

Economic Regeneration, Housing and the Arts Policy and Accountability Committee

Agenda

Wednesday 8 November 2017

7.00 pm

Small Hall - Hammersmith Town Hall

MEMBERSHIP

Administration:	Opposition
Councillor Daryl Brown Councillor Adam Connell Councillor Alan De'Ath (Chair)	Councillor Harry Phibbs Councillor Donald Johnson

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Date Issued: 31 October 2017

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The next meeting will be held on 16 January 2018 in the Courtyard Room at Hammersmith Town Hall. The meeting will start at 7:00pm.

Members and residents are invited to submit suggestions for the work programme, either at the meeting or by email to ainsley.gilbert@lbhf.gov.uk

**If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.*

At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.

Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.

Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.

London Borough of Hammersmith & Fulham



Economic Regeneration, Housing and the Arts Policy and Accountability Committee Minutes

Wednesday 6 September 2017

PRESENT

Committee members: Councillors Daryl Brown, Adam Connell, Alan De'Ath (Chair), Harry Phibbs and Donald Johnson

Other Councillors: Councillor Lisa Homan

Officers: Jo Rowlands – Lead Director of Regeneration, Planning and Housing Services, Jane Martin – Interim Director of Property Services, Graham Coupar – Compliance Consultant.

London Fire Brigade: Paul Kavanagh – Borough Commander

15. APOLOGIES FOR ABSENCE

There were no apologies for absence.

16. DECLARATIONS OF INTEREST

There were no declarations of interest.

17. MINUTES

The minutes of the meeting held on 5 July 2017 were agreed to be accurate.

18. ELECTION OF VICE CHAIR

The Chair welcomed Councillor Johnson as a new member of the committee, following his appointment at the last meeting of Full Council.

Councillor Phibbs was elected as Vice-Chair of the Economic Regeneration, Housing and the Arts Policy and Accountability Committee.

19. FIRE SAFETY UPDATE

Councillor Homan explained that she had been deeply moved by the fire at Grenfell Tower in Kensington and that she was determined that Hammersmith and Fulham Council would do all that it could to prevent the same tragedy from affecting its' residents. A very close relationship with the London Fire Brigade had been developed to make sure that the Council kept residents safe in their homes.

Councillor Homan explained that as well as ensuring its' own residents were safe, Hammersmith and Fulham had first offered support to Kensington and Chelsea Council on the morning of the fire and had provided much assistance since then. Councillor Homan also explained that a series of meetings had been held with residents in the 2 weeks following the fire to provide advice and reassurance.

Graham Coupar told the meeting that the Council had started to improve its fire safety systems before the Grenfell Fire, although the devastating consequences of that fire had provided fresh impetus for the Council to get it right.

A new Fire Safety Strategy had been developed and its main purposes were to:

- Protect residents and their homes from fire.
- State clearly how the Council manages fire safety.
- Provide clearly defined roles and responsibilities.
- Establish and maintain a process of robust control to ensure full compliance
- with fire safety regulations always.
- Establish a person-centred fire risk assessment regime for specialist
- housing.

The Council also used expert guidance from the Local Government Association and the National Fire Chief's Council to help it manage fire safety.

Graham Coupar explained that a person-centred fire risk assessment would be completed for all residents in sheltered accommodation schemes, by the staff working at the scheme who knew their needs best. These would then be fed into the fire risk assessment for the building as a whole.

The Council had launched the Fire Safety Plus Scheme. This was a targeted investment programme of £20 million over 2 years to improve the fire safety of buildings and residents' individual homes. The scheme included the reintroduction of concierge services, the installation of sprinklers, improved fire risk assessments, free fire safety checks, free replacement of appliances which failed electrical tests, and free plug adaptors. Lift upgrades to firefighting lifts would also be carried out where this was technically possible.

Mr Coupar explained that some parts of the Fire Safety Plus Scheme could be delivered quickly, as an example, he said that plug adaptors had already been distributed across the Council's housing stock, whilst fire safety checks, including Portable Appliance Tests, fire door checks and heat detector fitting,

were starting to take place. Installing sprinklers would take significantly longer as the best solution for each block needed to be identified, with residents' views and maintenance also needing to be considered.

Mr Coupar said that the Council had also started an amnesty for those who had carried out unauthorised works to their homes. This had been introduced because unauthorised works might have impacted on the fire safety systems of the property; they therefore needed to be identified to protect all residents of a block.

Graham Coupar stated that the Council's fire risk assessments were called 'Type One Fire Risk Assessments'; these looked at common areas of the building and would also highlight where more intrusive assessments might be needed. The Council had adopted a new procedure for completing these assessments, as follows:

- An initial assessment would be carried out by either internal staff (1-5 storey buildings) or external contractors (6+ storey buildings and sheltered schemes)
- The fire risk assessment would be reviewed by an expert employed by the Council.
- 1 in 5 of the Council's fire risk assessments would then be reviewed by an expert external contractor.

The Council had fire risk assessments for all blocks where they were necessary and a rolling programme to update these. The most important part of an assessment was the action plan and new software would manage actions arising from fire risk assessments.

Graham Coupar explained that BRE had tested the fire resistance of the cladding at the Edward Woods estate and these had passed their testing and were safe. The top floor of the blocks on the estate would be fitted with a wet riser whilst the fire alarm system was also to be upgraded. Window panels on the Charecroft Estate were to be replaced as there had been some concern over their ability to resist extreme fires. Fire wardens had been employed to keep residents safe and provide reassurance at both estates whilst work was done. Panels across the remainder of the Council's housing stock were being assessed and if removal was recommended this would be done.

Jane Martin said that the Grenfell fire had displaced 250 families to live across London. Hammersmith and Fulham now had 54 families living in hotels and temporary accommodation in the borough, down from a high of 70 families. A taskforce of officers from Housing, Childrens Services, Adult Social Care and other related services had been set up to provide practical and emotional support. Practical support included providing Oyster cards, vouchers for meals in restaurants, mobile telephones, clothes and similar necessities.

Jane Martin explained the support which had been given to Hammersmith and Fulham residents, especially on those estates from where Grenfell Tower could be seen. Meetings had been held and a regular drop in sessions had been arranged. Fire safety booklets had been distributed and a new section created on the Council's webpage dedicated to fire safety. Staff were also

being trained on fire safety and would be able to engage residents on the subject whilst carrying out their other duties.

Graham Coupar said that the Council would be seeking accreditation under the SP 205 standard; this was a difficult standard to reach and achieving it would ensure that fire safety would continue to improve in Hammersmith and Fulham.

A resident of Orchard Square / Cheesemans Terrace explained that the scheme had recently suffered from a gas leak. This had been repaired but it had identified issues with the consistency of gas checks and the provision of carbon monoxide monitors. Ros O'Connell, Chair of the Repairs Working Group, said that Mitie claimed to have people checking where gas inspections were needed and that 100% compliance was claimed; she was therefore worried to hear that this might not be the true picture. Councillor Homan confirmed that all properties with gas were supposed to have an annual safety check. She agreed to look into the issue.

A resident noted that leaseholders were not required to have annual gas safety checks carried out by law and asked whether a requirement could be added to their leases. Jo Rowlands explained that other Councils had examined this and there was no legal way to force leaseholders to have checks. However the Council would look to promote the benefits of the checks and offer the service to those living in its blocks.

A resident explained that a friend had had their kitchen door removed, with the relevant permissions, and asked whether it ought to be reinstated. Officers suggested that the resident book a Fire Safety Check where the circumstances could be looked at.

A resident said that non-resident leaseholders needed to be encouraged to make use of the amnesty offered on unauthorised works. Councillor Homan said that the issue was to be discussed at the next set of leaseholders' forum meetings. A resident said that she had identified potentially unauthorised works via a property lettings website; she would pass on the details to the Council. Councillor Connell asked whether anyone had taken advantage of the amnesty. Jane Martin said that no-one had yet approached the Council having made unauthorised works but that she expected the fire safety checks programme would lead to issues being identified and the amnesty being used. Jo Rowlands explained that the amnesty would be open for around 18 months and would be publicised further.

Chris Took, a local resident, said that the Council had listened well to residents and had very good fire safety policies; there were however some instances where these policies were not being implemented properly. He felt that residents should be allowed to be more involved in making sure that things were done well citing examples of errors in the Fire Risk Assessment for a block on the Charecroft Estate, and problems with the removal of bulky waste. Graham Coupar agreed to look at how TRAs could be involved in the fire risk assessment process, whilst Councillor Homan agreed to ask officers to look at the issue of bulky waste causing a fire risk.

A resident asked whether works by Mitie would trigger a new fire risk assessment. Graham Coupar said that major structural works would but minor works and repairs would not. Mitie were expected to work according to rules and regulations to ensure that work did not compromise fire safety.

Shirley Cupit asked whether the installation of firefighting lifts would be coordinated with the existing lift replacement programme. Graham Coupar confirmed that it would be; where a refurbishment was planned officers would try to get the lift apparatus upgraded to firefighting lift standards. It was intended that all blocks of 6 or more storeys would get a firefighting lift. He noted that there might be a few places where firefighting lifts could not be fitted owing to the constraints of the building.

Councillor Connell asked whether vulnerable residents in general needs housing would be offered personalised fire risk assessments. Graham Coupar confirmed that these were available, however, the council did not always have information on the health of residents in general needs housing and so these would need to be requested by residents. Paul Kavanagh said that the fire service would find it very useful to have information about vulnerable residents available to its crews on attending a fire as this would help them prioritise resources and save lives. Councillor Homan asked officers to look at how this information could be collated.

A resident asked Paul Kavanagh to explain the rationale behind the stay put policy as residents were anxious about it. Paul Kavanagh said he understood residents' concerns about the policy after seeing the effects of the Grenfell Fire. He explained that residents were asked to stay in their homes if they were not affected by smoke or heat from the fire because they were safe there; other parts of the building they might pass on their way out might be being affected by the fire whilst their flat would give them protection from fire owing to the design of the buildings. He added that all of the residents of a block leaving at once was very dangerous, with the potential for crush injuries, whilst firefighters access to the building was also likely to be impeded, making it harder to put the fire out. Mr Kavanagh said however that if a flat was being affected by the fire, people ought to get out; it was important that families knew escape routes and practiced using them. A resident asked what someone should do if they could not leave by the stairs and the lifts were out of action due to the fire. Paul Kavanagh said that if they were affected by the fire they move to the stairwell to take shelter and let the fire brigade know that they were stuck so that they could be helped; he explained that stairwells were designed to be safe places in the event of a fire.

Councillor Brown asked how the messages about fire safety was publicised to residents. Paul Kavanagh said that the LFB website had lots of information about fire safety on it, whilst each building should have its own fire evacuation information. Jo Rowlands suggested that more information and a video from the LFB could be placed on the Council's fire safety site. A resident said that she had been reassured about the stay put policy by the fire at Shepherds

Court and suggested that the effectiveness of the policy in all but the Grenfell tower fire be emphasised to residents.

Councillor Connell said that he was pleased that the Council had made a commitment to fitting sprinklers and asked how residents would be involved in the programme and whether sprinklers would be fitted inside flats. Graham Coupar explained that the possible options for each block would be developed and then these would be presented to residents for their views. Whether sprinklers were provided in flats would need to be discussed with residents as many had reservations about the idea. Councillor Phibbs asked whether leaseholders would be charged if sprinklers were fitted inside their flats. Jane Martin confirmed that they wouldn't be charged for the installation.

Councillor Phibbs asked whether there was any benefit in fitting sprinklers to buildings which were lower than six storeys high. Paul Kavanagh said that wherever sprinklers were fitted they made a building safer, although he noted resistance to them from residents who feared unnecessary activations which might damage their property, although these were now very rare due to very sophisticated sprinkler technology. Councillor Phibbs said that he felt the fitting of sprinklers to buildings ought to be the Council's priority as they were very effective. He said that a report on a Sprinkler retro-fitting project in Sheffield which had taken place in 2011 suggested that the cost per flat was only £1,150 and that the Council should be able to complete the whole of its stock for less than £20 million. Councillor Homan said that the Council would be working to install sprinklers in high rise buildings first, as they were of greatest benefit in those block; the Council could review whether it was good value to install sprinklers in low rise blocks as this programme progressed.

Councillor Phibbs said that he felt that the Fire Risk Assessments for all Council blocks needed to be published on the Council's website, with residents being encouraged to look at them. Graham Coupar said that the Fire Risk Assessments would be published as they were reviewed. Councillor Phibbs said that he felt that the Fire Risk Assessments needed to be published immediately, noting that the Information Commissioner had suggested that Councils needed to proactively publish them. Jo Rowlands said that the aim was to get them published by the end of December. Councillor Phibbs noted that he had requested a number of Fire Risk Assessments in July but that these had not been sent to him. Jo Rowlands agreed to ensure that his Freedom of Information Request was responded to as soon as possible.

Councillor Johnson said that he understood that the air venting system in Grenfell tower had caused smoke to be in the stairwells impeding access and evacuation. Graham Coupar explained that all of the systems in Hammersmith and Fulham's blocks complied with the relevant regulations. Paul Kavanagh explained that the investigation into the Grenfell fire was ongoing and that it was too early to know if regulations around air venting systems needed to be changed.

Councillor Johnson asked whether the Council had looked again at its emergency planning. Councillor Homan said that emergency planning was

being looked at, both in Housing and across the Council. Councillor Johnson also asked whether the Council's induction could be added to include more information on fire safety. Jane Martin explained that additional training was currently being delivered to relevant staff to ensure that everyone was aware of fire safety.

A local resident asked who would be paying for the Fire Safety Plus Programme. Councillor Homan explained that £20 million had been set aside to cover the costs of the work; the planned maintenance programme would be rescheduled to accommodate the fire safety work. It was hoped that economies could be found by doing some planned maintenance and fire safety work together.

Councillor Phibbs asked whether there were any concerns about the use of U-PVC windows in high rise blocks as these appeared to have melted in the Grenfell Tower fire. Graham Coupar explained that U-PVC windows complied with building regulations and, where necessary, fire retardant windows were used. Paul Kavanagh said that U-PVC windows were more flammable than metal windows, but that their insulation properties made them very attractive to residents. Officers said that the investigation into the Grenfell fire would identify if alternative windows were needed.

Councillor Phibbs asked how long the people affected by the fire were likely to remain in hotels for. Jo Rowlands said this depended on how quickly Kensington and Chelsea Council could find homes for their residents; however it was likely to take a considerable period of time.

The Chair thanked officers for their presentation and sharing their experience as well as all those present for taking part in a useful discussion.

A summary of the actions agreed at the committee is included below:

The Council to consider how to involve residents in:

- Estate Fire Inspections
- Planning Sprinkler Systems
- Proofreading FRAs

Officers to ensure that gas checks are carried out in all properties with gas, especially in Sheltered Accommodation. Also work to offer a service to leaseholders so that the safety of blocks is not compromised.

Officers to review the fire safety of bulk rubbish collection arrangements.

The Council to consider how it could help firefighters, for example, by collating information on vulnerable residents in general needs accommodation and installing fire information boxes.

Officers to update the Council website to explain the stay put policy.

Officers to review the fire safety of plastic window frames.

Fire Safety to be added to the induction for all of the Council's Housing staff.

Councillor Phibbs Freedom of Information requests to be responded to.

A potential illegal conversion, highlighted by a resident, to be investigated.

20. DATE OF THE NEXT MEETING AND WORK PROGRAMME

The date of the next meeting and the work programme were noted.

Meeting started: 7.00 pm

Meeting ended: 9.10 pm

Chair

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<p>London Borough of Hammersmith & Fulham</p> <p>ECONOMIC REGENERATION, HOUSING AND THE ARTS POLICY & ACCOUNTABILITY COMMITTEE</p> <p>8 November 2017</p>	
<p>Working with Housing Providers to Tackle Antisocial Behaviour</p>	
<p>Open Report</p>	
<p>Classification - For Information/For Policy & Accountability</p>	
<p>Key Decision: No</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Nicholas Austin: Director for Environmental Services</p>	
<p>Report Author: Claire Rai Head of Community Safety</p>	<p>Contact Details: Claire.Rai@lbhf.gov.uk 020 8753 3154</p>

1. EXECUTIVE SUMMARY

1.1 This report is about the Anti-Social Behaviour Unit's (ASBU's) working relationships with LBHF's neighbourhood teams and other Registered Housing Providers (RHPs) who own and manage housing stock in the Borough. It also covers:

- generic partnership working – both statutory and non-statutory
- an overview of the ASBU's remit
- safeguarding and risk management.

1.2 The ASBU is committed to working in partnership to create a safer borough for all who live in, work in, or visit LBHF.

1.3 It was established in July 2002 to manage the more serious (mainly criminal) tenancy and leasehold breaches in the Borough. As the team grew, the remit was extended to cover all other tenures as well. Officers can now offer guidance and support on tackling ASB to RHPs, as well as anyone else living in, working in, and visiting the borough.

The ASBU is funded by the Housing Revenue Account (HRA).

1.4 Legally, prior to the implementation of the Crime and Disorder Act 1998, there were no mechanisms in place to ensure that partners worked together to combat crime and ASB. It is likely that agencies would have been working in

isolation and information would not have been shared between them. Information sharing is particularly important when dealing with repeat victimisation and monitoring perpetrator behaviour.

2. ANTI-SOCIAL BEHAVIOUR

2.1 Anti-social behaviour is defined as:

“behaviour that causes or is likely to cause harassment, alarm, or distress to one or more persons not of the same household as the complainant.”

