

PROPOSED UPDATES TO THE HOUSING ALLOCATIONS POLICY

GENERAL RULES AND CONDITIONS	
What the Housing Allocations Policy currently says	Proposed changes to the Housing Allocations Policy
Decisions - <u>Paragraph 3.1</u> 3.1 All decisions taken under this Policy are authorised by the Head of Housing.	Decisions - <u>Paragraph 3.1</u> 3.1 All decisions, <i>of a discretionary nature or management decision</i> , taken under this Policy will be authorised by the Head of Housing <i>or appropriate manager</i> .
Decisions - <u>Paragraph 3.5</u> 3.5 Only one housing application per person or household will be considered. If one parent has adequate accommodation for the children, the children will not be taken into account on the other parent's application.	Decisions - <u>Paragraph 3.5</u> 3.5 Only one housing application per person or household will be considered. If one parent has adequate accommodation for the children, the children will not be taken into account, <i>when assessing housing need</i> , on the other parent's application.
ELIGIBILITY AND ASSESSMENT	
What the Housing Allocations Policy currently says	Proposed changes to the Housing Allocations Policy
Eligibility and Assessment - <u>Paragraph 4.8</u> 4.8 In addition, the following classes of person will not normally qualify to join the housing register. There is some discretion to waive these classes in exceptional circumstances; as approved by an appropriate manager: a) Applicants who have not resided in the borough continually for the last two years at the point of application; b) Applicants whose income or assets exceed the limits set by the Council, as set out in the Council's Tenancy Policy	Eligibility and Assessment - <u>Paragraph 4.8</u> Changes to points a) and b): a) Applicants who have not resided in the borough continually for the last <i>five years</i> at the point of application; b) Applicants whose income or assets exceed the limits set by the Council, as set out in the Council's Tenancy Policy <i>and are therefore considered to have sufficient resources to resolve their own housing situation</i> ;
Local Connection - <u>Paragraph 4.10</u> 4.10 Local connection, within the terms of this Policy, will normally mean that an applicant has lived continuously in the Borough of Dartford for a <u>minimum</u> of 2 years up to and including the date of their application, with some exceptions. It should be noted that households placed in the Borough of Dartford in temporary accommodation by another local authority will not normally be	Local Connection - <u>Paragraphs 5.1 and 5.2</u> The current paragraph 4.10 is now paragraphs 5.1 and 5.2 with changes: 5.1 Local connection, within the terms of this Policy, will normally mean that an applicant has lived continuously in the Borough of Dartford for a <u>minimum</u> of <i>five years</i> up to and including the date of their application, with some exceptions as listed below in 5.3.

<p>considered to have a local connection, even if they have resided in the Borough for 2 years or more.</p>	<p>5.2 It should be noted that households placed in the Borough of Dartford in temporary accommodation by another local authority will not normally be considered to have a local connection, even if they have resided in the Borough for <i>five years</i> or more.</p>
<p>Local Connection - Paragraphs 4.12 to 4.16</p> <p>4.12 A local connection test will <u>not</u> be applied to victims who have fled domestic abuse and wish to join the Council's housing register because they are living in housing not suitable for their needs in Dartford.</p> <p>4.13. Local connection may also be awarded to people who need to move to the Borough of Dartford from another local authority area, where failure to meet that need would cause hardship to themselves or to others; subject to submission of satisfactory evidence to support this. In this instance, a medical and welfare needs form must be completed by the applicant and assessed by the housing team.</p> <p>4.14. Local connection may also be awarded to care leavers, within the meaning of the Children (Leaving Care) Act 2000, that are currently accommodated by their local authority in the Dartford area. Care leavers will be entitled to apply to join the Housing Register, at age 18. This is regardless of previous local connection to the area and where they have been identified as being ready for move on in their Pathway Plan with their Personal Advisor.</p> <p>4.15. In exceptional circumstances, such as under occupation or serious, evidenced medical needs, local connection may also be awarded to council tenants living in the Borough of Dartford, if this is less than two years.</p>	<p>Local Connection - Paragraph 5.3</p> <p>The current paragraphs 4.12, 4.14, 4.15 are now contained in paragraph 5.3 with changes:</p> <p><i>5.3 Circumstances where local connection may be waived:</i></p> <ul style="list-style-type: none"> • <i>Applicants fall within the category of armed forces personnel as defined in Annex 4.</i> • <i>Applicants are currently residing outside the borough but are fleeing domestic abuse.</i> • <i>Care leavers, looked after by Kent County Council, within the meaning of the Children (Leaving Care) Act 2000 will be entitled to apply to join any local authority Housing Register, at age 18, regardless of previous local connection to an area and where they have been identified as being ready for move on in their Pathway Plan with their Personal Advisor.</i> • <i>Applicants who have immediate family members (children over the age of 18, parents or brothers/sisters who currently reside in the borough), have done so for five years or more and there is an exceptional need to move to receive or provide essential care from or to that close family member that cannot otherwise be provided. If applicants need to move into the borough to receive or provide essential care, the following factors will be taken into consideration:</i> <ol style="list-style-type: none"> <i>I. the level of care and support that is required and whether this can be provided locally or by a formal care package;</i> <i>II. whether the applicants or the family member can drive or use public transport;</i> <i>III. whether the applicant or the family member are in receipt of Carer's Allowance;</i>

