

**Salford City Council's Allocation Scheme – Approved Update January 2024**

(First implemented 28<sup>th</sup> January 2020)

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# 1 INTRODUCTION

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## 1.1 Policy aims and objectives

The Housing Act 1996 requires a local housing authority to have a scheme which sets out how housing is allocated within the area, how applicants on the housing register are prioritised and to publish a summary of that scheme.

Salford City Council (“the council”) is the local housing authority and this scheme was initially developed in 2015 following a full consultation process including:

- Working group meetings with Elected Members
- Consideration of other local authorities’ allocations policies
- Public consultation
- Dedicated briefing sessions with partners
- A briefing to Elected Members

On 8<sup>th</sup> September 2015 the Assistant Mayor for Housing and Environment approved eleven of twelve proposed options, delaying the introduction of a final option for a period of 12 months, subject to an assessment of its impact.

In 2018 a decision was taken to review the Allocations Policy and update this to reflect the Homelessness Reduction Act 2017 in order to support delivery of the Authorities new statutory duties to homeless applicants. As part of this process a public consultation was conducted (including a focus group with Registered Providers).

This Allocations Policy has been approved by the City Mayor in consultation with Cabinet on 26<sup>th</sup> March 2019.

As a minimum the Policy will be reviewed every 5 years, but this will be expedited in response to changes in legislation, statutory guidance or significant changes in local housing markets.

This policy applies only to residential lettings. Commercial lettings and sales of low-cost homeownership products are beyond the scope of this policy.

The council retains full responsibility for the scheme delivered through Salford Home Search and will be responsible for amendments and consultation processes.

The policy is based on the following principles:

- To have a fair system for the allocation of housing accommodation, which is transparent and easy to understand
- To make best use of increasingly scarce social<sup>1</sup> housing stock

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<sup>1</sup> Homes available for rent below market rate to households who’s needs cannot be met by the commercial housing market (Housing and Regeneration Act 2008)

- To prevent homelessness
- To give priority to applicants with the greatest housing need
- To manage customer expectations by supporting people to make realistic and informed choices about where they live
- To create sustainable tenancies in the light of welfare reform
- To create balanced and stable communities

The scheme seeks to achieve these aims by:

- Ensuring housing accommodation is allocated to the most appropriate person
- Supporting under-occupiers to downsize into accommodation more suitable for their needs
- Ensuring adapted and accessible properties are allocated to the person in greatest need of that accommodation
- Ensuring people move from supported accommodation to independent living in a timely way
- Encouraging partners to undertake affordability assessments for prospective tenants to ensure they can meet their housing costs prior to being successful for a tenancy
- Creating communities which support the local economy
- Reducing the risk of anti-social behaviour

The council will deliver the scheme as part of a housing options approach that will identify those people in greatest need and provide advice on a range of options to access suitable accommodation. The option used will be dependent upon individual circumstances, level of need and the choices people express with regard to receiving support from the council and other agencies. Options may include:

- Help and support to remain in current accommodation
- Advice on securing alternative private rented accommodation
- Advice on mobility schemes that may help a household move out of the area
- Advice to current social housing tenants on mutual exchange
- Advice on low-cost home ownership options

The allocation of Extra Care housing sits outside the scope of this Allocations Policy. Extra Care Housing provides a combination of supported housing and Care Quality Commission regulated Adult Social Care services on site. This provision includes self-contained accommodation located within an Extra Care Housing scheme which has access to a range of shared facilities.

The Care Act requires Local Authorities to carry out an assessment where there is the appearance of need for care and support. If eligible care needs are identified then the Authority is required to meet those needs. Extra Care Housing is a means of meeting care needs.

As Extra Care Housing is an approach to meeting individuals care and housing needs, applications for/referrals to Extra Care Housing are restricted to Adult Social

Care Services for a person with eligible needs, and therefore advertisements and lettings to Extra Care are not included in Salford's choice-based lettings scheme delivered by Salford Home search. As such there is also an exception to the Allocation Scheme residency criteria in that the applicant must be resident in Salford at the time of the referral for Extra Care Housing and must have eligible assessed care and support needs.

The Authority reserves the right to place people with assessed social care needs into those Extra Care Housing schemes that are located within the local authority boundary of Salford.

## 1.2 Legal Framework

The Housing Act 1996, part 6 ("the Act") requires the council to make all allocations of housing accommodation in accordance with a published scheme. This document is the full scheme, a summary of this scheme is available free of charge to anyone who asks for a copy, and can be found on the [council's web site](#).

The Act provides the framework for allocating housing accommodation and defines categories of people who must be given Reasonable Preference when allocating accommodation. These categories are called the 'Reasonable Preference categories', (see section 3.3 below).

The Act also requires the council to outline its position with regard to giving applicants choice on the housing offer or to allow households to make a statement of preference on the area in which they wish to live.

The provisions of the Localism Act 2011 allow the council the freedom to determine who qualifies for housing accommodation in its area, and develop solutions, which make best use of its social housing stock.

Although the Localism Act maintained the Reasonable Preference categories, which ensures priority for social housing is given to those in greatest need, it also creates opportunities for the council to better manage its housing register to meet local need and prevent people without a housing need from joining the register.

'Guidance for Local Authorities in England on the Allocation of Accommodation' was published by the Department for Communities and Local Government in June 2012. Local authorities are required to have regard to this guidance when exercising their functions under Part 6 of the 1996 Act.

'Providing social housing for local people: statutory guidance on social housing allocations for local authorities in England' was published by the Department for Communities and Local Government in December 2013. Local authorities are required to have regard to this guidance when exercising their functions under Part 6 of the 1996 Act.

'Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations' 2015 and the 'Right to Move: statutory guidance on social housing allocations for local housing authorities in England' 2015 provides for an exclusion from local connection qualification requirements where there is a work-related 'right to move'.

More-over, the 'Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012' and the 'Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 require that Local Housing Authorities do not apply a local connection but do apply a Reasonable Preference to: persons who have served in the armed forces (or have done so in the 5 years preceding their application), bereaved spouses or civil partners where the death of their partner was (in part or whole) attributable to their service and they are no longer entitled to reside in ministry of defence accommodation and certain (former) reservists who are serious injured, ill or disabled as a result of (or in part due to) their service.

The 'Allocation of Housing (Procedure) Regulations 1997', prescribes that an Elected Member shall not, at the time the allocation decision is made, be included in the decision-making body where the housing accommodation in question is in his electoral division or ward, or the person to whom the housing may be allocated resides in that division or ward.

Furthermore, this policy has been informed by the

- 'Allocation of Housing (England) Regulations 2002',
- 'Immigration (European Economic Area) Regulations 2006'
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006
- Allocation of Housing and Homelessness (Miscellaneous Provisions) (England) Regulations 2006 which provide advice on those who are eligible and ineligible for an allocation of housing accommodation.
- Improving access to social housing for victims of domestic abuse guidance 2018
- The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861) – in line with new regulations EEA eligibility has been updated accordingly
- Statutory guidance - Improving access to social housing for members of the Armed Forces
- The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020 (SI 2020/667)
- Armed Forces Covenant Duty Statutory Guidance November 2022
- The Allocation of Housing and Homelessness (Eligibility) (England) and Persons subject to Immigration Control (Housing Authority Accommodation and Homelessness) (Amendment) (No. 4) Regulations 2022

### 1.3 Related Strategies

In developing this policy, the following local strategies have been taken into account:

- Housing Strategy
- Tenancy Strategy
- Homelessness Strategy

### 1.4 Statement on Choice

This policy recognises the importance of allowing applicants to express a preference for the area that they would like to live in and the type of property. However, this policy also recognises that social housing is a scarce resource and that it will not be possible to offer applicants unlimited choice.

Section 176A of the Act requires the allocation scheme to describe the council's policy about offering applicants choice over where to live. This should not be confused with applicants having a 'right' to choose or express preferences on where to live, for which there is no legal requirement.