2.2 For management purposes, anti-social behaviour is divided into two categories; lower level ASB which is managed by the neighbourhood housing teams, and serious ASB, often involving criminality, which is managed by the ASBU.

2.3 Lower level ASB covers behaviour or acts that are considered breaches of the tenancy/lease agreement. This can include anti-social behaviour where there is no intention to harm or annoy, but which happens because of a thoughtless or ‘don’t care’ attitude. For the local housing teams cases include:

- Neighbour disputes and verbal abuse.
- Noise nuisance e.g. Dog related noise, children playing, shouting, parties, noise from TV, or radios, noise caused by lack of appropriate flooring cover
- Nuisance caused by pets - fouling, noise
- Graffiti, vandalism, and damage to communal areas.
- People congregating in communal areas and causing a nuisance.
- Abandoned vehicles and fly tipping.
- Noise from wooden flooring.
- Dumping of rubbish and bulk refuse in communal areas.

2.4 Serious ASB may not be a criminal offence but it often involves criminal behaviour. For the ASBU cases include:

- vandalism and damage to property
- reckless or dangerous riding on mopeds and scooters
- graffiti
- drug dealing
- Serious Youth Violence / Ending Gang Violence and Exploitation
- Child Sexual Exploitation
- verbal and physical assault
- all forms of hate crime
- harassment
- noise nuisance
- behaviours inspired by any form of extremism

2.5 As cases progress new incidents can happen, which move the case from low to serious ASB. The action plan is reviewed with the victim and the case management will usually move from the local housing team to the ASBU, with the local housing officer providing help.

- 2.6 Local housing teams make every effort to reduce ASB by educating residents to understand the impact of their behaviour, and choosing to change it. However ultimately (legal/enforcement) remedies are used where we are satisfied that appropriate support is in place, but the behaviour continues (e. g. moving from warning letters and acceptable behaviour agreements to injunctions and possible possession proceedings).
- 2.7 A priority for local housing teams and the ASBU is that residents who come forward and report the problems they are experiencing feel supported during the case management and that their concerns are listened to and acted upon. All officers maintain regular contact with victims and provide support both through employing legal measures, as well as using specialist agencies, such as the Victim Support and Floating Support Services.
- 2.8 All cases are reviewed on a minimum of a monthly basis by the case manager and their manager to ensure all options are being considered to resolve the matter, and appropriate support in place.

3. ASBU AIMS AND OBJECTIVES

- Delivering specialist resources for preventing and addressing ASB and Hate Crimes across the borough, irrespective of tenure.
- Providing expert advice on casework and co-ordinating resources to manage the risk associated with high profile cases.
- Ensuring delivery of the council's priorities in relation to reducing ASB.
- Ensuring good communication with partners and other council departments participating in the borough's Crime and Disorder Partnership.
- Providing specialist expertise to develop multi-agency strategies to resolve the most serious, complex, and/or intractable cases of ASB and hate crime.
- Assessing the measures needed for victim support and for action against perpetrators.
- Promoting the council's equal opportunities policies in all aspects of service delivery.

4. PARTNERSHIP WORKING

- 4.1 The ASBU works closely with the MET police (both local and specialist teams), Youth Offending Service, Probation, Adult and Children's Social Care, WLMHT, drug and alcohol services, Council Estate Management teams, CCTV, Neighbourhood Wardens, Professional Witness Service, LBHF's Community Safety team, the third sector, Victim Support, other borough Registered Housing Providers and neighbouring boroughs. It also takes direct referrals from tenants and residents. Those referrals that do not meet the criteria are passed on to the appropriate agency. Much of the ASBU caseload is made up of Police referrals, or is based on Police intelligence.

5. RISK MANAGEMENT

5.1 When any form of ASB is reported, the Council has a duty to investigate. The complaint is treated as an allegation unless it is possible to substantiate it, in which case it would be a breach of tenancy. Any legal action the Council takes is in relation to the tenancy/Lease agreement.

5.2 ASB cases are graded as follows:

Grade	Examples of behaviour	Lead Agency
1	All Hate Crimes (including Racial Harassment); Cases where there has been violence, or threats of violence.	ASBU
2	Cases where the behaviour is intended, targeted, and meant to intimidate, or frighten; drug dealing and Crack House Closures	ASBU
3	No intent to harm intimidate; neighbour disputes; noise nuisance, including flooring, congregating; graffiti	Housing / Pinnacle
4	Behaviours that do not represent a breach of the conditions of the tenancy agreement and for which we have no further legal powers upon which to act (eg neighbours that cannot get on).	Housing / Pinnacle

5.3 Investigations begin as soon as possible. The officer (whether Housing, or ASBC) meets with the complainant to obtain all the necessary information, outline what can and cannot be done and agree with them a plan of action. The complainant provides written consent to take the agreed action plan forward.

5.3 Officers meet with other known complainants and witnesses and agree a signed action plan with them. Case histories of the alleged perpetrator are checked including whether they are known to the Police, Adult and Children's Services, WLMHT, Youth Offending, or Probation. As much relevant information is gathered prior to inviting the alleged perpetrator to respond to the allegations against them.

6. TENANCY ACTION

6.1 There is an escalating scale of actions that can be taken by the teams, depending on the level of tenancy breach and quality of the evidence obtained. These actions range from:

- The nature of the complaint does not constitute a breach of tenancy and no form of enforcement action is possible. Mediation may be offered as a remedy.

- The tenancy agreement has been breached but the breach is minor and the tenant is given a formal warning of the consequences of repeats. Mediation may be offered and partners may be asked to monitor the situation.
- There is a tenancy breach, which is more serious. The tenant, or relevant member of their household may be invited to sign an Acceptable Behaviour Agreement, prohibiting certain behaviours. It is agreed that breaching the agreement may result in the service of a Notice of Seeking Possession (NoSP).
- A NoSP is the first legal step in beginning tenancy action. The Notice is valid for twelve months, during which the matter may be referred to Court. The NoSP is usually used for non-payment of rent, or more serious ASB, or often a combination of the two.
- A NoSP may be served but the behaviour ceases and apart from monitoring, no further action will be taken.
- If the breach-causing behaviour continues, the matter can be referred to court for a hearing to take place. This is usually for a Suspended Possession Order, however sometimes an outright Possession Order is sought, whereby possession is granted (usually at 4 weeks), after which a bailiff's warrant can be applied for.
- The tenant has the right to apply for a stay once an Order has been made. If they do, a court hearing will take place where the officer will present evidence as to why the tenant should be evicted; the tenant will argue the case against.
- As well as direct tenancy action, injunctions can also be used to prohibit problem behaviours. If these Orders are breached committal to prison may be an outcome, or tenancy action can be taken. The team works with the police to obtain Criminal Behaviour Orders (updated versions of ASBOs) to curb behaviours. CBOs are particularly useful for dealing with younger people. Officers use these rather than take tenancy action, so that the impact of the behaviour of the young person on their wider family is minimised.
- Another useful legal tool is the Crack House Closure, or Premises Closure. Where there is sufficient evidence to demonstrate to the court that there is on-going nuisance to members of the public, these Orders can be granted for up to three months, and can be extended up to six. The Orders can be partial, where only named individuals are allowed inside the property, or full, where no-one is allowed to enter. When Closures are obtained, tenancy action is generally initiated.

7. VICTIM SUPPORT

- 7.1 The ASBU's approach is victim-led. No action will be taken without written consent from the victim. The officer will agree when and how the team communicate with the victim and manage expectations of what can and cannot be done for them.

8. MANAGING ESTATE-BASED PROBLEMS

- 8.1 As well as taking enforcement action against individuals the ASBU also works with the local housing teams to tackle estate-based problems such as congregation in communal areas and drug dealing. Any action taken must be based on evidence; this is provided by tenants and residents, police, or the neighbourhood wardens.
- 8.2 Once perpetrator names and addresses are known the problems can be tackled swiftly. When there is limited intelligence the officer appeals to the local community for help, as well as making referrals to the police and neighbourhood wardens, and, where relevant, the CCTV team as well. Temporary, mobile cameras, or covert surveillance are also considered as tools for gathering evidence.
- 8.3 Risk to residents is reduced by using hearsay statements in which they are not named, and any information that would identify them is removed. These statements carry less legal weight than named statements, however, if there are several of them, the courts will take them into account. Community Impact Statements are crucial to obtain the best outcomes at court.

9. WORKING WITH REGISTERED HOUSING PROVIDERS

- 9.1 The council's housing stock in the south of the borough is outsourced to Pinnacle psg. To ensure that residents in the south receive the same service as those in the north, the Anti-Social Behaviour Manager meets with Regeneration, Planning & Housing Service's Client Contract Manager on a monthly basis. The purpose of these meetings is to:
- Discuss concerns about case management.
 - Discuss high profile or sensitive cases.
 - Allow both parties to update each other on any internal changes.
- 9.2 There are many other RHP's operating within LBHF. The largest two are Notting Hill Housing Group (NHHG) and Shepherds Bush Housing Group (SBHG), with whom the ASBU have most regular contact.
- 9.3 All RHPs are invited to monthly partnership meetings hosted by the ASBU. By the end of 2017 a new Community MARAC meeting will be established to replace the current meetings and this will cover the highest risk cases in the borough.

- 9.4 A Community MARAC (Multi-agency Risk Assessment Conference) is a multi-agency problem-solving meeting that promotes joint ownership and early resolution of ASB cases.
- 9.5 There are occasions when the ASBU is contacted by RHP tenants, asking for help. There are also occasions when RHP tenants are causing ASB which is affected an LBHF tenant. In these cases, the ASBU works with the RHP to remedy the problem.

10. EQUALITY IMPLICATIONS

The ASBU works with a very diverse range of residents, including those who are more vulnerable to crime, including older people, the disabled and faith groups.

11. RISK MANAGEMENT

- 11.1 Part of the initial case assessment involves completing a risk assessment matrix for the complainant. As well as helping to gauge the level of risk, it also prompts the officer to consider target hardening measures, such as improved lighting. The officer will also consider asking the police for additional patrols or welfare visits, or will make a referral to the neighbourhood warden or professional witness service.
- 11.2 Risk assessments are undertaken for anyone involved in the case and are reviewed as circumstances dictate. Officer safety is a priority.
- 11.3 Officers ensure that both complainants and (alleged) perpetrators have as much support in place as necessary. Safeguarding referrals are made and officers attend Child in Need, Child Protection and Looked After Child meetings. Support referrals can be made to our Floating Support Service, Drugs and Alcohol Services, as well as
- 11.4 If it is established that a tenant is at risk unless they are moved, officers will complete management transfer applications. These applications are supplemented by police risk assessments.
- 11.5 ASBU receive regular Prevent and Griffin training. Prevent is one of the four elements of CONTEST, the government's counter-terrorism strategy, which aims to stop citizens becoming terrorists or supporting extremism. We also advertise this training to our partners. The team attend the Channel Panel meetings and feed in information to assist the Prevent team with risk management.

APPENDICES:

The appendix details activity between 04.04.16 and 29.09.17. It includes:

- ASB types
- Number of Possession Orders and Suspended Possession Orders and evictions
- Number of injunctions / Criminal Behaviour Orders / Closure Orders / undertakings
- Referrals made (Police/ NWS / Children's Services etc)

Incidents between 04/04/2016 to 29/09/2017

Count of Caseid	Total
Alcohol Related	5
Criminal Behaviour/Crime	34
Domestic Abuse	4
Drugs/Substance Misuse/Drug Dealing	97
Garden Nuisance	10
Hate-Related Incidents	6
Homophobic Harassment	1
Litter/Rubbish/Fly-Tipping	35
Misuse of Communal Areas/Public Space or Loitering	69
Noise	157
Pets and Animal Nuisance	31
Physical Violence	23
Prostitution/Sexual Acts/Kerb Crawling	1
Racial Harassment	15
Vandalism and Damage to Property	16
Verbal Abuse/Harassment/Intimidation/Threat Behav	104
(blank)	83 <-- incident type not recorded
Grand Total	691

Stage Summary by cases received between 04/04/2016 and 29/09/2017


- Summary of all stages (with actual date)

Count of Caseid	Stage Name	Total
FLAG		
CBO Obtained	CBO Obtained	1
CBO Obtained Total		1
Closure Order		
	ASB Premises Closure Order obtained	9
	ZZ-Crack House Closure Extension Obtained	1
	ZZ-Crack House Closure Order Obtained	6
Closure Order Total		16
Eviction	Eviction	6
Eviction Total		6
Injunction		
	ASB Injunction Obtained (No POA)	1
	ASB Injunction Obtained with POA	1
	Interim Injunction Obtained (No POA)	2
	Interim Injunction Obtained With POA	2
Injunction Total		6
PO/SPO		
	NOSP served	35
	Notice of Possession Proceedings Served	3
	Outright Possession Order Obtained	8
	Suspended Possession Order Obtained	1
PO/SPO Total		47
Referrals		
	(0) Refer case to TMO	371
	Refer to 6-weekly Multi-Agency Panel	1
	Refer to Caretaking Service	10
	Refer to CMHT	9
	Refer to CSU - Other Hate Crime	2
	Refer to Domestic Violence Agency	1
	Refer to Env Health Officer	19
	Refer to Housing Association	1
	Refer to Legal - ASBO	2

- Summary of all stages flagged as type Legal Enforcement

Count of Caseid	Stage Name	Stage Type	Grand Total
FLAG		Legal Enforcement	
CBO Obtained	CBO Obtained		1
CBO Obtained Total			1
Closure Order			
	ASB Premises Closure Order obtained		9
	ZZ-Crack House Closure Extension Obtained		1
	ZZ-Crack House Closure Order Obtained		6
Closure Order Total			16
Eviction	Eviction		6
Eviction Total			6
Injunction			
	ASB Injunction Obtained (No POA)		1
	ASB Injunction Obtained with POA		1
	Interim Injunction Obtained (No POA)		2
	Interim Injunction Obtained With POA		2
Injunction Total			6
PO/SPO			
	NOSP served	35	35
	Notice of Possession Proceedings Served	3	3
	Outright Possession Order Obtained	8	8
	Suspended Possession Order Obtained	1	1
PO/SPO Total			47
Referrals			
	Refer to Legal - ASBO	2	2
	Refer to Legal - Injunction	7	7
	Refer to Legal - NTQ Expired	2	2
	Refer to Legal - Possession	11	11
	Refer to Legal - SPO already exists	3	3
Referrals Total			25
(blank)			
	ASB Premises Closure Hearing	3	3
	Extension of Probationary Tenancy Served	2	2
	Notice to Quit Served	2	2

Referrals	Refer to Legal - Injunction	7	(blank)	Stay Application Dismissed	3	3
Referrals	Refer to Legal - NTQ Expired	2		Stay Application Received	2	2
Referrals	Refer to Legal - Possession	11		Stay Hearing	1	1
Referrals	Refer to Legal - SPO already exists	3		Stay Hearing Adjourned	2	2
Referrals	Refer to Mediation	17		Stay of eviction	1	1
Referrals	Refer to Neighbourhood Wardens	54				
Referrals	Refer to Police CSU(HH)	2		(blank) Total	16	16
Referrals	Refer to Police SNT	100		Grand Total	117	117
Referrals	Refer to Safeguarding Adults	7				
	Refer to Safeguarding Children	2				
	Refer to Social Services	27				
	Refer to Tenancy Support	7				
	Refer to Victim Support	2				
	Refer to YOT	5				
	ZZ-(0) Refer Case to ASBC	51				
	ZZ-(0) Refer Case to ASBC (DISABLED) (DISABLED)	86				
	ZZ-Refer to Professional Witness	18				
	ZZ-Referral to ASB Panel	1				
	ZZ-Referral to Noise Pollution Team	6				
Referrals Total		824				
(blank)	ABA Refused/Alleged perp no show	1				
	ABA Review 1	3				
	ABA Signed	10				
	ASB Premises Closure Hearing	3				
	Block letter sent	25				
	Eviction Report	5				
	Extension of Probationary Tenancy Served	2				
	Home Visit	127				
	Interview - No Show	43				
	Interview confirmation letter	486				
Referrals	Invitation to interview	160				
Referrals	Issue Diary Sheets	178				
Referrals	Management Transfer Agreed	13				
Referrals	Management Transfer Applied For	19				
	Mediation Review	14				
	Notice to Quit Served	2				
	Perpetrator Interview - No Show	4				
	Professionals Meeting Held	9				
	Safeguarding Adults Meeting Held	5				
	Stay Application Dismissed	3				
	Stay Application Received	2				
	Stay Hearing	1				
	Stay Hearing Adjourned	2				
	Stay of eviction	1				
	Warning Letter Sent	214				
	Witness Interviewed	12				
	ZZ-New ASB Incident Reported	34				
	ZZ-New RH Incident Reported	8				
(blank) Total		1386				
[work flow stages]	Additional Complainant Interview	20				
	Additional Monthly Complainant Support (KPI)	133				
	Additional Perpetrator Interview	46				
[work flow stages] Total		199				
Grand Total		2485				

<p>London Borough of Hammersmith & Fulham</p> <p>ECONOMIC REGENERATION, HOUSING AND THE ARTS POLICY & ACCOUNTABILITY COMMITTEE</p> <p>8 November 2017</p>	
<p>LEASEHOLDER SERVICES</p>	
<p>Report of the Director of Finance & Resources – Kath Corbett</p>	
<p>Open Report</p>	
<p>Classification: For review and comment Key Decision: No</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Kath Corbett, Director of Finance & Resources</p>	
<p>Report Author: Jana Du Preez, Head of Leasehold Services</p>	<p>Contact Details: Tel: 020 8753 4242 jana.dupreez@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. The report sets out the improvements which have been made to services to leaseholders to date, as well as projects currently in progress. It then considers and asks for suggestions for future projects.

