

ISLE OF ANGLESEY COUNTY COUNCIL	
Report to:	Executive Committee
Date:	28 October, 2019
Subject:	The Allocations Policy – review to include local connection within the banding system
Portfolio Holder(s):	Cllr Alun Mummery
Head of Service:	Ned Michael
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Local Members:	N/A

A –Recommendation/s and reason/s															
<p>It is recommended that the Executive approves the:- R1 Amended Common Allocations Policy</p> <p>Background There are 4734 units of social housing on Anglesey. The following table indicates the percentage of the stock owned by each landlord:</p> <table border="1" data-bbox="237 1249 1344 1570"> <thead> <tr> <th>Landlord</th> <th>Number of Units</th> <th>Percentage of the Stock</th> </tr> </thead> <tbody> <tr> <td>Isle of Anglesey County Council</td> <td>3819</td> <td>81%</td> </tr> <tr> <td>Grŵp Cynefin</td> <td>524</td> <td>11%</td> </tr> <tr> <td>North Wales Housing</td> <td>143</td> <td>3%</td> </tr> <tr> <td>Clwyd Alyn</td> <td>248</td> <td>5%</td> </tr> </tbody> </table> <p>On average, the Housing Options Team allocates around 260 Council houses every year.</p> <p>During 2015/16 the Common Housing Allocations Policy was reviewed and revised from being a points-based system to a band-based system. The new Policy came into effect officially in July 2016.</p>	Landlord	Number of Units	Percentage of the Stock	Isle of Anglesey County Council	3819	81%	Grŵp Cynefin	524	11%	North Wales Housing	143	3%	Clwyd Alyn	248	5%
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The procedure is based on a banding system as follows:

- Urgent – Local connection and an urgent need for a house
- Band 1 – Need and local connection
- Band 2 – Urgent need but no local connection
- Band 3 – Need but no local connection

The revised Housing Allocations Policy was introduced in order to remove the inefficiency in the housing allocations process, ensuring that social housing are let to those individuals that have the greatest need for a house, and to ensure consistency in terms of how every Registered Social Landlord operates when a property becomes available to be let.

Several changes have been introduced following the implementation of the Common Allocations Policy, in 2016, which are as follows:

- a) Applicants must provide 'proof' in the assessment for accommodation interview.
- b) Registered Social Landlord let their own houses.
- c) The applicant can no longer select a street.
- d) We will only accept one applicant on the Application Form for accommodation.
- e) The use of Orchard.
- f) The use of the banding system in order to reduce the waiting list.
- g) Applicants cannot register unless they have housing needs.

The use of the banding system in order to reduce the waiting list

Housing Services are eager to contribute towards sustainable communities by ensuring that family and community connections are maintained. Our aim was to review the Common Housing Register Policy in order to see whether our current Policy contributes towards sustainable communities.

In order to qualify for inclusion on the Common Housing Register, a person must be in housing need, and this is defined in the Housing Act 1996 and connection in terms of local connection is part of the Housing Act 2014.

At present, it is a requirement that any applicant has a minimum of 5 years' connection with the Island. If a person does not have a connection with the Island but has a need for a house, they will be in a lower band.

Applicants do not need to have a connection with a specific parish /village or town that they have applied for, applicants are able to be considered for any area that we have social rented stock that they have stated they wish to live in.

By reviewing the Policy it provides an opportunity to change some elements of the Policy to ensure it is fit for purpose when moving ahead.

Consultation with local partners and key stakeholders

The Executive Committee agreed to a communications plan which included further research on defining local connection as well as receiving feedback on how this can be achieved in May 2019.

Target Audience

- a) By undertaking consultation with the public and the following key stakeholders:
 - Social Landlords; North Wales Housing, Pennaf and Grŵp Cynefin
 - Supporting People providers; The Wallich, Digartref Ynys Môn, CAIS etc.
 - Those providing advisory services
 - The Welsh Government
- b) Service users that are likely to be affected
- c) Elected Members
- d) Town and Community Councils
- e) Task Group of relevant officers

114 responses were received with support for including the local connection as a consideration within the Policy. A good response was also received to the other questions relating to the implementation of the Policy.

The Corporate Scrutiny Committee, 11.9.19, had the opportunity to scrutinize the results of the consultation and recommended that the Executive approved the Common Allocations Policy.

Based on this **Appendix 2** provides an amended Common Allocations Policy which includes the following main changes:

Local Connection:

An applicant will be assessed in accordance with connection to the Town or Community Council which they have stated they wish to live where the empty property is located. An applicant will be considered within their banding in date order. A local connection of 5 years with the Island will still be required to be eligible, apart from being in urgent housing need as defined by the Housing Act.

The review has also afforded us with an opportunity to look at other issues, such as:

- Being able to offer a transfer to those with children above 11 years who live in a social rented flat
- Remove from the Policy the need to be over 35 years old to have sharing points within Band 1 as the Local Housing Allowance will no longer take effect
- Strengthen the requirement of having to move due to fleeing crime or hate crime

- Create a Band for people with local connection but with no housing need so that the list is increased and provides an further options when it is not possible to allocate a property within the priority banding

Consideration was also given on how to define connection with a specific area by looking at:

1. Community and Town Councils catchment area
2. Local Members Catchment area
3. Catchment area for Secondary schools
- 4.

It was concluded that option 1 would respond to the local connection requirement that this matches the responses to the consultation.

B – What other options did you consider and why did you reject them and/or opt for this option?

The consultation gave us an opportunity to consider changes to the implementation of the Common Allocations Policy. Without changing the policy, it will be impossible to change any arrangements in terms of how social housing is allocated.

C – Why is this a decision for the Executive?

Changes to the Common Allocations Policy is a decision for the Executive.

D – Is this decision consistent with policy approved by the full Council?

Yes

DD – Is this decision within the budget approved by the Council?

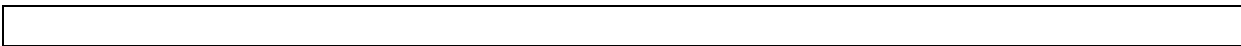
Yes

E – Who did you consult?		What did they say?
1	Chief Executive / Senior Leadership Team (SLT) (mandatory)	No further comments following discussion at SLT 27.8.19
2	Finance / Section 151 (mandatory)	As above
3	Legal / Monitoring Officer (mandatory)	As above
5	Human Resources (HR)	n/a
5	Property	n/a
6	Information Communication Technology (ICT)	n/a
7	Procurement	n/a
8	Scrutiny	11.9.19 recommends that the Executive Committee approves the Policy
9	Local Members	
10	Any external bodies / other/s	See link in G below for results of consultation

F – Risks and any mitigation (if relevant)		
1	Economic	none
2	Anti-poverty	none
3	Crime and Disorder	none
4	Environmental	none
5	Equalities	Equalities impact conducted – none identified
6	Outcome Agreements	none
7	Other	

FF - Appendices:
Appendix 1 Amended Common Allocations Policy

G - Background papers (please contact the author of the Report for any further information):
Link to Corporate Scrutiny Committee: http://democracy.anglesey.gov.uk/ieListDocuments.aspx?CId=153&MId=3461&Ver=4&LLL=0



COMMON HOUSING ALLOCATION POLICY

YNYS MÔN SOCIAL HOUSING ALLOCATION PARTNERSHIP

Draft August 2019



This policy is divided into sections and follows a 'question and answer' format. Please refer to the list of chapters (page 3) and the contents (pages 4 to 10) to find the section you need.

A summary of this policy is available on the Council's website at

<http://www.anglesey.gov.uk/housingallocation>

Isle of Anglesey County Council's Housing Options Team manages the Common Housing Register on behalf of Clwyd Alyn Housing Association, Grŵp Cynefin, North Wales Housing and Tŷ Glas Housing Society.

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1. INTRODUCTION

- 1.1 What is this policy about?
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- 1.3 Does this policy cover lettings by all social landlords with properties on Anglesey?
- 1.4 Does this policy apply to people who are already social housing tenants as well as those who don't have a social tenancy?
- 1.5 Does this policy include all of the rules social landlords apply when letting social housing?
- 1.6 What is a housing 'allocation'?
- 1.7 Are there any other ways I can get social housing apart from receiving an allocation?
- 1.8 Do you hold a list of people who are entitled to be considered for an allocation of housing?
- 1.9 Who is responsible for managing the Housing Register?

1.1 What is this policy about?

This policy explains how social housing on Anglesey is allocated. It contains the rules we follow when assessing applications for housing and deciding who is offered social housing.

1.2 Is there a summary of this policy?

Yes. You can find it on the Council's website at www.anglesey.gov.uk/housingallocation or ask us to send you a copy.

1.3 Does this policy cover lettings by all social landlords with properties on Anglesey?

Yes. All lettings by partner landlords are covered by this policy, subject only to the exceptions contained in this policy. The partner landlords are Clwyd Alyn Housing Association, Grŵp Cynefin, Isle of Anglesey County Council, North Wales Housing and Tŷ Glas Housing Society.

1.4 Does this policy apply to people who are already social housing tenants as well as those who don't have a social tenancy?

Yes.

1.5 Does this policy include all the rules social landlords apply when letting social housing?

This policy includes most of the rules partner landlords apply. There are also procedures and guidance that help housing officers administer this policy. Please see **16.6** for your legal right to ask for a copy of the whole allocation scheme.

1.6 What is a housing 'allocation'?

An allocation happens when you are selected from the Housing Register to be offered a tenancy of a property owned by one of the partner landlords.

1.7 Are there any other ways I can get social housing apart from receiving an allocation?

Yes. People sometimes become a social housing tenant but not because of an allocation. Please see **Appendix 1** for details of these exceptions. This policy does not cover these other ways of obtaining social housing.

1.8 Do you hold a list of people who are entitled to be considered for an allocation of housing?

Yes. It is called the 'Housing Register'. This is the waiting list for housing. **Sections 2 and 3** explain how you can apply to be included on the Register. **Sections 6 to 10** explain how we assess applications and how we decide who is offered social housing.

1.9 Who is responsible for managing the Housing Register?

The Council manages and maintains the Register on behalf of all social landlords who have properties on the Isle of Anglesey. All the partner landlords access the Housing Register to make allocations, and to record contact with customers when properties are allocated and tenancies are offered.

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- 2.10 What if I'm already listed on someone else's housing application?
- 2.11 What if I need support to apply for housing?

2.1 Can I apply for social housing?

If you are aged 16 or over you can apply to be included on the Housing Register.

2.2 How do I apply for social housing?

If you want to apply visit Housing Services at the Council Offices in Llangefni or phone the Council's Housing Customer Services Team on (01248) 752200. Customer Services will:

- give you advice
- arrange a housing options advice appointment, and
- confirm the information and documents you need to bring to your interview.

2.3 I am 16 or 17 years old. Are there any special rules?

Yes. If you're 16 or 17 you can apply for housing like anyone else. However, if you're offered housing before you reach 18 the landlord will expect you to provide a guarantor and trustee. The landlord will need to be satisfied this person (or organisation) is appropriate and able to act as your guarantor and trustee. For example they must be able to afford to pay the rent for any tenancy you're given (in case you don't pay the rent). If you're unable to provide a guarantor and trustee the landlord may refuse to offer you the tenancy. If you're 16 or 17 we'll advise you about providing a guarantor and trustee during your housing options interview.

2.4 Can I apply with someone else?

When you apply we'll ask you if you'd like a sole tenancy or a joint tenancy with someone else in your household. Only one person can be the applicant. This will be the person we'll contact in relation to the application. See **11.3** for when the landlords give joint tenancies.

If you apply and are thinking of asking for a joint tenancy it's very important to be aware that:

- a joint tenant will have the same rights as you under the tenancy, including the right to occupy the whole of the property (because there would only be one tenancy, which you'd jointly hold)
- there's no legal right to 'convert' a joint tenancy into a sole tenancy, eg if your joint tenant moves out and you want a sole tenancy in just your own name
- a joint tenant can end your tenancy without your permission by giving the landlord a notice to quit. Your joint tenant doesn't even have to tell you before they do this
- if your joint tenant ends your tenancy and you're left living at the property without a tenancy it won't always be possible to give you a new tenancy, eg if you have more bedrooms than you need
- joint tenants are 'jointly and severally' responsible for all of the rent and all other obligations under the tenancy agreement until the tenancy ends. If you're a joint tenant you'll continue to be responsible for rent and all tenancy obligations, even if you move out of the property, as long as the tenancy continues
- if your joint tenant dies you become a sole tenant automatically. However if you then die your family members cannot 'succeed' to the tenancy. The position if you were given a sole tenancy is different: members of your family who are living with you may succeed to the tenancy when you die.

2.5 I applied before and my application was refused. Can I re-apply?

If your application was refused under the previous policy you can re-apply. We'll then decide if you qualify to go on the Housing Register under this policy.

If you've had an application refused under this policy you can re-apply if your situation has changed. We may refuse to consider your application if there's been no material change in your circumstances since the previous decision.

2.6 Must I attend a housing options interview?

You may be asked to attend an interview if you have initially having been assessed as having a housing need which places you in Urgent or Band 1. This is to ensure that good quality housing advice is given.

2.7 Will my request for an interview be acknowledged in writing?

Yes. We'll send you a letter or email to:

- Confirm the date and time of your housing options interview
- Tell you what information and documents you must bring to your interview
- Tell you where you can find a summary of this policy online.

2.8 Do I have a choice about when I'm interviewed?

Yes. We'll try and arrange a time that's suitable for you.

2.9 What if I'm homeless or I'm going to lose my home?

If you're homeless or may become homeless within 56 days we'll arrange an appointment so we can decide if the Council owes you any duties under the

homelessness legislation. We'll also help you apply for social housing if this is appropriate in your particular situation.

2.10 What if I'm already listed on someone else's housing application?

If you're already registered on someone else's housing application we'll ask you to confirm that you don't want to be re-housed with them. Once you've confirmed this you'll be able to apply in your own right. We will also contact the other applicant and may suspend their application (see **8.8**).

2.11 What if I need support to apply for housing?

We'll make sure you're offered support if you need support to apply for housing. For example we'll make sure you get any help you need because of a disability or literacy issue, or if you need translation services.

3. WHAT DO I NEED TO DO ONCE MY INTERVIEW HAS BEEN ARRANGED?

- 3.1 What if I can't attend the housing options interview?
- 3.2 Do I need to bring anything to my housing options interview?
- 3.3 What if I don't bring the documents to my housing options interview?
- 3.4 What if I repeatedly fail to bring my documents to my interviews?
- 3.5 What if I'm having difficulty finding the documents I've been asked to bring to my interview?
- 3.6 What will the housing options interview involve?
- 3.7 Will the Council need to contact anyone else before processing my application?
- 3.8 Does the Council consider every application for housing?
- 3.9 What do I have to do to make sure my application is considered?
- 3.10 What happens if I don't meet the 'procedural requirements' listed at 3.9?
- 3.11 What if I don't have a settled address?
- 3.12 Will I be visited at home?

3.1 What if I can't attend the housing options interview?

We'll try to arrange a date and time that's convenient for you. If you find you can't attend please contact us to arrange an alternative time. If you genuinely can't attend a housing options interview in person we'll offer you a telephone interview. For example if you live a long distance away. If you can't attend an interview at our offices because you're disabled we can visit you at home.

3.2 Do I need to bring anything to my housing options interview?

Yes. We'll tell you when we make the appointment what you need to bring. We'll also confirm this in your appointment letter (or email). We'll usually ask you to bring documents to prove:

- Your identity.
- Your income, capital, and ownership of any properties.
- Your current place of residence.
- The identity of people living with you (or who may live with you) and where they are living.

If you have any letters or documents that are relevant to why you need housing please bring these with you, eg a notice to quit from your landlord.

3.3 What if I don't bring the documents to my housing options interview?

If you don't bring the documents we've asked you to provide (see 3.2) we can't take your application. We'll arrange another appointment for you.

3.4 What if I repeatedly fail to bring my documents to my interviews?

If you don't bring the documents we've asked you to provide (see **3.2**) to a re-arranged interview (see **3.3**) we'll ask you to send the documents to us. We'll only arrange another interview and agree to take your application once we've received the documents.

3.5 What if I'm having difficulty finding the documents I've been asked to bring to my interview?

If you think you may have difficulty getting the documents we've asked you to bring to your interview it's important you tell us before the day of your interview so we can advise you.