Applicants must satisfy both the qualification and the eligibility criteria in order to be registered.

The Allocation Scheme allows customers to express a preference for both area and property type. Salford Home Search is a choice-based lettings scheme. Partner landlords advertise properties on a weekly basis and applicants registered with the scheme are able to **express an interest** in and bid for up to three properties each week. However, this does not mean that applicants can refuse up to 3 properties. Applicants are expected to accept any reasonable offer of accommodation suitable for their households needs. Two refusal's of suitable offer's without good reason will result in removal from the housing register for a period of 12 months. Applicants will have the right to request a review of the decision to remove their application from the register. (See Reviews section 5.6).

Information about the profile and availability of social housing stock will be made available on a 12 monthly basis on the Council's website at <https://www.salford.gov.uk/housing/find-a-home-including-social-housing/renting-a-home/renting-from-a-council-or-housing-association/>

### 1.5 Equality of Opportunity

Salford City Council is committed to providing quality housing and services to our customers. The council recognises its statutory duties under the Equality Act 2010 to ensure that no person will receive less favourable treatment than others because of age, disability, race, religion or belief, sex, marriage or civil partnership, pregnancy or maternity, sexual orientation or gender reassignment.

This policy also seeks to ensure that all disabled people are allocated housing in a fair and equitable way. Furthermore, to this end the categories system (explained in



more detail in Section 3.3) and the advertisements of all accessible homes within the Accessible Accommodation Category ensures that those with physical disabilities who require specific mobility accessible homes are properly assessed and this scarce resource is properly allocated to those who need it.

It is the aim of Salford City Council to ensure that our services are fair and equitable for all our customers who may utilise them and we want our services to be accessible to everyone. The council will not tolerate any unfair or unlawful discrimination that provides a lower standard of service to any group or individual.

This Policy enables the delivery of a consistent and equitable approach to the allocation of social housing in Salford, ensuring that cases are dealt with in a consistent and fair approach, in line with national guidance.

In addition, officers administering the policy will monitor offer bypasses (when landlords do not offer accommodation to the winning bidder because of concerns about {for example} references, behaviour, criminal convictions, arrears or the suitability of the property) to ensure that applicants cases are being dealt with in an equitable way and that landlords are not discriminating against individuals unfairly. Any concerns will be addressed either directly with the landlord or through the monthly Choice Based Lettings Partnership Meeting.

In line with the 'Allocation of Housing (Procedure) Regulations 1997' Elected Members are restricted from becoming involved with individual housing allocations. Furthermore, to ensure that consistent and equitable approach officers of the Council (outside of those administering the policy) are also restricted from becoming involved with housing allocations.

Housing advice and information can be obtained free of charge from the Housing Options Service, 7 Wesley Street, Swinton, M27 6AD. Telephone interpreter services are available for those who need this and the service will take into account any special needs making special arrangements for the delivery of advice/information as appropriate i.e. use of sign interpreters, large font and tailored advice for specific client groups.

An Equality Impact Assessment has been completed to ensure that this policy: does not discriminate against any equality groups but does enhance equality of opportunity. The Equality Impact Assessment can be found at:

[Equality Impact assessments](#)

## **2 ELIGIBILITY AND QUALIFICATION**

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### **2.1 Eligibility Criteria**

The housing act 1996 and associated legislation states that some applicants are not eligible for an allocation of social housing (except for certain existing social housing

tenants including those seeking a transfer who are to be given reasonable preference).

Salford city council is required to check that an applicant is eligible for an allocation of social housing.

A person may not be allocated accommodation under part 6 if he or she is a person from abroad who is ineligible for an allocation under section 160ZA of the housing act 1996. There are 2 categories for the purposes of section 160ZA:

(i) a person subject to immigration control – such a person is not eligible for an allocation of accommodation unless he or she comes within a class prescribed in regulations made by the secretary of state (section 160ZA(2)), and

(ii) a person from abroad other than a person subject to immigration control – regulations may provide for other descriptions of persons from abroad who, although not subject to immigration control, are to be treated as ineligible for an allocation of accommodation (section 160ZA(4)).

The regulations setting out which classes of persons from abroad are eligible or ineligible for an allocation is the Allocation of housing and homelessness (eligibility) (England) regulations 2006 (as amended) ('the eligibility regulations'). Updates and amendments to this legislation, including secondary legislation is described on page 7 under the legal framework.

All persons from abroad and those from the UK returning to live in Salford, will need to provide evidence of their eligibility to register.

Eligibility for an allocation may change over time therefore acceptance on to the register does not guarantee that the person will be allocated accommodation. Eligibility will be confirmed again at the point of consideration of making an offer of accommodation. Where a person's circumstances have changed and they are no longer eligible, their application will be removed from the housing register.

## **2.2 Qualifying Criteria**

Applicants aged under 16 years of age do not qualify.

Applicants aged 16 or 17 years will be able to register an application with Salford Home Search but it will be suspended until they reach their 18<sup>th</sup> birthday. Exceptions may be made for example, young people leaving care, however this will only apply where appropriate support is in place to assist the young person with sustaining a tenancy and the young person agrees to accept the support.

People (regardless of their existing tenure)<sup>2</sup> are qualifying people if they are not excluded by statute or another part of this policy and fall into one of the following categories:

- People who have been assessed as being in housing need and who belong to one of the statutory Reasonable Preference groups
- People who are under-occupying a home
- People who are living in temporary or supported accommodation in the city. This will usually be accommodation provided where the person is homeless and has no other accommodation available to them and the intention of the accommodation provider and of the person is that they will be resettled to alternative accommodation when any support needs have been met. It includes move-on supported accommodation funded by Mental Health Services.
- People who have served in the Armed Forces – including a spouse or civil partner who is or was living in accommodation provided by the Ministry of Defence and whose former spouse or civil partner was a serviceman whose death was attributable in whole or in part to their service, and divorced or separated spouses or civil partners of service personnel who need to move out of accommodation provided by the ministry of defence
- Care leavers who have been the responsibility of Salford City Council
- Households where the addition of some priority to their application will prevent them from becoming homeless
- Foster carers approved by the local authority
- Households where a child/children are assessed as being in need or on a Child Protection Plan and alternative accommodation is required to safeguard the child/children
- Applicants who can demonstrate a community connection by volunteering for a minimum of 16 hours per month for a registered charity, a recognised community group or a not-for-profit organisation.

### **2.3 Who is not a qualifying person?**

In addition to being in housing need the council has decided that criteria relating to local connection, unacceptable behaviour, home ownership, income and savings will also be taken into account before a person can register with Salford Home Search.

#### **2.3.1 LOCAL CONNECTION**

In order to ensure that the needs of the local community are met, a person who does not have a local connection to Salford is not a qualifying person under this scheme.

The local connection requirement does not apply to certain existing social housing tenants who are to be given Reasonable Preference because of a need to move to a particular locality in the authority's district, where failure to meet that need would

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<sup>2</sup> This policy applies to existing tenants of social housing, privately renting tenants and owner occupiers, where they meet eligibility and qualifying criteria.

cause hardship; and has a need to move for work-related reasons, as set out in regulations. Applicants should seek detailed advice if this might apply to them.

For the purposes of this Allocations scheme a local connection is defined below.

- Residence: the applicant must have lived in Salford in settled accommodation for the previous 2-year period, or
- Employment: the applicant must have a contract of permanent employment and work within the city. It is not sufficient that the employers' head office is located within the city or that the applicant is seeking work. The applicant must have been in continuous employment for a period of 6 months. The employment can be full-time, part-time, zero-hour contract or self-employed. It should be noted that the intention of this criteria is to support employment opportunities (promoting their sustainability) by enabling improved access to employment through rehousing. This would not therefore include working from home, but may include those (who meet the above criteria) who hybrid work and who must attend a place of work within the boundary of Salford, part-time, or
- Family association: the applicant must have an active established relationship with a parent, adult sibling or adult child living in Salford in settled accommodation for a minimum of five years, or
- Former asylum seekers: the applicant will have a local connection to Salford if their application for asylum was determined whilst living in accommodation in Salford provided under section 95 of the Asylum and Immigration Act 1996 and they have been granted the right to remain.