2. RECOMMENDATIONS

- 2.1. To note and comment on the improvements to date and in progress. To suggest further improvements that could be made.

3. INTRODUCTION AND BACKGROUND

- 3.1. The Council manages 4,710 leasehold properties and 158 freehold houses on estates where the owners pay service charges. These are former Council homes which have been sold, mostly under Right to Buy.
- 3.2. 59% of the properties are recorded as being owner occupied. The actual figure could be lower as some leaseholders may not have notified the council that they are not resident at the property even though their lease requires them to.
- 3.3. Approximately 15.3% are still owned by their original Right to Buy purchasers.

3.4. The average annual service charge per property is £797, which compares favourably to other Local Authorities such as Islington at £1,098 and the London Borough of Camden at £1,271. Leaseholders also have to pay major works bills.

3.4 The Council currently provides many services to its leaseholders¹ in addition to those provided to all residents in the borough. These include:

- Caretaking on housing estates
- Horticulture on housing estates
- Delivering planned major works e.g. window and roof repairs/replacement
- Day to day repairs to communal areas, this includes dealing with leaks and other emergencies
- Granting licenses for alterations
- Fire safety, property inspections and other Health & Safety work, taking action where needed
- Estate Support and Security including the concierge offices
- Dealing with anti-social behaviour
- Carrying out quarterly Estate Inspections.
- Investigating lease breaches and ensuring the lease is complied with.
- Calculating, invoicing and collecting the individual contributions from leaseholders for the cost of delivering day to day services (such as caretaking, communal electricity and maintenance) and major works charges (such as window repairs or replacements and roof repairs/replacement where larger bills are normally expected)
- Consulting with leaseholders on major works and charges
- Providing sellers packs to leaseholders and their solicitors when they want to sell their properties

3.5 The Council recognised in 2014 that services to its leaseholders weren't good enough and has been working with them to improve the service.

3.6 This report looks at the improvements made to date which have been summarised in three categories:

- clearer communication
- better invoicing;
- professionalising the team.

It suggests plans for future service improvements and invites further suggestions / prioritisation for these improvements.

¹ The term leaseholders should generally throughout be taken to include those freeholders on council estates where the Council provides a service that also covers those homes.

- 3.7 The improvement process to date has been led by the Leasehold Services team. They organise the regular Leasehold Forums which we've used to talk to leaseholders about the improvements needed. They also calculate, invoice and collect the individual contributions from home owners and carry out the statutory consultation required before major work, as well as providing sellers packs. As part of our planned future projects we're looking at how we can integrate this Leasehold Services more into the other services we deliver to leaseholders.

4. CLEARER COMMUNICATION

Helping Leaseholders understand their rights and responsibilities

- 4.1 The relationship between the council and its individual leaseholders is defined in the lease which is a form of contract and not always easy to understand. So, we've put in place a Leaseholder's Charter, to help both Council Officers and leaseholders understand their responsibilities more easily.

- 4.2 We worked with leaseholders at the Listening to Leaseholders Conference in 2015 on this and received a lot of feedback which was incorporated in the charter. It was published on the website in October 2015. Councillor Homan endorsed the charter and a copy can be found in **Appendix A**.

- 4.3 In addition, as well as our regularly leaseholder forums which normally happen three times a year, the Leasehold Services team led sessions for leaseholders at the Residents' Conference in 2016. They were well received and many different topics were discussed, such as service charge calculations, major works consultation, alterations, lease extensions etc.

Making our letters and emails to leaseholders easier to understand

- 4.4 We've worked with our residents' reading group (some of whom are leaseholders) and other specific volunteer leaseholders to revise all our standard correspondence to make it easier to understand.
- 4.5 We've also sent officers on "Better Letters" training to improve the quality of our all correspondence and now have a "Better Letters" champion in the Leasehold Services team who reads most outgoing emails and letters.
- 4.6 We're continuing to work on this area with leaseholders so we can further improve.

Improving our website

- 4.7 Resident customer focus groups have reviewed and advised on the design and content of our website to help ensure customers can find the information they need. We are continually reviewing the data and leaseholders were invited at the recent Love Where You Live estate roadshows to partake in website usability testing. Further improvements will be made following the feedback. However we've still not delivered online account services to leaseholders and this will form part of our future plans.

Leasehold Forums

- 4.8 We strive to keep our customers informed about changes that may affect them. For this reason, we facilitate regular Leasehold Forums in three different areas of the Borough. They are chaired by a councillor and each service is represented, (Housing Services, Pinnacle, Mitie, Leasehold Services etc). A drop-in session precedes the main meeting allowing leaseholders to discuss any personal query face to face with the appropriate officer. These meetings are popular, attendances have increased significantly over the years and continue to grow.

5. BETTER INVOICING

Joint major works inspections

- 5.1 Leaseholders made it clear to us at forum meetings that they were not happy with the quality of the work they were being invoiced for and in some cases, couldn't see where the work had been done.
- 5.2 So, after talking to leaseholders, we bought in joint inspections of major works to try to address this. We invite all leaseholders who will be billed over £5,000 to an inspection before we raise the invoices. They are attended by leaseholders, Mitie, the Project Manager from Property Services and an officer from Leasehold Services (who acts as a layperson's pair of eyes for the Council and where needed challenges colleagues on the quantity and quality of works).
- 5.3 Leaseholders are encouraged to raise any queries they have regarding the work or cost at this inspection. The aim of this meeting is to resolve any disputes before the invoices are raised and improve the accuracy of our invoicing, increasing leasehold satisfaction and income recovery.

Leaseholders checking reactive repairs statements

- 5.4 At the end of the financial year, leaseholders receive a statement of all the repairs carried out at their building/estate that they are required to contribute towards. Some of the repairs orders are disputed and after some investigation some of these may have to be refunded.
- 5.5 To avoid this, we have asked leaseholders at the Leasehold Forums to volunteer to go through the repairs breakdowns for their block and/or estate before the bills are raised. Their feedback ensures only valid repairs are passed on for charging. This year 15 leaseholders took part and we have again asked for more volunteers at the Leasehold Forums held in September.

Focus group of leaseholders working on consultation notices

- 5.6 Leaseholders told us at the forums that the major works consultation notices are not clear enough. This notice includes information on the planned works and the prospective cost and invites leaseholders to make observations. The notice has to adhere to the requirements of the Act and as a result, if not carefully written, can be difficult to understand.

- 5.7 Over the past two years' the quality of the notice has improved thanks to the comments received from customers. Both the notice and accompanying schedule of works are easier to understand and read. But there is further room for improvement.
- 5.8 We have asked for volunteers to look at again at different aspects of the major works process and the first discussion is around the notice itself. To make it as accessible as possible it is a virtual group which allows the members to dip in and out of discussions as they choose, and they do not have to attend any physical meetings although we can also offer this option.

PROFESSIONALISING THE TEAM

Leasehold Management

- 5.9 It is hard across the sector to recruit officers to leasehold management positions. For long periods in the past the team was severely understaffed but this position has slowly changed and most vacancies are now filled.
- 5.10 To ensure that leaseholders receive the best possible professional service the following projects were undertaken in the Leasehold Services team:
- a) Customer services and technical training sessions are undertaken regularly and improvements monitored by managers.
 - b) The team is encouraged to become members of the Institute of Residential Property Managers (IRPM). Five officers are signed up to this course and one officer was presented with the Ann Garland Award for the most outstanding paper in the Associate Exam.
 - c) Leasehold Services was restructured in 2016, allowing for some growth, with the view of increasing leasehold satisfaction. The team are now able to take on additional duties, such as registration of legal notices of assignment from Legal Services cutting down on the time taken to register new contact details as well as undertaking joint inspections of major works. We don't want to remain static and are keen to keep on improving so continually review the way we deliver the service.
 - d) Deployed a new phone system to better steer calls to the most appropriate staff member and allowing clear reporting. The system also records calls enabling better investigation of complaints.
 - e) The team collocated with the Property Services team on 23rd October 2017. This should help us further join up the services and enable easier joint working.

Wider Housing Department

- 5.11 Leasehold Services led on training sessions for colleagues in Property Services, Mitie and Housing Management. The sessions covered leaseholder's rights and obligations and the Council's rights and obligations under the lease; refining processes to ensure a quick, right first time solution to leasehold queries.

- 5.12 Leasehold Services offer shadowing and training opportunities within the team. The offer has been taken up by the Housing Office, Estate Support & Security and staff from the Mitie Repairs Call Centre. In turn, Leasehold Services had the opportunity to shadow staff in their teams. By understanding each other's area of work better we can deal with more queries at the point of call without the need of further input from the service provider.

6. CURRENT PROJECTS

Webchat

- 6.1 We're installing a webchat facility on the most popular web pages for Leaseholders. It will allow customers to receive help with their queries more easily and quickly and add to the number of ways the department can engage with customers.

Speeding up processing legal notices of assignment

- 6.2 Leaseholders have to serve a legal notice on the council when the leaseholders change, for example new owners after a sale or a transfer after the death of one of the leaseholders, re-mortgages, change names or sublets. These notices are receipted by Legal Services and there can be a delay between receipting of the notice and the service being advised which can mean invoices and correspondence can be addressed incorrectly.
- 6.3 The service will take on the registration of notices from Legal Services. This should happen by the end of November 2017 subject to successful recruitment. The aim will be to receipt and make all the required changes to the systems within 10 working days.

Improving Sellers Packs

- 6.4 When leaseholders want to sell their property they can request a Seller's Pack from the council. This pack contains information about the service charges, future major works, buildings insurance, an asbestos survey and a fire risk assessment. There is a fee of £168 payable. The pack is usually provided to the solicitor of the vendor and therefore pitched at that audience.
- 6.5 We have seen an increase in leaseholders applying for the pack themselves and have decided to review the pack in the light of this to ensure that it is user friendly. It is in the process of being commented on by a panel of volunteers (including solicitors) and further changes will be made once the feedback is received.

Keeping our data up to date

- 6.6 From time to time, leaseholders' details change and Leasehold Services are not always informed resulting in out of date data being held. To help ensure we have the most up to date correspondence details, a letter was issued late September 2017 to all customers asking them to check the details we hold and to let us know of any changes that may be needed. We also used this opportunity to ask for phone numbers and email addresses in case we need to get in touch urgently, i.e. leak or a fire.

Easier access for officers to leaseholder files, allowing us to respond more quickly to leaseholders

- 6.7 Each leasehold property has a correlating paper file where documents such as the lease and correspondence are filed. There is an ongoing project to scan all the paper files into an electronic management system. This will not only reduce the risk of damage or destruction associated with a fire or leak, but will also enable remote access to all records which will assist all colleagues in Housing and in turn ensure a quicker resolution of customer's queries.

7. CONTINUOUS IMPROVEMENT AND FUTURE PLANS

- 7.1 We want to keep on working closely with Leaseholders to improve our services and regularly reviewing the changes we've already made to ensure that they are still meeting leaseholders' requirements. For example, our standard letters and consultation notices.
- 7.2 We're also reviewing of our payment options as we know how hard it can be to pay bills and we continuously review the way we deliver services to ensure we are structured to provide the best service we possibly can. Our current payment options are set out in Appendix B.
- 7.3 We'd love to deliver more online services and are working on delivering more services. Some elements of this, such as being able to view a leaseholder account online, may take a little longer to do as we may need to change the system we hold leaseholders accounts on first.
- 7.4 We'd like your ideas for future projects and want to work with you to improve our services further.

8. LEGAL IMPLICATIONS

- 8.1 There are no legal implications. Requirements are set out in the report.
- 8.2 *Implications verified/completed by: David Walker, Principal Solicitor 020 7361 2211)*

9. FINANCIAL IMPLICATIONS

- 9.1 There are no direct finance implications arising from this report. Any individual projects that might incur significant costs will be the subject of a separate report to the Cabinet member or Cabinet depending on the level of cost. The projects detailed in this report should result in service improvements which ultimately should result in improved, more efficient collection of service charges and major works charges from leaseholders
- 9.2 *Implications verified/completed by: Kath Corbett, Director of Finance & Resources).*

10. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None

LIST OF APPENDICES

Appendix A – Leasehold Charter

Appendix B - Current Major Works Payment Options

Appendix A

Leasehold Charter

Dear Leaseholder,

Please find below our new Leasehold Charter; this represents our commitment to improve services to our leaseholders. We want to develop and improve the services you receive from us by working closely with you.

In producing this charter, we consulted leaseholders via the Leasehold Forums and at the Listening to Leaseholders Conference. We will continue to ask for your input as amendments become necessary.

This Charter gives a summary of our commitment to leaseholders when managing leasehold properties and should be read in addition to your lease. The lease will remain the foundation of the relationship between the council and its leaseholders; however, you are encouraged to seek your own independent legal advice when needed.

The charter is a very important document and tells you:

- the services you can expect from us and
- what we expect of you

We will regularly review the charter and update it when necessary.

If you would like more information, please contact the Leasehold Services Team on 020 8753 4500 or service.charges@lbhf.gov.uk.



Councillor Lisa Homan
Lead Member of Housing

Leasehold Charter

The Council, our contractors and homeowners will:

- Deal with you politely and treat you with respect.
- Keep the exterior and communal parts of the building in good repair to extend the life of the building.
- Offer you a choice of paint colours, finishes and floor coverings for the communal parts of the building.
- Deal promptly with any nuisance (e.g. noise, antisocial behaviour) caused by your neighbours' and other visitors.
- Provide you with an itemised service charge bill and provide supporting information if you request it.
- Offer a wide range of payment methods.
- Consult with you before making any changes to our services.
- Continue to develop the knowledge of our housing staff in leasehold management to help you better.
- Carry out regular leaseholder satisfaction surveys, share the results with you and use these to help improve our services.
- Aim to respond fully to all your enquiries within 10 working days. Where we need more time we will keep you informed by giving you a clear timeline. We will also act on any proposed solutions to issues as soon as possible.
- Share with you how we are doing on meeting our key performance targets. Where we are not meeting our targets, we will give you the reasons.
- Hold meetings with groups of leaseholders to plan and monitor Major Works and resolve issues to ensure we charge leaseholder a reasonable cost for major works undertaken.

We expect from you:

- You will ensure you understand and comply with the all terms of your lease.
- You respect our right of access under the lease to your property.
- You appreciate we need to keep the whole block in good order
- You will report communal repairs promptly so we can stop problems getting worse which costs you more.
- You, your household, your tenants and visitors will not cause nuisance to others.
- You will respect all our other residents in your block.
- You will inform us immediately if your contact details, including your phone number change.
- You will tell us in writing if you are sub-letting your property, pay the £30 admin fee required under the lease and will act as a responsible landlord.
- You will pay your service charges and major works bills promptly and tell us quickly if you have a problem or dispute so we can help.
- Before altering your home you will contact h&fhome-buy@lbhf.gov.uk or call 020 8753 6464 to get permission. Note this is separate to any planning application.

- You will ensure any works you do to your property are carried out during reasonable hours, with a minimum level of disruption to other residents and no damage to anyone else's property.
- You will ensure you submit claims under the buildings insurance we provide as soon as possible after the incident which gave rise to the claim.
- You will be polite and respectful to our staff and give them a reasonable time to respond to your enquiries.

Appendix B

Major Works Payment Options

Major Works Repayment Options

Under the terms of your lease, you are required to pay a contribution towards any costs your landlord incurs in maintaining the common and structural parts of your building.

Once these works have been completed, you will be sent an invoice for your proportion of costs. This sum is payable within 21 days.

However, we recognise that major work charges can be significant so we have developed a range of flexible repayment options that should allow you to settle any charge without falling into hardship.

These are a selection of those options:

Repayment Options	Available To
2.5% Prompt Payment Discount If you settle your charge in full within 21 days of invoice, you will qualify for a 2.5% Prompt Payment Discount. We will advise you what this is when we send you your invoice.	All homeowners
Interest-Free Instalment Plan If you cannot afford to repay the cost of the work in one payment, you may be able to pay your bill, interest-free, over a period of up to 36 months. This is subject to status.	Owner-occupiers
5 Year Repayment Scheme If you cannot afford to repay the cost of the work over three years, we can extend this to five years. The first three years are interest-free and the second two years attract interest at 5% above the Bank of England Base Rate. This is subject to status.	Owner-occupiers
Voluntary Charge If you cannot afford to repay the cost of the work over five years and have no means of financing repayment, you may be able to secure the charge against your property. This option attracts interest and is subject to status.	Vulnerable owner-occupiers


Benefits

If you are on Income Support, you may be able to get help with the cost of any major work service charges. You should contact the Department of Works and Pensions Mortgage Department and they will be able to tell you if you are eligible and how to claim. You should apply now or you may not be entitled to any benefit.



Savings

Please note you will not be sent an invoice until the works have been carried out. You may therefore want to begin setting aside money now. If you pay this into a bank or building society, you will also earn interest on your savings.

