

North Yorkshire Council

Executive Member for Culture, Arts and Housing

9 August 2023

Social housing allocations policy consultation

Report of the Corporate Director Community Development

1.0 PURPOSE OF REPORT

- 1.1 To seek permission from the Executive Member for Culture, Arts and Housing to undertake a public consultation on the Council's draft policy for the allocation of social housing.

2.0 SUMMARY

- 2.1 This report highlights the need for the Council to undertake a public consultation on its proposed policy for the allocation of social housing.

3.0 BACKGROUND

- 3.1 Local housing authorities are required by law to have a scheme for determining priorities and procedures when allocating social housing, including council housing stock and housing association properties to rent.
- 3.2 Permission is sought to consult with tenants, housing applicants and other key partners and stakeholders, on the draft social housing allocations policy. As part of this exercise, we will take the opportunity to confirm the extension of the North Yorkshire Home Choice, and the use of choice-based lettings to the Harrogate locality in line with all other locality areas.

4.0 DETAILED PRESENTATION OF THE SUBSTANTIVE ISSUE

- 4.1 At present The Council (North Yorkshire) operates two allocation schemes, North Yorkshire Home Choice which covers all localities except for Harrogate, and a standalone allocation scheme covering the former Harrogate BC area. Local Government (Structural Changes) (General) (Amendment) Regulations 2018 provide a period of two years for the housing allocation schemes inherited from predecessor councils to be revised and harmonised across the new unitary authority.
- 4.2 In acknowledgement of this, a proposed social housing allocations policy for North Yorkshire Council, was developed as part of the preparations for Local Government Re-Organisation. This proposed policy has been drawn from the two existing allocation policies of the predecessor councils and will now need to go through a formal public consultation process.
- 4.3 In addition, the consultation process will also need to consider the impact of the proposal for North Yorkshire Council to adopt the North Yorkshire Home Choice allocation scheme across all locality areas. This scheme is a long-standing and legally constituted partnership with Beyond Housing, Broadacres Housing Association and Yorkshire Housing having first been established in 2011 and is the principal method for allocating social housing across North Yorkshire.

A further 8 Registered Providers including Home Group, Together Housing and North Star Housing are full, participating landlords and who advertise the majority of their properties through the scheme which reduces the administrative burden on the council.

- 4.4 Although the proposed policy itself, which sets out criteria around qualification, eligibility and how applicants will be prioritised, will not be significantly different for either customers of North Yorkshire Home Choice or Harrogate, the use of choice-based lettings will be a significant change for Harrogate tenants and applicants together with partner agencies operating within the Harrogate locality. Consequently, this will be reflected within the accompanying communication plans which have been developed to support the policy consultation exercise.
- 4.5 This report seeks permission to undertake a public consultation on the draft social housing allocations policy and the adoption of single, unified social housing allocations scheme. This will incorporate a survey of all existing applicants on both the Harrogate housing register and North Yorkshire Home Choice in conjunction with our partners. In addition, a range of other methods will be employed within the Harrogate locality including the option of face-to-face discussions and which will build on the work which has already been undertaken with staff.
- 4.6 It is proposed to undertake the consultation between August and November 2023 for a minimum period of 12 weeks following which a detailed analysis of the results from the survey and any other feedback obtained will be undertaken. These results will then be incorporated into a more detailed report.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

- 5.1 The scheme contributes principally to the following Council priority:

“Place and Environment: Good quality, affordable and sustainable housing that meets the needs of our communities”

6.0 ALTERNATIVE OPTIONS CONSIDERED

- 6.1 It is a legal requirement to adopt a single allocations policy for the Council by 1 April 2025 with a clear expectation from the regulator that we would consult with those parties who may be impacted by any changes to an existing policy including both applicants and tenants.
- 6.2 Whilst it is a regulatory requirement for housing providers to let their homes in a fair, transparent, and efficient way, the regulator does not prescribe this any further. It is therefore a matter for council to determine which approach best suits its current circumstances.
- 6.3 In the current climate, and now that the Social Housing (Regulation) Act has received Royal Assent, it would seem prudent to adopt the North Yorkshire Home Choice model to ensure compliance rather than to adopt the Harrogate locality model as this would also lead to significant disruption to a greater number of tenants and applicants not to mention the impact on our key partners.
- 6.4 Not consulting on the draft allocations policy would also represent a missed opportunity to engage with tenants, partners and other stakeholders to sense check our proposals and risk breaching our regulatory responsibilities.

7.0 IMPACT ON OTHER SERVICES/ORGANISATIONS

- 7.1 The main impact is that there will likely be an increase in call volumes for colleagues in customer services to address.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications of the consultation; the consultation programme will be met from existing budgets.
- 8.2 There will be costs associated with the implementation of the policy and the adoption of the North Yorkshire Home Choice allocation scheme in the Harrogate locality. This mainly because we will need to re-register almost 2,000 current applications and are not yet fully known. The alternative costs, both to the council and its partners of adopting the Harrogate model would however be even greater still.

9.0 LEGAL IMPLICATIONS

- 9.1 It is good practice and in line with North Yorkshire Councils own consultation principles to consult on a policy which concerns a significant number of its residents.

10.0 EQUALITIES IMPLICATIONS

- 10.1 A full Equalities Impact Assessment (Appendix B) has been completed and reviewed internally based upon the knowledge and information we already hold across both allocation schemes. The consultation survey will allow us to capture further data on all protected characteristics to critically review any potential adverse consequences and to implement suitable mitigations.

11.0 CLIMATE CHANGE IMPLICATIONS

- 11.1 A Climate Change Impact Assessment (Appendix C) screening form has been completed acknowledging that there are no significant impacts.

12.0 POLICY IMPLICATIONS

- 12.1 The draft social housing allocations policy will replace the two existing social housing allocation policies.
- 12.2 All localities except for Harrogate would adopt the revised policy when it is approved (anticipated February 2024) with the Harrogate locality coming on board thereafter following a full re-registration for housing applicants in that area.

13.0 RISK MANAGEMENT IMPLICATIONS

- 13.1 The Council risks not being legally compliant if it has not adopted a single allocations scheme and accompanying policy by 1 April 2025

14.0 HUMAN RESOURCES IMPLICATIONS

- 14.1 None at this stage. Existing resources will be drawn upon to both carry out the consultation exercise and to evaluate the survey results and any other feedback obtained.

15.0 ICT IMPLICATIONS

- 15.1 None at this stage. The results from the consultation exercise will help shape the system requirements for the update version of the current software.

16.0 REASONS FOR RECOMMENDATIONS

16.1 It both best practice and in accordance with North Yorkshire Councils consultation principles that a public consultation be carried out before this policy is adopted.