Other special circumstances: there may be circumstances (raised by an applicant) that do not meet any of the above criteria but on consideration the applicant is deemed to have a local connection. These cases will be considered on a case-by-case basis and the decision will be made by the Service Manager. Such circumstances might include, but are not limited to:

- Applicants fleeing violence and to whom the local authority owe a duty because they are homeless, or
- Applicants who are not currently resident in Salford but who need to move in order to give or receive care and support, or
- Members or former members of the Armed Forces who do not meet the criteria below but who might be in housing need

Armed Forces (the army, marines, naval, and air forces): the following applicants will be exempt from the local connection criteria –

- Currently serving or former members of the armed forces who left the service within five years of their application for an allocation.
- Persons who are serving or who have served in the armed forces and who suffer from a serious injury or disability which is attributable in whole or part to that service; and,

- A spouse or civil partner who is or was living in accommodation provided by the Ministry of Defence and whose former spouse or civil partner was a serviceman whose death was attributable in whole or in part to their service.
- Divorced or separated spouses or civil partners of service personnel who need to move out of accommodation provided by the ministry of defence

This local connection criteria definition should not be confused with the definition that is used for the purposes of a homelessness application as defined in section 199 of the Housing Act 1996 part 7, which is used for determining local connection where the full housing duty is owed and which is defined in homelessness guidance. The local connection used in this Allocations Policy complies with Allocations Policy guidance and the powers made available to the housing authority.

### 2.3.2 UNACCEPTABLE BEHAVIOUR

A person does not qualify under this scheme if they or a member of their household has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant of the council; and in the circumstances at the time the application is considered, they are unsuitable to be a tenant of the council by reason of that behaviour.

The following list, although not exhaustive, provides examples of unacceptable behaviour.

- Owing significant rent arrears, either current or former, to any council, registered provider or private landlord. Applicants with arrears will only be able to register on Salford Home Search if:
  - They have rent arrears of less than £500 and are able to demonstrate at least 13 weeks engagement with an arrears repayment plan (or engagement from the commencement of the arrears if this is less than 13 weeks), or
  - They have rent arrears of between £500 and £750 and are able to demonstrate at least 19 weeks engagement with an arrears repayment plan (or engagement from the commencement of the arrears if this is less than 19 weeks).

Applicants will otherwise be asked to provide evidence of clear rent accounts, current and previous. Where evidence comes to light following acceptance onto the housing register that significant rent arrears are owed, the application may be removed from the housing register. However, any arrears that are statute barred will be disregarded.

- Owing rechargeable repairs on a current or former tenancy with any council, registered provider or private landlord.
- Owing significant mortgage repayments amounting to more than one month's repayment.
- Serious nuisance/annoyance to neighbours where there is evidence that a member of the household and/or visitors to the property have committed serious anti-social behaviour and are the subject of an ASBO, injunction or

other legal proceedings (including being awarded an order made in a civic court linked to a property or the locality of a property) due to a breach of tenancy conditions or anti-social behaviour order.

- Having unspent criminal convictions which the council considers makes the applicant or a member of their household unsuitable to be a tenant due to the threat they would pose to neighbours and/or the community, including perpetrators of domestic abuse or hate crime who are subject to a non-molestation order, an injunction order, an occupation order or a restraining order. Being convicted of using current or former accommodation (or allowing it to be used) for illegal and/or immoral purposes such as drug dealing.
- Serious neglect, damage or abandonment of a previous property.
- Allowing furniture, fittings and other installations provided by the landlord to deteriorate due to ill treatment.
- Abusive or threatening behaviour towards members of staff at the council or any partner providing accommodation under this policy.
- Having committed an act of fraud, withheld, falsified or misrepresented any information pertaining to access to public funds and/or services including obtaining a tenancy by deception.
- Having lost previous accommodation provided in connection with employment due to misconduct that meant the applicant could no longer live there.
- Having been evicted for any other breach of tenancy conditions, regardless of tenure including sub-letting some or the whole of the property without permission, failure to report repairs, failing to allow contractors to enter the property to carry out maintenance and running a business from the property.

Any applicant who does not qualify due to unacceptable behaviour will be notified of the decision and the grounds for it in writing and will be informed of their right to request a review of the decision. Exceptional/extenuating circumstances will be taken into consideration and the review process (detailed in section 5.6.) should be followed when seeking a review of the decision to cancel or suspend an application.

Application reviews will be considered on a case-by-case basis and if they are able to demonstrate their ability to be a suitable tenant/extenuating circumstances, then they will be considered for the register, this might include for example:

- Having very significant rent arrears in excess of £750 but having signed up to an arrears repayment plan and able to evidence compliance with that plan for a reasonable period of time (i.e., 6 months)
- Able to demonstrate a period (i.e., 6 months) of settled accommodation (post eviction), with compliant rent payments and good landlord references.
- Able to demonstrate consistent engagement (over a period of time) with relevant services capable of supporting the applicant to maintain their own tenancy.
- An inability to afford a previous tenancy due to no fault of the applicant (i.e. as a result of welfare changes or redundancy) and where the applicant can evidence engagement with their landlord.

- A family member subject to/fleeing Domestic Abuse, where the home was lost due to the actions of a partner.

### 2.3.3 DELIBERATE WORSENING OF CIRCUMSTANCES

Any applicant who has deliberately made their situation worse to increase their housing need and consequently improve their chances of rehousing is guilty of unacceptable behaviour and is therefore ineligible for an allocation of housing accommodation.

Examples of deliberately worsening circumstances include, but are not limited to:

- Vacating a property in the private rented sector without good reason then moving in with family resulting in overcrowding
- Selling or transferring a property that is affordable and suitable for the applicant's needs without good reason
- Moving additional household members into a property

The onus will be on the Local Authority to prove the applicant has deliberately worsened their circumstances. However, applicants are expected not to withhold information and to provide signed consent to enable the Authority to make reasonable enquiries into their application.

The Authority has the right to seek prosecution of applicants for fraud (Fraud Act 2006 and/or the Forgery and Counterfeiting Act 1981) if they deliberately withhold information, provide misleading information or fail to provide notification of any change in circumstances (e.g. change in household information or eligibility status).

### 2.3.4 OWNER OCCUPIERS

The 'Allocation of Accommodation: Guidance for local housing authorities in England' 2012, encourages local authorities to avoid allocating social homes to those who already own their own home, except in exceptional circumstances.

Furthermore, Salford has had regard to the significantly disproportionate number of households in need of housing compared to the extremely small number of homes that become available for let each year.

All owner occupiers who apply to register on Salford Home Search, therefore, will be interviewed by the Housing Options Service. The aim of that process will be to enable them to explore and rule out all other possible solutions to meet the applicants relevant housing need.

Only in exceptional cases would the applicant be accepted onto the register when all other possible alternative solutions have been ruled out.

If the applicant refuses/fails to engage in those identified activities/solutions and this renders them in housing need, the applicant and his household would not then qualify for the housing register.

### 2.3.5 INCOME LIMIT

Having had regard to the disproportionate need and demand for social housing compared to the availability of these homes, Salford recognises the need to prioritise this scarce resource for those who are most in need of it.

Therefore, Salford has imposed an income threshold to the qualifying criteria for its housing register. An income limit is applied to all applicants and their partners who are members of their household (either independently or jointly) set at £80,000.

All applicants and their partners will be required to provide financial information to establish their incomes and those with income of £80,000 and above will not qualify for the register.

### 2.3.6 SAVINGS LIMIT

Another means of ensuring that Salford's social housing is prioritised for those who are most in need of it, is the introduction of a savings limit.