<p>London Borough of Hammersmith & Fulham</p> <p>ECONOMIC REGENERATION, HOUSING AND THE ARTS POLICY & ACCOUNTABILITY COMMITTEE</p> <p>8 November 2017</p>	
<p>PROPOSED AMENDMENTS TO THE COUNCIL'S HOUSING ALLOCATION SCHEME</p>	
<p>Discussion Paper</p>	
<p>Open Report</p>	
<p>Classification: For review and comment Key Decision: Yes</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Jo Rowlands - Lead Director of Regeneration, Planning & Housing</p>	
<p>Report Author: Glendine Shepherd, Interim Director of Housing Services Gerry Crowley, Interim Head of Housing Solutions</p>	<p>Contact Details: Tel: 020 8753 6994 Gerry.crowley@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. The Council's current Housing Allocation Scheme was last reviewed in November 2015. This report identifies a number of areas within the Scheme currently under review. The proposed changes are set out in Annexe 1 and contain several areas of the scheme which members may wish to consider.

2. RECOMMENDATIONS

- 2.1. The committee is invited to review and comment on the changes proposed to the Council's Housing Allocation Scheme.

3. INTRODUCTION AND BACKGROUND

- 3.1. The Council is statutorily obliged to adopt and operate a Housing Allocation Scheme (also known as the 'Scheme of Allocation') which sets out the rules by which it allocates available affordable rented accommodation. The current

Housing Allocation Scheme was last amended with changes implemented on 21 December 2015.

- 3.2. The Lead Member for Housing has identified a number of areas to the Housing Allocation Scheme to be reviewed and invites members to discuss those highlighted changes and other possible changes to the scheme.

4. PROPOSAL AND ISSUES

- 4.1. There are five proposed changes to the current Scheme. These changes are set out at Annexe 1 and relate to:
- Bedroom Standard
 - Local Residency Qualification
 - Under-occupancy
 - Ex-employees with service tenancies
- 4.2. Annexe 2 contains tables displaying a breakdown of the Council's housing register, details of annual housing allocations and local authority comparisons.
- 4.3. Annexe 3 contains the current Housing Allocation Scheme.

5. CONSULTATION

- 5.1. The proposed changes are considered minor amendments to the Scheme and the Cabinet Member for Housing has delegated authority to approve such changes. Major alterations to the scheme reflecting major policy changes requires consultation with Registered Providers (housing associations) and will require approval by Cabinet.

6. EQUALITY IMPLICATIONS

- 6.1. The equality implications of the proposed changes to the Scheme are expected to be broadly positive. The changes would enable greater access to the Council's housing register and therefore the impacts can be expected to be positive. Any increase in the number of applicants on the Council's housing register could result in longer waiting times for those already on the register, many of whom will also be from protected equality groups.

7. LEGAL AND FINANCIAL IMPLICATIONS

- 7.1. These will be confirmed following finalised amendments.

LIST OF APPENDICES

Annexe 1. – Areas of the Scheme under review

Annexe 2. Data Tables and Comparisons with other Local Authorities

Annexe 3. H&F Housing Allocation Scheme

**Proposed changes to the Housing Allocation Scheme 2017
Issues List**

Area & paragraph	Summary of Issue	Discussion/Resolution
1. Bedroom Standard (Annexe 1)	When assessing household's bedroom requirement, non-dependent members of the household are excluded. Non-dependents are defined as aged 18 or over who are not carers, vulnerable or the subject of other exceptional circumstances.	<p>Currently household members aged 18yrs+ are not included when assessing bedroom requirement, however often they are living at home, possibly still in education with parents in receipt of child benefit.</p> <ul style="list-style-type: none"> • For consideration: • No Change, leave as it is. • Including all family members – will increase demand on larger properties. • Raising the age from 18 to 21, which will include those in school or college and where parent is in receipt of child benefit. • Different rules for different groups ie. existing tenants seeking transfer v new applicants to the housing register.
2. Local Residency Qualification (2.21)	<p>Meeting a local residency qualification is a central tenet of this Housing Allocation Scheme. Local residency qualification within the terms of this scheme will normally mean that an applicant:</p> <p>Only those that have lived in this borough, through their own choice, for a minimum of five years up to and including the date of their application, or the date on which a decision is made on their application, whichever is later, OR</p> <p>Have been resident for a total of five out of the last seven years and are resident in the borough at the time of application.</p>	<p>There are existing Council tenants that have a need to move but do not meet the Local Residency criteria and therefore cannot join the Council's housing register to secure a transfer.</p> <ul style="list-style-type: none"> • Consider exempting existing secure or fixed term tenants of Hammersmith & Fulham Council where they otherwise meet the criteria to transfer.

3. Local Residency Qualification (2.21.3)	Currently where applicants are applying jointly, both applicants must meet the local residency qualification, including household members. Children under 5 will not be disqualified from inclusion in the assessment on the basis of the residency criteria so long as they were born to parent's resident in the borough.	<ul style="list-style-type: none"> • Consideration that this is amended that where applicants are applying jointly, at least one of the applicants must meet the LRQ criteria.
4. Under-occupation (reasonable preference category)	Currently only Council tenants under occupying their property & willing to downsize to 1-bedroom accommodation automatically qualify for a housing transfer. Priority Band 1 is awarded. All other downsizing transfer applications require director discretion.	<p>The Council benefits from tenants releasing larger properties, it therefore makes sense that we extend the automatic qualifying criteria to those households seeking to downsize.</p> <ul style="list-style-type: none"> • For consideration: • Extend the under-occupation preference category to include those seeking to downsize to accommodation which is suitable for their assessed housing need, regardless of property size. • Award priority Band 1 in line with those downsizing to 1-bedroom. This may also be applied where a split household arrangement has been agreed. • For a variety of reasons under-occupying tenants often wish to downsize but retain a spare bedroom. Consider extending the under-occupation preference category to include those seeking to downsize to accommodation 1-bedroom larger than assessed need. • If agreed, consider whether application is awarded Band 1 or 3 (Band 2 if meeting community contribution criteria).

<p>5. Service Tenancies Para (3.16)</p>	<p>Retiring LBHF employees who occupy housing for the better performance of their duties, eg. caretakers,</p> <p>The Scheme currently reads:</p> <p>“Employees of the Council who have a service tenancy associated with their employment may be re-housed by the council. in pursuance of a contractual agreement that may be in place. This may be achieved outside of assisted choice through a direct nomination.”</p>	<p>Current wording is unclear and requires clarification. Consider:</p> <p>I suggest replacing the current wording which is ambiguous with the following:</p> <p>Service Tenancies</p> <p>“A service occupier is an employee of the Council who occupies accommodation let to them by the Council for the better performance of their duties.</p> <p>A service occupier with 10 years continuous service retiring on grounds of health or age will qualify for rehousing and placed in Band 1 for an offer of housing.</p> <p>The Council will make an offer of rehousing determined by their assessed housing need. In making the offer, the Council will take into account the applicant’s choice of area and property type, however it may not be possible to meet these.</p> <p>Where an employee dies in service and would have qualified for rehousing, an offer of housing will be made to their surviving partner who has lived at the premises as his/her only home for a minimum of 12 months immediately prior to the service occupant’s death.</p> <p>Service occupiers may not be entitled to rehousing under this scheme where their loss of employment is as a consequence of dismissal on disciplinary grounds or where they fall within the meaning of <i>Classes of Person that do not Qualify</i>, see paragraph 2.14.”</p>
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Housing Data and Comparisons

Table 1. Housing Allocations by year/property size

	2014/15	2015/16	2016/17	2017/18 (26wks)
1Bed	244	395	284	120
2Bed	151	224	149	66
3Bed	86	132	89	30
4Bed	16	37	26	12
Shelter	85	96	83	53
Totals	582	884	631	281

Table 2. Current Housing Demand by list type and bed req.

	Tenant Transfer	Homeseeker	Homeless	Total
1Bed	172	116	146	434
2Bed	203	235	562	1000
3Bed	127	161	247	535
4Bed	34	24	38	96
5Bed	2	3	10	15
Totals	538	539	1003	2080

Table 3. Local Authority Comparisons

Local Authority	Non-dependent age	Income/Assets disqualification	Local Residency Qualification	
Brent	21	1 bed need – £35,000 per annum 2 bed need – £45,000 per annum 3 bed need – £55,000 per annum 4 bed need – £70,000 per annum	5 years	
Camden	includes all members	£32K	5/7 years	
Croydon	18	£32K	3 years	
H&F	18	1 bed need - £46,250 income 2 bed need - £46,250 income 3 bed need - £46,250 income + £4,600 savings 4 bed need - £46,250 + £4,600 savings	5/7 years	
Southwark	Includes all members	TBC	5 years	
Harrow	21	£30K Savings	5 years	Minimum gross household income required to purchase minimum share of 25%
Hounslow	21	£50K income/asset	5/7 years	

Hammersmith & Fulham Council

**Housing Allocation
Scheme**

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1. INTRODUCTION

- 1.1 This Housing Allocation Scheme sets out the rules by which affordable housing and other accommodation available to the council is allocated to applicants who are eligible and qualify to be on the Council's Housing Register. The council is required by law to produce this document which must comply with primary legislation (i.e., Acts of Parliament) and secondary legislation (principally government regulations) and have regard to guidance documents that are periodically issued.
- 1.2 This Scheme replaces the previously adopted Housing Allocation Scheme (December 2012). Whilst the structure and sequence of the Scheme is broadly the same, changes have been made to the content which are intended to make the council's approach to reflect the policy direction set out in the administration's manifesto, *Delivering the change we need in housing* and reflected in the Housing Strategy adopted in May 2015.
- 1.3 The Scheme will be monitored on an ongoing basis and reviewed from time to time, particularly when regulatory changes are introduced or new case law requires a change in approach. The Director of Housing responsible for Housing Options in consultation with the Cabinet Member for Housing may make **minor** amendments to the Scheme (and approve any associated documents such as Local Lettings Plans) if required. Before making any **major** alterations to the scheme reflecting major policy changes the Council is required to consult with Registered Providers (housing associations) and allow them the opportunity to comment on the alterations.
- 1.4 For the purposes of this document the term 'applicant' will also mean joint applicants, where appropriate. The term applicant (or applicants) will also mean person (or persons) as defined in legislation and government guidance. Dependent members (e.g., the applicant's children) will be described as household members.
- 1.5 For ease of reference, the term 'Housing Associations' is used to describe Private Registered Providers. References to 'The Council' are principally in relation to its role as the strategic housing authority for the borough. Where reference is made to the Council in its Registered Provider landlord role, this will be made clear.

2. PRIORITIES FOR THE ALLOCATION OF ACCOMMODATION

Eligibility

- 2.1 Any person can approach the Council's Housing Options Division for housing advice and assistance. However, the amount of accommodation in Hammersmith & Fulham is very limited, and the Council does not operate an 'open' system

whereby any person can be registered. Instead, the Council will operate a managed register approach with standard checks for eligibility undertaken, but with a tighter approach as to who qualifies to be on the register.

- 2.2 Where the Council is unable to give support to applicants through registration, it will be able to provide housing options advice and support.
- 2.3 In terms of **eligibility**, any person who does not fall into one of the categories below will be a person subject to immigration control and will be ineligible for an allocation of accommodation.
- (i) British citizens
 - (ii) certain Commonwealth citizens with a right of abode in the UK
 - (iii) citizens of an European Economic Area (EEA) country ('EEA nationals'¹) and their family members who have a right to reside in the UK that derives from EU law. The question of whether an EEA national (or family member) has a particular right to reside in the UK (or in another Member State) will depend on the circumstances, particularly the economic status of the EEA national (e.g., whether he or she is a worker, self-employed, a student, or economically inactive)
 - (iv) persons who are exempt from immigration control under the Immigration Acts, including diplomats and their family members based in the UK and some military personnel.
- 2.4 This means that people subject to immigration control and certain other people from abroad (outside the categories identified above) will not usually be eligible for accommodation arranged by the Council.
- 2.5 More generally, the council will decide in each case as to whether the people included in the application by the applicant will be considered as a part of the household. For example, the council will generally **not** consider the following as members of a household: people who are subject to immigration control (as set out above); non-dependent adult children; other adult relatives; non-relatives; lodgers; 'live in' help. Furthermore due to a shortage of properties with 4 bedrooms or more the council will discuss with large households whether they can be divided into two or more smaller households.
- 2.6 The statutory provisions regarding eligibility and qualification are set out in s 160ZA of the 1996 Housing Act as amended by the 2011 Localism Act.

¹ EEA nationals are nationals of any EU member state (except the UK) and nationals of Iceland, Norway, Liechtenstein and Switzerland)

Qualification and Reasonable Preference

2.7 Central to any Housing Allocation Scheme is ensuring that 'reasonable preference' is given to people with high levels of assessed housing need. In drafting this Housing Allocation Scheme, the Council has had regard to CLG's *Allocation of accommodation: guidance for local housing authorities in England*. Reasonable preference groups are defined as follows:

- All homeless people as defined in Part VII of the 1996 Housing Act including people who are intentionally homeless and those who are not in priority need
- People who are owed a duty by an housing authority under section 190(2), 193(2) or 195(2) of the 1996 Act (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any housing authority under s192(3)
- People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- People who need to move on medical or welfare grounds, including grounds relating to disability
- People who need to move to a particular locality in the housing authority area, whose failure to meet that need would cause hardship (to themselves or others) which includes those needing to move on 'Right to Move' grounds (see Section 2.51 for more information)

2.8 In framing this Housing Allocation Scheme the Council intends to give effect to s.166A(3) of the 1996 Housing Act (as amended); housing authorities should have regard to the following considerations:

- The scheme must be framed so as to give reasonable preference to applicants who fall within the categories set out in s.166A(3), over those who do not
- Although there is no requirement to give equal weight to each of the reasonable preference categories, housing authorities will need to demonstrate that, overall reasonable preference has been given to all the reasonable preference categories
- There is no requirement for housing authorities to frame their scheme to afford greater priority to applicants who fall within more than one reasonable preference category (cumulative preference) over those who have reasonable preference on a single non-urgent basis

2.9 In respect of Hammersmith & Fulham's Housing Allocation Scheme, the Council intends to ensure that **all** successful applicants have reasonable preference. But it will give 'additional preference' to applicants who are making a community contribution. The Council is obliged to provide advice, information and assistance to all applicants, even if they are likely to be unsuccessful with their application for accommodation. **To be considered for housing, all applicants must**

complete an application form in accordance with the requirements of this Housing Allocation Scheme. Application Forms should be completed online using the Council's 'My Account' service which can be accessed on the Council's website at www.lbhf.gov.uk . We understand that some applicants may not be able to apply in this way. If this is the case, they should:

- Visit us or write to us at 145 King Street, Hammersmith, London W6 9XY
- Telephone us at **0845 313 3935** for further information
- Email us at h&fadvice.housing@lbhf.gov.uk for more information

2.10 These are the only categories of people that the Council will consider for housing, except for Management transfers set out in Section 3 and where the Council adopts a Local Lettings Plan (See Sections 2.43 – 2.50). The latter may include new and existing accommodation in its five regeneration opportunity areas where specific outcomes are sought, such as mixed, balanced sustainable communities. Local Lettings Plans will be adopted to achieve this specific objective which may include offering accommodation to working households on the Council's Home Buy Register on short fixed term tenancies (e.g., two years) who may be waiting for a home ownership option that is right for them, but are content to live in an alternative interim rented housing option.

2.11 Except in case of Management Transfers or under a Local Lettings Plan and subject to the exceptions set out below, to qualify for an allocation of housing an applicant must meet at least one of the statutory 'reasonable preference' criteria, defined in section 2.7 and described in Annex 3 of this document. Applicants should seek advice as individual circumstances vary. Where the Council adopts a Local Lettings Plan (see Sections 2.43 – 2.50), the Council may seek to nominate eligible and qualifying applicants from the Homebuy Register for affordable rented housing (i.e., social rent or Affordable Rent).

2.12 The council has a housing banding system which determines who will be prioritised for housing in the borough. The housing bands are summarised below and full details of what the criteria for individual cases will be are described in more detail in Annex 3:

Band 1: Urgent Need to Move due to Reasonable Preference PLUS Additional Priority

Band 2 Need to move – Reasonable Preference AND a Community Contribution

Band 3 : Need to move – Reasonable Preference BUT NO Community Contribution

Band 4: Reduced Priority: Need to Move - Reasonable Preference but with Reduced Priority

- 2.13 The Council will only register eligible applicants who qualify to meet at least one of the reasonable preference criteria set out in Section 2.7 of this document (except for allocations under a Local Lettings Plan). Whilst the Council is giving clear preference to applicants making a community contribution, it is also keen to have qualifying criteria which better fits the supply of accommodation that the Council can reasonably have access to. **This means that even in a number of instances where applicants meet the qualifying Reasonable Preference criteria described in Section 2.7 of this Housing Allocation Scheme, the Council will not accept a Housing Register Application.**

Exceptional Cases including Classes of Person that do not Qualify

- 2.14 the following classes of person will **not** normally qualify for registration:

(a) Applicants who are single or a couple without dependents and who are overcrowded by only 1 bedroom and this is their only housing need

(b) Applicants who have been convicted of housing or welfare benefits related fraud (including subletting) where that conviction is unspent under the Rehabilitation Offenders Act 1974. Any person caught by this may re-apply once this conviction is spent.

(c) Applicants who qualified for registration by reason of the Council having owed them the main homelessness duty, but the Council has ceased to be subject to that duty because of the refusal of a suitable offer.