3.6 What will the housing options interview involve?

The interview gives you a chance to discuss your situation in detail. We'll tell you if you're likely to qualify for social housing. We'll also advise you if waiting for social housing is realistic in your particular situation. During the interview you'll be:

- Told about criminal offences you must avoid when applying for social housing.
- Told how your personal information will be used, and your legal rights in relation to your personal information.
- Asked to give permission for how your personal information will be used (eg by giving us permission to contact other organisations if we need to).
- Asked to provide your contact details, and given a choice about whether you want to receive correspondence by email or post.
- Asked to provide information about your situation and the type of housing you need. You will also be asked about what type of housing you would prefer, including its type, size and location.
- Asked to confirm if you or your household members need any special kind of housing or have any particular needs, eg ground floor accommodation because of restricted mobility, or adaptations because of a physical disability.
- Advised how your application is likely to be treated, including what priority band you're likely to be awarded (see **section 9**), and if you're likely to be offered social housing.
- Told what will happen next. We will usually write to you after the interview confirming the decision we've made on your application (see **5.1** and **5.2**).
- Advised on ways of keeping your present accommodation or other ways of finding housing (if appropriate, eg if you may lose your current housing or if you're at risk of homelessness).

3.7 Will the Council need to contact anyone else before processing my application?

We may need to contact other organisations to get information we need before processing your application. For example we may need to check information you have

provided, eg by asking for tenancy references. We will ask your permission to contact third parties when you apply for housing.

3.8 Does the Council consider every application for housing?

Yes. We consider every application, providing you comply with certain procedural requirements (see **3.9** for these 'things you must do'). However it's important to note that having your application assessed does not necessarily mean you'll be entitled to go onto the Housing Register. See **6.1** for who isn't entitled to be registered on the waiting list.

3.9 What do I have to do to make sure my application is considered?

If you want your application to be considered you must:

- Attend or participate in a housing options interview.
- Cooperate by answering the questions we ask about your situation and your household's circumstances.
- Provide acceptable evidence of your identity.
- Provide acceptable evidence of your nationality and immigration status – if we need evidence to be satisfied you're eligible for a housing allocation (see **6.3** to **6.7** and **Appendix 3** for the rules about immigration and nationality).
- Provide a postal address.
- Provide acceptable evidence of where you live.
- Provide acceptable evidence of the identity of persons residing in your household and where they are living.
- Allow us to visit you at home (if we decide a home visit is needed).

We may need you to do other things. These 'things you must do' are called 'procedural requirements'. Additional procedural requirements may be included in the guidance for staff that accompanies this policy.

3.10 What happens if I don't meet the 'procedural requirements' listed at 3.9?

If you don't do those 'things you must do' listed above at **3.9** we'll tell you in writing that we cannot make a decision on your application. We'll give you a reasonable amount of time to put this right. If you still don't put this right we'll cancel your application. We'll tell you in writing if we do this.

3.11 What if I don't have a settled address?

If you only have temporary housing you should give us that address. If you don't have any accommodation at all you'll need to provide a c/o address so we can write to you. This can be the address of a family member or friend who's willing to receive post for you. If you provide a c/o address you'll need to make sure someone at that address tells you when you receive letters. You can ask us to send you correspondence by email.

3.12 Will I be visited at home?

We may need to visit you at home to confirm your situation, so we can make a decision on your eligibility and priority for re-housing. For example we may visit you at home if we need to check overcrowding, poor property conditions, that a property has been brought up to standard (if you have a tenancy with a partner landlord), or for other reasons. We may also visit you at home if we're satisfied we need to because you suffer from a disability which adversely affects your ability to visit the Council Offices or participate in an interview by phone.

4. WHAT CHOICES DO I HAVE, AND WHAT HOUSING DO I QUALIFY FOR?

- 4.1 Can I choose the areas I want to live in?
- 4.2 Can I choose which roads or estates I want within a letting area?
- 4.3 What letting areas can I choose?
- 4.4 How do I find out what housing is available in each area?
- 4.5 How do I find out how many properties are likely to become available in my preferred areas?
- 4.6 Are there any situations where my chosen areas won't be accepted?
- 4.7 I'm homeless. Will this affect my choice of areas?
- 4.8 Can I choose the types of properties I want?
- 4.9 I'm homeless. Will this affect the types of property I can choose?
- 4.10 How does the Council decide what size of property I'm entitled to?
- 4.11 Who can be registered as part of my household?
- 4.12 How many bedrooms am I entitled to?
- 4.13 I am pregnant. When will I be entitled to an extra bedroom?
- 4.14 Are there any situations where I might be offered a larger property than I'm entitled to?
- 4.15 Can I choose which landlord I want?
- 4.16 Can the Council and housing associations set qualifying criteria for certain properties or housing schemes?

4.1 Can I choose the areas I want to live in?

Yes. You can choose as few or as many areas as you like (unless you're homeless, see **4.7** below). You should only choose an area if you genuinely want to live there. This is because your application will be removed from the Register if you refuse two offers of housing (see **11.8**). Unfortunately some areas have very little social housing or have a lot of people wanting to live there. We'll tell you if it's realistic to choose a particular area during your housing options interview.

4.2 Can I choose which roads or estates I want within a letting area?

No. If you choose an area you could be offered a property in any part of that letting area.

4.3 What letting areas can I choose?

Please see **Appendix 2** for a map showing each letting area.

4.4 How do I find out what housing is available in each area?

We routinely publish a summary of what housing we have in each letting area. It's important to note that this is the total number of properties and only a few properties (or none) may become available each year. We therefore also routinely publish the following information:

- (a) how many properties have previously become available for an allocation in each area during the past year
- (b) what band priority the successful applicant had, and
- (c) how long they had to wait in that band before being allocated the property they accepted.

The above information is available on the Council's website and given to any customer who asks for it.

The information at (b) and (c) will not be available until six months after this policy takes effect.

4.5 How do I find out how many properties are likely to become available in my preferred areas?

We don't know in advance what properties will become available. We can only provide you general information, eg how many properties of the type and size you need have previously become available in a letting area over a particular length of time, and how many people are ahead of you on that waiting list (see **4.4**). This gives you a rough idea of how long it's likely to be before you might be allocated a property (see also **16.6** for your right to ask for information).

4.6 Are there any situations where my chosen areas won't be accepted?

Yes. We may refuse to register you for an area if we think it's unlikely you'll be offered housing in that area. For example there may be little or no housing of the size and type you need in a particular area. Or you may not meet the landlord's letting criteria.

4.7 I'm homeless. Will this affect my choice of areas?

Yes. If the Council owes you one of the homeless duties below you'll have to choose at least six letting areas. The only exception is if we decide there aren't six areas where it's likely accommodation would be legally suitable for you (as defined by the homelessness legislation). The homeless duties are:

- the section 66 duty under the Housing (Wales) Act 2014 (the duty to help prevent you losing accommodation because you may become homeless within 56 days)
- the section 68 duty under the 2014 Act (the duty to ensure interim accommodation is available for you if we have reason to believe you may be eligible for help, may be homeless and may be in priority need)
- the section 73 duty under the 2014 Act (the duty to help you find accommodation if you're homeless), and
- the section 75 duty under the 2014 Act (the duty to ensure accommodation is available for you if you're unintentionally homeless and in priority need, and your homelessness was not resolved when the section 73 duty was owed).

If you're owed one of the above duties you'll have two months in which you can express a preference about the letting areas in which you'd like to be re-housed. At the end of the two months, beginning with the acceptance of one of the duties, we may widen the letting areas you're registered for. However, this will only be done if we think it's likely that accommodation in the additional letting areas would be suitable for you when ending the homelessness duty.

4.8 Can I choose the types of property I want?

Yes. You can choose the types of properties (house, flat etc) and the floor levels you want to be considered for. However, the type of property you're eligible for is decided not only by what you'd like, but also by your household type (see **4.12** below).

If you are over 55 years of age you can specify that you want to be considered for properties and housing schemes reserved for older persons.

4.9 I'm homeless. Will this affect the types of property I can choose?

Yes. If the Council owes you one of the duties listed at **4.7** you may have your preferences overridden. We may choose the types of properties you are eligible to be offered, based on what we consider is suitable for you.

4.10 How does the Council decide what size of property I'm entitled to?

We assess the size of home you need according to your household size and composition. We'll assess the number of bedrooms you need. See **4.11** and **4.12** below.

4.11 Who can be registered as part of my household?

We'll decide who is entitled to be included on your housing application as part of your household. People counted as needing to live with you must usually:

- normally reside with you as a member of your family, or
- be your child and be dependent on you.

If you have a child who is dependent on both you and someone else (eg a former partner) we'll consider if they should be treated as part of your household. If there's a shared custody arrangement we may decide the child should not be treated as part of your household, eg because they've already got accommodation with their other parent/guardian.

4.12 How many bedrooms am I entitled to?

The number of bedrooms you need is assessed using the following rules. You qualify for one bedroom for each of the following people in your household:

- a single person or couple aged 16 or over
- two children of the same gender, if both of the children are aged under 16
- two children aged under 10, regardless of gender
- any remaining child.

You may qualify for an extra bedroom if:

- you or your partner is disabled, and a non-resident overnight carer is needed, or
- it's unreasonable for two persons to share a bedroom because of an illness or disability

providing this need is evidenced and we're satisfied you'd be able to afford the accommodation.

The following table provides a guide to the size of properties the most common types of household are usually registered for.

HOUSEHOLD & PROPERTY SIZE

Household make-up	Number of bedrooms				
	1	2	3	4	5
Single person					
Couple					
Pregnant woman (single or in couple)					
Couple or single parent with one child under 16					
Couple or single parent with two children under 16 of the same sex, or with two children of opposite sex who are both under 10					
Couple or single parent with two children under 16 of opposite sex where one child is at least 10					
Couple or single parent with three children under 16					
Couple or single parent with four children under 16, in any of the following cases: <ul style="list-style-type: none"> ▪ all of same sex; ▪ two boys and two girls; ▪ three of one sex, where at least two of different sex are under 10. 					
Couple or single parent with four children under 16, three of one sex, where either three of one sex are all over 10, or the child of the other sex is over 10.					
Couple or single parent with five children under 16					
Couple or single parent with more than five children under 16					

Applicants who have dependent children between the ages of 17 and 21 years old will be considered for the above criteria of household and property size.

4.13 I am pregnant. When will I be entitled to an extra bedroom?

Once you are 26 weeks' pregnant we will treat you as if your child has already been born (for the purpose of calculating the size of property you're entitled to). We may exercise our discretion to change your bedroom entitlement earlier than this date if we consider it is appropriate to do so, having regard to issues such as:

- whether your circumstances are exceptional;
- demand from other applicants for the type and size of property which you would be entitled to;
- whether the waiting list for an increased size of property in the area(s) you have chosen has been exhausted; and
- your ability to afford the increased rent and costs associated with a larger property.

4.14 Are there any situations when I might be offered a larger property than I'm entitled to?

You'll usually only be offered the size of property you qualify for (see **4.12** above). We may sometimes offer a larger property, but this will usually only happen if:

- the waiting list has been exhausted, and
- the landlord is satisfied you can afford the rent.

4.15 Can I choose which landlord I want?

No. If you're accepted onto the Housing Register you may be offered a tenancy with any of the four partner landlords.

4.16 Can the Council and housing associations set qualifying criteria for certain properties or housing schemes?

Yes. For example some properties may be reserved for people over a certain age.

5 WHEN WILL I GET A DECISION ON MY APPLICATION?

- 5.1 When will I receive a decision on my application?
- 5.2 What will the decision letter tell me?
- 5.3 What if I want an update on how my application is progressing?
- 5.4 If I disagree with the Council's decision can I ask them to reconsider it?

5.1 When will I receive a decision on my application?

We'll process your application once you've met all the procedural requirements (these 'things you must do' are explained at **3.9**). We'll write to you within 21 calendar days of your housing options interview or within 21 days of having all the information and documents we need (if this is later). We may email you the decision if you've agreed to receive emails.

5.2 What will the decision letter tell me?

We'll write to you and tell you:

- whether you've been accepted onto the waiting list.

If you're accepted onto the waiting list we will tell you:

- what priority (band) you've been awarded (see **9.6 to 9.10**)
- what your waiting time date is (see **8.1**)
- the type (or types) of housing you're registered for (see **4.8**), and
- the size of properties you qualify for (see **4.10 to 4.14**).

We'll also tell you if we make any of the following types of decision:

- A decision that you're not eligible to be included on the Housing Register (see **section 6**). We'll tell you the reasons why.
- A decision that your priority band status has been reduced (see **9.11**) and if so what band you have been awarded. We'll tell you the reasons why.

We'll tell you about your right to ask for a review if you're dissatisfied with our decision on your application (see **section 12.5**).

The decision letter explains that a copy of the decision notification is available to collect from the Council's office for a reasonable period. The letter also explains that if you do not receive the decision letter (or email) you'll be treated as having been notified when the letter was sent to the postal or email address you gave us.

5.3 What if I want an update on how my application is progressing?

If you have any questions about your application please phone Housing's Customer Services on (01248) 752200 or email them at housing@anglesey.gov.uk

If your interview was in the last 21 days and you haven't received a decision we suggest you wait for our letter or email confirming the outcome of your application.

5.4 **If I disagree with the Council's decision can I ask them to reconsider it?**

Yes. When we write and tell you about the decision on your application we'll also tell you about your right to ask for a review (see **section 12** for more details about your right to ask us to reconsider decisions).

6 WILL I BE ALLOWED ONTO THE HOUSING REGISTER?

- 6.1 Is everyone entitled to go onto the Housing Register?
- 6.2 How will the Council help me if I'm not entitled to go on the Housing Register?
- 6.3 Why do you look at nationality and immigration status?
- 6.4 How do I find out if my immigration status disqualifies me from being allocated housing?
- 6.5 I'm ineligible for housing because of my immigration status. Can I be given a joint tenancy with someone else?
- 6.6 Restricted persons
- 6.7 My children are ineligible because of their immigration status. Will you take their needs into account?
- 6.8 Are there situations where the Council won't register someone on the waiting list because of past behaviour?
- 6.9 When isn't someone entitled to go on the Housing Register because of past behaviour?
- 6.10 Will the Council ask for tenancy references?
- 6.11 If the Council decides someone in my household is ineligible because of unacceptable behaviour can they be given a joint tenancy with me?

6.1 Is everyone entitled to go onto the Housing Register?

No. Some people aren't entitled to be registered on the waiting list. For example you won't be placed on the Housing Register:

- If you haven't met the 'procedural requirements' (see **3.9** for these 'things you must do').
- If you have sufficient financial resources to meet your housing needs (see **7.3** and **7.4** for more details).
- If you're ineligible because of your immigration status (see **6.3** to **6.7** and **Appendix 3** for the rules about immigration and nationality)
- If you're ineligible because of past behaviour (see **6.8** to **6.9** and **Appendix 4** for the rules about being unsuitable to be a tenant).
- If you've applied before, had your application refused, and your situation hasn't materially changed since the previous decision (see **2.5**).

We'll write and tell you if we decide you don't qualify to be included on the Register. We'll tell you our reasons for making the decision and tell you about your right to ask for a review (see **section 12** for more details about your right to ask us to reconsider decisions).

6.2 How will the Council help me if I'm not entitled to go on the Housing Register?

We'll advise you about your other housing options.

6.3 Why do you look at nationality and immigration status?

By law we can't allocate housing to people who are disqualified because of their immigration status. We won't register applications from anyone who is ineligible for an allocation under section 160A(1)(a) of the Housing Act 1996 and the related regulations.

6.4 How do I find out if my immigration status disqualifies me from being allocated housing?

Appendix 3 lists the groups of people who are ineligible for a housing allocation because of their immigration or nationality status. Please contact us if you need advice on how this may affect your application.

6.5 I'm ineligible for housing because of my immigration status. Can I be given a joint tenancy with someone else?

No. A household member who is ineligible can't be granted a sole or joint tenancy with an eligible applicant as the result of an allocation.

