

CYNGOR SIR YNYS MÔN ISLE OF ANGLESEY COUNTY COUNCIL

APPLYING FOR COUNCIL OR HOUSING ASSOCIATION ACCOMMODATION ON YNYS MÔN

SUMMARY OF THE ALLOCATIONS POLICY







January2012

INTRODUCTION

The Housing Service owns around 3800 units of accommodation on the island which are rented out. Needless to say, demand far outstrips supply!

The way in which we allocate our accommodation is governed by Part VI of the Housing Act 1996 (as amended by the Homelessness Act 2002) and the statutory guidance issued by the Welsh Assembly Government.

We must have a scheme in place which shows how we determine priorities in allocating Council housing and making nominations to our Housing Association partners. We developed the Housing Allocation Policy which seeks to ensure that accommodation is let in a fair and transparent way with the highest priority being given to those in greatest need.

This booklet summarises the main points of the Housing Allocation Policy and is based on 'most frequently asked questions'.

Ynys Môn County Council is committed to eliminating discrimination and promoting equality of opportunity for all, both in employment and in the provision of services.

If Welsh or English is not your first language and you would like a translation or audio tape, we can arrange this for you. This information can also be made available in Braille or large print.

A full copy of the Housing Allocation Policy is also available upon request or can be downloaded from the Council website at <u>www.anglesey.gov.uk</u>.

FREQUENTLY ASKED QUESTIONS

Q How do I apply for Council accommodation?

A You need to complete a Housing Register Application Form, date and sign it. Staff will be pleased to help you complete the form. You need to ensure that you provide **all** the information requested otherwise the form will be returned to you and you will not be entered on to the Register.

Q How do I get an Application Form?

A You can:

- Write to Housing Services, Council Offices, Llangefni, Ynys Môn, LL77 7TW.
- Call at the Housing Services Reception at the Llangefni Offices - Monday to Friday - between 8.45am and 5.05pm, or Friday - between 8.45am and 5.00pm.
- Telephone 01248 752294 / 752293.
- E-Mail: housing@anglesey.gov.uk

Q Do I have to fill a separate form for Housing Association properties?

A No. We operate a Common Housing Register with Cymdeithas Tai Eryri, Clwyd Alyn and North

Wales Housing Association, which consists of people assessed as being in housing need.

Q I am an existing Council / Housing Association tenant and want a transfer. Do I fill in a different form?

A No.

Q Can I apply for a joint tenancy with my partner?

A Yes...but you must be aware that both tenants are jointly and individually responsible for ensuring the terms of the tenancy are kept to. For example, if the rent account falls into arrears, all joint tenants are responsible. You do not have separate rents. This applies to all the clauses in the tenancy agreement - if one tenant plays loud music causing a nuisance to other residents or neighbours, all the tenants are held responsible.

Q Is there any reason my application might be rejected?

A Yes. The law says that we cannot allocate Council accommodation to 'ineligible' persons, for example, those subject to immigration control.

Q How will I know if my application has been rejected?

A We will notify you in writing stating the reason(s), your right to request a review, the timescale and the review procedure. We will notify you in writing of the outcome of the review.

Q What if I have former tenant rent arrears, court costs or rechargeable repairs outstanding?

A If we decide to accept you onto the housing register, we will suspend your application until you have reduced the debt to the equivalent of 4 weeks net rent. We will then actively consider your application. It is unlikely that we will make you an offer until the debt is paid in full unless the Head of Housing Services agrees.

Q What does 'suspension' mean?

A Your application will be credited with housing need/local connection points but you will not be actively considered when a property becomes available for letting.

Q Are there any other circumstances in which my application might be suspended?

- **A** Yes. For example:
 - You have adequate financial resources to rent or buy in the private market (£35,000 for rental purposes).

- You own property (unless you are being rehoused on medical grounds or you have to leave a jointly owned property leaving the other party in situ).
- You or a member of your household have been involved in current or recent anti-social behaviour which is considered relevant to your suitability as a tenant(s) such as causing damage to property, being abusive towards Council staff, causing noise nuisance, being involved with illegal substances.