(d) Applicants who are homeowners, including joint homeowners

(e) Applicants who do not meet the local residency qualifications set out in section 2.21

(f) Applicants whose income, savings and assets exceeds the limits set by the Council (see section 6.8).

(g) Applicants who owe arrears of rent or other accommodation charges in respect of the current tenancy or former accommodation, unless an appropriate agreement has been reached and sustained for a reasonable period. In assessing the application for registration, the Council will take into account the size of the debt, the means to pay and the degree of the household's need.

(h) Applicants who have been guilty of unacceptable behaviour which makes them unsuitable to be a tenant. Examples of such unacceptable behaviour include:

- persistent failure to pay rent and/or service charges;
- anti-social behaviour which has caused a nuisance by the applicant or a member of his or her household;

- on-going culpable involvement in anti-social behaviour or criminal activities;
- illegal or immoral behaviour;
- threats of and/or actual violence; racial harassment;
- hate crime towards and/or harassment of disabled people (including people with learning disabilities);
- obtaining a tenancy by deception and/or an attempt at tenancy fraud;
- breach of tenancy conditions within the last three years.

(i) Transfer applicants who have breached the terms of their tenancy by not looking after their home and causing damage.

(j) Applicants who are Secure tenants, assured tenants and assured shorthold tenants of registered providers (i.e., council landlords including arm's length management organisations and housing associations) from outside the borough.

2.15 There is discretion to waive these classes in exceptional circumstances as approved by the Director of Housing responsible for Housing Options or delegated officer who shall be a Head of Service.

2.16 Applicants may also be eligible and qualify to meet the criteria necessary to access the Home Buy Register. Housing Options staff will be able to advise applicants on the necessary criteria.

2.17 **Acts of Violence and Aggression to employees will not be tolerated by the Council and any Applicant who threatens or uses violence towards any Council employee or contractor will be removed from the register immediately.**

2.18 The Council recognises that there may be exceptional circumstances where the only way an exceptional housing need can be resolved is through the use of discretion. In the interests of fairness to all these applicants these circumstances are kept to a minimum. Examples of exceptional circumstances include, but are not limited to:

2.18.1 Threat to life in the area in which they are residing.

2.18.2 Emergency cases whose homes are damaged by fire, flood or other disaster may be provided with other accommodation if it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life.

2.18.3 Households who, on police advice, must be moved immediately due to serious threats to one or more members of the household, or whose continuing occupation would pose a threat to the community.

- 2.18.4 Cases nominated under the Police Witness Protection Scheme or other similar schemes that the council has agreed to be part of.
- 2.18.5 An Applicant with exceptional need that is not covered in the Housing Allocation Scheme and for whom the council has accepted a long term re-housing duty under the Housing Act 1996 part VII. For example, where child or public protection issues require re-housing or for severe domestic abuse where all other options to remain in the home have been considered.
- 2.19 Other exceptional circumstances will be authorised by the Director of Housing responsible for Housing Options.
- 2.20 Where the Council decides that it wishes to make a discretionary offer where exceptional circumstances apply, the offer of a tenancy will normally be a 2 year tenancy (plus a year's introductory tenancy). In the event the tenant is unable to sustain that tenancy, no further housing accommodation will be offered. This will not prevent the applicant receiving advice and support as necessary. All applicants who do not qualify under the criteria set out above may submit a new housing register application if their circumstances change. This will be considered against the criteria set out in this Housing Allocation Scheme.

Local Residency Qualification

- 2.21 Meeting a local residency qualification is a central tenet of this Housing Allocation Scheme. **Local residency qualification** within the terms of this scheme will normally mean that an applicant:
- has lived in this borough, through their own choice, for a **minimum of five years** up to and including the date of their application, or the date on which a decision is made on their application, whichever is later,
- OR**
- has been resident for a total of **five out of the last seven years** and are resident in the borough at the time of application.

2.21.1 Accepted homeless households placed by this authority in accommodation outside Hammersmith & Fulham will also meet the local residency qualification as long as they fulfil the five year (including five out of the last seven years) residential qualification (i.e., time spent placed in previously designated temporary accommodation outside the borough will count towards time spent in Hammersmith & Fulham). Applicants owed the full homeless duty who do not meet the local residency qualification described in Section 2.21 will be placed in Band 4 until such time as this qualification criteria is met unless other disqualification criteria apply.

2.21.2 Applicants who are placed and funded by the Council in residential care (e.g., elderly in care and children in care) accommodation outside the borough will also qualify under the local residency rule.

2.21.3 Where applicants are applying jointly, both applicants must meet the local residency qualification, including household members. Children under 5 will not be disqualified from inclusion in the assessment on the basis of the residency criteria so long as they were born to parents resident in the borough.

2.21.4 The local residency qualification may also be awarded to people who need to move to a particular locality in the borough, where failure to meet that need would cause exceptional hardship to themselves or to others.

2.22 The local residency qualification will not be applied to the groups specified in *The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012*. Local residency criteria will also not be applied to local applicants who have left Hammersmith & Fulham to attend a full time course at a higher education institution outside the Borough, nor does it apply to applicants (existing social housing tenants in England only) seeking accommodation on Right to Move grounds.

2.23 People in the following categories will **not** normally be considered as having met the local residency qualification are:

- Those placed in the borough of Hammersmith & Fulham in temporary accommodation by another local housing authority
- Those placed in the borough of Hammersmith & Fulham in residential or supported housing by another borough
- Secure or flexible tenants of other boroughs

Assessing your Application

2.24 Applications for housing will be assessed by Housing Options Officers using information supplied by the applicant and as a result of further necessary enquiries that follow from an application. The Housing Options Officer will decide whether the applicant qualifies to join the register and if so, which band will apply. All qualifying applicants' priority date will usually be the date of their application. However, if an applicant's circumstances change and their banding changes upwards (e.g., from Band 3 to Band 2), their new priority date will be the date on which their banding priority changed. Applicants whose banding priority date is reduced will retain their existing priority date.

2.25 Applicants who are assessed as not qualifying for one of the Council's Housing Bands will be offered housing advice and assistance as necessary. Some

housing associations maintain their own housing registers and applicants may wish to approach such landlords directly.

- 2.26 Medical priority will be awarded and banded according to the extent to which the health or welfare of one or more members of the applicant's household is affected by their housing conditions and the expected benefits of providing suitable alternative settled housing. Applicants who are assessed as having an overriding welfare housing need will be placed in Band 1. The circumstances that justify this are detailed in Annex 3. Such priority will be approved by a panel of senior officers.
- 2.27 Housing Options Officers will work with social services and other agencies to identify clients currently in supported housing who are ready for independent living. Subject to these discussions and agreement that the client's housing needs cannot be met outside of social housing, these clients will be placed in Band 3, unless community contribution criteria are met in which case band 2 will apply.
- 2.28 Housing Options Officers will work with Children's Services and other agencies to identify clients currently in children's care accommodation who are ready for independent living. Subject to discussion and agreement at the appropriate panel with the officers/agencies concerned, and there are no compelling reasons why the client's housing needs cannot be met outside of social housing, these clients will be placed in Band 3. If the applicant meets the community contribution criteria, then the client will be placed in Band 2.
- 2.29 In operating this Housing Allocation Scheme, the Council will have regard to the housing related aspects of the 2014 Care Act and work with officers from Adult Social Care and other officers of the council to ensure that all reasonable efforts are made to consider applicants' housing and related care needs

Condition and Size of Offered Accommodation

- 2.30 All accommodation offered will be habitable, in reasonable repair and fit for letting. The size of accommodation for which each applicant will be considered will depend upon the size and composition of the applicant's household at the time of offer. The requirements for each size of household are set out at Annex 1.
- 2.31 Larger accommodation than specified in Annex 1 may be considered in exceptional circumstances on the recommendation of the Housing Options Officer and approved by a Panel of Senior Officers. The Council may draw on specialist advice, for example, the Council's Medical Advisor, Occupational Therapy Service, or senior social worker.
- 2.32 In calculating the number of bedrooms available within properties the Council may treat every habitable room as a bedroom except kitchens, bathrooms and

kitchen/dining rooms. The Council will normally consider additional rooms in homes for use as bedrooms in accordance with Housing Benefit regulations.

- 2.33 Cases of existing secure Council tenants agreed as Management Transfers will be offered homes on a 'like for like' basis.
- 2.34 Where the Council is discharging its homelessness duty into private rented accommodation, the accommodation should meet the suitability criteria set out in the *Homelessness (Suitability of Accommodation) (England) Order 2012*, subject to availability and affordability of accommodation.

Suitability of Housing Offers

- 2.35 Where accommodation is offered through the assisted choice process described below, an applicant will normally be expected to accept an offer of a property that meets their specified needs which is deemed as suitable and appropriate to meet the housing and medical needs of the household concerned.
- 2.36 The Council will seek to take into account applicants' particular or special needs (including need for an additional bedroom for carers) but it will not always be possible to ensure that these needs are met. In considering what is reasonable, the Council will have regard to the overall supply of Council accommodation and the demands placed upon it by all priority groups.
- 2.37 As a guideline and subject to the individual circumstances of each application, the Council will normally consider that a property is suitable if:
- It is located close to an area which the applicant has selected or an area that the Council considers to be reasonable.
 - It is sized in accordance with the criteria in Annex 1.
 - The offer takes account of any recommendation made by a medical advisor.
- 2.38 An offer of accommodation which is arranged by way of a nomination to a housing association property will be considered to be as reasonable as an offer of a council tenancy.
- 2.39 If a housing applicant refuses two reasonable offers of accommodation through the assisted choice scheme or a direct allocation, their priority under this allocation scheme will be reduced by a Band for twelve months. This will not necessarily mean no further offers will be made, but will reduce their priority.
- 2.40 An exception to such a reduction in priority this may apply if there has been a material change in circumstances such that the offer of accommodation would no longer be suitable.

- 2.41 The Council may use private rented housing to discharge its homelessness duties in appropriate cases pursuant to Section 193 of the Housing Act 1996 (as amended) and the *Homelessness (Suitability of Accommodation) (England) Order 2012*.

Local Lettings Plans

- 2.43 The Council may adopt individual Local Lettings Plans to vary the allocations approach to homes for new schemes; homes in certain areas of the borough; or particular types of housing where it wishes to deliver the broad housing strategy objectives, using social housing available as efficiently and effectively as possible.
- 2.44 Section 166A(6) of the Housing Act 1996 enables local housing authorities to do this, allowing the allocation of accommodation to people of a particular description, whether or not they fall within the reasonable preference categories.
- 2.45 The simplest approach to delivering this objective would be through using the Council's Home Buy Register, which includes applicants who wish to rent at sub market levels. Some of these households may be seeking to save money for a deposit to enter low cost home ownership which the Council is keen to encourage. This will give such households the experience of managing a household budget and also provide an opportunity for such households to save money towards a deposit for a low cost home ownership option.
- 2.46 Separate qualification criteria will apply to those persons on the Home Buy Register who qualify for an allocation under a Local Lettings Plan. Persons who qualify will need to meet all of the following criteria:
1. Eligibility under the rules of this Housing Allocation Scheme (See Section 2.3 – 2.6 of this document)
 2. Qualifying criteria of the Home Buy Allocation Scheme
 3. Successful application to be considered for a tenancy under a Local Lettings Plan meeting any specified qualifying criteria
 4. Local residency qualification within the terms of this Housing Allocation Scheme (unless the applicant falls within Armed Forces Qualification Regulations or the Right to Move Regulations)
 5. Satisfying the income threshold set out in paragraph 6.8
- 2.47 The Council will from time to time set procedures for the operation of the scheme to allocate to applicants from the Home Buy Register and these procedures may include criteria for establishing priorities between persons who qualify. These procedures may include giving priority to those within the reasonable preference categories

- 2.48 The Council's broad approach will be to prioritise households from the Home Buy Register for Affordable Rent accommodation available from housing associations. Where the Council wishes to prioritise applicants who meet criteria associated with a Council-approved scheme which helps deliver housing options for one or more of the community contribution groups identified in Annex 2, these applicants may be prioritised for Council rented accommodation.
- 2.49 The Council will monitor the impacts of this approach on both its Housing Register and Home Buy Register. It will need to ensure and make necessary interventions to ensure that the number of households drawn from the Homebuy Register who are not in a reasonable preference category do not dominate the Housing Allocation Scheme. It will also seek to ensure that the rules governing each of the approaches are broadly aligned.
- 2.50 Before introducing a local lettings plan, the Council will consult with those who are likely to be affected, which shall include the residents of the scheme/area impacted by the plan and local social landlords. A copy of the final policy will be published on the Council's website.

Right to Move

- 2.51 Government regulations on 'Right to Move' came into force on 20 April 2015. The regulations are intended to help existing social housing tenants who need to relocate from their local authority area (or within their local authority area) to an area where they have been offered employment.
- 2.52 These regulations are applicable only to applicants who are already social housing tenants in England who would experience hardship to themselves or to others if they were unable to take up an offer of employment in the borough. Applicants who are seeking accommodation under the Right to Move regulations should contact the Council as described in Section 2.9 of this Housing Allocation Scheme.

3. TENANCY MATTERS INCLUDING SUCCESSION AND FLEXIBLE TENANCIES

Council Tenants

- 3.1 Council tenants wishing to move from their existing home will be assessed in the same way as other applicants applying for the housing register under will need to meet the qualifying criteria set out in this Housing Allocation Scheme. Applications for transfer may be made jointly by separate tenants of the Council who wish to apply for housing together, on the condition that both tenancies will be relinquished if the Council makes an acceptable offer of a transfer to a third property. The Council will consider each application on a discretionary and case by case basis. Officers will have regard to the wider availability of

accommodation to the Council when making such a decision which will be made by a panel of senior officers.

Transfers, Tenants who need to be decanted, Management Transfers and London Mobility

Transfers

- 3.2 Transfer applicants will be considered in the same way as other housing register applicants. The Council expects existing tenants and household members to maintain their homes in a reasonable condition and similarly expects tenants of other Registered Providers to adopt the same approach. If the existing home has been either significantly damaged and/or kept in a poor condition by the sitting tenant, the Council will not be minded to permit a transfer. A transfer will only be permitted when the property concerned is brought up to a good condition. The Council will expect other housing associations to adopt the same approach.

Tenants who need to be decanted

- 3.3 On occasion it may be necessary for a council tenant to move out of their existing home to allow major works to be carried out or because their home is due to be demolished. In these circumstances, the Council will use its discretion to prioritise a move to a suitable alternative home by placing the tenant in Band 1 at an appropriate time.
- 3.4 Council tenants who have to move because major works are required to their home will have the option of moving back to their original home (or local area if the home is being demolished) once the works have been completed. Existing re-housing commitments to residents are set out in the Council's Core Strategy (to be replaced by a new Local Plan in the next few years) and Tenancy Strategy.
- 3.5 Where council homes may be demolished and replaced with new homes owned and managed by the council or housing associations, the council is likely to adopt a Local Lettings Plan that will set out in more detail the specific approach, tailored to key features of the regeneration scheme, e.g., phasing of decants, home loss and disturbance financial arrangements; and priority for re-housing. In these such circumstances, tenants who are relinquishing a secure ('lifetime') tenancy will be entitled to a new secure tenancy or a housing association equivalent, currently an Assured Tenancy.

Management Transfers – Council Tenants

3.6 Management transfers are only for situations where a Council tenant or members of the tenant's household, , are at serious risk by remaining in their current home and need an immediate move. The council will only re-house households in alternative accommodation assessed as suitable for their housing needs. However, due to the limited number of homes available the council is not always able to re-house residents quickly and so we will discuss the alternative options available. Where there is a real and immediate threat to a tenant's safety and we do not have a suitable property available we may offer 'temporary accommodation' for a fixed period while an investigation is carried out.

3.6.1 There are number of referral routes for a management transfer, these include a request by the tenant, the Housing Management Team, Anti-social Behaviour Unit, or Housing Options Officer. The officer managing the request must produce a Management Transfer Report to support the request to be approved by the Neighbourhood Manager or external housing management contractor equivalent.

3.6.2 Tenants who have been approved for a management transfer will receive one reasonable offer of alternative accommodation. If the tenant rejects the offer the Council will remove their name from the Housing Register and terminate their temporary accommodation from the date of this decision.

3.6.3 A reasonable offer is one that meets the tenant's current housing need.

3.6.4 In very exceptional, urgent cases, where management requires an under-occupier to move, the council may consider offering a home 1-bedroom larger than their needs However this is at the discretion of the Director of Housing responsible for Housing Options.

3.6.5 Tenants that have been assessed for and accepted on the Council Register will be placed in Band 1: Urgent Need to Move due to Reasonable Preference Plus Additional Priority. Such banding will need to be approved by the Director of Housing responsible for Housing Options.

3.6.6 The Council aims to make one direct offer of secure accommodation within 3 months of being accepted as a management transfer. However this is dependent on a suitable property available in the 'property pool' being matched against the tenant's housing need.

3.6.7 The relevant manager will review the Management Transfer status of all tenants that have been accepted on the Council Register on a quarterly basis.. The review is intended to ensure the most up to date information about individual tenants' housing circumstances is taken into account. Tenants who fail to

respond to either the review or reminder letter within 20 working days will have their application cancelled and will be required to re-apply.

- 3.7 Council tenants will be able to access affordable housing elsewhere in London through the Housing Moves Scheme (previously known as the Pan London Mobility Scheme) administered by the Greater London Authority. More information on this scheme is set out in section 4.23 of this document.