6.6 Restricted persons

We won't register the application of anyone who falls into a 'reasonable preference' group (see **16.1**) because of homelessness but only because their household includes a 'restricted person'. A restricted person is someone who:

- is ineligible for help under Chapter 2 of the Housing (Wales) Act 2014, and
- is subject to immigration control within the meaning of the Asylum and Immigration Act 1996, and
- either:
 - does not have leave to enter or remain in the United Kingdom, or
 - has leave to enter or remain in the United Kingdom subject to a condition to maintain and accommodate themselves, or any dependents, without recourse to public funds.

6.7 My children are ineligible because of their immigration status. Will you take their needs into account?

Yes. If you're eligible but you have ineligible dependents we'll take their housing needs into account, eg when deciding your priority and the type and size of housing you qualify for. However, we may take relatives' immigration status into account when deciding if they form part of your household. If your household includes a 'restricted person' we may not give you priority for housing (see **6.6**).

6.8 Are there situations where the Council won't register someone on the waiting list because of past behaviour?

Yes. If we decide that your immigration and nationality status means you're eligible for the Housing Register we'll then go on to consider if you may be ineligible because of unacceptable behaviour.

6.9 When isn't someone entitled to go on the Housing Register because of past behaviour?

We consider:

- if you or a member of your household has been guilty of unacceptable behaviour, and if so
- if the behaviour is serious enough to make you unsuitable to be a social housing tenant, and if so
- if you remain unsuitable to a tenant at the time we consider your application.

Appendix 4 gives more information on how we make this decision and the rules we apply.

6.10 Will the Council ask for tenancy references?

Yes. If you're currently a tenant or have held tenancies in the past we'll contact your landlord(s) and ask them to give details of how your tenancy was conducted. This helps us decide if you're suitable to be a tenant (see **6.9**).

6.11 If the Council decides someone in my household is ineligible because of unacceptable behaviour can they be given a joint tenancy with me?

No. Someone who is ineligible because of previous behaviour cannot be given a joint tenancy with an eligible applicant as the result of an allocation.

7 WHAT PRIORITY WILL I HAVE FOR HOUSING?

- 7.1 How does the Council decide what priority I have for housing?
- 7.2 What if I don't qualify for any of the priority bands?
- 7.3 Will the Council take my income and financial situation into account?
- 7.4 What does the Council take into account when deciding if I can afford housing in the private sector?
- 7.5 What if I'm already on the Housing Register when this policy takes effect?
- 7.6 Will I get more priority if I apply as homeless?

7.1 How does the Council decide what priority I have for housing?

If you're eligible to go on the Housing Register (see section 6) we'll then go on to decide if you have a housing need. There are four 'bands'. Your band award is based on whether or not you have a local connection and how urgently you need housing. The bands, in descending order of priority, are:

Band	You qualify if you have:
Urgent	a) an urgent housing need with an Anglesey Connection b) an urgent housing need (with no Anglesey connection)
Band 1	A housing need with and Anglesey connection
Band 2	A housing need with no Anglesey connection
Band 3	No housing need with an Anglesey connection

* There are some exceptions to this general rule. In Band 3 a local connection is required for housing need categories 28 and 30.

The banding groups are fully explained in **section 9**.

7.2 What if I don't qualify for any of the priority bands?

If you don't qualify for any of the bands you won't be allowed onto the Housing Register. This means you won't be considered for an allocation of housing. We'll send you our decision in writing and explain why you don't qualify for the waiting list. We'll also tell you about your right to ask for a review (see **section 12** for more details about asking us to reconsider decisions). If you have no housing need and no Anglesey connection will not be registered or subsequently cancelled if a current application. We can advise you on your other housing options if you need it.

7.3 Will the Council take my income and financial situation into account?

Yes. Social housing is usually only provided if you will have difficulty obtaining suitable housing because of your financial situation. We may decide you can't be included on the Housing Register if you can afford to obtain housing in the private sector. We may disqualify you if you can't afford private housing where you'd prefer to live, but could afford suitable housing elsewhere on the Isle of Anglesey.

7.4 What does the Council take into account when deciding if I can afford housing in the private sector?

We'll take various factors into account, depending on your situation. For example:

- your financial resources and those of household members (if any). Financial resources means gross income of £75,000 per annum and / or capital assets or savings exceed £50,000. This means you may be included on the register but you will not be registered until the financial resources no longer exceed the stated limits.
- ownership of and equity in land or property
- your reasonable expenditure and commitments
- the supply and cost of private market housing on the Isle of Anglesey that would be suitable for you
- if your current property could be sold and the resulting equity released to buy or rent privately
- your mortgage potential
- if adaptation of your current property is a viable option (if relevant).

The procedures for housing officers (see **1.5**) includes guidance on how to assess individual cases, including guideline figures for the amount of income, savings and capital that may typically be considered acceptable for different types of household. When formulating these guideline figures the partner landlords will have regard to the Council's Local Housing Market Assessment and data concerning housing costs.

The following payments will be disregarded from the financial assessment:

- i. lump sums, on-going pensionable awards and/or Guaranteed Income Payments received by a member of the British Armed or Reserve Forces as compensation for an injury, medical condition or disability whilst sustained on active service. This includes sums received from the War Pensions Scheme and the Armed Forces Compensation Scheme.
- ii. compensation payments received by victims of crime or through personal injury claims.
- iii. Benefit payments designed to help people with the extra costs caused by ill-health or disability including but not limited to:
 - Personal Independent Payments;
 - Disability Living Allowance;
 - Attendance Allowance; and
 - Forces Independence Payment.

7.5 What if I'm already on the Housing Register when this policy takes effect?

If you have an active housing application when this policy takes effect we'll reassess your eligibility for housing using the new rules. If you don't qualify for one of the bands your application will be removed from the Register.

We'll write to tell you whether or not your application is included on the Register. If you qualify under the new policy we'll confirm your priority band status and waiting time date. If you have an active application when this policy takes effect your waiting time date will be the date you would have qualified for your band status had the banding scheme been previously operating. If your application is taken off the Register we'll confirm the reasons for the decision. We'll also tell you about your right to ask for a review (see **section 12** for more details about your right to ask us to reconsider decisions).

7.6 Will I get more priority if I apply as homeless?

If the Council accepts you're homeless you'll be awarded a band status reflecting your priority for re-housing (see **9.6** to **9.10** for the banding categories). However applying as homeless will not necessarily increase your chances of being offered social housing. This is because we can end homelessness duties by arranging privately rented housing. Also if you're owed a homelessness duty you'll have less choice about:

- where you are offered housing (see **4.7**), and
- the type of properties you'll be offered (see **4.9**).

8 WHAT HAPPENS ONCE I'M REGISTERED ON THE WAITING LIST?

- 8.1 Where will I be placed when I'm first entered onto the list?
- 8.2 Can I lose my waiting time date?
- 8.3 Can my waiting time date be backdated?
- 8.4 When will I get to the top of the waiting list?
- 8.5 Will I definitely be offered social housing?
- 8.6 What happens if my situation changes?
- 8.7 Are there situations where I may need to provide information or attend an interview to continue to qualify for an offer of housing?
- 8.8 Are there any situations where my application will be suspended so I don't qualify for an offer of housing?
- 8.9 Can I ask for my housing application to be suspended, for example if I don't want to be offered housing until sometime in the future?
- 8.10 Are there any situations where my application may be removed from the Housing Register?
- 8.11 What if I'm homeless or at risk of losing my home?
- 8.12 Do I have to regularly renew my application?

8.1 Where will I be placed when I'm first entered onto the list?

If you're a new applicant your application will be entered at the bottom of the priority band that you're entitled to (see **Section 9** for details of the banding system). This is because all applicants are awarded a 'waiting time date'.

Your waiting time date is the date on which you were awarded your current band status.

You'll be placed below other applicants in your band (who need the same type and size of housing) because they've been waiting longer to be re-housed. Those who apply after you will be below you on the waiting list (assuming they need the same type of housing in the same area).

8.2 Can I lose my waiting time date?

Yes, this can happen if:

- your application is removed from the housing register (see **8.10**);
- your application is sanctioned by your priority being reduced (see **9.11**);
- you do not inform us of a change in your circumstances that could affect your priority for housing (within one calendar month of the change taking effect if we don't have any contact with you, eg we're not in the process of allocating you a property) (see **8.6**);
- you do not respond to a request for confirmation of your current circumstances (see **8.7**);

- you do not respond when we ask you to renew your application (see **8.12**); or
- you are awarded 'Urgent' band priority and refuse an offer of tenancy (see **11.7**).

If we have reduced your priority for housing by suspending your application (see **9.12**) your waiting time date will be amended to the date you become eligible again to be offered housing (assuming your application is de-suspended). This will mean your application goes to the bottom of the relevant band when your application is de-suspended.

8.3 Can my waiting time date be backdated?

We may decide to award you a different waiting time date if there are exceptional circumstances. For example we may award an earlier date if we unreasonably delayed in processing your application, and this was not because of anything you did, eg failing to provide information or documents.

8.4 When will I get to the top of the waiting list?

You will gradually move up the waiting list as other applicants with the same band priority and earlier waiting time dates are re-housed or come off the list. We can give you advice about how many properties of the type you need have previously become available and how many people are ahead of you on the list in a particular area (see **4.4**). This can help you decide if you want to wait for social housing, consider other options, or choose other letting areas (see **4.1**) or other types of housing (see **4.8**).

8.5 Will I definitely be offered social housing?

No. We can't guarantee you'll be offered housing, even if you're accepted onto the waiting list. Unfortunately there aren't as many vacancies as people wanting social housing.

8.6 What happens if my situation changes?

You must tell us if your situation changes. If you become aware of any changes in circumstances that might affect your priority for housing please tell the Council's Housing Customer Services Team. For example you must tell us if:

- you move home
- someone leaves or joins your household
- your income or financial situation changes.

We may cancel your application if you don't tell us about your situation changing (see **8.10**). We may also be unable to offer you a property when you get to the top of the waiting list (see **10.8**). We may ask you to attend a housing options interview and provide supporting information and documentation if your circumstances change.

8.7 Are there any situations where I may need to be provide information or attend an interview to continue to qualify for an offer of housing?

Yes. For example, we may ask you to provide information or attend an interview if:

- We receive information suggesting we may need to remove your application from the housing register.
- We receive information suggesting we may need to reduce your priority on the waiting list.

The above is not an exhaustive list.

We may remove your application from the housing register if you do not provide the information we need or if you do not attend an interview (see **8.10**).

8.8 Are there any situations where my application will be suspended so I don't qualify for an offer of housing?

Yes. We may suspend your application or withdraw an allocation if:

- We've received information suggesting your situation may have changed and you may no longer be eligible for an allocation of housing, or your band priority status.
- You're a social housing tenant and haven't brought the condition of your home or garden up to the required standard.
- You're not in a position to take up an offer of accommodation, eg because you're in hospital, custody or an institution.
- We think one of the situations at **8.10** may apply but we've yet to make a decision.

We'll write to you and tell you if we suspend your application (or withdraw an allocation). We'll tell you the reasons for our decision. We'll also tell you if you need to provide information or do something before your application can be made active again.

8.9 Can I ask for my housing application to be suspended if I don't want to be offered housing until sometime in the future?

This is not usually allowed. The housing register is for people who *currently* need housing. We may make an exception if you're unable to accept an offer of housing because of a *temporary* situation preventing you from accepting housing, but you continue to need accommodation, eg:

- You have been admitted to hospital.
- You have been placed in custody.

8.10 Are there any situations where my application may be removed from the Housing Register?

Yes. We may remove your application from the waiting list if:

- You refuse two reasonable offers of accommodation (see **11.8**).
- You ask us to withdraw your application.
- Your situation changes and you're not entitled to remain on the Housing Register (see **6.1**).
- You withhold or fail to provide information we have asked you to provide in connection with your application.

- You don't comply with our 'procedural requirements' (see **3.9** for these 'things you must do').
- You don't reply to us when we've attempted to contact you, eg a request for you to confirm your circumstances and that you want to remain on the Housing Register (see **8.12**).
- You knowingly or recklessly give false or misleading information in connection with your application.
- You are ineligible for an allocation (see **section 6**).
- You accept an offer of accommodation following an allocation of accommodation.

8.11 What if I'm homeless or at risk of losing my home?

If you may be losing your home it's important to contact us as soon as possible. We'll be able to give you help and advice. You may be entitled to help under the homelessness legislation. If you become homeless we may have a duty to arrange temporary accommodation for you. Contact the Customer Services Team on (01248) 852200 as soon as you think you may become homeless. They will usually make you an appointment with a housing options officer.

8.12 Do I have to regularly renew my application?

Yes. You'll need to renew your application or re-apply at regular intervals. We need to keep an accurate record of people wanting social housing who continue to qualify. We will contact you if you need to renew your application, using the contact details you've given us. You'll be asked to confirm your current situation when we review your application.

If you don't respond or don't provide the information we need we'll remove you from the Register. We'll tell you in writing if we do this. You can ask us to review any decision to remove you from the waiting list (see **section 12** for more details about your right to ask us to reconsider decisions).

9 HOW DOES THE BANDING SYSTEM WORK?

- 9.1 What is banding?
- 9.2 How does banding work?
- 9.3 How does my priority compare with other people who've been awarded the same band?
- 9.4 What bands do I need a local connection for?
- 9.5 What counts as a local connection?
- 9.6 Who qualifies for the 'Urgent' band?
- 9.7 Who qualifies for Band 1?
- 9.8 Can I qualify for Band 1 if I'm intentionally homeless?
- 9.9 Who qualifies for Band 2?
- 9.10 Who qualifies for Band 3?
- 9.11 Can my priority be reduced?
- 9.12 If the Council decides to reduce my priority how will you reduce it?
- 9.13 How does the Council decide if my priority should be reduced?
- 9.14 Will the Council tell me if my priority is reduced?
- 9.15 Can I ask the Council to look again at a decision to reduce my priority under 9.11?
- 9.16 Are there any situations when I could be given a higher priority than under the usual rules?

9.1 What is banding?

We use banding to decide what priority you have for housing. Banding helps us to rank your application against everyone else who's entitled to go on the Housing Register. The priority you're entitled to depends on the following:

- if you need housing very urgently;
- if you have a local connection; and
- how long you've spent waiting for social housing.
- No housing need – if you have no housing need but you have an Anglesey Connection may be registered and placed in Band 3. If you have no housing need and no Anglesey Connection you will not be registered or subsequently cancelled if a have a current application.

Properties will be allocated in the first instance to applicants in Band 1. If there are no qualifying applicants in Urgent Band then the property will be allocated to an applicant in Band 1 and so on. If you are placed in Band 3 you may be considered for 'available to let' properties where there are no eligible applicants from Bands Urgent to 2.

9.2 How does banding work?

There are four bands. If you're eligible to be included on the Register we'll award you a band that reflects your particular situation.

In descending order of priority the bands are:

- Urgent Band
- Band 1
- Band 2
- Band 3

You can find out which band you qualify for by looking at **9.6** to **9.10**.

9.3 How does my priority compare with other people who've been awarded the same band?

Within each band applications are prioritised by how long everyone has been waiting for social housing (according to applicants' 'waiting time date'; see **8.1**).

9.4 Which bands do I need a local connection for?

You need a local connection to be awarded the Urgent a, Band 1 and Band 3 (see **7.1**, **9.5**, **9.6** and **9.10**).

9.5 What counts as an Anglesey connection?

You have an Anglesey connection if you or a member of your household:

- have been normally resident in the area for five years (at any time), or
- have family associations in the area. Family associations normally arise when someone has a parent, adult child, brother or sister who has resided in the area for a period of at least five years at the date of application, and you and the locally residing close relative in question indicate a wish for you to be near the relative, or
- provide or receive essential support from a person or specialist provider in the area, or
- have been employed in the area for five years (at any time), or
- have been offered employment in the area but have a disability and are unable to take up the offer because of difficulties in finding adequate accessible housing in the area (the disability and the employment offer must be evidenced), or
- need to move to the area so that a member of the household with a disability can attend school or receive specialist support, but are unable to do so because of the difficulty in finding adequate accessible housing in the area (the need must be a consequence of the disability, and the disability and the need to move to the area must be evidenced), or
- are serving in the Armed Forces and are either employed or resident in the area;
- are serving in the Armed Forces or are former members of the Armed Forces who are not currently employed or resident in the area but have previously been resident in the area, including residency as a result of a former posting in the area while serving in the Armed Forces.

