work is not short-term, marginal or ancillary or voluntary work; or
- You give or receive care or support from a family member who is already normally resident in Lewisham. For further information of what is meant by "giving and receiving care or support" please see section 3.1.1.
- You and your household are Roma or Irish Travellers and you have not been resident in Lewisham for a period of 5 years because you adhere to a traditional migratory culture.
- You are a person recorded by the Secretary of State as a refugee and you have not been resident in Lewisham for a period of 5 years for reasons connected with your status as a refugee.

If you have recently left prison or other institution, we will consider whether or not you have a local connection bearing in mind where you were living before you were imprisoned or institutionalised and whether you have family and other connections in the Borough.

We will ask you for evidence of your local connection with your application. This may include proof of residence, evidence from your employer or a social care assessment.

This ground of disqualification does not apply to: transfer applications from existing secure tenants of the Council or existing secure or assured tenants of our Partner Landlords; applicants nominated via sub-regional and pan-London agreements; or applications from individuals who:

- are serving or have served in the regular armed forces within the period of 5 years preceding their application; or
- have 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 the spouse or civil partner has served in the regular forces; and their death was attributable (wholly or partly) to that service; or
- are serving, or have 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.

### **2.2.3 One Offer Policy**

Certain categories of applicants are covered by the Council's One Offer Policy. They are set out in the table at 2.5.1 below.

The Council may bid on your behalf. A bid may be made for any property, provided that it is suitable, taking into account the Council's size standards and any medical recommendation.

Whether officers bid on your behalf or you bid for yourself and the bid is successful, or a direct offer is made to you (see section 3.4.4 below), you will receive one offer of a suitable property. If you are successful on multiple bids, you will need to accept an offer on one property first before refusing the other offers.

If an applicant refuses an offer under the Council's One Offer Policy, and that offer is upheld as suitable on review, their application will be cancelled, they will be disqualified for a period of 12 months, following which they will need to make a fresh application (see 2.2 above).

### **2.2.4 Two Offer Policy**

All applicants who are not subject to the One Offer Policy are subject to the Two Offer Policy, except Decants awarded Starred Decant Priority: see section 3.3.3.

If an applicant fails to attend a viewing, accept an offer or sign a tenancy agreement of two successive properties offered to them under this Housing Allocation Policy, they will be disqualified for a period of 12 months.

### **2.2.5 Disqualification from an offer for rent arrears**

It is a policy of the Council to reduce the amount of rent arrears owed by Council tenants and tenants of our Partner Landlords. If you or a member of your household owe the Council or one of our Partner Landlords either current or former tenant rent arrears you can bid for accommodation from the Housing Register but your rent account balance must be zero before any offer of accommodation will be made. The Council's view is that the rent arrears will generally outweigh any priority for rehousing you may have. You will not be able to receive offers while you are in rent arrears, unless an offer is allowed on an exceptional basis under 2.2.8 below. If you feel your rent account is incorrect or your level of arrears has changed, you should contact your landlord to review this and you will need to submit clear evidence to satisfy us as to the correct level of arrears.

### **2.2.6 Unacceptable behaviour**

If you or any member of your household has been guilty of behaviour within the last two years serious enough for a local authority or Housing Association landlord to have obtained a possession order, you will normally be disqualified from the Housing Register.

Your behaviour or the behaviour of a member of your household must have been sufficiently serious for us to consider that you are unsuitable to be our tenant. If you have a demoted tenancy with the Council, because your secure tenancy has been ended due to you, or a member of your household, causing anti-social behaviour, you will not normally qualify. However, in either case you can seek to persuade the Council that in the particular circumstances of your case you are suitable to apply for rehousing despite the unacceptable behaviour. You can re-join the Housing Register following a demotion order when your secure tenancy is reinstated. However, your application date will be the date you reapply.

### **2.2.7 No priority**

If your application is assessed as not coming within any of the Priority Bands stated at 2.5 below, your application will be disqualified and removed from the Housing Register. This is to ensure that the Council makes efficient use of its resources and prioritises those households with the most acute need for housing.

### **2.2.8 Reinstatement in exceptional cases**

In exceptional cases, the Council will reinstate a disqualified application despite the existence of one or more grounds of disqualification or make an offer to an applicant disqualified from receiving an offer despite the existence of rent arrears.

In order to be reinstated, an applicant must apply to the Housing Needs and Refugee Services Manager (contact details are provided at the beginning of this policy). They may reinstate the application or allow an offer only if satisfied that there are exceptional circumstances which justify reinstatement.

There will be no further review of the decision of the Housing Needs and Refugee Services Manager to refuse to reinstate a disqualified application, or to allow an offer to be made to an applicant disqualified from receiving an offer.

The effect of a decision to reinstate a disqualified application on the grounds of exceptional hardship will be that the application is treated as having been made on the date it was originally made, not the date on which it was reinstated.

The reinstatement of a formerly disqualified application is no guarantee that, if the applicant is nominated to another landlord, that landlord will accept the nomination.

### **2.2.9 Incomplete housing applications**

If an online housing application is not completed within 16 weeks of initial entry it will be deleted from the Housing Register and applicants will need to submit a new application.

### **2.3 What happens if you are ineligible or disqualified from the Housing Register?**

If we decide that you are not eligible or disqualified from the Housing Register, we will tell you why. You can ask us to review the decision. How we carry out a review of a decision is detailed in section 1.6 above.

### **2.4 Who can be included on your application?**

We normally refer to the other persons included on your application as your “household”.

If you are homeless person to whom the Council owes the main housing duty under section 193 of the Housing Act 1996, then who you can include within your household is governed by the same rules as apply under the Housing Act 1996.

In particular, section 176 states that a homeless person’s household includes: (a) any other person who normally resides with them as a member of their family and (b) any other person who might reasonably be expected to reside with them. In cases falling under (b), it is for the Council to judge who it is reasonable to expect to live with you.

