FAIRER WESTMINSTER

City of Westminster



Our Housing Allocation Scheme

Westminster Council's social housing policy

Approved December 2024, Effective March 2025

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Foreword by Cabinet Member for Housing

We want to make our housing services fairer, more accessible, and more transparent while addressing the changing needs of our communities. That's why we've adopted this new policy, which establishes the framework for how the Council manages the allocation of social housing for those in housing need.

As someone who grew up in council housing in Westminster, it's important to me that residents have a strong voice in shaping our housing policies. Developing this Allocations Policy has included an extensive programme of community engagement, which saw 250 residents and housing professionals attend our engagement events. Through this outreach, we gained valuable insights into the lived experiences and challenges faced by residents who are registered for housing or those in housing need. A wide-reaching public consultation also saw participation from 804 individuals, whose feedback directly informed the development of this updated policy.

The revised Allocations Policy is clearer, more open, and easier to navigate. It introduces measures to better recognise and address applicants with multiple and complex needs, ensuring that those facing the most significant challenges receive the support they need. The simpler structure, including new categories and point systems, makes understanding the policy easier for applicants while making the process and system more efficient.

Crucially, we are committed to enhancing communication with residents about changes to the scheme and setting clear expectations for their future. This includes personalised notifications, public engagement events, and accessible resources like easy-read summaries and materials translated into community languages.

This policy cannot address the underlying issue that there are more people in housing need than there are available social homes in the borough. However, this updated Allocations Policy reflects our dedication to a fairer, more transparent housing system. It is an important step forward in ensuring that we meet the needs of our applicants, and I am proud to present this new Allocations Policy as part of our ongoing commitment to creating a Fairer Westminster.

Cllr Liza Begum



Section 1

About our Housing Allocation Scheme

Our Housing Allocation Scheme (which we will refer to as "Scheme" for the rest of this document) explains Westminster City Council's ("the Council") policy for allocating social housing in Westminster.

Social housing means homes for rent that are owned by the Council and by Private Registered Housing Providers; these are often called Housing Associations (which we will refer to as "Registered Providers" for the rest of this document).

The Scheme sets out who qualifies for social housing and how we use our Housing Register to show the level of priority between different types of housing need.

In Section 1 we will tell you about:

- Who can join our Housing Register.
- Who can be included in your application.
- How you will know if you have been accepted onto the Housing Register.
- How we treat your information.
- How we apply Equality, Diversity and Inclusion rules to our Scheme.





The law on Housing Allocations

The law on Housing Allocations is complex and may change. We have summarised the most important legislation in Appendix 1 and encourage you to read it.

In summary:

- We must publish our Housing Allocation Scheme and follow the rules that we set out.
- We cannot let social housing outside of our rules.
- Your immigration status may affect your right to be housed in social housing.
- We must give 'reasonable preference' to people with certain types of housing need.
- We must take other laws and Council policies into account when we set out our Housing Allocation Scheme.

Our policy is to give people the chance to tell us their preferences about where they are housed. They should also be able to make choices about their housing when they are trying to move to a new home.

The Cabinet Member for Housing is responsible for the Council's housing policies, including this Scheme.

We will regularly review this Scheme to make sure it is legal and fair. If we need to make major changes to this Scheme, we will consult the public and our Registered Provider partners before making those changes.

1.1. The Housing Allocation Scheme

The Housing Allocation Scheme covers people who are:

- Current Westminster Council tenants who want to move to another home with us (we call this a "*WCC Tenant Transfer*").
- Current Registered Provider tenants or private tenants living in Westminster who, in certain circumstances, need to move on medical or overcrowding grounds (we call this "*Non-WCC Tenant Priority*").
- Applying to us for housing as homeless.
- Eligible to move to older persons accommodation (we call this "*Community Supportive Housing").*
- Nominated for housing by one of our statutory partners.

We also describe how we let homes to people on our Housing Register, either through our Choice Based Lettings ("CBL") system or by making a Direct Offer of housing.

The Housing Allocations Scheme does not cover:

- How you can apply for Private Sector housing (including private rents, shared ownership or affordable home ownership).
- How you can get help with temporary housing if you are homeless.
- How you can find intermediate housing for rent. Intermediate housing rents are higher than social housing rents but less than private tenancy rents; up to 80% of what you would be charged if you rented privately. This option may be suitable for people who struggle to afford private rents but do not qualify for social housing. You can find out more at Homes for Westminster.



1.2. Who can apply to join the Housing Register?

Anyone can apply to us for social housing, but we will only accept you on to the Council's Housing Register if:

1. You have the right join the Register (this is known as being ***eligible***). These rules are set by the Government and cover your immigration status. We explain more about this in Section 1.3.

and

2. You meet our rules for housing (this is known as ***qualifying*** for social housing). These rules are set by the Council and cover your housing need. We explain more about this in Section 1.4.

When you apply, we will check the information you give us to see if you are ***eligible*** to join the Housing Register and whether you ***qualify*** for social housing. We will ask to see copies of documents such as your birth certificate, a passport and proof of your income. We will also ask for proof of where you live and where you have lived in the past.

You must tell the truth when you apply to join the Housing Register. If you hide information, or deliberately give us false information, we could take legal action against you for fraud. It may also mean that we put your application on hold while we look into the details. We may close your application if we do not get all the information we need and we will not offer you a home.

You can find out more if you visit our website: How to apply for social housing | Westminster City Council



What is the Housing Register?

The Housing Register is a list of every person or household that we have accepted because they are ***eligible*** and ***qualify*** for social housing in Westminster.

The Housing Register includes people who are:

- Current Westminster Council tenants who want to move to another home with us (we call this a *WCC Tenant Transfer*).
- Current Registered Provider tenants or private tenants living in Westminster who, in certain circumstances, need to move on medical or overcrowding grounds (we call this a *Non-WCC Tenant Priority*).
- Applying to us for housing as homeless.
- Eligible to move to older persons accommodation ("Community Supportive Housing").
- People who are nominated for housing by one of our statutory partners.

If we accept you onto the Housing Register your chances of being offered a home will depend on what level of housing priority you have.

Whilst people's time waiting on the Housing Register is taken into account when prioritising them, the Housing Register is not a straightforward waiting list. We have a severe shortage of social homes for rent. This means that people may wait many years before they get offered a home. Due to demand, we are unlikely to be able to offer a home to most people who are on the Housing Register.

What is a Registered Provider?

There are two main types of social landlord in Westminster. One of them is the Council, the other type is Private Registered Providers, which are commonly referred to as Housing Associations. Private Registered Providers are registered to provide social housing and they are typically non-profit organisations. They are regulated by the Regulator of Social Housing in England, which ensures they meet certain standards and are open and transparent about how they run their organisation.

In this document we refer to other Private Registered Providers as Registered Providers, rather than Housing Associations.

Keeping your information up to date

If we accept you onto the Housing Register, it is likely that your family or your housing circumstances will change over time. For example:

- The size of your family may change, this includes having more children or when someone else moves into or out of your home.
- There may be major changes to your family's health or welfare, and these changes may have an impact on the type of home you need, or may mean there is a need to update information relating to your household's safety such as Personal Emergency Evacuation Plans.
- Your immigration status may change, and this may impact whether you qualify for social housing.

You must let us know a soon as you can if there is a change in your circumstances. We may ask you to give us more information to help us check on how any change impacts your priority for housing.

If you are registered for a move from a Council or Registered Provider home, we may also contact you from time to time to review your application and to update it. We may close your application if you do not reply to our reasonable attempts to contact you. If this happens, you may be able to reapply to the Housing Register at a later date.

Before we offer you a home we will check your information again. If you cannot give us the proof we need that you are still eligible and you still qualify for social housing, we may not make an offer. We may also decide not to make an offer if you have not been honest with us or if you have not told us about any changes that affect your application.

If we offer you a home and find out later that the information you gave us was not correct or honest, you may lose your tenancy.



1.3. How do I know if I am *eligible* to join the Housing Register?

The law on immigration is complicated and may change. You will need to check your eligibility on the UK Government's website and Citizen's Advice can help you if you are unsure: Visas and immigration - gov.uk.

British or Irish citizens are *eligible* to join the Housing Register if they are 'habitually resident' in the UK, Ireland, Channel Islands or Isle of Man.

If you are not a British or Irish citizen with habitual residency, you will need to meet the Government's immigration rules. You will need to check your eligibility as each group has different rules, but you **may** be eligible if you fall into one of the following groups:

- You have refugee status or humanitarian protection.
- You have 'discretionary leave to remain' in the UK.
- You have 'limited leave to remain' in the UK.
- You have the right to live, work or study in the UK and there is no time limit on how long you can stay. This is called 'indefinite leave to remain'.
- You have settled status under the EU settlement requirements.
- You are a Commonwealth citizen who does not need a visa to live, work in, enter or leave the UK. This is called the 'right of abode'.
- You have a visa that gives you recourse to public funds.

'Discretionary Leave to Remain' and 'Limited Leave to Remain' are different forms of temporary permission to stay in the UK, and they have different rules, conditions and eligibility criteria.

Usually, you are not eligible to join the Housing Register if:

- You are subject to immigration control unless included by regulations made by the Secretary of State.
- You are a person from abroad excluded by regulations made by the Secretary of State.
- You are not a 'habitual resident' of the UK.
- You are required to leave the UK by the Home Office.

'Recourse to Public Funds' and 'Habitual Residence'

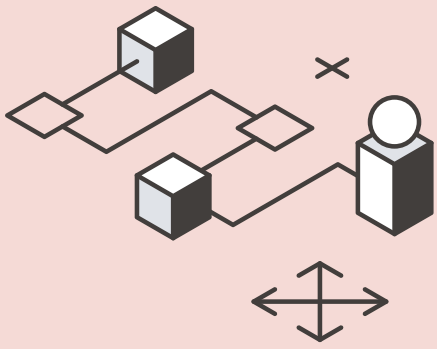
If you have 'recourse to public funds' it will mean that you have the right to claim public funds, such as welfare benefits, and help with housing costs.

People from abroad who are 'subject to immigration control' will not usually be able to claim public funds or help with housing.

If you have moved or returned to the UK in the last 2 years, you usually have to show that you're 'habitually resident' to get:

- Help from the local Council with social housing.
- Somewhere to stay if you're homeless.

You are 'habitually resident' if your main home is in the UK, Ireland, Channel Islands or Isle of Man.



1.4. How do I know if I *qualify* to join the Housing Register?

To qualify to join the Housing Register you will need to show:

1. You are over 18.
2. You live permanently in the UK.
3. You live in the City of Westminster and have lived here for at least the last 3 years without a break (we call this our 'local residency rule').
4. You have savings, investments and capital assets worth less than £70,000 (this includes owning a home either by yourself or with someone else).
5. You have a yearly gross income of less than £50,271 if you are eligible to apply for a home with 2 bedrooms or more.
6. You have yearly gross income of less than £37,701 if you are eligible to apply for a studio or 1 bedroom home.

The 'local residency rule' is not applied to applicants in the Homeless Priority Groups.

Our income thresholds reflect the Higher Rate of Income Tax (for 2 bedrooms or more) and the Higher Rate of Income Tax minus the Personal Allowance (for a studio or 1 bedroom home). We will update our income threshold if these rates change.

You will also need to come under a Priority Group to qualify to join the Housing Register (see Section 2). This will apply if:

7. You are a WCC Tenant who needs to be re-housed because your home is part of a regeneration programme.
8. You are a WCC Tenant who wants to move to a smaller home (we call this 'downsizing').
9. You are a WCC Tenant with difficult and urgent housing problems that we can only solve through a High-Risk Management Transfer, or you are the tenant of another Registered Provider and we have agreed a reciprocal transfer.
10. You have succeeded to a WCC tenancy after the death of your partner or family member, but tenancy law means you are not allowed to stay in the original home.
11. We have refused your request to take over a WCC tenancy.
12. You are leaving the British Armed Forces or you need housing because of your family links to the Armed Forces.
13. You are nominated to us by other WCC Statutory Services.
14. You are homeless.
15. You need to move home because your health means your home is unsuitable for you and it cannot reasonably be adapted.
16. Your home is overcrowded, unsafe or poor-quality and it is causing a risk to your health.
17. You qualify under the Next Generation Scheme.

If you are eligible and qualify to join the Housing Register you will only be registered in one Priority Group, but you may move to another if your circumstances change.

When might we not apply our local residency rules?

Generally, you will need to show that you have lived in Westminster for at least 3 years without a break. We call this our 'local residency rule.'

The Director of Housing Needs has the discretion to make an exception to this 'local residency rule' when we need to take account of someone's special circumstances. We will consider your current housing situation, your need to move to Westminster and alternative accommodations available to you.

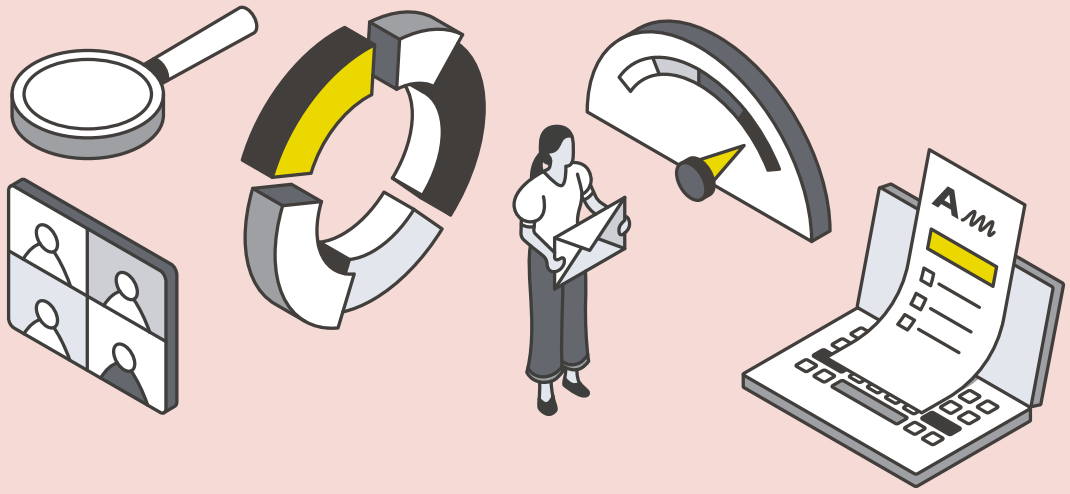
Some of the special circumstances include:

- Members of the British Armed Forces, or past members who apply to us for housing within 5 years from the date their service ended. This also applies to registering widowed, divorced or separated spouses or civil partners of service personnel who need to move out of a Ministry of Defence home. We will also not apply the local residency rule for people who are nominated to us under the Veterans Nomination Scheme ("VNS") and are able to live independently.
- People who need to move away from another area to escape domestic abuse or harm. We understand how important it is to help protect people and their families who are at risk of domestic abuse. We know that many victims of domestic abuse are forced to flee their homes to seek safety and support in a refuge or some other form of temporary housing. This is often in another local authority area to put a safe distance between themselves and their perpetrators. This includes survivors of domestic abuse who are housed in a refuge or other temporary housing.
- People from other communities, such as members of the Gypsy and Traveller Community.
- People who were formerly seeking asylum and have not been in the UK for 3 years. For example, former unaccompanied asylum seekers leaving our care.

When might we not apply our finance rules?

Generally, you will need to show that your income and savings do not exceed our finance rules. We may not apply these rules in certain circumstances, which may include:

- Members or former members of the British Armed Forces who received a lump sum payment as compensation for an injury or disability sustained on active service. In these circumstances we will not take that money into account as part of our finance test.
- People who are fleeing domestic abuse. We will make this decision once we have looked at your immediate safety in your home and assessed your financial situation.



1.5. Who can I include on my application to join the Housing Register?

You can only include the people who live or who would normally live with you. This might be your spouse or partner or other family members or adults who live with you as their *main* home. Someone's main home is the place where they spend, or would normally spend, most of their time.

We have the right to decide whether the people on your application would normally live with you.

You will need to provide ID for each person you include on your Housing Register application, such as their passport or birth certificate.

You can only include the people who are listed in the table below. If they are not listed, they cannot be included, unless we agree that there is an exceptional need for them to do so.

Your partner or your spouse
By this we mean same-sex or mixed-sex couples whether you are married, co-habiting or in a civil partnership.
Children who are dependent on you
By this we mean children who live with you, or who would normally live with you, as their main home. This includes any foster children who have lived with you for more than 12 months. We will not need to assess dependent children born into the household after your initial application, but you will need to provide a full birth certificate. If a child shares their time between parents, we will decide which parent's home is the main home. We might agree that dependent children of your relatives can live with you on a permanent basis if their parents live abroad. We will ask for proof of your relationship with the child's parents before agreeing this.
Adult children
Adult children over the age of 18 who normally live with you as their main home.
Other adults who need to live with you
This usually means someone who Adult Social Care have assessed as needing to live with you as part of a care package typically requiring overnight and or 24/7 care. In these cases, we will need proof that this person needs to live with you and does not have other accommodation available.

Do these rules apply if I am homeless?

If we accept you on to the Housing Register as homeless, we will use the law on homelessness to assess who can be included as part of your household. This will include anyone you want to add who was not part of your initial application. We will not need to assess dependent children born into the household after your initial application, but you will need to provide a full birth certificate. We will apply our Bedroom Standard to decide what size of property you will be registered for (see Section 1.7 for more details of our Bedroom Standard).

1.6. Can you refuse to accept me onto the Housing Register?

We will not accept you onto the Housing Register if you are not eligible, or you do not qualify, for social housing in Westminster.

Even if you are eligible and otherwise qualify, you will not be able to join the Housing Register if:

- You own, or are buying, a home either by yourself or with other people.
- You already have a home in the UK where it would be reasonable for you to live.
- You are registered as a joint tenant on a Council property but are applying as a sole tenant. In this case we will assess the reasons for this and advise you appropriately. You may also need to ask for independent legal advice.
- You have rent arrears, or other arrears, with any landlord.
- You or someone included on you application has been involved in antisocial behaviour or has behaved in other ways that make you unsuitable to be a social housing tenant.
- You have deliberately done something, or not done something, in the last 5 years which meant you have lost your home. We call this being intentionally homeless. This includes if you sold or disposed of your home in some other way when you could reasonably have stayed living there.
- You have refused a suitable offer of a home from the Council in the last 5 years.
- You moved into a home any time in the last 5 years that you knew was unsuitable or unaffordable for you from the start.
- You moved into a home that you knew would be overcrowded from the start, or you have caused your home to become overcrowded or unsafe.
- You are being housed in Westminster by another Council because you are homeless.

In exceptional cases, we may accept you onto the Housing Register if we can see that there were good reasons for your actions or, in the case of antisocial behaviour, if your behaviour has changed.

If we decide that you cannot join the Housing Register, we will close your application and give you advice on what other housing options are open to you. If your housing situation changes at a later date, you will be able to re-apply to join the Housing Register.

1.7. How many bedrooms will I be allocated?

When you join the Housing Register, we will use our Bedroom Standard to register you for the correct size of property. We do this by looking at the size and makeup of your household.

If you need a larger home due to medical reasons, the Council's Medical Advisor will help us decide on this. They will look at whether you, or someone in your household, is unable to share a bedroom because of a medical condition. If you are applying alone, they will look at whether having a separate bedroom, rather than a studio, would benefit you. We will use this advice to determine if you qualify for a larger home. If gender reassignment is a factor, we will assess your bedroom needs individually on the basis of the information you provide and any further information we have obtained.

We will also use our Bedroom Standard to help us make decisions on housing transfers and succession.

If you are a WCC Tenant and you need to move because you live in a renewal area, we may be more flexible on how many bedrooms you need. However, each case is different and our decision will also be based on what supply of housing we have at the time. You can see our policy for Tenants in Renewal Areas for more information: www.westminster.gov.uk/housing-policy-and-strategy/policy-tenants-housing-renewal-areas

Registered Providers have their own rules on Bedroom Standards. Whereas WCC may let you bid for a home that may be 1 bedroom smaller than you need, Registered Providers will not generally let you do this.