Q Will I be told if my application is suspended?

A Yes. We will tell you the reason, the proposed duration of the suspension and how you can remedy the situation.

Q How old do I have to be to apply for Council accommodation?

A We accept applications from 16/17 year olds but will not normally offer permanent accommodation before you are 18 (this would be at the discretion of the Head of Housing Services).

Q What type of accommodation can I apply for?

- **A** You can apply for:
 - A house if you have children under 16 (16-18 if in full time education or training).

- An OAP bungalow / flat if you are 60+. Couples will be considered for 2 bedroomed bungalows ahead of single applicants.
- Sheltered accommodation if you are 60+ or registered disabled. An assessment of your housing and support needs will be carried out.
- Adapted accommodation if you or a member of your household is medically assessed as needing such accommod-ation.

Q What happens once you've received my completed application?

A We will place you on the Housing Register and send you an acknowledgement letter within 5 working days. We'll write to you again within 30 working days regarding the status of your application provided we have all the information requested.

Q How do you assess my application?

A We operate a points system which gives you an indication of the priority you are likely to receive based on your individual circumstances. We add up all your points to give an overall score - this determines your position on the Housing Register in relation to other applicants.

Q What are points awarded for?

A The law says that we have to give 'reasonable preference' or a 'reasonable head start' to the following categories of people:

- People who are homeless.
- People occupying unsanitary or over-crowded housing or otherwise living in unsatisfactory housing conditions.
- People who need to move on medical or welfare grounds.
- People who need to move to a particular locality in the area to avoid hardship (to themselves or to others).

We award points to reflect different types of need and also to help us make better use of our stock.

Q Would I be able to work out my own points score?

A You can use the following points ratings to give you an indication of your likely score but you should always wait for written confirmation from the Lettings Department. These points reflect the Council's Allocation Policy only. Applications which are nominated to Housing Associations are likely to be re-pointed in line with their own allocation criteria.

CIRCUMSTANCES	POINTS
Homeless / threatened with homeless- ness unintentionally:	20 points
OR	

APPENDIX 1	
Homeless, unintentionally and in priority need as a result of violence or threats of violence likely to be carried out:	30 points
NB: If you refuse an offer of suitable accommodation, you will lose your homelessness points.	
Homeless and in priority need but homeless intentionally:	5 points
OR	
Living in lodgings, staying with family or friends:	10 points
OR	
In Local Authority care, living in a hostel/supported housing project for a minimum of 6 months and written confirmation has been received that you are ready to move on:	45 points
OR	
Placed in temporary Local Authority or private accommodation: <i>This category will also attract 10 points</i> <i>after the first 6 months spent in the</i> <i>temporary accommodation, and an</i> <i>additional 10 points after a further 6</i> <i>months.</i>	20 points
Lacking cooking facilities:	5 points

Living in poor housing conditions: (based on information from Environ- mental Health Officer)	Up to 20 points
Overcrowded:	20 points for each bedroom deficiency
Medical Condition: (points awarded by Community Medicine Specialist)	Maximum of 30 points
Need to move to avoid hardship, eg, to give/receive care and support and rehousing would dispense with the need for services to be provided by the Local Authority:	10 points
Need to move in exceptional circumstances:	Points variable and will only be awarded for one offer only.
With a child under the age of 11 and living in:	
 a ground floor flat or maisonette without the sole use of a garden: 	20 points
 b) a maisonette or flat above ground floor: 	30 points

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APPENDIX 1 Over 6 months pregnant and living in a flat or maisonette above ground floor: 10 points Sharing facilities with separate households: - Living Room: 5 points - Kitchen: 5 points - Toilet: 5 points - Bathroom: 5 points 30 points for each Council tenant under-occupying accommodation: bedroom in excess of need. Registered foster carers whose present accommodation is unsuitable 30 points in terms of size or location and prevents them from providing that care: Releasing adapted property an (Council or Housing Association partner) where there is an identified 30 points need for the property, ie, Social Services have identified an applicant the adaptations for whom are appropriate:

Occupying accommodation as a condition of employment with the		
Council or partner Housing Association leaving through no fault of their own, eg, retirement, redundancy, ill health:	30 points	
Occupying Council owned small- holdings leaving through no fault of their own:	30 points	
Existing Council or Housing Assoc- iation tenant wishing to transfer:	10 points	
 <i>Q</i> Am I entitled to any other points? <i>A</i> You may be eligible for local connection points. 		
A You may be eligible for local connect		
<i>A</i> You may be eligible for local connect For each year you have had your place of work, or your only or principal home in Anglesey, up to 10 years:		
For each year you have had your place of work, or your only or principal	tion points. 3 points for each year up	
For each year you have had your place of work, or your only or principal home in Anglesey, up to 10 years:	tion points. 3 points for each year up	
For each year you have had your place of work, or your only or principal home in Anglesey, up to 10 years: OR If your mother, father, sister, brother or children have been living in Anglesey	tion points. 3 points for each year up to 10 years	

OR	
Special circumstances -	
eg, need to be near special medical or support services only available in Anglesey:	5 points
Up to 10 additional points will be awarded if you have had your place of work, or your only or principal home in the parish in which you wish to be rehoused for a period of 10 years:	2 points per year up to 10 years.

Q What happens if my circumstances change?

You must always advise the Council in writing of any changes as it could change your points total.

Q What happens when a property becomes available?

A We draw up a shortlist of possible tenants based on those assessed by the pointing system as being in greatest need for that type and size of accommodation and asking for that particular location. The property is usually allocated to the applicant with the highest points. If there is more than one applicant with the same points, then we will allocate to the person who has been on the Housing Register longest.

Q How will I know if I have been successful?

A We will make you a written offer. **NB:** Offers are made on a provisional basis and may be withdrawn at any time before the tenancy agreement is signed, eg, if the outgoing tenant retracts their notice; your circumstances have changed and you are no longer entitled to receive the offer.

Q What happens if I've noted my interest in Housing Association properties and a vacancy arises?

A If we receive a nomination request, we normally send the details of the three applicants with the highest points. You will then be visited by an Officer and if you are successful, the Association will make you an offer in writing directly.

Q How many offers am I entitled to?

A Two. If you refuse both, your application will be suspended for 12 months.

Q What is the role of my local Councillor?

A Although the law prevents your Councillor from playing any part in the housing allocation process, they may make written enquiries on your behalf in relation to your housing application BUT ONLY WITH YOUR WRITTEN CONSENT. For example, they can make sure that all the facts of your case have been taken into account when your application is being

assessed. Consent forms are issued with Housing Register Application forms. If you are already on the Register and require a consent form, please contact Housing Services. Should you wish to make an appointment to discuss your application and would like your Councillor to attend, please contact Housing Services.

Q Why do I have to give written consent?

A Personal information such as your name, address and housing circumstances are protected under the Data Protection Act 1998. This means that the Council cannot share this information without your express consent.

Q What should I do if I'm not happy about the way my application has been dealt with?

- *A* You should, in the first instance, discuss your concerns with the person you have been dealing with and tell them what the problem is or ask to speak with their Line Manager/Supervisor. This may require making an appointment. If you are still unhappy with the response you receive, you may write to the Head of Housing Services. If the matter remains unresolved and there is no alternative appeal procedure, you may:
 - Make a formal complaint to the Customer Care Officer. You should include your full name and address, telephone number/contact point and a detailed description of the complaint.

• Write to the Public Services Ombudsman for Wales, Pencoed, Bridgend, CF31 5JL.