Applicants and their partners who are members of their household (either independently or jointly) who have savings of £16,000 or more, will not qualify to register on Salford's Housing Register.

Applicants and their partners will be required to provide financial information to establish savings.

## 3 HOW APPLICANTS ARE ASSESSED

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### 3.1 Initial Assessment

Individuals are able to make and are able to be included in only one application on Salford Home Search. Repeat applications will be cancelled.

An application on Salford Home Search can only be made by a sole individual. Anyone who might usually reside with an applicant, who might reasonably be expected to reside with an applicant, can feature as part of the application. A usual household member is defined as: any other person who normally resides with the applicant as a member of the family; or, any other person who might reasonably be expected to reside with them.

It is a question of fact as to who is living with the applicant, and housing authorities are not required to satisfy themselves that it is reasonable for this member of the family to normally reside with them. The phrase 'as a member of the family', although not defined for these purposes in legislation, will include those with close blood or marital relationships and cohabiting partners, and, where such a person is an established member of the household.

The second group relates to any other person and includes those who may not have been living as part of the household at the time of the application but whom it would be reasonable to expect to live with the applicant as part of their household. People in this group might include a companion for an elderly or disabled person, or children who are being fostered by the applicant or a member of their family. This group will also include those members of the family who were not living as part of the



household at the time of the application but who nonetheless might reasonably be expected to form part of it.

The housing authority will assess whether any other person might reasonably be expected to live with the applicant and there will be a range of situations that the authority will need to consider. Persons who would normally live with the applicant but who are unable to do so because there is no accommodation in which they can all live together should be included in the application. When dealing with a family which has split up, the housing authority will take a decision as to which members of the family normally reside, or might be expected to reside, with the applicant. A court may have made a residence order indicating with whom the children are to live, but in many cases, it will be a matter of agreement between the parents and a court will not have been involved.

Every application received will be considered according to its facts. Because every applicant's situation is different, applications will be considered on an individual basis and individual circumstances will be taken into account. Accepted applications will be placed in a housing need category following application and any further assessment of the applicant's household's needs as required.

The initial assessment can be completed on-line (where frequently asked questions can be found) by the applicant or by a Housing Options Advisor as part of an overall housing options assessment. Similarly, those who require support to complete the application may access that support via the Housing Options Service at 7 Wesley Street, Swinton, M27 6AD.

The purpose of the initial assessment is to determine firstly is the applicant eligible as defined within this policy. If the applicant is eligible the second stage of the initial assessment will determine if the applicant is a qualifying person as defined within this policy.

Where an applicant is found to ineligible/does not qualify and therefore unable to proceed to the second stage of the assessment they will be notified in writing of the decision and the reasons why. The applicant will have the right to request a review of that decision, (see Reviews, section 5.6).

Those who have been declared as not eligible or disqualified, can make a further application when there has been a material change in their circumstances.

Applications may trigger other statutory (legal) duties e.g. an application for homelessness assistance, and in this instance the Housing Options will contact you directly to discuss this further.

### **3.2 Verification of Information**

Information provided by the applicant on their application will be verified. Applicants will be required to provide the following:

- Two forms of identification one of which should include a photograph
- Proof of residence at current address

- Identification and proof of address for all household members included on the application
- A reference from current or previous landlord or mortgage company
- Proof of eligibility
- Confirmation of employment where applicable
- Child benefit award letter for person who is registering an application

A home visit may be carried out to verify information given about current accommodation and household members.

Enquiries may be made of third parties, for example, previous landlords or health professionals.

Applications will remain at initial assessment stage until all the required documentation has been provided and any further verification has been completed.

### **3.3 Stage Two – Categorising Applications**

If an applicant is both eligible and qualifying a full assessment will be completed to determine what category the application will be placed in. Full details of the procedure for carrying out an assessment are contained in the procedure manual that accompanies this policy.

Applicants who are not eligible and/or qualifying for the housing register will still be entitled to receive advice and assistance with regard to their housing options.

Applicants will be placed into one of three categories on the housing register as follows:

#### ❖ General Housing Needs Category

This category will be for the 'majority' of applicants who according to the Housing Act 1996, part 6, section 167(2), fall within a Reasonable Preference group, including:

- People who are homeless (within the meaning of Part 7 of the Housing Act 1996, as amended by the Homelessness Act 2002) and who have:
  - An accepted s.195 (Prevention) duty
  - An accepted s.189 (Relief) duty
  - Had their s.189 Relief duty discharged but they are intentionally homeless or do not have a priority need as defined by law for accommodation
  - Previously made a homeless application (prior to the introduction of the Homelessness Reduction Act) and were found not to have a priority need or were found to be intentionally homeless (s.190{2})
  - Residents of temporary accommodation provided by the Local Authority under the homelessness legislation – pending assessment

- People who are owed a duty by any local authority under section 65(2) or 68(2) of the Housing Act (1985) or who are occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on health, medical or welfare grounds, including grounds relating to a disability
- People who need to move to a particular locality in the district of the local authority, where failure to meet that need would cause hardship (to themselves or others).

In addition, the following groups will be placed in the General Housing Needs Category:

- Social housing tenants under-occupying their current accommodation
- Those needing to move to smaller accommodation on grounds of affordability, (any move must not create overcrowding)
- Members and former members of the Armed Forces who are exempt from the local connection criteria including:
  - Serving and former members of the Armed Forces
  - Serving members of the Armed Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
  - Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner
  - Divorced or separated spouses or civil partners of service personnel who need to move out of accommodation provided by the ministry of defence
  - Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- Households where the awarding of priority on the housing register will prevent them from becoming homeless
- Foster carers approved by the local authority
- Households where a child/children are assessed as being a child/children in need or on a Child Protection Plan and alternative accommodation is required in order to safeguard the child/children
- Applicants who can demonstrate a community connection by volunteering for a minimum of 16 hours per month for a registered charity, a recognised community group or a not-for-profit organisation
- Residents of supported accommodation who are deemed ready to move on to independent living and who have completed a tailored support package
- Care leavers

❖ Full Duty Statutory Homeless Category - (section 193, Housing Act 1996)

This category will be for all applicants who have been assessed by Salford Housing Options Point (SHOP), and who are owed the main housing statutory homelessness duty under the Housing Act 1996, Section 193, Part 7 (as amended).

Priority for housing within this category will be based on the Section 193 full statutory homelessness duty decision date in all cases.

Those applicants who were initially registered under the General Housing Needs category and then become a full statutory homeless duty (s.193) case (due to a change in circumstances) will move to the Full Duty Statutory Homeless category and their registration date will change to the date of their homelessness decision.

❖ Accessible Accommodation Category

This category is for those applicants (or household members) who, due to a physical disability, require an accessible property. All accessible properties will be advertised in this category enabling the Authority to ensure that this very scarce resource is reserved for those families with physical disabilities who require it.

Applicants must complete the medical section of the Salford Home Search application. The applicant (or household member) will need to have an assessed need for either level access, ground floor or wheelchair accessible accommodation.

The Housing Options Service will assess and allocate all cases into one of three 3 mobility categories:

- SN1 - Property suitable for a permanent wheelchair user (Customers with a severe disability who are unable to stand or walk unassisted i.e. permanent wheelchair users who need to use a wheelchair for all activities of daily living).
- SN2 - Ground floor property with level access (customers who do not use a wheelchair indoors but walk with difficulty and have difficulty climbing stairs. People who use a wheelchair outdoors).
- SN3 - Ground floor property (Customers that do not use a wheelchair indoors, walk with difficulty but can manage one or two steps) Applicants registered in the Accessible Housing Category might also fall into a Reasonable Preference category. Where this is the case, the applicant will be awarded points in line with those applicants in a Reasonable Preference category in the General Housing Needs Category. Priority will be determined by those with the highest need followed by waiting time since registration.

