NOMINATIONS
POLICY
AND
SCHEME

FOR HERTSMERE’S
HOUSING REGISTER
APPLICANTS
1. **INTRODUCTION**

This document explains the Council’s policy and scheme for registering and assessing the priority of people who want the Council to put their name forward for housing associations’ accommodation.

2. **OBJECTIVES**

The Council aims to make sure everyone has equal access to housing accommodation.

The Council will comply with all laws concerning the allocation of housing, in particular the sections concerning housing in the Race Relations Act, Sex Discrimination Act, the Commission for Racial Equality’s Code of Practice in Rented Housing, the Housing Act 1996 and the Homeless Act 2002 together with Regulations and Codes of Guidance under it.

The Council will operate an open and fair system, which gives applicants/tenants priority according to their degree of housing need. The Council will look particularly at:

- all categories of homeless people
- people who are living in unsatisfactory housing for example insanitary or overcrowded accommodation
- people who need to move on medical or welfare grounds
- people who need to move to avoid hardship to themselves or others – examples are to escape violence or threats of violence; to be closer to special facilities; to provide or receive support from or to another person and to move to a cheaper part of the district

The Council will set targets for each part of the process of an application for housing, keep a record of whether the targets are achieved and report the results to the Executive.

3. **NOMINATIONS SYSTEM**

(a) **General**

The Council does not own any housing accommodation but it has made arrangements to nominate people on its Housing Register for vacancies that occur in the housing stock of Housing Associations with properties in Hertsmere.

In general terms the Council can nominate people to all the lettings of new Housing Association property in the Borough and between 50 – 75% of other vacancies.

In the case of waiting list applicants, the Council will decide which people to nominate from its register by assessing priority using the Points System. (See Section 8 ‘Points System’ for further details). For applicants who have been accepted as homeless, the Council will nominate people using the date they moved into temporary accommodation.

The council allocates between 50 – 75% of nominations received to statutory homeless households who are living in temporary accommodation.

People accepted onto the Council’s Housing Register will complete the Joint Application Form for Housing which means they will be considered for three separate waiting lists: the Council’s Housing Register, William Sutton Homes waiting list and Aldwyck Housing.
Association’s waiting list. Each organisation has its own allocation system and applications will be assessed for eligibility and prioritised according to the respective individual Allocations policy.

(b) **Customer Information**

The Council will publish and make readily available copies of this document to anyone considering applying for housing accommodation in the Borough. Copies will be sent to all Housing Associations operating in Hertsmere together with Local Authority and National/Local Organisations and Advice Centres.

If an applicant disagrees with a Council decision on housing, the applicant can ask for a review of the decision at any stage. Full details of the review procedure are given in a separate leaflet, which is available upon request from the Housing Unit.

(c) **Location**

The Council currently has nomination rights to dwellings in the following areas:

<table>
<thead>
<tr>
<th>Bushey/Eastbury Road, Watford</th>
<th>Radlett</th>
<th>Shenley</th>
<th>South Mimms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Borehamwood</td>
<td>Elstree</td>
<td>Ridge</td>
<td>Potters Bar</td>
</tr>
</tbody>
</table>

4. **HOUSING REGISTER**

(a) **Consideration of Applicants**

Legally the Council can only consider nominating people to Housing Associations if they have been assessed in accordance with the Council’s Nominations Policy and Scheme and are on the Council’s Housing Register.

*Applicants applying from outside the Borough of Hertsmere will need to be registered on their own Council’s Housing Waiting List to enable this Council to fully assess their circumstances.*

(b) **Eligibility for Registration**

People in the categories below will be considered for inclusion on the Housing Register:

- Anyone over the age of 18 years
  It is also possible for people under 18 years to be considered but the Head (or Deputy Head) of Housing Services must be satisfied that appropriate assessments have been carried out and arrangements made under the Young Persons’ Joint Protocol with Social Services
- any people to whom the Council has a responsibility under the homeless persons legislation.
- existing tenants who are secure, introductory or assured tenants of a registered social landlord
- People from overseas who have indefinite leave to remain in the UK.
- People who have an interest in a property elsewhere, for example in a former marital home will be entitled to register, but will not be nominated for a permanent tenancy until the property issue has been resolved and they no longer have a legal interest in it.
Hertsmere Borough Council - Nominations Policy and Scheme