17.0 RECOMMENDATION(S)

It is recommended that approval is given to publicly consult on the draft social housing allocations policy

APPENDICES:

Appendix A : Draft Social Housing Allocations Policy - Draft

Appendix B : Equalities Impact Assessment

Appendix C : Climate Change Impact Assessment

BACKGROUND DOCUMENTS: none

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Northallerton

9th August 2023

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

ALLOCATIONS SCHEME – FINAL DRAFT May 2023

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SECTION 1: INTRODUCTION AND BACKGROUND

1.1 The North Yorkshire sub-regional Choice Based Lettings Partnership

This document sets out the housing allocation policy for the North Yorkshire Home Choice (Choice Based Lettings) Partnership (NYHC). The partnership comprises:

- The North Yorkshire Council
- Broadacres Housing Association (Large Scale Voluntary Transfer Landlord for Hambleton)
- Beyond Housing (Large Scale Voluntary Transfer Landlord for Scarborough)
- Yorkshire Housing Group (Large Scale Voluntary Transfer Landlord for Ryedale and Craven)

Partner contact details can be found on our website:

www.northyorkshirehomechoice.org.uk

1.2 The Allocations Scheme

North Yorkshire is an area of high demand for social housing. There is a scarcity of affordable housing and a high number of people who wish to be housed. There is also a substantial level of homelessness across the district, so even if an applicant is accepted onto the Housing Register, this does not guarantee that they will ever be made an offer of accommodation.

The allocations scheme is the housing policy we use to prioritise households in housing need for an offer of social housing and seeks to make best use of the number of properties owned by the council and partner Registered Providers (commonly known as Housing Associations) via nomination rights, that become available to let each year.

The NYHC partnership operates a Choice Based Lettings (CBL) scheme which is a method used in the allocation of social housing. North Yorkshire Council and Housing Associations advertise available properties to applicants who have an active application on the housing register. Applicants can express an interest (referred to as bidding) on properties for which they qualify.

Housing Associations operating in the partnership area will be encouraged to advertise their vacant properties through NYHC in line with their nomination agreements. Should any Housing Association advertise all their vacant properties in accordance with the scheme, they will be viewed as a participating landlord, details of which can be found on the NYHC website.

We work within the legal and statutory framework governing the allocation of social housing. The policy also considers local need and demand as well as local housing conditions.

1.3 Aims and Objectives

- To meet the legal requirements for the allocation of social housing as set out in Part 6 of the Housing Act 1996, the Homelessness Act 2002 and the Localism Act 2011.
- To allocate accommodation to households in greatest housing need.
- To meet the council's responsibilities to homeless households in the district, to prevent homelessness and to reduce placement in temporary accommodation.
- To make effective use of available social housing stock and provide greater choice by extending mobility across the local authority area.
- To ensure that empty properties are let quickly and efficiently to minimise rent loss.
- To allow applicants to express choice in selecting their accommodation wherever possible.
- To advertise available properties giving applicants the opportunity to make informed and realistic choices about their housing options.
- To ensure accessibility to all those in housing need.
- To encourage and support, balanced, sustainable communities where people choose to live.
- To make the housing process accessible, transparent, fair, and easy to use.

1.4 Monitoring and Review

The partnership will monitor the CBL scheme to ensure that it is meeting its aims and objectives and publish quarterly data on the number of applicants on the housing register and the number of properties let.

The allocation scheme is subject to periodic review to ensure that the allocation of social housing continues to be fair and objective, whilst meeting statutory requirements and addressing local need and priorities.

1.5 Statement on Choice

In framing this policy, the partnership will ensure that reasonable preference is given to those people in most urgent housing need in accordance with s.166A(3) Housing Act 1996. The scheme will also provide applicants the opportunity to express their choice on the type and location of their preferred accommodation.

Applicants will be considered for all social housing vacancies. Advice and assistance will be given to applicants to allow them to make informed and realistic choices about the type of accommodation that best meets their housing needs and aspirations.

1.6 The Legal Framework

In framing this allocations scheme, we comply with the relevant legislation, including, but not exclusively: the Housing Act 1996, the Homelessness Act 2002, the Data Protection Act 2018, the Human Rights Act 1998, the Equality Act 2010, and the Localism Act 2011. We also take due account of case law, best practice, government regulations and the relevant statutory codes of guidance.

In preparing this allocation scheme we have had regard to the current homelessness strategies and current tenancy strategy, and it is considered that the scheme is compatible with local and sub-regional housing and tenancy, housing, and homelessness strategies.

1.7 Information Sharing, Confidentiality and Data Protection

All information received relating to an applicant's housing application will be treated as confidential in accordance with the Data Protection Act 2018 and held securely. Information will only be shared when consent has been given as part of the application process, however consent will not be required where there is a public safety interest, or for the purpose of the prevention or detection of crime and fraud.

A privacy notice that explains how and why we process your data can be found on our website: www.northyorkshirehomechoice.org.uk

By making an application, the applicant agrees to information sharing with other statutory and voluntary agencies. This may include other housing providers, health professionals, support providers, police, probation, Social Services, and private landlords, as deemed necessary, in order to assess the application and/or to provide the applicant with advice and assistance regarding their rehousing. Your data will only be shared in circumstances where it is lawful under UK data protection law, and this will be determined on a case-by-case basis.

Applicants have a right to see the information held about them and receive a copy of information held on a computer, or on a paper file. This is called a "Subject Access Request". Personal information will be handled in accordance with the Data Protection Act 2018 and will be subject to the appropriate confidentiality.

1.8 Information Provision

We will provide a free copy of the allocations scheme to any member of the public on request, and it is also available to download from our website: www.northyorkshirehomechoice.org.uk.

1.9 Equality and Diversity

The scheme will be accessible and sensitive to the diverse needs of individuals and will take measures to ensure that people with disabilities have equal access to housing opportunities.

The scheme is committed to ensuring equal access in its allocation of housing. No one will be treated any less favourably than anyone else because of age, disability, gender reassignment, marital status and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

The partnership will monitor impact of policy to ensure equal opportunity for all and strive to maximise information and support to all applicants.

1.10 Local Lettings Policies.

The council may operate local lettings policies to enhance the sustainability of defined communities. This means that allocations may be made to particular customer groups outside the reasonable preference categories.

Local lettings policies will be evidence-based and be approved for particular properties in defined geographic areas following consultation.

Local lettings policies will be time limited and will be monitored to ensure that they do not discriminate directly or indirectly on any equality ground and that overall, preference is still given to applicants in the reasonable preference groups.

Details of local lettings policies are on our website:

www.northyorkshirehomechoice.org.uk

1.11 Sensitive Lets

Although most of our properties will be advertised without any restrictions, there may be occasions where a property, or groups of properties within a specific area, are required to be sensitively let. This will usually occur where there have been previous management issues and the targeted allocation of the property could reduce such issues in future.

Sensitive lets are not, therefore, necessarily based on housing need and priority on the Housing Register. Examples of when a sensitive let may be introduced are

- The previous tenant has caused significant neighbour nuisance, which has taken significant time and resources to resolve
- Where there has been significant drug and/or alcohol related nuisance
- Where there has been significant noise nuisance

This list is not exhaustive.

SECTION 2: THE HOUSING REGISTER

Only applicants who are eligible for housing and who qualify can join the Housing Register. Applicant's already on the Housing Register who are found to be no longer eligible or to qualify will have their application cancelled, and they will be notified accordingly.

2.1 Who is Not Eligible to Join the Housing Register – Persons from Abroad

Persons may not be allocated accommodation if they are a person from abroad who is ineligible for an allocation under s.160ZA of the 1996 Act.

- A person subject to immigration control unless they come within a class prescribed in regulations made by the Secretary of State (Section 160ZA(2)).
- A person from abroad other than a person subject to immigration control who comes within a class of persons prescribed by the Secretary of State (s160ZA(4)).
- A person subject to immigration control that would make them ineligible for an allocation of housing and/or where the Secretary of State may by regulations prescribe other classes of persons from abroad ineligible for an allocation of housing.

