

Housing Allocation Scheme

August 2011 revision



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

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1 Introduction

This document explains the options available for those looking for a home in the Royal Borough of Kensington and Chelsea (RBKC), and in particular sets out which groups of people are priorities for Council assistance.

The Council can offer advice to anyone who is looking for a home in the Borough, whatever your circumstances. We can also offer advice on finding accommodation outside of the Borough, in areas where accommodation is more plentiful and more affordable, including areas which allow reasonable travel into the Borough for work or study.

There are large numbers of people looking for accommodation in Kensington and Chelsea. The Council can only offer practical help to a very limited number of households. This document sets out the Council's priorities for assistance with finding a home.

Help may include working to enable you to remain where you are living now (where appropriate), assisting you to find a home in the private rented sector, helping you towards owning your own home, or nominating you for a tenancy of a home owned by a social landlord.

1.1 Housing in Kensington and Chelsea

The Royal Borough of Kensington and Chelsea is a very popular place to live. There are many different types of home in the Borough, including homes to buy on the open market or through affordable home ownership schemes; homes to rent from a private landlord or from the Council and housing associations; homes designed for particular groups, for example, sheltered housing for older people, or housing with on-site support.

Many people are looking for housing provided for rent by the Council or social landlords. We have an extremely limited supply of social rented housing: each year we expect there to be fewer than 500 households housed into social rented housing, although there are over 6,500 households registered as looking for this type of accommodation. In the past five years, over 1,000 households have joined the register each year. Of the properties let each year, usually over half are suitable only for single people and couples, and very few indeed are family homes with three or more bedrooms. Most properties, including family homes, are flats rather than houses and very few ground floor properties are available.

Most people on the register will never be offered a social housing tenancy, however long they wait; for them, waiting for a social rented home is unrealistic, and other options must be considered. This might include privately rented property, or moving further afield.

The Council works with social landlords to increase the supply of affordable rented, intermediate rented and low-cost home ownership properties in the Borough, but

there are very limited opportunities for development in the Borough – for more information about our approach to developments see our website, especially:

<http://www.rbkc.gov.uk/planningandconservation/planningpolicy/localdevelopmentframework/strategichousingassessment.aspx>

And:

<http://www.rbkc.gov.uk/planningandconservation/planningpolicy/corestrategyexamination.aspx>

We also work with other boroughs across West London to support the development of new affordable housing, and some homes are therefore available to RBKC applicants for rent, or affordable home ownership in other boroughs.

This document sets out the Council's priorities for assistance to those seeking housing in the Borough, including the Council's allocations policy for social rented housing. It also meets the legal requirement for the Council to provide a statement on choice.

The policy will be reviewed at least every five years.

1.2 What the Allocation Scheme is seeking to achieve

The Allocation Scheme reflects the Council's ambition to be a borough with outstanding quality of housing of all tenures, which is sustainable, and which enables a diverse population to live as part of the same community. To achieve this ambition the Council has pledged to provide a range of housing and support options to support working households, to prevent homelessness and to promote mobility.

The Allocation Scheme reflects the Council's priorities to support local families and to tackle overcrowding. The Council is committed to providing assistance to those with a disability, including maximising the supply of accessible accommodation, and to support older people living in the Borough to find appropriate accommodation.

The Council works within existing legislation and its policy gives some priority for social rented housing to other people as required by legislation, whilst seeking to make sure that our communities are balanced and local employment is encouraged and supported. These requirements are set out below.

1.3 Eligibility to join the Housing Register

Most people can register their housing need with the Council, although the chances of rehousing are very slim, unless you are assessed as being in housing need, and in one of our priority categories for rehousing.

Some people are not eligible to be on the Council's Housing Register.

The Secretary of State has the power to determine who is a non-qualifying person. In addition, the Council has the power to apply a test to determine whether certain applicants or members of their household who have been guilty of unacceptable

behaviour serious enough to make them unsuitable to be council tenants should be made ineligible.

The following categories of people are currently ineligible:

a Tested by the Secretary of State.

People subject to immigration control and people from abroad who have not been made exempt by the Secretary of State, as listed in appendix two.

b Tested locally by the Royal Borough of Kensington and Chelsea:

- i People who have supplied significantly false or misleading information on their application for housing.
- ii Any applicant who has paid money to obtain a tenancy with either the Council or a housing association operating within the Borough.
- iii Any applicant or member of their household who has been convicted of, or had legal action taken against them for: violence, racial harassment, threatening behaviour, any other anti-social behaviour, any physical or verbal abuse towards staff of the Council, its contractors, or housing associations. Legal action here includes convictions, serving of injunctions, notice of intention to seek possession, court order, revocation of licence to occupy.

Applications from people excluded under b) will need to demonstrate a change in behaviour. Usually, applications under bi) will be reconsidered after 12 months, and under bii) and biii) after five years, during which there has been no repeat occurrence. Earlier reviews may be considered.

2 Housing options

As noted above, there is a severe shortage of social housing in the Borough, and all applicants are therefore strongly recommended to consider all possible options for future housing. These may include:

- Privately rented housing in the Borough, in less expensive parts of London, or further afield. For more information on help with finding a privately rented home, see: <http://www.rbkc.gov.uk/housing/informationonprivaterenting.aspx>
- Moving to a privately rented home linked to training or employment. The InComE project may help adults to move out of overcrowded council or other social landlord properties AND access training and qualifications. For more information, see: <http://www.sbhq.co.uk/Home/SBHA/InComEproject/tabid/1422/Default.aspx>
- Low-cost home ownership: schemes to help you buy your own home, if you cannot afford the full cost: www.rbkc.gov.uk/housing/findingahome/affordablehomeownership.aspx

- Reducing your overcrowding by asking some members of your household to leave
- Moving to an area of the country where properties are more freely available. Schemes available to help with this include HomeStart, Seaside and Country Homes:
<http://www.rbkc.gov.uk/housing/movinghome/movingtotheseaside.aspx>
- Staying where you are, but getting help to make your property more suitable for your needs. This may include assistance to make the best use of space, or adapting your home to make it more accessible:
<http://www.rbkc.gov.uk/housing/grantsandadaptations.aspx>
- A mutual exchange (swapping homes with another tenant). We have a register of households in and out of London who are keen to move to, or within, the Borough. You can view this on Home Connections:
<http://www.homeconnections.org.uk/>

The Council's Housing Options Advisors or other independent advice agencies in the Borough can advise you on housing options. Social housing in the Borough is in such short supply that if you have a social rented tenancy, you are very unlikely to be able to move to another council or social rented home in a reasonable period through the Housing Register.

If you are already homeless, or think you may be going to lose your home, you should contact the Housing and Homelessness Assessment Team. It is important that you talk to us as soon as possible – we may be able to help you to keep your current home, at least for a time whilst you look at your housing options, and prevent you having to move into temporary accommodation. If you do become homeless you may face a wait of many years in temporary accommodation before being housed permanently. Most temporary accommodation is situated outside the Borough, and you may have to live in another area for a very long time until you are offered permanent housing.