*Applicants through the H.O.M.E.S scheme who are eligible to join the Housing Register will be accepted and assessed in the normal way.*

(c) **Exclusions from Housing Register**

The following people will not be entitled to register:

- asylum seekers who are ineligible under Section 9 of the Asylum and Immigration Act 1996 and people from abroad who are not eligible to make a claim for Housing Benefit.
- people from abroad who fail the habitual residence test
- applicants or members of their household who have a recent record of anti-social behaviour which makes them unsuitable to be a tenant of which the following are examples:

  People who have had formal legal action taken against them for:

  (i) nuisance in the locality where they live
  (ii) violence or threatened violence towards a member of their household, neighbours or others in the locality where they live
  (iii) people who have been violent towards staff of the Council, another statutory authority or a Registered Social Landlord

- people who have had formal legal notices i.e. a Notice of Seeking Possession served against them for rent arrears with a Registered Social Landlord, and the arrears are still outstanding.

People with a record of anti-social behaviour or in rent arrears with a Registered Social Landlord may be considered for registration where the Head (or Deputy Head) of Housing Services is satisfied that there are urgent and essential health and/or social reasons (medical and/or social reports will be considered), and:

(a) suitable and sufficient arrangements have been made for any arrears to be cleared. This must be verified by the Registered Social Landlord

or

(b) anti-social behaviour will not continue into a new tenancy

Those excluded from the Register on the grounds of anti-social behaviour will not be considered eligible for registration for 2 years.

(d) **Application for Registration**

Application forms can be obtained from the Housing Unit at the Civic Offices, Elstree Way, Borehamwood or by telephoning 0208-207-7420. If any assistance is required to complete an application form, a member of staff will be pleased to help you.

(e) **Areas of Choice for Accommodation**

Applicants must indicate in which of the following areas they prefer to be housed.

<table>
<thead>
<tr>
<th>Area</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Any area in Hertsmere</td>
</tr>
<tr>
<td>2</td>
<td>Borehamwood, Radlett, Elstree</td>
</tr>
<tr>
<td>3</td>
<td>Shenley, Ridge, Borehamwood</td>
</tr>
</tbody>
</table>
Applicants will be given the opportunity to provide details of any special circumstances regarding their preferred area of choice.

(f) **Review of Registrations**

The Council will review each application on its housing register annually on the anniversary of the date the applicant first registered. Applicants will be asked to complete and return forms for this purpose.

Applicants are asked to notify the Housing Services Unit of any change in their housing circumstances which may affect their inclusion on the Housing Register or the priority of their application.

(g) **Offences**

It is an offence deliberately to give false information or to withhold information about an application. Penalties for such an offence could mean:
- a fine of up to £5000
- removal from the Housing Register
- possession by the landlord of any tenancy obtained

(h) **Removal from Register**

Anyone already on the Housing Register, who then becomes ineligible to be on it, will have their name removed.

The Council will only remove people from its Housing Register after legal requirements have been met. Details can be obtained from the Housing Services Unit.

(i) **Fraudulent applications**

Applicants successfully prosecuted for making a fraudulent application will be excluded from the Housing Register for 5 years. In cases where there are urgent and essential health and/or social reasons, the Council will have discretion to waive or reduce this time period. (Medical and/or social reports will be considered).

5. **OFFERS OF ACCOMMODATION**

One suitable offer of temporary accommodation will be made to persons to whom the Council has a duty under the homelessness legislation.

In the case of households accepted as homeless and placed in temporary accommodation, one offer of suitable accommodation will mean that the Council’s statutory homelessness duty to
provide temporary accommodation will come to an end. An applicant refusing an offer of permanent accommodation would need to satisfy the Council that the offer was not suitable or reasonable to accept.

All applicants will be considered equally for different types of accommodation e.g. house, flat, maisonette, based on housing need and the type of accommodation required. This excludes properties that the Housing Association has reserved for the elderly or special needs groups. The highest priority applicant on the Housing Register will be nominated for the next available dwelling if it matches the applicant’s housing need.

A nomination will be made on the basis of the number of points an applicant has at the time a nomination is requested, or the date placed into temporary accommodation. The Council reserves the right to make further enquiries and re-assess points before an offer is made.

If accommodation has special features, people with special needs e.g. physical disabilities and learning disabilities could be considered before other people with more points.