### 3.4 The Points System

Applicants in the General Housing Needs and Accessible Accommodation categories can receive points.

The display of points had to change in June 2022 following the introduction of the new system 'Locata' which delivers Salford's allocations scheme – Salford Home Search. This new system was unable to administer ½ points as per Salford's allocations policy. Therefore, a decision had to be made to change the decimal point on all points allocated so that 1 point changed to 10 points.

All housing needs categories were amended accordingly and therefore, overall priority remained proportionately the same. The points system and the resulting changes are described below.

<b>Category</b>	<b>Points</b>
Current tenure is insecure	10
Applicant needs to move due to none physical health needs	10
Applicant needs to move to receive or give care and support	10
Overcrowding	10
Under occupying	10 points per room under-occupied
A child leaving care where Salford are the corporate parent	20
Applicant is threatened with homelessness and owed a Homelessness Prevention Duty under the Homelessness Reduction Act	25 points - time limited for the 56 days duration of the duty
Applicant is currently homeless and is owed a Relief Duty under the Homelessness Reduction Act	20 points – time limited for the 56 days duration of the duty
Applicant is ready to move on from supported accommodation to their own settled accommodation	20
Applicant is an approved Foster Carer and needs to move to facilitate the foster caring role	20
Applicant is a serving or previous member of the armed forces	5 points per full year of service

Applicant is a bereaved, divorced or separated spouse/civil partner of service personnel who needs to move out of accommodation provided by the ministry of defence	5 points per full year of service of the deceased/ex armed forces partner
Management points awarded in exceptional circumstances	10 points – time limited for 6 months

In exceptional circumstances additional preference (management points) may be awarded to applications in order to meet housing need within a reasonable timescale. Such cases will be agreed by the Allocations Review Panel and a record kept. This might include, but is not limited to, those who need to move urgently because of a life-threatening illness or sudden life changing disability, families in very severe overcrowding where that overcrowding poses a serious and evidenced health hazard, those who are homeless and require urgent rehousing as a result of immediate and high-risk violence or threats of violence, including intimidated witnesses, and those escaping very serious anti-social behaviour.

Applicants who have a 'Reasonable Preference' will have points added to their application according to the criteria met above. However, this will not necessarily exceed the level of need awarded to those applicants with an Additional Preference. This is purely dependent upon the level of housing needs experienced.

It should be noted that homeless prevention and relief points will only be awarded to those applicants who have been assessed by the Housing Options Service and have been formally accepted as being owed a homelessness Prevention Duty (section 195) or Relief duty (section 189) under the Homelessness Reduction Act 2017. These cases will be dealt with under the General Housing Needs category and the points will be awarded for a time limited period only while the duty applies.

Salford is currently piloting the award of 25 priority points to Prevention Duty applications and 20 priority points to Relief Duty applications, both for the duration of that individual Duty (56 days). The pilot will last approximately 6 months and will inform the wider review of Salford's allocations policy during 2024/2025.

### **3.5 Mutual Exchange Register for Social Homes**

The council is committed to making best use of social housing stock in the city and therefore actively promotes mutual exchange as a means of achieving this. Where social housing tenants would otherwise be unable to register with Salford Home Search as they do not qualify for the register, use of this category enables those tenants to secure alternative accommodation while supporting the council's strategic aim.

Mutual exchanges do not fall within the definition of an allocation within Part 6 of the Act but have been included here as in order to register for an exchange applicable tenants must register with Salford Home Search.

Applicants registered with Salford Home Search will automatically be registered for mutual exchanges as part of the registration process.

Applicants who are eligible but do not qualify to go on the housing register may still register with Salford Home Search on the Mutual Exchange Register. Applicants will require the consent of their landlord before being permitted to enter into a mutual exchange.

### **3.6 Transfers for existing social tenants**

Transfers for existing social tenants who do not fall within a Reasonable Preference group are not defined as an allocation within Part 6 of the Act.

Individual social landlords have existing transfer policies which will administer lettings for those residents who do not qualify for a housing allocation under this policy.

Residents are advised to contact their landlord directly if they do not qualify for an allocation of housing under this policy but they would still like to move home.

### **3.7 Data Protection**

Please refer to Salford City Councils website for a copy of the [Choice Based Lettings Scheme Privacy Notice](#).

### **3.8 False Statements**

It is an offence for anyone to knowingly or recklessly make a statement that is materially false, or to deliberately withhold information which is reasonably required, or to fail to notify SHOP of any changes in their housing circumstances. If the applicant has been allocated a property under these circumstances the relevant partner of Salford Home Search may take court action to evict the applicant.

Note should also be made of the action taken when it is deemed that a household has deliberately worsened their circumstances – see section 2.7.

### **3.19 Wider Statutory Duties**

All organisations in England that work with or provide services for children and families have a duty to protect their welfare. Working Together to Safeguard Children (2013) sets out the legal requirements that health and social services, police, schools and all other organisations that work with children must follow. There is a responsibility to protect children when concerns are raised through alerting the appropriate agencies so they can then make inquiries and take any necessary action to protect the child.

Similarly, Officers within the City Council also have a responsibility to safeguard adults. All adults who are or may be in need of community and health care services,

are or may be unable to take care of themselves, or unable to protect themselves should be able to retain independence, well-being and choice and must be able to access their human right to live a life that is free from abuse and neglect.

Council Officers who administer Salford's Allocation Policy must have regard to these requirements during the course of their work and are required to follow the Authorities processes for raising concerns about a child or vulnerable adult. More information can be found on:

- [The Children and families Safeguarding webpage](#) and on;
- [The Adult safeguarding webpage](#)

In addition, the Homelessness Reduction Act 2017 also requires public services to refer those who are homeless or threatened with homelessness (with the applicants consent). More information can be found on:

- [Public Duty To Refer webpage](#)

Council Officers who administer the Authorities Allocations Policy may have to act on any information which raises concerns about a child, vulnerable adult or someone who is homeless/threatened with homelessness, in line with Council policy.

## **4 HOW THE HOUSING REGISTER WILL WORK**

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### **4.1 Definition of an Allocation**

Under the terms of the Housing Act 1996 part 6 the allocation of accommodation by housing authorities is defined in section 159 as:

- Selecting a person to be a secure or introductory tenant of housing accommodation held by a local authority (it should be noted that all social housing owned by the local authority is managed directly by Pendleton Together),
- Nominating a person to be a secure or introductory tenant of housing accommodation held by another person (i.e. one of the authorities or bodies fulfilling the landlord condition mentioned in section 80 of the Housing Act 1985) or
- Nominating a person to be an assured tenant (including of an assured shorthold) of housing accommodation held by a registered provider.

### **4.2 How Properties will be allocated**

A number of Registered Housing Providers advertise properties on Salford Home Search. A list can be found in document Appendix A.



Landlords who are a partner in Salford Home Search advertise properties on the Salford Home Search website, upon notification that the property will become available (there is no set bidding cycle).

All accessible and adapted properties are advertised in the Accessible Accommodation category, for example properties with adaptations for wheelchair users, ground floor or properties that have level access to and throughout the property. This prioritises accessible properties for those who most need them.

The targets will be determined by the CBL Partners Group and any change to the targets will be agreed by that group. The CBL Partners Group meets on a bi-monthly basis and this meeting is used to address any issues which arise in relation to the advertisement or allocation of housing via Salford Home Search including for example repeat bypassing of individuals or by a particular Registered Housing Providers to prevent any possible 'cherry picking' and to ensure an equitable and fair service delivery to all applicants.

This process ensures equitable distribution of available properties between categories and does not therefore promote one category as being more favourable than another. This allows the council to meet its statutory duties whilst also addressing wider housing need across the city.

The category in which a property is advertised is determined by the landlord.