Our Bedroom Standard

Each of the following will be allocated one bedroom:

Adults
An applicant or an applicant and partner
Two siblings of the same sex where the age gap is ten years or less
An adult who is not the partner or same-sex sibling of the applicant (although such household members may instead, at the discretion of the Council, be offered separate re-housing in a studio or in Community Supportive Housing)
An adult who is accepted by the Council to be the carer for a person assessed as needing full time care and not the partner or same-sex sibling of the applicant
Children
Two children of the opposite sex under ten
Two children of the same sex under the age of 16, or two children of the same sex where one or both is over the age of 16 and where the age gap is ten years or less
One child (not coming into the above categories)

When might we agree you need to an extra bedroom above the Bedroom Standard?

Our Medical Advisor will look at each case on its merits. Examples may include:

- If someone in the household is a neurodivergent person and the Medical Advisor assessment confirms that sharing a bedroom or having limited space is having a severely negative effect on the person and the household.
- If you need an extra room for a carer. We will only consider this if a household member has been assessed by Social Services as requiring 24-hour care, 7 days a week.
- If someone in the household has mobility restrictions or needs specialist equipment and an assessment has confirmed that additional space is needed to manage these.

If I am a single applicant, when might you agree that I need a 1 bedroom property rather than a studio?

Our Medical Advisor will look at each case on its merits and they will assess whether the smaller space would have a negative impact on your condition. Examples could include:

- You need a larger space to manage mobility restrictions or specialist equipment.
- You have a mental health condition or experiences of complex trauma where a larger space is assessed as likely to have a beneficial impact.
- You have a neurodiversity condition or a learning disability.

1.8. How will I know if and when I have been accepted onto the Housing Register?

If we accept you onto the Housing Register, we will give you a registration date and place you into one of our Priority Groups.

Because the Housing Register is not a straightforward waiting list, your chances of being offered a home do not just depend on when you join the Housing Register. However, your registration date can be important when we decide what priority you have when you bid for a home. We use registration dates as the deciding factor when there are two people in the same Mobility Category and the same Band, with the same number of Priority Points. In these cases, we will normally make a housing offer to the person who has been on the Housing Register for the longest time.

What is my Housing Registration date?

In most cases, your Housing Registration date will be the date we accept your application and place you on the Housing Register. There are just a few exceptions to this:

Homeless

If you are homeless, we will give you a registration date when our Relief Duty starts. If we go on to accept that we have a Main Duty to rehouse you, we will change your registration date to when the Main Duty starts.

Mobility Category 1

If you have been registered with Mobility Category 1 (meaning you need a home that is fully wheelchair accessible), your registration date on the Housing Register will reflect the date you were given this Mobility Category. See Section 2.2 for more details on Mobility Categories.

Community Supportive Housing ("CSH")

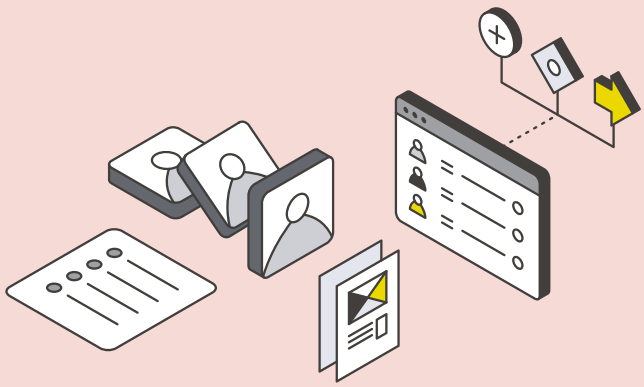
If you were on the Housing Register for a General Needs home but you have applied and been accepted for CSH, your registration date will change to the date we accept your application for CSH.

How can I check my Housing Registration date?

- Log in to your Westminster CBL account if you are eligible to bid for properties. This will also show you what Band you are in and how many points you have within your Band;

or

- Contact the Housing Service for help.



1.9. How will you share my information?

There will be times when we will need to share information about the people on our Housing Register. For example, we may need to do this to help vulnerable households, or help people with support needs, or to help keep households safe in their home by contributing to Personal Emergency Evacuation Plans. There may also be times when we need to share information to avoid causing harm to you or to others.

We have signed up to various local information sharing agreements with other WCC departments and other agencies such as Registered Providers and Supported Housing providers. We may share information on a 'need to know' basis with these partners when the rules allow it. All your personal data will be handled in accordance with the rules set out in the Data Protection Act.

1.10. How will we meet our legal duties around equality?

We can only offer a home to people who are eligible and qualify for social housing. The law says that we must give 'reasonable preference' to some groups of people and types of housing need. This means they must get some priority for Council and Registered Provider homes.

In this Scheme we aim to avoid setting rules or conditions that will disqualify groups of people in a reasonable preference for social housing. But there may be people within a reasonable preference group who we do not accept onto the Housing Register because they are disqualified on other grounds.

We aim to strike a balance between the needs of WCC Tenants with reasonable preference who apply for a transfer and Non-WCC Tenants who apply for housing.

We will look at the individual needs of people who need to move into Westminster to take up work, to escape violence or where there are children in care who have been placed outside the city. We will also recognise the special needs of members of the British Armed Forces and their families and aim to remove any rules that may disadvantage them.

In publishing this Scheme, we have completed an Equalities Impact Assessment to consider all impacts that this Scheme may have on those with protected characteristics, and how we can mitigate those impacts. You can read this document on our website.



Section 2

How we set priority for housing and how we allocate housing

If you *qualify* and are *eligible* to join the Housing Register, we will decide which Priority Group you come under.

We use Priority Groups to make sure we give ***reasonable preference*** to those people who, by law, have a priority for housing.

We can also give ***local preference*** to other groups where we think there are good reasons to do so, or where it will help us manage our limited supply of social housing.

In Section 2 we will tell you about:

- How we decide your priority.
- Our Mobility Standard.
- How we allocate social housing.
- How we let properties through the Choice Based Lettings system ("CBL") and through Direct Offers.





Reasonable Preference

The law says we must give ***reasonable preference*** for people with certain types of housing need. This includes people who apply to us because:

- They are homeless.
- The Council owes them certain homelessness duties.
- They live in insanitary or overcrowded homes.
- They need to move for medical or welfare reasons. This includes people who have a physical, mental or learning disability.
- They need to move to a particular part of Westminster to avoid causing hardship to themselves or to others. We will take Westminster's fairly small size and the generally good transport links into account when we look at hardship applications.

'***Reasonable preference'*** does not mean that people who fall into one of these groups should have absolute priority over everyone else.

This Scheme sets out how we prioritise the needs of current WCC Tenants who need to transfer and Non-WCC Tenants who need to be housed.

If you do not come under one of our Priority Groups we will not be able to register you and we will close your application. This is because we have a shortage of social homes and we can only make offers to people in the greatest need.

If we cannot accept you on to the Housing Register, we will give you advice on other housing options.

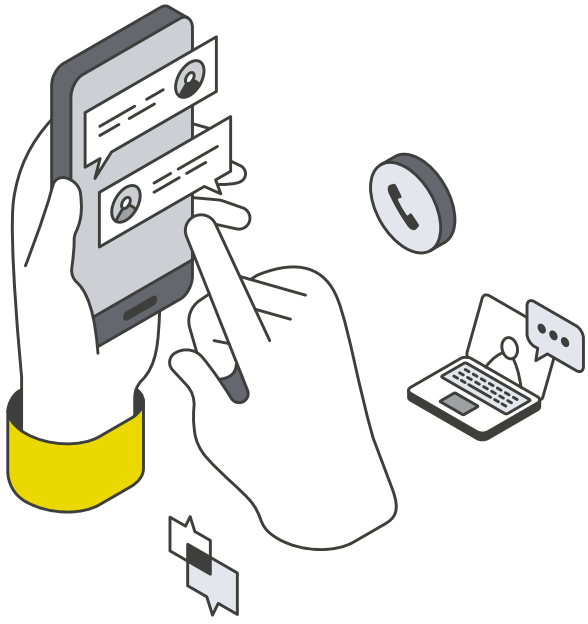
2.1. How we decide your level of priority

We want to make sure we are making best use of our social housing. To help us do this, we have **5 Priority Bands**. We also have a separate Band for people who are only bidding for Community Supportive Housing (see Section 8).

The Priority Group you are placed in will show which Band you fall into. These include the reasonable preference groups which are set out in housing law, and our local preference groups. The Bands also show how we group WCC Tenant Transfer's and Non-WCC Tenant Priority Groups.

Bands range from A to E. Each Band reflects different types of housing need: People in Band A will have the highest priority, and people in Band E the lowest. The higher Bands are likely, proportionally, to have the greater share of homes for let across the year.

Points for each Priority Group range from 200 (which would give you the lowest priority in your Band) to 1000 (giving you the highest priority in your Band) for our General Needs housing stock and Community Supportive Housing. Additional points are also available in certain circumstances (see Section 3).



Where two people in the same Mobility Category and Band have the same number of points, we will look at who joined the Housing Register first to decide who has priority when we allocate a home.

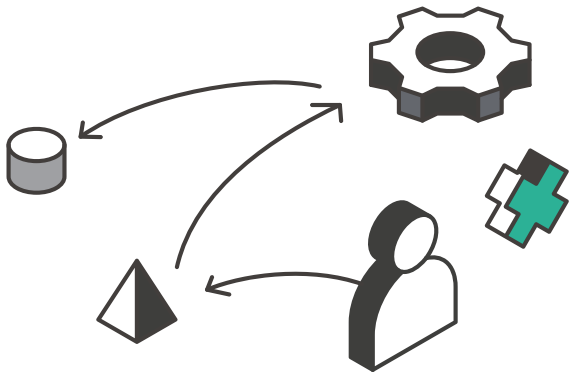
For each household we accept on to the Housing Register, we will also decide your **Mobility Category**. This will show what type of home will best suit you, depending on any mobility restrictions within your household. It is really important that households with mobility needs are matched to properties that meet those needs. For example, if a property is designed for Mobility Category 2 or 3, bidders in those categories will have priority over others, even if the other people are in a higher Band (see Section 2.2).

In some cases, we will give a higher priority to WCC Tenant Transfers than Non-WCC Tenant Priority groups. This is because:

- In general, we get an empty home back when a WCC Tenant transfers to a new home which we can then use to let to someone else on the Housing Register.
- Sometimes, we will need to move a WCC Tenant to make better use of our social homes, for example, where there is a major regeneration programme in the area.
- Non-WCC Tenants of Registered Providers may also be able to apply to their landlord to transfer home on similar grounds and therefore have an additional priority to be re-housed.

2.2. Our Mobility Standard and property types

When we accept you onto the Housing Register, we will look at your mobility needs. This helps us review whether you have any disabilities or long-term health problems that will affect how easily you can access and live in your home. We give every home a Mobility Category too. This means we can match any housing offers we make to you to your mobility needs.



The Delayed List

Sometimes we may decide that someone on the Housing Register is not yet ready for an offer of social housing. This may be because they need support from social services or because they may be at risk if they live independently. In these cases, we will place that person, on what we call, a Delayed List while we review their case.

We may also place someone on the Delayed list if the Police or auditors are investigating them. This will only be for the time while the investigations are taking place.

People on the Delayed List will keep their registration date, but they will not be able to bid for a home through our CBL System or be made a Direct Offer, until we decide they are ready for independent living. We will review their case at least every six months.

Anyone who is on the Delayed list will have the right to ask the Council to review our decision. We will only carry out one review unless there is a major change in someone's circumstances.

Once we remove someone from the Delayed list, we will place them in the Priority Group that best suits their housing need.

To help us assess your mobility needs we have 4 Mobility Categories:

- **Mobility Category 1:** People who have been diagnosed by a NHS doctor as needing to use a wheelchair all the time.
- **Mobility Category 2:** People who have been diagnosed by a NHS doctor as needing a home which is wheelchair accessible, but they may not need to use it inside the home.
- **Mobility Category 3:** People who have severe mobility problems. This means they need a home on the ground level or somewhere with a lift that has no internal stairs.
- **Mobility Category 4:** Everyone else on the Housing Register.

If your circumstances change, your Mobility Category can be updated at a later date to reflect your needs.

Some Council and Registered Provider homes are suitable for people with disabilities or mobility difficulties. They have been built or adapted (or can be adapted), to help people to live more independent lives. So, we give every home a Property Category too. This way we can make sure we offer each home to the most suitable household.

- **Property Category 1:** A home that is fully wheelchair accessible.
- **Property Category 2:** A home that is suitable for a person who needs a wheelchair outside the home but can manage in the home without a wheelchair.
- **Property Category 3:** There are no more than 3 steps to access the home and there are no stairs inside. There may be a lift.
- **Property Category 4:** All other homes.

Because we only have a few homes in Property Category 1 we will not use CBL to advertise these homes. Instead, we will make a Direct Offer to people who are on the Housing Register with Mobility Category 1.

The table below shows the priority order when allocating properties according to Mobility Category.

Priority allocation order	Mobility Category 1 applicant	Mobility Category 2 applicant	Mobility Category 3 applicant	Mobility Category 4 applicant
Property Category 1	Allocated by Direct Offer	Not eligible for Property Category 1	Not eligible for Property Category 1	Not eligible for Property Category 1
Property Category 2	Not eligible for Property Category 2	Can bid for Property Category 2 and will be prioritised over other applicants	Can bid for Property Category 2 but will be prioritised behind Mobility Category 2 applicants	Can bid for Property Category 2 but will be prioritised behind Mobility Category 2 & 3 applicants
Property Category 3	Not eligible for Property Category 3	Can bid for Property Category 3 with the same priority as Mobility Category 3 applicants and prioritised over Mobility Category 4 applicants	Can bid for Property Category 3 with the same priority as Mobility Category 2 applicants and prioritised over Mobility Category 4 applicants	Can bid for Property Category 3 but will be prioritised behind Mobility Category 2 & 3 applicants
Property Category 4	Not eligible for Property Category 4	Not eligible for Property Category 4	Not eligible for Property Category 4*	Can bid for Property Category 4*

Property Category 4 homes will not be suitable for households assessed with Mobility Categories 1, 2 and 3.

*This may not apply to applicants who are downsizing due to benefit for the Council of getting a larger property back.

2.3. The Priority Tables

Table 1 shows how Priority Bands and Points are set for the different Priority Groups who are applying for General Needs housing. **Table 2** shows how the points are set for the different Priority Groups who are applying for Community Supportive Housing.

Table 1 – General Needs housing

Band		Priority Group	Points	Residency	Armed Forces	Employment (Legacy)
A	WCC Tenant Transfer	Returning Tenants	1000			
		Renewal Tenants (Permanent)	950			
		Renewal Tenants (Temporary)	900			
		Downsizing Cash Incentive Tenants	800			
		High-Risk Management Transfers and Decants	600			
	WCC Tenant Transfer and Non-WCC Tenant Priority	Succession and Assignment (Statutory and Discretionary)	400			
		Statutory Services Referrals (Adults, Childrens and Learning Disabilities), Supported Accommodation Referrals, SPHP Referrals, Veterans Referrals, Reciprocals and Pan-London Strategic Priority Groups				
B	Non-WCC Tenant Priority	Homeless (Main Duty)	1000	200	200	200
C	WCC Tenant Transfer	Exceptional Medical, Welfare and Hardship	1000	200		200
		Medical, Welfare and Hardship and HHSRS Band A Hazard or Part X Housing Act 1985 Overcrowded or Lacking 3 bedrooms				
		Cumulative Medical, Welfare and Hardship	800			
		HHSRS Band A Hazard or Part X Housing Act 1985 Overcrowded or Lacking 3 bedrooms				
		Medical, Welfare and Hardship	600			
		Lacking 2 Bedrooms	400			
		Studio to 2 Bedrooms (Lacking 1 Bedroom)	200			
		Studio to 1 Bedroom				
D	Non-WCC Tenant Priority	Exceptional Medical, Welfare and Hardship	1000	200	200	200
		Medical, Welfare and Hardship and HHSRS Band A Hazard or Part X Housing Act 1985 Overcrowded				
		Cumulative Medical, Welfare and Hardship	800			
		HHSRS Band A Hazard or Part X Housing Act 1985 Overcrowded				
		Medical, Welfare and Hardship	600			
		Next Generation Priority Scheme	400			
E	WCC Tenant Transfer	Lacking 1 Bedroom	1000	200		200
	WCC Tenant Transfer and Non-WCC Tenant Priority	Overcrowded (All-Adult Households)				
	Non-WCC Tenant Priority	Homeless (Other)	200		200	

Table 2 - Community Supportive Housing

Our Community Supportive Housing homes are self-contained flats in residential blocks that also have communal facilities. They are generally only available to people who are aged 60 and over. We may also accept people who are over 55 if they are frail because of health or mobility problems.

Many blocks offer social activities and have guest rooms for visitors. Each block has a manager who can check on your wellbeing and support you to continue to live an independent life. Each flat is linked to a 24-hour emergency alarm to help keep you safe and secure in your home.

You need to apply to join the Housing Register to access Community Supportive Housing. A Joint Assessment Panel for Older People (JAPOP) will review all applications for Community Supportive Housing. If we agree that you are eligible for social housing, and you qualify for social housing in Westminster we will register you and give you points based on your Priority Group.

If you are already a WCC Tenant, you can apply to the Housing Register for a transfer to a Community Supportive Housing home. Your application will also be reviewed by the Panel. If we accept you, we will give you points based on your Priority Group.

Band		Priority Group	Points	Residency	Armed Forces
Community Supportive Housing	WCC Tenant Transfer	Downsizing Cash Incentive Tenants	1000		
		Decants			
	WCC Tenant Transfer and Non-WCC Tenant Priority	Succession and Assignment (Statutory and Discretionary)	800		
		Supported Accommodation Referrals, SPHP Referrals, Veterans Referrals, Reciprocals and Pan-London Strategic Priority Groups			
	WCC Tenant Transfer	WCC Tenants	700	200	
	Non-WCC Tenant Priority	Homeless (Main Duty)	600	200	200
		Non-WCC Tenants	500		
		Homeless (Other)	200		

2.4. How we allocate homes across different Priority Groups

Each April, when the new financial year starts, we look at the number of homes by bedroom size that we think will become available to let over the coming year. We then decide how to share our lettings fairly across each of the five Bands – we call this our "Lettings Forecast". We will usually show this as a percentage (%) of the number of homes by bedroom size we expect to let; this is because we will not know for certain how many homes will become available through the year. We will base this on what we expect demand and supply will be for the coming 12 months. We will also show the number of homes that were actually let in the past year, and to what groups.

Throughout the year we will check to make sure that each Band is getting the expected share of lettings across each bedroom size. If they are not, we will look at how we can fix any imbalance. We can do this by limiting which groups are eligible to bid for certain properties. This will change from time to time, so it is important to bid regularly when you are able to do so.

Our Lettings Forecast for the current year can be found at: Allocations Scheme | Westminster City Council

2.5. How does our Choice Based Lettings ("CBL") system work?

We normally use our CBL website to advertise any WCC and Registered Provider homes that are available to let.

We advertise homes each week. If you are on the Housing Register you should check the website each week and bid for homes when you are able to do so.

You may bid for as many homes that interest you, so long as the home is suitable and the right size for you (see Section 1.7 for details about our bedroom standard and Section 2.2 for more details about our Mobility Categories).

Your priority order will be decided by:

1. Mobility Category
2. Highest Band
3. Highest Points
4. Earliest Registration Date

What type of home can I bid for?

Unless your Band or Priority Group are restricted, you can bid for any General Needs or CSH property listed (depending on which you have been assessed and registered for). Where bidding restrictions do apply, these will be listed on the CBL website.

Mobility Categories

Because we only have a few homes in Property Category 1 we will not use CBL to advertise these homes. Instead, we will make a Direct Offer to people who are on the Housing Register with Mobility Category 1 needs.

Bedrooms

Sometimes you may be able to bid for a home that is one bedroom smaller than you need. But you can only do this so long as the home is still suitable for your needs and there is no risk of your household breaking the Government's Housing Health and Safety guidance on overcrowding and space or Part X of the Housing Act. This means that, if you do bid for, and accept, a smaller home, this must not cause damage to your health and wellbeing as a result.

If you need five bedrooms or more, you may be able to bid for a home that is two bedrooms smaller than you need. But, again, it must be suitable for your needs and must not mean your household suffers increased health risks as a result.

What if I have rent or service charge arrears?