3 Our priorities

The Council offers advice to anyone looking for a home in the Borough. However, support and assistance can only be offered to households who the Council considers should be given priority. This support and assistance may include helping the household to find appropriate accommodation in the private rented sector, or through low-cost home ownership, or through social renting. The Council considers whether you live in the Borough, and how long you have been living there, when deciding whether or not to assist.

The Council offers some priority to groups defined by legislation as needing to be given 'reasonable preference'. This includes:

- People who need to move on medical or welfare grounds, including needs relating to a disability

- People occupying insanitary or overcrowded housing, or otherwise living in unsatisfactory conditions
- People who are homeless, including those who are not in priority need or who are intentionally homeless
- People owed a duty under various sections of the Housing Act 1996 relating to homelessness.

The Council also considers the following groups to be a priority for housing assistance:

- People in social rented accommodation which is larger than they need and which could be let to a family in need
- People in social rented accommodation which is suitable for disabled occupiers, and could be let to someone who needs that specialist accommodation
- People placed in supported accommodation by the Council, who are ready to move to independent living, and are working locally
- Victims of domestic violence and others who are at risk of harm where they live now.
- People recommended by the Council's Children's Services as suitable to foster or adopt one or more children, but need more appropriate accommodation in order to do so.

Priority between these groups is decided using a points scheme, which is set out below. The points scheme is used to decide who we can provide assistance to, for any of the housing options set out above. All applicants are awarded points according to an assessment of their needs by the Council.

We do not award priority to people who say that they need to move to a particular locality within the Borough, because the area covered by the Borough is small, and transport within it is very good, so there should be no hardship arising from living in one part of the Borough rather than another. If, exceptionally, we are satisfied that there will be such hardship, we will award 5 'locality hardship' points.

We also offer assistance to social housing tenants who wish to move out of their existing homes into the private sector, or to other areas, because this frees up homes for people who urgently need them.

Most social housing tenancies are advertised through the Home Connections scheme. More information on this scheme is included below. The points scheme is used to decide who should have priority for homes advertised under Home Connections.

3.1 Summary of points categories

The table below shows the points awarded for different types of need.

Table 1: summary points table

Category	Points
Exceptional priority	1,000
Emergency health and independence	1,000
Vacating homes	1,000
Supporting health and independence A	700
Supporting adoption and fostering	700
Redevelopment of homes	200
Overcrowding A	200
Contractual duties	200
At serious risk of harm	200
Local residence	100
Move-on priority	100
Homeless A	100
Homeless and in work	50
Elderly needing support	50
Overcrowding B	5
Health and independence B	5
Poor quality housing	5
Homeless B	5
Locality hardship points	5
Has rent arrears/being taken to court by landlord for rent arrears	Zero
High financial resources or owns property	Zero
Has legal interest (joint or sole tenancy) in a property	Zero
Out-of-borough applicant with no need to move to Borough	Zero

3.2 Exceptional priority

Points for exceptional priority can only be awarded by the Head of Housing, or a named delegated officer. Exceptional priority will be given where an applicant has to move urgently. We anticipate that there will be very few exceptional priority cases each year. Where exceptional priority is awarded, it may be more appropriate for us to make a direct offer of a suitable property to the applicant, to enable them to move as quickly as possible.

3.3 Emergency health and independence

Emergency health and independence points will be awarded to people who have a medical condition or disability which affects their health very severely and where their property is totally unsuitable for their needs. These points are assessed on the needs of the eligible household, taking into consideration the health and independence needs of all those registered on the application in one assessment.

Where these points are awarded, they will be reassessed every three months.

3.4 Vacating homes

The vacating homes points level will be awarded to households who are:

- Looking to move from a property with two or more bedrooms to a smaller property. You may also be eligible for extra help with a move: <http://www.rbkc.gov.uk/housing/movinghome/under-occupationscheme.aspx> This can include a move from one property to two smaller properties, where other members of the household wish to live independently, but only if the net property occupied is less than previously. For example, a couple living in a four-bedroom house with a daughter who has a child herself would be eligible to move to a one- bedroom and a two-bedroom property but not to two two-bedroom properties. If the couple are the tenants then they would be awarded the points for vacating homes and be able to bid for a property. Once they had accepted somewhere, the daughter would be given under-occupation points and made a direct offer. She would be occupying the property without tenancy rights and would therefore be expected to move once alternative accommodation had been made available
- Looking to move from a property which has been adapted for a disabled person, where the current occupier no longer needs those adaptations and the Council believes it can let the property to someone who does. These points can also be awarded where someone is looking to move from a property which is particularly suitable for someone with a disability, even though it has not been adapted. This applies to properties registered on the Accessible Housing Register, categories A-E. You may be eligible for further help with your move: for more details see our 'Mobility Transfer Scheme'
- Being asked to move from a property where there is a legal right of succession but the property is too large for their needs

- In exceptional circumstances, the Head of Housing or named delegated officer may award these points to applicants living in council properties but with no legal right of succession, to allow a move to a smaller property. The Council does not encourage landlords to offer discretionary successions; any award of these points is at the Council's discretion, taking into account the length of time the applicant has lived at the property and their ability to meet their own housing need.

3.5 Redevelopment of homes

These points will be awarded to Council and social landlord tenants who have to leave accommodation in which they are legally residing with a secure or assured tenancy, because it is being demolished for redevelopment or significantly refurbished, and where the Council has an agreed decant programme in operation. The terms of any moves will be set out in a separate offer to affected tenants and leaseholders. Decanting tenants will be supported to find alternative accommodation, and where necessary direct offers will be made (see Section 4.10).

3.6 Overcrowding

The Council has a strategy to tackle overcrowding in all tenures. This includes: supporting households to move to more appropriate accommodation; working with them to make best use of their existing home; providing advice to adults who could move out. In trying to find solutions for overcrowded households we will look at all tenures, because we have very few larger family homes. Each year only around 50 homes with three or more bedrooms are available for letting, and not all of these can be let to overcrowded households as some are needed for people with other needs.

We will award 200 points where a household is lacking two or more bedrooms in their existing accommodation, according to our definitions of what space is needed. Applicants must meet our definition of household: many families live with additional family members who will not qualify as part of a household under this scheme (see Section 4.3).

We will award five points for a household lacking one bedroom, according to our definition of what space is needed.

Please see Section 4.6 below for how we calculate the number of bedrooms you have now and the size of accommodation you need.

If you are overcrowded, you should consider all the options available to you, including whether any adult members of your household can move into separate accommodation to relieve the overcrowding. You can contact our housing opportunities advisors for advice:

<http://www.rbkc.gov.uk/housing/movinghome/overcrowding.aspx>.

You must not deliberately make your home overcrowded, for example, by moving from a property which meets your needs to one which is too small for you. If

we believe you have deliberately made your household overcrowded, overcrowding points are highly unlikely to be awarded.

If you live with other people in their home, you may not be eligible for severe overcrowding points on your application (refer to Section 4.4 for further details).

3.7 Supporting adoption and fostering

The Council is working to increase the number of opportunities for children in care to be fostered and adopted. We will award 700 points on recommendation from RBKC Children's Services that someone has been assessed as suitable to foster or adopt one or more children, but needs more appropriate accommodation in order to do so. The number of cases each year that can be awarded these points may be capped, to ensure that other households in housing need are given a fair chance to find accommodation. Direct offers of suitable accommodation may be made to applicants in this category.