For all other applicants, you can include within your household only members of your immediate family who are normally resident with you, or who would normally live with you but cannot do so because your accommodation is not suitable for them, and other people who have a welfare need to live with you.

We will assess the size of property you require based on who is included within your household according to these rules.

As an exception to these rules, transfer applicants who are existing secure tenants of the Council or secure or assured tenants of our Partner Landlords may include within their household anyone who has been living with them for at least 12 months as a member of their family.

Immediate family means the main applicant, their spouse, civil partner or long-term partner (including same sex partners), and their children, except where those children are living with a partner (whether married or not) or have their own children. It does not include your or your partner’s: parents, grandparents, brothers, sisters, aunts, uncles, grandchildren, nieces or nephews, cousins, friends or lodgers.



Other people who have a welfare need to live with you means people who we do not include within our definition of “immediate family” but who need to live with you in order to give or to receive care or support from you or a member of your immediate family – see 3.1.1.

People who live with you and fit into one of the above categories but who are ineligible (because they are subject to immigration control) means people who are part of your household but are ineligible for an allocation. They may be considered as part of your household in terms of determining the size of home that you need but cannot be granted a tenancy of that home. Further, you cannot be assessed as having priority under this Allocation Policy as a result of one or more ineligible household members who are “restricted persons” within the meaning of Part 7 of the Housing Act 1996: these persons will be disregarded for the purpose of assessing your priority.

#### **2.4.1 What happens to other people currently living with me?**

You can continue to allow other people to live with you, if you choose to do so, unless by doing so you are making your home statutorily overcrowded, or are breaking the terms of your tenancy or another legal duty. However, we will not take those people into account in assessing your application. This may mean that your home is overcrowded, but we do not assess you as being overcrowded under the terms of our policy.

If you are currently living as part of a larger household we can provide help and advice to the other members of the household who are not part of your immediate family to find their own accommodation. This can include referrals to our “Fresh Start” programme for young adults, or advice on other ways to find private sector accommodation, or it may include applications to the Housing Register if they are eligible to do so.

This may mean that you do not need to move, or that you need a smaller property than you think. Your chances of being rehoused are greater if you need a smaller property as we have very few four, five or six bedroom homes.

#### **2.4.2 Family members who are currently living elsewhere**

If you are applying to include family members or other persons who are living abroad, we will not include those living abroad in your household. They will not be considered for inclusion within your household until they have arrived in the UK.

If you are applying to be reunited with family members living elsewhere in the UK (anywhere outside of Lewisham), we will consider including them within your household in accordance with the above criteria. You should also consider applying to be rehoused where they live, especially if the demand for housing is lower there.

If you share the residence or care of children with someone else (for example, under a shared residence order or contact order), we will only include the children as part of your household if you are the main care provider. We will decide who the main care provider in the first instance is by looking at who is paid child benefit or tax credits and who the children stay with for the most nights each week. If this information is inconclusive, we will consider the wider circumstances of the case. Only one parent can qualify as the main care provider for a child.

## 2.5 Priority Bands

If you are eligible and your application is not disqualified, you may make an application to join the Housing Register.

Your application will be assessed according to the information and evidence provided and placed into a Priority Band.

You cannot be assessed as having priority under this Allocation Policy as a result of one or more ineligible household members who are “restricted persons” within the meaning of Part 7 of the Housing Act 1996: these persons will be disregarded for the purpose of assessing your priority.

### 2.5.1 Summary of the Priority Bands

The following table provides an overview of the Priority Bands and the rehousing reasons within each Band.

<b>Band</b>	<b>Rehousing reason</b>	<b>Number of offers</b>
Band 1: Emergency	Decant	One, but management offer can be made at anytime
	Starred Decant Priority	Not applicable
	Discretionary succession	One
	Emergency Priority	One
	Emergency Medical Priority	One
	Former armed forces personnel with housing need	One
	Leaving Care	One
	Management Discretion Band 1	One
	Occupier no longer requires specialist unit	Two
	Retiring Lewisham Council employees in tied accommodation	One
	Temporary accommodation lease ending	One
	Succession - too large a property	One
	Under-occupiers	Two
Band 2: High	High medical priority	Two
	Former Council or Partner Landlord tenants leaving institutions	One
	Management Discretion Band 2	One
	Overcrowded by three beds	Two
	Overcrowded by two beds and statutorily overcrowded	Two
	Priority homeless with additional need	One
	Supported housing move on	One
Band 3: Medium	Priority homeless	One
	Management Discretion Band 3	One

	Medical priority	Two
	Overcrowded by two beds	Two
	Overcrowded by one bed and statutorily overcrowded	Two
	Prohibition order	Two
	Employed applicant who needs to live in Lewisham in order to work	Two
Band 4: Low	Overcrowded by one bed or statutorily overcrowded	Two

## 2.5.2 Band 1: Emergency Priority

Applicants in Band 1 have the highest priority. However, other options may still meet your needs more quickly. Our Housing Advisers will discuss this with you.

Rehousing reason	Detail
Decants	<p>Applicants who:</p> <ul style="list-style-type: none"> <li>• have an urgent need to move because their home is scheduled to be demolished within the next 24 months; or</li> <li>• live in a Council or Partner Landlord property whose home is scheduled to be demolished within the next 5 years and it is proposed that in excess of 200 units of accommodation will be demolished as part of a single phase of works.</li> </ul> <p>For information on “<b>Starred Decant Priority</b>” see section 3.3.3.</p>
Discretionary succession	Applicant does not meet statutory succession criteria but their landlord has presented a case for consideration to the Council that the applicant is in need of rehousing.
Emergency priority awarded by Housing Panel	<p>The applicant has been referred to the Council by another agency (e.g. police or social services) and the Housing Panel is satisfied that the applicant or a member of their household has an urgent need for rehousing because if they are not rehoused:</p> <ul style="list-style-type: none"> <li>○ their life will be in serious danger,</li> <li>○ they will suffer from a severe physical or mental illness,</li> <li>○ the welfare of any child within the household will be seriously prejudiced, or</li> <li>○ public safety will be severely endangered</li> </ul>
Emergency Medical Priority	Applicants currently admitted to an NHS hospital who cannot leave hospital because they have no suitable accommodation elsewhere and as a result