At the end of the bid cycle for each property, a shortlist of bidders is generated. The sort order for the shortlist initially is:

General Needs Category:

- Those bidders allocated to the category within which the property has been advertised
- number of bedrooms required
- number of points
- date registered with Salford Home Search

Accessible Accommodation Category:

- only applicants who have been assessed as requiring adapted/accessible accommodation will be placed into this category, and can only bid on the type of property they need (i.e. adapted, ground floor or level access)
- number of bedrooms required
- applicants requiring the type of adapted/accessible accommodation advertised and who are main duty statutory homeless cases will be prioritised – these cases will be prioritised based on their main duty homelessness decision date
- number of points – for all other applicants
- date registered with Salford Home Search – for all other applicants

## Full Duty Statutory Homelessness Category

- number of bedrooms required
- main duty homelessness decision date

It is the responsibility of the relevant landlord to complete pre-allocation checks to determine if the applicant is still eligible and qualifying (at the point of bidding) and if so to make a provisional offer of the accommodation.

Applicants will be given a reasonable period of time to accept an offer of accommodation that they have successfully expressed an interest in. They will have the opportunity to view the property prior to accepting or rejecting whatever is being offered. Additional time may be granted to those applicants who are vulnerable or who have difficulty in responding due to their circumstances.

Applicants are advised that individual Registered Providers may have their own policies in relation to seeking references prior to a formal offer of accommodation is made and this information should be available on the advertisement.

If the highest bidder declines an allocation of a property, then the property will be allocated to the next available bidder.

### 4.3 BIDS AND OFFERS:

#### **4.3.1 Bids**

An applicant or person acting on their behalf can express an interest in (or in other words bid for) up to 3 properties at any one time. Once a bid cycle has closed and the applicant has not been successful, then further bids can be placed.

It should be noted that applicants within the Statutory Homeless category, or those with a Prevention or Relief Duty (under Part VII, Housing Act 1996, as amended) can have automatic bids placed on their behalf. The automatic bids will be placed immediately before the bid cycle closes for each advertised property. Those bids cannot be removed by the applicant.

Once an applicant has been made an offer of accommodation and the applicant has accepted the offer, the applicant will be unable to express an interest in any further properties advertised.

Applicants who are registered on the housing register but who do not express an interest in any suitable properties that have been advertised within Salford Home Search, in a twelve-month period (i.e., for an appropriately sized/type of property) will be removed from the housing register for a period of 12 months after which the applicant can reapply. Applicants will have the right to request a review of the decision to remove their application. (See Reviews, section 5.6).

### **4.3.2 Offers.**

An applicant can refuse only 1 offer of 'suitable' accommodation. Once an applicant has been made and refused 2 offers of suitable accommodation their application will be cancelled and the applicant will be unable to re-apply to the housing register for a 12-month period.

It should be noted that those owed a section 195 Prevention Duty, section 189 Relief Duty or section 193 full statutory homelessness duty under Part VII of the Housing Act will also be made 2 offers of suitable accommodation via this Allocations Policy. However, the homelessness duty (prevention, relief or main housing duty) will be discharged and the temporary accommodation provided as part of that duty will be brought to an end upon the unreasonable refusal of the first offer of suitable accommodation. The Salford Home Search application of all homelessness applicants (Prevention, Relief and Main Duty cases) will be updated with their change of circumstances (including their Salford Home Search Category and points will be updated accordingly). This may mean that those applicants with no housing need will not be eligible to remain on the housing register.

There may be privately renting homeless applicants who (after having gone through the Prevention and Relief duties) are still pending legal action from their landlord to end their tenancy, a situation which can potentially continue for the 'long term'. In these cases, the prevention credits can be awarded for a further period of upto 6 months. After 6 months the points will be removed. This may effectively remove any further qualification on the housing register, if no other housing needs exist. These applicants will be provided with advice and information about the private rented sector including the Rental Bond Scheme.

A review of the suitability of any offer under this policy can be requested – please see section 5.6.

However, the review of the discharge of any s.195 Prevention Duty, s.189 Relief Duty or s.193 full statutory homelessness duty following the unreasonable refusal of one offer of suitable accommodation will be dealt with under a section 202 homelessness review (part VII, Housing Act). A request for a section 202 homelessness review should be made directly to the homelessness service via the applicants Housing Officer.

### **4.4 Nominations from Registered Providers not Partners in Salford Home Search**

Registered providers who are not a partner in Salford Home Search but have entered into a nomination agreement with Salford City Council will provide SHOP with the details of properties to be allocated.

Details of Registered Providers who have entered into a nomination agreement with Salford City Council can be found in separate document Allocation Policy Appendix A which is a live document updated as required.

SHOP will generate a shortlist for the property on the landlords behalf, the rest of the process remains the same as for partners in Salford Home Search.

#### **4.5 How the Size of Property Required will be Decided**

In the interests of making best possible use of the available social housing stock, applicants will be offered accommodation that meets the needs of their household and is affordable.

The following rules will be applied when determining the size of property required:

- One bedroom will be allowed for a single person household
- One bedroom will be allowed for a couple
- One bedroom will be allowed for any two children of the same sex up to the age of 21 years
- One bedroom will be allowed for any two children regardless of sex up to the age of 10 years
- One bedroom will be allowed for any other child

Children of an appropriate age and sex within the same households are expected to share a bedroom regardless of relationship, for example stepchildren and foster children.

Unborn children will not count as requiring a bedroom. Applicants can register with Salford Home Search twelve weeks before the expected due date of the baby however the application will be suspended until after the birth of the child.

Where applicants have shared care arrangements for children, they will only be allocated an additional bedroom if they are the recipient of the child benefit for that child unless there are extenuating circumstances, such as a legal document awarding joint care arrangements where the parent has the child residing with them 50% of the time. Furthermore, the applicant will only be awarded a bedroom for the child in these circumstances if they are able to demonstrate that that size of property would be affordable to them.

Provided it will not constitute statutory overcrowding and should the applicant agree, in certain circumstances a household will be allowed to occupy a property smaller than they would be entitled to under this policy. This would normally apply to households needing five bedrooms or more.

##### **4.5.1. Exceptional Circumstances**

We recognise that occasionally there can be exceptional circumstances that may sometimes lead to the need for an additional bedroom. These exceptional circumstances usually result from an extremely serious, long term and exceptional issue. In these situations, you can request a review of the bedroom size award.

However, before you make this decision you must be aware of the following:

- a. Fewer larger properties become available for let in Salford, than smaller properties. As the table below shows, the larger the property, the fewer the number of available properties there are available to let. These trends are not expected to change in future years.

**Properties Advertised via Salford Home Search by Bedroom Size – every 12 months**

Year	2021 / 2022					2020 / 2021				2019 / 2020			
Bedrooms	1	2	3	4	5	1	2	3	4	1	2	3	4
Totals	309	402	152	17	1	285	392	161	17	387	511	220	14

Although, there are fewer households in need of larger homes than smaller homes, the availability of larger homes is in such short supply that this means families are often waiting many years to be rehoused: for example, there were no 5-bedroom properties for let, for the 3 years prior to 2021/22 and in that year there was only 1 x 5-bedroom property. The need and demand for properties, far out-weighs their availability.

**Bedroom size needed on a single day 31.01.22 31.03.21 03.02.2020 31.01.2019**

<b>1 Bed (inc. studio need)</b>	3178	2683	3523	3206
<b>2 Bed</b>	1410	1228	1344	1424
<b>3 Bed</b>	911	742	712	925
<b>4 Bed</b>	256	231	194	265
<b>5 Bed</b>	25	16	11	27
<b>6 Bed</b>	4	2	3	4
<b>Total</b>	5784	4902	5787	5851

- b. Applicants must also be aware that the larger the property the higher the rent. This will impact on working households financially, directly.

In addition, from April 2013, Housing Benefit rates were based on the number of people in the household and the size of the accommodation. This applies to all working-age tenants renting from a local authority, housing association or

other registered social landlord. This means those tenants whose accommodation is larger than they need may lose part of their Housing Benefit, unless you meet certain criteria – you should contact the Housing Benefit Team for more information.