If you have rent or service charge arrears, we will normally suspend you from taking part in CBL. You will still be able to see the homes advertised but you will not be able to bid until you have cleared your arrears. If you are registered for a Direct Offer, we will not consider you for a property until your arrears are cleared. In practice, we do not usually take arrears of up to one week's rent into account, so we will normally lift your suspension the week after your arrears have reduced below this amount. We may also suspend you from bidding or receiving a Direct Offer if you have a history of persistent non-payment.

We will also apply these rules if you are in arrears with your temporary accommodation charges.

Where a household is to be re-housed into two or more separate homes, all members of that household will be suspended from bidding if the applicant household has arrears.

If you are in rent and service charge arrears and you need to move because the Council intends to redevelop or carry out major works to your home, we may exercise our discretion to allow you to bid.

See Appendix 3 for full details about when we may suspend you from bidding or receiving a Direct Offer due to rent or service charge arrears.

You will not be able to bid for a home that is larger than you need. In special cases the Director of Housing Needs may use their discretion to allow you to bid for a larger home if there are strong management or welfare reasons to do so.

Community Supportive Housing

If you are registered for CSH you will only be able to bid on homes that are advertised as CSH. If you registered for General Needs housing, you will not be able to bid for CSH.

Local Lettings Plan

If a home falls into a Local Lettings Plan, we usually advertise it through our CBL System, but we will only accept bids from people with a strong local connection to the area. The exact rules may vary from area to area, but we will clearly set them out at the start of the process via the Local Lettings Plan. Homes that are suitable for people with special needs may be left out of a Local Lettings Plans.

2.6. Bidding in CBL

What happens once I bid?

When a home becomes available to let it is generally advertised on CBL, you will be able to place bids on suitable properties. In Sections 2.1, 2.2 and 2.3 we set out how we shortlist bidders.

We will normally shortlist up to five bidders to view a home. You may refuse the home at the viewing stage. If you do, you will still be able to bid for other homes.

What happens if I am shortlisted?

If you are shortlisted for more than three homes in the same week, we will ask you to choose which three you want to view. You will need to tell us quickly because we have a limited number of social homes and only a short time to let them. If you do not respond quickly, we may use our discretion to decide which homes you view.

We will normally offer the home to the person with the highest priority. At the viewing, we will ask you whether you still want the home and, if you have the highest priority, we will ask you to sign a tenancy agreement.

If we ask you to sign a tenancy agreement, we will agree a deadline for signing it. If you do not sign the tenancy agreement by the agreed date, we will normally offer the home to the next highest bidder.

The type of tenancy you are offered will depend on your circumstances. You can find out more information in our Tenancy Policy: www.westminster.gov.uk/housing-policy-and-strategy/tenancy-policy.

If you sign a tenancy but you do not move into your new home, you will not be able to bid for any other homes for up to six months.

What happens if I do not bid or keep rejecting offers?

You may choose not to bid for any homes that we advertise. If we notice you have been inactive for a while and you are not bidding for homes, we will get in touch with you. We will do this to make sure you understand how to bid and to ensure you will be able to bid in future.

If you still do not make any bids, we may give you a time-limited period to bid on CBL or we may decide to make you one Direct Offer of a home. If you reject a reasonable offer, we may decide to close your application and remove you from the Housing Register (see Section 2.7 for more details). If you are a homeless applicant, we may bring our Main Duty to an end.

If you are viewing lots of different homes without accepting any that are offered, we may give you a time-limited period to bid on CBL or give you one Direct Offer of a home.

Not offering a tenancy to the highest bidder

We know that everyone on the Housing Register has a housing need. We also know that there will be times when someone needs to move so urgently that we may decide not to offer a tenancy to the highest bidder. We will only do this if we have a good reason to do so.

There will also be times when it would be against someone's best interests to offer a tenancy to the highest bidder. We would normally do this where:

- There has been a history of domestic abuse and the home on offer is too close to the home of the person who caused the abuse.
- The tenancy is not suitable for a bidder with mobility problems because access could cause them difficulties using the home or put their health and safety at risk. In such cases we would first look to see if the home could be adapted. If the landlord is a Registered Provider, they would also need to agree to this. However, we have no duty to make any adaptations other than those required by law.
- The highest bidder lives in a home that is already suitable for their needs and the home they have bid for would have to be adapted for them.

Tenant Management Organisations will sometimes have different arrangements (see Section 9.4 for more details).

There will also be times when we choose to make an offer as part of a 'sensitive letting' which may not be to the highest bidder (see Section 9). Occasionally, we may also decide there is a particular reason not to offer a property to the highest bidder in the interest of good management of our housing stock.

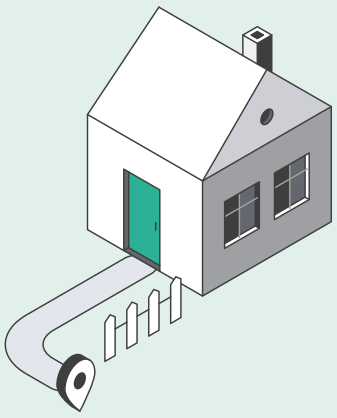
Unreasonable or unacceptable behaviour by you or anyone who lives with you

If we have good reason to believe that your behaviour means you would not be a suitable social housing tenant or we are pursuing legal action for possession on the grounds of anti-social behaviour, we will suspend you from the Housing Register. We call this the delayed list. This also applies to the behaviours of the people who live with you.

When we look at your case, we will decide whether the behaviour means you will lose your priority for rehousing and we may close your application.

The same applies to your behaviour when you view a property and when you are living in temporary accommodation. We may decide not to offer you the property if we believe you or your family members have behaved in a way that makes you unsuitable to be a social housing tenant.

We may also suspend you from bidding on any other homes for three months.



2.7. How do Direct Offers work?

When do we make a Direct Offer?

Direct Offers help us let homes directly to someone on the Housing Register. There are times when we will always make Direct Offers, for example if you are in Mobility Category 1 because you need a home that is wheelchair accessible.

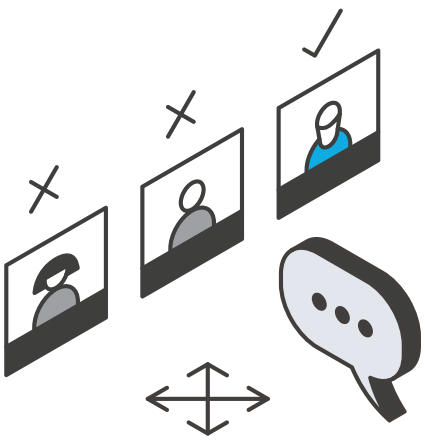
If we make you a Direct Offer it does not necessarily mean that you will be re-housed any sooner than someone who is bidding through our CBL System.

The reasons we may make Direct Offers include:

- We think it is not suitable for someone to take part in our CBL System. This may be because the person is vulnerable and has been nominated to us for re-housing under our Statutory Services Referrals option in Band A. In cases like this we will work closely with social workers and care managers to decide on the best way to meet the person's housing needs.
- There is an urgent need for someone to move immediately.
- Someone presents a risk to themselves or others or there is an urgent need to move for welfare reasons.

Cases where a Direct Offer may be made include people who:

- Are in our Main Duty Homeless Priority Group (Band B) and are not engaging with the bidding process. If they refuse the Direct Offer, it may mean our Main Duty to rehouse them comes to an end.
- Are in our Main Duty Homeless Priority Group and are under-occupying a temporary home that could be offered to a suitably sized family.
- Fail to bid through CBL, do not bid very often, or are not successful within a set time limit.
- Repeatedly fail to view a home when they have been shortlisted or repeatedly refused homes after they have had an offer.
- Are leaving care and have not been able to find a suitable home through our CBL System.
- Are nominated in Band A and have been unable to find a suitable home through our CBL System or are unable to participate with the CBL System. This excludes Veterans Nominations and Pan-London Strategic Groups who will always receive one Direct Offer.
- Are a WCC Tenant and require a High-Risk Management Transfer or are moving due to a regeneration programme and have been unable to find a suitable home through our CBL System.
- Are a Non-WCC Priority Tenant but are moving under a discretionary offer (as set out in Section 4.2) and have been unable to find a suitable home through our CBL System.



Because of the severe shortage of available social homes and the need to manage our stock well, we may place a reasonable time-limit on certain Priority Groups to bid using CBL before we make a Direct Offer. We expect that you will be able to bid successfully within this time limit. We will always notify you in writing if this applies to your application.

We reserve the right to make a Direct Offer to any applicant on the Housing Register at any time if the circumstances require.

The type of tenancy you are offered will depend on your circumstances. You can find out more information in our Tenancy Policy: www.westminster.gov.uk/housing-policy-and-strategy/tenancy-policy.

What happens if I refuse a Direct Offer?

We usually only make you one Direct Offer. You have the right to ask for a review if you think the offer is not suitable.

If you refuse a suitable Direct Offer, this may affect your priority for re-housing and we may close your application. This means you are likely to lose your chance to be housed by us. If you are a homeless applicant, we may end the Main Duty, meaning we no longer have a duty to house you. There may be exceptional cases when we will use our discretion and make a further Direct Offer. However, we would have to weigh this up against the high demand for social housing in Westminster.

If you are already on the Housing Register but move into a Priority Group that will receive a Direct Offer and you refuse that Direct Offer, you will move back to your previous Priority Group.

Although we will try to take your preferences into account, we have limited availability of social homes and Westminster has good transport links. So, when we make a Direct Offer, we will consider it to be suitable even if it is not in your preferred part of Westminster. However, we will always consider any exceptional circumstances as to why you cannot live in a certain area, such as risk of violence.

If you are a WCC Tenant, we may serve you with a Notice of Seeking Possession ("NoSP") if you have refused reasonable rehousing offers. A NoSP is a written notice that must be served before we can ask a court to give us possession of your home. For example, if someone has succeeded to a tenancy but they are under-occupying the home, we may want to repossess it where they have refused an offer of a more suitable home for their family size.

We would only do this if we have a reason to believe that it is in WCC's interests to do so.



Section 3

Additional Priority Points

Once you have been placed into one of the Priority Groups you may be eligible to get some additional points, depending on your circumstances. This section covers additional Priority Points and how you can apply for them.

In Section 3 we will tell you about:

- How you can apply for additional points if you have been living in Westminster for 10 years or more.
- How you can apply for additional points if you are in the British Armed Forces or you are a veteran.
- How we are changing additional points for people in employment.





3.1. Additional points for 10 Years of Residency in Westminster

What are they?

We will add 200 Residency Points to your application once you or your partner have lived in the City of Westminster for 10 years, without a break.

If you have been living in Westminster for less than 10 years when we accept you on to the Housing Register, you will be eligible to receive 200 Residency Points once you reach the 10 year mark. For example, if you have lived in Westminster for 7 years when you join the Housing Register, you will be eligible for 200 Residency Points after 3 years if you are still waiting to be re-housed.

Not all groups are eligible for Residency Points (see the Priority Table at Section 2.4).

How do I apply?

When we accept your application to join the Housing Register you need to show us how long you have lived in Westminster for without a break. We will record the date you began living in Westminster and:

- If it is 10 years or more, you will receive the additional Residency Points straight away.
- If it is less than 10 years, our system will automatically award you the additional points on the date you reach your 10 years of residency.

You will need to send us documents that show the length of time you have lived in Westminster continuously, for up to 10 years. The only exception to this is if you are listed as a tenant or occupant of a Council property, in which case residence will be counted from when you were included on the tenancy agreement, without the need for additional documents to be submitted.

If you do not provide us with additional evidence of how long you have lived in Westminster, you will be automatically awarded the points after you have been on the Housing Register for 10 years.

Please see Appendix 2 for a full list of documents that will be accepted as proof of residence.

What if I am living outside of Westminster in Temporary Accommodation or through the Choosing PRS Scheme? Will I still qualify for the points?

Any accommodation you are living in as a Main Duty accepted homeless applicant, will count towards residency in Westminster. This includes both Temporary Accommodation and if you are part of our Choosing PRS Scheme. Even if you live outside the borough, this will still count towards residency in Westminster.



3.2. Additional points for Armed Forces

What are they?

The Council has signed up to the **Armed Forces Covenant**. We understand that leaving the Armed Forces can be a difficult and stressful time. Veterans and their families may move around for several years and may take longer to reintegrate into civilian life. When a member, or a past member, of the British Armed Forces applies to join the Housing Register, we will pay care and attention to our duties in the Covenant.

As part of our legal duty to give reasonable preference to people who have served in the British Armed Forces, we will add 200 Armed Forces Points to your application if you are in one of the following Non-WCC Tenant Priority groups:

- Homeless (in Band B or Band E); or
- In need of re-housing under one of the categories set out in Band D.

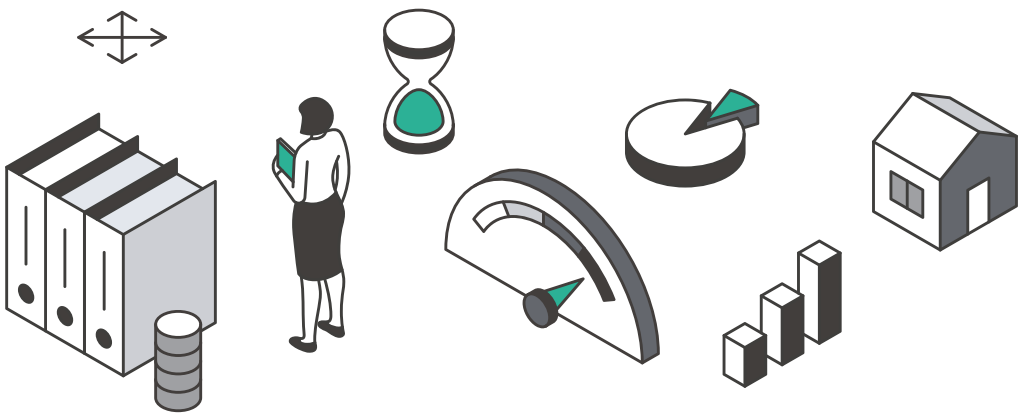
How do I apply?

Armed Forces Points can be given to people who:

- Are currently serving in the regular Armed Forces and suffering from a serious injury, illness or disability that can be traced (wholly or partly) to their service.
- Are former members of the Armed Forces and are within five years of discharge or who have been medically discharged. In special circumstances, the Director of Housing Needs may use their discretion to look at applications from people whose service ended more than 5 years before they apply.
- Are a bereaved spouse or civil partner who has had to leave, or must leave, a Ministry of Defence home due to their partner's death, which can be traced (wholly or partly) to their partner's service in the regular armed forces.
- Are, or had been, serving in the reserve armed forces (this includes the Territorial Army) and who are suffering from a serious injury, illness or disability which can be traced (wholly or partly) to their service.

You will be asked to provide evidence of your service such as a Veterans ID Card in order to be awarded these points.

You can find out more about how the Armed Forces Covenant works to improve access to social housing here: Improving access to social housing for members of the Armed Forces - GOV.UK (www.gov.uk)



3.3. Additional points for Employment

What are they?

Previously we gave Priority Points to people on the Housing Register if they could show they were either in continuous, paid work for a minimum of 16 hours per week, or were engaged with the Homelessness Employment Learning Project (HELP), for the 2 years directly before we made an offer. Now that we have changed our priority table, the way we award points has also changed. We are no longer giving any Priority Points for being in paid work or engaging with HELP. This means that anyone who joins the Housing Register from 3 March 2025 will not be able to apply for them.

What if I am already on the Housing Register and I had extra points for being in work?

Our aim is to give you time to transition to the changes in the new Scheme. So if you joined the Housing Register before 3 March 2025 and you were given extra points for being in work, you will keep those extra points for 36-months. We are calling them legacy Employment Priority points. In the past, Priority Points for Employment were the same as Priority Points for Residency. To make sure our new Scheme is consistent with the past approach, we will keep legacy Employment Priority Points the same as Residency Priority Points (200 points).

We will write to you to encourage you to bid for suitable homes during this time, and you can let us know if you need any help with bidding. If you are registered for a Direct Offer, we will contact you in the normal way when a suitable offer is available. If you are still on the Housing Register once the 36-month transition period has ended, we will remove your legacy Employment Priority Points.

If you are unable to show that you have been in continuous employment for 2 years directly before we make a Direct Offer you will lose your legacy Employment Priority Points. If you are prioritised and shortlisted through CBL for a property because you have legacy Employment Priority Points, you will not be able to accept the property you have been shortlisted for if you are unable to show that you are still eligible for those legacy points. In the transition period, you will not be able to reapply for the Employment Priority Points even if you find paid work again during the 36-months.

What if I had the points because of engagement with HELP?

Our model of working with people on the HELP project has also changed. The project now works with people more intensively for a shorter period of time, so it is unlikely you will be able to remain with HELP for 2 years and continue to be working with them at the point of your housing offer. In this new Scheme you will be able to keep legacy Employment Priority Points if you can show you have been engaged with HELP or been in paid employment for 2 years directly before we make an offer. So, for example, we would accept 6 month's engagement with HELP followed directly by 18 month's paid employment if you could give us evidence of this at the point of offer.

We will remove any legacy points if you are still on the Housing Register once the 36-month transition period has ended. Should I tell the Council if I lose my employment?

It is in your interest to update the Council if you lose your employment and are no longer eligible for Employment Priority Points. This is because we will check your eligibility for the Employment Priority Points if you are shortlisted to view a property. By updating the Council, you will ensure you are only shortlisted for properties which you are eligible for.

Section 4

Band A Priority Groups

In Section 4.1 we will tell you about WCC Tenants who:

- Are returning to an area once regeneration or renewal work has been completed.
- Already live in a renewal area and want to apply for a newly built home in the area.
- Want to downsize to a smaller home with WCC or are giving up a property in high demand.
- Need to move because they are at high risk of harm in their current Council home.
- Need to be decanted from their home or need to move because of major works to their home.

In Section 4.2 we will tell you about Non-WCC Tenants who:

- Need to find a home because we have refused their request to succeed or be assigned a tenancy with WCC.

In Section 4.3 we will tell you about:

- How we allocate small groups of lettings to people who have special housing needs. This includes people who are referred to us from other Council services, people who have been accepted to the Single Persons Housing Pathway or Supported Housing Pathway and people who are Armed Forces Veterans. It also covers how we work with other social housing providers to deliver Reciprocals and special schemes WCC may sign-up to.



Renewal and Regeneration in Westminster

Depending on the age of the building, some of our social housing properties need significant investment and sometimes complete redevelopment. We continue to make improvements through our Major Works Programmes, and our Housing Renewal Strategy aims to regenerate some of our own housing estates and create better quality homes in prosperous neighbourhoods with mixed and thriving communities.

All WCC Tenants who need to move as part of a renewal programme will be able to return to one of the new social homes in the redevelopment wherever possible. They can:

- Move straight into one of the homes if this is possible.
- Move into another social home in Westminster for a temporary period and then move into a new social home in the renewal area when they are ready.

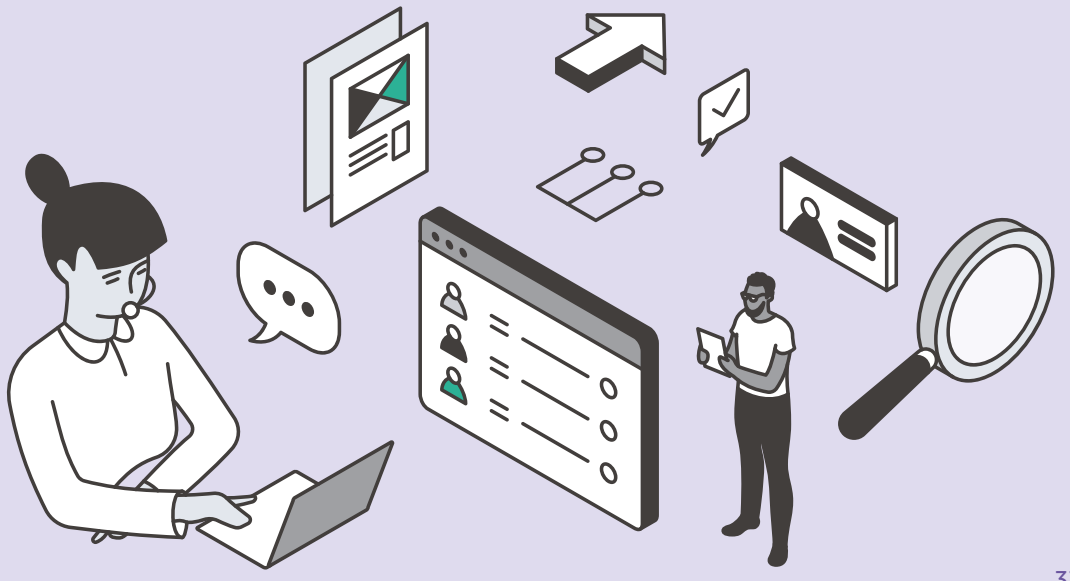
WCC Tenants who do not want to move into one of the new homes can:

- Move into another social home in Westminster (this might include moving into Community Supportive Housing for people who are 60 and over).
- Have high priority to buy any of the new intermediate homes that are for sale in the housing renewal area, such as homes sold on a Shared Ownership basis.
- Have high priority to rent any new intermediate rental homes built in renewal areas.