3.8 At serious risk of harm

These points can only be applied for by a third party: Children's Services, Adult Services or the police. The referral will be considered by a panel, and points will only be awarded where there is a real and serious risk of harm to a child or adult in the household, unless an urgent move can be obtained. Examples might include a household experiencing domestic violence or harassment, or where a child will be taken into care unless a related adult is rehoused to accommodation where they can be supported. The situation will have been assessed to ensure that there is no immediate risk and that the child or adult can remain in the household until they are rehoused.

Where these points are awarded, they will be reassessed every three months.

3.9 Move-on priority

Move-on priority points may be awarded to people who are: resident in supported accommodation or care that has been provided or paid for by RBKC, or where RBKC have placed you; ready to move to independent living; and where the Council has a statutory obligation to provide ongoing help and accommodation, or where it has decided to give additional priority.

Most people leaving supported accommodation or care will not be entitled to move-on priority, because there are large numbers of people moving on, and we do not have enough accommodation to meet the needs of everyone. Those who are not awarded priority will be given support to help them find other types of accommodation. The Council has decided to prioritise those with the highest needs, and those who are in employment and are unlikely to be able to afford to remain in the Borough due to the high costs of accommodation.

If you are in supported accommodation and want to move on, you can apply to join the Housing Register and have your housing needs assessed, but only a small number of people will receive move-on priority. You should contact the Council's

supported placement and move-on coordinators and your accommodation provider for advice on other options, within or outside of the Royal Borough.

Move-on priority points for those leaving supported accommodation or care are awarded by the Supported Housing Move-on Panel. Priority will be awarded to those who are ready to move into independent living and:

a Have been working averaging 16 hours or more per week, for six months or more. The work must be paid work, not voluntary work or training. (For more information about the definition of work see Section 3.18.)

or

b Have exceptional and multiple needs which mean that their chances of maintaining a private sector tenancy are significantly lower than for other people leaving supported accommodation. This will usually mean people to whom the Council owes a statutory duty (eg, under homelessness legislation, the Children Act, community care, or mental health legislation), and may exceptionally include others who have failed in previous tenancies and have a high need for stability, for example, due to mental ill health.

All move-on applicants must have had their continuing support needs assessed and, if necessary, have a support plan agreed with a support worker, who will remain in contact after the move.

Where move-on points are awarded, applicants will be supported to look for accommodation, and to be flexible in their choices. Points will be reassessed after six months (see Section 3.19).

3.10 Contractual duties

These points will be awarded where the Council or the Tenant Management Organisation has a contractual duty to provide accommodation. This normally only applies where the applicant has previously been provided with accommodation as part of employment, and the contract of employment guarantees ongoing accommodation. These points will be awarded three months before the contract is due to end, and reassessed after six months (see Section 3.19).

3.11 Supporting health and independence

A key aim for the Council is that everyone should have a home which enables them to live independently. Where a property has a negative impact on someone's health or independence, we will try to resolve those problems if possible rather than simply enabling a move. Such help can include working with the applicant (and their landlord, if the property is rented) to tackle disrepair, or to make adaptations to make the home more suitable for their needs.

If you need help to make your home suitable for your needs, you can contact: People First (<http://www.rbkc.gov.uk/healthandsocialcare/peoplefirst.aspx>) or Adult

Social Care on **020 7361 3013**. If you need help arranging works to your home, you can also call Staying Put Services (0800 9170839).

Supporting health and independence priority is awarded to households where, in the current home. A disability or long-term health condition has a significant impact on the independence of the applicant or a member of their eligible household (see definition at Section 4.3), or where such people are unable to access essential facilities, and where a move to a more suitable property would enable independence or access to essential facilities. This includes a dependent child with a long-term limiting illness or a disability.

We have a severe shortage of suitable properties (including ground floor properties) for those who need accessible housing and/or housing adapted for disabled people: it is best to consider first whether the current home can be made suitable. For more information about applying for accessible housing, see Section 4.8.

Households are only offered this priority where it can be demonstrated that a move would enable them to develop independence and access essential facilities, or would have a significant impact on a long-term medical condition. Priority is not awarded simply because the applicant or a member of their household has ill-health: many applicants have serious medical conditions, but not all of these can be improved by moving to another property.

Moves on the grounds of mental health or learning disabilities will be considered, taking into account advice from adult social care, and whether there are properties available which are likely to meet the applicant's needs better than where they are now. All such applicants should receive advice on their housing options, including considering whether to stay where they are, whether they are likely to be able to move under Home Connections, and whether a move out of borough would be beneficial.

The assessment staff can award:

- One thousand points for 'emergency health and independence'.
- Seven hundred points for 'supporting health and independence A': where a move would enable independence or improve access to essential facilities, for someone whose health or independence is significantly compromised by their existing housing.
- Five points 'health and independence B' for all other medical conditions where the health or independence of the applicant or a member of their household is compromised by their existing housing.

Generally, moves are not considered for common medical problems which rarely have a sufficiently large impact on independence to warrant higher priority under this category.

The health and independence needs of a household will be assessed at the same time, taking into consideration the health and independence needs of all those

registered on the application in one assessment. Points can be awarded for any member of the eligible household.

The Assessment Team will consider what accommodation is needed. They assess mobility needs against agreed London-wide categories, and award priority for properties which are accessible to the applicant and their household. For more on applying for accessible housing, see Section 4.8.

If you (or a member of your household) has a disability or long-term medical condition which means that your current home limits your independence or prevents access to essential facilities, then you should tell us about this. We will ask you to provide details. Your medical and social care information is seen only by our assessment staff, who may contact your GP or social worker direct for any further information required. **Please do not ask your GP or anyone else to write to us.**

Please do not ask us to reassess your health or independence needs unless they have changed significantly since we last assessed them, for example, if you have been diagnosed with a new health problem, or your independence has been reduced following a hospital admission.

If you disagree with our assessment of your needs, you can ask for a review if you believe we have failed to take into account medical facts and relevant considerations or to follow procedures. More information about reviews of decisions can be found at Section 8.

3.12 Elderly requiring and wanting support

Some of our sheltered accommodation is particularly suitable for older people who need support. We will therefore prioritise vacancies in this accommodation to those who have the greatest needs. Older people (aged 60 and over) who need supported accommodation can be awarded 50 additional points. These vacancies will be advertised as particularly suitable for this group.

We also have accommodation which may only be occupied by older people, but which is less suitable for those who need support, and older applicants with all kinds of needs will be considered for this. See Section 4.9.

3.13 Homeless households

The Council works to prevent homelessness wherever possible. We can provide a full assessment of options, as well as access to mortgage advice, debt advice, and a tenancy relations service, to help prevent you losing your home due to financial difficulties or difficulties with your landlord.

If you think you might be at risk of becoming homeless you should contact our Housing and Homelessness Assessment Team who will work with you to try and prevent you from becoming homeless. They will look at all the options open to you, including staying where you are or finding a home in the private sector. **If you become homeless and are housed in temporary accommodation by us, you**

are likely to be living there for several years; much longer if you are waiting for a larger family home.