It is your responsibility to ensure that you can afford your home and the landlord will conduct an affordability assessment before offering you any home.

Examples of exceptional circumstances that we can consider might be (but not exclusively):

- a) If one of your children who is sharing a bedroom is Transgender and you believe that sharing a bedroom would be detrimental to them.
- b) If a separate bedroom is required for a child, who would normally be expected to share a bedroom with another child, as a result of a long term/severe health condition or disability.
- c) If an overnight carer is required or an additional/separate bedroom is required for the storage/provision of medical equipment, resulting from a long term/severe health condition or disability.

It should be noted that in all cases where an additional bedroom is being requested supporting evidence will be sought, if this is as a result of a long term and severe health condition or disability (which includes for example, those with a physical, mental health, sensory, learning or neurodivergent/ development disabilities/disorders) – as in points b and c above, then required evidence will include:

- Award of carer's allowance, and
- Award of middle/high rate Disability Living Allowance or award of enhanced rate Personal Independence Payments, and
- Letter of support from a suitably qualified (medical, social care or nursing) Professional

This list of possible exceptional circumstances which may result in the award of an additional bedroom is not meant to be exhaustive. However, if applicants wish to request a review of the number of bedrooms they are entitled to, then they must submit relevant evidence from suitably recognised Professionals and services – the need for these may be defined during the review process, dependent upon individual' circumstances.

Details about how to request a review is found in section 5.6, page 33 of this allocations policy.

## **4.6 Property Types**

Applicants who have an assessed need for an accessible property will only be considered for properties advertised in the Accessible Accommodation category.

In Salford the majority of sheltered housing schemes owned/managed by Registered Housing providers, are designated for those who are or who's partners are 55 years of age or older. Exceptions may apply for those applicants assessed as requiring the support services provided in this type of accommodation, but this will be dependent upon the local lettings policies held by each Registered Provider for those individual properties and this is not a matter for this Allocations Policy.

Single applicants or couples with no children will not be considered for houses or bungalows with more than one bedroom. Where applicants request an additional bedroom to accommodate medical equipment, or because a resident carer is part of the household, applicants should complete a medical support application for this need to be considered.

Applicants with one child under the age of 10 years will be considered for properties in multi-storey blocks where these properties have been advertised as being suitable for these households. Individual circumstances of households, for example families with children with serious learning disabilities who may be at risk from climbing and falling, will be taken into account when considering the suitability of the property.

## **4.7 Joint Applicants**

Applications on Salford Home Search can only be made in one name. All other members of the household will form part of that application but there will be one lead applicant.

With respect to joint tenancies this is outside the scope of this policy.

Where household members have a long-term commitment to the home for example, when adults share accommodation as partners (including same sex partners, friends or live-in carers), landlords are able to grant a joint tenancy, but this is dependent upon individual Registered Providers and their own lettings policies.

## **4.8 Direct Allocations (Discretionary Allocations)**

As far as possible the categories will be used to advertise and allocate properties. However, this scheme recognises that there may be circumstances where the choice-based lettings system, Salford Home Search, is unable to meet the very specialised needs of certain applicants. In these circumstances an offer of accommodation may be made direct to the applicant without the property being advertised within Salford Home Search and therefore without the need for the applicant to have expressed an interest in that property.

Circumstances that might be appropriate for a direct allocation include, but are not limited to:

- Statutory homeless applicants who are failing to exercise choice through the choice-based lettings process or who are failing to express an interest in appropriate accommodation through the choice-based lettings process
- Care leavers supported by the city council's Next Step team.
- Applicants requiring specially adapted properties
- Sheltered accommodation
- Where child or public protection issues require urgent rehousing or where the Multi Agency Public Protection Panel or National Witness Mobility Scheme has recommended that applicants be excluded from certain areas due to them being inappropriate
- Where in the interests of community cohesion there is a need to exercise extra sensitivity when letting certain properties in order to minimise the potential for anti-social behaviour

Direct allocations will be agreed by the Allocations Review Panel on a case-by-case basis taking into account individual circumstances and will be recorded as such. The Allocations Review Panel membership consists of the Service Manager from Salford Housing Options Point, the Empty Homes Manager from Salix Homes and the Head of Housing Services from ForHousing Housing Trust.

Where a direct allocation is agreed by the Allocations Review Panel, the applicant will be made two reasonable offers of accommodation suitable for the households' needs and not in an area known to be unsafe for the household.

Where an offer of suitable accommodation is refused the applicant will be made one further offer of suitable accommodation which if refused will result in cancellation of the application and suspension from being able to reapply to the housing register for a period of 12 months. The applicant will have the right to request a review of the suitability of the offer, (see Reviews, section 5.6)

Those who are required to move from their home or where their property is subject to compulsory purchase as a result of regeneration activity will be offered accommodation under the Policy 'Direct lets for household's whose homes are affected by regeneration/re-development proposals'. This policy sits outside the Allocations Policy in order to ensure that those households whose homes are subject to regeneration/re-development proposals and who are required to move as a result of that activity can be accommodated in a timelier fashion, in appropriate accommodation that meets the household's needs.

#### **4.9 Local Lettings Policies**

Salford City Council owns only a very small proportion of Council homes within the City which are managed by Pendleton Together Housing. The majority of social



housing is owned and managed by other Registered Providers listed in document Appendix A.

Local lettings policies are designed to respond to specific local issues. These may include particular concerns on estates and areas or other social issues in the community.

Only a small proportion of the housing stock should be affected by local lettings policies.

Good practice guidelines encourage local lettings policies to:

- Protect balanced and mixed communities
- Reduce property void rates and tenancy turnovers
- Improve community cohesion and stability
- tackle low demand areas
- reduce anti-social behaviour

Salford City Council works in collaboration with the Registered Providers locally to try to agree local lettings policies. Local lettings policies must be published by the relevant landlord and each policy must include the following:

- the scope of the policy, for example geographical coverage, property void levels, tenant profiles where appropriate
- clear reasons and evidence of why a local lettings policy is required
- an assessment of any possible negative impacts of the local lettings policy
- how the policy will be monitored
- how the policy will be reported on and reviewed

Local lettings policies should last no longer than six months without being reviewed.

In order to best meet the Council's statutory duties and strategic objectives the Council seeks agreement from Registered Provider partners that the following groups will be excluded from local lettings policies, where possible:

- statutory homeless households
- care leavers
- residents of supported accommodation

## **5 ADMINISTRATION OF THE POLICY**

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### **5.1 Applicants who are ineligible or do not qualify**

If the Authority decide that an applicant is ineligible or not qualifying, the applicant will be notified of the decision and the grounds for it in writing. Applicants have the right to request a review of the decision, (see section below).

Applicants are entitled to reapply at any time. However, they will remain ineligible or will not qualify unless their circumstances have significantly changed.

Applicants cannot make more than one application to join the housing register at any one time. However, applicants may make multiple applications to join housing registers elsewhere dependent upon the allocations policies within those other Authorities.

## **5.2 Decision Making**

All decisions taken in relation to the scheme are to be taken by Housing Officers unless otherwise indicated. All applicants will be notified of decisions made in writing.

The Housing Options Service administers the implementation of the Allocations Policy through the Salford Home Search system:

- Administration Staff are responsible for: general information and advice, bidding, registration, processing medical assessments, list cleansing, lifting suspensions, random audit checks and verifying information.
- Housing Officers are responsible for: lifting suspensions, verifying information, registering applicants, assisted bidding, suspensions and cancellations.
- Managers are responsible for: appeals around access to the housing register, Councillor/MP enquiries, complaints and assessments relating to inclusion on the Accessible Accommodation category in liaison with Integrated Care Commission Officers.
- The Senior Manager is responsible for: Appeals, MP/Councillor enquiries and complaints

## **5.3 Requests for Information**

Information relating to the successful award for properties advertised previously can be found on the website for Salford Home Search. The information provided shows the category the property was advertised in, the category of the successful applicant and the number of needs that the successful applicant had.