In addition, applicants who do not have recourse to public funds or who cannot prove they have recourse to public funds or those not habitually resident will not qualify for the Housing Register.

Eligibility will be confirmed at the point of application, during the housing process and at the point of offer. Persons who can produce evidence of an in-time application to extend their leave to remain or an in-time appeal against a refusal to extend their leave to remain will be treated as though they continue to have leave to remain.

2.2 Qualification

The Housing Act 1996 Section 160ZA states that social housing may only be offered to a qualifying person, and the local authority has the power to determine what classes of person are or are not qualified to be allocated social housing.

2.2.1 Who Does not Qualify to Join the Housing register.

We determine the following persons and members of their household, including current tenants as non-qualifying for the housing register:

- Applicants aged 16 and 17 years unless they meet the following criteria:
 - they are a looked after child under section 20 Children Act 1989 or a care leaver with a relevant support package and Trustee and are ready for independent living as agreed with Social Services and confirmed by the Local Authority Housing department, OR

- they must have an appropriate support package in the area they wish to live to enable them to sustain their residency and they must have an identified trustee who can hold any tenancy on their behalf until the age of 18. Trustees can be a person or an organization, and will not have a financial liability
- Persons that are guilty of unacceptable behaviour that makes them an unsuitable tenant. See Appendix 2 for further details.
- Persons who have current rent arrears either to a social housing provider or private landlord.
- Persons who are currently in breach of their tenancy conditions and their landlord has started formal action.
- Persons who have outstanding housing related debt where no acceptable repayment arrangement has been made.
- Tenants on an introductory/starter/demoted tenancy.
- Those who have no local connection to the partnership area.
- Applicants subject to Multi Agency Public Protection Arrangements (MAPPA) where their risk is deemed too high. Applicants who are accepted under MAPPA may be restricted to a specific area or subject to a direct offer of a property which will be subject to approval by the necessary agencies.
- Those who own their own home or reside with a household member who is a homeowner whether they reside in it or not and who are not in housing need.
- Those who have a combined household income and/or savings and/or capital of £60,000 or above which would enable them to meet their own housing need.
- Those who have deliberately worsened their housing circumstances with the intention of increasing their housing priority.
- Those who knowingly or recklessly give false information and/or knowingly withhold information.
- Those who refuse two suitable property offers within a 12-month period, or a single direct offer of accommodation.
- Disqualified applicants or members of their household during the period of disqualification.
- Households within the first year of a social housing tenancy, including mutual exchange unless there is a key change in circumstances which makes the current property unsuitable to remain in and the move is assessed, supported, and approved by a senior manager.
- Applicants assessed as needing support to hold and maintain a tenancy and there is no appropriate support in place.

In certain defined circumstances the qualification criteria may not apply, these include:

- Homeless applicants owed a main duty under Part 7 of the Housing Act 1996, or with an accepted relief duty who are in priority need.
- Accepted households under MAPPA.
- Applicants who have come through the National Witness Protection Scheme.
- Persons fleeing domestic violence or hate crime.

These cases will be individually assessed and, where supported and approved by a Senior Housing Manager, may be considered as qualifying for the housing register. Restrictions may be applied on the property type and/or area of choice an accepted applicant can bid, or they may receive a single direct offer of accommodation.

2.3 Local Connection.

Only applicants with a local connection to the North Yorkshire partnership area will qualify to join the Housing Register. A local connection is established by way of one or more of the following:

- Current residence in the partnership area for at least 6 out of the last 12 months.
- Current or previous residence in the partnership area for at least 3 out of the last 5 years.
- Employment in the partnership area on either a full or part time basis for a minimum of six months. The main place of work must be in the partnership area. Casual, seasonal, and voluntary work is not included. An employment contract must remain valid at the point of offer.
- An applicant has close family living in the partnership area who have done so for at least five years. (Defined as: mother; father; adult son; adult daughter; adult brother; adult sister)
- The applicant has an essential need to move and live closely to another person, who currently lives in the partnership area, and who has been resident for the last 5 years, to provide or receive essential daily care or support. Applicants accepted on this basis may be subject to localised bid restrictions, where the person they are moving to be near resides.
- Care leavers as defined by the Homeless Reduction Act 2017.

Residence in hospital, prison, residential schools or other placements by a health authority or social services authority, student accommodation (where it is not the applicant's principal home) and Approved Premises under licence do not gain a local connection. These applicants will be assessed on their last place of permanent residence to determine qualification. This list is not exhaustive but represents the most common examples.

2.3.1 Exceptions to Local Connection.

Where an applicant meets one of the following criteria they may be accepted as having a local connection.

- North Yorkshire Council has accepted either a relief duty (reason to believe homeless, eligible and in priority need) or main housing duty under the Housing Act 1996 Part 7 and the applicant is not to be referred to another authority.
- Households accepted under the National Witness Protection Scheme.
- Social housing tenants in England that need to move to take up an offer of employment, under the Right to Move Regulations 2015.

- Members of the armed forces and reserve forces who meet the following criteria:
 - (a) Those who are currently serving in the regular forces or who were serving in the regular forces within five years of their application for housing.
 - (b) Bereaved spouses or civil partners of those serving in the regular forces where:
 - (i) they have recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their spouse or civil partner, and
 - (ii) the death was wholly or partly attributable to their service.
 - (c) Existing or former members of the reserve forces who are suffering from a serious injury, illness, or disability which is wholly or partly attributable to their service.
- Divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence.

The Partnership acknowledges there will be occasions where a person is unable to return to a local authority area where they have a local connection because they are fleeing domestic abuse. In line with statutory guidance, the Partnership will consider applications from those who have escaped domestic abuse in another local authority area and are living in a refuge or other form of safe temporary accommodation in the partnership area. Each case will be individually assessed and where supported they may be accepted as having a local connection. Restrictions will apply to the local area of choice.

2.4 Homeowners.

Social housing is a scarce resource. Applicants who own a property or reside with a household member who is a homeowner (either freehold, leasehold, under mortgage or shared ownership) whether they reside in it or not will not normally qualify for the housing register as they are regarded as having sufficient assets to resolve their housing situation through the housing market. This includes property in the UK and abroad.

Property can include narrow boats, caravans, and mobile homes (both residential and holiday sites) as well as other dwellings that are suitable for occupation.

Statutory homeless applicants accepted under Part 7 of the Housing Act 1996, or those with an accepted relief duty who are in priority need may be considered as an exception, as it would not be in our best interests to delay rehousing these applicants due to the significant costs in providing temporary accommodation.

We recognise that there may be other exceptional circumstances where an applicant, such as an elderly person or person with a severe disability, cannot either stay in or adapt their own home and need to move into sheltered or specialist accommodation. Each case will be assessed on its merits and where there would otherwise be hardship because of insufficient resources to meet their housing needs elsewhere, they will be allowed onto the housing register.

2.5 Sufficient Financial Resources

Applicants with a combined annual household income and/or savings and/or capital of £60,000 or above will not normally qualify to join the housing register as they have sufficient resources to resolve their own housing needs.

This excludes any lump sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active duty.

2.6 False Information/Deliberately Withholding Information

Under Section 171 of the Housing Act 1996, it is a criminal offence for anyone applying for housing from a housing authority to give false information knowingly or recklessly, or knowingly withhold information which is relevant to their application for housing.