Within the Bands where there is a requirement for a connection with Ynys Môn, you will be prioritised based on the following:

- You or members of your household, with 5 years or more residency in the Community area in which the property to be allocated is situated.
- Your application will then appear in date order, with the application which has the earliest registration (or relevant) date considered first, and so on.
- If no applications fulfil the above criteria, then applications with less than 5 years' residency (or no residency at all) in the Community Council Area where the property to be allocated is situated will be considered. Each application will then appear in date order, with the application which has the earliest registration (or relevant) date considered first, and so on.
- In certain circumstances, applicants who have not resided in a neighbouring community can carry over their residency to another community. This can only happen where there is a need for specialised accommodation, which is not available in their current community and is available in a neighbouring community. Specialised accommodation would include sheltered housing, accessible housing or housing which provides a specialised and specific service.
- If there are no properties within your chosen community area discussions will take place to carry over their residency to another community, for example, if there are no one bedroom flat within the community area the stock of the neighbouring area will be considered.

9.6 Who qualifies for the 'Urgent' band?

You qualify for the 'Urgent' band if you:

- have an urgent housing need (as set out in the box below), and
- have an Anglesey connection (please see 9.5 for what counts as a Anglesey connection)
- have an urgent housing need (as set out in the box below) and no Anglesey connection (please see 9.5 for what counts as a Anglesey connection)

The Urgent Band is reserved for very urgent cases. Very few applicants are likely to be awarded this status.

URGENT BAND

1. Urgent medical, welfare or disability related need

Applicants whose household includes someone who:

- (a) has a medical condition which is life-threatening or likely to become so, and the current accommodation (or lack of accommodation) is significantly detrimental to the condition, or re-housing is likely to result in significant improvement;
- (b) has been assessed as having a need to move urgently to an accessible property;
- (c) has a serious physical or mental illness, disability, medical condition or behavioural disorder, which is causing serious dysfunction to themselves or the household unit such that they are unable to cope in their present accommodation and re-housing would alleviate the problem. For example, terminal illness or advanced progressive condition;
- (d) is hospitalised and unable to return home because the accommodation is wholly unsuitable for their long term needs by way of design, location and/or is unsuitable for adaptations that are required because of disability;
- (e) is disabled and is unable to access essential facilities within the property, for example where bathing or toilet or access to the property itself is wholly unsuitable. The property cannot be economically adapted to meet their needs;
- (f) needs to move to provide support to a person with a serious illness, disability or medical condition, and that person cannot cope in their present accommodation without the applicant's support; or
- (g) is living in overcrowded accommodation which leaves the person vulnerable to a potentially fatal or very serious infection, for example where they are suffering from late stage HIV.

Evidence will be required in these cases to demonstrate the legitimacy of the claim.

2. Loss of home as a result of a disaster

Applicants who suddenly and permanently lose their existing home as a result of a disaster and who have a reasonable prospect of an allocation within a short period.

3. Leaving armed forces or serious injury whilst serving in armed forces

- (a) An applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which they, or a member of their household, sustained as a result of service in the armed forces.
- (b) An applicant needing accommodation because of leaving the armed forces and losing military accommodation. People who have left the armed forces under Discharge as

of Right (DAOR) are excluded from this provision and are not given urgent housing need band status.

- 4. People accommodated by the local authority in care or approved supported housing who are deemed ready to 'move on'**
- 5. The household needs social housing urgently to prevent a child being taken into care or remaining in care**

Examples include:

- (a) Foster parents who urgently need accommodation to take care of a child.
- (b) Cases where a child care plan has identified the need for accommodation to prevent the child being looked after by the authority (for example, child in need / looked after child / child protection).

- 6. Existing tenants who are either under-occupying by one or more bedroom and wish to transfer to a smaller property or who are occupying an adapted property which they do not need, provided that one of the following applies:**

- (a) They are suffering financial hardship (in the case of under-occupying social housing tenants); or
- (b) Their moving is likely to release a property for someone in need (in the case of both under-occupying tenants and tenants not requiring their adapted property).

Applicants must hold a social housing tenancy on Anglesey with a partner landlord.

- 7. Homeless because of abuse or threat of abuse**

Those owed one of the following homelessness duties by Isle of Anglesey County Council:

- (a) the section 73 duty under the Housing (Wales) Act 2014; or
- (b) the section 75 duty under the Housing (Wales) Act 2014,

and who needs housing urgently as the result of:

- (aa) abuse, within the meaning of 58 of the 2014 Act (in the case of the section 73 and 75 duties).

This includes:

- Victims of domestic or other violence (those cases discussed at a MARAC).
- Victims of hate incidents
- Witnesses of crime, or victims of crime, who would be at risk of intimidation amounting to violence or threats of violence if you remained in your current homes.

- 8. Exceptional case of urgent need where the circumstances or the urgency of the circumstances are not dealt with elsewhere in this scheme**

An applicant who has been assessed as having an exceptional housing need and where Urgent band status has been approved by the Council's Head of Housing Services.

9.7 Who qualifies for Band 1?

You qualify for Band 1 if you:

- have a housing need (as set out in the box below), and
- have a Anglesey (please see 9.5 for what counts as a Anglesey).

BAND 1

9. Applicants who are homeless within the meaning of Part 2 of the Housing (Wales) Act 2014, except where there is reason to believe they may have become homeless intentionally, as defined in section 77 of the 2014 Act.

This category includes homeless applicants both in priority need and not in priority need, provided there is no reason to believe they may have become homeless intentionally (even if no decision has yet been taken under Part 2 of the 2014 Act on whether the applicant has become homeless intentionally).

The definition of homelessness is contained in sections 55 to 57 of the Housing (Wales) Act 2014. A person is homeless if they do not have accommodation which they are entitled to occupy, which is physically and legally available for them to occupy, and which is reasonable for them to continue to occupy. This includes the following:

- (a) A person who has no accommodation available for their occupation in the United Kingdom or elsewhere, which they
 - (i) are entitled to occupy by virtue of an interest in it or by virtue of a court order;
 - (ii) have an express or implied license to occupy; or
 - (iii) occupy as a residence by virtue of any enactment or rule of law giving the person the right to remain in occupation, or restricting the right of another person to recover possession.
- (b) A person is also homeless if they have accommodation but
 - (i) they cannot secure entry to it, or
 - (ii) it consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where the person is entitled or permitted both to place it and reside in it.

A person is not treated as having accommodation unless it is accommodation which would be reasonable for them to continue to occupy, as defined under section 57 of the 2014 Act.

Accommodation may only be regarded as available for a person's occupation if it is available for occupation by that person together with:

- (aa) a person who normally resides with them as a member of their family, or
- (bb) any other person who might reasonably be expected to reside with them.

Applicants will usually be awarded this status by a housing options officer following a homelessness assessment under section 62 of the 2014 Act (or a review of such an assessment).

Where an applicant is homeless and there is reason to believe the applicant may have become homeless intentionally they may qualify for lesser priority under Band 3, categories 18 or 19.

10. Applicants who, because of homelessness or threatened homelessness, are:

- **owed a duty under section 66 of the 2014 Act, and there is no reason to believe they may have become threatened with homelessness intentionally;**
- **owed a duty under section 73 of the Housing (Wales) Act 2014, and there is no reason to believe they may have become homeless intentionally;**
- **owed a duty under section 75 of the 2014 Act a duty to secure accommodation for applicants in priority need (when the duty in section 73 ends)**

This category includes applicants who are:

- (a) threatened with homelessness and owed the section 66 duty to help to secure that suitable accommodation does not cease to be available for their occupation, providing there is no reason to believe the applicant may have become threatened with homelessness intentionally (even though a decision on the homelessness application about intentionality has yet to be made). The duty can be owed by any local housing authority.
- (b) homeless and owed the section 73 duty to help to secure accommodation, providing there is no reason to believe the applicant may have become homeless intentionally within the meaning of section 77 of the 2014 Act (even though a decision on the homelessness application about intentionality has yet to be made). The duty can be owed by any local housing authority;
- (c) unintentionally homeless and in priority need, and owed the 'full' duty to secure ongoing accommodation under section 75. The duty can be owed by any local housing authority;
- (d) unintentionally homeless and in priority need, and owed the main housing duty under section 193(2). The duty must be owed by Isle of Anglesey County Council.

Where an applicant is either homeless or threatened with homelessness within 56 days and there is reason to believe the applicant may have become homeless (or threatened with homelessness) intentionally they may qualify for lesser priority under Band 2, categories **18** or **19**.

11. Applicants occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions

This category includes the following:

- (a) Applicants whose current property:
 - (i) lacks a bathroom with facilities or the facilities are located in an insanitary location, for example within a kitchen;
 - (ii) lacks a kitchen and/or appropriate cooking facilities;
 - (iii) lacks an inside toilet;
 - (iv) lacks a hot or cold water supply due to a defect to the property;
 - (v) lacks an electrical supply due to a defect to the property;
 - (vi) lacks a gas supply due to a defect with the property where such a supply is required to operate existing or necessary services such as heating.
- (b) Applicants living in overcrowded housing. Accommodation is deemed to be overcrowded if it lacks at least one bedroom under the following definition on a permanent basis. One bedroom is deemed necessary for each of the following persons in the applicant's household:
 - (i) a single person or couple aged 16 or over; and
 - (ii) two children of the same gender, where both of the children are aged under

16; and

- (iii) two children aged under 10, regardless of gender; and
- (iv) any remaining child.

In addition, an additional bedroom will be deemed necessary where:

- (v) the tenant or their partner is disabled, and they require a non-resident overnight carer, providing the Council is satisfied that the applicant would be able to afford accommodation of the relevant size; or
- (vi) it is unreasonable for two persons to share a bedroom, as the result of an illness or disability, providing that the Council is satisfied the applicant would be able to afford accommodation of the relevant size.

- (c) Applicants who have been referred by the Council's Enforcement Team for re-housing because they are occupying private sector accommodation where Category 1 hazards exist under the Health and Housing Safety Rating System, which the Council are satisfied the landlord or licensor should remedy, but which are unlikely to be remedied.

All applicants citing insanitary or hazardous accommodation in the private sector will be referred to the Council's Enforcement Team (part of the Contract Planning and Public Protection Service) so that the problem can be resolved, if possible, to enable the applicant to remain in their present accommodation.

Category 1 and Category 2 hazards are assessed under Part 1 of the Housing Act 2004 using the Housing Health and Safety Rating System. The Enforcement Team's investigating officer will assess the property to determine whether Category 1 and Category 2 hazards exist.

In most cases hazards are dealt with informally by negotiation with the landlord. If negotiation fails and the hazards are not removed within a reasonable period time, the Enforcement Team must take the form of enforcement action they consider appropriate where a Category 1 hazard exists (such as the issuing of an enforcement notice or hazard awareness notice). Where a Category 2 hazard exists the Housing Enforcement Team may take appropriate action.

Where applicants are referred to the Enforcement Team because there is reason to believe there may be unsatisfactory housing conditions and Housing Enforcement consider a Category 1 hazard exists within the property to such an extent that there is an **imminent or serious risk of harm to the occupants** of the property that necessitates the service of one of the following types of enforcement notice:

- (i) Emergency Remedial Action;
- (ii) Emergency Prohibition Order; or
- (iii) Prohibition Order,

then Enforcement will refer the case with a recommendation for priority if, despite their best efforts, they consider the above definition is satisfied and the problem cannot be resolved within a reasonable period of time.

The Enforcement Team has a legal obligation to contact private sector landlords where there are issues of disrepair and attempt to resolve them.

- (d) Applicants occupying social housing accommodation that is insanitary or applicants experiencing unsatisfactory social housing conditions.

All applicants occupying social housing accommodation on Anglesey citing insanitary or unsatisfactory housing conditions will be visited by a housing officer. Enquiries will also ordinarily be made with the landlord so that the problem can be resolved, if possible, to enable the applicant to remain in their present accommodation.

If the Housing Options Team is satisfied that the conditions will not be remedied within a reasonable period of time, priority may be awarded.

12. People sharing accommodation

This category includes:

- (a) Applicants sharing facilities with occupiers who are not part of the applicant's

household on a permanent basis. This applies to the sharing of a kitchen, bathroom/shower, or toilet.

13. People who reside in privately rented accommodation on Anglesey and have affordability issues

You must be able to show that their current private accommodation is not affordable and there is no other affordable private sector alternative.

14. People who need to move on medical or welfare grounds

The following categories of applicant qualify:

- (a) Applicants whose household includes someone with a medical condition which is directly linked to unsuitable housing and where re-housing is necessary to significantly improve their health.
- (b) Applicants occupying accommodation that is causing difficulties with access to the property for a member of the household, which has a detrimental impact on the person's welfare such that it cannot be resolved in the current property, and would be significantly alleviated if they were suitably re-housed.
Such cases will be assessed following advice from a relevant practitioner on whether the person requires a move to an accessible property within the above definition.
- (c) Applicants whose household includes a person who has social care needs that are not being met, and re-housing is necessary to significantly improve their care.

15. Existing social housing tenants who are under-occupying by one or more bedroom and wish to transfer to a smaller property

Applicants must hold a social housing tenancy on Anglesey with a partner landlord. Under-occupying social housing tenants who are experiencing financial hardship may qualify for higher 'Urgent' band priority if they qualify under housing need **category 6**.

16. People who need to move to a particular locality in the district, where failure to meet that need will cause hardship (to themselves or to others)

Examples include:

- (a) A failure to move to the particular locality will cause exceptional financial hardship.
- (b) The applicant or a member of their household is at risk of being admitted to residential care or hospital if they are not re-housed in the particular locality.
- (c) The applicant needs to move to the particular locality due to a relationship breakdown, and there is need to safeguard and promote the welfare of associated child(ren).
- (d) The applicant is a 'relevant child' under the Children Leaving Care Act 2000, is a care leaver, is vulnerable and has a high housing need that is best met by the provision of long term settled housing in the particular locality.
- (e) The applicant or a member of their household has permanent employment which cannot continue, or an offer of the same which they cannot take up, unless they reside in the particular locality.
- (f) The applicant is giving or receiving essential support, which can only be delivered if they live in the particular locality.
- (g) The applicant has been living in a flat for at least 2 consecutive years and have 1 or more children aged less than 11 years old

17. Exceptional case of housing need where the circumstances are not dealt with elsewhere in this scheme

An applicant who has been assessed as having an exceptional housing need and where Band 1 status has been approved by the Council's Head of Housing Services.

9.8 Can I qualify for Band 1 if I'm intentionally homeless?

No. If we've decided you're homeless but that you became homeless intentionally you won't qualify for Band 1. This is the case even if your situation is covered by one of the other Band 1 categories and you have a local connection. Instead you'll be awarded Band 2 status (see Band 2 categories 18 and 19 at 9.10). You'll be disqualified from having priority under any of the Band 1 categories for six months. The six months starts when we decide you became homeless intentionally. The Council's Head of Housing Services may decide this sanction should not be applied if there are exceptional circumstances.

If you then get accommodation and are no longer homeless you'll no longer qualify for Band 2 priority under category 22 or 23. If your application is removed from the Housing Register and you re-apply for housing after six months you may be awarded Band 1 priority if your situation is covered by one of the housing need categories, and you have a local connection.

If we've decided that you're homeless or likely to become homeless within 56 days but we have reason to believe you may have become homeless (or threatened with homelessness) intentionally you won't qualify for Band 1. This is the case even if your situation is covered by one of the other Band 1 categories and you have a local connection. Instead you'll be awarded Band 3 status (see Band 3 categories 18 and 19 at 9.10). However, you won't necessarily be disqualified from having priority under any of the Band 1 categories for six months (as would happen if a decision was formally made on a homelessness assessment review that you are not owed the 'full' section 75 homelessness duty because you became homeless intentionally).

9.9 Who qualifies for Band 2?

You qualify for Band 2 if you:

- have a housing need (as set out in the box below), and
- do not have a local connection (please see 9.5 for what counts as a local connection).

* There are some exceptions to this general rule with Band 2. You also qualify for Band 2 if:

(a) you:

- (i) have a housing need because of homelessness or threatened homelessness (as set out at 22 or 23 below), and
- (ii) have a local connection, but
- (iii) do not qualify for a higher band, because you have become homeless intentionally, or because there is reason to believe you may have become homeless or threatened with homelessness intentionally (see 9.8).