For households who are already homeless, the Council will assess whether they have a statutory duty to provide temporary or permanent housing. Homeless households are awarded priority for permanent housing as follows:

- Five points for anyone who is eligible and homeless but is not owed a full statutory duty for rehousing by this Council (homeless B). This will include households who are owed a statutory duty by another local authority and who have been placed in temporary accommodation within the Borough
- One hundred points for the households where we have accepted a full statutory duty to rehouse (homeless A) under section 193(2) of the Housing Act 1996 or the previous legislation.

Households will only be awarded homeless A or homeless B points. Some households may also be eligible for homeless in work points (see Section 3.14).

If you are awarded homeless A points, you have a realistic chance of rehousing and should bid actively and frequently, being as flexible as you can about your choice of property. If you have not been successful in finding a property within 12 months of us awarding you 'Homeless A' points, we may make you a direct offer at any point, but it may be many years before we are able to do so. You should read the sections on direct offers at Sections 4.10 and 3.19, and we advise you to continue to bid actively in order to choose where to live: a direct offer will not give you choice but will be a suitable offer and if you unreasonably refuse it, the Council is likely to consider it has ended its duty to you.

3.14 Homeless in work

One of the Council's priorities is to help people into work, and to support them in work. Homeless households who are working often face additional difficulties in meeting the costs of expensive temporary accommodation and risk losing employment or running up large debts. To encourage homeless households to get into, or stay in, work, 50 extra homeless-in-work points are awarded to help working homeless households move more quickly.

These points will only be awarded:

- Where the Council has accepted a full statutory duty to rehouse a household; and
- The applicant or their partner is in work averaging 16 hours or more per week, and has been in work for six months or more (see Section 3.19); and
- The cost of their current accommodation means that it is unaffordable without support from Housing Benefit.

3.15 Poor quality housing

The Council works to tackle poor quality housing, whatever the tenure. Our Private Sector Housing Team can arrange property inspections, and can offer advice and support to owners and landlords on how to make homes safer. Where necessary, they will take further action including statutory notices, enforcement actions (including prosecution) or works in default (carrying out urgent works and reclaiming the costs). Where possible, we encourage tenants and occupiers to stay in their homes.

If an applicant's housing is of poor quality, including hazards identified under the Housing Health and Safety Rating System, we will award five points.

3.16 Local residence

The Council wishes to give priority to households who have been living in the Borough for some time, in order to ensure that we focus on meeting the needs of people who most need to stay in the Borough. These points will be awarded to applicants who have been living in the Borough at the time of applying for housing who have lived in the Borough for the past three years continuously. Where an applicant is resident in RBKC at the time of applying but for less than three years, local resident points are awarded on the third anniversary of their move to the Borough. Proof of residence will be required.

In order to ensure that we do not disadvantage applicants to whom we owe statutory duties, we will also award local residence points to applicants who:

- Were placed out of Borough by the Council, under a statutory duty, and now wish to return. This includes all homeless households who have been placed in temporary accommodation outside the Borough. It also includes those placed in residential care, or residential educational establishments, outside the Borough. These households will retain their local residency points until rehoused
- Were placed into training flats or other short-term accommodation out-of-borough but now wish to return. Such applications will be dealt with by supported move-on co-ordinators, and local residence will continue to apply for up to 12 months
- Are owed a statutory duty to be provided with permanent accommodation by us, whether or not they are currently living in the Borough
- Are to be rehoused under a reciprocal arrangement with any other council
- Have no immediate local residence due to service overseas with the British Armed Forces, but have strong family connections to the Borough.

In order to avoid giving false hope to local households who are not in housing need, local residence points will ONLY be awarded to applicants who meet the local

residence criteria, set out above AND who have been awarded at least 50 other points, for any combination of housing needs.

3.17 Locality

We do not award priority to people who say that they need to move to a particular locality within the Borough, because the area covered by the Borough is small, and transport within it is very good, so there should be no hardship arising from living in one part of the Borough rather than another. If, exceptionally, we are satisfied that there will be such hardship, we will award 5 'locality hardship' points.

3.18 Award of points for different circumstances

Applicants with multiple needs will have all their needs assessed and can be awarded points for several different needs, eg, overcrowding, health and independence, and poor quality housing.

Only one set of points can be awarded within each type of need, so:

- Overcrowding A or B
- Supporting health and independence: emergency or A or B
- Homeless A or B.

3.19 Definition of work

Some categories of points require an assessment of work.

Move-on priority linked to work will only apply where the applicant is working; homeless in work priority can only apply if the applicant or their partner is working.

For both priorities, work must be:

- Paid work – not voluntary work or training
- Full-time or part-time averaging 16 hours or more per week.

The worker must have been in work for at least six months at the time of awarding points, and must remain in work in order to retain priority.

Proof of work will be required when we award priority, and again at the point at which you are offered a tenancy. For employees, proof will usually comprise pay slips. **If you are self-employed**, please contact us to discuss what proofs of work you can provide. You will need to provide three months' most recent payslips both at the time you register on the CHR and when you are nominated for or made a permanent offer of housing.

Our Income Recovery Team will investigate proof of work, and will check proofs of work against other records, including Housing Benefit. We will take action against anyone found to be committing fraud.

3.20 Time limits on points

For some needs, the points awarded will have a time limit imposed, during which the applicant is expected to actively seek accommodation. When the time limit expires, the Council will reassess the needs and the attempts made to secure housing, including through Home Connections. Points may be removed, or, if no suitable properties have been available in the period and the need still exists, the time period may be extended. For some categories of need, a direct offer of housing will be made by the Council or a partner housing association. For more information on direct offers see Section 4.10.

3.21 Zero priority

In looking at what priority a household should have, we may award zero priority to some households who are eligible to join the register, but who we determine as not having local priority. Each case will be considered on its individual merits, and applicants will be informed in writing of any decision and the grounds for it. Applicants may request a review of any decision to award zero priority:

- i Applicants who own a property or have sufficient financial resources to meet their own housing needs. We define financial limits in appendix one, which is updated regularly (at least every two years).
- ii Applicants who retain a legal interest (joint or sole tenancy or ownership) in a property.
- iii Applicants living in temporary accommodation provided by the Council who have more than six weeks' rent arrears, or the equivalent of six weeks' charges, or who have accrued £1000 arrears and have not made an arrangement to repay and maintained repayments for at least four months from the date of the arrangement. In exceptional circumstances the Head of Housing or a delegated officer may relax the requirement for repayment of rent arrears where rehousing is urgent or to meet the needs of the Council.
- iv Applicants against whom the TMO or council has initiated legal proceedings for non-payment of rent, Council Tax or overpaid Housing Benefit (other than where the applicant has entered into an agreement to repay the money owed and is keeping to this agreement). RSL and private sector tenants whose landlord has initiated legal proceedings as a result of rent arrears (other than where the applicant has entered into an agreement to repay the money owed and is keeping to this agreement). In exceptional circumstances the Head of Housing or a delegated officer may relax the requirement for repayment of rent arrears where rehousing is urgent or to meet the needs of the Council.
- v Any tenant whose landlord has initiated legal proceedings for a breach of tenancy other than rent arrears.