Applicants can also see the information relating to the expressions of interest they have placed by logging in to their own registration with Salford Home Search. For every property that the applicant has expressed an interest in the total number of applicants expressing an interest, together with the applicant's position in relation to those other applicants is given.

General information about the profile of social housing stock in Salford will be published on the Salford Home Search website on a 12 monthly basis.

Applicants wanting further information in relation to any decision about their application can request the information using the contact details as shown on the website.

The Authority is subject to General Data Protection Regulation and the administration of this policy must comply with this regulation. [View the authority's Choice Based Lettings Scheme privacy notice.](#)

You can also find out about [exercising your rights with respect to accessing your personal information and your rights to be informed](#) on the council's website.

You also have the right to complain to the Information Commissioner. This right is not dependant on you raising a complaint with us first but we would encourage you to contact our Data Protection Officer: [infogovernance@salford.gov.uk](mailto:infogovernance@salford.gov.uk) so we can consider your concerns as quickly as possible

The Information Commissioner is the UK's independent regulator responsible for upholding and enforcing the rights of individuals under data protection law.

You can email the Information Commissioner's office: [accesscoinformation@ico.org.uk](mailto:accesscoinformation@ico.org.uk) or write to:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Full information about your rights is also available on the [ICO's website](#):

#### **5.4 Changes in Circumstances**

All applicants registered with Salford Home Search are required to notify SHOP of any changes in their circumstances and to provide any relevant supporting evidence of the change. It is the responsibility of the applicant to notify any changes.

Applicants who fail to notify SHOP of any change and this is subsequently found to be the case may have their registration suspended or cancelled depending upon the nature of the change in circumstances.

Where a change in an applicant's circumstances results in a change to the category that they are registered in, the applicant will be notified in writing of this change.

Where a change in an applicant's circumstances results in their registration being cancelled, the applicant will be notified of this in writing.

Applicants are again advised that it is an offence to provide false information (including not informing the Authority of any change in circumstances) as per point 3.6 above and that court action may be taken against you in these cases.

#### **5.5 CANCELLATION OF APPLICATIONS**

Applications will be cancelled in the following circumstances:

- The applicant requests that the application is cancelled

- The applicant is housed through the Allocations Policy
- The applicant completes a mutual exchange
- The applicant becomes ineligible for an allocation
- The applicant ceases to be a qualifying person for an allocation
- The applicant is found following an investigation to have made false or deliberately misleading statements in connection with their application
- An applicant fails to respond to a request for further information within a reasonable time, usually 14 days unless there are extenuating circumstances. These will be considered on a case-by-case basis.
- An applicant unreasonably refuses 2 offers of suitable accommodation

Applicants will be notified in writing that their application has been cancelled and the reason for the cancellation.

Applicants will have the right to request a review of the decision to cancel their application. (see Reviews, section 5.6).

## **5.6 Reviews**

Applicants have the right to request a review of certain decisions on the following grounds or in the following circumstances:

- Their application has been refused or cancelled on the grounds that they are not eligible
- Their application has been refused or cancelled on the grounds that they are not a qualifying person
- Their application has been cancelled as they have been found to have made false or deliberately misleading statements in connection with their application
- Their application has been cancelled because they failed to respond to a request for further information
- A decision has been made about the facts of a particular application which have been taken into account to assess where an applicant should be placed on the banding/category system, the size of the property they should be allocated or whether an allocation should be made.
- The applicant has refused 2 direct allocations of accommodation which were considered to be reasonable offers.

In cases where the council have discharged the statutory housing duty after a homeless applicant has refused a reasonable offer, any requests for a review will be dealt with under the statutory homelessness review procedures (section 202) under Part 7 of the 1996 Act.

Requests for reviews must be made within 21 days of being notified of the decision. Details of where to send the request will be included in the written decision letter received by the applicant.

Requests for reviews can be submitted by a representative of the applicant on their behalf.

Reviews will be carried out on behalf of the council by someone more senior than the person who made the original decision and who was not involved in making the original decision.

The applicant will be informed of the outcome of the review in writing, as soon as practicable.

## **5.7 Complaints**

If an applicant is not happy with the service that they have received in relation to the allocation of housing they should first complain to the Housing Options Service, Swinton Civic Centre, Chorley Rd, Swinton, M27 5AW or via Email: [housing.advicecentre@salford.gov.uk](mailto:housing.advicecentre@salford.gov.uk)

If the applicant is not satisfied with the outcome of their complaint or with how their complaint has been handled then they can make a complaint to the Authority on the [Comments, compliments and complaints webpage](#), and an independent investigation into your complaint will be conducted.

If you are not satisfied with the outcome of the complaint i.e. if your problem has not been put right or you have not had a response within a reasonable time (within 12 weeks) then you can contact the Local Government Ombudsman who can be contacted:

By telephone: on 0300 061 0614 for help making a complaint  
Text 'call back' to 0762 481 1595 - use a textphone via the Next Generation Text Service (formerly known as Text Relay and Typetalk)

Lines are open:

Monday 8.30am to 12 noon.

Tuesday to Friday: 8.30am to 5pm

Online: If you have a complaint, please use the [complaint form](#) supplied by the Local Government Ombudsman

## **6 MONITORING AND REVIEW**

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### **6.1 THE EFFECTIVENESS OF THE ALLOCATIONS POLICY WILL BE MONITORED BY:**

- Publishing the results of allocations made through the choice-based lettings system on the website of Salford Home Search
- monitoring partner agreements and performance
- reporting on allocations, including performance information from the housing register to appropriate bodies

The Allocations Policy will be reviewed annually or earlier if required by new legislation or government guidance.

Any major amendments arising from a review will be subject to consultation unless these are statutory requirements.

## **7 APPENDIX A: SALFORD HOME SEARCH PARTNERS**

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Anchor Housing Association

Salix Homes

Derive Group

Salix Living

ForHousing

Windsor Albion Co-operative

Riverside ECHG

The Guinness Partnership

Your Housing Group

Together Housing Association Limited

Great Places Housing Group

Bolton at Home

Onward

Mosscafe St Vincents Housing

The Abbeyfield Society

Places for People

New Barracks Tenant Management Co-operative

Irwell Valley Housing Association

Dérive

## 8 NOMINATING PARTNERS

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- Affinity Sutton

## 9 APPENDIX B: UPDATES

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- 2019: Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861) – in line with new regulations EEA eligibility has been updated accordingly
- 2020: Statutory guidance - Improving access to social housing for members of the Armed Forces
- 2021: The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020 (SI 2020/667)
- July 2022: Change of decimal point in the points system to facilitate the changeover to the new Locata system for delivering Salford Home Search
- Nov 2022:
  - Clarifications resulting from the change of systems to the Salford Home Search 'Locata' System – see: point 3.2 – page 17, point 3.3- page 19, point 3.5 - page 21, point 4.2 - page 25 and 4.3.1 – page 26.
- January 2023: The Allocation of Housing and Homelessness (Eligibility) (England) and Persons subject to Immigration Control (Housing Authority Accommodation and Homelessness) (Amendment) (No. 4) Regulations 2022
- March 2023:
  - Explanatory note relating to working from home added to local connections criteria – see page 11
  - Armed Forces Covenant Duty Statutory Guidance – November 2022
- January 2024:
  - Deputy City Mayor/Lead Member Housing approval on
    - The inclusion of an exceptional circumstances section
    - The inclusion of restrictions for owner occupiers
    - The inclusion of an income limit
    - The inclusion of a savings limit
    - The amendment of points to Prevention Duty cases to 25 points and Relief Duty cases to 20 points, but for the duration of that individual duty (56 days) as a pilot to test the impact of this change for a period of approximately 6 months, which will inform the wider review of Salford's allocations policy during 2024/25