Each regeneration area will have its own development plan and timetable. On some estates development will happen in phases, so some blocks will be demolished before others. This means there will be different re-housing options open to tenants in each area as well as to homeless households living in temporary accommodation.

We may also set a Local Lettings Plan for each regeneration area. We aim to make sure, where possible, that all households who want to return to the area after living in a temporary home have priority before we open bidding to other groups.

More information is in our Tenant Decant Policy for Renewal Areas: Appendix B Policy for Tenants in Housing Renewal Areas 2019.pdf



4.1. Westminster City Council ("WCC") Tenants – Returning, Renewal, Downsizing, High Risk Management Transfers and Decants

4.1.1. WCC Tenants who are returning to an area once renewal work has finished – Returning Tenants

Band A 1000 points

Who is this for?

This applies to WCC Tenants who were previously re-housed from a renewal area. This may have been in advance of redevelopment work or to move away from areas impacted by the renewal scheme. On rare occasions, we may also apply this to Registered Provider Tenants where their home is due to be redeveloped.

Renewal projects can involve the redevelopment and replacement of existing social rented homes. The Council is committed to delivering modern, affordable homes, built to the highest standard. To do this, we are bringing forward a range of renewal programmes on our current housing estates across Westminster. If you are a WCC Tenant who lived in one of these areas, you will have advised the Council that you wished to return once the new homes were built or redeveloped.

Renewal programmes can happen in different ways. Larger projects are often done in phases over several years, with residents in each phase moving out by a set deadline, or sometimes a whole estate will be renewed at once.

While we are not legally required to offer you the option to return to the redeveloped neighbourhood, we aim to give you this choice whenever possible, as long as a suitable home is available If you wish to return once the renewal programme is completed. If we can offer you the choice to return, we will register you as a 'Returning Tenant.'

How do I know if I qualify for this priority?

If your home was affected by a renewal programme, we will keep you informed about which homes are impacted and contact you well in advance about your options. If you choose to return, we will provide you with a temporary home until it is possible for you to do so.

Sometimes we may not be able to offer you the option to return. This may be because:

- There has been a change in your circumstances, and we cannot offer you a suitable home in the renewal area.
- You need specialist housing that is not available in the renewal area.
- You have lost your tenancy by order of the Court because you have broken your tenancy agreement.

What happens once I have been registered with this priority?

If you qualify for this priority, we will register you in Band A with 1000 points. Typically, unless you are registered as a Mobility Category 1 applicant, you can use our CBL System to bid for a suitable home in the area once they are available.

This does not mean your new home will be in exactly the same place, on the same floor or have the same look as your old home. We will use our Bedroom Standard and our Mobility Criteria to decide what type and size home you can bid for, which may be different to the home you currently live in. You will be able to tell us if you have a preference between types of layout and location and we will take this into consideration.

4.1.2. WCC Tenants who live in a renewal area – Renewal Tenants

Households who choose to move away permanently	
Band A	950 points

Households who choose to move away temporarily and return to the renewal scheme	
Band A	900 points

Who is this for?

This applies to secure tenants living in a renewal area whose home is being redeveloped, or is not being redeveloped at all but may still be affected by the project.

If you are a WCC Tenant living near, and affected by, a renewal programme, or in an area where your home is due for redevelopment in a later phase, you may experience some disruption, even when you don't need to move.

In this case, you will have priority to bid for a temporary home outside the renewal estate and, later, for one of the newly built homes in your area when they become available. If you qualify, we will register you as a 'Renewal Tenant' in Band A, with either 950 or 900 points depending on your decision to move away permanently or return to the renewal area.

How do I know if I qualify for this priority?

If you live in a renewal area where work is scheduled to take place soon, or if your home is part of a later phase of a renewal programme, we will contact you to discuss your options.

Once the renewal programme is completed and if we are able to offer you the choice of one of the new homes, we will register you as a Renewal Tenant in Band A:

- If you decide to move away permanently without wanting to return to the renewal area, you will be registered with 950 points.
- If you decide to return to the renewal area, you will be registered with 900 points to bid on a property where you will live temporarily. You will later be registered as a Returning Tenant (see Section 4.1.1) when the redevelopment is completed.
- You will have the option to stay permanently in your temporary home if you decide not to return to your original community or estate.
- The difference in points reflects that some applicants who wish to move away permanently have a good opportunity to bid for a permanent home, as they will not return to the redevelopment area once it is completed.

What happens once I have been registered with this priority?

We will usually offer you the option to move 12 to 24 months before you need to move out of your current home. Where possible, you can bid for a home through our CBL system, this will either be a permanent or temporary home, depending on what you have agreed with the Council. If you are unable to find a home this way, we may make you a Direct Offer of a home. This typically happens when the Council needs vacant possession of your property for redevelopment work to start. We will also make you a Direct Offer if you are registered as a Mobility Category 1 applicant.

If you are in rent and service charge arrears and you need to move because the Council intends to redevelop or carry out major works to your home, we may exercise our discretion to allow you to bid.

4.1.3. WCC Tenants who want to 'downsize' because they have a bigger home than they need or their home has a special feature – Downsizing Tenants and the Help to Downsize Offer

Band A 800 points

Who is this for?

We have a short supply of large homes for social rent in Westminster. If you are a WCC Tenant and you live in a home which is larger than you need, we will give you priority to move to a smaller home with us. We will register you as a Downsizing Tenant and you may be eligible for a cash payment to help you move (our 'Help to Downsize offer.')

How do I know if I qualify for this priority?

You must:

- Be a secure, introductory or flexible tenant with WCC;
- Live in a home that has more bedrooms than your household needs; and
- Want to move to a smaller home.

You can apply for our Help to Downsize Offer if you are downsizing through a mutual exchange between WCC Tenants or if you downsize through a WCC Tenant Transfer under this Allocations Scheme.

What happens once I have been registered with this priority?

If you qualify for this priority and are moving to a General Needs property, we will register you in Band A with 800 points. If you qualify for this priority and are moving to a CSH property, we will register you in the CSH Band with 1000 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you can use our CBL System to downsize to a suitable home.

We may also be able to offer you support and a cash payment to help with your move. Our ***Help to Downsize offer*** gives you a cash payment for each extra bedroom that you free up when you downsize.

Can I apply if I am in a Renewal Area?

If you are in a renewal area and you are downsizing, you may be eligible as Downsizing Tenant for the Help to Downsize offer when:

- The home you are leaving is in a renewal area and will still be owned by WCC once the work has been done.
- The home will still be large enough to house a family once the work has been done (this means there must be more than 1 bedroom).

You will not get a Help to Downsize payment if the home you are leaving is going to be demolished.

Who is not eligible for the Help to Downsize cash payment?

If we support you to downsize you will not be eligible for the cash payment if:

- You are under-occupying your home because you had made any of your children homeless and WCC has re-housed them in the previous 5 years under its homelessness duties.
- You are under-occupying your home because your adult child was helped to move-out under our Next Generation Priority Scheme or under another Priority Group in the previous 5 years.
- You are a flexible tenant and we have decided not to renew your tenancy because you are under-occupying.
- You are under-occupying your home as a statutory successor.

Are there any other occasions you will give me a cash payment to move?

If you are not downsizing, but you have a property that is in high demand because of a special feature, we may pay you to move if you agree to move to a property without that special feature. Examples of a special feature might include:

- A property that could be converted to a larger bed size.
- A property that has been adapted, or could be adapted, for people with mobility restrictions.
- A property that meets another high demand.

If we have identified a special feature in your property, you will be eligible for a £5,000 payment to help with moving to a new property.

If you want to move out of your social tenancy and do not want to move into a smaller social tenancy, you may be eligible for a cash payment at the Councils discretion. The cash payment will depend on the size of your property, as shown in the downsizing table under 'Return Social Tenancy.'

In exercising its discretion, the Council will consider:

- Where you are moving to and the long-term stability of this arrangement.
- Whether the cash offer is suitable for you.
- If you are part of a reciprocal arrangement.

If the Council finds any fraud in your application, past housing applications or your residency, you will not be eligible for the payment and may face further action.

If I am downsizing, can a friend or family member move with me?

In certain circumstances, we will agree that another household can move with you. This will usually apply where:

- The household you want to move with are WCC Tenants who live in a home that is overcrowded by 2 bedrooms or more.
- The home you all move into will not be overcrowded.
- The Council will get back at least the same number of bedrooms as it has allocated to you when you move.

If the Council gains any bedrooms through the arrangement, the tenant who is downsizing will be eligible for a Help to Downsize Payment for each bedroom.

Our Help to Downsize Offer

Moving to a smaller home can mean:

- Less upkeep.
- Lower bills.
- Avoiding the 'bedroom tax' reduction in your benefit payments for having a spare room.
- Having a home that is better suited to your needs as you get older.
- Freeing up homes for larger families.

Our Help to Downsize Offer gives a cash payment to help you move to a more suitable home. The amount of money you may get will depend on how many bedrooms you have now and how many bedrooms your need in your new property.

We will also pay up to £2,000 to help you with removal and decorating costs unless you are moving out of social housing altogether. This includes:

- £500 to cover removal costs if they are arranged by you, or we will arrange them for you. £1,500 to cover redecoration of the home you are moving into, unless it has been fully redecorated very recently.
- Please note that if you are receiving benefits, you should declare any cash payment made to you to the Department of Work and Pensions. In many cases this will not impact any benefit payments you receive, but you should always declare any income as part of your ongoing claim.

		New Property Size						
		Return Social Tenancy	CSH	Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Current Property Size	CSH	£3,500						
	Studio	£3,500						
	1 Bedroom	£5,000	£500 + £2,000 relocation costs *					
	2 Bedroom	£15,000	£3,500 + £2,000 relocation costs	£3,500 + £2,000 relocation costs	£3,000 + £2,000 relocation costs			
	3 Bedroom	£20,000	£11,500 + £2,000 relocation costs	£11,500 + £2,000 relocation costs	£11,000 + £2,000 relocation costs	£6,000 + £2,000 relocation costs		
	4 Bedroom	£25,000	£14,500 + £2,000 relocation costs	£14,500 + £2,000 relocation costs	£14,000 + £2,000 relocation costs	£11,000 + £2,000 relocation costs	£6,000 + £2,000 relocation costs	
	5 Bedroom	£30,000	£17,500 + £2,000 relocation costs	£17,500 + £2,000 relocation costs	£17,000 + £2,000 relocation costs	£14,000 + £2,000 relocation costs	£11,000 + £2,000 relocation costs	£6,000 + £2,000 relocation costs

*** If you are downsizing from a 1 bedroom home you will only be eligible for our Help to Downsize Offer if you move into a CSH studio.**

Can I keep a spare bedroom?

If you choose to downsize but you still want to keep one spare bedroom, you will be allowed to do so but we will only give you 50% of the Help to Downsize payment that you would have received. Note this deduction does not include your relocations costs.

In line with the Tenancy Policy, your flexible tenancy may not be renewed in a home that is larger than you need and therefore you may not be eligible to keep a spare bedroom.

What if I have arrears or debts owed to the Council?

Normally you will also need to have a clear rent account to be a Downsizing Tenant. However, sometimes we will still make a payment if you have arrears. In these cases, we will deduct any arrears or monies owed to the Council before we make the payment.

4.1.4. WCC Tenants who need to move because they are at risk – High-Risk Management Transfer

Band A 600 points

Who is this for?

WCC Tenants may sometimes need to urgently move out of their home because they, or a member of their household, are at risk of harm. In exceptional situations, households at risk of harm from someone who does not live in the same home may be eligible for a High-Risk Management Transfer. This applies when all other options to resolve the risk have been explored. This process was previously known as a Management Transfer.

How do I know if I qualify for this priority?

You cannot apply to WCC directly for a High-Risk Management Transfer, your Housing Officer will tell us about the risk, and we will look at each case individually. You may qualify for a High-Risk Management Transfer if you or a member of your household are at serious risk of harm at your address. This includes cases such as fleeing actual or threatened violence, harassment, or abuse. We will usually ask the police for an independent risk assessment. However, if the risk involves domestic abuse and you are not comfortable going to the police, we will carry out our own assessment with the information available.

A panel of specialists will review each case where we think the risk is serious enough to be considered for a High-Risk Management Transfer. Before your case is presented to the panel, we will contact you to gather as much detail as possible. With your consent, we may also speak to your family, social services, health professionals, domestic abuse support services, or the police to confirm your circumstances.

Before agreeing to a High-Risk Management Transfer, we will consider whether:

- The risk can be reduced through preventative actions or measures, such as the involvement of our specialist anti-social behaviour team, who have tools and powers to protect residents at risk.
- All other rehousing routes, such as moving through another Priority Group or a mutual exchange, have been explored.
- You can be safely re-housed in another part of Westminster.

If you are considered at risk across the whole of Westminster, we will not be able to offer a transfer, because our homes are limited to the Westminster area. In this situation, we will work with you to explore any other available options.

We will not normally offer a High-Risk Management Transfer if a tenant is in breach of their tenancy agreement (for example, due to rent arrears or anti-social behaviour). Each case will be carefully considered depending on the circumstances and associated risks.

What happens once I have been registered with this priority?

If you qualify for this priority, we will register you in Band A with 600 points. If it is safe and in your best interest to stay within Westminster, we will help you find a home in another area of the borough. You will normally receive one Direct Offer of a suitable home. If this Direct Offer is unreasonably refused, your High-Risk Management Transfer application will be closed, or you will move back to your original Priority Group if you previously held an open application.

A suitable home is one of the same size as your current tenancy, unless you are overcrowded by two or more bedrooms when we may offer you a larger home. If you are in a home that is larger than you need, you will be required to move using the Downsizing Cash Incentive Scheme. We will assess your bedroom requirement initially, and will review it later.

We will review your need for a High-Risk Management Transfer every three months to ensure you remain a priority for rehousing.

4.1.5. WCC Tenants who need to move because of major works to their home - Decants

Band A 600 points

Who is this for?

If your Council home needs repairs that mean you need to move out, your local area management team will find you somewhere temporary to live until your home is ready for you to move back in to. Depending on the amount of time the repair works are likely to take, this may be a hotel, or if they are likely to take longer, we will find you a suitable property from within the housing stock available to the Council.

In some circumstances, however, we may agree that you need to permanently move ("Decant") to another home. On these occasions, you will be registered to move within the Decant Priority Group. There is also law (the Land Compensation Act 1973) which means you might be entitled to compensation if we need to move you permanently. This is called a Home Loss Payment, and we will tell you where you can find out about your rights to this.

How do I know if I qualify for this priority?

You cannot apply to WCC directly for a Decant. If you need a Decant, your local area management team will let you know. This will usually be because the scale of repair works required mean that you may have to move out for a long period of time.

What happens once I have been registered with this priority?

If you qualify for this priority, we will register you in Band A with 600 points.

If the repair work to your home does not need to be carried out urgently, you will be able to bid for properties through CBL, although we may agree with you a time-limit to do so. If the works do need to be carried urgently or if you are a Mobility Category 1 applicant, we will make you a Direct Offer of a suitable home to meet your needs.

If you need a smaller home according to our Bedroom Standard, we will register you for the smaller property and you may be eligible for a Help to Downsize payment. We will only register you for a larger home than you are currently in if you are overcrowded by 2 or more bedrooms.

4.2. WCC Tenants and Non-WCC Tenants – Succession and Assignment

4.2.1. Succession and Assignment

Band A 400 points

Who is this for?

Housing law sometimes allows a Council tenancy to pass from the tenant to a family member. This depends on the type of tenancy and situation.

Statutory Succession

In some circumstances a family member will succeed to a tenancy when the tenant dies. The law around this is complex. When the succession provisions apply, the family member may automatically succeed to the tenancy. This is called a Statutory Succession.

In some cases of Statutory Succession, the Council can serve a notice seeking to bring the tenancy to an end. In those cases, the Council may offer you alternative accommodation under a Discretionary Succession offer.

Discretionary Succession

In cases where a tenant has died and there is no Statutory Succession, the Council may decide to offer a family member a tenancy, either of the late tenant's property or of alternative accommodation. This is called a Discretionary Succession. Different rules apply to different types of tenancy.

To be considered for a Discretionary Succession offer, you must have lived with the secure tenant when they died as your only or main home for:

- At least one year if you were their spouse or civil partner.
- At least five years if you were their partner, parent, grandparent, adult child, grandchild, brother, or sister.

You will normally be made an offer of alternative accommodation rather than allowed to stay in your original home when one of the following apply:

- The home is bigger than you need, and you are not the spouse or civil partner of the tenant who died.
- The home was adapted for someone with a disability, and you do not need this type of home.
- The home is in our Community Supportive Housing stock, and you do not qualify for that type of housing.

Statutory Assignment

If a family member would succeed to a tenancy upon the tenant's death, the tenant may be permitted to transfer (assign) the tenancy to the family member. This is referred to as a Statutory Assignment. The law around this is complex.

Discretionary Assignment

In cases where a Statutory Assignment is not permitted, the Council will sometimes agree to offer a family member a tenancy if the existing tenant gives up their tenancy. This is referred to a Discretionary Assignment offer.

A Discretionary Assignment will only be agreed in exceptional circumstances, for example, where the tenant enters long-term residential care leaving a family member in occupation. You may be considered for a Discretionary Assignment offer if:

- You were living in the property with the tenant as your main home when they asked to assign the tenancy to you.
- You had lived with them for at least five years before they made the request, or one year if you were their spouse or civil partner; and
- You are an immediate family member (spouse, civil partner, partner, parent, child, grandparent, grandchild, brother, or sister). Other relatives, such as aunts, uncles, nephews, or cousins, do not qualify.

Where a Discretionary Assignment is agreed, you may sometimes be made an offer of alternative accommodation rather than allowed to remain in the original home.

Who can I include in my Discretionary Succession or Assignment?

To assess what property size you require, you may only include the following people on your application:

- Your partner or spouse.
- Any children who normally live with you as their main home.
- Adult relatives who could reasonably expect to live with you. You would have to be able to show that they moved into your home at the same time as you, and that it is their main home.

What happens once I have been registered with this priority?

If you are required to move as a statutory successor, or we are making you a discretionary offer, we will register you in Band A with 400 points to bid for suitable properties using CBL for a up to 6 months.

If you have not found a suitable home in a reasonable period, or if you are a Mobility Category 1 applicant, we will make you one Direct Offer of a suitable home.

If you fail to bid for a home or refuse a Direct Offer, legal action may be taken to recover your current property.

For full information on Succession and Assignments, please read our Tenancy Policy: www.westminster.gov.uk/housing-policy-and-strategy/tenancy-policy

4.3. Council Services and Partner Organisations Referrals

Band A 400 Points

Who is this for?

We have some legal duties and local authority priorities to accept people who are referred to the Housing Register from other services in the Council. We call these ***Statutory Services Referrals***.

A small number of properties will be to people in these groups each year, depending on our priorities and available homes. These will be set out in the Annual Supply and Allocations Report.

We know that the law changes from time to time and we will review our statutory duties in line with this.

How do I know if I qualify as a Statutory Services Referral?

You cannot apply to WCC directly as a Statutory Services Referral. We will take applications from our Social and Community Services, for example:

- People who need social housing as part of their care package.
- People with a learning disability or neurodiversity support need.
- WCC Care Leavers.
- 'Children in Need' who may have a special need for housing in the area.
- People who need to move because they look after a child through fostering.
- People who need to move because of adoption.
- People who need to move because they are a Special Guardian.

4.3.1. Adult Social Care Referrals

Who is this for?