	<p>of a medical condition they require a <u> specially adapted home. Applicants who meet these criteria will be granted Emergency Medical Priority on the recommendation of the Council’s Medical Advisors.</u></p>
<p>Former armed forces personnel</p>	<p>This applies to:</p> <ul style="list-style-type: none"> <li>• applicants awarded at least High Priority who have served in the regular armed forces within the period of five years before applying to join the Housing Register;</li> <li>• applicants awarded at least High Priority because they are a serving member of the Armed Forces who need to move due to serious injury, medical condition or disability sustained as a result of their service;</li> <li>• applicants awarded at least High Priority and who are a bereaved spouse or civil partner of a member of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner as a result of their service;</li> <li>• applicants awarded at least High Priority who are serving or has served as a member of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service.</li> </ul> <p>In all the armed forces cases stated above, where the applicant is awarded High Priority they will be promoted to Emergency Priority.</p>
<p>Leaving care</p>	<p>Young people who have been looked after by the Council and for whom the Council has a corporate parent responsibility. This applies to a “relevant child” within the meaning of section 23A of the Children Act 1989 and a “former relevant child” within the meaning of section 23C of the Children Act 1989</p>
<p>Management Discretion Band 1</p>	<p>In exceptional circumstances, the Housing Needs and Refugee Services Manager may in the exercise of their discretion increase the priority awarded to your application or vary the type of accommodation you may be considered for, based on the exceptional circumstances of your case. They may only do so where this would be in accordance with the objectives and spirit of the Allocation Policy.</p>

Occupier no longer requires specially adapted home	<p>Applicants who live in specially adapted homes suitable for the needs of disabled people, but who do not need these adaptations.</p> <p>By “specially adapted homes” we mean homes which have full wheelchair access, or which a Community Occupational Therapist assesses as having significant adaptations which cannot easily be removed. This may include sufficient wheelchair access to be useful to a household with a wheelchair user.</p>
Retiring Council employees	Council employees whose contract of employment requires them to occupy their current accommodation for the better performance of their employment duties, but who are now retiring.
Temporary accommodation lease ending	Households in temporary accommodation secured by the Council who have been in temporary accommodation for more than 12 months, where the lease of the property is due to come to an end within 6 months and the Council either does not wish to renew the lease or is unable to do so and is unable to secure suitable alternative accommodation.
Under-occupied property or succession to a large property	<p>Council or Partner Landlord tenants who are giving up at least a two bedroom property to move to accommodation of an appropriate size in accordance with the Council’s size criteria (see section 3.3.1) which has at least one less bedroom.</p> <p>This also applies to Council tenants who have succeeded to a secure tenancy of accommodation on the death of the former tenant which is, in the Council’s opinion, larger than they reasonably require.</p>

### 2.5.3 Band 2: High Priority

Applicants in Band 2 are a high priority but may still have to wait some time to be rehoused. Your chances of being rehoused quickly will increase if you are flexible about where you live and in what type of property.

Rehousing reason	Detail
Former Council or Partner Landlord tenants leaving institutions	<p>This applies for applicants who:</p> <ul style="list-style-type: none"> <li>• Are a former Council or Partner Landlord tenant</li> <li>• Were admitted to a hospital, prison or other residential institution, and</li> </ul>

	<ul style="list-style-type: none"> <li>• Within one month after entering the institution, gave up their tenancy voluntarily</li> </ul>
High medical priority	<p>An applicant with a high medical priority as recommended by the Council's Medical Advisors. The Medical Advisors will only recommend High Priority where they are satisfied that the applicant or another member of their household has an urgent need for rehousing because:</p> <ul style="list-style-type: none"> <li>• they have a medical condition or disability which is assessed as affecting their health or well-being very severely; and</li> <li>• because of (or in combination with) that medical condition or disability, their present housing circumstances are having a substantial effect on their health or well-being.</li> </ul>
Management Discretion Band 2	<p>In exceptional circumstances, the Housing Needs and Refugee Services Manager may in the exercise of their discretion increase the priority awarded to your application or vary the type of accommodation you may be considered for, based on the exceptional circumstances of your case. They may only do so where this would be in accordance with the objectives and spirit of the Allocation Policy.</p>
Overcrowded by three beds	<p>Applicants who are seriously <u>overcrowded</u> in settled accommodation and require at least an additional three bedrooms as per section 3.3.1 of this policy.</p> <p>Settled accommodation does not include, for example, temporary accommodation secured under Part 7 of the Housing Act 1996, the Children Act 1989, decant accommodation, a shared house, HMO or hostel.</p> <p>If you move into a property where you are overcrowded, we will look at whether you have deliberately tried to worsen your housing circumstances in order to increase your priority on the register. If we are satisfied that you have deliberately made your housing circumstances worse we will reduce your priority to the priority you would have had before you moved.</p> <p>If you did not deliberately worsen your housing conditions, but moved in with others, or others moved in with you, you will not be entitled to overcrowding priority until you, or the others as</p>