- vi Applicants who do not live in the Borough, and cannot demonstrate a reason for needing to move to the area. Out of borough applicants who have a housing need (50 points or more) will have their reasons for needing to move assessed by the Head of Housing or a delegated officer, who will determine whether or not to award zero priority in each case. Out of borough applicants should note that the excellent transport networks across London mean that few households living in other boroughs will be able to demonstrate a real need to move to the Borough.

Some households are ineligible for rehousing, so will not be able to join the Housing Register. This is not the same as being zero priority. These households are identified as at Section 1.3, with more detail on immigration status in appendix two.

3.22 Priority date order

Where two or more applicants have the same number of points, priority is given to the applicant with the earliest priority date.

The priority date is the date of the application to the Housing Register, except for applicants awarded points in the higher needs categories as follows:

- For emergency health and independence, exceptional needs, at risk of harm, health and independence A: the priority date is the date of receipt for assessment for these categories
- For supporting adoption: the priority date is the date of receipt of referral from social care
- For overcrowding A: the priority date is the date at which you informed us of the severe overcrowding (this may be the date of application or a more recent date when your household changed, eg, through birth or adoption)
- For homeless in work: the priority date is the date of homeless application if in work at that point, otherwise the date at which the applicant or applicant's partner has been in work for six months.

See summary table in appendix three.

4 Choice Based Lettings scheme

Choice-based Lettings is our scheme for allocating social housing under which applicants 'bid' for properties via the **Home Connections website** (<http://www.homeconnections.org.uk/>). The majority of social housing vacancies are advertised via the Home Connections website; a small number of properties are let as 'direct offers' (see Section 4.10).

The Council is putting its customers at the heart of its business, and promoting choice is just one way of doing this. Choice-based Lettings offers applicants seeking social rented housing the opportunity to choose which properties suit their needs best.

However, whilst choice is a very important part of the scheme, the severe shortage of available properties in the Borough, particularly larger, family sized housing, means that applicants who want to move need to be as flexible as possible about where they will live, and what type of property they will live in (eg, on which floors and area). It should also be noted that most vacancies occur on estates; street type properties in the Borough are less often available.

4.1 How to apply

Anyone who is eligible may apply to join the Housing Register. You cannot be on more than one housing application.

Some people are not eligible to join the Register; for more information on this see Section 1.3 and Appendix two. If we decide you are not eligible, we will notify you in writing of this decision and the grounds for it. You may seek a review of this decision (see section 8)

To apply to the Housing Register you need to complete a CHR application form. You can download a form from the Council's website www.rbkc.gov.uk or call Housingline and ask for a form to be posted to you.

When you apply, we will tell you whether you are eligible for any type of social housing. If you are eligible, you will be allocated a number of points to decide your level of priority. The greater your housing need, the more points you are given and the greater your chance of being re-housed

We may need to verify your information. This includes checking your identity and other information you have given us – such as information about your work, about how long you have lived in the Borough, and whether you have rent arrears or have previously been excluded due to anti-social behaviour.

If you own a property or a share in your property, see our information on current financial limits in appendix two: if you have enough assets or income to meet your own housing need, you will be awarded zero priority, and may prefer not to register.

If you have a tenancy elsewhere, we will require you to relinquish it before you can sign for a nominated property.

You must tell the truth on your housing application. Any failure to include relevant information, to hide material facts or to attempt to obtain housing through false information will be treated as fraud. The Council treats housing fraud seriously and will take legal action against applicants found to have committed fraud.

The Council may visit you at home to verify details of your application. If we need to visit you, we will contact you to arrange a visit, and you must not unreasonably refuse to do so, or fail to be available at a time we have agreed with you. If you cancel or miss two or more appointments for verification visits, we will award nil points until we are able to verify your application.

4.2 Keeping an application up to date

Applicants are required to keep their application up to date. If your circumstances change, eg, you move house, have a baby, or someone moves out of your home – you will need to complete a new application form. If we need more information to reassess your needs we will contact you. We will not reassess needs if it is unlikely to change your points level, for example, we will not reassess medical needs if you have developed another minor illness.

Failure to keep your application up to date may mean that you have fewer points than you are entitled to; you may miss out on an offer and if you have not alerted us to changes and so have too many points, you may be shortlisted for properties but not allowed to accept. We always carry out a full verification before making an offer of housing or nominating to another landlord.

Deliberately failing to give us information could be housing fraud.

4.3 Household definitions

We will only consider applications to house the applicant, their partner, their immediate family, and anyone else with an exceptional need to live with them (and which is the 'eligible household' or household for the purpose of this scheme). This is because we have such severe shortage of larger properties, so families need to consider whether other people living in their household could move into smaller properties of their own.

Partner means someone who lives with the applicant as a partner, or who would live with them if they were able to. This includes mixed-gender and same-sex couples, whether or not they are married or in a civil partnership.

Immediate family means the applicant's children or their partner's children, aged 20 or less, who live with the applicant all the time, or for four or more nights every week. If a child is living with a partner or has his/her own children, s/he may not be included on the application unless they have an exceptional need to live with the applicant. Young people living away from home as students will not be included on the application.

Immediate family does not include the applicant's (or their partner's) parents, grandparents, brothers, sisters, aunts, uncles, grandchildren, nieces, nephews, cousins, friends or lodgers – unless they have an exceptional need to live as part of the household. Please note that the applicant's children, or their partner's children, aged 21 or over will not be included as part of the household for the purposes of being re-housed, unless the children have an exceptional need to live as part of the household (see below).

If the applicant and partner are separating, they must provide us with evidence of who is legally allowed to remain in the property, such as a court property order detailing to whom the property is assigned. Accommodation for children will be allowed for with only one parent, on whom the children are dependent.

People who have an exceptional need to live with you means people who are not included in the definition of 'immediate family', but who have a real need to live as part of the household in order to give or to receive care or support. This may include:

- A child (of the applicant or partner) aged 21 or over, who cannot live independently because of a disability or care need
- A carer, if someone in the household needs full-time care and no one in their immediate family is able to provide this
- An adult (or elderly) relative who needs to receive care. For some elderly people, moving to sheltered accommodation is the best alternative.

If you wish to include people not in your immediate family on your housing application, you must explain on your application why it is necessary for them to live with you. We may also require you to provide evidence such as: a court order, a social services or occupational therapy assessment, evidence that you are in receipt of carer's allowances. If you have not had a care assessment for a relative, we may require you to arrange one. If the person coming to live with you is moving from abroad, we will require evidence that they have recourse to public funds or of a sufficient sponsorship undertaking in place.

Where a household has been accepted as statutorily homeless (homeless A or B) by the Council, the application can include anyone who we accepted as part of the original homelessness application. For families with children aged 20 or older, the Council will encourage them to seek independent housing if possible, to increase the chance of the applicant being rehoused in a reasonable time.

4.4 Other people living with the applicant

The Council assesses who is eligible for rehousing, and bases its assessment of what size property someone needs on this definition. This does not mean that other people cannot live with the household, even if it makes them overcrowded, but we will not take them into account in assessing the need for rehousing. Some households will feel overcrowded but not be eligible for overcrowding priority, because we do not include everyone living there in one application. If you are a tenant, making yourself overcrowded may be a breach of your tenancy conditions.