WCCs Adult Social Care ("ASC") practitioners may nominate a small number of their service users for an allocation of social housing as part of their care package. This is in line with the duties placed on Local Authorities set out in the Care Act 2014.

How do I get nominated?

You may be nominated by the ASC team if a social housing offer is the most, or only, practical way to meet the housing needs that are identified as part of your care package. This means other reasonable housing options have been explored and discounted. We normally only consider nominations when one of the following applies:

- You need to move out of higher-support residential accommodation and have been assessed as ready to live independently.
- You need someone to live with you, to take over a caring role that is currently funded by the Council.
- You are living in a shared-setting and require independent housing.
- You do not qualify for a Priority Group on the Housing Register.

What happens once I am nominated?

If you qualify for this priority, we will register you in Band A with 400 points. Typically, unless you are registered as a Mobility Category 1 applicant, you can use our CBL System to bid for a suitable home. You will be placed in Band A with 400 points. The ASC team and Housing Services can help you with this. If after some time you have not bid successfully for a property, the ASC team and Housing Services will review this with you to see if a Direct Offer of a home may be more suitable.

Whilst we expect that most people who are nominated to the Adult Social Care Referrals will bid for properties through CBL, you may agree with ASC and Housing Services that a Direct Offer of a property may be the best option for you from the outset. If this is the case, the ASC team will support you to speak to Housing Services about your needs and preferences in finding a new home.

4.3.2. Learning Disability Referrals

Who is this for?

Westminster's Learning Disability and Autism Services may nominate a small number of adults with learning difficulties and/or neurodiversity needs into an independent home.

How do I get nominated?

You may be nominated by a practitioner in the Learning Disability and Autism Services if it is agreed that you can manage your own tenancy with appropriate support. To be considered for nomination, at least one of the following should apply to your situation:

- You are at risk of homelessness.
- You are currently in housing that is unsuitable for your needs.
- Following a formal assessment, it has been agreed that you should move from residential care or from your current supported housing and all other housing options have been explored.
- Without an allocation or offer of social housing, you may need to move into residential care or supported housing.

What happens once I am nominated?

If you qualify for this priority, we will register you in Band A with 400 points. Typically, unless you are registered as a Mobility Category 1 applicant, you can use our CBL System to bid for a suitable home. You will be placed in Band A with 400 points. The Learning Disability and Autism Services will support you to do this, and help you work with Housing Services if you are shortlisted to view a property. If after a period you have not bid successfully for a property or if you think a Direct Offer is the best option for you, this can be reviewed between you, the Learning Disability and Autism Services and Housing Services to see if a Direct Offer of a home may be more suitable.

4.3.3. Children's Services Referrals - Young People Leaving Care

Who is this for?

WCC's Children's Services may nominate some of their Care Leavers for social housing each year.

How do I get nominated?

The Leaving Care Accommodation Panel ("LCAP") will submit, review and approve the nominations to this Priority Group.

What happens once I am nominated?

If you qualify for this priority and the LCAP has approved your nomination as you have completed the requirements under the 'Rise to Independence' framework, we will move your application from the Delayed List and register you in Band A with 400 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you can use our CBL System to bid for a suitable home. You will be placed in Band A with 400 points. The Leaving Care Team will support you throughout this process and work with Housing Services if you are shortlisted for a property. If, after a reasonable time, you have not successfully bid for a home, the Leaving Care Team and Housing Services will review this with you to decide if a Direct Offer might be more suitable. In some cases, it may be agreed between you and the Leaving Care team that a Direct Offer would be the best option from the start.

4.3.4. Children's Services Referrals

Who is this for?

The Children's Act 1989, updated in 2004, means we have a duty to consider housing for a household which Children's Social Services identify may contain a 'child in need'.

How do I get nominated?

WCCs Children's Social Services may nominate a small number of households where it is identified that there is an exceptional and urgent need for a family to be re-housed in the best interests of a 'child in need', and where other reasonable housing options have been explored and discounted. All nominations will be discussed atthe Children's Services and Housing Panel before approval by Service Managers within Children's and Housing Services, unless the urgency of case requires approval ahead of the next scheduled panel meeting.

What happens once I am nominated?

If you qualify for this priority, we will register you in Band A with 400 points. If Children's and Housing Services, in discussion with you, agree that it is appropriate, we will register you to bid for suitable properties through CBL. We may make you a Direct Offer if you have not bid successfully after 6 months or if you are a Mobility Category 1 applicant.

Foster and Kinship Carers

In exceptional circumstances, the Council may agree to offer social housing to a household who need a larger home because they are fostering a child. If you currently live in a Registered Provider property, we will only agree a move where the Council has nomination rights to the property you will be leaving.

A nomination through the Children's Services Referrals may be considered where:

- A foster carer will be fostering a succession of children on an ongoing basis.
- 'Kinship Carers' caring for children as Kinship Foster Carers or where children are exiting local authority care via a Special Guardianship Order.
- Foster carers living in the Private Rented Sector require a larger property in order to foster a child with learning difficulties and/or neurodiversity needs.

Where we approve a nomination for a Foster Carer, they will be given priority through the Children's Services Priority Group.

Westminster's Local Offer to Care Leavers

Each young person identified as a WCC Care Leaver will receive support to develop independent living skills. This process involves several steps, known as the 'Rise to Independence'. It includes workshops, assessments, and referrals. When your Personal Advisor or Social Worker agree you are ready for independent accommodation, the Leaving Care Accommodation Panel will review your case. The Panel will decide, with your input, the most suitable housing option. These options can include, semi-independent accommodation, the Young Persons Supported Accommodation Pathway, the Single Persons Housing Pathway, the Private Rented Sector, returning to live with friends or family or, in some cases, social housing.

You can find out more about WCC's offer to Care Leavers: www.westminster.gov.uk/local-offer-care-leavers

4.3.5. Supported Accommodation Referrals

Who is this for?

Supported Accommodation Services commissioned by WCC may nominate a small number of adults who are ready to move on to an independent home.

When people move on from Supported Accommodation, this will free up a space for someone else who needs it. Supported Accommodation is designed for people with specific needs, such as those with mental health needs or who have previously experienced rough sleeping. When someone who lives in Supported Accommodation is ready to live independently, their support provider will assist them with exploring their housing options. This will include the Private Rented Sector. In a small number of cases, the support provider may advise that social housing is the most suitable option for that resident and nominate them through the Supported Accommodation Referrals.

How do I get nominated?

Your Supported Accommodation Provider, along with any professionals involved in your support, such as a mental health worker, can nominate you to Housing Services. A Panel of specialist housing commissioners will review your nomination. The Panel will assess factors which include your engagement with support services, your readiness for independent living, any community work you may be involved in, and whether other housing options may be suitable, given the very limited availability of social housing.

If the Panel approves your nomination, Housing Services will accept the nomination unless:

- The nomination will exceed the agreed annual number of lettings for this group; or
- There are concerns about the ability to meet your needs within the Council's stock of social housing.

What happens once I am nominated?

If you qualify for this priority, we will register you in Band A with 400 points. Typically, unless you are registered as a Mobility Category 1 applicant, you can use our CBL System to bid for a suitable home. You will be placed in Band A with 400 points. Your accommodation provider or support worker can help you to bid and if you are shortlisted to view a property. If you are not successful in finding a home after some time, we will review your situation and consider whether a Direct Offer might be a more suitable option for you.

4.3.6. Single Persons Housing Pathway Referrals

Who is this for?

The Single Persons Housing Pathway ("SPHP") is for single people who approach Westminster for help because they are homeless and have additional support needs which may mean they are not yet ready for independent living. The SPHP offers temporary accommodation with help from the community to teach people important living skills and how to manage their tenancy. People in the SPHP will eventually move on to another suitable home.

This could be private rented accommodation, supported housing, charity-provided housing, or social housing through the SPHP Referrals. Social housing is very limited, so only a small number of people in the SPHP will qualify for it.

How do I get nominated?

Only a few people will qualify for the Single Persons Housing Pathway Referrals each year. When you join the SPHP, we will place you on the Delayed List (see Section 2). After 6 months we will look at how you have managed your tenancy. This includes making sure you have not taken part in any anti-social behaviour, nuisance or criminal activity, and that your rent payments are up to date. We will also check that you have engaged with the support provided. This review helps us decide if you are ready for independent living and what the next steps for housing should be. You will be allowed to stay in your current accommodation for a short period while we help you find a longer-term home.

What happens once I am nominated?

If you qualify for this priority, we will move your application from the Delayed List and register you in Band A with 400 points.

In most cases, you will be able to bid for a home through our CBL System. Your support worker can help you to bid and if you are shortlisted to view a property. If you are not successful in finding a home after some time, we will review your situation and consider whether a Direct Offer might be a more suitable option for you.

4.3.7. Veterans Nomination Scheme

Who is this for?

Veterans are nominated to us through the Veterans Nomination Scheme ("VNS"). The VNS helps veterans who may have difficulty accessing suitable housing. It is designed for single veterans or couples without children, including Service Leavers transitioning to civilian life. The VNS is particularly suited for people who are homeless, at risk of homelessness, or living in unsuitable or temporary accommodation.

To be eligible for the VNS, you must:

- Be able to live independently, with little to no support.
- Have served in the British Armed Forces and be of working age.
- Apply within five years of discharge, whether this was voluntary or due to medical reasons.

Local connection rules do not apply to people in the VNS, but due to limited social housing in Westminster, we can only accept a small number of nominations each year.

How do I get nominated?

To be nominated for the VNS, a referral must be made by veteran's charities Stoll or Veterans Aid. We cannot accept direct applications from veterans for this Priority Group. We will receive a referral form detailing your service record and support needs. If additional support is required, this should be disclosed on the referral form.

What happens once I am nominated?

If you qualify for this priority, we will register you in Band A with 400 points.

You will receive one Direct Offer of suitable accommodation; this will usually be a studio or 1 bedroom home depending on your needs. Due to the very limited supply of social housing, the offer might not be immediate.

4.3.8. Reciprocals

Who is this for?

In exceptional circumstances, WCC can arrange tenant swaps with other Councils or Registered Providers. This is usually to help someone in an emergency or when they have a specific reason to move to Westminster, such as fleeing significant violence or risk. We may consider this option when all other housing routes have been explored. These arrangements are called 'Reciprocals' because the Council will need to receive a suitable home, likely of the same size, in return.

How do I know if I qualify for this priority?

You can apply directly to the Housing Register for a Reciprocal. In some cases, usually when there is an exceptional risk or a benefit to the Council (such as freeing up a valuable property), the Council may agree to help a Council or Registered Provider move their tenant. This would only happen if the Registered Provider is unable to move the tenant appropriately within their own housing stock.

A panel of specialist professionals will review each case where the risk is seen to be high enough to be considered for a Reciprocal. Before your case is presented to the panel, we will contact you to gather as much detail as possible, including requesting supporting evidence or risk assessment from your landlord, the police, or domestic abuse specialists.

Before agreeing to a Reciprocal, we will consider whether:

- Your housing needs cannot be appropriately met by your current Council or Registered Provider, including preventative actions or measures supported by your landlord.
- All other housing routes have been considered.
- The type and availability of housing stock in Westminster can appropriately meet your housing needs.
- Your current Council or Registered Provider can offer us a property in return within 12 months, that is of equal value to Westminster as the one you will be offered.
- There is an exceptional risk, and you can show you need to live in Westminster.

What happens once I have been registered with this priority?

If you qualify for this priority, we will register you in Band A with 400 points. You will normally receive one Direct Offer of suitable accommodation and you may need to wait some time for a suitable property to be identified that meets your need.

4.3.9. Pan-London Strategic Priority

Who is this for?

Westminster sometimes joins agreements with other Council's and bodies that help people move within London or, occasionally, to other parts of the country. These agreements are updated and reviewed regularly, so are subject to change. These agreements are normally for specific groups of people, such as those fleeing domestic abuse, violence or under probation restrictions. We will typically provide one Direct Offer.

For more information you can contact Housing Services on 0207 641 1000, speak to your social housing landlord if you are not a WCC Tenant, or speak to an independent agency for up to date advice and the full range of options available to you.

Section 5

Homelessness

BAND B	Homeless Main Duty
BAND E	Homeless (Other)

The law on homelessness is complex and may change. Section 5 summarises our duties at the time of publishing this Allocations Scheme. We encourage you to read the updated legislation here: Homelessness code of guidance for local authorities - Overview of the homelessness legislation - Guidance - GOV.UK (www.gov.uk).

In Section 5 we will tell you about:

- Legal duties around homelessness.
- How we prioritise people in Relief Duty.
- How we prioritise people when we have a Main Duty.
- Our Choosing PRS offer.





5.1. Introduction to Homelessness

A person does not need to be sleeping rough to be legally homeless. The law describes someone as homeless if they:

- Have no home to live in.
- Have a home but are at risk of violence or domestic abuse there.
- Have a home but it is not reasonable for them to continue to live in it.
- Have a home but cannot enter it.
- Have no legal right to live in their home.
- Live in a mobile home or houseboat but have no place to put it or live in it.

We have a legal duty to help if you are homeless or at risk of being homeless. This duty does not always mean that we will rehouse you. We may need to give you advice on your housing options.

To decide if we have a legal duty to rehouse you if you are homeless we need to be satisfied that you:

- Are homeless.
- Are eligible for help from WCC.
- Are in priority need.
- Are not intentionally homeless.
- Have a local connection to Westminster.

If you have no local connection with Westminster but have a local connection with another Council, we may refer your case to that Council. They will then have a legal duty to help you instead of WCC. You are likely to have a local connection with an area if you have lived there for 6 out of the last 12 months, or 3 out of the last 5 years. This includes if you rented or owned a home there, stayed with family or friends, lived in emergency housing or stayed in a refuge. It does not include if you were in prison or hospital in the area.

If we find that we do have a legal duty to rehouse because you are homeless, we cannot guarantee to offer you a permanent home quickly. This is because we have a very limited supply of social homes.

We have three key duties:

1. If you are at risk of becoming homeless within 56 days (8 weeks), we will work with you to try to stop you from losing your home or to find somewhere else to live. This is the **Prevention Duty**. At this stage we would give you a Personal Housing Plan. We would not usually place you on the Housing Register unless you later become homeless. During the assessment process, we will consider whether one of the options to be included in your Personal Housing Plan should be placing you on the Housing Register. If we do consider this an option, we will place you in Band E with 200 points.
2. If we find that you are already homeless and that you are eligible for our help, we will put you on the Housing Register in Band E with 200 points. We have 56 days (8 weeks) to help you try to find a suitable home that you can live in for at least 6 months. This is the **Relief Duty**. If we decide that you are in priority need, we will find emergency accommodation for you. We can end the **Relief** Duty before the 56 days have passed in some circumstances, including because you are no longer homeless (this is usually because we have helped you find a suitable home, which may be in the Private Rented Sector). If you have been able to find somewhere suitable to live, your application will be closed, and we will remove you from the Housing Register.

3. If we have not been able to find you somewhere suitable to live at the end of the Relief Duty stage, we may have a legal duty to ensure you have temporary accommodation until you find a permanent home. You will need to be eligible for help with your housing problems and have priority need under our legal duties. We will also need to make sure that you have not become homeless intentionally. This is the **Main Duty**. If we owe you a Main Duty to help you find a home, we will place you in Band B with 1000 points. Due to the large numbers of homeless households the Council needs to help, and the very limited availability of social housing in Westminster, being placed in Band B does not mean you are likely to find a permanent home quickly. You may stay in a temporary home for a long time, or you may find that there is more chance of being re-housed in the Private Rented Sector.

If at the end of Relief Duty stage, you are still homeless, but we do not have a Main Duty to help you, you will remain in Band B with 200 Points

Being intentionally homeless

You will be intentionally homeless if you have deliberately done something, or *not* done something, which caused you to stop living in your home. This might include if you:

- Were evicted after not paying the rent when you could afford to.
- Moved out of your home voluntarily when you could have stayed.
- Lost your tenancy because you went to prison for a criminal offence.
- Were evicted for antisocial behaviour.

You must have known about all the relevant facts before you took, or failed to take, the actions that meant you left your home. If you acted in good faith and without knowing all the relevant facts, we may decide that you are not intentionally homeless. If we find that you are intentionally homeless, but you are still in priority need, we must still give you support to find a place to live. This means that we should:

- Make sure that you have accommodation that is available to live in long enough to give you a reasonable chance to find a settled home.
- Give you advice and assistance free of charge to help you find a settled home. This must include information about the likely availability of suitable housing that meets your needs, including location and how to find such types of housing.

5.2. People who are Homeless without a Main Duty to house them (Homeless Other)

Band E 200 points

Who is this for?

If you become homeless, we have a legal duty to help you find a new place to live. We have 56 days (8 weeks) to do this. This is known as the ***Relief Duty***. We will put you on the Housing Register when we accept that the Relief Duty applies to you.

If you apply to the Council and it seems you are homeless or threatened with homelessness, we will help you through the legal process set out in Section 5.1. If you do not follow the legal process but we are satisfied you are homeless, we can register you in this Priority Group.

How do I know if I qualify for this priority?

As well as being homeless, you may need to have a local connection with Westminster. If you do not, we may refer your case to another Council where you have a local connection.

What happens once I have been registered with this priority?

If you qualify for this priority, we will register you in Band E with 200 points and in most cases you will be able to bid through CBL. During the **Relief Duty** we will work with you to try to find a suitable home that you can live in for at least 6 months. This does not mean that we have to find you a home in the social rented sector. You may find that looking for a home in the Private Rented Sector is a better option for you, and we will continue to talk to you about all your housing options within your Personal Housing Plan.

Can the Relief Duty come to an end, even if I am still homeless?

If you have not found a suitable home at the end of the Relief Duty we may decide that we still have a duty to help you find a home. This is called the Main Duty stage. Because of the shortage of homes in the social rented sector, it may take a very long time before you are offered a permanent home. If we offer you a temporary home, it may not be in Westminster, and you will not be able to choose the specific area.

There will be times when we do not have a Main Duty to help you find a home when the Relief Duty ends, even if you are still homeless. This may happen when:

- You do not have a priority need for housing.
- You have a priority need for housing, but you became homeless intentionally.
- You have refused a final offer of a suitable home during the Relief stage even though we had told you that refusing the offer would mean our duty under homelessness law would come to an end. This is known as a refusing a 'final accommodation offer' or a 'final Part 6 offer' of suitable housing.
- We have served you with a notice to say that you have deliberately and unreasonably refused to cooperate with our efforts to help you. If this is the case, we must make sure that you still have somewhere to live until we make you a 'final accommodation offer' or a 'final Part 6 offer' of suitable housing, or if our duty comes to an end in some other way, for example:
    - You are no longer eligible for our help.
    - You have become intentionally homeless from the temporary home we have provided.
    - You have accepted an offer of an assured tenancy from a private landlord.
    - You have voluntarily stopped living in the temporary home we have provided.

If at the end of the Relief Duty stage you are still homeless, but we do not have a Main Duty to help you, you will remain in Band E with 200 points.

Choosing a home in the Private Rented Sector

You may be able to find a suitable and affordable home in the Private Rented Sector ("PRS") instead of spending a long time in a temporary home. We can also help you with some of your moving and setting up costs. This is a voluntary option that is open to people where we have a **Main Duty** to help rehouse them and who are registered as homeless in Band B with 1000 points. We call this our **'Choosing PRS Offer'**. The offer is open to you if you are already living in temporary accommodation, or if we are about to offer you a temporary home.