(b) you:

- (i) are aged 55 years or over, and have expressed an exclusive preference for older persons' housing (as set out at 25 below), and
- (ii) you have a local connection.

(c) you are a displaced agricultural worker (as set out at 24 below), irrespective of whether you have a local connection.

BAND 2

18. Applicants who are homeless within the meaning of Part 2 of the Housing (Wales) Act 2014.

The definition of homelessness is contained in sections 55 to 57 of the Housing (Wales) Act 2014. A person is homeless if they do not have accommodation which they are entitled to occupy, which is physically and legally available for them to occupy, and which is reasonable for them to continue to occupy. This includes the following:

- (a) A person who has no accommodation available for their occupation in the United Kingdom or elsewhere, which they
 - (i) are entitled to occupy by virtue of an interest in it or by virtue of a court order;
 - (ii) have an express or implied license to occupy; or
 - (iii) occupy as a residence by virtue of any enactment or rule of law giving the person the right to remain in occupation, or restricting the right of another person to recover possession.
- (b) A person is also homeless if they have accommodation but
 - (i) cannot secure entry to it, or
 - (ii) it consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where the person is entitled or permitted both to place it and reside in it.

A person is not to be treated as having accommodation unless it is accommodation which would be reasonable for them to continue to occupy, as defined under section 57 of the 2014 Act.

Accommodation may only be regarded as available for a person's occupation if it is available for occupation by that person together with:

- (cc) a person who normally resides with them as a member of their family, or
- (dd) any other person who might reasonably be expected to reside with them.

Applicants will usually be awarded this status by a housing options officer following a homelessness assessment under section 62 of the 2014 Act (or a review of such an assessment).

This category includes homeless applicants in priority need and not in priority need (including those whose priority need status has not been established), and cases where the authority has reason to believe the applicant may have become homeless intentionally.

19. Applicants who, because of homelessness or threatened homelessness, are:

- **owed a duty under section 66 of the Housing (Wales) Act 2014;**
- **owed a duty under section 73 of the 2014 Act;**
- **owed a duty under section 75 of the 2014 Act; or**
- **owed a duty by Isle of Anglesey County Council under section 193(2) of the Housing Act 1996.**

This category includes applicants who are:

- (a) threatened with homelessness and owed the section 66 duty to help to secure that suitable accommodation does not cease to be available for their occupation. The duty can be owed by any local housing authority.
- (b) homeless and owed the section 73 duty to help to secure accommodation. The duty can be owed by any local housing authority;
- (c) unintentionally homeless and in priority need, and owed the 'full' duty to secure ongoing accommodation under section 75. The duty can be owed by any local housing authority;
- (d) unintentionally homeless and in priority need, and owed the main housing duty under section 193(2) of the 1996 Act. This duty must be owed by Isle of Anglesey County Council.

Applicants will usually be awarded this status by a housing options officer following a homelessness assessment under section 62 of the 2014 Act (or a review of such an assessment).

This category includes homeless applicants in priority need and not in priority need (including those whose priority need status has not been established), and cases where the authority has reason to believe the applicant may have become homeless (or threatened with homelessness) intentionally.

20. Applicants occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions

This category includes the following:

- (a) Applicants whose current property:
 - (i) lacks a bathroom with facilities or the facilities are located in an insanitary location, for example within a kitchen;
 - (ii) lacks a kitchen and/or appropriate cooking facilities;
 - (iii) lacks an inside toilet;
 - (iv) lacks a hot or cold water supply due to a defect to the property;
 - (v) lacks an electrical supply due to a defect to the property;
 - (vi) lacks a gas supply due to a defect with the property where such a supply is

required to operate existing or necessary services such as heating.

- (b) Applicants living in overcrowded housing. Accommodation is deemed to be overcrowded if it lacks at least one bedroom under the following definition on a permanent basis. One bedroom is deemed necessary for each of the following persons in the applicant's household:
- (i) a single person or couple aged 16 or over; and
 - (ii) two children of the same gender, where both of the children are aged under 16; and
 - (iii) two children aged under 10, regardless of gender; and
 - (iv) any remaining child.

In addition, an additional bedroom will be deemed necessary where:

- (v) the tenant or their partner is disabled, and they require a non-resident overnight carer, providing the Council is satisfied that the applicant would be able to afford accommodation of the relevant size; or
 - (vi) it is unreasonable for two persons to share a bedroom, as the result of an illness or disability, providing the Council is satisfied that the applicant would be able to afford accommodation of the relevant size.
- (c) Applicants who have been referred by the Council's Enforcement Team for re-housing because they are occupying private sector accommodation where Category 1 hazards exist under the Health and Housing Safety Rating System, which the Council are satisfied the landlord or licensor should remedy, but which are unlikely to be remedied.

All applicants citing insanitary or hazardous accommodation in the private sector will be referred to the Council's Enforcement Team (part of the Contract Planning and Public Protection Service) so that the problem can be resolved, if possible, to enable the applicant to remain in their present accommodation.

Category 1 and Category 2 hazards are assessed under Part 1 of the Housing Act 2004 using the Housing Health and Safety Rating System. The Enforcement Team's investigating officer will assess the property to determine whether Category 1 and Category 2 hazards exist.

In most cases hazards are dealt with informally by negotiation with the landlord. If negotiation fails and the hazards are not removed within a reasonable period time, the Enforcement Team must take the form of enforcement action they consider appropriate where a Category 1 hazard exists (such as the issuing of an enforcement notice or hazard awareness notice). Where a Category 2 hazard exists the Housing Enforcement Team may take appropriate action.

Where applicants are referred to the Enforcement Team because there is reason to believe there may be unsatisfactory housing conditions and Housing Enforcement consider a Category 1 hazard exists within the property to such an extent that there is an **imminent or serious risk of harm to the occupants** of the property that necessitates the service of one of the following types of enforcement notice:

- (i) Emergency Remedial Action;
- (ii) Emergency Prohibition Order; or
- (iii) Prohibition Order,

then Enforcement will refer the case with a recommendation for priority if, despite their best efforts, they consider the above definition is satisfied and the problem cannot be resolved within a reasonable period of time.

The Enforcement Team has a legal obligation to contact private sector landlords where there are issues of disrepair and attempt to resolve them.

- (d) Applicants occupying social housing accommodation that is insanitary or applicants experiencing unsatisfactory social housing conditions.

All applicants occupying social housing accommodation on Anglesey citing insanitary or unsatisfactory housing conditions will be visited by a housing officer. Enquiries will also ordinarily be made with the landlord so that the problem can be resolved, if

possible, to enable the applicant to remain in their present accommodation.

If the Housing Options Team is satisfied that the conditions will not be remedied within a reasonable period of time, priority may be awarded.

21. People sharing accommodation

People occupying accommodation on Anglesey who share facilities with occupiers who are not part of the applicant's household on a permanent basis. This applies to the sharing of a kitchen, bathroom/shower, or toilet.

22. People who need to move on medical or welfare grounds

The following categories of applicant qualify:

- (a) Applicants whose household includes someone with a medical condition which is directly linked to unsuitable housing and where re-housing is necessary to significantly improve their health.
- (b) Applicants occupying accommodation that is causing difficulties with access to the property for a member of the household, which has a detrimental impact on that person's welfare that cannot be resolved in the current property, and would be significantly alleviated if they were suitably re-housed.
Such cases will be assessed following advice from a relevant practitioner on whether the person requires a move to an accessible property within the above definition.
- (c) Applicants whose household includes a person who has social care needs that are not being met, and re-housing is necessary to significantly improve their care.

23. People who need to move to a particular locality in the district, where failure to meet that need will cause hardship (to themselves or to others)

Examples include:

- (a) A failure to move to the particular locality will cause exceptional financial hardship.
- (b) The applicant or a member of their household is at risk of being admitted to residential care or hospital if they are not re-housed in the particular locality.
- (c) The applicant needs to move to the particular locality due to a relationship breakdown, and there is need to safeguard and promote the welfare of the associated child(ren).
- (d) The applicant is a 'relevant child' under the Children Leaving Care Act 2000, is a care leaver, or is vulnerable and has a high housing need that is best met by the provision of long term settled housing in the particular locality.
- (e) The applicant or a member of their household has permanent employment which cannot continue, or an offer of the same which they cannot take up, unless they reside in the particular locality.
- (f) The applicant is giving or receiving essential support, which can only be delivered if they live in the particular locality.

24. Displaced agricultural workers

This category applies where the Housing Options Team, taking account of any advice received from the Agricultural Dwelling House Advisory Committee, is satisfied that:

- (a) the applicant is an agricultural worker who is being displaced from a dwelling house on Anglesey,
- (b) the dwelling from which the worker is displaced is needed to accommodate another agricultural worker,
- (c) the farmer cannot provide suitable alternative accommodation for the displaced worker, and
- (d) the displaced worker needs to be re-housed in the interests of efficient agriculture.

25. Applicants aged 55 years or over, who have expressed an exclusive preference for housing schemes reserved for older persons, and have a local connection

Applicants aged 55 years may qualify for higher priority under another housing need

category.

26. Exceptional case of housing need where the circumstances are not dealt with elsewhere in this scheme

An applicant who has been assessed as having an exceptional housing need and where Band 2 status has been approved by the Council's Head of Housing Services or a senior Council manager.

9.10 Who Qualifies for No Housing Need band?

You qualify for no housing need if you:

- Have no urgent housing need or housing need
- Have an Anglesey connection (please see 9.5 for what counts as an Anglesey connection)

NO HOUSING NEED

27. Applicants in Band 3 may be considered for available to let properties where there are no eligible applicants from Bands Urgent to Band 2

9.11 Can my priority be reduced?

Yes. We may reduce your priority if we're satisfied:

- you have sufficient financial resources to meet your housing needs (see **7.3** and **7.4**), or
- your behaviour or the behaviour of a member of your household means you're unsuitable to be a tenant (see **Appendix 4**);
- you have property-related debts (such as rent arrears, council tax arrears, housing benefit overpayment, a debt resulting from property damage etc) exceeding £100, either relating to your existing or a former home, providing the debt is legally recoverable; or
- you have deliberately worsened your housing situation.

9.12 If the Council decides to reduce my priority how will you reduce it?

We may reduce your priority by:

- awarding you a lower band priority than you would otherwise be entitled to (see **9.6** to **9.10** for the priority bands)
- adjusting your waiting time date (see **8.1**)
- temporarily suspending you from being entitled to an allocation (so your application is 'bypassed' when we allocate a property that you'd normally be entitled to be considered for), or
- a combination of the above.

For example we may decide temporary suspension is appropriate because you owe a debt to a partner landlord and suspending your application gives you a chance to clear the debt or a chance to agree a repayment plan and demonstrate you can keep to the agreement.

If we adjust your waiting time date we may decide it's appropriate to award a date reflecting when the 'offending' issue was resolved or when a suspension was lifted (see **8.2**).

9.13 How does the Council decide if my priority should be reduced?

When deciding whether to sanction an application (under **9.11**) and what the sanction should be (under **9.12**) we treat each case on its own merits and consider all relevant issues. We also consider the need to achieve broader policy aims such as the need to achieve fairness between applicants, equality of opportunity, social inclusion, and the need to move under-occupying tenants who rely on welfare benefits to appropriately sized accommodation.

In exceptional circumstances we may decide no sanction should be applied even though one of the criteria at **9.11** applies. If you have a property-related debt of over £100 we may decide not to reduce your priority if you have made an agreement to reduce the debt by making regular payments and have kept to the agreement for a significant period. The procedural guidance for housing officers includes guidance on how decisions to reduce priority are made (see **1.5**).

9.14 Will the Council tell me if my priority is reduced?

Yes. We'll confirm a decision to reduce your priority in writing, and set a date by when we'll review the reduction in priority. We'll write to you again if, when reviewing the reduction in priority, we decide the reduction in priority should continue. Whenever we write to you to tell you about a decision on reducing your priority we'll also tell you about your right to ask for a review (see **9.15** and section **12**).

9.15 Can I ask the Council to look again at a decision to reduce my priority under 9.11?

Yes. If you want us to reconsider the decision we must receive your request for a review within 21 days of being notified of the decision (see **12.6**).

9.16 Are there any situations where I could be given a higher priority than under the usual rules?

This is rare and only happens in exceptional circumstances. For example we may place someone in a higher band or award an earlier waiting time because the Public Services Ombudsman for Wales has recommended this, or because of a legitimate expectation (legally binding promise) (see also **8.3**).

10 HOW DO THE LANDLORDS DECIDE WHO RECEIVES OFFERS OF ACCOMMODATION?

- 10.1 Are there different ways applicants can be selected for an allocation of housing?
- 10.2 How do the landlords decide which method will be used to allocate a property?
- 10.3 How do the landlords decide which applicant is going to be allocated a property?
- 10.4 Can a landlord 'bypass' the applicant at the top of the waiting list?
- 10.5 When will you select a housing applicant and allocate a property?
- 10.6 What happens if the person allocated a property refuses it?
- 10.7 I have previously engaged in anti-social behaviour in the area in which a vacant property is becoming available. Can I be considered for the property?
- 10.8 Will you review my situation if you're considering allocating me a property?
- 10.9 What happens if I've the same priority and waiting time as another applicant?

10.1 Are there different ways applicants can be selected for an allocation of housing?

Yes. For example, certain properties may be reserved for someone who:

- has a particular connection with the locality in which the property is situated (see **section 14**)
- needs an adapted or accessible home because of a physical disability (see **section 13**)
- meets criteria applying to that particular property or housing scheme (see **4.16**), or
- has specifically applied for a particular property.

Some properties don't have any particular letting criteria and can be allocated to anyone on the waiting list (providing they've chosen that letting area and qualify for that type and size of property).

10.2 How do the landlords decide which method will be used to allocate a property?

When a property becomes available we'll decide the method to be used to allocate it. If a property is reserved for a particular type of applicant (see **4.16** and **10.1**) we'll use that method to select who should receive an allocation.

The partner landlords may change the letting methods used to allocate particular housing schemes or properties, but will inform Housing Services so appropriate advice can be given to customers, and so the procedural guidance can be amended.

10.3 How do the landlords decide which applicant is going to be allocated a property?

We decide:

- (a) Which letting method will be used (see **10.1**).
- (b) Which applicants meet the specific letting criteria (if there are any).
- (c) Which applicants qualify for that type and size of property. Partner landlords may specify if the bedrooms are suitable for one or two people.

- (d) Which applicant has the highest priority. For properties with no specific letting criteria this usually means the applicant with the highest band priority that has been waiting the longest (according to their waiting time date, see **8.1** and **9.3**).

10.4 Can a landlord ‘bypass’ the applicant at the top of the waiting list?

Yes. However, a landlord can only do this if it’s allowed by the terms of the allocations scheme. Examples include:

- The property’s bedroom sizes are not suitable for the applicant’s household size (see **10.3(c)**).
- The Housing Options Team decides to suspend an application to enable its priority to be reviewed (see **8.8**).

A full list of the situations where applicants can be ‘bypassed’ and details of the procedure that must be followed is contained in the guidance for staff that accompanies this policy (see **1.5**).

10.5 When will you select a housing applicant and allocate a property?

We can decide to allocate a property either before or after the property becomes available to let. Sometimes we allocate the property before the previous tenant moves out.

10.6 What happens if the person allocated a property refuses it?

If the applicant we select for a property refuses it we will select someone else from the Housing Register to receive an allocation. For properties with no specific letting criteria this usually means the applicant with the next highest priority by band status and waiting time.

10.7 I have previously engaged in anti-social behaviour in the area in which a vacant property is becoming available. Can I be considered for the property?

We may not consider your application when choosing who should receive an allocation. We may do this if you, a member of your household, or a visitor to your home were previously responsible for anti-social behaviour in the area in which the property is situated. We can decide to ‘bypass’ you on the waiting list when short-listing for this reason even if we think you’re suitable to be a tenant (see **6.9**). We may advise you to consider choosing other letting areas if you’re likely to be affected by this rule.

10.8 Will you review my situation if you’re considering allocating me a property?

Yes. We can review how we have assessed your case before you’re allocated a property or offered a tenancy. If you haven’t told us about a change to your situation we may be unable to offer you a tenancy, even if you have received an allocation (see **8.6**).