Anyone found guilty of such an offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale, and any tenancy obtained because of false or misleading information can be terminated.

Applicants who are found to have made fraudulent claims will have their application cancelled and will not qualify to join the Housing Register for a minimum period of 12 months from the date of cancellation. Applicants will have a right of review

Applicants can make a fresh application at the end of the 12-month period. Their application will be assessed on the current information provided and will be from the date that the new application is made.

2.7 Deliberate Worsening of Circumstances

Whilst this policy is intended to make sure that those with urgent housing needs are given priority, applicants who deliberately worsen their circumstances in order to gain greater priority on the housing register will not be rewarded.

In circumstances where an applicant gives up suitable accommodation or acts in a way that deliberately worsens their circumstances, their application will be cancelled and they will not qualify to join the Housing Register for a minimum period of 12 months from the date of cancellation. Applicants will have a right of review.

Applicants can make a fresh application at the end of the 12-month period. Their application will be assessed on the current information provided and will be from the date that the new application is made.

2.8 Refusal of Two Offers

We acknowledge that applicants may not be able to make a firm decision on an offer of a property until such time as the property has been viewed. However, there is a high demand for social housing and applicants should think carefully about the type and location of properties that they wish to be considered for before placing a bid, and applicants should only place bids on properties that they intend to move to. Unreasonable refusals delay other applicants in housing need moving into a property, incur costs in lost staff time and can result in a loss of rental income.

If an applicant refuses two suitable offers of accommodation made in writing within a 12-month period, their application will be cancelled, and they will not qualify to join the Housing Register for a minimum period of 12 months from the date of cancellation. Applicants will have a right of review.

Applicants can make a fresh application at the end of the 12-month period. Their application will be assessed on the current information provided and will be from the date that the new application is made.

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SECTION 3: HOW TO APPLY

Applicants must complete a Housing Register application form and supply additional information to support their application. Before applying for housing, applicants are advised to consider other housing options that may help improve their housing situation.

Applicants are encouraged to apply to join the Housing Register via our website at www.northyorkshirehomechoice.org.uk. A paper application is available to download from the website.

The purpose of the application form is to assess eligibility and qualification to join the Housing Register, assess housing need, award priority banding, and identify any additional support needs in applying for housing or conducting a tenancy.

Applicants or their advocate who may need help in completing an application can request assistance from any partner landlord, whose details can be found on our website.

Partner landlords reserve the right to conduct a phone or face to face interview when accepting an application to join the register.

3.1 Joint Applicants

Joint applications can be accepted. Both applicants must be eligible for an allocation of accommodation, aged 16 years of age or over (any person aged 16 or 17 years of age needs a trustee) and intend to occupy the property together as their only or main home. Joint tenancies will not be granted where one applicant is a person from abroad who is ineligible. In such cases, the eligible partner will be registered as the sole applicant.

Dependents, family members or other adults who are not partners of the applicant cannot usually be joint applicants. The partner landlord reserves the right to decide when and to whom they offer joint tenancies.

If joint applicants wish to change to sole applicants (for example due to relationship breakdown), they will need to notify us and one of the applicants will need to make a new application if they wish to remain on the Housing Register. The previous application will continue in the name of the partner with residency of any children.

3.2 Multiple Applications

Multiple applications are not allowed, and an applicant can only appear on one application. If an applicant is already registered, they must decide which application they wish to remain on, and all other applications will be cancelled.

3.3 Applications from Employees, Members, and their Close Relatives

Applications can be accepted from council employees, elected local authority Members, partner Registered Provider employees and their close relatives, provided they are eligible to join the housing register. The term employees include former employees. Applicants must disclose such status or relationship at the point of application.

Members of staff involved in the assessment of housing applications and allocation of both council and Registered Provider properties should declare an interest to their line manager if at any time, they become aware that they may have to deal with an application and/or allocation involving a member of their family or a close friend. This will then be passed to another member of staff to deal with. This is to protect staff from any allegations of bias or impropriety from members of the public.

A senior manager will approve an allocation to employees, Members and/or their close relatives.

3.4 Applicants of No Fixed Abode

Applicants of no fixed abode must give a contact address on their application form.

3.5 Applications from Prisoners

Applications can be accepted from people in prison, but would not normally be made active as the applicant is clearly unable to take up a tenancy. Where an applicant is within 28 days of release, the application will be activated to take account of the anticipated housing circumstances post release and the applicant placed in the appropriate band. The registration date for the application will be the date placed in the band.

Under the Offender Initiative, a tenant of one of the partner landlords, sentenced to more than 13 weeks imprisonment, can receive a direct offer on release from prison from the landlord who originally housed them provided they meet the following criteria:

- The tenancy was given up promptly on imprisonment
- There were no rent arrears or damage to the property
- There were no anti-social behaviour incidents related to the tenancy
- They satisfy the acceptable behaviour test on release.

3.6 Applications from Hospital

Applicants can apply to join the Housing Register whilst in hospital and will be assessed in accordance with the allocations scheme based on the accommodation available to them upon their discharge from hospital.

3.7 Fresh Applications

Applicants who have previously been regarded as ineligible, non-qualifying, or had their application cancelled may make a fresh application if they believe that their circumstances have changed, or the period of exclusion has elapsed.

Fresh applications will be assessed on the information provided, and where an application is accepted to the housing register, the banding date will be the date of the new application.

3.8 How Applications are Processed

3.8.1 Verification.

Applicants applying to join the Housing Register will be required to provide proof of identity and supporting evidence to verify eligibility and qualification for the housing register and assess their housing need.

Verification will take place at the point of application, at the point of any offer of accommodation or at any point during any period of assessment or review.

During the application process, applicants may also be asked to provide evidence to verify their personal circumstances. This may include (but is not limited to): Proof of National Insurance number, proof of address, proof of income and savings, proof of child benefit.

If requested, additional information must be provided within 28 days. Failure to do so will generally lead to cancellation of the application and the applicant will be notified in writing. Should an applicant wish to continue with their application, they will need to make a fresh application, which will start from the date that the new application is received.

It is the responsibility of the applicant to provide supporting information and evidence about their application.

3.8.2 Confirming registration

Applicants will receive written confirmation that their application has been assessed within 28 working days of all verifying information being provided. This will include:

- Their unique application reference number.
- Their assessed priority band.
- Their registration date and/or priority band date if different.
- The type and size of properties they are eligible to be-considered for.
- Any bidding restrictions.

3.9 Age Restricted and Sheltered Properties

Some properties are restricted to applicants of a certain age or above. These will be clearly stated on the advert, and applicants who do not meet the necessary age criteria will not be considered for these properties.

Applicants with disabilities may in certain circumstances, be considered for an age restricted property even if they do not meet the necessary age criteria.

Applicants with disabilities must provide supporting evidence of their need for an age restricted property. This may include (but is not limited to) a report from an Occupational Therapist, a supporting letter from a specialist consultant, or the award of high-rate Disability Living Allowance (DLA)/ enhanced Personal Independence Payment (PIP). The age restriction would normally only be lifted if the applicant's specific needs could only be met by allocating a property subject to an age restriction.

Only general needs sheltered schemes will be advertised through North Yorkshire Home Choice. Those applicants requiring extra care facilities should contact the local authority or housing providers directly.

3.10 Adapted Properties

Adapted homes will be advertised as part of the scheme to ensure that applicants needing this type of accommodation are given the widest possible choice.