In extremely exceptional circumstances households accepted as homeless may be offered accommodation other than in date order.

The Council reserves the right to withdraw a nomination offer for any of the following reasons:

(a) Information supplied by the applicant is found to be false or misleading
   (see also Section 4 (i) ‘Offences’)

(b) Information on the dwelling offered by the Housing Association for nomination is found to be incorrect which makes the accommodation unsuitable.

6. REHOUSING OUTSIDE THE COUNCIL AREA

The Council is registered with the Housing Organisations Mobility and Exchange Service (H.O.M.E.S) and has reciprocal arrangements with other Local Authorities and Housing Associations operating outside Hertsmere. It may be possible for the Council to nominate applicants for accommodation in other areas through one of these schemes, or through any future arrangements as may be determined. Further details can be obtained from the Housing Services Unit.

Applications through the HOMES scheme will be considered from applicants needing sheltered accommodation, three bedroom flats/maisonettes above the ground floor, and to properties where tenants must be over 40 and children over 16. There is a limit to the number of applications that the Council can accept under this scheme. Applicants should contact the Council’s Nominations Officer.

7. CONFIDENTIALITY

All applications for accommodation will be dealt with in strict confidence and the Council undertakes not to divulge any information given in an application to anyone other than the applicant and an Association receiving the nomination, without the applicant’s permission.
8. **POINTS SYSTEM**

(a) **Highly Vulnerable Applicants**

Applicants who are unable to find accommodation for themselves because they are vulnerable due to, for example, discharge from an institution, violence, threats of violence, age, infirmity, physical or learning disability, severe mental illness or degenerative disease.

The award of such points will only be given in exceptional circumstances and will be subject to detailed social and medical consideration and satisfaction by the Head (or Deputy Head) of Housing Services that the applicant will be able, with appropriate support to live independently in accommodation provided.

(b) **Temporary or Insecure Accommodation**

<table>
<thead>
<tr>
<th>Points</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>60</td>
<td>Currently accommodated in temporary accommodation under the Homelessness legislation</td>
</tr>
<tr>
<td>50</td>
<td>Other hostel accommodation(excluding night shelters)after 6 months’ residence</td>
</tr>
<tr>
<td>50</td>
<td>Currently without permanent accommodation</td>
</tr>
<tr>
<td>40</td>
<td>Likely to lose accommodation within 3 months</td>
</tr>
<tr>
<td>25</td>
<td>Likely to lose accommodation within 6 months</td>
</tr>
</tbody>
</table>

(c) **Separated Family**

<table>
<thead>
<tr>
<th>Points</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Members of the same family who are forced to live apart through lack of accommodation only.</td>
</tr>
</tbody>
</table>

The application will be assessed by assuming the family is living together in whichever property offers the best living conditions.

(d) **Room Deficiency**

Points are awarded for lack of accommodation based on a standard which assumes that a family is entitled to one living room and a kitchen, plus bedrooms according to the size of family. Self-contained bedsits are considered to be adequate units for single persons.

The extent of housing need is also assessed by considering the total number, age, sex and relationship of persons included in the application against the requirements according to the following criteria:

- Single person - bedsit/one bedroom
- Couple - one bedroom
- Couple or single person and one child - two bedrooms
Couple or single person and two children same sex, combined ages 0-10 years - two bedrooms
Couple or single person and two children different sex, combined ages 0-8 years - two bedrooms
Couple or single person and two children same sex, combined ages 11 plus years - three bedrooms
Couple or single person and two children opposite sex, combined ages 9 plus years - three bedrooms
Couple or single persons and three children - three bedrooms
Couple or single person with four or more children - four bedrooms (or a larger 3 bedroomed property)
For each bedroom an applicant has less than the above standard at the date of registration  5 points

(e) Need for Smaller Accommodation

If an applicant’s existing accommodation is larger than needed or required the following points will be awarded:-

<table>
<thead>
<tr>
<th>Points</th>
<th>One bedroom</th>
<th>10</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Two bedrooms</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Three bedrooms</td>
<td>20</td>
</tr>
</tbody>
</table>

(f) Shared Rooms

Living in privately rented accommodation and sharing a bathroom, WC, kitchen or living room with other people not in the same household.  5 points

(g) Condition of Existing Accommodation

The current accommodation does not have a bath/shower or hot water supply to a bath or shower, wash hand basin or kitchen sink or has poor internal or external arrangements but is otherwise fit.  5 points

Properties which are fit for human habitation, do not require works of substantial repair, but exhibit items of disrepair which materially interfere with the comfort of the occupants.  5 points

Properties which are fit for human habitation but in need of substantial repairs to make them reasonably fit for occupation and to prevent them becoming unfit.  10 points

Properties which are unfit for human habitation.  15 points

The determination of fitness will be based on statutory criteria and may be subject to consultation with Environmental Health Department and Housing Officer.