We hope you found this booklet helpful. If you want further information, you can:

- Write to Housing Services, Council Offices, Llangefni, Ynys Môn, LL77 7TW.
- Call at the Housing Services Reception at the Llangefni Offices - Monday to Friday - between 8.45am and 5.05pm, or Friday - between 8.45am and 5.00pm.
- Telephone 01248 752294 / 752293.
- E-Mail: housing@anglesey.gov.uk



Adain Gosod Tai, Adran Tai a Gwasaanethau Cymdeithasol, Cyngor Sir Ynys Mon, Swyddfeydd y Cyngor, Llangefni, Ynys Môn, LL77 7TW Rhif ffôn: 01248 752293/94 e-bost: tai@ynysmon.gov.uk

Ffurflen Caniatâd i Rannu Gwybodaeth – Y Broses Gosod Tai

Eich Preifatrwydd

Mae gennych hawl i breifatrwydd. Mae'r Cyngor yn parchu eich preifatrwydd ac mae'r ffordd yr ydym yn defnyddio eich gwybodaeth bersonol yn cael ei reoli gan y gyfraith. Mae hyn yn golygu na fyddwn yn datgelu eich gwybodaeth breifat gydag eraill heb eich caniatâd chi oni bai bod y gyfraith yn caniatâu neu gofyn amdano.

Beth yw pwrpas y ffurflen hon?

Efallai eich bod eisiau gofyn i rhywun eich cynrychioli chi er mwyn cysylltu â'r Gwasanaethau Tai ar eich rhan mewn perthynas â mater gosod tai. Gallwch ofyn i'ch Aelod Lleol, Aelod Cynulliad, Aelod Seneddol, Cyfreithiwr, ffrind neu berthynas i'ch cynrychioli. Bydd eich cynrychiolydd angen y wybodaeth perthnasol am eich cais i allu eich helpu.

Mae rhoi eich caniatâd yn rhoi hawl i'r Cyngor drafod eich cais gyda'r person(au) yr ydych chi yn dymuno i'ch cynrychioli. Bydd y ffurflen hon yn gadael i ni wybod eich bod yn fodlon i ni rannu eich gwybodaeth personol gyda'ch cynrychiolydd.

Mae'n bwysig eich bod yn cwblhau'r ffurflen hon i roi caniatâd i ni drafod eich cais gyda'ch cynrychiolydd cyn i ni allu rhannu unrhyw wybodaeth ynglŷn â'ch cais am dŷ. Fel arfer, bydd angen i'r Gwasanaethau Tai fod hefo copi o'r ffurflen ganiatâd wedi ei llofnodi cyn i unrhyw wybodaeth am eich cais gael ei rannu.

Beth yw caniatâd?

Caniatâd ydi pan fyddwch chi yn cytuno neu yn rhoi eich caniatâd.

Pa wybodaeth gellir ei rannu gan y Gwasanaethau Tai?

Byddwn ond yn rhannu gwybodaeth sy'n berthnasol i'ch cais a fydd yn cynorthwyo'ch cynrychiolydd i weithredu ar eich rhan.

Oes modd i mi dynnu fy nghaniatâd yn ôl?

Oes. Gellwch dynnu eich caniatâd i'r Gwasanaethau Tai drafod eich cais gyda chynrychiolydd yn ôl unrhyw adeg. Bydd rhaid i chi ysgrifennu at yr Adain Gosod (cyfeiriad ar ben y dudalen). Nid oes rhaid i chi roi rheswm dros dynnu eich caniatâd yn ôl.



Allocation Section, Housing and Social Services Department, Isle of Anglesey County Council, Council Offices, Llangefni, Anglesey, LL77 7TW Tel : 01248 752293/94 e-mail: housing@ynysmon.gov.uk

Housing Allocation Information Sharing Consent Form.

Your Privacy

You have a right to privacy. The Council respects your privacy and the ways that we use your personal information is controlled by law. This means that we will not share your private information with others without your consent unless the law allows or requires it.

What is the purpose of this form?

You may want to ask someone to represent you in order to contact Housing Services on your behalf in relation to a housing allocation matter. You can ask your local County Councillor, Assembly Member, Member of Parliament, Solicitor, friend or relation to be your representative. Your representative will require relevant information about your application in order to help you.

Giving your consent gives the Council the right to discuss your application with the persons (or persons) you want to represent you. This form lets us know that you are happy for us to share your personal information with your representative.

It is important that you complete this form giving us permission to discuss your application with your representative before we can share any information regarding your housing application. Normally, Housing Services would need to have a signed copy of the consent form before any information about your housing application can be shared.

What is Consent?