Priority will be given on the shortlist to applicants who require, or best match, the specific adaptations within the property. The full circumstances of each case will be considered when deciding who will be offered the property and in some cases the offer may be given outside the tie-break order if the vacancy is suitable for the needs of a particular applicant.

Adapted properties will only be allocated to applicants who have supporting professional evidence, such as an Occupational Therapist or other specialist report.

Where there are no applicants with disabilities who require an adapted property, other applicants may be offered the property on the understanding that the adaptation will not be removed, or the property reinstated to its original condition.

3.11 Planning Conditions – Section 106

Several properties, particularly in rural areas, are subject to a Section 106 (Town and Country Planning Act 1990) agreement, where there is a legal obligation that applicants must have a local connection to the specific neighbourhood (usually defined by Parishes) in which the property is situated. All other applicants can only be considered if there are no applicants with the required local connection.

3.12 Tenancy Type

The Council is required to publish a tenancy policy, explaining the different types of tenancy that we offer, when they will be offered and what the different tenancy types mean for new tenants.

The Localism Act allows all social housing providers to offer fixed term tenancies, rather than secure (or lifetime) tenancies, to help make better use of housing stock and increase the number of homes available for households in housing need in the longer term.

Applicants may be nominated to a vacancy with a partner Registered Provider. Every Registered Provider must publish information on the type of tenancy that they offer.

3.13 Cancelling Applications

Applications will be cancelled in the following circumstances:

- A failure to provide verification information within the timescale specified
- A failure to advise of a change of address within the timescale specified
- A failure to re-register on the Housing Register within the timescale specified
- At the applicant's request
- An applicant has been rehoused by the council or a partner Registered Provider, or has carried out a mutual exchange
- An applicant has purchased a property/shared ownership property and is now a homeowner
- A sole applicant has died
- An applicant does not qualify to join the Housing Register
- An applicant is no longer eligible to join the Housing Register
- Contact lost with an applicant as they have moved address
- An applicant has provided false information and/or deliberately withheld information
- An applicant has been found to have deliberately worsened their circumstances
- An applicant has declined two suitable offers of accommodation or refused a single direct offer of accommodation

Applicants have the right to request a review of the decision to cancel their application. Please see section 3.17 for further details.

3.14 Changes in circumstances

It is the responsibility of the applicant (or their advocate) to notify NYHC of any change of circumstance relating to or which may affect their housing application. Applications will be assessed using this information and where this results in an applicant no longer being eligible and/or qualifying for the register or results in a change in priority band the applicant will be advised in writing.

Any additional priority awarded as a result of a change in circumstances will only be effective from the date of the change of notification. Where a change in banding results in reduced priority, the band date will not change.

Applicants must update their application form if they move home, so that their housing need can be reassessed.

Partnership Landlords reserve the right to withdraw an offer of accommodation where it is found that there has been a change in circumstances which would have resulted in a change of priority band, eligibility and/or qualification for the housing register.

3.15 Review of Banding

The partnership reserves the right to review an applicants' banding where they are not actively bidding on suitable advertised properties or where a material change has been identified. Applicants will be contacted to discuss their application, current housing need and/or the reasons for not bidding. Where banding is reduced applicants will have a right of review.

Applicants in Emergency Band will have their application reviewed every four weeks. Applicants in Gold band will have their application reviewed on a regular basis to ensure they are not having difficulties with the scheme and to check and provide support in bidding on suitably advertised properties.

The partnership reserves the right to remove or reduce priority banding where applicants are not bidding on all suitably advertised properties. Where banding is reduced applicants will have a right of review

3.16 Re-registration

Applicants who have not bid on any properties within a 12-month rolling period will be contacted and asked if they wish to remain on the housing register. Where no response is received within 28 days the application will be cancelled. Applicants who contact the Partnership within 28 days and want to remain on the housing register will have their application reviewed, assessed, and banded based on their current housing need.

3.17 Right of review and general complaints.

Applicants have a right to request a review against decisions made under the allocations scheme. These include:

- A decision that they are not eligible
- A decision that they are not a qualifying person
- A decision to cancel an application

- A decision in respect of any information which is being taken into account in considering whether to make an offer of accommodation
- A decision to withdraw or reduce priority banding

Further information on the Review procedure can be found on our website:
www.northyorkshirehomechoice.org.uk

3.18 Requesting Information

An applicant has the right to request;

- a) Such general information as will enable him to assess how his application is likely to be treated under the scheme (including in particular whether he is likely to be regarded as a member of a group of people who are to be given preference by virtue of subsection 166A (3) of the Housing Act 1996); and
- b) Such general information as will enable him to assess whether housing accommodation appropriate to his needs is likely to be made available to him, and if so, how long it is likely to be before such accommodation becomes available for allocation to him;
- c) The Council to inform him of any decision about the facts of his case which is likely to be, or has been, taken into account in considering whether to allocate accommodation to him

The Council will provide information to applicants on request as to which priority band they have been placed in, and the estimated number of properties of the size required by the applicant expected to become available for letting during the financial year

SECTION 4: ASSESSING HOUSING NEED

4.1 Reasonable Preference

To ensure that those households in greatest housing need are given preference (priority) for an allocation of accommodation, we must give reasonable (but not overriding or absolute) preference to the following categories of people in accordance with Section 166A(3) of the Housing Act 1996:

- (a) People who are homeless within the meaning of Part 7 of the Housing Act 1996 (including those that are intentionally homeless and those not in priority need)
- (b) People who are owed a duty by any housing authority under Sections 190(2), 193(2) or 195(2) of the Housing Act 1996 (or under Sections 65(2) or 68(2) of the Housing Act 1985), or who are occupying accommodation secured by any housing authority under Section 193(2)
- (c) People occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- (d) People who need to move on medical or welfare grounds, including grounds relating to a disability
- (e) People who need to move to a particular locality in the district, where failure to meet that need would cause hardship (to themselves or others)

Under The Allocation of Housing (Qualification Criteria for Right to Move) Regulations 2015, existing social housing tenants in England are given reasonable preference if they need to move into the North Yorkshire Council area to avoid hardship and they either work or have been offered work in the district and have a genuine intention to take up the offer of employment. Further information on the Right to Move can be found at Section 6 Existing Social Housing Tenants.

4.2 Additional Preference

Section 166A(3) Housing Act 1996 allows housing authorities to give additional preference to particular groups of people who fall within the statutory reasonable preference categories and who have urgent housing needs. NYHC have agreed to give the following groups additional preference within the housing allocations policy.

Members of the armed forces who fall within one or more of the reasonable preference categories above, and who have an urgent housing need and meet one of the following criteria, will on activation of their housing application have the date of their priority band backdated by 6 months.

- Is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the persons service, or
- Formerly served in the regular forces
- Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil

partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or

- Is serving or has served in the reserve forces* and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service

Foster Carers and Adopters Applications from foster carers, those approved to adopt, or those persons being assessed for approval to foster or adopt, who need to move to a larger home in order to accommodate a looked after child or a child who was previously looked after by a local authority will be awarded Silver Band.

Resettlement Programme Applicants who have completed an approved accommodation-based support programme – resettlement - will have their time in band backdated to the start of active and continued engagement.

4.3 Priority Banding

Applicants will have their housing application assessed and allocated a band in accordance with their assessed housing need. Bands in order of priority are Emergency, Gold, Silver and Bronze. There is no order of priority within each band, and there is no cumulative preference given if one or more circumstances apply.