(h) Caravans and Mobile Homes

Occupation of a caravan or mobile home on a registered site.  5 points
(i) **Unsuitable Arrangements for Children**

Lack of access or exclusive use of a garden and/or living in flats or maisonettes above ground floor level.

<table>
<thead>
<tr>
<th>Points</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Families with 1 or 2 children below 13 years of age</td>
</tr>
<tr>
<td>10</td>
<td>Families with more than 2 children below 13 years of age</td>
</tr>
</tbody>
</table>

(j) **Separation of Sexes**

A boy and a girl with combined ages of 9 years plus sharing a bedroom

<table>
<thead>
<tr>
<th>Points</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>A boy and a girl with combined ages of 9 years plus sharing a bedroom</td>
</tr>
</tbody>
</table>

(k) **People who need to move on medical grounds**

Medical condition of a household resident directly affected by present housing. Points to be awarded on a sliding scale, as follows:

<table>
<thead>
<tr>
<th>Points</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>No Priority</td>
</tr>
<tr>
<td>5</td>
<td>Low Priority</td>
</tr>
<tr>
<td>10</td>
<td>Medium Priority</td>
</tr>
<tr>
<td>25</td>
<td>High Priority</td>
</tr>
<tr>
<td>50</td>
<td>Urgent Priority</td>
</tr>
</tbody>
</table>

There has to be a direct link between present accommodation and medical condition that can be improved by rehousing. Applicants applying from outside the Borough of Hertsmere will need to be registered on their own Council’s Housing waiting list to enable this Council to fully assess their circumstances, including detailed information about the property they are currently occupying and its effect on the applicant’s medical condition. Other Councils may be asked to carry out home visits on behalf of Hertsmere for this purpose.

Applicants providing new or additional information will be reassessed by the Council’s Medical panel as soon as possible.

A separate leaflet, which can be obtained from the Housing Services Unit, describes the procedures for assessing the medical considerations.

(l) **Disability**

Applicants with a disability adversely affected by current living conditions or who would benefit from a different type of housing, if these factors have not been recognised elsewhere in the Points Scheme.

<table>
<thead>
<tr>
<th>Points</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Applicants with a disability adversely affected by current living conditions or who would benefit from a different type of housing, if these factors have not been recognised elsewhere in the Points Scheme</td>
</tr>
</tbody>
</table>
Limited Means

Persons with **Limited Means** to Secure Housing Accommodation. (This does not apply to applicants in receipt of benefits or to those over pensionable age. See section (n)).

Single persons and couples who need one bedroomed accommodation - 10 points are added for each complete year on the Housing Register.

In order to be awarded points under this category, applicants will be required to supply information that their financial assets and net disposable income are insufficient for them to acquire accommodation elsewhere.

Low Income Points and benefit points

Other Applicants (this includes applicants who are single persons or couples who are on benefits).

- Applicants on Income Support, in receipt of Housing Benefit or other similar Benefit.

These points are housing needs points and are included in the 50% annual time on register points.

Guide as to how the Council will assess applicants for limited means and low income points:

Applicants whose gross earnings exceed the following levels will NOT receive the low-income points:

- 1 Bed £21,000
- 2 Bed £28,000
- 3 Bed £35,000
- 4 Bed £42,000

Applicants including owner-occupiers who have savings or assets (including equity in any property) over £75,000

Proof of financial assets will be required.

Social Factors

There is a range of Social Factors that can affect housing situations which do not fit easily into other points categories. Examples are as follows:

- Need to give to or receive support from friends or relatives in another area
- Environmental problems - garden needed on medical grounds, busy road, far from public transport/shops
- Separation of incompatible neighbours
- Need to locate near a special facility
- Severe financial hardship
The Head (or Deputy Head) of Housing Services will have the discretion to award for each social factor category 5, 10 or 15 points depending on the perceived housing need.