	<p><i>IV. whether the applicant needs or can provide frequent assistance with activities of daily living, including household chores, preparing, and cooking meals, organising finances, and attending to medical needs including administering medication and attending appointments</i></p> <p>The current paragraph 4.15 has been moved to paragraph 5.7 (see page 5 below):</p> <p>5.7 In exceptional circumstances, such as under occupation or serious, evidenced medical needs, local connection may also be awarded to council tenants living in the Borough of Dartford, if this is less than <i>five</i> years.</p>
<p>Local Connection - Paragraph 4.17 4.17 Under the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015, local connection will not be applied to existing social tenants seeking to transfer from another local authority district who:</p> <ul style="list-style-type: none"> - have reasonable preference under section 166(3)(e) because of a need to move to the local authority's district to avoid hardship, and - need to move because the tenant works in the district, or - need to move to take up an offer of work 	<p>Local Connection - Paragraphs 5.4 to 5.7 Paragraph 4.17 is now paragraph 5.4 with changes:</p> <p>5.4 Under the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015, local connection will not be applied to <i>existing housing association or council tenants</i> seeking to transfer from another local authority district who:</p> <ul style="list-style-type: none"> - need to move to the local authority's district to avoid hardship <i>to themselves or others and</i> - need to move because the tenant works in the district, or - need to move to take up an offer of work <p>New paragraph 5.5:</p> <p><i>5.5 The Council must ensure that applicants <u>need</u> to move for work, but that, if they were unable to do so, it would cause them hardship. The Council must also be satisfied that the tenant needs, rather than wishes, to move for work related reasons. In the Secretary of State's view the factors that local authorities should take into account in determining whether a tenant needs to move to be closer to work or to take up a job offer include:</i></p>

	<ul style="list-style-type: none"> • <i>The distance and/or time taken to travel between work and home.</i> • <i>The availability and affordability of transport, taking into account level of earnings.</i> • <i>The nature of the work and whether similar opportunities are available closer to home.</i> • <i>Other personal factors, such as medical conditions and childcare, which would be affected if the tenant could not move.</i> • <i>The length of the work contract.</i> • <i>Whether failure to move would result in the loss of an opportunity to improve employment circumstances or prospects, for example, by taking up a better job, a promotion, or an apprenticeship, the Right to Move exemption will not apply where the employment is:</i> <ul style="list-style-type: none"> - <i>Short term or marginal in nature, or</i> - <i>Ancillary to work in another district, or</i> - <i>Voluntary.</i> <p>New paragraph 5.6:</p> <p><i>5.6 The qualification regulations 2015 only apply if work is not short-term or marginal in nature, nor ancillary to work in another district. Voluntary work is also excluded. In determining this, the Council will have regard to the above statutory guidance.</i></p> <p>The current paragraph 4.15 has been moved to paragraph 5.7:</p> <p><i>5.7 In exceptional circumstances, such as under occupation or serious, evidenced medical needs, local connection may also be awarded to council tenants living in the Borough of Dartford, if this is less than five years.</i></p>
<p>Medical and Welfare Needs Assessments - <u>Paragraphs 4.18 to 4.21</u></p> <p>4.18 A medical and welfare needs assessment will normally only be carried out if an applicant has been accepted onto the housing register (the exception being 4.13). In all cases, a medical and welfare needs' assessment form with supporting evidence must be</p>	<p>Medical and Welfare Needs Assessments - <u>Paragraph 6.1</u></p> <p>Paragraph 4.18 is now Paragraph 6.1 with changes:</p> <p><i>In some cases, the Council may request that an applicant complete a medical or welfare needs assessment in order to assess their application if that application is made on applicable medical or welfare grounds such as those detailed in Annex 2 or where an applicant(s) has been accepted</i></p>

provided. In some instances, an independent assessment will be carried out by the Council's approved medical practitioner.	<i>onto the register but additional priority for housing needs to be considered at any point. In all cases, supporting evidence must be provided. In some cases, an independent assessment will be carried out by the Council's approved medical practitioner.</i>
PROCEDURE FOR A REVIEW OF A DECISION MADE UNDER THIS POLICY	
What the Housing Allocations Policy currently says	Proposed changes to the Housing Allocations Policy
Request for a Review of the Suitability of an Offer of Accommodation - <u>Paragraph 9.3</u> Any request for a review must be made in writing and clearly set out the reasons why an applicant disagrees with the Council's decision on the suitability of the accommodation. Review requests should be supported by evidence, which may include a letter from a doctor or a consultant about a health condition which makes the home the applicant has been offered unsuitable.	Request for a Review of the Suitability of an Offer of Accommodation - Paragraph 9.3 is now paragraph 10.3 with changes: 10.3 Any request for a review must be made in writing and clearly set out the reasons why an applicant disagrees with the Council's decision on the suitability of the accommodation, <i>including any health conditions which may affect the suitability of the accommodation.</i>
ANNEX 1 – DARTFORD'S HOUSING BANDS	
What the Housing Allocations Policy currently says	Proposed changes to the Housing Allocations Policy
Band C – Medium Priority /Reasonable Preference Priority for council and housing association properties is determined by housing band – Bands A to D.	Band C The following criteria has been added to band C: <i>People who need to move to a particular locality in the district of the housing authority, where failure to meet that need would cause hardship (to themselves or others)</i>