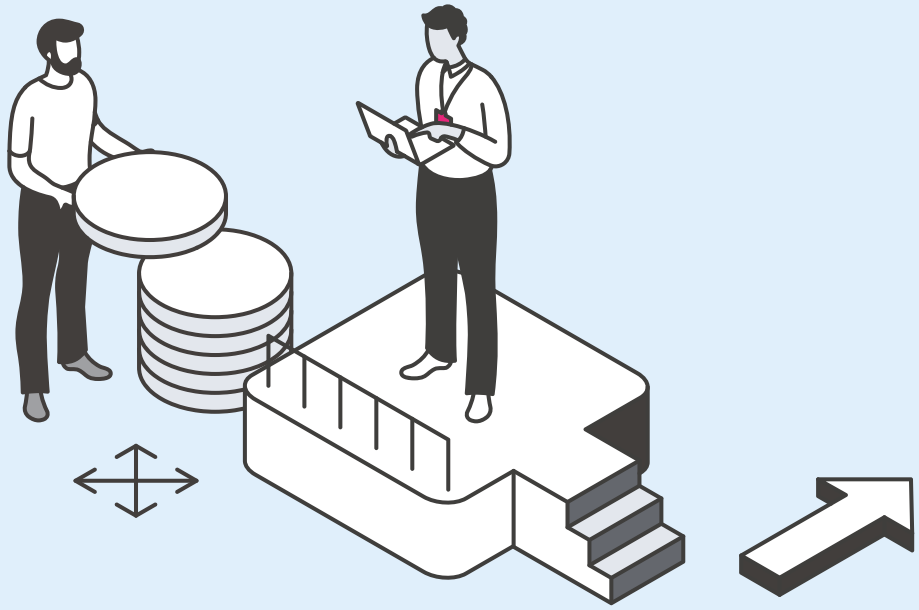
A fixed term tenancy in the PRS will be for at least 6 months. Most PRS tenancies are for 1 year but most tenants in PRS homes are given a new tenancy when the old one ends, so you can usually continue living there.

There are some good reasons why you may choose to take this offer:

- If you choose to move into a PRS home at this stage, you will be able to keep your place on the Housing Register until you have received an offer of social housing.
- We will offer you a generous financial package to help you with a deposit and some upfront rental costs. We will also help you with some relocation and settlement costs, such as vouchers for household items.
- You are likely to have more choice about where you live than if you stay in temporary accommodation, including choosing accommodation outside of Westminster which may be closer to your work, friends or family.
- You are also more likely to find a stable home than if you choose to stay in temporary accommodation. This is because a landlord can ask us to hand a temporary home back at any time. But a PRS will be for a fixed term, which gives you more certainty.
- If the PRS tenancy comes to an end through no fault of your own, we will still have a duty to help you find another home, either through another PRS tenancy or through temporary accommodation.

Can I take up this offer if I am registered in Band E (Relief Duty)?

As part of your Personal Housing Plan we will talk to you about how we can help you find a suitable home in the PRS, including financial assistance to help you secure the tenancy and to settle in. However, if you move into a PRS property at the Relief Duty stage, we will end our legal duty to you and you will be removed from the Housing Register.



5.3. People who are Homeless and we have a Main Duty to rehouse them

Band B **1000 points**

Who is this for?

If it has not been possible to stop you from becoming homeless during the **Prevention** Duty stage, or if you have not found a suitable and affordable new place to live during the **Relief Duty** stage, we may have a legal responsibility to rehouse you. We have set out the criteria that you will need to meet in Section 5.1. This is called our **Main Duty**. Usually, by this point, we will have offered you a temporary home.

We know that living in temporary accommodation for a long time can be difficult. We encourage you to talk to us about our **Choosing PRS Offer** which can be a more stable option that gives you choice over where you want to live.

How do I know if I qualify for this priority?

We will have agreed that we have a **Main Duty** to house you until you find a permanent home. This means you will still be homeless at this stage and you will be eligible for help from WCC. You will also be in priority need (this means you qualify for help from the Council) and you will not be intentionally homeless. If you do not have a local connection with Westminster, we may ask a different Council to rehouse you. However, we cannot do this if you would be at risk of domestic abuse or violence in that area.

What happens once I have been registered with this priority?

The Council's **Main Duty** is to find you a temporary home until you find a permanent home. If you qualify for this priority, we will register you in Band B with 1000 points. We will change your registration date to the date the Main Duty was accepted.

In most cases, if we have accepted that we owe you a Main Duty, you will be able to bid for social housing through CBL. However, in some cases we may make you a Direct Offer after a period of time. This may be because:

- You are well positioned to bid successfully but are not doing so.
- There is a pressing need for the Council to move you on from a temporary home because we need to return it to the landlord or offer it to new homeless applicants.

In other cases, we may agree from the start that you will need a Direct Offer. This may be because:

- You have a very specific housing need, such as needing a Mobility Category 1 home.
- You have additional needs that may make it harder for you to take part in CBL.

Once you are no longer homeless, or if you are no longer eligible to be re-housed, we will close your housing application and remove you from the Housing Register.

Can the Main Duty come to an end, even if I am still homeless?

We can end our Main Duty if you:

- Accept an offer of an assured tenancy from a private landlord that is not part of our 'Choosing PRS Offer', or if you accept an offer from a social housing provider.
- Are no longer eligible for our help.
- Become intentionally homeless from the temporary home we have found you under our Main Duty.
- Voluntarily stop living in the temporary home we have found you.
- Refuse a suitable offer of accommodation without a good reason.
- Refuse a final offer of a suitable home even though we had told you that refusing the offer would mean our duty under homelessness law would come to an end.

If you believe that the decision to end the duty is incorrect, you have the right to ask for a review.

What happens to my application if my Main Duty ends?

- If you are no longer homeless, your application will be removed from the Housing Register.
- If you are still homeless, we will consider whether you still qualify to remain on the Housing Register. If you do qualify, you will be placed in Band E with 200 points. Your registration date will also be updated to the date when your Main Duty ended.



Section 6

Medical, Welfare and Hardship and Overcrowding Priority

Band C for WCC Tenants

Band D for Non-WCC Tenants

In Section 6 we will tell you about:

- How we assess Overcrowding, Insanitary or Unsatisfactory conditions.
- How we assess Medical, Welfare and Hardship Priority.
- How we assess Exceptional Medical Priority.
- How we assess Medical, Welfare and Hardship and Severe Overcrowding Priority.
- How we assess Cumulative Medical, Welfare and Hardship Priority.
- How we give priority to WCC Tenants lacking 2 bedrooms.
- How we give priority to WCC Tenants who need to move from a studio to a 2-bed.
- How we give priority to WCC Tenants who are lacking 1 bedroom.
- How we give priority to WCC Tenants and Non-WCC Tenants living in an overcrowded household with all-adult household members.
- Our Overcrowded Family Offer.



6.1. Introduction to our duties for people who have medical, welfare or hardship needs or overcrowding

Band C sets out how we give points to WCC Tenants who need to transfer due to Medical, Welfare and Hardship Priority or who have Overcrowding Priority.

Band D sets out how we give points to Non-WCC Tenants who need to move due to Medical, Welfare and Hardship Priority or who have Overcrowding Priority.

Separate provision is made for overcrowded households who are all adults (see Section 6.10).

Will I get Medical, Welfare and Hardship Priority or Overcrowding Priority if I am homeless?

No, if we find we have a Main Duty to help you because you are homeless, we will register you in Band B. If we find we have a Relief or Other Duty to help you, we will register you in Band E. You will not be able to claim Medical, Welfare and Hardship Priority or Overcrowding Priority as well as Homeless Priority.

If your temporary home is unsuitable due to health reasons, or is overcrowded beyond legal rules on statutory overcrowding, we can agree to transfer you to a different temporary home. Part X of the Housing Act 1985 sets out the rules on statutory overcrowding. The Government's Housing Health and Safety Rating System assesses housing conditions and hazards

How will you look at my health and welfare needs?

Some people have long-term health or serious welfare problems that mean it is very difficult to live in their current home. There are many reasons why this may be the case, including:

- Long-term health problems that make it difficult to live in their home or to look after themselves.
- Health problems that make it difficult to enter or leave their home or move around inside their home.
- Mental health problems that make it difficult to carry on living in their home.
- Learning disabilities that make it difficult to carry on living in their home.
- There is a significant risk to their physical or mental health if they continue to live in their current home.
- They need to move to get the right care, medical treatment or support which cannot otherwise be facilitated.
- They need to move because they have experienced domestic abuse or trauma in their home which makes it difficult to carry on living there.

Some people will have different levels of need based on the seriousness of their condition. To help us make sure we give priority to the most serious cases, we have set out three different levels of medical, welfare or hardship needs:

- ***Exceptional*** Medical, Welfare and Hardship Priority.
- ***Cumulative*** Medical, Welfare and Hardship Priority.
- Medical, Welfare and Hardship Priority.

Whether you are a WCC Tenant looking for a transfer, or a Non-WCC Tenant wanting to join the Housing Register due to medical, welfare or hardship reasons, your level of priority will depend on:

- How serious the health, welfare and hardship issues are.
- How your current home is affecting and linked to these issues.
- How many people in the family have these issues.
- How a move to a different home may improve these issues.

Not every medical or welfare issue means that you need to move home or that we are able to offer you one. If your home can be adapted to make it suitable for you, we will not give you priority for re-housing. If you are a Non-WCC Tenant and your landlord can transfer you to a suitable home, we will not give you priority for re-housing. We also have a severe shortage of social housing, so whilst we recognise everyone on the Housing Register under this category has a housing need, we have to prioritise the applicants with the highest and most serious needs.

How will you decide if I face hardship?

Government guidance means we should give reasonable preference to people who would face hardship (to themselves or others) if they did not move to a particular part of Westminster. For example, you may need to live in an area to have very important medical treatment. Or you may be the only person who can give care to another person, and you need to live in the area to give that care. However, we have a very small supply of social homes in Westminster, so we will also consider Westminster's relatively small size and good transport links when we look at cases of hardship. This means we are likely to only offer additional priority based on hardship in very exceptional circumstances.

How do I apply?

To apply for priority based on medical, welfare and hardship reasons you will need to fill in a Housing Application or Transfer Form (if you have not already done so) as well as a Medical Assessment form to give us information about your needs. You can find the Medical Assessment form here: Medical Assessment Form | Westminster City Council

You will need to add one or more of the following documents:

- Any medical letters or reports that you already have.
- Prescriptions.
- Hospital discharge summaries.
- Any Disability Benefit Award letters, for example Disability Living Allowance, Personal Independence Payment or Employment and Support Allowance.

In each case we may also ask a medical professional or other expert to give us their view and a Housing Officer will then decide whether you are eligible for this Priority Group.

It is important to keep us up to date if there are any changes to your circumstances due to overcrowding or health, welfare and hardship reasons. If you do not let us know about any changes, this may have an impact on any offer we make you.

How will you decide if I am overcrowded?

We will use two tests to decide if you are overcrowded:

1. The room standard and space standard (set out in Part X Housing Act 1985) to decide if you are statutorily (or legally) overcrowded.
2. The Government's Housing Health and Safety Rating System (HHSRS) to identify health and safety risks in your home and to see if you have any Band A hazards as a result of your overcrowding.

If you are a WCC Tenant, we will also use our Bedroom Standard (see Section 1.7) to see if you lack any bedrooms.

When we decide whether you have priority due to overcrowding, we will only count the people in your home who are eligible to join the Housing Register. We also only count people who are part of your original household. This means that we will not count people who want to live with you but don't yet live with you. We will not count people who do not have the right in law to be re-housed by us, even if they live with you.

If you move more people into your home and increase your overcrowding, they will not be included in your application or increase your priority for rehousing. The only exception is for dependent children born into the household, who will be included once you provide a full birth certificate.

How will you decide if I am living in insanitary or unsatisfactory housing conditions?

We will use the two standards that are set out in law and the HHSRS above to assess your housing conditions. The Director of Housing has discretion to decide if you should join the Housing Register on the basis that you are living in insanitary or unsatisfactory housing conditions. They will look at your individual circumstances and whether the condition of your home can be improved with repairs, alongside the demand for and supply of social housing in Westminster, to decide when to use their discretion.



6.2. Exceptional Medical, Welfare and Hardship

WCC Tenants	**Band C**	**1000 points**
Non-WCC Tenants	**Band D**	**1000 points**

Who is this for?

We will give points for Exceptional Medical, Welfare and Hardship Priority where we have found there is an **exceptional** need to move because of the severe impact your home is having on your overall condition. This will be either *life-limiting* or *life-threatening*.

How do I know if I qualify for this priority?

You cannot apply for Exceptional Medical, Welfare and Hardship Priority. Instead, you will apply for Medical, Welfare and Hardship Priority as set out at Section 6.5. The assessing Officer will then consider whether you have an exceptional need to move. This will mean that you have a life-limiting or life-threatening condition which is being seriously impacted by your home. They will then refer your case to a panel that includes Senior Managers, our Medical Advisor and other relevant medical professionals for consideration.

The decisions on what is exceptional will be made on:

- The assessment of your condition and the extent to which it is life-limiting or life-threatening;
- How your home is seriously impacting upon your condition;
- Knowledge and supply of the borough's housing stock; and
- The circumstances of other applicants awaiting a move on these grounds.

Cases referred on exceptional grounds will form part of our overall assessment of your application to move on Medical, Welfare or Hardship grounds. We will not normally tell you if we have referred your case to be assessed on exceptional grounds. If we find that you qualify for Exceptional Medical, Welfare or Hardship Priority, we will tell when we let you know the outcome of your application.

It is important you update your medical, welfare or hardship information and evidence if your situation changes. We may refer your case to the panel if we believe that your new circumstances mean you may meet the exceptional priority level.

What happens once I have been registered with this priority?

If you qualify for this priority and are a WCC Tenant, we will register you in Band C with 1000 points. If you qualify for this priority and are a Non-WCC Tenant, we will register you in Band D with 1000 points.

Unless you are assessed as Mobility Category 1, you will be able to use our CBL System to bid for a suitable home that matches your health, welfare and mobility needs.

6.3. Medical, Welfare and Hardship *and* Severe Overcrowding

WCC Tenants	**Band C**	**1000 points**
Non-WCC Tenants	**Band D**	**1000 points**

Who is this for?
WCC Tenants and Non-WCC Tenants who:

1. Live in a home that is severely overcrowded; ***and***
2. Qualify for Medical, Welfare and Hardship Priority.

How do I know if I qualify for this priority?

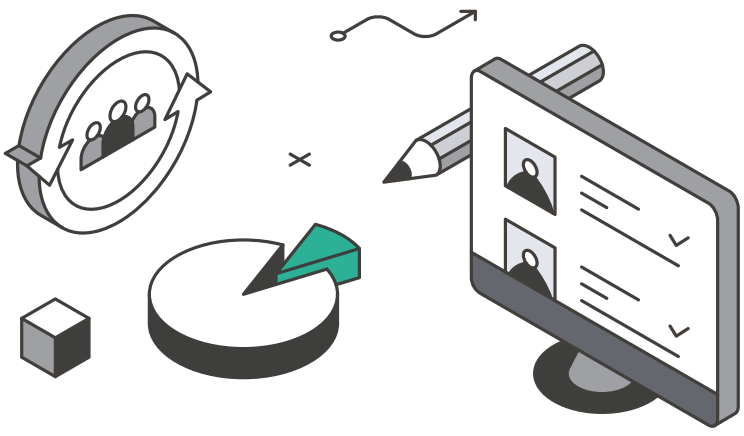
To qualify, you need to show that:

1. You are severely overcrowded as set out in Section 6.6. The rules for severe overcrowding are different if you are a WCC Tenant or Non-WCC Tenant.
2. You qualify for Medical, Welfare and Hardship Priority as set out in Section 6.5.

What happens once I have been registered with this priority?

If you qualify for this priority and are a WCC Tenant, we will register you in Band C with 1000 points. If you qualify for this priority and are a Non-WCC Tenant, we will register you in Band D with 1000 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable home that matches your health, welfare and mobility needs.



What is the Housing Health and Safety Rating System?

The Government's Housing Health and Safety Rating System ("HHSRS") identifies health and safety risks in people's homes. This includes a number of health risks that you may have because of overcrowding. These health risks may include psychological distress and mental disorders, or damage to a child's development. Overcrowded living spaces may also increase hygiene risks, risk of accident and the spread of contagious disease.

The HHSRS looks at 29 different health and safety risks (these are known as 'hazards') that may be in a home. Each hazard is given a score. This score will then fall into one of 10 bands. These bands range from A to J.

Any hazards that fall into Bands A to C are called 'Category 1 Hazards'. These are the most serious risks. We will give priority to people on the Housing Register who live in homes with Band A hazards because of overcrowding. This is usually described as having a lack of living space for sleeping and normal family household life.

If you want to know more about HHSRS you can visit: Shelter Legal England - HHSRS definition of hazards - Shelter England

What is Part X of the Housing Act 1985?

There are two standards in law which landlords use to decide if your home is statutorily (or legally) overcrowded:

1. The **room standard** looks at the number of rooms that can be used for sleeping and compares this with how many rooms you need. This may mean that your home could be overcrowded when two people of opposite sexes must sleep in the same room and do not live together as a couple. Children under 10 who share a bedroom are not counted.
2. The **space standard** looks at the number of people who live in the home and compares this with the *number*, and *size*, of the rooms that are available for sleeping in.

When the number of people who live, and sleep, in your home breaks either the legal **room standard** or the legal **space standard,** this is known as ***statutory overcrowding.*** If you want to find out more about the law on overcrowding in England, you can visit Shelter's website: https://england.shelter.org.uk/professional_resources/legal/housing_conditions/overcrowding

6.4. Cumulative Medical, Welfare and Hardship

WCC Tenants	**Band C**	**800 Points**
Non-WCC Tenants	**Band D**	**800 Points**

Who is this for?

WCC Tenants and Non-WCC Tenants where **more than one person** in your household qualifies for Medical, Welfare and Hardship Priority as set out in Section 6.5.

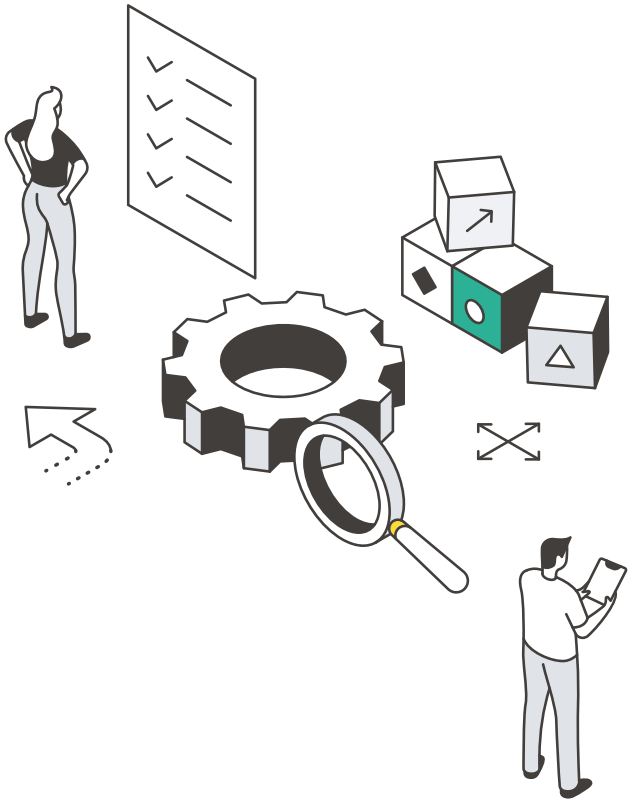
How do I know if I qualify for this priority?

To qualify for **Cumulative** Medical, Welfare and Hardship needs, more than one person in your household will need to meet the criteria for Medical, Welfare and Hardship Priority. You will need to provide the relevant medical assessment forms and information for each person that you would like to be considered towards **Cumulative** Medical, Welfare and Hardship Priority.

What happens once I have been registered with this priority?

If you qualify for this priority and are a WCC Tenant, we will register you in Band C with 800 points. If you qualify for this priority and are a Non-WCC Tenant, we will register you in Band D with 800 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable home that matches your health, welfare and mobility needs.



6.5. Medical, Welfare and Hardship

WCC Tenants	**Band C**	**600 points**
Non-WCC Tenants	**Band D**	**600 points**

Who is this for?

WCC Tenants or Non-WCC Tenants with Medical, Welfare and Hardship needs which have a severe impact on how you access your home or which make your home unsuitable for your needs.

How do I know if I qualify for this priority?

To qualify for Medical, Welfare and Hardship Priority, you will need to show that:

1. Your current home is causing serious negative effects on your severe and enduring medical problem. This means that it is very difficult for you to continue living in your home; **and**
2. It is not reasonable to adapt your home to meet your needs, and if you are a Non-WCC Tenant, your landlord cannot transfer you to another suitable home.

You will need to fill in a medical assessment form to give us information about your medical needs when you apply. You can see the form here: Medical Assessment Form | Westminster City Council

You will need to add relevant documents to show how you qualify for this priority. This can include:

- Any medical letters or reports.
- Prescriptions.
- A hospital discharge summary.
- Any Disability Benefit Award letters, for example Disability Living Allowance, Personal Independence Payment or Employment and Support Allowance.
- A patient summary from your GP.