Emergency Band

This band will only be allocated in extreme circumstances and may be subject to a time limit or a direct offer of accommodation to:

- Applicants who are unable to return from hospital to their current home within the Partnership area as it is deemed permanently unsuitable¹ and cannot be adapted for their needs or where major works are deemed not feasible
- Applicants are unable to access key facilities without **major** adaptation works²

Applicants in Emergency Band will have their application reviewed by the relevant partner organisation every four weeks who will have the discretion to re-band the application.

¹ Written confirmation from relevant professionals will be required, setting out the reasons as to why the applicant cannot return to their home.

² Joint assessment between the Social Services Authority and the LA / Partner Landlord will be required, signed off by the relevant officer.

Gold Band

- Care leavers at point of leaving a care home or supported housing³ with an agreed support package relevant to the offer, and who are assessed as being ready for independent living.
- Applicants who need to move on from an approved accommodation based supported housing programme who have satisfactorily completed a resettlement programme and are able to live independently.
- Applicants presently under-occupying a home owned by a local authority or housing association⁴ within the partnership area and require a property with 2 fewer bedrooms.
- Applicants who are overcrowded and require two more bedrooms⁵ to relieve the overcrowding. Bedroom size will be taken into consideration.
- Applicants who are a statutory homeless household and owed a main duty under part 7 of the Housing Act 1996.
- Applicants owed a relief duty, and the local authority has reason to believe they are in priority need.
- Applicants whose current accommodation is assessed as having a direct or serious impact on a medically diagnosed health and/or wellbeing condition where a property move would remove or significantly improve the impact.
- Applicants who have been assessed and accepted as having a proven housing need to move to a specific locality so that hardship can be prevented to themselves or others. Bidding restrictions may apply.
- Applicants whose home is subject to an Emergency Prohibition Order served under s.43 Housing Act 2004 by The North Yorkshire Council

Silver band

- Applicants whose current accommodation is assessed as compromising a diagnosed medical and/or health and wellbeing condition where a move to an alternative property would improve the impact.
- Applicants owed a homeless prevention duty.
- Applicants owed a homeless relief duty who are not in priority need.

³ This is not applicable to care leavers in secure or assured non shorthold tenancies or other suitable accommodation.

⁴ Applicants occupying a property which is not from or returned to general housing stock will be not be eligible.

⁵ Excludes applicants placed in temporary accommodation

- Applicants who are homeless under the Housing Act 1996 Part 7 and no main duty is owed or they are found intentionally homeless regardless of priority need.
- Applicants presently under-occupying a home⁶ owned by a local authority or housing association within the partnership area and who require 1 less bedroom.
- Applicants who are overcrowded and require one more bedroom to relieve the overcrowding. Bedroom size will be taken into consideration.
- Applicants whose home permanently lacks basic amenities, not due to the failure of the applicant, where it cannot be resolved without reasonable building work.
- Applications from foster carers, those approved to adopt, or those persons being assessed for approval to foster or adopt, who need to move to a larger home to accommodate a looked after child or a child who was previously looked after by a local authority.⁷
- Applicants who share bathroom and/or kitchen facilities with separate households of people who will not be moving with them.

Bronze band

- Applicants who do not fall into any of the above categories.

⁶ Applicants occupying a mortgage rescue property which is not from or returned to general housing stock will not be eligible. Such applicants who are eligible and qualify for the register will have their banding assessed according to priority need.

⁷ Confirmation from children's social care required. Applicants can only bid in the area the local authority operates.

SECTION 5: The Choice Based Lettings Scheme

5.1 Advertised Housing

Choice based letting works by partner, participating and associated landlords advertising available properties each week and giving applicants on the housing register the opportunity to express an interest (bid) on an advertised property.

Applicants will be advised on the type of property, number of bedrooms and any restrictions that may apply, to help them make best use of their bids.

Some properties may have restrictions, and these will be made clear by the landlord in the advert. Some restrictions include: ⁸

- Specially adapted or designed properties for those with an identified physical disability or mobility need.
- Section 106 where there is a legal agreement between Local Authorities and developers. These are linked to planning permissions and applicants must meet a specified condition.
- Where the property has a minimum age criteria.
- To support rural communities a partner landlord may allocate properties to those with a local connection to a specific parish. Rural communities may be defined as parish settlements of less than 3000 in population. If there are no successful applicants, the property will be advertised to the wider partnership area
- A sensitive let where additional checks may be required on potential tenants to address or manage a specific local housing issue.
- A local lettings policy is in place.
- Priority band restrictions in areas of high demand

If an applicant bids on a property but does not meet the advertised criteria their bid will be overlooked and skipped in favour of an applicant that meets the criteria.

Properties may be withdrawn from advertising at any point in the bidding cycle.

5.2 Direct Offers.

⁸ This is not an exhaustive list

In some cases, properties will not be advertised and instead offered directly to an applicant. Although not an exhaustive list such instances can include:

- Statutory homeless cases under the Housing Act 1996 Part 7 where either a main housing duty is owed, or a relief duty where the local authority have reason to believe the applicant is in priority need.
- MAPPA applicants assessed and approved by a senior manager to manage a potential risk to the public and/or enable a move on from a high support unit if not appropriate for resettlement.
- The offender initiative, where a partner landlord tenant has been sent to prison for 13 weeks or longer and meets the criteria.
- Management transfers. Where a person is in immediate danger a senior manager of a partner landlord has the discretion to offer a management transfer to a place of safety. Evidence must show harassment of **a serious, targeted, and persistent nature** which could not reasonably have been prevented or avoided and there are no other ways of resolving the problem without the risk of serious harm.

Serious- violence, threats of violence likely to be enacted, extensive property damage making it uninhabitable, harassment based on race sexuality or disability **and**

Targeted- specifically aimed at an individual or household or exclusively to the property and not experienced by others in the immediate neighbourhood **and**

Persistent- a series of repeated and recent incidents over a defined period of time or a likelihood of repetition as assessed by the police or other agency.

- Cases of flood or fire to the partner landlord's own properties, resulting in the tenant needing to be re-housed.
- Where, under a partner landlord policy, a person can succeed the tenancy, but the property is inappropriate.
- Applicants whose home is subject to demolition or refurbishment by one of the partner landlords.
- Applicants who have completed a resettlement programme in an approved resettlement scheme. See Appendix 9 for further details.
- Applicants owed a duty under the Rent (Agricultural) Act 1976.
- Applicants under the National Witness Protection Scheme.
- A suitably adapted property becomes vacant and meets the needs of an applicant in emergency band.

- Any other management case where the issue is of a specialist nature including assisting Social Services and housing management and/or emergency.

Direct offers will be appropriate and suitable to the applicants needs⁹ and approved by a senior manager. Any Partner or participating landlord can be approached for a direct offer. An applicant will only receive one direct offer of accommodation. Refusing a direct offer may lead to an application being cancelled.

Direct offers are reported to and monitored by the NYHC Partnership Board on a quarterly basis.

5.3 The bidding cycle

Properties are advertised from Thursday until midnight on a Tuesday.

The maximum number of bids allowed per advertising cycle is 3. Bids can be placed at any time during the advertising period. Time of bidding does not determine place on the shortlist and is not used as a tiebreaker.

Auto bids used to assist applicants are placed by the system to an agreed criteria.