If you have children aged 21 or over who are living at home, we can advise them on housing options. They may apply to the Housing Register in their own right, but may have low priority, in which case they will need to consider all other options (see Section 2 on housing options). If you have adult offspring living at home, and do not require all the bedrooms in your property, we may be able to rehouse you and your child separately – see Section 3.4.

If you are a Council or social housing tenant, and we agree to rehouse your immediate family but not everyone who is currently living with you, you will be asked to make sure that none of them remain in the property once you have left.

If you live with family or friends and are not part of their immediate family, you may apply to be rehoused separately from them – for example, if you and your partner or children live with your parents in their home. If it is a social rented home, and when you move the home would be too big for the tenant(s), any offer to you may be contingent upon them also taking up an offer of an alternative tenancy. **If your living in the property makes it overcrowded**, you can apply to the Register in your own right but you may not be awarded overcrowding priority. You should contact us for housing advice.

4.5 Family members who are not currently living with you

Anyone who is part of the immediate family can be included on your application, even if they do not currently live with you:

- If members of immediate family live abroad, they can be included on the application, but the Council will not award priority for them until the family have the right to reside in the UK
- If members of the immediate family live elsewhere in the UK, they can be included on the application, but we encourage families to consider applying to be rehoused where they live, especially if the demand for housing is lower there
- Children of shared custody can only be included on one application, with the parent who is the main care provider. This means that the children live with you for more than half the week (four nights or more). We will require evidence of this
- **If you have children who visit on a regular basis**, you will be assessed as requiring a one-bedroom property rather than a studio.

4.6 Eligible property sizes

We assess the size of property each household requires. This is set out below:

In calculating how many bedrooms you need, we will allow you:

- One bedroom for you and your partner, if you have one
- One bedroom for every two children of the same sex, aged up to and including 20
- One bedroom for a child of the opposite sex, aged over ten
- One bedroom for any other adult aged 21 or over.

We will only allow bedrooms for people who are entitled to be on your application. We do not allow an extra bedroom if you are pregnant. You should notify us when the baby is born; whether this entitles you to an extra bedroom will depend on your household circumstances.

Applicants may bid only for the size of property we have identified, unless we give permission to bid for larger or smaller properties.

In exceptional circumstances, we may allow an extra bedroom for:

- Supporting health and independence, where it has been recommended by the Assessment Team
- Under-occupiers vacating large family homes (three or more bedrooms)
- Anyone to whom we have made an undertaking to offer a particular size of property, as part of a legal or contractual agreement.

The allowance of an extra bedroom will be subject to assessment and agreement by the Housing Opportunities Team.

We will consider:

- Households assessed as needing four bedroom property or larger, but willing to accept a property one bedroom smaller than required, bearing in mind the limited supply of large properties. Applicants who accept such a move may remain on the CHR to await a property of their assessed size but should be aware of the impact on their priority level. This will be subject to landlords' discretion.

Table 2: bedroom eligibility

	One person	Couple	Two adults not living as a couple	One adult or a couple plus:					
				One child or other adult	Two children of the same sex aged 20 or under	Two children of opposite sexes aged under ten	Two children of opposite sexes, one or both aged over ten	Three children	Four or more children
Studio flat	X	X							
One bed		X							
Two beds			X	X	X	X			
Three beds							X	X	X
Four or more bedrooms									X

Studio flats and one-bed properties are available to couples without children and some single people, but most single people will only be eligible for studios.

Two-bed properties are offered to:

- A couple/lone parent with one child, or two children of the same sex, or two children aged under ten
- Two adults not living as a couple, eg, individual and carer.

Three-bed properties are offered to, for example:

- A couple/lone parent with a son and daughter, one of whom is over ten years old
- A couple/lone parent with three children, or with two sons and two daughters.

In properties where there are two living rooms, we will count one of these as a bedroom.

Applicants for larger homes will have to wait many years for a property.

4.7 How to use Home Connections to find a property

More detailed information about Home Connections is available on the website <http://www.homeconnections.org.uk>

Each week, social housing vacancies are advertised on the Home Connections website. Adverts are also available in the Town Hall. The Council expects applicants to check adverts regularly. We can send printed adverts only to those who are vulnerable or elderly.

Each advert identifies key features of the property:

- How big it is
- Whether it is suitable for people who need accessible housing
- Who the landlord is
- Whether there are any restrictions on who may bid, for example, if the property is only available to people aged over 60.

Applicants can bid for properties they are interested in, using the website, digital TV, by text, or on the automated phone line.

An eligible bid is one which is:

- For a property of the size for which the applicant is eligible
- For the correct mobility categories, if these apply
- Meets any special criteria included in the advert.

Bids for properties which are too large or do not meet advertised criteria will not be accepted.

There are no restrictions on bidding, but you may only be selected to view a maximum of three properties in any one week.

After the deadline for bids, which is usually midnight on Sunday, bids are shortlisted, and applicants with the highest number of points and who meet any categories specified in the advert are contacted and invited to view the property.

The property will be offered first to the bidder with the highest amount of points; if there are two bidders with the same amount of points, the property will be let to the applicant with the earliest priority date.

If the highest bidder refuses the property, it will be offered to the bidder with the next highest number of points (or the one with equal points but next priority date).

If you are shortlisted for a property, we will contact you with the viewing details. You (the applicant) must view it within the time available. If you will not be able to do so, or need help to do so, you must contact the Allocations Team. If you do not do so, this will be counted as a refusal.

If you refuse a property you have been offered, you may continue to bid, except:

- If you are refusing a direct offer (see Section 4.10) you should seek our advice, as refusal may remove your right to further offers
- If you fail to turn up for viewings for, or refuse offers on three properties in any six-month period, or fail to engage in the bidding process for properties suitable to your needs, we will suspend your application for six months and you will be unable to bid for a home for six months.

If you accept a property, you will be given advice on when you can move in, and your application to the Housing Register will be cancelled.

4.8 Finding accessible housing

There is a shortage of accessible housing in the Borough. The Accessible Housing Register aims to help people who need this type of housing find properties suitable for their needs.

Each suitable property advertised on Home Connections will be allocated an Accessible Housing Register Category. Different categories indicate how accessible the property is: for example, if it has a small number of steps, or no steps, or lift access, and whether it is suitable for someone who uses a wheelchair. The AHR category will be displayed in every property advertisement on Home Connections. This will include all wheelchair-accessible properties. Further information about access can be viewed on the Home Connections website, or from the Housing Occupational Therapy Team.

If you need accessible housing, you should have a **health and independence assessment**. We will tell you which property categories we recommend you to bid for. There are an extremely limited number of the more accessible properties in the Borough. To move quickly, you may consider properties in a lower category, or outside of the Borough. The Housing Occupational Therapy Team can support you to bid and may be able to view these properties with you.

The Council's Housing Occupational Therapy Team works closely with the Allocations Team to ensure properties with Accessible Housing categories are prioritised to housing applicants with an assessed need, ensuring accessible properties are let to people who require them.

4.9 Housing for older people

Some properties in the Borough are only available to older people. Where this applies, properties will be advertised with an age restriction clearly shown on the advert.

Not all properties for older people are sheltered housing: some are just properties we have identified for this group. These are available to anyone who meets the age restriction.