Consent is when you agree or give your permission.

What information can be shared by the Housing Department?

We will only share information that is relevant to your application and which assists your representative to act on your behalf.

Can I withdraw my consent?

Yes. You can withdraw your consent for Housing Services to discuss your application with a representative at any time. You will need to write to the Allocation Section (address at top of the page). You do not have to give a reason for withdrawing your consent.



Adain Gosod Tai, Adran Tai a Gwasanaethau Cymdeithasol, Swyddfeydd y Cyngor, Llangefni, Ynys Môn LL77 7TW

Allocation Section, Housing and Social Services Department, Isle of Anglesey County Council, Council Offices, Llangefni, Anglesey LL77 7TW

Rhif ffôn/*Tel* : 01248 752293 / 94 e-bost: <u>tai@ynysmon.gov.uk</u> *e-mail:* housing@anglesey.gov.uk

<u>Ffurflen Caniatad i Rannu Gwybodaeth – Y Broses Gosod Tai</u> <u>Housing Allocation Information Sharing Consent Form</u>

'Rydwyf i / 'Rydym ni (printiwch yr enwau) / I / We (print name(s)

Ymgeisydd / Applicant 1

Ymgeisydd / Applicant 2

yn deall, trwy arwyddo a dychwelyd y ffurflen ganiatad hon, fy mod (ein bod) yn rhoi caniatâd i'r Gwasanaethau Tai ymateb i ymholiadau a wneir gan fy nghynrychiolydd ar fy rhan. 'Rwyf yn deall ac yn cytuno na chaiff y Gwasanaethau Tai ond trafod fy nghais am dŷ gyda fy nghynrychiolydd.

understand that by signing and returning this consent form that I am giving Housing Services permission to respond to enquiries my representative makes on my behalf. I understand and agree that Housing Services may only discuss my housing application with my representative.

Arwyddwyd gan ymgeisydd / Signed by applicant (1)

.....

Arwyddwyd gan ymgeisydd / Signed by applicant (2)

.....

Dyddiad arwyddwyd gan yr ymgeisydd(wyr) / Date Signed by applicant (s)

.....

Ar ôl arwyddo, a fyddech cystal â dychwelyd y ffurflen ganiatâd hon i'r Adain Gosod Tai, Gwasanaethau Tai, Cyngor Sir Ynys Mon, Llangefni, Ynys Mon LL77 7TW

Once signed, please return this Consent form to the Allocation Section, Housing and Social Services Department, Isle of Anglesey County Council, Council Offices, Llangefni, Anglesey, LL77 7TW.

ISLE OF ANGLESEY COUNTY COUNCIL

MEETING:	Standards Committee
DATE:	14 th December, 2011
TITLE OF REPORT :	Housing Allocations Process
REPORT BY :	Head of Housing Services
CONTACT OFFICER :	Shan Lloyd Williams
PURPOSE OF REPORT :	To clarify role of Elected Members in the Allocation process of Council houses

BACKGROUND

1.0 Background

- **1.1** A Report has been requested by members of the Isle of Anglesey County Council's Standards Committee, regarding the clarification of the role of Elected Members in Housing Allocations.
- **1.2** A revised Housing Allocations Policy was adopted in July 2010. From the minutes of the previous Standards Committee, it is clear that the Policy itself is not being questioned. However there seems to be an element of dissatisfaction amongst some Elected Members around the role of Members in the allocations process.
- **1.3** The minutes of the previous Committee specifically refers to:
 - a request to inform Elected Members of the identity of applicants who have been allocated houses in their respective wards;
 - a request that members of the public are informed that Elected Members do not have a direct input in housing allocations;
 - a request that, as part of the allocations process, it is made explicit the role of Elected Members, and make clear that the Information Sharing Consent Form needs to be completed before any information is shared, with any representative. The representative could be their local Elected Member, Assembly Member, Member of Parliament, solicitor, friend, relative or advocate.
 - The recommendation that officers draft for the Committee's consideration, a statement to be issued to the public in clarification of the role of the Elected Member with particular emphasis on the fact that Councillors no longer have any input into the actual allocation process.

