

Officer Decision under delegated powers

Title:

Minor amendments to Housing Register and Allocations Policy November 2020

Background:

Officer Scheme of Delegation:

Head of Service with responsibility for Housing has the following delegated function set out in Part 3b: Officer Scheme of Delegation:

5.8 Make minor changes to the housing register, nomination, homelessness & transfer Policies and also, where necessary, agree local lettings policies for new and existing Affordable Housing.

Consultation:

Not required

Decision(s):

The changes below will be made to provide clarity and to reflect changes in legislation, guidance, and local policy, with effect from 15 November 2021. Please note that deleted text is marked with a strikethrough and new text is marked with an underline:

5. Who can join the Register?

Amend:

To apply to join the housing register, all applicants must complete a housing register form. This can be completed online at www.rbbc-homechoice.org.uk. www.reigate-banstead.gov.uk or ~~copies can be obtained from Housing Services.~~ For further information about how to apply **see section 6.**

Section 5.3.5 Other exceptions to the local connection:

Delete:

~~Care leavers must demonstrate a minimum of two years continuous residency in the borough up to the point their accommodation is provided under section 22A of the Children's Act 1989 and some of this residency must have occurred before the age of 16 years. Supporting documentation must be provided.~~

Insert replacement text:

A care leaver, who is the responsibility of Surrey County Council, is exempt from the local connection criteria of this scheme until they reach the age of 21.

Amend:

Where an applicant has been assisted by the Council with privately rented accommodation through a rent deposit / rent in advance scheme endorsed by the Council (to prevent homelessness) they will be assessed as having a local connection whilst they remain in that accommodation or continue to be assisted owed a homelessness duty by the council.

Where someone is placed in supported housing (to prevent homelessness) outside of the borough or inside the borough by the Council and/or other public agencies such as the Community Mental Health Team they will be assessed as having a local connection only where they met the following local connection qualification at the time of placement. In this situation the local connection is: residency in our borough six out of the last 12 months or three out of the last five years or a mother / father / brother / sister / adult son or daughter resident residing in the borough continuously for the last five years and still resident or applicant is employed in the borough whilst they remain in that accommodation or the Council continues to owe a homelessness duty to them.

Section 6.4 False or misleading information

Delete:

~~Applicants who are **found** to have given false information on their Housing Register application form or in response to a request for further information in support of the application or during review proceedings will have their application suspended immediately. An investigation will be carried out.'~~

~~If following the investigation **the Council decides** that a person has given false information or withheld information, it will take one or more of the following actions —~~

- ~~• Remove the applicant from the Register.~~
- ~~• Not allow the applicant to join or re-join the Register for a period of not less than year.~~
- ~~• Instigate criminal proceedings.~~
- ~~• Inform the social housing provider of the investigation so they may instigate eviction proceedings if social housing was gained as a result of fraud.~~

Insert replacement text:

All housing register applications may be reviewed by the Council's Fraud & Financial Investigation Team at any stage, including on submission and prior to nomination to a property.

The Council takes a strong approach to dealing with fraudulent applications and false information. Under Section 2 and Section 3 of the Fraud Act 2006 and under Section 171 of the Housing Act 1996, an applicant, or someone acting on their behalf, commits an offence if:

- They knowingly or recklessly give false information, or
- They knowingly withhold information that the Council has reasonably required the applicant to give

Where a housing register application is believed to contain false or misleading information, or to be missing information, it may be suspended and an investigation carried out.

If following the investigation the Council decides that a person has given false information or withheld information, it will take one or more of the following actions –

- Remove the applicant from the Register.
- Not allow the applicant to join or re-join the Register for an indefinite period.
- Instigate criminal proceedings.
- Inform the social housing provider of the investigation so they may instigate eviction proceedings if social housing was gained as a result of fraud.

If fraud is not proven or there is a reasonable explanation for the discrepancy found, the application or nomination will proceed, with details adjusted as the Council deems appropriate.

Section 7.1 Assessment of need and the banding scheme

Amend:

Each applicant will be given an 'effective date', this is the date ~~their application was at~~ which all of the supporting documentation is received by the Council. Should they move up or down a band, or their bedroom need changes, their effective date will start on the date that they move into that band or bedroom need.

7.2 Medical assessment

Amend:

If applicants have a medical or health condition that they consider impacts on their housing need and/or means that a specific property type is needed, they must complete a Change of Circumstances Form ~~Medical Self Assessment Form~~. This is available by logging into the applicants HomeChoice account. ~~the Council's website:~~ www.reigate-banstead.gov.uk or a copy can be obtained from the Housing Register Team.

In the first instance the form will be assessed by a member of the Housing Register Team who will decide if there are grounds for the applicant to be prioritised on a medical basis. ~~Any Applicants who completes the Medical Self Assessment Form~~ will be asked to authorise contact with their GP or other medical practitioner if necessary in order to verify or obtain further information about their medical condition.

Where an applicant submits additional ~~Medical Self Assessment Forms~~ information within 6 months of a referral to the Council's Independent Medical Advisor, the Council will consider whether the applicant's medical circumstances have changed significantly from the last assessment before seeking further advice from its Medical Advisor. Applicants will not be referred if the Council assesses that there is no significant change.

Section 7.7 Assessing property size and type

Amend:

Any decision to offer a larger property on health or welfare grounds will not automatically mean that any claim for assistance with rent through ~~Housing Benefit~~ Universal Credit will be agreed on a larger property than the ~~Housing Benefit~~ Universal Credit regulations allow.

Section 10.1 Renewal of applications and change of circumstance

Replace text:

Throughout section 10.1 replace 'applicable priority date' and 'priority date' with 'effective date'

Amend:

If following a change of circumstances or renewal of an application a change in the applicant's circumstances results in a band change or bedroom size change, the Council will inform the applicant in writing of the new band, bedroom size, the reason for it, and the new applicable priority date ~~and their right to request a review of this decision.~~

Reason(s) for decision:

Explain the reason(s) for the decision.

An amendment to the local connection exempt in section 5.3.5 for care leavers is required to reflect a Surrey wide approach to better supporting care leavers. Other changes provide improved clarity and consistency across the policy.

Alternative option(s):

1. To not agree the proposed changes. This is not recommended because the changes, although minor, provide improved consistency and clarity across the policy.

Appendices:

1. None.

Declarations of interest:

Please refer to the [Code of Conduct](#) for guidance on interests.

If you think you have an interest in this Officer Decision, please Contact [Democratic Services](#) (01737 276182).

Decision taken by: Richard Robinson

Signature:

Date: 11.11.21



Post held: Head of Housing Services