Housing Association Tenants

- 3.8 Housing association tenants will be assessed in the same way as other applicants applying for housing advice and assistance under this scheme.

Tenancy Succession

- 3.9 The law on council tenancy succession is different for secure tenants (and household members) where a tenancy was created before 1 April 2012 and those created after this date.. The statutory right only applies to the first time that a succession occurs,
- 3.10 Where **a tenancy was created before 1 April 2012**, family members have a right to succeed to the tenancy. This may be the tenant's spouse or registered civil partner or could be a co-habiting partner or another family member(s). Family members seeking to succeed the tenancy will need to have lived at the property for at least twelve months before the succession is sought. Where a joint tenant dies, the other joint tenant becomes the sole tenant. Where **a tenancy was created on or after 1 April 2012**, only a spouse, civil partner or a person who lives with the tenant as if they were a spouse or civil partner will have a statutory right to succession.
- 3.11 Where there is no statutory right to succession the council will use its discretion to allow a new secure 'lifetime' tenancy to be granted in the following circumstances:
- The person applying for succession has lived continuously with the tenant in the property as their principal home for twelve months before the death of the tenant **and**
 - They are the spouse, civil partner, a close relative of the tenant, or someone who had to live with the tenant in order to provide them with care, without which the tenant could not have maintained their tenancy **and**
 - They would qualify for the property they have applied to succeed to under the council's allocations policy (i.e., this Housing Allocation Scheme) including being both an eligible and qualifying person(s).

- 3.12 This process will be triggered by a Housing Register Application which will be considered in the first instance by Housing Management Officers from the Area Housing Office responsible for the tenancy. They may seek advice from Housing Options Officers on the application of the policies set out in this Housing Allocation Scheme.
- 3.13 Where a property is not suitable for the person applying to succeed, for example because it is too large, the council will assist them to find alternative accommodation if they qualify for help under this Housing Allocation Scheme, which could include an offer of accommodation in the private rented sector.
- 3.14 Where a new tenancy is granted as a result of a discretionary succession, the tenancy will be treated as a new tenancy under the Council's Tenancy Strategy. This means that in most cases a new secure 'lifetime' tenancy, will be granted. Exceptions to this, i.e., where the Council may grant a flexible (fixed term tenancy), will be set out in its Tenancy Strategy. Failure to accept a suitable property offered or made available under this Housing Allocation Scheme will result in proceedings for possession of the home currently occupied. Each situation will be considered on its merits and tenancies will be granted at the discretion of the Council.
- 3.15 Tenancy succession rules for housing association tenants are governed by different legislation. Current and future housing association tenants should check with individual landlords what the rules are for succession for their respective tenancies.

Service Tenancies

- 3.16 Employees of the Council who have a service tenancy associated with their employment may be re-housed by the council in pursuance of a contractual agreement that may be in place. This may be achieved outside of assisted choice through a direct nomination.

Sustaining a Tenancy

- 3.17 The Council intends to scrutinise more closely the ability of applicants to sustain the tenancy that is being sought for two reasons. Firstly, there needs to be some certainty that the applicant is able to take on the responsibilities associated with a new tenancy and that there is no history of anti-social and/or criminal behaviour associated with a previous tenancy. Secondly, the Council also needs to be mindful of the Government's welfare reforms, specifically in respect to the implementation of the Universal Credit which will 'cap' the amount of benefits a single household can receive, where no one applicant is in work. This is likely to be particularly relevant to households in large family accommodation (three bedrooms or more) where a significant proportion of this house type is both expensive to rent and in short supply.

Approach to Secure and Flexible Tenancies

3.18 The Council's approach to secure and flexible tenancies is set out in its Tenancy Strategy. In summary, the Council (in its landlord role) intends to grant secure tenancies (also known as 'lifetime tenancies') for general needs applicants, but will retain the option to issue fixed term tenancies (two year and five year tenancies in particular circumstances, such as where the applicant has a history of anti-social or criminal behaviour. It may also include where the council adopts a Local Lettings Plan which allows applicants from certain employment groups from the Home Buy Register to access affordable rented housing). The large majority of council tenancies will start with an introductory tenancy.

Investigation of Fraud: Offences related to information given or withheld by applicants

3.19 The Council recognises its duty to protect the public resources it administers. Detailed enquiries about applications will therefore be made in order to guard against misrepresentation and fraud. Such enquiries will be made in all cases where applicants appear to have sufficient priority for an offer for re-housing, and in other cases as resources allow and may be made at any time either at the time of application or subsequently including after any grant of tenancy. Applications will be suspended if there is evidence of misrepresentation or fraud until enquiries are completed.

3.20 Any applicant seeking to obtain accommodation by making a false or misleading statement or by withholding relevant information or by failing to inform the Council of any material change in circumstances is liable to have his/her application cancelled. Prosecution will be considered where it appears to the Council that a criminal offence has been committed.

3.21 Proceedings for possession will be taken to recover any tenancy granted in consequence of a fraudulent application for housing.

3.22 Section 171 makes it an offence for anyone seeking assistance from a housing authority under Part 6 of the 1996 Act to:

- Knowingly or recklessly give false information, or
- Knowingly withhold information which the housing authority has reasonably required the applicant to give

3.23 It is for individual housing authorities to determine when these provisions apply and when to institute criminal proceedings. However, the circumstances in which an offence is committed could include:

- Any false information given on an application form for social housing
 - Any false information given in response to subsequent review letters
 - Any false information given or submitted by applicants during the proceedings of a review
- 3.24 Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by s 146 of the 1996 Act) enables a housing authority to seek possession of a tenancy granted as a result of a false statement by the tenants or a person acting as the tenant's instigation.
- 3.25 Any tenancy fraud that may occur after the grant of a tenancy (e.g., tenancy passed on to a third party such as subletting of a tenancy) will be approached in a similar fashion. **It is a criminal offence to sublet social housing and the Council will prosecute offenders.**
- 3.26 In both instances - at application stage and tenancy stage – the Council will support and work with all Registered Providers to reduce and eliminate tenancy fraud.

Community Contribution and Tenancy Renewals

- 3.27 Where an applicant for housing has been made an allocation of housing from Band 2 of the Housing Allocation Scheme, based on a Community Contribution award and the basis for that award ceases to apply during the term of the tenancy, the Council may seek to provide opportunities for the tenant to make a community contribution in an alternative way. Non-performance against an award of a community contribution may be one factor taken into account in the consideration of the renewal of a flexible tenancy.

Accessing Affordable Market Housing

- 3.28 The Council will continue to promote affordable home ownership and private rented options to those who are able to afford it. Where the applicant's (applicants') household income is over the level which the Council considers eligible for registration on the Home Buy Register, the Council will consider such households for affordable home ownership or direct them to private rented housing options. More information on income and savings thresholds is set out in section 6.7 – 6.9 of this Housing Allocation Scheme.

4. HOW THE COUNCIL ALLOCATES PROPERTIES

The Property Pool and Assisted Choice

- 4.1 Hammersmith & Fulham Council will operate a 'property pool' and assisted choice lettings system. In essence, this means that the council will maintain a list

of properties that are available to let to housing applicants who fall into one of the housing bands described in section 2.12 and detailed with examples in Annex 3. Successful applicants will need to annually update their registration. The Property Pool will comprise properties available from the council (a registered provider); housing associations; landlords from the private rented sector; and other agencies. In allocating the homes that the Council has access to, it will take account of the applicant's preferences; the suitability of accommodation available; and, the supply of accommodation available.

- 4.2 Properties available from the property pool will be matched to applicants' preferences and, taking into account the suitability of the accommodation against applicants' needs, offers will be made by Housing Options Officers, based on the housing supply available. The Council will seek to make a maximum of two offers to applicants, with discretion to make a third offer. If an applicant turns down offers made by the Council, they will be demoted a band for twelve months. Where applicants are in Band 4 and turns down a second offer, they will be removed from the Housing Register altogether and not be able to re-apply for a year. Homeless applicants will normally receive one suitable offer. In the event that homeless applicants turn down an offer made by the Council, they will be removed from the register..

How will it work in practice?

- 4.3 In sequence, the key characteristics of this service will be as follows:
1. Applicants will discuss with the Housing Options Officer eligibility and qualification criteria to enter the Council's Housing Register. This will include a discussion on all housing options, including obtaining accommodation outside the housing registration route (e.g., private rented sector, low cost home ownership, etc)
 2. If registered, applicants will be allocated a Band ranging from 1 (the highest priority) to 4 (the lowest priority). It will be explained at this stage that allocation to Band 4 status is highly unlikely to lead to the allocation of an affordable home for rent let by a Registered Provider (i.e. principally the Council in its landlord role and housing association landlords). In the case of a homeless applicant who successfully registers, the Council may seek to discharge its homelessness duty into the private rented sector.
 3. Over time, Housing Options Officers will assess available homes from the 'property pool' as they become available, match them with applicants' accommodation needs and invite them to consider offers as and when they arise. Applicants' preference will be taken into account wherever possible. The supply, tenure and type of available accommodation will vary according to the area's housing market. Clearly, where there is a more available housing in a preferred area of the borough, such housing choices are more likely to be met. Conversely,

where there is available accommodation housing in a preferred area, such accommodation is less likely to be available.

4. The urgency with which offers are made to housing applicants will depend on the supply of available accommodation in the property pool and their Band status, with Band 1 having the greatest urgency. The Council will expect applicants in urgent housing need to take up reasonable housing offers quickly. In the event that housing offers to Band 1 applicants have been exhausted, housing offers will be made to Band 2, and then Band 3. The approach will vary where Local Lettings Plans are in place (See Sections 2.43 – 2.50).
5. The property pool will comprise homes from the Council in its Registered Provider landlord role; housing associations; and the private rented sector. This will include accommodation for Supported Housing purposes and the elderly. Some homes in the property pool will be located outside the borough due to the shortage of affordable accommodation, particularly large family accommodation, in Hammersmith & Fulham.
6. Where applicants who are not owed a homeless duty are made a second final offer (with the Council reserving the right to make a third offer if special circumstances apply) which will meet the applicant's need and that offer is turned down, then that applicant will be demoted a band for twelve months. Where the Council owes a homelessness duty and a suitable offer* has been turned down, then the Council will have met its duty towards that applicant. In either case, the offer may be in the private rented sector.
7. On making an offer* to a homeless applicant, the Council will have met its homelessness duty. At this point, the applicant will be removed from the register altogether. In respect of other housing applicants (e.g., transfer cases), where a second offer has been turned down, the applicant will be moved down a band for twelve months. If such a (non-homeless) applicant were in Band 4, they would be removed from the Housing Register altogether and not be able to re-register for another year.

Note: * in the case of homeless applicants, this means one suitable offer of accommodation

- 4.4 Priority for accommodation will be determined by housing band, with those applicants in Band 1 having a greater priority than those in Bands 2-4, and those in band 2 having a greater priority than those in Bands 3-4, and so on. Within bands, priority will be determined by date order when placed in the appropriate band. Date order means that date that an applicant was placed in the housing band.
- 4.5 In considering priority for re-housing between applicants with a similar priority under the banding scheme, the Council will also take account of the immediacy

of need of each applicant. This means, for example, that where two applicants in the same band are interested in the same property, preference may be given where one of the applicants is facing a more immediate loss of their existing home than the other.

- 4.6 To avoid the loss of properties available to the Council, properties in the private rented sector will normally be made available on a 'first come, first served' basis to applicants across Bands 1-4. Where more than one applicant is being considered for a private sector property, priority will be determined by band and date in band.
- 4.7 Applicants will be asked to choose a property or properties to view from a selection of those that are available and meet their needs, and will be asked to accept one of these as their offer of re-housing. Officers will have regard to preferences expressed by the applicant, but it may not be possible to meet all of them when making an offer. If no suitable properties are available, the applicant's case will remain open until a property becomes available and their Housing Options Officer will be proactive in working with them to secure a suitable offer of accommodation.

Exceptions to Assisted Choice

- 4.8 Available properties which are adapted or which are suitable for adaptation and Extra Care and Sheltered Housing or accommodation which is otherwise potentially suitable for applicants with a substantial disability or other special or support needs may be allocated outside strict banding and date order priority. Specifically on Sheltered Housing, the Council intends to maximise its use, ensuring that increased use of such housing is made for applicants from the need groups identified above. This is likely to require joint assessments of need by the Council's Adult Social Care and Housing Options teams. Where nominations are being considered for applicants, the Council will first review what level of support applicants will need to live independently, before granting the tenancy.
- 4.9 An allocation may also be made outside banding priority in the case of a Council tenant who is willing to transfer from a property which he/she does not require, i.e., under-occupiers, and which is particularly suitable for an applicant with special or support needs.
- 4.10 Applicants who have a special need for adapted property or other particular type of accommodation which is in very short supply may be invited to consider a suitable property which becomes available outside of the areas preferred by the applicants concerned.
- 4.11 The Council reserves the right to restrict the operation of the property pool to certain groups of applicants or to make direct offers of accommodation to

households waiting for re-housing in order to fulfil its housing management and financial duties and responsibilities, including achieving a balance of lettings as set out in the Council's Annual Lettings Plan and delivering value for money.

- 4.12 Exceptions to Assisted Choice will include Local Lettings Plans allocation arrangements as described in Section 2.43 – 2.50 of this Scheme.
- 4.13 Decisions to allocate properties outside of assisted choice will be authorised by the Director of Housing responsible for Housing Options, or delegated officer.
- 4.14 The Council may consider reciprocal lettings arrangements with other local housing authorities and housing associations in order to maximise the use of affordable housing accommodation both locally and in other areas. This may include a 'chain letting' approach where a number of lettings are mutually dependent to deliver individual applicants' preferences. The Director of Housing responsible for Housing Options shall have discretion to make any necessary decision to achieve any such reciprocal arrangement.
- 4.15 This flexible approach will help facilitate greater choice for applicants who wish to move in their immediate locality, remaining close to family and friend networks. The Director of Housing responsible for Housing Options or delegated officer, will have the authority to allocate accommodation through either the Assisted Choice process or through a direct nomination to facilitate a successful chain letting.

Types of Property

- 4.16 Some properties or blocks of properties are designated for allocation only to applicants sharing a common characteristic or need, for example:
- Properties in sheltered housing developments for people over a specified age,
 - Properties in supported housing schemes offering special services,
 - Individual properties which are adapted or otherwise particularly suitable for applicants who use a wheelchair

Selection of Properties

- 4.17 In selecting properties from the property pool for applicants to consider, the Council will normally take into account the following factors:
- The number of bedrooms required (see Annex 1)
 - Any essential requirement concerning the type or location of re-housing
 - The housing band into which the applicant's case falls
- 4.18 As far as reasonably possible, the Council will also take into account:

- An applicant's preference as between an allocation of a Council property **or** a nomination to a housing association **or** an allocation to the private rented sector.
- The standard, type or location of the applicant's current accommodation (except where this is related to the assessment of their need)

Homeswap

4.19 Homeswap enables existing tenants, principally in the registered provider affordable rented sector (i.e., tenants of councils and housing associations) the opportunity to swap their home with another, often called 'mutual exchanges'. Such schemes help tenants to be closer to new places of work and/or friends and family. The Council supports the Government's 'Homes Swap Direct' initiative, bringing together the range of mutual exchange regimes that exist. The Council will make available facilities at its principal office to enable applicants wishing to review housing options using the 'homeswap' mechanism as well as promoting the initiative more widely. The Homeswap website can be found at the following address: www.homesdirect.org.uk

Mutual Exchanges

4.20 Secure tenants have certain rights in relation to exchanging their tenancies with other secure tenants and in relation to the circumstances in which a member of their household can succeed to their tenancy. These do not fall within the scope of this allocations scheme, and full details for how these schemes operate can be obtained from Hammersmith & Fulham Council in their landlord role or their Landlord in the case of Private Registered Provider (housing association) tenants. The Mutual Exchange website can be found at the following address: <http://www.houseexchange.org.uk/>

Reciprocal Nomination Arrangements

4.21 The Council may consider reciprocal nomination arrangements with other local housing authorities and private registered providers in exceptional circumstances, at the discretion of the Director of Housing responsible for Housing Options.

Accessible Housing

4.22 The Council will seek to ensure accommodation opportunities for housing register applicants who require accessible housing are maximised. Where Housing Options Officers are fully appraised of applicants' housing needs, all reasonable efforts will be used to ensure that offers are made to applicants in line with the Banding priority using the Assisted Choice approach. Where new or re-let homes are wheelchair accessible, then applicants on the Housing Register

who have been assessed as requiring wheelchair accessible accommodation will have priority over other need groups.

Housing Moves (previously known as the Pan London Mobility Scheme)

- 4.23 Hammersmith & Fulham currently participates in the Mayor of London's pan-London mobility scheme, now known as *Housing Moves*. The reason for this scheme is to help applicants who are in work or training; or currently have more bedrooms than; or they need to move in order to provide care for friends or relatives. Details about the eligibility criteria for the Mayor's scheme can be found at www.housingmoves.org. Tenants wishing to move through this scheme should apply directly online at the above address. Council officers will be responsible for verifying and approving applications.

Annual Lettings Plan

- 4.24 The Council will adopt an Annual Lettings Plan for the April – March year which will forecast the number of affordable lettings the Council expects for the relevant year and estimate the proportions of lettings that will be allocated to certain need groups. This will include adopting quotas for specific priority groups (who meet the eligibility and qualifying criteria of this Scheme), such as applicants leaving supported housing; young people leaving care; working households; ex armed services personnel; community lettings; right to move; and other need groups that may be identified in any given year.