	appropriate, have resided in the property for a period of one year.
Overcrowded by two beds and statutorily overcrowded	<p>Applicants who are seriously <u>overcrowded</u> in settled accommodation and require an additional two bedrooms as per section 3.3.1 of this policy and who are also statutorily overcrowded as per sections 324-326 of the Housing Act 1985.</p> <p>Settled accommodation does not include, for example, temporary accommodation secured under Part 7 of the Housing Act 1996, the Children Act 1989, decant accommodation, a shared house, HMO or hostel.</p> <p>If you move into a property where you are overcrowded, we will look at whether you have deliberately tried to worsen your housing circumstances in order to increase your priority on the register. If we are satisfied that you have deliberately made your housing circumstances worse we will reduce your priority to the priority you would have had before you moved.</p> <p>If you did not deliberately worsen your housing conditions, but moved in with others, or others moved in with you, you will not be entitled to overcrowding priority until you, or the others as appropriate, have resided in the property for a period of one year.</p>
Priority homeless with additional need	<p>Applicants who, in the opinion of the Council, are:</p> <ul style="list-style-type: none"> <li>• Homeless (within the meaning of Part 7 of the Housing Act 1996); or</li> <li>• Owed one of the housing duties by any local housing authority under sections 190(2), 193(2) or 195(2) of the Housing Act 1996 or are occupying temporary accommodation provided or arranged by a local housing authority under section 192(3) of the Housing Act 1996; and</li> <li>• Have an additional need.</li> </ul> <p><b>Additional need</b> is defined as an applicant who fulfils either or both of the following criteria:</p> <ul style="list-style-type: none"> <li>• The applicant has been awarded “in-borough priority” under the Location Priority Policy; and/or</li> </ul>

	<ul style="list-style-type: none"> <li>• Are unable to sustain a tenancy under the terms of the Private Rented Sector Discharge Policy.</li> </ul>
Supported housing move on	<p>Residents of 'supported housing' schemes ready to move-on into independent accommodation. You will only be awarded move-on priority if:</p> <ul style="list-style-type: none"> <li>• you are a resident of a Supported Housing scheme placed within the Lewisham Supported Housing Pathway, by the SHIP service;</li> <li>• ready for independent living;</li> <li>• and your housing needs are not met by the private rented sector</li> </ul> <p>The decision to award this priority is taken by the Single Homeless Intervention &amp; Prevention Service, in consultation with your support worker.</p> <p>The Single Homeless Intervention &amp; Prevention Service will normally only award this priority if your move into independent accommodation is supported by the project you are living in. Particular factors which will count in favour of priority are as follows:</p> <ul style="list-style-type: none"> <li>• You have been consistently engaged in employment or with education or training that is moving you towards employment. This can include voluntary work.</li> <li>• You were a drug or alcohol user but can demonstrate that you are now abstinent and have remained abstinent for a reasonable period.</li> <li>• You have a physical illness that makes it more difficult for your needs to be met in the private sector. For example, mobility needs for specialist equipment.</li> <li>• You have severe and enduring mental health needs or learning difficulties that make it more difficult for you to obtain or sustain a private tenancy.</li> <li>• You have a history of repeated homelessness</li> <li>• You have spent a period in supported accommodation as a 16 or 17 year old but are now aged 18 or older.</li> </ul>



## 2.5.4 Band 3 – Medium Priority

Applicants in Band 3 can expect to wait a long time to be rehoused, unless they are looking for accommodation which is not in high demand. Our Housing Advisors will work with you to consider other housing options that may be available to you.

Rehousing reason	Detail
Priority homeless	<p>Applicants who, in the opinion of the Council, are:</p> <ul style="list-style-type: none"> <li>• Homeless (within the meaning of Part 7 of the Housing Act 1996); or</li> <li>• Owed one of the housing duties by any local housing authority under sections 190(2), 193(2) or 195(2) of the Housing Act 1996 or are occupying temporary accommodation provided or arranged by a local housing authority under section 192(3) of the Housing Act 1996.</li> </ul>
Management Discretion Band 3	<p>In exceptional circumstances, the Housing Needs and Refugee Services Manager may in the exercise of their discretion increase the priority awarded to your application or vary the type of accommodation you may be considered for, based on the exceptional circumstances of your case. They may only do so where this would be in accordance with the objectives and spirit of the Allocation Policy.</p>
Medical priority	<p>An applicant with a medical priority as recommended by the Council's Medical Advisors. The Medical Advisors will only recommend medical priority where they are satisfied that the applicant or another member of their household has a need for rehousing because they have a medical condition or disability which is assessed as seriously affecting their health or well-being.</p>
Overcrowded by two beds	<p>Applicants who are seriously <u>overcrowded</u> in settled accommodation and require an additional two bedrooms as per section 3.3.1 of this policy.</p> <p>Settled accommodation does not include, for example, temporary accommodation secured under Part 7 of the Housing Act 1996, the Children Act 1989, decant accommodation, a shared house, HMO or hostel.</p>
Overcrowded by one bed and statutorily overcrowded	<p>Applicants who are <u>overcrowded</u> in settled accommodation and require one additional bedroom as per section 3.3.1 of this policy and</p>

	<p>who are also statutorily overcrowded as per sections 324-326 of the Housing Act 1985.</p> <p>Settled accommodation does not include, for example, temporary accommodation secured under Part 7 of the Housing Act 1996, the Children Act 1989, decant accommodation, a shared house, HMO or hostel.</p> <p>If you move into a property where you are overcrowded, we will look at whether you have deliberately tried to worsen your housing circumstances in order to increase your priority on the register. If we are satisfied that you have deliberately made your housing circumstances worse we will reduce your priority to the priority you would have had before you moved.</p> <p>If you did not deliberately worsen your housing conditions, but moved in with others, or others moved in with you, you will not be entitled to overcrowding priority until you, or the others as appropriate, have resided in the property for a period of one year.</p>
Prohibition order	Applicants living in accommodation where a Council environmental health officer has issued a prohibition order which means you are unable to reside your property.
Employed applicant who needs to live in Lewisham in order to work	The applicant is currently employed or self-employed in Lewisham and the household needs affordable accommodation in order to assist them to sustain that employment or self-employment. Such self-employment will be verified by tax returns and other business documentation. Applicants will only qualify if they have been working for at least 20 months out of the preceding two years, for at an average of at least 16 hours per week.

### 2.5.5 Band 4: Low priority

Applicants in Band 4 can expect to wait a long time to be rehoused (i.e. upwards of ten years). Our Housing Advisors will work with you to consider other housing options that may be available to you.