Circumstances covered elsewhere in the policy (e.g. overcrowding, lack of garden for children, property condition) will not receive Social Factor points in addition to those already covered elsewhere.

Where there is domestic violence, racial or sexual harassment present that makes existing housing intolerable, 50 points will be awarded.

(p) **Time on Register**

Points for time on the Housing Register will be half the total of other points applying at the time. They will be calculated and added annually on the basis of the points applying at the time. If there are no other points awarded, no time points can be obtained. Also previous time points will be removed. An example of how the time points will be given is shown below:

<table>
<thead>
<tr>
<th>Applicant 1</th>
<th>Applicant 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.4.97</td>
<td>1.4.97</td>
</tr>
<tr>
<td>Application Registered</td>
<td>Application Registered</td>
</tr>
<tr>
<td>1.4.98</td>
<td>1.4.98</td>
</tr>
<tr>
<td>Needs Points</td>
<td>Needs Points</td>
</tr>
<tr>
<td>50</td>
<td>30</td>
</tr>
<tr>
<td>Time points</td>
<td>Time points</td>
</tr>
<tr>
<td>25</td>
<td>15</td>
</tr>
<tr>
<td>Total points</td>
<td>Total points</td>
</tr>
<tr>
<td>75</td>
<td>45</td>
</tr>
<tr>
<td>1.4.99</td>
<td>1.4.99</td>
</tr>
<tr>
<td>Needs points</td>
<td>Needs points</td>
</tr>
<tr>
<td>60</td>
<td>20</td>
</tr>
<tr>
<td>Time points</td>
<td>Time points</td>
</tr>
<tr>
<td>2 years at 30 points</td>
<td>2 years at 10 points</td>
</tr>
<tr>
<td>60</td>
<td>20</td>
</tr>
<tr>
<td>per year</td>
<td>per year</td>
</tr>
<tr>
<td>Total points</td>
<td>Total points</td>
</tr>
<tr>
<td>120</td>
<td>40</td>
</tr>
<tr>
<td>1.4.2000</td>
<td>1.4.2000</td>
</tr>
<tr>
<td>Needs points</td>
<td>Needs points</td>
</tr>
<tr>
<td>30</td>
<td>0</td>
</tr>
<tr>
<td>Time points</td>
<td>Time points</td>
</tr>
<tr>
<td>45</td>
<td>0</td>
</tr>
<tr>
<td>per year</td>
<td>per year</td>
</tr>
<tr>
<td>Total points</td>
<td>Total points</td>
</tr>
<tr>
<td>75</td>
<td>0</td>
</tr>
</tbody>
</table>

Needs points are a total of all the points awarded at the time with the exception of time points.

(q) **Housing Need and Local Connection**

Applicants who have a local connection to the Borough of Hertsmere will be awarded 50 points to recognise their need for housing in the local area.

‘Local connection’ is defined as follows:

- Anyone who has lived in Hertsmere for six out of the previous twelve months or three years out of the previous five years
• Anyone who has a close relative who has lived in the Borough continuously for the five years preceding the date of application (a close relative is a parent, son, daughter, brother, sister, step parent, son etc. and in some cases members of a foster family). In exceptional cases where there are no other living relatives Officers may use their discretion to consider another close relative as a valid connection.

• Anyone who has been employed in the Borough for 6 months, but not on a casual basis. (The nature of the work, its regularity as well as terms and conditions of employment will be used to determine if the work is casual)

(r) Deliberate Worsening of Circumstances

Where it is found that an applicant has deliberately worsened housing circumstances, previous points levels will still apply.

(s) Change in Circumstances

Applicants must notify the Housing Services Unit of any change in their circumstances that will materially affect any application made.

Note:
Types of accommodation - unmet housing needs

In certain instances an offer of the next available property to the next applicant on the Housing Register in order of priority need may not satisfactorily meet that applicant’s housing needs. In such cases the Council will look at the ‘unmet needs’ and remaining level of housing needs points and consider whether it would be more appropriate to nominate this property to another applicant further down the list whose housing need would be fully met by the offer. This situation might occur where a family is offered a flat above the ground floor but would still qualify for ‘unsuitable arrangements for children’ points due to lack of access to a garden.

FOR FURTHER ADVICE AND ASSISTANCE, CONTACT THE COUNCIL’S NOMINATIONS OFFICERS ON 0208 207 7420