In each case we may also ask a medical professional or other expert to give us their view on whether you qualify for Medical, Welfare and Hardship Priority.

What happens once I have been registered with this priority?

If you qualify for this priority and are a WCC Tenant, we will register you in Band C with 600 points. If you qualify for this priority and are a Non-WCC Tenant, we will register you in Band D with 600 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable home that matches your health, welfare and mobility needs.

6.6. Severe Overcrowding

WCC Tenants living in a severely overcrowded home OR you lack 3 bedrooms	
WCC Tenants Band C	800 points

Non-WCC Tenants living in a severely overcrowded home	
Non-WCC Tenants Band D	800 points

Who is this for?

WCC Tenants and Non-WCC Tenants who live in a home that is severely overcrowded.

How do I know if I qualify for this priority?

If you are a **WCC Tenant**, we will look at three things to decide if your home is severely overcrowded:

1. Does your home break the rules on statutory overcrowding? (This is set out in Part X of the Housing Act 1985) ***or***
2. Is your home classed as having a Band A Hazard due to overcrowding? (This is as set out in in the Government's HHSRS); ***or***
3. Does your home lack 3 bedrooms?

We will use our Bedroom Standard at Section 1.7 to decide how many bedrooms your household lacks.

If you are a **Non-WCC Tenant**, we will look at two things to decide if your home is severely overcrowded:

1. Does your home break the rules on statutory overcrowding? (This is set out in Part X of the Housing Act 1985) ***or***
2. Is your home classed as having a Band A Hazard due to overcrowding? (This is as set out in in the Government's HHSRS).

We will also look at other options available to you. If you are a tenant with a Registered Provider, we will first check if your landlord can help you move. If you rent privately, we will start by helping you find another private rented home that meets your needs.

What happens once I have been registered with this priority?

If you qualify for this priority and are a WCC Tenant, we will register you in Band C with 800 points. If you qualify for this priority and are a Non-WCC Tenant, we will register you in Band D with 800 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable home that matches your overcrowding needs.



6.7. Overcrowded – Lacking 2 Bedrooms

Band C **400 points**

Who is this for?

WCC Tenants who currently live in a home that is overcrowded because they lack 2 bedrooms.

How do I know if I qualify for this priority?

We will use our Bedroom Standard at Section 1.7 to decide how many bedrooms your household lacks. We will look at the size and makeup of your household and will only take into account eligible members of the original household. You will have been assessed as lacking 2 bedrooms under this criteria.

What happens once I have been registered with priority?

If you qualify for this priority, we will register you in Band C with 400 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable home that matches your overcrowding needs.

6.8. Overcrowded – Studio to 2 Bedroom

Band C **200 points**

Who is this for?

WCC Tenants who currently live in a studio flat but are overcrowded and need a 2 bedroom home. This is a Priority Group because we recognise that the impact of lacking 1 bedroom is more acute in a studio property which does not have a separate bedroom and living space.

How do I know if I qualify for this priority?

We will use our Bedroom Standard at Section 1.7 to decide how many bedrooms your household lacks. We will look at the size and makeup of your household and will only take into account eligible members of the original household. You will have been assessed as needing a 2 bedroom home under this criteria.

What happens once I have been registered with this priority?

If you qualify for this priority, we will register you in Band C with 200 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable home that matches your overcrowding needs.

6.9. Overcrowded – Lacking 1 Bedroom

Band E	1000 points

Who is this for?

WCC Tenants who currently live in a home that is overcrowded because they lack 1 bedroom.

How do I know if I qualify for this priority?

We will use our Bedroom Standard at Section 1.7 to decide how many bedrooms your household lacks. We will look at the size and makeup of your household and will only take into account eligible members of the original household. You will have been assessed as lacking 1 bedroom under this criteria.

What happens once I have been registered with this priority?

If you qualify for this priority, we will register you in Band E with 1000 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable home that matches your overcrowding needs.

6.10. Overcrowded – All-Adult Households

WCC Tenants who live in an overcrowded household with all-adults	
Band E	1000 points

Non-WCC Tenants who live in a severely overcrowded household with all-adults	
Band E	1000 points

Who is this for?

WCC Tenants who currently live in an overcrowded home and Non-WCC Tenants who live in a severely overcrowded home, where all household members are adults. This means you would be eligible to join the Housing Register, or you were previously registered under the overcrowding rules that are set out in Band C and Band D, but your household is all adults.

We will work with overcrowded all-adult households to look at the options available to them. If you go on the Housing Register, we will register you in Band E with 1000 points. This is a low Priority Band because we often find that there are other options to help some adult family members to move out. We have a very small supply of large homes and have to prioritise these for families with children who cannot move out on their own.

Our Overcrowded Family Offer aims to help adult family members who still live with their families in social housing to leave their parents' home.

How do I know if I qualify for this priority?

If you are a WCC Tenant we will look at the size and makeup of your household and will only take into account eligible members of the household, as set out in Section 1.5. We will have assessed you as overcrowded and lacking at least 1 bedroom.

If you are a Non-WCC Tenant, we will look at two things to decide if your home is severely overcrowded:

1. Does your home break the rules on statutory overcrowding? (This is set out in Part X of the Housing Act 1985) ***or***
2. Is your home classed as having a Band A Hazard due to overcrowding? (This is as set out in in the Government's HHSRS).

We will also look at other options available to you. If you are a tenant with a Registered Provider, we will first check if your landlord can help you move. If you rent privately, we will start by helping you find another private rented home that meets your needs.

What happens once I have been registered with this priority?

If you qualify for this priority we will register you in Band E with 1000 points.

Overcrowded households who are on the Housing Register often face a long wait to transfer to a larger home. This is why our Overcrowded Family Offer is likely to be the best option for you to reduce the overcrowding in your household.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable home that matches your overcrowding needs.

What happens if I have support needs that make it more difficult for me to move out independently?

We understand that some adult family members have physical, mental or learning difficulties which means it may be more difficult for them to move out and live independently. If this applies to you, or another adult family member, we will ask a medical professional to consider whether your needs would make independent living more difficult for you. If we agree that they would, your family's application will be considered with other overcrowded households that are not comprised of all adult occupants in Bands C or D, rather than Band E.

Our Overcrowded Family Offer

This offer aims to help adult children of social tenants to move out of their parents' home. We will look at each case on its merits. We will focus on the individual needs of each family to assess what help they need to resolve their overcrowding.

We can provide financial and practical support to move into the Private Rented Sector or into Intermediate Housing. We may also be able to help people find employment and training.

Options may include:

1. Children of Westminster social tenants, who are registered as overcrowded, may be placed in Priority Group 1 for Homes for Westminster's Intermediate Rent Scheme.
2. We may give practical and financial help to find a suitable home in the Private Rented Sector.
3. Adult family members may be able to apply to the Housing Register through the Next Generation Priority Scheme. See Section 7.3 for full details.

Section 7

Other Priority Groups





In Section 7 we will tell you about:

- WCC Tenants who want to move from a studio to a 1 bedroom home.
- The Next Generation Priority Scheme.

7.1. Studio to 1 Bedroom

Band C 200 points

Who is this for?

WCC Tenants who live in a studio and want to move to a 1 bedroom home.

This is a Priority Group because we recognise that many WCC Tenants may prefer to live in a 1 bedroom home rather than a studio. It also means that we can make a studio available to another single applicant which are in high demand across all Priority Groups.

How do I know if I qualify for this priority?

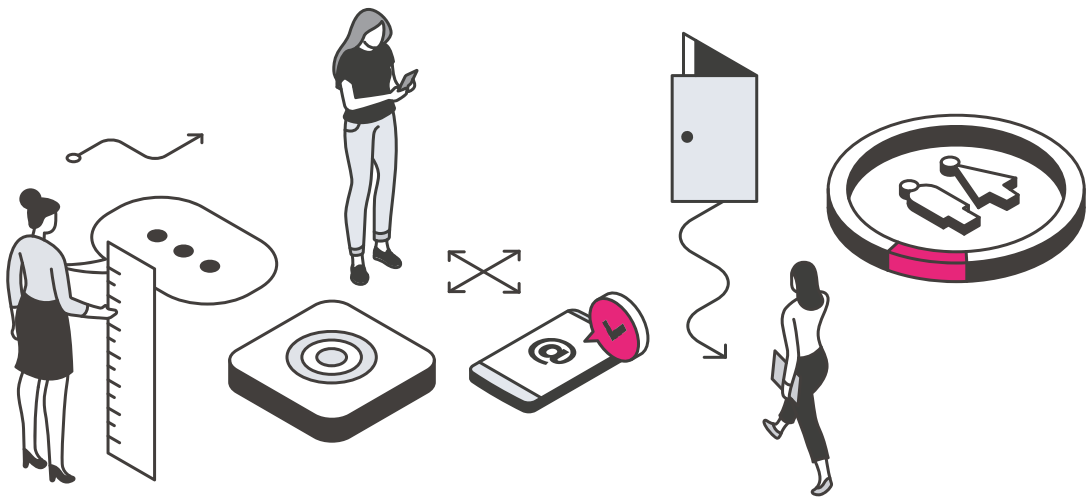
WCC Tenants must:

- Live in a General Needs studio and want to move to a 1 bedroom home.
- Have a secure tenancy and have completed 1 year as an introductory tenant.
- Kept their home in good repair and decorative order, allowing access for an inspection to confirm the condition if requested.
- Have no rent arrears.
- Not need to move due to another Priority Group such as Medical, Welfare or Hardship, or Overcrowding.

What happens once I am registered with this priority?

If you qualify for this priority, we will register you in Band C with 200 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable 1 bedroom home.



7.2. Next Generation Priority Scheme

Band D 400 points

Who is this for?

Adults who need to move out of their current home to a studio, 1 bedroom or 2 bedroom home and are:

- Registered as living in a WCC household (but not as the tenant), which is currently on Westminster's Housing Register in Band C (or another Overcrowded Priority Group) or
- Registered as living in a Non-WCC Tenant household (but not as the tenant), which is currently on Westminster's Housing Register in Band D (or another Overcrowded Priority Group)

How do I know if I qualify for this priority?

- You must be both 'eligible' and 'qualify' to join the Housing Register (see Section 1.3 and Section 1.4 of this Scheme for more details).

You must also either be:

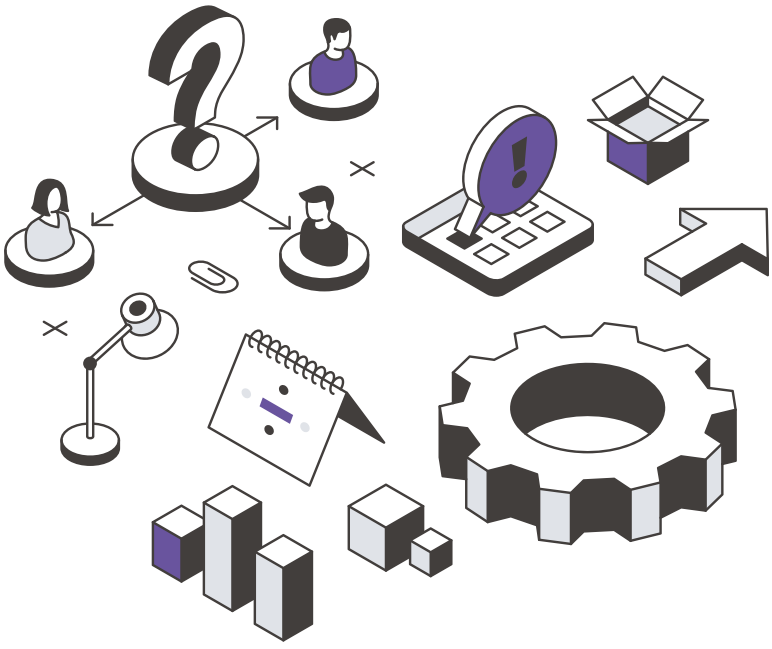
- Receiving Carers Allowance because you provide care for somebody living in Westminster; **or**
- Registered, and engaging, with WCC's Adults Social Services or Secondary Mental Health Services in Westminster.

When you apply for the Next Generation Priority Scheme, we will look at your case. If we think you qualify for a different Priority Group, we will advise you to apply to join the Housing Register on those grounds (for example Medical, Welfare and Hardship Priority).

What happens once I am registered with this priority?

If you qualify for this priority, we will register you in Band D with 400 points.

Typically, unless you are registered as a Mobility Category 1 applicant, you will be able to use our CBL System to bid for a suitable home. If we rehouse you under the Next Generation Priority Scheme, we will review the household you have left to see if they are still eligible to stay on the Housing Register and if they are in the right Priority Group.



Section 8

Community Supportive Housing





The Joint Assessment Panel for Older Persons.

We have set up a Joint Assessment Panel for Older Persons ("JAPOP") to review applications for CSH. JAPOP will assess applicants to see if they are able to manage their own tenancy with the support from CSH.

Because CSH is housing for older, sometimes more vulnerable people, JAPOP will also assess whether there is any reason why an applicant may not be suitable for CSH. We will assess each case on its own merits but reasons for rejecting an application may include:

- Mental or physical health problems that may mean someone would require accommodation with more specialist support.
- Ongoing challenges with substance misuse that may require a more specialist support setting.
- A history of anti-social behaviour.
- Someone under the age of 60 who does not have acute health or mobility problems.

If your application for CSH is rejected following review at JAPOP, we will tell you about the reasons for our decision in writing.

8.1. Community Supportive Housing

Who is this for?

Community Supportive Housing ("CSH") is the name we give to housing for people who are aged 60 or over. We may also accept people who are aged 55 or over if they have particularly acute health or mobility problems.

How do I know if I qualify for this priority?

To move into CSH, you must apply to join the Housing Register and have priority for housing as shown in Table 2 at Section 2.4. This includes if you have priority for rehousing under our Homeless Main Duty or Other Duty.

We will assess all applications for CSH using the same criteria as we use for those in the General Needs Priority Groups. These are shown in Table 1 at Section 2.4.

If you are a WCC Tenant living in a General Needs home and want to downsize to CSH, you may also be eligible for our Help to Downsize payment (see Section 4.1.3). This includes WCC Tenants who are moving from a 1 bedroom General Needs home into a CSH studio.

What happens once I have registered with this priority?

You will be able to use our CBL System to bid for a suitable CSH property. If you are a Mobility Category 1 applicant, we will provide you with a Direct Offer.



Section 9

Other ways we set priority and allocate social housing

In Section 9 we will tell you about other ways me might prioritise people for housing and allocate housing:Local Lettings Plans.

- Sensitive Lettings.
- Delegated Authority.
- Tenant Management Organisations (“TMOs”).





9.1. Local Lettings Plans

From time to time, we bring in Local Lettings Plans ("LLPs"). These will normally be restricted to areas of Westminster where we plan to carry out estate regeneration work or local infill schemes. This type of work often causes disruption to local people, and sometimes people must leave their homes while the work is being carried out.

The primary aims of LLPs are to:

- Help us encourage residents to build a sustainable community.
- Promote local resident support for new homes in an area.
- Tackle other housing needs in an area, such as reducing overcrowding.

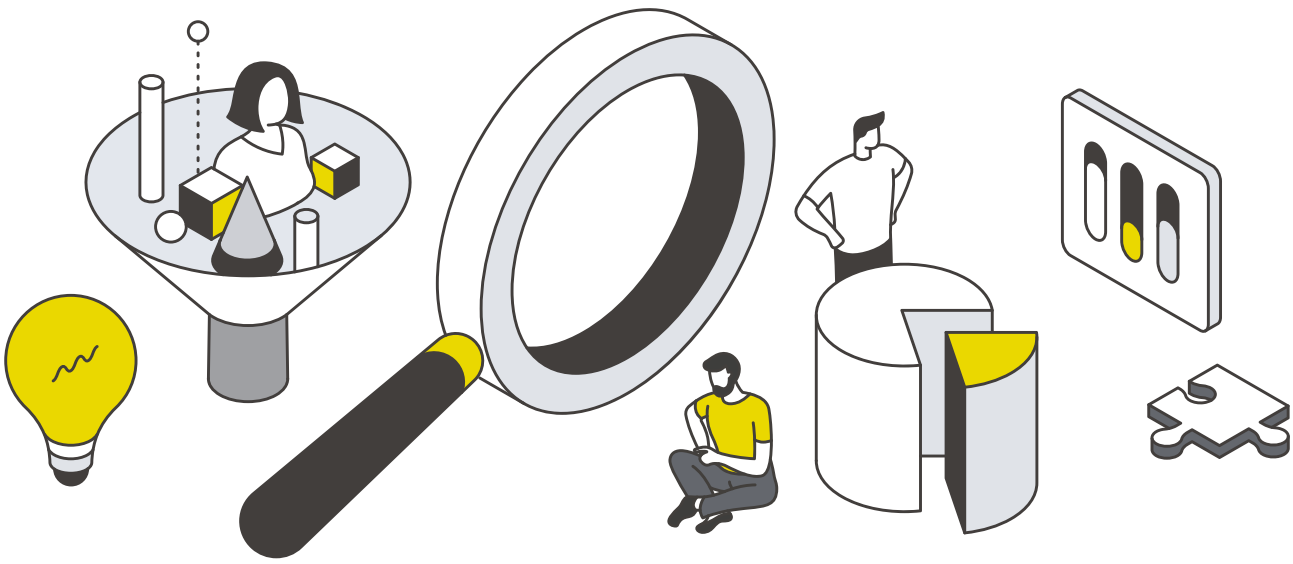
The Director of Housing Needs, in consultation with the Cabinet Member for Housing, will decide when a LLP will be agreed. They will also agree what geographical area the plan will cover; which groups will have priority; and the proportion of lettings that will go to people in the LLP area. The exact residential criteria and priorities of the LLP may differ between schemes but will have been clearly set out when the LLP was initially agreed.

LLPs are usually reserved for people who have lived in an area for at least 12 months. We usually give people priority in the following order:

1. Previous social housing tenants who had to move away so that the major works could take place and are now returning.
2. WCC Tenants who are registered for a transfer.
3. Homeless households where we owe a Main Duty and who have lived in the area for the past five years.
4. Anyone else living in the area covered by the plan.

Any properties not let through the LLP will be let in accordance with this Allocations Scheme in the usual way.

Homes that are suitable for people with more specialised needs may be left out of an LLP. If you are a tenant in an LLP area and you live in a home that is too large for your needs (according to our Bedroom Standard), we may offer you a property that is up to 1 bedroom larger than you need.



9.2. Delegated Authority

WCC's Director of Housing Needs has the power to make small changes to this Scheme when there is a clear housing need or good management reason to do so. This power has been granted by the Council - we call it a 'Delegated Authority'. This includes making decisions to give additional priority for individual applicants.

For example, the Director may use their discretion to make decisions about people's housing applications when there are exceptional needs or severe housing problems. This may mean there will be times when we do not offer a tenancy to the highest bidder for management or wellbeing reasons.

The Director may also use their discretion to prioritise different housing needs to make sure our lettings are fair and balanced. This will include making decisions about how we share the number of lettings across different Priority Bands throughout the year.

9.3. Tenant Management Organisations ("TMOs")

TMOs are legal bodies that support Council tenants and leaseholders to manage the homes they live in.

Where a property managed by a TMO becomes available to let, we advertise it through CBL. People will also bid and be shortlisted in the normal way.

Once bidders have been shortlisted to view a property managed by a TMO, some TMOs (or WCC on behalf of the TMO) will invite the shortlisted bidders to take part in a short interview. This is based on a set of questions we have agreed with the TMOs. The aim of the interview is to see who would best add to the sense of community on the estate and who would take an active part in helping to run the TMO. Not all TMOs hold interview panels. Where they don't, properties will be allocated to the highest-placed bidder as set out in Section 2.

After the interview, the TMO members will recommend which of the shortlisted bidders they would prefer to have the tenancy. WCC will make the final decision. We will base this on the result of the interview with the TMO and the TMO's recommendation. We will also take the bidder's priority for rehousing into account.

Community Supportive Housing is not part of the TMO process.