Sheltered housing is housing for older people, with some support available on-site or from visiting staff. These properties are particularly suitable for those with support needs. We will initially advertise these properties with priority for applicants with 'elderly needing support' points, but may widen the priority to all elderly applicants in certain circumstances.

For more information about housing for older people in the Borough please contact the Housing Needs Department on 020 7361 3008.

4.10 Direct offers (offers without choice)

In some circumstances, the Council will offer a property to an applicant who has not bid for it. This is called a 'direct offer' and is designed to help a household to find permanent housing if they need to do so urgently, or have been unable to find a home themselves.

The circumstances in which we may make direct offers are:

- Households in emergency health and independence or other exceptional priority whose severe needs mean that they are not readily able to bid. Wherever possible, applicants will be encouraged to bid and to exercise choice, but if reasonable direct offers are refused, their priority may be reduced.
- Households with 'vacating homes' priority may be made direct offers of particularly suitable properties, including ground floor or new-build properties most suited to their needs, to maximise the chances of them moving. These applicants are under no obligation to accept any direct offer and refusal will not adversely affect priority. Full support in considering and making a move will be offered.
- Households awarded 'redeveloping homes' points, who have not bid successfully within the period given to them, and where the Council has begun legal action to recover their home. One reasonable direct offer will be made.
- Households awarded 'contractual duties' points, who have not bid successfully within six months of award of points. The Council will begin legal action to recover their home, and will make one reasonable direct offer.
- Households with 'Homeless A' points, who have not bid successfully within 12 months of being accepted as statutorily homeless. Any direct offer made will constitute a reasonable offer of housing; if the applicant refuses a reasonable and suitable offer the Council will no longer owe a duty to provide housing. 'Homeless A' applicants will be advised of the implications of refusing a direct

offer. The Council may use direct offers to assist those households who have been waiting the longest, or to move people from temporary accommodation that needs to be vacated, or for other management reasons.

- Households awarded 'at serious risk of harm' points may be made a direct offer to enable them to move as quickly as possible.

In all cases, the applicant should continue to bid whilst waiting for a direct offer. Any direct offer will meet your assessed need and be suitable for your occupation. Our decision on suitability will be based on the information we have about you so it is important that you inform us of any changes. A suitable direct offer to a statutory homeless household will constitute our discharge of duty, which will result in being evicted from temporary accommodation.

5 Local lettings and scheme-specific plans

A local lettings plan identifies particular needs of a small area within the Borough, or of a new housing scheme or redevelopment, and seeks to use the allocation of housing to ensure that the community will be as sustainable as possible, for example, that there will be a mixture of ages of children.

The Council will work with landlords across the Borough to identify neighbourhoods, areas and schemes which would benefit from a local lettings plan. Local lettings may be used to:

- Enable new schemes to be allocated to a mixture of tenants in order to develop a sustainable community
- Enable an existing community to become more sustainable, for example, by encouraging more working families to move into the area
- Enable sensitive lettings on schemes which have had high levels of anti-social behaviour
- Enable households to return to an area they left for redevelopment to take place.

This list is not exhaustive and local lettings plans may be agreed in other circumstances where there is evidence that the local community would benefit from such a plan and there is no significant adverse impact on other communities. The equalities impact of local lettings schemes will be considered before they are agreed.

All local lettings and scheme-specific plans will have clear criteria, which are openly published. When a property which is being advertised via the Home Connections website is subject to a local lettings plan, this will be stated clearly on the advert.

Any local lettings plan will be agreed for a limited time, after which it will be reviewed, and lettings will revert to the main scheme if possible.

6 Equality and diversity

The Borough is home to people from a wide range of backgrounds. We are committed to equal opportunities in housing. This means that we seek to ensure that priority for housing is based on housing need and that housing policies are fair to all sections of the community regardless of age, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation.

We want our services to be accessible to everyone who lives or works in the Borough. If you need extra help to be able to use our services, such as translation and interpretation services, large print or signing, please tell us.

All applicants for housing or rehousing may be asked to provide details of age, gender, ethnic origin, religion and sexual orientation. This is to allow us to assess the application properly as well as to monitor who is allocated housing, and to ensure that properties are being offered and allocated fairly.

7 Who to contact for further advice

- For advice about your housing options, contact a Housing Opportunities Advisor on 020 7361 3008
- If you think you may become homeless, contact the Housing and Homelessness Assessment Team on 020 7361 3008
- If you want to ask for a review of a decision, please write to:

The Review Officer
Housing Needs Department
Room G29, The Town Hall
Hornton Street
London
W8 7NX

8 Complaints and reviews

The Council is committed to providing you with the best possible service and to working with you to find a solution to your housing need. If, however, you are not happy with the service you have received from us, you can make a complaint. You may also be entitled to a formal or informal review of a decision we have made. If you are in any doubt as to whether you are entitled to a review, and who to request the review from, please ask one of our Housing Advisors.

8.1 Reviews

You may seek a review in the following circumstances:

- If you are told that you are not eligible to join the Register because of the determinations of the Secretary of State (see Section 1.3 and appendix 2)
- If you are told that you are not eligible to join the Register because the Council has decided you should be excluded (see Section 1.3)
- If we decide to award zero priority (see Section 3.21)
- The points that have been awarded to your application
- Any decision to reduce your priority (for example, if you have been granted emergency priority but this has been taken away following refusal of a suitable offer). This includes a decision to suspend your application, which amounts to a reduction in your priority for that period. (see Section 4.7) [June 2011 Revision]

A request for a review should normally be made in writing, within five working days of your being notified of the decision, and should give us as much information as possible (see contact details given in Section 7). If you need help in making a

request, you can contact the Council, or other advice centres, such as the Citizens Advice Bureau. If you cannot make a request in writing, you can ask someone else to do this on your behalf, or you can ask us to hear your case orally.

In considering whether or not to seek a review on the number of points you have received, you should bear in mind that decisions on priority are based upon the Council's assessment of the evidence placed before it. For example, in cases of claimed medical priority, the Council makes its assessment upon the views of health professionals, but in the context of the Scheme and the Council's knowledge and understanding of housing conditions in its area. It is highly unlikely that any review will be successful where your ground of review is simply that the Council's assessment of the same or similar medical evidence should have led to a higher level of priority.

Any review will be considered by an officer who did not make the original decision.

8.2 Reviews on suitability

If the Council has accepted a full statutory duty to house you under Section 193 of the Housing Act 1996 (homelessness legislation), and you have refused a suitable property offered to you, the Council will end its statutory duty. You can request a review of the decision to end the statutory duty and/or the Council's decision that the property is suitable – this is a right given by Section 202 of the Housing Act 1996. You should request a review by writing to the Council within 21 days of receipt of the offer of accommodation, setting out why you think the property is unsuitable.

If you make a review request under s.202, the Council will aim to deal with it within eight weeks (56 days). All decisions will be given in writing.

Where a formal review is available to you under s.202, greater detail about your right to review will be provided to you in the correspondence making the offer of accommodation. A formal review will be considered by a senior officer who was not involved in the original decision.