1.4 The Commissioner has also confirmed that she is satisfied with the policy and that she does not wish to see it reviewed. She has confirmed that an explanatory letter setting out the council's position will be sent out to all members with a view to bringing this matter to a close.

2.0 Legal position

- **2.1** By law, Elected Members are not allowed to be directly involved in decisions about lettings to applicants in their ward, or the allocation of units of accommodation in their wards, to protect them from accusations of illegal action, favouritism or corruption.
- **2.2** To comply with the Data Protection Act 1998, personal information in relation to new tenants cannot be disclosed. However, so as to assist local Elected Members to know the status of property in their ward, the Head of Housing Services is willing to change the procedure so that Lettings Officers advise the relevant Member of properties which have been allocated. Views are invited on this suggestion.

The Information Commissioner has the right to fine up to half a million pounds for breaching data protection law requirements. This could happen if information about a tenant was used to harm anyone.

3.0 Responding to recommendations of previous Committee

- **3.1** Information has been included within the 'Summary of the Allocations Policy' document on what is the role of the local councillor, within the section on *frequently asked questions [appendix 1]* a copy of which will be sent out to each new applicant for Council Housing and will also be on the Council's website. Views are invited on the relevant section on page 16.
- **3.2** The information has been drafted with regard to section 5.29 5.31 of the Welsh Assembly Government's Code of Guidance on the Allocation of Council Housing and Homelessness 2003 which states that local members should not be involved in allocation processes if the accommodation is in their ward or the person being allocated a property has their principal residence in the Member's ward. Further information can also be found in the Statutory Instrument 1997, No 45 'The Local Housing Authorities Prescribed Principles for Allocation Schemes (Wales)'. These documents have informed the Isle of Anglesey County Council's Allocation Policy, pages 22 and 23.
- **3.3** A revised draft of the Housing Allocation Information Sharing Consent Form is appended to this Report [*appendix 2*], which makes the process of asking a third party to represent the applicant in relation to a housing allocation matter easier and clearer. Views are invited on the revised consent form, which is also sent out with the application form for Council Housing. Where changes have been made, these have been shown on the document presented, as either being underlined or crossed out.

3.4 To clarify the role of Elected Members in the Allocations process, this will be sent out to each Elected Member in a joint letter signed by the Commissioner, Shadow Housing Portfolio Holder for Housing and the Head of Housing Services in the very near future. To summarise:

Members have an active role in the lettings process through advising and representing their local communities and ensuring that the policy is implemented and operates in a fair and consistent manner.

Elected Members...

- May make representations on behalf of their constituents in order to ensure that all the facts of their case are taken into account when assessing the applications;
- Can advise applicants about the process of applying for Council / Social Housing accommodation and the availability of housing within their local area. This will soon be improved through the development of a new Housing Options Website.
- Will be involved with future reviews of the lettings policy to ensure that it is achieving its aims. Members can also approve any Local Lettings Policies where it is decided to implement them.

Elected Members may not...

- Decide who is allocated a Council property or be involved in the allocation decision.
- Ask for details about an applicants' application, or anyone else's without consent. Personal information such as a person's name, address, current housing circumstances etc are protected under the Data Protection Act 1998 and the Council is unable to share these details without the applicant's consent.

4.0 Future developments

- **4.1** Housing Services are currently being restructured, as part of a modernisation programme. To assist Elected Members, there will be one point of contact for all enquiries, signposting and feedback from queries. The new Housing IT project will also improve customer services for all our customers, be they new applicants, tenants, private sector tenants and owner occupiers who are looking for advice and information.
- **4.2** The next logical step, once the new IT service has become operational, will be to gain political support to develop a joint allocation policy with our partner Registered Social Landlords. This would make the process of applying for a house in the social housing sector much more straight forward for applicants and would also be a more efficient way of working for staff. This project would mirror projects which have already taken place across other neighbouring local authority areas.

5.0 Recommendations

5.1 Members of the Standards Committee are invited to comment on the Report. In particular, they are invited to comment on paragraphs 3.1, 3.3 and 3.4.