Rehousing reason	Detail
Overcrowded by 1 bed	Applicants who are <u>overcrowded</u> in settled accommodation and require one additional

	<p>bedroom as per section 3.3.1 of this policy or who are statutorily overcrowded as per sections 324-326 of the Housing Act 1985.</p> <p>Settled accommodation does not include, for example, temporary accommodation secured under Part 7 of the Housing Act 1996, the Children Act 1989, decant accommodation, a shared house, HMO or hostel.</p>
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### **3. How the Policy is applied**

#### **3.1 Applying to the Housing Register**

##### **3.1.1 How can you apply to join the Housing Register?**

Everyone who wants to join the Housing Register has to go through the application process set out below. This is to make sure that we have the information needed to decide whether you are eligible, whether your application is disqualified, to assess your priority for housing and to make sure everyone is assessed on a consistent basis.

You must complete the on-line housing application at <https://www.lewishamfindyourhome.org.uk/choice/>. You will be assessed to determine whether you are eligible and qualify to join the housing register. You may be invited to an interview and we will ask you for evidence to support your application. This may include proof of residence, proof of identity, proof of family relationships and evidence to support your request for inclusion in a Band. We may ask for this evidence when you register or at any point after your application has been registered. We will check whether the information and evidence we have is up to date before any offer of accommodation is able to proceed.

You must answer the questions on the form fully and ensure that you provide any evidence requested.

If you need to live with people outside your immediate family to give or receive care or support, you must explain in your application why it is necessary for you to do so. We will seek evidence of the need for care or support, such as being in receipt of a carer's allowance. If there is a need for you to live with someone, we can ask the Medical Advisors to assess this.

You may be asked to complete a Medical Form if your application gives rise to medical issues.

If you think you need specialist accommodation, you must tell us this on your application.

##### **3.1.2 Telling the truth**

You must tell the truth. It is an offence to obtain, or attempt to obtain, a tenancy by deception. Section 171 of the Housing Act 1996 makes it an offence to knowingly withhold information that we reasonably require to assess your application, or knowingly or recklessly to provide false information

in connection with the Housing Register. We will take appropriate action against anyone who gains a tenancy through knowingly providing false information. This may mean you lose your home.

If you provide false information and we discover this before you have obtained a home we will cancel your application, disqualify you from the Housing Register for a period of 2 years, and you may be liable to prosecution.

### **3.1.3 Use of information you supply**

The information you provide in your on-line housing application may be shared with other public agencies (such as the Department for Work and Pensions and the Police) and Council departments (such as Housing Benefits and Council Tax) solely to detect and prevent fraud. This is because we have a duty to protect public funds.

We will share the information you give us with Registered Providers and other housing authorities for the purposes of housing nominations.

We may need to check that the information you have given us is correct. We will do this in a variety of ways, which may include speaking to other agencies about your application and also talking to your current landlord. This may include, but is not limited to, enquiries about your rental payments and any arrears.

Any medical information you supply may be shared with Council officers in other departments, where necessary.

By making a housing application to the Council, you consent to the Council using your private information in the ways described above. Your data will be held in compliance with Data Protection laws.

### **3.1.4 Processing your application**

There are two stages to verifying your housing application:-

- 1<sup>st</sup> stage - we will aim to register your application within 12 weeks of receiving all the information we require. When we verify your application, we will tell you which Priority Band you are in, so that you can commence bidding on Find Your Home.
- 2<sup>nd</sup> stage – prior to any offer of accommodation you will be required to provide supporting information and evidence to validate your housing application. It is your responsibility to ensure that all requested information and evidence is available within a reasonable time (usually 24 hours).

Failure to provide the requested information and evidence in time may result in you not receiving an offer of accommodation, or any offer that has been made being withdrawn. Your application will remain suspended until you provide us with the information and evidence that we have requested.

If you have requested priority on medical grounds or priority to be awarded by the Housing Panel, it may take us up to 6 weeks to complete this assessment. Therefore, in such cases in particular your initial priority may be amended later, once the result of the assessment is known.

If you do not agree with our decisions, you may ask for a review. This is explained at section 1.6.

### **3.1.5 Keeping your application up to date**

It is your responsibility to keep your housing application up to date if your circumstances change. For example, if you have a baby, a partner moves into your home, someone who lived with you moves out of your home or you change your address, telephone or email address, you are required to inform the Council about this and to provide supporting evidence.

You will need to review your application and re-register on the housing register on an annual basis. We will send a reminder to your registered e-mail address to do this. If you do not review and re-register, this may result in you not receiving offers of accommodation, or any offer that has been made being withdrawn. Your application will remain suspended until you provide us with the information and evidence that we have requested and if you fail to confirm that you still wish to proceed with your application, we will cancel it.

You should check your spam and/or junk e-mail regularly in case any e-mail reminders are directed to these folders.

### **3.1.6 Medical assessments**

If your case gives rise to medical issues, you will have to complete an online medical form. You should complete a separate form for each person in your household who has a medical need. The Medical Advisor will consider the information on the form along with any supporting documentation you provide, and may, if they think they need to, contact your GP, other doctors involved in your care, or other health, social care or educational professionals to obtain more information.

You should not ask your own doctor or other medical professionals or social workers to write to us. Our Medical Advisor will contact them if necessary and ask for the information relevant to your application. Our Medical Advisor will not normally see you or examine you.

If your case gives rise to medical issues and has been referred to a Housing Panel for consideration of Emergency Priority, the Panel will take into account the recommendation of the Medical Advisor.

It will normally take up to six weeks to obtain a medical assessment.

The Medical Advisor may recommend Emergency, High or Medium Priority on medical grounds (see 2.5.2, 2.5.3 and 2.5.4 above for the criteria applied). A decision not to award Priority does not mean you do not have any medical needs, but that the Council has assessed your case as not meeting the criteria set out in this policy.

The Medical Advisor can also make specific recommendations about the type of property you need. This can include allowing an extra bedroom (see 3.3.1 below). You will only be assessed as needing a home with a lift, central heating or garden if the Medical Advisor makes this recommendation.