Sensitive Lettings

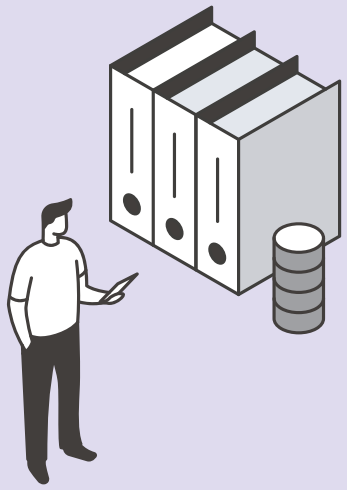
Sometimes we need to let a home sensitively to protect the needs and safety of vulnerable residents in an area.

If we decide a particular home needs a sensitive letting, we will only offer a tenancy to the would-be tenant once we are sure that they have no history of:

- Anti-social behaviour or nuisance; and
- Drug or alcohol dependency.

We will also need to make sure the would-be tenant has not caused any housing management problems in the past. This includes any behaviour while they were living in bed and breakfast or temporary accommodation.

There may also be times when a would-be tenant might be vulnerable due to the behaviour of someone in the neighbourhood. In this case we may decide not to offer them a home in that area. We may decide instead that it is better to offer the home through a Direct Offer to someone else on the Housing Register.



Section 10

Your right to information or for a review of your case





10.1. Your right to information

You have the right to information about certain decisions that we may take about your application, and you have the right to ask for a review of those decisions. We must give you that information free of charge. This includes information about how to apply, who is eligible or who qualifies for an allocation, and how we prioritise between applicants for social housing. You may also ask us for information about which Priority Band (if any) you are in, how many Priority Points you have, your position in that Band and how many properties that are suitable for your needs are expected to become available to let over the financial year.

You also have the right to ask us:

- How we are likely to treat your application under this Scheme. This includes whether we are likely to give you reasonable preference.
- General information that will help you assess whether we are likely to offer you accommodation that is suitable for your needs, and if so, how long this is likely to take.
- For information about how we have processed your application if you do not agree with any decisions we make in relation to it.
- About any facts that we have considered, or are likely to consider, when we make decisions about your application. This includes:
    - If we have decided that you are not eligible to join the Housing Register because of your immigration status.
    - If we have decided that you do not qualify for help under this Scheme.
    - If you think we have not looked at all the facts of your case.
    - If you think we have placed you in the wrong Priority Band or given you the wrong number of Priority Points.
    - If you are unhappy because we have placed you in the Delayed List or suspended your application.



10.2. Your right for a review of your case

You have the right to challenge, or ask us to review, any decision that you are not eligible to join the Housing Register because of your immigration status, that you do not qualify for help under this Scheme or about the facts of your case.

You also have the right to challenge, or ask us to review, an offer of a home that you do not think is suitable or right for you and your family. You will need to tell us why the offer was not suitable and provide evidence to support this. A senior officer, who did not make the initial decision, will carry out your review and we will take all reasonable steps to do this within eight weeks.

For homeless applicants, Section 202 Housing Act 1996 gives you the right to ask for a review of certain decisions. This includes decisions about:

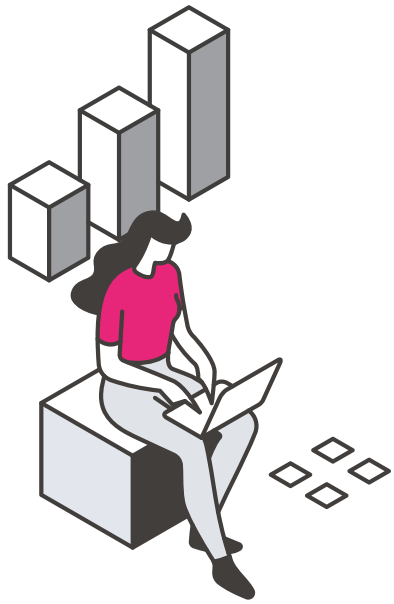
- Whether or not we agree that you are eligible for help with your housing.
- Whether or not we agree that we owe you a legal duty to help you with your housing problems.
- Whether the home we have offered you is suitable for your needs.

If you are a homeless applicant and are not happy with the result of the review, you can appeal to the County Court if you think our decision was wrong in law. The process and time limits for making a County Court appeal are complex, so you may need to get help from the Citizens Advice Bureau or a solicitor.

10.3. How to complain if you think we have made a mistake or not followed our Scheme

If you think we have made a wrong decision, the best option is to talk to us first. You can contact the Housing Service on 0207 641 1000.

The easiest way to log a complaint is through our website: https://www.westminster.gov.uk/about-council/complaints or you can contact the Housing Service.



Section 11

National Mobility Schemes, Mutual Exchange and Staff Re-Housing





11.1. National Mobility Schemes and Mutual Exchange

If you are a WCC Tenant and you want to move to a similar sized home, but you do not fall into one of our Priority Groups, you will not be able to join the Housing Register.

However, you may be able to arrange a mutual exchange with another tenant. A mutual exchange is when two Council or Registered Provider tenants swap their homes. Normally they will also swap their tenancies, but the rules are set out in law and can be complicated.

If you want to find out more about a mutual exchange, you can look at our Tenancy Policy tenancy_policy.pdf (westminster.gov.uk) or contact Housing Services.

We have also signed up to a range of mobility schemes that help social tenants move home if they are not on our Housing Register:

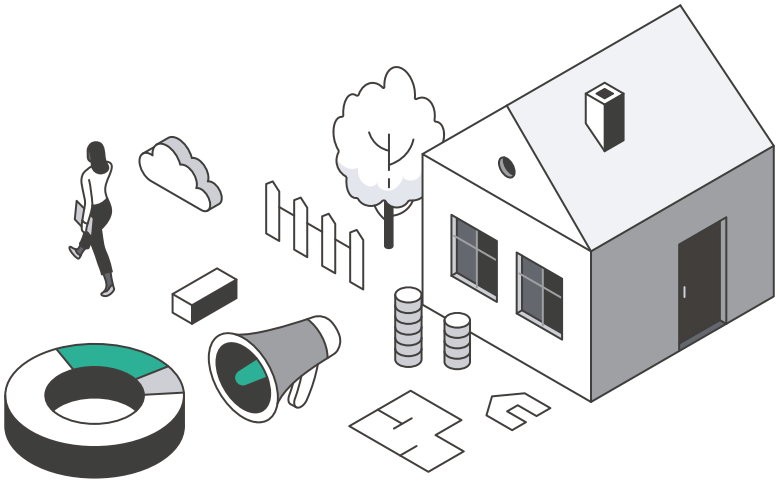
- Home Swapper is a national mobility scheme for social housing tenants. To find out more you can visit: HomeSwapper
- Housing Moves is London's choice-based lettings system which is open to victims/survivors of domestic abuse who are current social tenants and to former rough sleepers who are moving on from supported accommodation. To find out more you can visit: Housing Moves | London City Hall
- Seaside and Country Homes is open to social housing tenants in London where at least one member of the family is over 55. To find out more you can visit: Seaside and Country Homes | London City Hall

11.2. Rehousing WCC staff who need to live in WCC accommodation for work

Who is this for?

Occasionally, some people who work for WCC need to live in a Council home as part of their job. The term for this type of housing arrangement is *emolument accommodation.* Our HR Policy sets out the details of who is entitled to a Council home as part of their job. It also sets out the process for re-housing you if you leave a job with emolument accommodation. Please read the 'Accommodation for Staff' WCC HR Policy for further information.

Remember that policies do change over time, so please talk to HR if you need more advice.



Appendices





Appendix 1: Legal Framework

In the UK, Local Authorities (or Councils) must follow specific rules and guidelines when allocating social housing. These rules are set out in Part 6 of the Housing Act 1996. Please be aware that the law is subject to change, and you should always check the Government website to see the latest version.

The current guidance on allocations can be found at: https://www.gov.uk/guidance/allocation-of-accommodation-guidance-for-local-authorities. The current code of guidance on homelessness can be found at: https://www.gov.uk/guidance/homelessness-code-of-guidance-for-local-authorities.

The below is a summary of the legal framework. It does not take into account all circumstances; you should read the full legislation.

What is an allocation?

A Council allocates accommodation when it:

- Selects a person to be a secure or introductory tenant of accommodation held by that Council.
- Nominates a person to be a secure or introductory tenant of accommodation held by another person.
- Nominates a person to be an assured tenant of accommodation held by a private registered provider (or registered social landlord in Wales).

Allocations to Existing Tenants:

- Part 6 of the Housing Act 1996 does not apply to allocations made to existing tenants unless the transfer is at the tenant's request, and they have reasonable preference.
- Transfers without reasonable preference do not fall within Part 6, and Councils can set their own policies for such transfers.

Eligibility and Qualification: People who apply to join the Housing Register must meet certain criteria to be eligible for social housing. To be eligible a person must be a British citizen or have the right to live in the UK: this includes Irish citizens, those with settled status under the EU Settlement Scheme, and individuals with indefinite leave to remain.

Councils have discretion to set their own qualification criteria.

Reasonable Preference: Councils must ensure reasonable preference is given to certain categories of people, including:

- People who are homeless (even if they are intentionally homeless or not in priority need).
- People owed a duty by any housing authority under specific sections of the Housing Acts.
- People living in unsanitary, overcrowded, or otherwise unsatisfactory housing.
- People needing to move due to medical or welfare grounds, including disabilities.
- People needing to move to avoid hardship in a particular locality.

There is no requirement to give higher priority to applicants in multiple reasonable preference categories (this is often referred to as 'cumulative' need).

Applicants should not receive reasonable preference if it involves considering a restricted person (someone subject to immigration control without proper leave to remain in the UK).

Additional Preference: Councils can consider additional local factors, provided they do not dominate the Scheme, and reasonable preference is still given to statutory categories. Councils can give additional preference to individuals within the reasonable preference categories who have urgent housing needs (such as those with life-threatening illnesses, families in severe overcrowding, and those needing urgent rehousing due to violence or threats). Councils must give additional preference to former and serving members of the Armed Forces who need to move due to injury, medical conditions, or disability resulting from their service. This also applies to bereaved spouses and civil partners, as well as serving or former members of the Reserve Forces in similar situations.

Deciding on Priority levels: Councils may use a points or banding system to prioritise applications based on housing need. Councils can also consider other factors when deciding relative priorities between applicants with reasonable or additional preference, including:

- Financial resources.
- Behaviour: Higher priority can be given to tenants with 'good behaviour' or those who have positively contributed to the community.
- Local Connection: Defined by normal residence, employment, family associations, or special circumstances. Changes in legislation allow Armed Forces members to establish a local connection similar to civilians.

Local Lettings Policies: Councils may allocate specific accommodation to particular groups, even outside the reasonable preference categories, for various housing management and policy objectives.

Under-Occupation: Councils can consider rules that prevent statutory overcrowding and take into account Welfare Reform Act 2012 provisions reducing Housing Benefit for under-occupiers.

Supporting Work and Community Contribution: Councils can support households seeking work or contributing to the community, possibly by framing allocation schemes to give them some preference.

Carers: Accommodation offers should consider the need for a spare bedroom for carers who do not reside with the applicant but may need to stay overnight.

Prospective Adopters and Foster Carers: Applications requiring an extra bedroom for fostering or adopting a child should be carefully considered. Co-ordination with Children's Services to set aside a quota of properties for these applicants is recommended.

Choice and Preferences: It is for local authorities to determine their policy on providing choice and the ability to express preferences.

Reviews: Applicants have the right to request a review of certain decisions made about their housing applications.

Publishing and consulting on Allocation Schemes: Councils must publish a summary of their Allocation Scheme and, if requested, provide a free copy of it. They must also make the full Scheme available for inspection at their principal office and, if requested, provide a copy of it on payment of a reasonable fee.

When there is a major change to the Allocations Scheme, the Council must, within a reasonable time, take such steps as it considers reasonable to ensure that those likely to be affected by the change have the effect brought to their attention. Before a Council adopts an Allocation Scheme, or alters a Scheme to reflect a major change of policy, it should send a copy of the draft Scheme, or proposed alteration, to every Private Registered Provider with which they have nomination arrangements, and ensure they have a reasonable opportunity to comment on the proposals.

Appendix 2: Residency Priority Points – List of acceptable documents

All documents must show your name and address in Westminster:

- A tenancy agreement
- A mortgage statement
- A Council Tax document naming you as the person liable for Council Tax
- Inland Revenue tax notifications including child and family tax credits
- Pay slips
- A P60 or P45
- An Annual Pension Statement
- A bank, building society or credit card statement
- A home insurance policy
- Your children's birth certificates
- Identity Card or Home Office travel documents
- TV licence
- A full or provisional UK photocard driving licence
- Utility bills: gas, electricity, water rates or landline (not mobile) phone
- A HM Revenues and Customs self-employment tax exemption certificate with photo



Appendix 3: Suspending tenants and homeless applicants who are in rent or service charge arrears

WCC Tenants

Your rent is due every Monday and if you choose to pay fortnightly or monthly you will need to pay it in advance.

We look at the rent account system each Monday to see who may need to be suspended from bidding or receiving a Direct Offer because they are in arrears.

If you make a payment to clear your rent or service charge arrears after midnight on Saturday it will not show up on your account the following Monday. So we will not be able to lift your suspension until the following Monday.

Tenants who owe more than one week's rent or service charge will usually be suspended from bidding until the arrears are reduced to below this amount. If you pay by Direct Debit or Standing Order, we receive these payments at different times during the month, so we monitor them differently. We review these cases every five weeks. If your rent account is more than five weeks in arrears, it means we haven't received your monthly rent and service charge, or there's been a shortfall in your payment. If this happens, we will suspend your bidding rights until the Monday after we receive the missing payment or you cover the shortfall.

If you pay by Universal Credit, this will be paid directly to your bank account each month and you are responsible for paying your rent and service charges. If you receive Housing Benefit, you are responsible for paying any rent and service charges that are not covered by your benefit. We will not take any arrears due to unpaid Housing Benefit or the housing element of Universal Credit into account. However, you will need to give us all the information that you have given to your benefit provider so that we can be satisfied that you are entitled to receive the Housing Benefit or Universal Credit payment.

If your benefit has not been assessed by the expected date, we will review your housing application date to decide whether it is appropriate to suspend you from bidding or receiving a Direct Offer.

If you have former tenant arrears and arrears on non-residential properties, we will not take these into account when we decide whether to suspend you from bidding or receiving a Direct Offer.

Non-WCC Tenants in rent and service charge arrears

If you are on the Housing Register and you currently live in a private rented home or a Registered Provider home, we will not rehouse you if you have more than one week's arrears.

If we are making you a discretionary offer following the death of the tenant, your 'use and occupation' account must not be in more than one week's arrears when you bid or when we offer you a property.

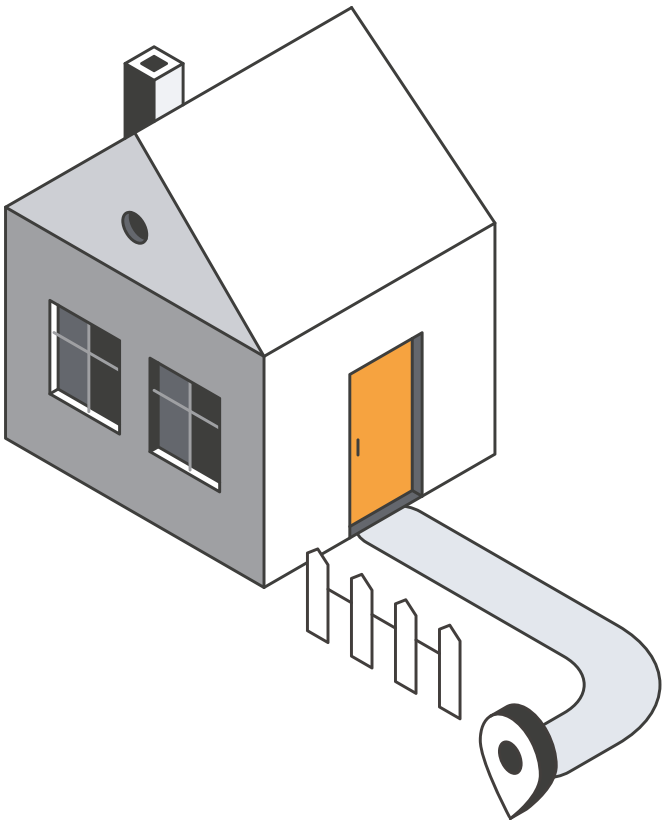
Homeless applicants who are in arrears

If you are in bed and breakfast accommodation, we will suspend you from bidding or receiving a Direct Offer if you are in arrears with the charges you must pay. In practice, we usually do not take arrears of up to £1,000 into account but we will use our discretion when making this decision. We will normally count any arrears you have built up on other properties.

If you are staying in self-contained accommodation that is owned and managed privately (either by a private managing agent, or by a Registered Provider) we will normally suspend you from bidding or receiving a Direct Offer if you have arrears above £1,000. However, if you are renting from a private landlord under the Private Sector Lettings Scheme, we will suspend you if your arrears are above £500.

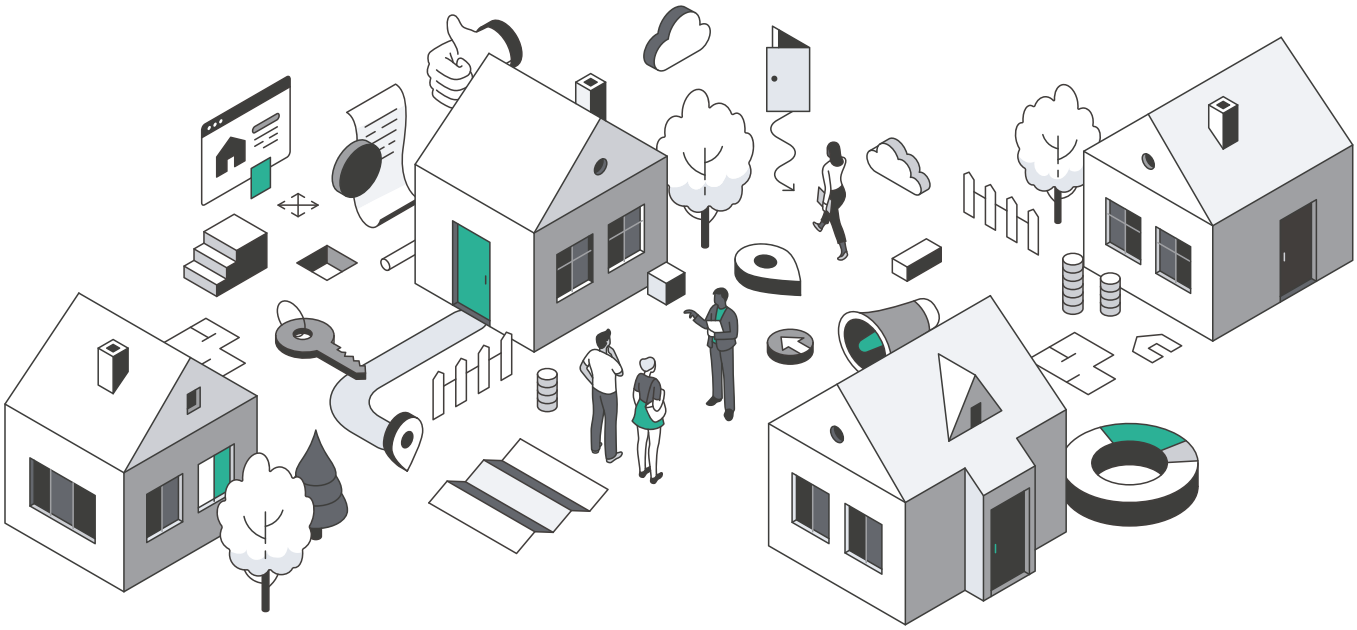
If you are staying in self-contained accommodation that is owned by WCC, we will use the same policy as we do for WCC Tenants.

If you are a Homeless applicant with arrears of under £1,000 but you have a record of persistent non-payment, we will use our discretion to decide whether to suspend you from bidding or receiving a Direct Offer until your arrears have been cleared or reduced. In such cases we will write to you to tell you how much you will need to pay before we will allow you to bid again or receive a Direct Offer.



If you need help with homelessness, please visit www.westminster.gov.uk/housing/homelessness/get-help-homelessness or call 020 7641 1000 if you need urgent assistance.

For full information on how to contact Housing Services and register for housing, please visit www.westminster.gov.uk/housing.



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