Applicants matched to a property will not be able to make further bids

Applicants (or their advocates) can place bid by the following methods:

- Via the website.
- Contact a partner organisation by phone or in person.

5.4 Short-listing and selection

At the end of the advertising cycle, applicants will be ranked by order of priority and a shortlist produced. There are four 'tie breaks' used to help determine priority between bids which are applied in order from 1 to 4.

1. Band 2. Assessed Bedroom Need 3. Debt 4. Time on the register.

There may be some occasions when a property allocation will not follow the tie break order e.g., the applicant does not meet the advert criteria, such as the minimum age, local letting policy or other property restriction.

5.5 Tie breakers

Tie breaker 1 Band:

Bids will firstly be ranked by band as follows; Emergency followed by Gold then

⁹ In respect of management transfers this will be a like for like offer.

Silver then Bronze. Where applicants are equal by band then the process moves to Tie Breaker 2

Tie breaker 2 – Assessed Bedroom Need

Applicants whose requirements exactly meet the number of bedrooms advertised. Where applicants are equal by bedroom need the process moves to Tie Breaker 3.

Tie breaker 3 – Debt

Where applicants are equal in band and assessed bedroom need then financial conduct will be taken into account. Applicants with no housing related debt will rank above those with debt. Statute barred debt will not be considered for the purpose of this tie breaker.

Where applicants are equal by debt then the process moves to Tie Breaker 4.

Tie breaker 4 – Time

Where applicants remain equal the applicant with the earliest priority band date will be ranked first. In the event of applicants being equal in priority band date then the earliest registration date will be used.

5.6 Viewing properties and receiving offers

When an applicant has been shortlisted and matched to a property, they will be invited to attend a viewing. Where applicants have been matched to more than one property, they will be asked to choose which property they would prefer to be considered for. Applicants can only be considered for one property.

Where a person is invited to view and fails to respond within 24 hours or where a viewing cannot be made within a reasonable period of time (as agreed by the partner landlord) then the property may be offered to another applicant.

Following a viewing an applicant will be given 24 hours to decide to accept or refuse a property offer. This time frame may be extended where the property needs to be assessed for adaptations, suitability on medical grounds or someone with a disability needs more time to consider the move.

Where an offer of accommodation is made, further verification will take place to ensure that the applicant is currently eligible and qualifying for the housing register and the allocation of the property. Applicants will be advised what information is required and when this information is needed.

Failure to provide any information requested within the given time frame may result in the property offer being withdrawn and the property being offered to the next applicant on the shortlist.

SECTION 6: EXISTING SOCIAL HOUSING TENANTS

6.1 Existing social housing tenants

Existing social housing tenants will have their eligibility and qualification assessed in the same way as new applicants however, tenants will not normally be allowed to move where:

- They have current arrears and/or are in breach of their tenancy agreement. Where a breach relates to rent arrears, or other outstanding debts to the landlord, affordability will be considered.
- The landlord has begun formal action because of a tenancy breach.
- They occupy a property that has been adapted for their needs, unless that adaptation is no longer required or the property they are moving to includes all the adaptations they require.
- They have been housed within the last 12 months unless a key change in circumstances make the property unsuitable for their needs.
- They are in temporary accommodation, hostels and/or supported housing and have current arrears and/or are in breach of their accommodation license/tenancy where court action /eviction is likely. Contact with the relevant manager should be made where arrears are low level to be individually assessed.

There may be occasions where an existing tenant wishes to downsize but has accrued rent arrears because of under occupying a property or other welfare reforms. These tenants will have their application assessed by a senior housing officer and may be allowed to move where they are addressing current arrears and to help prevent further hardship.

To help facilitate a move, existing tenants should be advised to register for Mutual Exchange. Each partner landlord will have their own mutual exchange policy and will provide information and guidance on the terms and conditions of the process.

Some lettings of secure tenancies are exempt from the requirements of part 6 of the Housing Act 1996 and this allocations policy will not apply to:

- Succession on the death of a tenant.
- Assignment by way of exchange (a mutual exchange).
- Assignment to a person who would be qualified to succeed if the tenant had died immediately before the assignment; or
- Transfers of tenancy under the provisions of matrimonial and related domestic legislation.
- Temporary decants

Where an applicant is an existing secure tenant or an assured tenant of a Registered Provider, the tenant cannot be regarded as ineligible under Section 160ZA of the Housing Act 1996 for an offer of accommodation based on their immigration status.

6.2 Right to Move

“The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015”, states that local connection criteria may not be applied to existing social housing tenants seeking to transfer from another local authority district in England who:

- Have reasonable preference under Section 166(3)(e) of the Housing Act 1996 because of a need to move to the local authority’s district to avoid hardship, and
- Need to move because the tenant works in the district, or
- Need to move to take up an offer of work and the tenant has a genuine intention to take up the offer

This is to ensure that existing tenants who are seeking to move between local authority areas in England for work related reasons are not disadvantaged.

The term work includes an apprenticeship, but excludes voluntary work, where no payment is received, or the only payment is in respect of any expenses reasonably incurred. We will require supporting evidence to confirm that the work or job offer is genuine.

We will seek confirmation that the tenant meets the Right to Move criteria both at the time of the initial application and when considering making an allocation of housing.

Transferring tenants must have reasonable preference, that is not simply that they wish to move, but that they need to move to a particular locality within The North Yorkshire Council area, where failure to meet that need would cause hardship.

6.3 Good Tenants Scheme

This is an incentive scheme for the current tenants of partner and participating landlords who live in the partnership area. To qualify, tenants must meet all the following criteria:

- lived in their current property for 3 years
- have not been in breach of their tenancy agreement
- have had no rent arrears in the last 3 years
- the property must be in a good state of repair & decoration and suitable to let without any additional work (over and above the required safety checks)
- give permission to their landlord to show their property to prospective tenants prior to them moving out.

Tenants who meet the criteria will be awarded one band above their assessed housing need up to a maximum of Gold band.

APPENDIX 1 APPLICATIONS FROM MINORS (YOUNG PEOPLE AGED 16 AND 17 YEARS OF AGE)

Anyone aged 16 years of age or over may apply to join the Housing Register.

Minors, including applicants aged 16 or 17 years of age, cannot legally be bound by contracts, or hold a legal estate in land. However, they can be bound by a “contract for necessities” and a minor can be legally bound to pay the rent. Therefore, a minor can hold an equitable tenancy providing a trustee is appointed to hold the legal estate in trust until the minor reaches 18 years of age, when this will expire, and an introductory tenancy will be granted.

Applicants aged 16 or 17 years of age without a trustee will not be eligible to join the Housing Register.

A trustee should be:

- A responsible adult.
- An organisation.
- A named individual within an organisation.

A trustee who is a responsible adult should:

- Be a close friend or relative.
- Have a stable five-year housing history.
- Have no debts to the council (council tax and/or rent), or a Registered Provider.
- Be able to attend the tenancy sign up.

Although the trustee must attend the sign up of the tenancy, there is no obligation to attend any further meetings relating to the tenancy. Both the trustee and the minor will jointly be served with paperwork relating to any Possession Proceedings.

The trust automatically ends on the young person’s 18th birthday.

In the case of joint minors, an individual trustee is required for both young people.