10.9 What happens if I’ve the same priority and waiting time as another applicant?

If you have the same priority band status and waiting time as another applicant we’ll exercise our discretion when deciding who should receive the allocation. We’ll consider various factors. For example, someone may be favoured because they’ve spent more time waiting for social housing before being awarded their current band status, or

because it may free up a larger unit of accommodation, or because they have a stronger connection with the letting area. This isn't a complete list. We may take other factors into account, depending on the particular situation.

11 WHAT HAPPENS WHEN I'M OFFERED A PROPERTY?

- 11.1 How will I know I've been offered a property?
- 11.2 If the Council verbally offers me a tenancy can I insist the offer is confirmed in writing before I accept or refuse the offer?
- 11.3 Can I be offered a joint tenancy with my partner or someone in my household?
- 11.4 Can I view the property?
- 11.5 Do I have to accept a property I'm offered?
- 11.6 How long will I be given to accept or refuse an offer of tenancy?
- 11.7 How many offers can I receive?
- 11.8 What happens if I refuse two offers of housing?
- 11.9 What if I think the accommodation offered to me was unsuitable?
- 11.10 I think a refusal of housing should not be counted as one of my two offers. What can I do?
- 11.11 Are there any situations where an allocation can be withdrawn?
- 11.12 My application has been removed from the Housing Register because I've refused two offers. Can I reapply and go back on the waiting list?

11.1 How will I know I've been offered a property?

If we allocate you a property one of the partner landlords will usually tell you about this in writing. We may tell you by letter or email.

We may initially tell you about an allocation verbally (eg by phoning you). If you refuse the offer this will count towards your two refusals (see **11.7** and **11.8**) providing you were entitled to the allocation.

11.2 If the Council verbally offers me a tenancy can I insist the offer is confirmed in writing before I accept or refuse the offer?

Yes. You can then choose if you want to accept or refuse the offer of tenancy.

11.3 Can I be offered a joint tenancy with my partner or someone in my household?

If you're the applicant you can ask to be given a joint tenancy with your partner or someone else in your household if they:

- are eligible for housing (see **6.5** and **6.11**)
- are aged 16 or over (if they are 16 or 17 years old you need to be 18 or over)
- are included on your application
- intend to occupy the property as their only and main home.

If you've asked for a joint tenancy the landlord will decide whether or not to grant a joint tenancy. If a landlord refuses to grant a joint tenancy it will give you reasons in writing for the refusal.

11.4 Can I view the property?

Yes. The landlord will give you a time when you can view the property. A housing officer will be present to answer any questions you have about the property. You would usually be expected to accept or refuse the tenancy at the viewing.

11.5 Do I have to accept a property I'm offered?

No. You're free to accept or refuse any property offered to you. However it's important to note that refusing an offer may result in:

- you being taken off the Housing Register (see **11.8**), and
- the Council deciding that any duty owed to you under the homelessness legislation has ended.

11.6 How long will I be given to accept or refuse an offer of tenancy?

We must make sure properties are let quickly. You'll therefore need to decide quickly if you want to accept the offer of tenancy. We'll give you a time you need to tell us by. This is usually when you view the property. If you don't tell us whether you want to accept or refuse an offer of tenancy within the time we've given you we may decide you have refused the offer (i.e. infer from your behaviour that you have rejected the offer).

11.7 How many offers can I receive?

You can receive a maximum of two offers of accommodation if you've been awarded Band 1, 2, or 3 priority.

If you've been awarded the Urgent Band you'll receive one offer before losing the Urgent Band award. If you refuse that offer you'll then be placed in Band 1 and be eligible for one further offer. Your waiting time date (see **8.1**) will be amended to reflect your new band award.

11.8 What happens if I refuse two offers of housing?

If you refuse two offers your application will be placed in Band 3 for non priority applications for a period of 6 months. This is to ensure fairness to other applicants who also need housing. You must notify the Housing Options Team when the 6 months period has come to an end. Should you refuse a further two offers in Band 3 you will be removed from the register for a 6 month period.

In exceptional circumstances the Housing Options Manager or a senior Housing Services manager may decide not place your application in Band 3 and approve further offers. However, this will only be done if there are exceptional circumstances.

11.9 What if I think the accommodation offered to me was unsuitable?

If you refuse a property of the type you qualify for, in an area you chose, the refusal will count as one of your two offers. There would have to be exceptional circumstances for this not to be the case.

11.10 I think a refusal of housing should not count as one of my two offers. What can I do?

There may be situations where you think refusing a property should not be counted against you. For example if the property was not in one of your chosen areas, or if you think you should not have been offered that type of property. If you're unhappy with a decision that you've refused an offer or that your refusal should be counted against you, you can ask us to review that decision.

If it was your first offer you must ask for the review within 21 days of the date by which you were required to accept or refuse the offer.

If it was your second offer you must ask for the review within 21 days of us notifying you of the decision that you've been taken off the Housing Register (see **section 12** for more details about your right to ask us to reconsider decisions).

11.11 Are there any situations where an allocation can be withdrawn?

Yes. There may be situations where we withdraw an allocation (or an offer of tenancy resulting from an allocation). For example an allocation or offer may be withdrawn if:

- An affordability assessment could show that you are assessed as high risk of not being able to afford the property, on this basis the offer could be withdrawn. This will not mean a blanket no offer for other property types.
- Your situation has changed since we last reviewed your housing application, and you're no longer entitled to the same priority on the waiting list, or you're no longer entitled to remain on the housing register.
- You're a social housing tenant and have not brought the condition of your current home or garden up to the required standard.
- You're in arrears of rent, or have a property-related debt (see **9.11**).
- We become aware that you, or a member of your household, have engaged in behaviour that makes you unsuitable to be a tenant (see **6.8** and **6.9**).
- The allocation or offer was made in error.

The above is not exhaustive list.

12 YOUR RIGHT TO ASK FOR DECISIONS TO BE REVIEWED

- 12.1 What decisions can I ask the Council to reconsider?
- 12.2 What does category 12.1(h) mean?
- 12.3 How do I find out if I have a right to review a particular decision?
- 12.4 When will the Council tell me about my right to ask for a review?
- 12.5 What will the Council tell me about my right to review when I receive a decision on my application?
- 12.6 How do I ask for a review?
- 12.7 What if I don't receive the decision letter? Can I still ask for a review?
- 12.8 I've missed the 21-day time limit. Can I still ask for a review?
- 12.9 Do I need to provide reasons for asking for a review?
- 12.10 What procedure does the Council follow if I ask for a review?
- 12.11 Can I ask for a copy of my housing file?
- 12.12 Who will make the review decision?
- 12.13 How will the decision on my review be made?
- 12.14 How will you tell me about the review decision?
- 12.15 When will I get the review decision?
- 12.16 I'm dissatisfied with the review decision. Can I appeal?
- 12.17 Can I complain about the review decision?

12.1 What decisions can I ask the Council to reconsider?

You can ask the Council to review the following decisions:

- (a) a decision about what priority band status you're entitled to (see **9.6** to **9.10** for the banding groups)
- (b) a decision about what your waiting time date is (see **8.1**)
- (c) a decision that you're not entitled to go on the Housing Register (see **Section 6** for the rules on who is allowed onto the Housing Register)
- (d) a decision that your application will be taken off the Housing Register (see **8.10**)
- (e) a decision that your priority has been reduced (see **9.11** and **9.12**)
- (f) a decision that you refused an offer of housing (see **11.10**)
- (g) a decision that a refusal of housing should count as one of your two offers (see **11.10**)
- (h) a decision about the facts of your case that are likely to be, or have been, taken into account when considering whether to allocate accommodation (see **12.2**).

See **5.2** for details of what our initial decision letter will contain.

12.2 What does category 12.1(h) mean?

Category **12.1(h)** covers various possible negative decisions that you may not be told about. These decisions usually form part of another decision that you *will* have been notified of. For example, you may want us to review a decision that someone doesn't form part of your household, a decision about your financial resources, or a decision about the nature and effect of a medical condition you have. We may not tell you about these kinds of decisions because they're part of another decision, eg what band priority you are entitled to, or whether or not you're entitled to go on the Housing Register. If you want us to look again at a decision of the type described at **12.1(h)** it's usually a good idea to ask us first to confirm the information we took into account. This will help you to effectively exercise your right to a review.

12.3 How do I find out if I have a right to review a particular decision?

Please refer to **12.1** above. If you're still unsure if you can ask us to reconsider a decision contact the Housing Customer Services Team and we'll help you. You can contact Customer Services by telephoning (01248) 752200 or by emailing housing@anglesey.gov.uk

12.4 When will the Council tell me about my right to ask for a review?

We'll tell you about your right to ask for a review whenever we notify you of a decision that carries the right to review.

12.5 What will the Council tell me about my right to review when I receive a decision on my application?

We'll tell you:

- About your right to ask for a review of the decision.
- The decisions you can ask us to reconsider (see **12.1**).
- That if you want to ask for a review we must receive your request within 21 days of you being notified of the decision (unless the decision concerns the refusal of offers, see **11.10**)
- About where you can get independent advice.

The decision letter will explain that a copy of the decision notification is available to collect from the Council's office for a reasonable period. The letter also explains that if you do not receive the decision letter (or email) you'll be treated as having been notified when the letter was sent to the postal or email address you gave us.

12.6 How do I ask for a review?

If you want us to review a decision you must ask us within 21 days of being notified of the decision (subject to **11.10** where the review concerns the refusal of offers). If you don't receive the decision letter you must ask us within 21 days of when the decision letter was produced and sent to the address or email address you gave us. You don't need to complete a special form to ask for a review (although you can choose to use the form we provide for requesting a review). You can telephone or email us and ask for review.

You'll need to make sure you clearly ask for a review and tell us which decision(s) you want us to look at again.

Or you can complete the review form which is available online at:

www.anglseey.gov.uk/housingallocationreview

12.7 What if I don't receive the decision letter? Can I still ask for a review?

Yes, you can still ask for a review if you don't receive a copy of the decision. However, there are special rules. You must ask us to reconsider the decision within 21 days of when you're legally treated as having received the decision (this is called 'the date of deemed service').

The date of deemed service depends on how we sent the decision to you, and is:

- the second business day after the letter was posted, if sent by first class post, or
- the day you were sent or given the decision if it was hand delivered, personally served or emailed to you on a business day before 4.30 pm, or if after 4.30 pm, on the next business day.

If you don't ask us to reconsider the decision within 21 days of the date of deemed service you will lose your right to a review. However you can still ask if we're willing to extend the time limit (see **12.8**).

12.8 I've missed the 21-day time limit. Can I still ask for a review?

A review request received after the 21-day period has expired will be referred to the Housing Options Team Manager or another senior Council officer. They'll consider why your request was late and decide if we should extend the time limit and carry out a review.

12.9 Do I need to provide reasons for asking for a review?

Yes. We prefer it if you provide your reasons when you submit your review request. This helps us to make a quicker decision. However we'll write to you and give you a date by when you must provide your reasons and provide any supporting information you want us to consider (see **12.10** for details of the review procedure).

12.10 What procedure does the Council follow if I ask for a review?

Once we've received your review request we will, within 21 days, notify you in writing:

- that you, or someone acting on your behalf, can make representations in writing to the Housing Options Team in connection with the review
- of the procedure we'll follow in connection with the review, including the dates by which:
 - we must receive any supporting information (this cannot be earlier than 14 days from our letter confirming the procedure)
 - the date by which you'll be notified of the decision
- who will be carrying out the review
- the reviewing officer's contact details

- that the review decision will be notified in writing
- of the reasons for any adverse decision
- that you may ask for further information about any decision made about the facts of your case (see **12.1(h)**).

The reviewing officer may offer you an opportunity to make verbal representations in connection with the review. They may also ask other officers within the Housing Options Team to carry out tasks in connection with the review, eg making enquiries.

If, before the deadline for receipt of representations, you ask for further information about any decision relevant to the decision under review (for example matters covered by **12.1(h)**) the reviewing officer will ensure a response is given. He or she will extend the period for receiving representations if necessary to ensure fairness.

The Council will notify you of the decision made on your review within eight weeks of the date on which you asked for the review (unless an extension to this deadline is needed; see **12.15**).

12.11 Can I ask for a copy of my housing file?

Yes. We may charge you £10 to provide this. Please also see **16.6** about your legal rights to obtain information.

12.12 Who will make the review decision?

A Housing Services officer who was not involved in the original decision and who is senior to the officer who made the original decision will make the decision on your review.

12.13 How will the decision on my review be made?

The reviewing officer will consider the information you've given, and reconsider all of the relevant facts at the time the review is decided, in light of this policy and any legal requirements. We will consider information received since the original decision was made if it is relevant.

12.14 How will you tell me about the review decision?

We'll confirm the review decision in writing by post or email.

12.15 When will I get the review decision?

We'll usually notify you of the decision within eight weeks of when we received your review request. We may take longer if:

- we need more time to make the decision
- the extension of time is reasonable, having regard to the facts of your particular case, and
- we have notified you in writing of our reasons for needing an extension.

12.16 I'm dissatisfied with the review decision. Can I appeal?

No. You don't have any statutory right to appeal a negative review decision. You may be able to go to court using a process called judicial review. However to apply to court

you'd need reasons for claiming that the Council has acted unlawfully. You should seek independent legal advice.

12.17 Can I complain about the review decision?

Yes. You can complain under the Council's Concerns and Complaints Policy if you're dissatisfied with a review decision or the manner in which it was made. You can also complain if you're dissatisfied with any other aspect of how your housing application has been dealt with. A copy of the Council's Concerns and Complaints Policy is available on the Council's website.

If your complaint is about something a partner Registered Social Landlord (housing association) has done (that doesn't concern something the Council has done or is responsible for) you may complain using that landlord's complaints policy (details of complaints policies are given on each partner landlord's website).

If you want to complain to the Public Services Ombudsman for Wales you must usually first exhaust the formal complaints procedure.

13 WHAT IF I NEED AN ADAPTED OR ACCESSIBLE PROPERTY OR HAVE A MEDICAL NEED FOR HOUSING?

- 13.1 I have a medical condition. Does this mean I'll get extra priority for housing?
- 13.2 Who gets priority for medical reasons?
- 13.3 How do I apply for medical priority?
- 13.4 Do I need to supply evidence?
- 13.5 Who decides if I get extra priority on medical grounds?
- 13.6 I have a serious medical condition and provided supporting letters. Why haven't I received extra priority because of my ill-health?
- 13.7 What if I need an extra bedroom on medical grounds?
- 13.8 What if I need a physically adapted property?
- 13.9 What happens next?
- 13.10 I'm unhappy with how the Council have assessed my needs. What can I do?
- 13.11 Do you reserve certain properties for people who need an accessible or adapted home?
- 13.12 How do you decide which applicant is allocated a particular adapted property?
- 13.13 Will the partner landlords ensure information about obtaining accessible housing is widely available?

13.1 I have a medical condition. Does this mean I'll get extra priority for housing?

Having a medical condition does not necessarily mean you'll be given priority for housing (or awarded a higher band).

13.2 Who gets priority for medical reasons?

To receive priority because of a medical condition your situation must be covered by one of the priority groups contained in the banding scheme (see **section 9**). The table below lists the groups where a medical condition can give you a priority for housing:

Band	Category	Section	Found on page...
Urgent	1	9.6	41
Urgent	3	9.6	41
1	14	9.7	46
2	22	9.9	52

13.3 How do I apply for medical priority?

We'll ask you at your housing options interview if you have any medical conditions. We'll discuss with you how your medical condition is affected by your housing situation. If you may qualify for priority because of your medical condition under the banding categories we'll take details of your medical condition and how it affects your need for housing.

13.4 Do I need to supply evidence?

Yes. We'll need to see evidence of your medical condition and why this means you need housing. You can provide a letter from your GP (or another medical professional).

However the letter should:

- confirm the nature of your medical conditions
- give details of what treatment and medications (if any) you receive, and
- say how your current accommodation is having an adverse effect on your medical condition (or how having suitable accommodation would alleviate the condition).

The letter is only likely to help your case if it includes the above information.

13.5 Who decides if I get extra priority on medical grounds?

We'll decide if you're entitled to priority under the banding system because of your medical condition. This will be based on the information you provide. If someone has provided information supporting your application (eg a doctor) this will also be considered. If we can't make a decision without more information we may make enquiries and/or contact your doctor. We may also get advice on what you need from someone who is medically qualified before we make our decision.