Average Waiting Time on the Housing Register

- 4.25 The Council will maintain on its website a schedule of information setting out what the average waiting times will be for applicants on the Housing Register, broken down by priority band and bedroom needs.

5. PROCEDURE FOR REQUESTING INFORMATION, APPEALS AND REVIEWS

Requesting Information

- 5.1 All applicants have the right to request general information about their application; whether they are entitled to any preference for housing; whether and when suitable accommodation will be offered to them; and, information about why any application has been unsuccessful. Specifically, applicants have the right to:

- Request general information about their prospects of success following their application
 - Request information about the decision concerning the facts of their case
 - Request a review of such a decision and decisions that a person is not eligible or qualifying, and to be informed of the review decision and the grounds for it
- 5.2 An unsuccessful applicant(s) to the Housing Register will be informed in writing of any decision regarding their eligibility and/or qualifying status. The notification will give clear grounds for the decision which will be based on the relevant facts of the case. The applicant(s) will be informed of their right to request a review of the decision.
- 5.3 Applicants who are unhappy with a decision made under this policy should in the first instance contact the housing officer who has dealt with their case and explain why they think that the decision is not reasonable. The applicant will be notified whether the decision still stands and the reasons for this usually within 48 hours.
- 5.4 If an applicant wishes to take the matter further, they can make a request for a formal review of the decision within 21 days. In these cases the applicant will be invited to make a written submission stating the reasons for their request for a review and the Council will seek any further information it requires, including advice from medical and other specialist advisors. Formal reviews will be conducted by a team leader, manager or other delegated officer within the Council's Housing Service with no previous involvement in the case who will notify the applicant of the outcome of the review including the reasons for their decision within 56 days.

Appeals

- 5.5 Where an applicant wishes to appeal the suitability of an offer of accommodation under 5.3 of this policy, the property will be held available whilst the appeal is considered where this is not likely to lead to an unreasonable delay in letting the property.
- 5.6 Where an applicant requests a formal review concerning the suitability of accommodation under sections 5.4 of this policy, the property will not normally be held available whilst the appeal is considered.

Right of Review – Homeless Applicants

- 5.7 A homeless applicant has the right to a S202 (of the 1996 Housing Act) review of the suitability of an offer of accommodation. In addition they have a s204 (of the

2002 Act) right of appeal to the County Court. Whilst seeking a review and appeal, the applicant may still move into the property in question, without prejudicing the outcome of a review and appeal case, if either is sought.

6. GENERAL RULES AND CONDITIONS

Decisions

- 6.1 All decisions taken under this policy will be by Housing Options officers from the Council's Housing Department unless otherwise specified. Housing Options officers are supported by Team leaders and may receive ad hoc advice from other officers of the Council as required. Where the applicant (and any eligible household members/dependents) have specific needs which have been reported to, or recorded by, other departments of the Council, the applicant should highlight any such reports to the Housing Options officer concerned.

Requests for Assistance

- 6.2 Requests for housing assistance must be made to the Housing Options Service. The Council aims to notify applicants of the result of the assessment of their priority under the Housing Banding System within 15 working days. However, in cases where a medical assessment or other special assessment is required, it may take longer to notify the result.

Persons Eligible for Assistance

- 6.3 Persons entitled to consideration and assistance under an application must generally be members of the applicant's immediate (i.e., spouse, partner and children) family who normally reside with the applicant. Any other person or persons will only be taken into consideration in the assessment of an application and/or any allocation of accommodation if the Council is satisfied that it is reasonable for that person to reside with the applicant. Exclusions are set out in Section 2.14 of this Scheme which will apply in general to persons other than immediate applicant(s) whose circumstances are relied on to support the application and/or who are included in the household for which re-housing is sought. Children under 5 will not be disqualified from inclusion in the assessment on the basis of the residency criteria so long as their parents were resident in the borough at the time of their birth.
- 6.4 The Council will also refuse to consider an application for assistance or someone's inclusion on an application if the person concerned (i.e. other than the applicant) has made a separate housing application.

Evidence of Identity and Housing Circumstances

- 6.5 All applicants must provide satisfactory evidence of identity and past and current residences for themselves and all household members. The Council will request documentary evidence from each applicant and will conduct such further enquiries as are reasonable in the circumstances. An application will be cancelled if the applicant has failed to provide documentary evidence or other information reasonably required by the Council in order to validate the application.
- 6.6 The Council will normally carry out a visit to each applicant's residence if their priority is sufficient for an allocation of housing under this scheme. Visits conducted will include an inspection of the accommodation and facilities and are normally but not necessarily arranged by appointment.

Income and Resources

- 6.7 All prospective new tenants will be required to supply evidence of their financial income and resources. Where applicants are not able to show current entitlement to Universal Credit (Income Support, Housing Benefit, or Council Tax Benefit), verification of income and savings will be required prior to applicants being offered accommodation. Where applicants have resources considered sufficient to access low cost home ownership or other intermediate housing option, the applicant will normally only be offered advice or assistance, or placed in Band 4 Advice on home ownership; sub market renting; and private sector renting options will also be offered including opportunities to join the Council's Home Buy Register.
- 6.8 Applicants with a gross income higher than set out below will generally not qualify to access the Housing Register and will be offered advice on other housing options including joining the Home Buy Register. Applicants above this income level seeking this form of accommodation are considered to have access to low cost home ownership.
- Where an applicant(s) gross income (or combined gross income) is greater than £46,250 and their housing requirements is for 2 bedroom accommodation or less,
 - Where an applicant(s) gross income (or combined gross income) is greater than £46,250 p.a., and their housing requirement is for 3 bedrooms or more, they will qualify if their combined assets/savings are less than £4,600, representing the costs of accessing another housing tenure.
 - In any event, applicants will not qualify if their income is above the top of the Home Buy income range, currently £71,000. These income ranges and financial limits will be reviewed annually and posted on the Council's website.

Where applicants are not eligible to access the Housing Register, they will be provided with advice and assistance which is likely to include private sector renting and low cost home ownership opportunities. Where applicants successfully access the Home Buy Register, they may succeed in qualifying for an affordable rented opportunity under a Local Lettings Plan.

- 6.9 When considering the allocation of accommodation, Housing Options Officers will review applicants' income and expenditure in order to assess their ability to sustain a proposed tenancy. The implementation of the Universal Credit regime will cash limit eligible annual household benefits. If housing costs are considered to be a disproportionate amount of eligible benefits, then the Housing Options Officer will consider appropriate options for the household concerned. In all instances, the Council will generally not be minded to allocate accommodation that is too small for applicants' needs (as set out in Annex 1).

Allocation of Smaller Accommodation in Certain Circumstances

- 6.10 In certain circumstances, the Council will make such an allocation where the applicant makes clear he/she is willing to take smaller accommodation than they need. The applicant may only choose accommodation which is less than one bedroom than they need (as set out in Annex 1). The Council will not make an allocation which causes statutory overcrowding at the point of letting.

Changes of Circumstances

- 6.11 Once placed in a priority band, applicants should notify the Council in writing of any material change in their circumstances that will affect their priority for housing, for example:
- a change of address, for themselves or any other person on the application.
 - any additions to the family or any other person joining the application
 - any member of the family or any other person on the application who has left the accommodation.
 - any change in income and/or savings.
 - Any medical or mobility need which will affect the type of accommodation being offered deemed suitable
 - Community Contribution status (See Annex 2 for more detail)
- 6.12 Applications may be temporarily suspended while the Council assesses the information provided by the applicant and completes further enquiries that may be necessary. The Council will carry out an assessment of each applicant's entitlement to and priority for re-housing on the basis of information which has been provided by the applicant or otherwise received in connection with the applicant. Where the Council believes that information about the applicant's personal circumstances have been deliberately withheld or misleadingly

presented, then the Council will reserve the right to withdraw any offer of accommodation or not renew a tenancy where one has been granted.

Members of the Council, Staff Members and their Relations

- 6.13 In order to ensure that the Council is seen to be treating all applicants fairly, any application for housing or re-housing from members of the Council, employees of the Council or associated persons must be disclosed. Where any officer of the Council is involved, directly or indirectly, in assessing or verifying or involved or administering an individual applicant's cases, and they discover they have a family or friendship connection with such an applicant, they should declare an interest to their line manager immediately. Failure to declare such a connection will be considered a disciplinary matter. Such applications will be assessed in the normal way but any allocation of housing will require specific approval by the Director of Housing responsible for Housing Options.

Equal Opportunities and Monitoring

- 6.14 The Council is committed to the principle of equal opportunities in the delivery of all its services. If an applicant does not understand any part of the housing register application process due to speaking/reading a different language; difficulty with speaking/reading; visual impairment; hearing difficulties or other disability, applicants should ask for additional assistance (e.g., translation and interpretation services) to help them with their application.
- 6.15 Confidential interview facilities are provided at all housing offices. There is full access to the Housing Options Office (see address in Section 2.9 of this document) for people who use a wheelchair. Home interview services are available for applicants who are elderly or who experience mobility difficulties.
- 6.16 All applicants for housing or re-housing will be asked to provide details of ethnic origin, sexuality, disability and other equalities information. Provision of this information will not be obligatory and not a requirement for acceptance of an application. However, such information will help monitor the number and types of equality groups seeking support and therefore applicants will be strongly advised to complete the relevant information. Equalities records will be monitored on a regular and systematic basis to ensure properties are being offered and allocated fairly. Allocation policies and any changes to them will be reviewed regularly to ensure they do not operate in ways that discriminate against or disadvantage any particular group.
- 6.17 The Council will seek to ensure that its allocation policies are being operated in a manner that is fair to all sections of the community regardless of nationality, ethnic origin, marital status, age, gender, sexual orientation or disability. The information provided will be kept confidential and treated with respect. The council believes it is important to understand the different communities who apply

for housing and it is only by asking these questions can the Council check that it is operating a fair system.

Confidentiality

6.18 The Council will take disciplinary action against any employee who makes use of any information obtained in the course of their employment for personal gain or benefit, or who passes it to others who might use it in such a way. A report to the police will be made if it appears that a criminal offence has been committed.

6.19 The disclosure of information about any housing application to a third party is prohibited except on a “need to know” basis in the following circumstances:

- to plan and provide assistance jointly with health and social services agencies in appropriate cases.
- for the purpose of fraud detection, the prevention of crime, and the promotion of community safety.
- to enable efficient administration of offers of re-housing, lettings, housing association nominations, and rent and benefit accountancy etc.
- where disclosure is a legal requirement.

Data Protection – Privacy Notice

6.20 Hammersmith and Fulham’s Housing Department is committed to complying with the 8 principles of the Data Protection Act 1998, as well as people’s rights to confidentiality and respect for privacy. The information you supply to the council when submitting or updating information to support an application to access the council’s housing register for accommodation, this information will be shared with other H&F departments or third parties/service delivery partners who deliver these services.

6.21 Under the Data Protection Act 1998, individuals have a right to access and receive a permanent copy of all their personal information which H&F holds. Details of how to submit a request are published on H&F’s website: http://www.lbhf.gov.uk/Directory/Council_and_Democracy/Data_Protection_and_Freedom_of_Information/Data_Protection_Act/39929_Data_Protection_Act.asp#0 Requests for access to data must be made in writing to the Director Housing responsible for Housing Options. Information will be provided within 40 working days of the application. No fee is charged for this service.

Developing and testing business applications

6.23 The Housing Department and their service delivery partners (see above) may use the information you give us to maintain and improve the services which we

deliver, this includes developing and upgrading the systems which we use to process your information.

Corporate business intelligence

6.24 The Housing Department may share the information you give us with other council services and service delivery partners (see above) for research and analysis purposes, to help us design the services we provide and to identify and contact residents who may benefit from them.

Prevention and detection of fraud

6.25 The Housing Department may share and compare your information with other council services and other organisations to make sure the information is accurate, to protect public funds, recover debt and/or prevent or detect fraud. These other organisations include government departments, other local authorities and private sector organisations such as banks or organisations that lend money.

Legal requirements

6.26 The Housing Department will use all information held by us for the purposes of law enforcement, regulation and licensing, criminal prosecutions and court proceedings.

Role of the Priority Housing Panel

6.27 It is not possible for the boundary of this Housing Allocation Scheme to adequately reflect every possible combination of housing need. The purpose of the Priority Housing Panel is to assess and make recommendations in relation to exceptional cases which do not fit easily within the boundary of the Scheme. Meetings of this Panel (which shall comprise not fewer than 3 designated officers) may meet on an *ad hoc* basis and seek additional advice where necessary.

Annex 1 - Sizes of Homes

In most cases and subject to a consideration of specific household circumstances the council will usually allow one bedroom for:

- Every adult couple (married or unmarried)
- Any qualifying adult aged 18 years or over
- Any two children of the same sex aged under 18 years
- Any two children aged under 10 years
- Any other child (other than a foster child or child whose main home is elsewhere)
- Children who cannot share because of a disability or medical condition
- A Carer (or team of carers) providing overnight care

One spare bedroom is allowed for:

- an approved foster carer who is between placements, but only for up to 52 weeks from the end of the last placement
- a newly approved foster carer for up to 52 weeks from the date of approval if no child is placed with them during that time.

Source: DWP Housing Benefit Claimant Factsheet (Removal of Spare Room Subsidy)

In the case of non-dependent adults 18 or over who are not carers; vulnerable; or the subject of other exceptional circumstances; they will not be considered as members of the household for the purpose of this Housing Allocation Scheme. Carers will only be considered as a household member where overnight care is essential.

The annex table sets out the size of a property a household successfully applying for home can expect The Council will not offer a home that is larger or smaller than the identified need (subject to Section 6.10). In detail:

- The number of bedrooms you need depends upon the size of your family
- The chart shows the size of home that we consider you need
- A single parent is counted as a couple and an unborn baby is not counted
- Single people without children will usually be offered a studio/bedsit
- Two children of the opposite sex under ten will be expected to share a bedroom
- Council or Private Registered Provider (PRP) tenants 'trading down' from properties with three or more bedrooms may choose a property with one bedroom more than they need
- Some housing associations may have policies that vary from the bedroom requirements set out below
- In exceptional circumstances, applicants with a disabled child who requires their own bedroom will be considered on a case by case basis.

Size Category	Size of Household – Common Examples	Size of Property
1	Single Person	Studio / Bedsit
2	A couple or single parent without children	1 Bedroom
3	Two adults of the same generation*	2 Bedrooms
4	A couple or single parent with a child (including a non-dependent adult son or daughter)	1 / 2 Bedrooms
5	A couple or single parent with two children of the same sex	2 Bedrooms
7	A couple or single parent with two children of opposite sex and both under ten	2 Bedrooms
8	A couple or single parent with two children of opposite sex one of whom is over ten	3 Bedrooms
9	A couple or single parent with three children	3 Bedrooms
10	A couple or single parent with four children (all of the same sex or two of each sex)	3 Bedrooms
11	A couple or single parent with two children of the opposite sex under ten and one dependent relative	3 Bedrooms
12	A couple or single parent with four children (three of one sex and one of the opposite sex)	3 / 4 Bedrooms
13	A couple or single parent with more than four children	4 Bedrooms (or more)
14	A couple or single parent with three children and one dependent relative	4 Bedrooms

* Less than 20 years apart not applying to parents/children

Note: An applicant or applicants may be considered to be one person; a couple who are married or in a civil partnership; or two persons in a relationship. Both applicants and household members must be able to meet the residence criteria set out in Section 2.21 of this document.

Annex 2 – COMMUNITY CONTRIBUTION: HOW PRIORITY IS AWARDED

Community Contribution

The Council believes that people who make a community contribution should have greater priority for accommodation allocated by the Council than those who do not.

The Community Contribution priority scheme is a Hammersmith & Fulham Council policy which gives a qualifying applicant increased priority for housing. Increased priority will be awarded to applicants qualifying under the community contribution criteria who also have reasonable preference and they will be placed in Band 2 by virtue of this award.

Community Contribution Awards – How they work in practice

Applicants must meet at least one of the eligibility and qualifying criteria in order to be considered for a community contribution award. They will also need to demonstrate they meet the local residency qualification. Applicants should have:

1. No on-going culpable involvement in anti-social behaviour or criminal activities
2. No breaches of tenancy within the last 3 years
3. No outstanding lawfully recoverable housing-related debt over £100
4. An outstanding unspent conviction

Applicants can access increased priority for housing in eight ways:

1. Working Households

This policy aims to support the economic growth of Hammersmith & Fulham. We will offer increased priority to applicants who are working but are on a low income and will therefore find difficulty in accessing outright home ownership or low cost home ownership.

Definition of a Working Household

Households where at least one adult household member is in employment. The criteria that applies is defined by Department for Work and Pensions (DWP) guidance on eligibility for Working Tax Credit. The number of hours per week required for employment varies according to household size and status. Current criteria can be found at the following webpage: <https://www.gov.uk/working-tax-credit/eligibility>

For the purposes of this Allocation Scheme, employment is described as having a permanent contract, working as a temporary member of staff or being self-employed. Applicants will only qualify if the worker has been employed for 9 out of the last 12 months. Verification will be sought at point of application as well as point of offer of tenancy under the same terms. Applicants must provide payslips, P60, bank statements or an original (i.e., not photocopied) verifying letter on headed paper in order to qualify.