If you are unhappy with the decision reached as a result of the Medical Advisor's recommendation you may ask for a review. The outcome of this second review will be final.

If you have additional medical information not considered in the original decision, or your condition changes, you should ask for a reassessment.

### **3.1.7 The Emergency Housing Panel**

The Panel will only consider cases where people need to move in an emergency. The Panel will normally only consider cases which are referred by another agency, including the police, Lewisham's Social Care or Health partners, Partner Landlords, the Multi Agency Risk Assessment Conference (MARAC), the Multi Agency Public Protection Arrangement (MAPPA), the National Witness Protection Scheme, or other welfare organisations.

The Panel is convened and chaired by the Allocations & Letting Manager, and comprises a minimum of three people plus the Chair. In the event of split decision the chair has the casting vote.

The Panel will normally be composed as follows:

- Lewisham Council Allocations & Lettings Manager (Chair)
- Lewisham Council Strategy and Policy Representative
- Allocations & Lettings lead officer
- One representative from Health or Social Care
- Two representatives from social housing providers in the borough with whom we hold a nomination agreement

Each Panel member will have a named substitute who can participate in Panel decisions if the member is away. The Panel usually meets fortnightly, but can consider cases without meeting if necessary, by video conferencing or email. Where the situation demands it a decision can be produced within 5 days.

Other agencies referring a case must send a report and be available to answer queries. Referring agencies should attend a meeting if there is one, or participate in telephone or email conferencing. You will not be able to attend the meeting or participate on telephone or email conferencing yourself. The Panel will take account of recommendations from partners including other panels such as Multi Agency Public Protection Agreement (MAPPA) or Multi Agency Risk Assessment Conference (MARAC), but does not have to accept the recommendations of such panels.

If you think you may have an emergency need to move, you should contact our Housing Advisors. If you are a tenant, you should talk to your landlord first. You should seek help with the difficulties you are experiencing from a suitable agency – police, social services or a specialist welfare agency, depending on the situation.

To be considered for an award of Emergency Priority on medical or welfare grounds, you will need a referral from an agency, which gives evidence of your needs, and shows clearly why you should be considered on an emergency basis.

There is no right to a review of a decision of the Housing Panel.

The Housing Panel has discretion to authorise an offer of a property with the same number of bedrooms as you have when you approach the Panel, or the number of bedrooms it considers you require.

If the Panel do not award Emergency Priority, your case cannot be referred back to them unless your circumstances change significantly. The person referring your case must be able to demonstrate that your circumstances are substantially worse than when the Panel previously considered the case.

### **3.1.8 How to bid**

1. Look [on the FindYourHome website](#), choose a property that you are eligible for and is suitable for you, then bid for the property.
2. If you cannot use the website, call the Find Your Home bidding line, available 24 hours a day between Thursday-Sunday, on 0120 477 1656. Provide them your housing application number, your surname, date of birth and the property reference number.
3. Each advert will give details about the properties available, the landlord, the weekly rent, the property's features and whom it is most suitable for. There will be a photograph of the property, where we have one. However, the photograph may not be of the actual property but a similar property in the street or block.
4. You need to make your bid for a property by 11:59pm on Sunday.
5. You can ask a friend or relative or any other helper to make bids on your behalf that you're eligible for. Your helper will require your name, date of birth and Housing Register number and the property reference number for the home you wish to request.
6. During a bidding cycle, case officers may submit a "management bid" for a property on your behalf at their discretion.
7. We send the details of the shortlisted applicants to the landlord of the property in order for them to make the final decision, in line with the landlord's lettings policy, on who can view the property.
8. If you're shortlisted, you may be asked to attend an interview and/or view the property. You must bring your supporting documents to this appointment – we will tell you what supporting documents to bring. Up to three people may view the property, so even if you view a property you may not be successful if someone with higher priority or an earlier application date accepts it.
9. If you are the successful applicant, the landlord will contact you to offer you property. The successful applicant will not be able to continue bidding for other properties.
10. If you are shortlisted and in position two and three on the shortlist, you will be eligible to bid for another property the following week.
11. As per the "Two Offer Rule", some applicants have the right to refuse a property, whether or not they have refused offers before (see the summary of bands at section 2.5.1). In some circumstances you'll have the chance to apply for another property the following week.
12. We encourage you to accept the property that you view. This is because of the long waiting times for successfully bidding for another property.
13. Bidding each week will maximise your chances of successfully being allocated a property. If you do not bid frequently, you will have to wait considerably longer.

You can apply to the Housing Register whilst you are in prison. Your date of application will be the date you apply, but you cannot bid for properties until your release. You are not guaranteed a property on release and you should seek advice from housing advisors prior to your release.

For some categories of people, we may take extra steps to ensure they are rehoused, even if they do not bid for themselves. We may bid on their behalf for properties suitable to meet their needs: see our One Offer Policy at section 2.2.3 above.

### **3.1.9 Clients matched to properties**

If you successfully bid for a property, your application will be matched to that property until the offer is made and your application and property details are verified. When you are matched to a property

your application will be suspended and you will not be able to bid for other properties until the outcome of the offer is determined.

### **3.2 How do we decide which Band your application should go into?**

We will assess the relevant circumstances of your case, and place you in the highest band possible, according to our Priority Band criteria at section 2.5.

The Band you are placed in will reflect the highest priority that you or your household qualify for.

In exceptional circumstances, the Housing Needs and Refugee Services Manager may in the exercise of their discretion increase the priority awarded to your application or vary the type of accommodation you may be considered for, based on the exceptional circumstances of your case. They may only do so where this would be in accordance with the objectives and spirit of the Allocation Policy. The Housing Needs and Refugee Services Manager's decision will be final.

### **3.3 How do we decide which application takes priority?**

For each property, we look at which applicants have expressed an interest or "bid". For more about how to bid, see Section 3.1.8.