If you are dissatisfied with the Council's decision on review, or no decision has been made within the 56 days (unless there has been an agreed extension), you may appeal to the County Court under section 204 of the Housing Act 1996 on a point of law. In outline, an appeal should be made to the County Court within 21 days of your being notified of the review decision (or the date when you should have been notified). Appeals to the County Court, including the procedure and time limits are technical, and you may wish to seek independent legal advice (eg, from the Citizens Advice Bureau or from a solicitor) before doing so.

8.3 Complaints

We are committed to responding quickly and effectively to any complaints and comments, and to use these and any compliments about the service to review and improve ways of working.

If you feel that we have not lived up to our own commitments to you, please tell the member of staff you are dealing with or their supervisor. Often, that is the quickest and easiest way of dealing with things when we do get it wrong. If you are not happy with the response given, or if you feel uncomfortable doing this, you can make a complaint.

You can make a complaint in writing, by email, or someone else can make a complaint on your behalf. We will log your complaint and will aim to provide a response within 15 working days. If the complaint is more complicated it may take longer, but the team will keep you informed about what is going on.

If you disagree with our decision, you may have a right to request a review (see Section 8.2). If you have asked for a review of our decision, you may not also submit a complaint, until we have completed our review.

We have a three-stage complaints process, which you can use if you are not happy with our initial response. Full details about the Council's complaints procedure can be found on the Council's website:

<http://www.rbkc.gov.uk/councilanddemocracy/commentscomplaintsfeedback.aspx>

If you wish to provide a comment on the service, or a compliment, you can also contact us as indicated above. We are always pleased to receive comments and ideas for improving the service.

Appendix one – current applicable income and savings limits

If you have sufficient financial resources to resolve your own housing need, your points level will be set to nil. The Council will review the financial limits set at least every two years, to consider if they still apply, and will take into account any significant changes in: house prices in the Borough; income level; the availability of affordable home ownership; private rents.

The financial limits applicable at 1 April 2011 are:

- Household gross income greater than £60,000, or savings greater than £16,000 for families seeking properties with two or more bedrooms
- Household income greater than £40,000 or savings greater than £16,000, for single people or couples seeking a studio or one-bed flat.

If you own a property, or a share in a property, and the value of your share is greater than the savings limit, then you will be assessed as having sufficient financial resources and awarded nil points. If you are aged 60 or over you may still be eligible for sheltered housing if you also have a support need.

If you own a share in a property but are unable to live there, for example, if your relationship has broken down – then we will assess your financial circumstances on the basis of the money that could reasonably be expected to be released if the property were sold.

Appendix two – persons from abroad

The Housing Register is open to anyone who is legally eligible to join. Generally, this includes British citizens, and persons with a right to reside in the UK under European law, all of whom should be habitually resident in the UK. The detailed provisions of these rules are complex and subject to change by statutory instruments from time to time. **If you are not a British citizen, you should contact us to discuss your status before you apply to join the Housing Register.** You may also wish to seek independent legal advice. This information is based on legislation in place at 1 April 2010.

The government says that we cannot allocate housing to:

- Persons who need leave to enter or remain in the UK, unless you fall into one of the following categories:
 - a A person recorded by the Secretary of State as a refugee.
 - b A person granted Exceptional Leave to Remain which is not subject to a condition of non-recourse to public funds.
 - c A person who has unconditional and unlimited leave to remain in the UK, is habitually resident in the Common Travel Area (UK, Channel Islands, Isle of Man or EIRE) and who is not sponsored.
 - d A person who has been granted Humanitarian Protection.

- Anyone who is not habitually resident in the Common Travel Area, subject to certain exceptions for:
 - a Persons with rights of residence under European law.
 - b Persons who are in the UK as a result of being deported/expelled from another country.
 - c Other limited categories of persons who came to the UK fleeing from Montserrat, Lebanon or Zimbabwe.

- Anyone who's only right to reside in the UK arises under European law based on their status as a jobseeker or an initial three months' right of residence.

These rules do not apply to anyone who is already a secure, introductory or assured tenant of accommodation to which they have been nominated by a local housing authority. In that case, you are free to apply for a transfer regardless of your immigration status.

Documents acceptable to prove eligibility and immigration status

For proof of right to reside in the UK, and the right to benefit from government help:

- If you have a valid British passport and reside in the UK – your passport

- If you do not have a valid British passport, but have a British birth certificate (or naturalisation certificate) – your certificate PLUS proof of your identity
- If you have a valid EU/EEA passport – your passport plus proof that you or your partner is working. Proof of work includes at least two recent and consecutive payslips, or a letter of confirmation from your employer
- If you are from outside the EU/EEA, you should provide a valid passport with appropriate visa and/or Home Office letter showing that you are eligible for recourse to public funds.

The list of documents above is not exhaustive. The Council may ask for other documentation to prove your eligibility in accordance with legislation set out by the government.

Appendix three – summary of points, time limits and priority dates

	Points	Time limit on points	Priority date	Further information
Exceptional priority	1,000	3 months	Date referred for exceptional priority	Section 3.2
Emergency health and independence	1,000	3 months	Date assessment requested	Section 3.3
Vacating homes	1,000	<i>None</i>	Date of application	Section 3.4
Supporting health and independence A	700	<i>None</i>	Date assessment requested	
Supporting adoption and fostering	700	<i>None</i>	Date of referral by social care	Section 3.7
Redevelopment of homes	200	<i>None</i>	Date of application	Section 3.5
Overcrowding A	200	<i>None</i>	Date you told us about the severe overcrowding	Section 3.6
Contractual duties	200	6 months	Date of application (points valid from three months before contract ends)	Section 3.10
At serious risk of harm	200	3 months	Date of referral by police or other agency	Section 3.8
Local residence	100	<i>None</i>	Date of application; or date of move to borough if more recent	Section 3.16
Move-on priority	100	6 months	Date of application	Section 3.9
Homeless A	100	<i>None</i>	Date of homeless application	Section 3.13

	Points	Time limit on points	Priority date	Further information
Homeless and in work	50	3-monthly review of work	Date of homeless application if in work at that point; otherwise date at which applicant has been in work six months	Section 3.14
Elderly needing support	50	<i>None</i>	Date of application	Section 3.12
Overcrowding B	5	<i>None</i>	Date of application	Section 3.6
Health and independence B	5	<i>None</i>	Date of application	Section 3.11
Poor quality housing	5	<i>None</i>	Date of application	Section 3.15
Homeless B	5	<i>None</i>	Date of application	Section 3.13
Locality hardship	5	<i>None</i>	Date of application	Section 3.17
Has rent arrears in temporary accommodation	Zero priority	n/a	n/a	Section 1.3
High financial resources or owns property		n/a	n/a	Section 3.21 and appendix one
Has legal interest (joint or sole tenancy) in a property		n/a	n/a	Section 3.21
Out-of-borough applicants with no need to move to Borough		n/a	n/a	Section 3.21
Applicants against whom the TMO or Council has initiated legal proceedings for non-payment of rent, Council Tax or overpaid Housing Benefit. RSL and private sector tenants whose landlord has initiated legal proceedings as a result of rent arrears		n/a	n/a	Section 3.21

	Points	Time limit on points	Priority date	Further information
Whose landlord has initiated legal proceedings for a breach of tenancy other than rent arrears.		n/a	n/a	Section 3.20