2. Volunteering

Volunteers must have been volunteering for a continuous period of at least 6 months up to the point of application for community contribution status and at point of tenancy offer. Volunteering must be for a not-for profit organisation that is recognised by the Council, or a charity that is registered with the Charity Commission or is funded by the Council or another local authority. Tenants and Residents Associations which are constituted are classified as not-for-profit organisation. They must be registered with Hammersmith & Fulham Council or a Private Registered Provider to qualify. Volunteering must be for a minimum of 20 hours per month.

Evidence Required for voluntary work

A letter on the organisation's headed paper from the manager responsible for volunteers confirming the applicant's involvement in a minimum of 20 hours per month of voluntary work for at least 6 months. This person must not be related to the applicant in any way.

3. Training or Education

We want to encourage people to move closer to gaining paid employment by gaining employability skills and becoming job ready. This may be achieved by attending higher or further education or by accessing a longer vocational course of study or engaging in a programme of work-related training courses. In all cases the course of study must lead to achieving accredited qualifications and / or certification by a registered awarding body.

Study or training may be undertaken at a range of recognised institutions and organisations such as: Further Education College; registered Private Training Provider; registered Voluntary Sector Organisation or University.

To be eligible for the vocational training award a person must initially access a recognised Information, Advice and Guidance (IAG) service for young people up to age 19 years to develop an agreed employment action plan and to be signposted to relevant training providers. Candidates must be working towards gaining employment in a vocational occupation.

A person must have been studying or training against the eligible criteria and definition outlined, for a continuous period of at least 6 months up to the point of application and the same at point of offer. Applicants eligible for out-of-work related benefits must also be registered with Job Centre Plus and accessing mainstream job brokerage provision, thus actively seeking work (this may not apply to full time students dependent on the hours they are studying). Training must be in addition to, or supplementary to any mandatory training required and may be undertaken in conjunction with volunteering to gain further knowledge and experience. Training must be a minimum of 10 hours a month.

Some people undertaking training are not actively seeking work. Where the Department for Work and Pensions can confirm that the applicant is not required to actively seek work because of their circumstances, for example they have caring responsibilities, their training can be recognised in this policy.

Evidence required for Training element

Further/higher education candidates must supply evidence of:

- letter from college or university confirming participation in course of study for period of 6 months

For vocational training award the following evidence must be provided:

- an agreed employment action plan developed through a recognised IAG service plus verification of steps taken towards achievement of action plan targets
- certificate or letter from a registered awarding body for the course or by a recognised training provider as evidence of gaining a recognised vocational qualification or successfully completing accredited work-related training (over a continuous period of at least 6 months)

4. Ex Armed Service Personnel

Applicants who have served in the British Armed Forces and lived in Hammersmith & Fulham for at least 6 months immediately prior to enlisting, will qualify for a community contribution award automatically, with the exception of those who have been dishonourably discharged. This includes people who have served in the Royal Navy, Royal Air Force and British Army.

Service with the armed forces will be confirmed with the Royal British Legion.

The Council intends to work with one or more housing organisations with experience of ex-service personnel issues in order to develop criteria and maximise housing options opportunities for ex service personnel.

5. Registered Foster Carers, Adopters and Special Guardians

The Council recognises the contribution that Hammersmith & Fulham foster carers, adopters and Special Guardians make towards ensuring that children in care receive a settled environment to grow up in. To qualify for a community contribution award under this policy, applicants will require written confirmation from the Council's Children's Service confirming that they have been approved as a Hammersmith & Fulham foster carer and/or adopter and/or accepted as a Special Guardian (i.e., the child concerned is the subject of a Special Guardianship Order) and that they are in a position to take one or more placements. Any re-housing requirements will be dealt with on a case by case basis.

6. Carers

The applicant will usually need to be receiving Carer's Allowance to meet this criteria. Applicants who undertake formal care of dependents who are in receipt of Disability Living Allowance (DLA) higher rate or care element DLA may qualify for the community contribution award under this policy.

Note: Welfare reforms are changing the way disabled people are considered for benefit entitlement and this section (i.e., impact of such changes on carers) will need to be reviewed to reflect any changes that come into force.

7. People with disabilities and older residents

Whilst many older people and those with disabilities work or volunteer (or where the applicant is receiving carer's allowance as described above), there may be circumstances in which frailty or a disability prevents this, or means that the full eligibility criteria set out in this annex. A Senior Officer will need to approve such as award.

8. Young People

Generally young people (applicants aged 25 and under) will be required to meet the full community contribution criteria set out in this annex. However, a Senior Officer will have discretion with regard to the length of time a young person has been in employment. In addition where a young person is able to participate in volunteering and is not in employment or training the number of hours per month required is 20 hours.

The Council will have discretion to consider applicants who are referred to it by other sections of the Council.

ANNEX 3 – HAMMERSMITH & FULHAM HOUSING BANDS	
Band 1	
Urgent Need to Move due to Reasonable Preference PLUS additional priority	
Summary Guide of Criteria	
<p>Emergency medical or disability Reasonable preference category S.167(2)(d)</p>	<ul style="list-style-type: none"> • Where an applicant’s condition is expected to be terminal within a period of twelve months and re-housing is required to provide a basis for the provision of suitable care. • The condition is life threatening and the applicant’s existing accommodation is a major contributory factor. • The applicant’s health is so severely affected by the accommodation that it is likely to become life threatening. • The applicant (or household member) is unable to access their accommodation and requires re-housing into accommodation suitable for their use. • The applicant’s accommodation is directly contributing to the deterioration of the applicant’s health such as severe chest condition requiring intermittent hospitalisation as a result of chronic dampness in the accommodation and the condition of the property cannot be resolved within a reasonable period of time – usually 6 months. • Where overcrowding in the property leaves the applicant at risk of life threatening infection.
<p>Exceptional Circumstances Welfare and Hardship Criteria Reasonable preference category S.167(2)(e)</p>	<ul style="list-style-type: none"> • Emergency need to move determined by the Council and authorised by the Director of Housing responsible for Housing Options.
<p>Exceptional need to move Reasonable preference category S.167(2)(e)</p>	<ul style="list-style-type: none"> • Applicants who need to move due to domestic abuse, extreme violence or extreme harassment. • Extreme violence or harassment will be verified by the Police and/or other agencies as necessary. This may include where a move is necessary to protect a witness to criminal acts. • Agreed in exceptional circumstances due to significant problems associated with the tenant’s occupation of a council dwelling and there is a high risk to the tenant or their family’s safety if they remain in the dwelling/area. For council housing tenants, transfers will be to properties of the same size, type or smaller if they are under-occupying where required, but locations or areas are likely to change.
<p>Disability need to move on hardship grounds Reasonable preference category S.167(2)(d)</p>	<ul style="list-style-type: none"> • This is any applicant who needs to move to suitable adapted accommodation because of a serious injury, medical condition or disability which he or she, or a member of their household, has sustained as a result of service in the Armed Forces

<p>Release of adapted property Reasonable preference category S.167(2)(e)</p>	<ul style="list-style-type: none"> • Where a social housing tenant is willing to transfer to a suitable non adapted property and is releasing an adapted home or designated older persons property.
<p>Statutory Overcrowded Reasonable preference category S.167(2)(c)</p>	<ul style="list-style-type: none"> • Council tenants who are statutorily overcrowded and who require at least two additional bedrooms.
<p>Acute Overcrowding Reasonable preference category S.167(2)(c)</p>	<ul style="list-style-type: none"> • Where a household is 3 bedrooms short of the bedroom standard set out in 'Size of Household – Common Examples' set out in Annex 1.
<p>Private sector properties unsanitary or unfit. Those living in unsanitary conditions where the conditions pose an ongoing and serious threat to health; Reasonable preference category S.167(2)(c)</p>	<ul style="list-style-type: none"> • Private sector tenants and residents of dwellings that the Council's Private Sector Housing Team has determined that the property poses a category 1 hazard under the Health and Safety fitness rating and the Council are satisfied that the problem cannot be resolved by the landlord within 6 months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health, where the applicant has an existing health condition that is exacerbated by these conditions. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or have living conditions which are a statutory nuisance, and there is no prospect of the problems being remedied within a 6 month time period. • A private sector property either owned or rented where a statutory notice has been issued by the environmental health department that an unfit property is to be demolished under the Housing Act 2004.
<p>Under-occupation Reasonable preference category S.167(2)(e)</p>	<p>Where a Council tenant will release a home with two or more bedrooms by moving to a property which is either a 1 bedroom or studio/bedsit. Where a housing association tenant who will release a home with two or more bedrooms are eligible if their landlord agrees that the vacated property can be used for a nomination by the Council.</p>
<p>Major works or demolition Reasonable preference category S.167(2)(c)</p>	<ul style="list-style-type: none"> • Where a council tenant has to move either temporarily or permanently whilst major works are undertaken or where their home is due to be demolished.
<p>Foster carers referred by the Council's Children's Service and authorised by the Director of Housing responsible for Housing Options.</p>	<ul style="list-style-type: none"> • Foster carers or adopters approved by the Council whose housing prevents them from being able to start, or continue, to provide foster or adoptive care.

Reasonable preference category 167(2) (d) or (e)	
Band 2	
Need to Move Reasonable Preference AND a Community Contribution as identified in Annex 2 (i.e., eligible and qualifying applicants who are working; volunteers; in training or education; ex-armed service personnel; registered foster carers and adopters; carers; people with disabilities and older residents; and certain categories of young people.	
Band 3	
Need to Move Reasonable Preference (as set out in Band 2) but NO Community Contribution as identified in Annex 2 (See above)	
Summary Guide of Criteria	
Homeless Households owed a full homeless duty under section 193(2) or 195(2). Reasonable Preference categories s167(2) (b)	<ul style="list-style-type: none"> • People who are owed a duty under section 193 (2) Or 195 (2) of the 1996 Act (or under section 65 (2) or 68(2) of the Housing Act 1985) - This means households who are homeless or threatened with homelessness, eligible and in priority need
Overcrowded by the Bedroom standard. Reasonable Preference category s167(2)(c)	Where an applicant (but not a single applicant or a couple without dependants) is one or two bedrooms short of the bedroom standard set out in 'Size of Household – Common Examples' set out in Annex 1.
Applicants living in unsatisfactory housing lacking basic facilities. Reasonable Preference category s167(2)(c)	<p>Applicants without access at all to any of the following facilities. No access to:</p> <ul style="list-style-type: none"> • a bathroom or kitchen • an inside WC • hot or cold water supplies, electricity, gas or adequate heating <p>Applicants who occupy a private property which is in disrepair or is unfit for occupation and is subject to a Prohibition Order and recovery of the premises is required in order to comply with the Order as defined by Section 33 of the Housing Act 2004.</p> <p>Applicants who only have access to shared facilities in shared accommodation will not qualify under these criteria.</p>

Medical grounds Reasonable Preference category s167(2)(d)	Where an applicant's housing is unsuitable for moderate or severe medical reasons or due to their disability, but who are not housebound or whose life is not at risk due to their current housing, but whose housing conditions directly contribute to causing serious ill-health. Such applicants (or applicants with a household member) may include a person with a learning disability. Housing Options officers will only consider applications where officers from the Council's Adult Social Care Department consider the applicant is capable of independent living, taking account of any necessary and funded package of care and support.
Hardship or welfare need to move for care or support Reasonable Preference category s167(2) (c) and (d)	Those in hardship or welfare who need to move to give or receive care that is substantial and ongoing (or receive care that is acute and exceptional).
Housing need due to age Reasonable Preference category s167(2)(d)	Older or disabled applicants seeking Retirement or Extra Care or Sheltered housing (where available in each instance). At least one of the applicants will need to be over 60 years old to be eligible.
Ready to move on from Council accredited supported housing schemes Reasonable Preference category s167(2)(c)	An applicant is ready to move to independent settled housing; the applicant is in need of medium to long term rather than short term ongoing tenancy support; and, a support package has been assessed and is in place.
Move on from Care Reasonable Preference category s167(2)(c)	A care leaver who has been agreed by the Care Leaver's Panel who is ready to move to independent settled housing and is genuinely prepared for a move to independent living; possess the life skills to manage a tenancy including managing a rent account; and is in need of either a long term or medium term tenancy support; and that a support package has been assessed and is in place.
Discretionary Succession	Where the Council has agreed to grant a tenancy under sections 3.9 – 3.15 of this policy.
Ex Armed Service Personnel with urgent housing needs (all reasonable preference categories)	Ex Armed Service personnel meeting the criteria set out in the <i>Housing Act 1996 (Additional Preference for Armed Forces)(England) Regulations 2012</i>
Existing Foster Carers and Adopters approved by the Council willing to provide care for an additional child Reasonable preference category 167(2) (d) or (e)	Where a Foster Carer or Adopter already provides a home for at least one foster or adoptive child offers to provide care for an additional foster or adoptive child.

Band 4	
Reduced Priority : Need to Move - Reasonable Preference but with Reduced Priority	
Summary Guide of Criteria	
<p>Applicants owed Reasonable Preference but who have been given reduced priority. This will include applicants owed the full homelessness duty who satisfy statutory local connection criteria* but not the full local residency qualification condition as set out in this scheme (See Sections 2.21 – 2.23).</p> <p>* See Section 4.18 of Communities & Local Government (CLG) Allocation of Accommodation: guidance for local housing authorities (June 2012) for the local connection criteria.</p>	<p>Applicants in this band have reduced preference and are extremely unlikely to be offered social housing but may be offered assistance to find a home in the private rented sector.</p>

Reference Documents

Communities & Local Government (CLG) Allocation of Accommodation: guidance for local housing authorities (June 2012)

CLG Providing social housing for local people. Statutory guidance on social housing allocations for local authorities in England (December 2013)

CLG Right to Move- Statutory guidance on social housing allocations for local housing authorities in England (March 2015)

The Allocation of Housing (Qualification Criteria for Armed Forces)(England) Regulations 2012

The Allocation of Housing (Qualification Criteria for Right to Move)(England) Regulations 2015.

Economic Regeneration, Housing & the Arts PAC Work Programme 2017/18

13th June 2017		
Small Hall, HTH. 7:00pm.		
ITEM	LEAD OFFICER	REPORT BRIEF
Low Cost Home Ownership	Labab Lubab	To consider what schemes are available, how they are performing and what the Council has been doing to try to get more people into homes they own.
Performance Data for the Housing Department	Nilavra Mukerji / Kath Corbett	To scrutinise the performance of Housing Services against key targets.

5th July 2017		
Courtyard Room, HTH. 7:00pm.		
ITEM	LEAD OFFICER	REPORT BRIEF
The Arts	James Fitzgerald	To consider an update on progress made against the Arts Strategy.
Housing for refugees and asylum seekers	Glendine Shepherd / Jo Rowlands	To provide an overview of what the Council does to provide housing for refugees and asylum seekers, and the rules and funding streams relating to these.

6th September 2017		
Small Hall, HTH. 7:00pm.		
ITEM	LEAD OFFICER	REPORT BRIEF
Fire Safety in Council Blocks	Jane Martin	To consider the Council's Fire Safety measures in its tower blocks.

Economic Regeneration, Housing & the Arts PAC Work Programme 2017/18

8th November 2017 Small Hall, HTH. 7:00pm.		
ITEM	LEAD OFFICER	REPORT BRIEF
Tackling ASB with Housing Providers	Jonathan Shaw	To consider the strategies Anti-Social Behaviour Officers use to work with housing providers to deal with ASB issues.
Leaseholder Services	Kath Corbett / Jana Du Preez	To hear about the improvements made to leaseholder services and identify further changes which could be made.
Housing Allocations Policy	Jo Rowlands / Glendine Shepherd / Gerry Crowley	To consider proposed amendments to the Council's allocations policy.

16th January 2018 Courtyard Room, HTH. 7:00pm.		
ITEM	LEAD OFFICER	REPORT BRIEF
Budget Proposals 2018-19	Kath Corbett / Mike Clarke	To consider the budget proposals for 2017-18.
Garages	Glendine Shepherd	To consider efforts made to improve lettings rates and to investigate whether the Council is using its garages on Housing Revenue Account land effectively.

19th March 2018 Courtyard Room, HTH. 7:00pm.		
ITEM	LEAD OFFICER	REPORT BRIEF
Resident Involvement	Daniel Miller	To consider the Council's work to involve Council tenants and leaseholders in the management of their homes.

Economic Regeneration, Housing & the Arts PAC Work Programme 2017/18

Tenants and Residents Halls	Glendine Shepherd	To discuss the council's work to try to get tenants and residents halls used more.
The Council's home energy strategy and measures to tackle fuel poverty	Nick Austin / Justine Dornan	To review the work of the Council to make homes as fuel efficient as possible and how vulnerable residents will be protected during the winter.
Communal Heating Charges	Kath Corbett	To consider whether improvements could be made to the way in which residents with communal heating are billed.

Potential Future Items		
ITEM	LEAD OFFICER	REPORT BRIEF
Industrial Strategy	Jo Rowlands	To review the impact of the new Industrial Strategy
Housing for disabled people	Jo Rowlands	To consider the proposed actions for meeting the housing needs of disabled people following the report of the disabled persons commission.
Aids and Adaptation	Jane Martin	To consider the changes made to the Aids and Adaptations Service following its transfer to the Housing Department.
Mitie Health and Safety Compliance Checks	Jane Martin	To discuss the issues identified by an internal audit with Mitie's compliance checking processes and the action taken to resolve these.
Culture Led Place Making	Jo Rowlands	To consider the administration's strategy of developing a sense of place through cultural venues, activities and events.