From those applicants who have expressed an interest, first of all we decide which of those applicants the property is most suitable for, on the basis of property size.

Within the group of applicants for whom the property is suitable on the basis of size, it will be offered first to the applicant in the highest Priority Band. If there is more than one applicant within the same Priority Band, it will be offered first to the applicant within that Band who has been in that Band the longest. If there is more than one applicant who has the same Band Date we will use the application date to decide between them except where there is an applicant with Starred Decant Priority (see 3.3.3 below).

For example, first priority will be awarded to any bidder who has been awarded Band 1 priority. If there is more than one bidder who has Band 1 priority, preference will be given to the applicant who has had Band 1 status for the longest. In the unlikely event that two bidders have the same date for award of Band 1 priority, preference will go to the bidder who has been registered on the Housing Register the longest. If there is no applicant within Band 1, then consideration will be given to applicants in Band 2, then Band 3 etc.

If you are applying to join the register from Supported Housing, your application date will be deemed to be the date that you moved into Supported Housing.

Certain properties are advertised with specific criteria attached, as determined by a Local Lettings Plan or Annual Lettings Plan, or because they are offered as specialist accommodation, such as sheltered accommodation, or housing available only to certain groups. This will be made clear on the advertisement. In these cases, priority will be given to applicants meeting the relevant criteria, even if they are in a lower Band than applicants who do not meet the criteria. If there is more than one applicant who meets the criteria for the accommodation, the successful applicant will be selected on the basis of Priority Band and earliest date they entered that Band or application date.



Before we offer a property, we check again that you are eligible, not disqualified from the Housing Register and that the property is suitable for your needs.

In limited cases, properties are let directly to applicants without being advertised (see 3.4.4 below).

### **3.3.1 Property size**

You can only bid successfully for accommodation of the right size for your household's needs, in accordance with the criteria set out below. You may only bid for a property with an extra bedroom (i.e. a property with more bedrooms than people who will be living there) if this has been recommended by the Medical Advisors or you are in Emergency Priority Band 1 with under occupation priority. The Council may also permit an exception to be made to the usual size criteria in the case of a Local Lettings Plan or exceptionally based on the decision of the Housing Needs Manager.

Some landlords operate their own lettings policies with regards to property size and type. This means that you may be eligible to bid for certain properties in accordance with this policy, but the landlord may not be able to accept you under their own policy. Where this is the case you will be notified.

If you have a very large household [4 or more bedrooms], we may agree to allow you to bid for properties smaller than you need, because the chances of obtaining a very large property are so small.

#### **How many bedrooms do you need?**

In calculating how many bedrooms you need, we will allow you:

- one bedroom or a studio for you and your partner, if you have one
- one bedroom for every two children of the same sex, aged twenty or under
- one bedroom for a child of the opposite sex to another child, if the child is aged over ten one
- one bedroom for any other person aged twenty-one or over, for these purposes referred to as an "adult"

This is known as "the bedroom standard" for determining bedroom requirements.

We will only allow bedrooms for people who are entitled to be on your application as part of your household.

We do not allow an extra bedroom if you are pregnant; you should notify us when the baby is born as this may entitle you to an extra bedroom.

The Medical Advisor may recommend an extra bedroom on medical grounds.

	1 adult or a couple plus								
	1 person	couple	2 adults not living as a couple	1 child or other adult	2 children of the same sex	2 children of opposite sexes aged under 10	2 children of opposite sexes, one or both aged over 10	3 children	4 or more children
Studio flat	X	X							
1 bed	X	X							
2 bed			X	X	X	X			
3 bed							X	X	X
4 or more bedrooms									X

- Studio flats and 1 bed properties are offered to an individual or a couple
- **2 bed properties** are offered to:
  - a couple or lone parent with one child; or
  - with two children of the same sex; or
  - with two children of the opposite sex aged under 10; or
  - two adults not living as a couple, e.g. parent and adult son; or individual and carer
- **3 bed properties** are offered to:
  - a couple or lone parent with 2 children not of the same sex, where one child is over ten years old; or
  - with three children;
  - or with four children under ten years;
  - or any three adults where none are living as a couple
- **4 bedroom properties** are offered to:
  - households consisting of a couple or lone parent, with four or five children; or
  - 4 adults where no two are living as a couple as set out above
- **5 bedroom properties** are offered to households with a couple or lone parent, with six or seven children. Further bedrooms are offered on the basis of one or two children per bedroom.

You may choose to bid for a property which is smaller than we think you need, but please be aware that some landlords will not let properties to families larger than the size the accommodation is designed for, in which case your bid will not be successful.

Our Medical Advisors can recommend allowing an extra bedroom if in the opinion of the Medical Advisor it is necessary because an adult or child with an illness or disability cannot share a room with their partner or another child they would normally be expected to share with, on medical grounds or because they need extra space in the bedroom for three or more bulky items of special equipment. E.g. wheelchair, hoist or commode.

Homeless cases with an accepted duty under sections 190(2), 193(2) or 195(2) of the Housing Act 1996 or who are occupying temporary accommodation provided or arranged by a local housing authority under section 192(3) of the Housing Act 1996, who need very large properties may make

a bid for a property smaller than we assess as suitable for their household's needs. If this property is refused, thereafter they will only be able to bid for properties that we assess as meeting their household's needs (see 3.3.1)

### **3.3.2 Statutory Overcrowding**

The policy primarily uses the bedroom standard as set out in section 3.3.1 for determining the bedroom need of households and for establishing whether households are overcrowded or not and to what extent. However, statutory overcrowding is considered in addition to the bedroom standard. For the purposes of this policy a household is considered to be statutorily overcrowded if they are so defined by sections 324-326 of the Housing Act 1985.

Households who are overcrowded by 2 bedrooms and also statutorily overcrowded will be awarded the priority set out in section 2.5.3 and households who are overcrowded by 1 bedroom who are also statutorily overcrowded will be awarded the priority set out in section 2.5.4. Households who do not qualify for any higher priority but are overcrowded by 1 bedroom or statutorily overcrowded will be awarded the priority set out in section 2.5.5.