13.6 I have a serious medical condition and have provided supporting letters. Why haven't I received extra priority because of my ill-health?

Medical priority is only awarded if your situation is covered by the one of the banding categories (see **section 9** and **13.2**). This normally means that your housing (or lack of suitable housing) must be having a significant detrimental effect on your medical condition. No matter how serious your medical problems, we can't give you priority unless we're satisfied your housing situation is making your condition worse. For the same reason you won't necessarily get priority just because you've provided supporting letters. If we don't award you priority (or higher priority) because of your ill-health it doesn't mean that we haven't accepted you have a medical condition.

13.7 What if I need an extra bedroom on medical grounds?

We'll only decide you need an extra bedroom if there are exceptional circumstances. Please see **4.12** for the rules on how many bedrooms you're entitled to.

We would usually expect evidence that an extra bedroom is essential for the health and well-being of a household member, or that you need care overnight on a regular and ongoing basis. If your child has challenging behaviour we'll consider your situation and what you need. However, you will only qualify as needing an extra bedroom if we're satisfied you meet the criteria at **4.12**.

13.8 What if I need a physically adapted property?

We'll discuss any need you have for adaptations at your housing options interview. If you may need adaptations we will assess what you need.

13.9 What happens next?

We may arrange for an occupational therapist to visit you at home to carry out a detailed assessment of your needs. We'll make a decision once we're satisfied we have all the information we need. We'll then write and tell you the outcome of the assessment and what band you've been awarded.

13.10 I'm unhappy with how the Council have assessed my needs. What can I do?

You can ask us to review the decision if you disagree with how we have assessed your needs (see **section 12** for more details about your right to ask us to reconsider decisions).

13.11 Do you reserve certain properties for people who need an accessible or adapted home?

Yes. Properties may be excluded from the general pool and earmarked for allocation to applicants who need adaptations because of a physical disability. We allocate adapted properties to households that will make best use of the facilities in place. This helps to ensure we make best use of the properties we have and avoids unnecessary expenditure. We may also exclude properties from the general housing pool if they aren't currently adapted but are suitable for adaptations.

13.12 How do you decide which applicant is allocated a particular adapted property?

We keep a record of:

- the adaptations you need, and
- what adaptations each property becoming available has.

We may also keep a record of additional adaptations that may be made to particular properties.

When a property in the 'adapted properties pool' becomes available we match applicants with the property and decide which applicant should receive the allocation. Before confirming the allocation we may seek further information from relevant professionals and we may ask an occupational therapist to visit the property to advise us on its suitability.

13.13 Will the partner landlords ensure information about obtaining accessible housing is widely available?

Yes. By doing this we will increase housing choices for disabled people and comply with our legal duties under the Equality Act 2010.

14 LOCAL AND SENSITIVE LETTINGS POLICIES

- 14.1 Introduction
- 14.2 How do the partner landlords identify a local letting policy is needed?
- 14.3 How are local letting policies approved?
- 14.4 What are sensitive letting policies and when are they used?
- 14.5 Section 106 agreements

14.1 Introduction

This policy recognises that partner landlords may wish to adopt policies designed to tackle local housing issues through the use of local lettings policies and sensitive lettings. Local lettings policies are used to achieve a wide variety of housing management and other housing policy objectives. They are usually developed when we decide we need to manage the balance of the community.

All local lettings policies must be based on a sound evidence base and are developed following a robust assessment of this evidence. When proposing a new local lettings policy the partner landlord must provide details of:

- (a) The particular issue affecting the community which requires a local lettings policy.
- (b) The area and list of dwellings to be incorporated.
- (c) The proposed duration of the policy.
- (d) The objectives the landlord hopes to achieve.
- (e) The policy provisions.
- (f) The impact the policy is likely to have on those groups of applicants who re-housing opportunities are reduced, including persons with protected characteristics under the equality legislation.

14.2 How do the partner landlords identify a local letting policy is needed?

All local policies will be based on an identified and evidenced need. Examples of local housing issues that may require a local policy include:

- (a) concentrations of deprivation
- (b) under-occupation
- (c) overcrowding
- (d) a need to facilitate tenant employment through job-related moves
- (e) the needs and sustainability of rural communities, for example where affordability of accommodation is an issue
- (f) allowing transfers for existing social housing tenants even where they do not fall into a reasonable preference category
- (g) ensuring compliance with planning obligations under section 106 of the Town and Country Planning Act 1990

- (h) properties being located within a regeneration area
- (i) large new developments

14.3 How are local letting policies approved?

The formulation of local policies will follow a protocol agreed by the Housing Allocations Sub-Group of the Anglesey Housing Partnership (see **17.1**). A proposal for a local lettings policy must:

- (a) contain detailed criteria governing the procedures by which lettings will be made
- (b) be approved by the Housing Allocations Sub-Group, and
- (c) make provision for the policy to be reviewed after a certain period of time.

When considering whether to approve the local policy the Sub-Group must invite views of the operational managers with responsibility for overseeing administration of the housing allocation function and allocations, and must have particular regard to the ease of administering the proposed criteria. The Sub-Group must have particular regard to the ease of administering the proposed criteria.

14.4 What are sensitive lettings and when are they used?

There may be occasions when partner landlords wish to make lettings outside the usual allocation rules to protect the interests of existing residents. For example, a sensitive lettings approach may be considered appropriate when re-letting a property if a community has been subject to serious and prolonged anti-social behaviour.

Partner landlords will inform the Housing Options Manager of any sensitive lettings made, together with:

- the reasons why the sensitive letting is needed, and
- the position on the waiting list of the applicant who the letting is made to (if applicable).

14.5 Section 106 agreements

Section 106 agreements determine the allocation of housing on new developments. These agreements are adopted to provide ways of restricting the occupancy of dwellings to those who have a local community need for an affordable home, both on first occupation and in perpetuity. Properties developed on sites incorporating a section 106 agreement will be let under the terms of that agreement.

15 IMMEDIATELY AVAILABLE TO LET PROPERTIES

- 15.1 Introduction
- 15.2 How can I find out about immediately available to let properties?
- 15.3 How do I apply to be considered for an immediately available to let property?
- 15.4 How do the partner landlords decide who is offered an immediately available property?
- 15.5 What information will I have to provide?

15.1 Introduction

There may be a small number of properties that are immediately available to let at any given time. This will usually happen when there's no-one on the Housing Register eligible to be offered a particular property, or where the Register has been exhausted.

The number and type of available properties may vary greatly and will be allocated on a case-by-case basis, having regard to the property type and any other allocation criteria which may apply to that particular dwelling i.e. local letting policy, property designation criteria etc.

15.2 How can I find out about immediately available to let properties?

We advertise details of any immediately available to let properties on the Council's social media platforms or you can contact Housing's Customer Services Team on 01248 752200.

15.3 How do I apply to be considered for an immediately available to let property?

If you want to be considered for a property you've seen advertised you should contact Housing Services' Customer Services Team (see page 2) or follow the guidance contained in the property advert.

15.4 How do the partner landlords decide who is offered an immediately available property?

Any allocation will be based on an applicant's circumstances including such matters as:

- your need for housing
- your local connection (either to the district or to the locality the property is situated in)
- your financial situation
- your previous tenancy record, and/or
- any other matters relevant to the aim of letting the property to a person in housing need.

15.5 What information will I have to provide?

You'll need to provide documents to verify your identity. The landlord may also ask you to provide other information and documents so they can be satisfied of your circumstances.

16 WHAT DOES THE LAW SAY ABOUT HOW HOUSING MUST BE ALLOCATED?

- 16.1 What legal requirements are there in relation to allocation policies?
- 16.2 Displaced agricultural workers
- 16.3 Equality and diversity
- 16.4 Confidentiality and the protection of your personal data
- 16.5 What role do elected members (councillors) have in the allocation process?
- 16.6 What information do I have a legal right to ask for?

16.1 What legal requirements are there in relation to allocation policies?

The various legal requirements concerning the allocation of social housing by councils are principally contained in Part 6 of the Housing Act 1996.

Councils are required to have an allocations scheme for determining the priorities and procedure to be followed in allocating social housing. The Council can adopt its own policy, provided the scheme complies with certain statutory requirements and basic legal principles of fairness and rationality. The Council must act in accordance with this policy and the accompanying procedures.

The housing association partners are Industrial and Provident Societies with charitable aims. The charitable aims of each association require them to accommodate people who need assistance with housing and accommodation because of financial hardship (because their financial means are so limited they are unable to obtain suitable accommodation on the open market) or because of needs relating to their age or infirmity.

The allocation scheme must state which officers make each type of decision (not by name but by description). This information is included in the procedures and guidance that accompanies this policy and which helps housing officers administer this policy (see **1.5**).

The allocation scheme must ensure that reasonable preference (a 'head start') is given to the following groups:

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

The registering of an application and a priority award is no guarantee that an allocation will be made. There is no legal right to be allocated long term social housing.

This policy ensures reasonable preference is given to the above groups by adopting priority categories based on the statutory preference groups and by excluding people who do not have a housing need. The legislation allows for, and this policy provides, additional preference (or extra weight) for persons with urgent housing needs and people with a local connection. This policy also takes advantage of the legal power to take into account, when defining priority for re-housing, applicants' financial resources and behaviour by an applicant or a household member that affects their suitability to be a tenant. In addition, we have exercised the power to make provision for excluding applicants or demoting an applicant's priority because of serious unacceptable behaviour. More detail about how applicants are prioritised is given in **section 9**.

The Council must have regard to statutory guidance issued by the Welsh Ministers under section 169 of the Housing Act 1996, both when formulating the allocation scheme, and when making decisions on individual housing applications. The Council will have regard to guidance contained in Part 1 of the *Code of Guidance for Local Authorities on the Allocation of Accommodation and Homelessness* (Welsh Government, 24 March 2016), and any amendments or subsequent statutory guidance.

The Council must, and has, given its partner registered social landlords an opportunity to comment on this allocation scheme. The Council has also taken reasonable steps to bring the policy to the attention of those likely to be affected by it, including people who were registered under the previous policy and tenants of the partner landlords. Partner organisations were consulted, including advice agencies. The Council has also taken into account its local housing strategy, and its homelessness review and strategy when formulating this policy.

16.2 Displaced agricultural workers

The Rent (Agriculture) Act 1976 requires the Council to use its best endeavours to provide accommodation for qualifying displaced agricultural workers. Section 27 of the 1976 Act requires the Council to be satisfied that:

- (a) the dwelling-house from which the worker is displaced is needed to accommodate another agricultural worker;
- (b) the farmer cannot provide suitable alternative accommodation for the displaced worker; and
- (c) the Council should provide suitable accommodation in the interests of efficient agriculture.

In reaching a decision, the Council may have regard to the advice of the Agricultural Dwelling-House Advisory Committee (ADHAC). The ADHAC's role is to advise on whether the interests of efficient agriculture are served by the re-housing of the worker, and on the applicant's urgency. If the Council is satisfied that the applicant's case is substantiated, they have a duty under section 28 of the 1976 Act to use their best endeavours to provide suitable alternative accommodation for the displaced worker. In assessing the application's priority the Council is required to consider:

- (d) the case's urgency;

- (e) the competing claims on the accommodation; and
- (f) their resources.

This policy aims to ensure the requirements of the 1976 Act are met by affording priority to qualifying agricultural workers (see Band 3, housing need **category 29**).

If it is considered that awarding Band 3 priority would not afford sufficient priority, approval must be sought to award a higher band (see housing need categories **8, 16** and **21**).

16.3 Equality and diversity

We are committed to providing equality of opportunity to everyone who wants to apply for housing. The partners are satisfied this policy does not discriminate against any person on the grounds of race, gender, sexuality, age, disability, class, appearance, religion or religious beliefs, responsibility for dependents, unrelated criminal activity, HIV or AIDS status, or any other matter that might cause a person to suffer injustice. This policy has been subject to an equality impact assessment. The partner landlords are satisfied this policy complies with their respective equality policies.

We will comply with the statutory requirements relating to equality and the relevant codes of practice. The operation of this policy will be monitored to ensure fair and equitable treatment of customers and legal compliance, including the obligation not to discriminate directly or indirectly on grounds related to the protected characteristics listed at section 4 of the Equality Act 2010.

Where we are aware applicants will experience difficulty understanding communications and that this is likely to impact upon their ability to apply for housing or meet procedural requirements we will record this fact and make appropriate arrangements to ensure future communications can be understood. This may, for example, include arranging for a third party to receive written correspondence on an applicant's behalf, or phoning an applicant to explain the nature and content of letters sent to them.

The Council's Welsh Language Standards and Welsh Language Policy apply to the maintenance of the Housing Register and those functions administered by the Council. The partner housing associations will comply with the relevant Welsh language policies and/or standards applying to them. We will communicate with customers in their preferred language. All materials and advice are available in Welsh and English.

16.4 Confidentiality and the protection of your personal data

If you apply for social housing you have a right to confidentiality. The fact you have applied for housing cannot be divulged to any other member of the public without your consent.

You will be asked to give permission to allow the Council to ask other people or organisations for information if we need to do this to administer your application. You will be told about your statutory rights and how your personal data will be used.

The partner landlords will share relevant information about housing applicants for the purpose of administering applications, making allocations and managing tenancies. It is

therefore a condition of applying for housing that you must be willing to consent to the sharing of your personal data with the partner landlords.

Each partner will ensure they have appropriate policies and arrangements in place to ensure customers' personal data is held securely and lawfully processed.

The partner landlords will agree a protocol governing the sharing of information about housing applicants, which complies with the Wales Accord on the Sharing of Personal Information (WASPI) standard.

16.5 What role do elected members (councillors) have in the allocation process?

The Council's elected members can advise and represent you if you have applied for housing. They have an important role in ensuring this policy is followed and operates in a fair and consistent way. You can contact your local councillor if you want them to make representations or make enquiries on your behalf.

Councillors aren't legally allowed to be involved in an allocation decision if the accommodation or your sole or main residence is located in their ward. It is important that landlords are not placed under (or give an appearance of) undue influence.

Councillors making enquiries on your behalf about the status of your housing application or a related matter must provide your written consent. We may ask for written clarification from you if it's unclear if the consent remains effective. For example, we may ask for evidence to demonstrate the consent is contemporaneous or covers the matter about which information is being sought.

An elected member may ask about the status of a property. We will tell them if it is currently held under a tenancy or 'void' (not subject to a tenancy), and if void if it has been allocated to another applicant. However, to comply with the Data Protection Act 1998 personal information (whether relating to an existing tenant, a prospective tenant or a new tenant) cannot be disclosed.

16.6 What information do I have a legal right to ask for?

The partner landlords provide general advice and information to members of the public about the right to apply for social housing. If you want to apply for housing you will be advised to contact the Council's Housing Customer Services Team (see **2.2**).

This policy and a summary of the allocation scheme is available on the Council's website. You are entitled to be given a free copy of the summary.

You can also ask for a copy of the housing allocation scheme. This is a full copy of all the rules, covering all aspects of the allocation process, including the procedures and guidance we provide for staff. A fee of £10 is payable. A copy of the housing allocation scheme is also available for you to inspect at the Council's Housing Services department at the Council Offices in Llangefni.

If you apply for social housing you have a legal right to ask for certain information. You are entitled to ask for and be given:

- (a) such general information as will help you assess:

- (i) how your application is likely to be treated under this policy, including if you're likely to be treated as a member of a group given priority
 - (ii) if appropriate accommodation is likely to be made available to you, and if so how long it is likely to be before accommodation becomes available for allocation to you
- (b) information about any decision about the facts of your case which has been, or is likely to be, taken into account when considering whether to allocate accommodation
- (c) details of the information you have previously provided about yourself or your family that we have recorded as being relevant to your application.

We will tell you the information at (a)(i) during your housing options interview. This will help you evaluate your chances of being offered social housing. We will provide you the information at (a)(ii), (b) and (c) if you ask for it.

The information at (a)(ii) will be given by telling you about the number of vacancies in a previous period (or periods) for the relevant size and type of property in the letting areas for which you are registered (or for the letting area where you're likely to have to wait the shortest time for accommodation), and by confirming the number of other applicants with greater priority than you (see **4.4** and **4.5**).

If you ask for it we'll provide information about specific aspects of the housing allocation process if we're legally obliged to.

The above rights are in addition to your right to access your personal information under section 7 of the Data Protection Act 1988. Further information about the partner landlords' data protection policies and how to access your personal information are available on each partner's website.

17 HOW DO SOCIAL LANDLORDS MONITOR THE ALLOCATION OF HOUSING?

17.1 How is this policy monitored?

17.2 Are lettings made outside of the usual allocation rules monitored?

17.3 Do the partner landlords set targets for who receives social housing?

17.1 How is this policy monitored?

Clwyd Alyn Housing Association, Grŵp Cynefin, Isle of Anglesey County Council, North Wales Housing and Tŷ Glas Housing Society participate in the Anglesey Housing Partnership. A sub-group of the Partnership meets regularly to monitor allocations and the effectiveness of this policy in meeting the Council's strategic objectives. The Housing Allocation Sub-Group consists of at least one senior manager from each of the partner landlords. The Council and partner Registered Social Landlords also report to their respective committees / boards as appropriate.

The Sub-Group will:

- Agree their terms of reference.
- Meet at least twice a year, or more often if required.
- Ask the Housing Options Manager and partner landlords to provide regular statistical information concerning the administration of housing applications and the letting of properties.
- Agree a schedule of the statistical indicators the Housing Options Team and partner landlords must provide, having regard to the ease of producing the indicators.
- Consider the effectiveness of arrangements for administering applications for housing.
- Monitor compliance with the terms of the allocation scheme by participating landlords.
- Consider the need for amending policy and procedures in light of changes to:
 - the law
 - statutory guidance
 - strategic objectives
 - the outcomes of review and appeals, or
 - any other relevant matters.
- Consider proposals to introduce local lettings policies and review their impact.
- Monitor the use of sensitive lettings by partner landlords.
- Monitor the use of management moves by partner landlords.
- Monitor the number of applicants not offered tenancies by the Registered Social Landlord partners because an offer would conflict with their charitable objectives.

17.2 Are lettings made outside of the usual allocation rules monitored?

Yes. The Housing Allocation Sub-Group (see **17.1**) monitors the number of management moves and sensitive lettings. Each partner landlord must notify the Housing Options Manager when they propose to make a sensitive letting, and confirm:

- the reason why they consider the letting is justified, and
- the position on the Housing Register (if any) of the applicant who is being considered.

The Housing Options Manager or a senior Housing Services manager will report to the Housing Allocation Sub-Group and confirm:

- the number of sensitive lettings made by each partner landlord
- the reasons for the use of sensitive lettings, and
- the mean average number of applicants overlooked when sensitive lettings have been made.

17.3 Do the partner landlords set targets for who receives social housing?

The Housing Allocation Sub-Group (see **17.1**) may (but does not have to) adopt targets to ensure a proportion of allocations (or a proportion of particular types of property) go to particular groups of applicants.

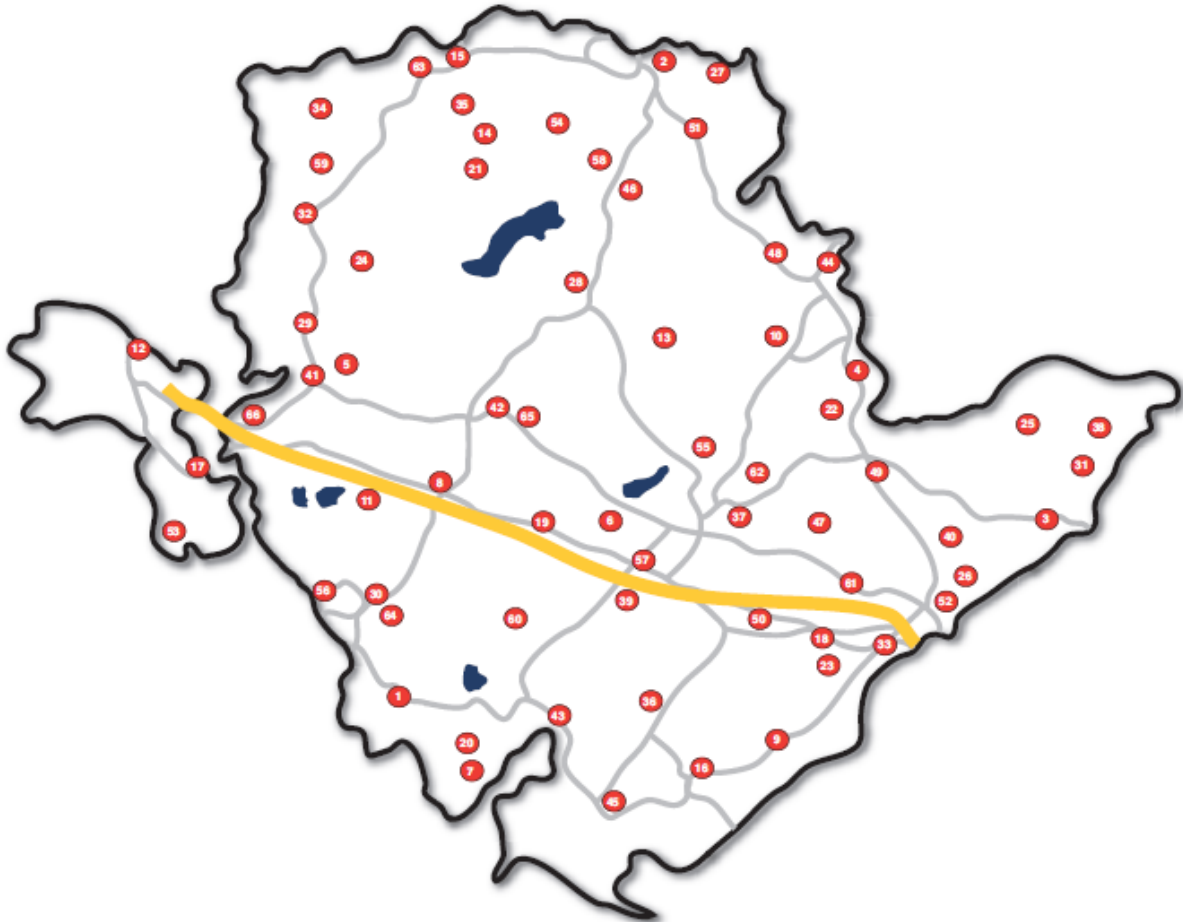
APPENDIX 1 – WAYS OF OBTAINING SOCIAL HOUSING THAT DO NOT COUNT AS AN ALLOCATION

This policy does not cover the following ways you may obtain accommodation:

- (a) A transfer initiated by the landlord, for example to enable property works or for management reasons.
- (b) Being provided temporary accommodation under the homelessness legislation.
- (c) Being granted a tenancy that is not an introductory, secure, assured shorthold or assured tenancy.
- (d) Automatically becoming a secure tenant when an introductory tenancy ends, or becoming an assured tenant when an assured shorthold tenancy ends.
- (e) Succeeding to an existing tenancy when the previous tenant dies.
- (f) Becoming a tenant by assignment, e.g. when exercising a legal right to exchange your tenancy with another social housing tenant ('mutual exchange').
- (g) Becoming a tenant because a court has ordered an existing tenancy to be transferred to you.
- (h) Re-housing because of compulsory purchase.
- (i) Being provided accommodation by the Council under the Land Compensation Act 1973, s.39.
- (j) Being provided accommodation that is let at an intermediate market rent.
- (k) Being offered 'extra-care' housing.

APPENDIX 2 – LETTING AREAS

The map below and the key on the opposite page show the letting areas you can choose. Not all property types are available in every area.



Key to letting areas

No.	Letting area	No.	Letting area
1	Aberffraw	34	Llanfairynghonwy
2	Amlwch	35	Llanfechell
3	Beaumaris	36	Llangaffo
4	Benllech	37	Llangefni
5	Bodedern	38	Llangoed
6	Bodffordd	39	Llangristiolus
7	Bodorgan	40	Llansadwrn
8	Bryngwran	41	Llanynghenedl
9	Brynsiencyn	42	Llynfaes
10	Brynteg	43	Malltreath
11	Caergeiliog	44	Moelfre
12	Caergybi / Holyhead	45	Niwbwch / Newborough
13	Capel Coch	46	Parc
14	Carreglefn	47	Penmynydd
15	Cemaes	48	Penrhoslligwy
16	Dwyran	49	Pentraeth
17	Four Mile Bridge	50	Pentre Berw
18	Gaerwen	51	Penysarn
19	Gwalchmai	52	Porthaethwy / Menai Bridge
20	Hermon	53	Rhoscolyn
21	Llanbabo	54	Rhosgoch
22	Llanbedrgoch	55	Rhosmeirch
23	Llanddaniel	56	Rhosneigr
24	Llanddeusant	57	Rhostrehwfa
25	Llanddona	58	Rhosybol
26	Llandegfan	59	Rhydwyn
27	Llaneilian	60	Soar
28	Llanerchymedd	61	Star
29	Llanfachraeth	62	Talwrn
30	Llanfaelog	63	Tregele
31	Llanfaes	64	Ty Croes
32	Llanfaethlu	65	Tyn Lôn
33	Llanfairpwll	66	Y Fali / Valley

APPENDIX 3 – INELIGIBILITY BECAUSE OF IMMIGRATION AND NATIONALITY STATUS

1. What rules do the Council have to apply when deciding if I'm eligible to go on the Housing Register on immigration or nationality grounds?

The Government sets the rules we have to apply. They are contained in section 160A of the Housing Act 1996 and in regulations issued by the Welsh Ministers. These regulations are currently The Allocation of Housing and Homelessness (Eligibility) (Wales) Regulations 2014 if you applied for housing on or after 31 October 2014. The rules explained below from 5 to 6 are the rules if you applied on or after this date.

2. Will I need to provide documents to prove my nationality and immigration status?

Yes, if we need it to be satisfied you're eligible for a housing allocation (see 3.9).

3. I'm already a social housing tenant and have a secure / introductory / assured tenancy. I received my accommodation because of a previous allocation from a council waiting list. Am I eligible to go on the waiting list and be allocated social housing?

Yes. If this is your situation you are eligible even if you wouldn't normally qualify under the rules explained below.

4. What does 'subject to immigration control' mean?

You're subject to immigration control if you:

- need permission to enter or remain in the United Kingdom but don't yet have permission, or
- have permission to enter or remain in the UK only if you don't claim benefits or use other public funds, or
- were given permission to enter or remain in the UK within the last five years on the grounds that someone else signed a maintenance undertaking agreeing to support you.

5. I'm subject to immigration control. Am I eligible for an allocation of housing?

The general rule is you will be ineligible for housing if you are subject to immigration control. However, there are exceptions. If you are subject to immigration control and fall into on the following groups you will be eligible for an allocation of housing:

- (a) You are recorded by the Secretary of State as a refugee within the definition of Article 1 of the Refugee Convention and have leave to enter or remain in the United Kingdom.
- (b) You:
 - (i) have exceptional leave to enter or remain in the UK granted outside the provisions of the Immigration Rules, and

- (ii) your leave to enter or remain is not subject to a condition requiring you to maintain and accommodate yourself, and any person who is dependent on you, without recourse to public funds.
- (c) You are habitually resident in the UK, the Channel Islands, the Isle of Man, or the Republic of Ireland and your leave to enter or remain in the UK is not subject to any limitation or condition, unless you:
 - (i) were given leave to enter or remain in the UK upon an undertaking given by your sponsor, and
 - (ii) you have been resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland for less than five years beginning on the date of entry or on the date on which the undertaking was given in respect of you, whichever date is the latter, and
 - (iii) your sponsor or where there is more than one sponsor, at least one of your sponsors is still alive.
- (d) You have humanitarian protection granted under the Immigration Rules.
- (e) You are habitually resident in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland and you have limited leave to enter the UK as a relevant Afghan citizen under paragraph 276BA1 of the Immigration Rules.

6. I'm not subject to immigration control. Am I eligible for an allocation of housing?

The general rule is you are eligible for housing if you are not subject to immigration control. However, there are exceptions. If you are not subject to immigration control and fall into on the following groups you will be ineligible for an allocation of housing:

- (a) You are not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man, or the Republic of Ireland and you do not fall into any of the following categories:
 - (i) a worker
 - (ii) self-employed
 - (iii) treated as a worker under the definition of a “qualified person” in Regulation 6(1) of the Immigration (European Economic Area) Regulations 2013 (right of residence of an accession State national subject to worker authorisation)
 - (iv) the family member of a person who is a worker, self-employed or treated as a worker under the “qualified person” definition
 - (v) someone with a right to reside permanently in the UK under Regulation 15(1)(c), (d) or (e) of the Immigration (European Economic Area) Regulations 2013, or
 - (vi) in the UK as a result of your deportation, expulsion or other removal by compulsion of law from another country to the UK.
- (b) Your only right to reside in the UK:

- (i) is derived from your status as a jobseeker or a family member of a jobseeker, or
 - (ii) is an initial right to reside for a period not exceeding three months under regulation 13 of the Immigration (European Economic Area) Regulations 2013, or
 - (iii) is a derivative right to reside to which you are entitled under regulation 15A(1) of the EEA Regulations, but only in a case where the right exists under that regulation because you satisfy the criteria in regulation 15A(4A) of those regulations, or
 - (iv) is derived from Article 20 of the Treaty on the Functioning of the European Union, if your right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of the substance of their rights as a European Union citizen.
- (c) Your only right to reside in the Channel Islands, the Isle of Man or the Republic of Ireland:
- (i) is a right equivalent to one of those mentioned above in (b)(i), (ii) or (iii) which is derived from the Treaty on the Functioning of the European Union, where your right to reside:
 - (aa) in the Republic of Ireland arises because an Irish Citizen, or
 - (bb) in the Channel Islands or the Isle of Man arises because a British citizen also entitled to reside there,would otherwise be deprived of the genuine enjoyment of the substance of their rights as a European Union citizen.

APPENDIX 4 – INELIGIBILITY BECAUSE OF SERIOUS UNACCEPTABLE BEHAVIOUR

1. What effect does a decision about unacceptable behaviour have on my application?

If we decide that your behaviour, or the behaviour of a member of your household, makes you unsuitable to be a tenant we may:

- exclude you from the Housing Register (see **6.8** and **6.9**), or
- reduce your priority (see **9.11** and **9.12**).

2. What counts as unacceptable behaviour that may disqualify me from being considered for housing?

Examples of behaviour that may affect your suitability to be a tenant include:

- rent arrears
- anti-social behaviour
- a previous property-related debt resulting from damage to premises, or
- a housing benefit overpayment.

The above are only examples, and other situations can result in us deciding you're unsuitable to be a tenant.

3. How does the Council decide if behaviour is unacceptable and makes me unsuitable to be a social housing tenant?

By law we must consider:

- (a) whether – if you were a Council tenant – the behaviour was serious enough to entitle the Council to an outright possession order under section 84A of the Housing Act 1985 or under section 84 of the 1985 Act on any of the grounds listed in Part 1 of Schedule 2 to that Act (other than ground 8), and if so
- (b) Was the behaviour serious enough to render you as an applicant or a household member unsuitable to be a tenant
- (c) Whether you're unsuitable to be a tenant because of the behaviour at the time of your application.

4. If the Council decides I've been guilty of unacceptable behaviour will I definitely be excluded from the Housing Register?

No. We consider each case on its own merits, taking all relevant factors into account. We also consider the need to achieve broader policy aims such as equality of opportunity, social inclusion and the needs of existing residents.

Where the Council is satisfied on all three aspects, we will consider exercising its discretion to decide that you should be treated as ineligible for an allocation. In reaching its decision, the Council will consider each application on its own merits. Having regard for each applicant's personal circumstances (and the personal circumstances of the applicant's

household), including his or her health and medical needs, dependants and any other factors relevant to the application. A decision to treat an applicant as ineligible must be underpinned by compliance with the law and the Code of Guidance.

A sanction of 1 year will be applied if a to c above is applicable, your application will be deferred, which means that you will not be considered for any properties during this period.

We may exercise our discretion and not treat you as ineligible for housing and so include your application on the Housing Register. We may not sanction your application at all. Or we may include you on the waiting list, but award you a lower band than you would otherwise qualify for (see **9.11** and **9.12**. See also **9.6** to **9.10** for the priority categories).