### **3.3.3 Starred Decant Priority**

As an exception to waiting time priority as described in section 3.3 above, where the Housing Needs and Refugee Services Manager is satisfied that there is an urgent management need to move Decants, which is sufficient to override the usual scheme of priority afforded by this policy, he or she may award "Starred Decant Priority" to a particular decant scheme or to a particular phase of a decant scheme within 24 months of the proposed commencement of demolition works. This could include circumstances in which a decant scheme is not proceeding on target and further delay in obtaining vacant possession might prejudice the proposed redevelopment.

Applicants within Band 1 with Starred Decant Priority will be given priority over all other applicants within Band 1. If there is more than one bidder who has Starred Decant Priority, priority will be given to the applicant who has the earliest scheduled demolition date. If two bidders with Starred Decant Priority both have the same scheduled demolition date, priority will be given to the applicant who has had Band 1 Priority status the longest.

## **3.4 Homes that may be offered first to specific groups of applicants**

### **3.4.1 Specialist accommodation for elderly or disabled persons or other special groups**

There are some homes that have been designated for specific groups of people, either because of age, disability or other defined criteria. When this type of vacancy occurs it will be advertised with preference to those who meet the designated criteria. This will be specified in the advert and we will only let the property to a household that meets the designated criteria. If no applicable households bid, we may contact eligible households to identify an applicant who can make the best use of the property.

This includes sheltered housing for the elderly and homes suitable for disabled people. It can also include homes provided by Partner Landlords with a specialist remit, where homes are restricted to certain groups of people who may be disadvantaged or have special needs.

## **Homes adapted for the Disabled**

If you have a disability that affects the type of housing you live in (for example, you have a wheelchair or cannot manage stairs), your application will be assessed by our Medical Advisors, in conjunction with Occupational Therapists where appropriate. We will only offer you a home which meets your needs or can be reasonably adapted to meet your needs.

When a disabled adapted home (or one considered suitable for adaptation) is advertised, it will be clearly identified as such. The shortlist of bidders who meet the criteria will be passed to the Community Occupational Therapist, who will check whether the property meets the needs of the highest ranked bidder.

## **Homes on the ground floor or with gardens which are not suitable for adaptation to full wheelchair standards**

There is a large demand for homes on the ground floor, with gardens or on lower floor levels. This type of accommodation will be offered to households who the Medical Advisors (in consultation with the Occupational Therapists where necessary) have recommended should live on the ground floor or in a property with a garden. This will be indicated on the advert.

### **3.4.2 Allocation of Houses**

Houses with up to three bedrooms will be offered to families with children under 11 years of age, or applicants who have Emergency Priority on the grounds of under occupation where they are already living in a house. Houses with four or more bedrooms will not be subject to this rule given the relatively small numbers of flats with four or more bedrooms in the social housing stock.

### **3.4.3 Local/Annual Lettings Plans**

Where we consider that there is an overriding need to respond to local conditions, we may operate a Local Lettings Plan. If a property is advertised under a Local Lettings Plan, this will be stated on the advert for a property and the property will be advertised for applicants satisfying stated criteria.

For example, we may give priority to people who live or previously lived in a regeneration area and have or had to move for the regeneration to take place, either to give them a "right to return" to the area or to give them enhanced priority for an allocation elsewhere. The equalities impact of any Local Lettings Plan will be considered prior to the Council agreeing to it. Local Lettings Plans will be agreed by the Director of Housing Services.

We may use an Annual Lettings Plan if there are particularly pressing demands for housing in a specific year. This will be presented to Mayor and Cabinet for approval.

We may also allocate a small number of lettings each year to applicants who need accommodation in order to assist them to obtain and keep employment in Lewisham or who have made a substantial contribution to the community. These allocations will be decided by a Panel of Council officers who will determine who the relevant properties will be allocated to.

### **3.4.4 Direct lets**

In some cases the Council may make a direct offer of specific accommodation to a person in need of that accommodation without advertising the property on FindYourHome.

This only applies to:

- A person to whom the Council owes the main housing duty in section 193 of the Housing Act 1996, who is occupying temporary accommodation secured by the Council under that duty and the temporary accommodation is suitable for the person and their household's needs. In such a case the Council may make a direct offer of a permanent tenancy of the temporary accommodation.
- The Council may make a direct nomination of a person who has a need for supported accommodation to a Partner Landlord for specific supported accommodation. A person may be eligible for such a direct offer if assessed as having significant support needs in relation to the maintenance of their tenancy.
- Applicants leaving supported accommodation.
- Young people leaving care.
- The Housing Panel may decide that a specific property should be matched directly to an applicant due to their exceptional needs and/or the exceptional urgency of their case.

### **3.4.5 Chain Lettings**

Chain Lettings is a way for us to use a vacant property as part of a chain, in the same way as estate agents do in the private owner-occupying sector. Each year, we may set a target for the number of homes to be let to existing Council and Partner Landlord tenants and other priority groups. Wherever possible, these lets will be part of a chain of moves, and may include mutual exchanges. In order for chain lettings to work, it may be necessary for us to identify useful vacant properties and withdraw them from being advertised. Discretion has been given to senior officers to decide when properties can be removed from the overall lettings scheme to make chains work so helping more people to move.

### **3.4.6 Smart lettings**

The Council will ring-fence up to twenty per cent of all properties that become available through Find Your Home during a year. These will be available for transferring tenants. The properties that are vacated by the transferring tenant will then be ring-fenced for a household in temporary accommodation, or a household that is ready for move-on from supported housing. This approach is called "Smart lettings".

## **4. Reviewing this policy**

Amendments to this policy not reflecting a major change of policy may be made by the Executive Director for Housing, Regeneration and Public Realm in consultation with the Director of Law, Governance and HR. Such changes will be reported to Members annually.