APPENDIX 2 UNACCEPTABLE BEHAVIOUR

Statutory and Regulatory Guidance

Applicants may not qualify to join the Housing Register if the applicant, or a member of their household, has been guilty of unacceptable behaviour that is serious enough to make them unsuitable to be a tenant at the time that their application is being considered.

The unacceptable behaviour test applies to all applicants, including those that would fall within a reasonable preference group. This also means that statutory homeless applicants to whom the council has accepted a full homeless duty may not qualify to join the Housing Register.

The “test” is whether the behaviour of the tenant would have given rise to a reasonable prospect of the housing authority obtaining an order for possession, whether actually or notionally, had the applicant been a secure tenant.

Assessing Qualification.

Applicants will not automatically be nonqualifying if their circumstances ‘fit’ a defined category as each case will be judged on its own merits.

The Partnership will ensure that the process for assessing qualification is both fair, transparent and effective. In reaching a decision on whether an applicant does not qualify on the grounds of unacceptable behaviour, all relevant information will be considered, including whether the behaviour may have been due to a physical or learning disability, or mental health issues, and information from other agencies.

We will consider an application where there is a proven history of unacceptable behaviour if the applicant can demonstrate that they have modified their behaviour and that they are suitable to be a tenant i.e. are engaged in support with a recognised support provider and the provider will continue that support if/when the applicant is rehoused, or have paid their rent arrears in full or have maintained a satisfactory repayment arrangement over a reasonable period of time.

Where appropriate, references will be requested regarding an applicant’s current or previous addresses. References will not be requested from family members or friends of the applicant unless there is a clear landlord/tenant relationship. Applicants will be given an opportunity to provide any further information to support their application prior to a final decision being made on their qualification.

Where the unacceptable behaviour has been committed by a person who was, but is no longer a member of the applicant’s household, the behaviour will be disregarded provided that the applicant is not guilty of unacceptable behaviour themselves.

*Section 84 of the Housing Act 1985 and Section 94 to Section 100 of the Anti-Social Behaviour, Crime and Policing Act 2014)

Notifying the Applicant of the Non-Qualification Decision and the Right to Review

Applicants will be informed in writing if they do not qualify on the grounds of unacceptable behaviour, the reasons why and their right to request a review of the decision. Applicants will be notified of the actions they need to take to remedy their non-qualification and details of any relevant support and/or independent agencies will be provided. Further information on the Review procedure can be found at section 3.18 or on our website: www.northyorkshirehomechoice.org.uk

A fresh application will need to be made by an applicant where a previous non-qualification decision has been made and they feel that their unacceptable behaviour has been addressed. If accepted, their application will start from the date that the new application is received.

Grounds for Lifting the Non-Qualification Decision

The Partnership will work collaboratively with the police, probation, prison service, social care, health services and any other relevant support agency in an effort to resolve an applicant's non-qualification and improve their chances of being integrated back into the Community through a planned and managed approach.

The basic principle for lifting the non-qualifying status will be evidenced material change in the applicant's circumstances. For example:

- Where an applicant has been guilty of unacceptable behaviour, the applicant can evidence a significant change in their behaviour over a sustained period of time. This would usually be a minimum period of six months
- An applicant is actively engaged in support with a recognised support provider which addresses their previous unacceptable behaviour, and the provider will continue that support if/when the applicant is rehoused.
- The relevant conviction has become spent, and the applicant is not considered a risk to the community.
- The applicant is addressing arrears and debts by paying in full or addressing through a reasonable payment arrangement. An affordability assessment may be required.

Where a partner landlord has previously evicted a household, they will not generally be expected to provide housing within a 5-year period but may need to consider individual cases.

APPENDIX 3 HOMELESS APPLICANTS

Applicants who are eligible and qualify will receive the following priority banding:

Prevention Duty	Silver	Bidding not restricted
Relief Duty	Silver	Bidding not restricted
Relief Duty and in priority need	Gold	Bidding not restricted
Main Duty Owed	Gold	Bidding not restricted.
Intentionally Homeless	Silver	Bidding not restricted
No Priority Need	Silver	Bidding not restricted

Applicants are expected to bid for all suitable properties and may be placed onto auto bid if they are found not to be bidding. The local authority reserves the right to make one direct offer of accommodation to a homeless household at any point

If a homeless applicant refuses a suitable direct offer that ends the local authority duty, applicants may remain on the housing register and their application will be assessed on their housing need.

APPENDIX 4: OVERLOOKING A SUCCESSFUL BID

There will be circumstances where allocations staff will have discretion to overlook a successful bidder.

1. Debt from former tenancies:

This means housing related debts such as rent arrears, court costs or rechargeable repairs to any private landlord, social landlord or council. It includes temporary accommodation, hostels, and supported housing.

A successful bid may be overlooked if the applicant has housing related debt and does not have a repayment agreement in place.

- The agreement should have been maintained successfully and continually for a minimum of thirteen weeks prior to the successful bid being made. Applicants who receive monthly payments such as Universal Credit must evidence continuous payments of three months, and
- the re-payment agreement is current.
- Repayment plans should be appropriate to the level of debt owed and be acceptable to the housing landlord.
- Where debt is owed to a private landlord the applicant must evidence a willingness to repay.
- A landlord may require an affordability assessment to ensure that the applicant can afford to continue their repayment plan and pay rent on a new tenancy.

2. Existing tenants in breach of their tenancy.

Bids from existing tenants will normally be overlooked if:

- they are in breach of their tenancy conditions including rent arrears or other debts owed to a landlord. Where a breach relates to rent arrears, or other outstanding debts to the landlord, affordability will be considered.
- Their current property has been specifically adapted to meet their current needs, unless that adaptation is no longer required or the property, they have bid on includes all the adaptations they require.

Existing tenants who are in rent arrears because of under occupying their current property or other welfare reforms will be assessed individually.

Existing tenants in temporary accommodation, hostels and supported housing will not normally be allowed to move if they have current arrears. Contact with the relevant manager should be made where arrears are low level to be individually assessed.

3. MAPPA

Applicants subject to MAPPA can be overlooked if the property is not suitable on advice of North Yorkshire Police Public Protection Unit or North Yorkshire Probation Services.

4. Health and safety or illegality

A successful bid that creates a risk to life, serious health and safety risk, or creates a situation that is illegal such as statutory overcrowding.

5. Charitable Status

A successful bid will be overlooked if the applicant does not meet the charitable criteria of the housing association which place restrictions on who can be housed.

6. Essential Need

Where a person has an essential need to live close to another person who currently lives in the partnership area, the property must be in the locality area where the person lives.

7. Support

The receiving landlord must be satisfied that a suitable support package is in place and sufficient to meet the needs of vulnerable applicants who have been assessed by a specialist professional as having a support need that would affect their ability to live independently and/or maintain a tenancy.

8. Restrictions

Where there are bidding restrictions in place and the bid does not meet the advert criteria.

9. Non-Qualification or Ineligibility

Where the applicant is found to be no longer eligible and/or qualify.

10. Disability

Where a property cannot reasonably be adapted for an applicant with disabilities. It may not be reasonable to adapt properties where a major structural alteration is required such as an extension, through floor lift; or door widening.

Minor adaptations such as stair lifts, adjustments to baths or showers, grab rail etc. should generally not exclude the successful applicant from receiving the offer; however, staff will exercise their discretion where funding is not available for these adaptations.

11. Adapted properties

Where a successful bid has been made on an adapted property and the applicant does not have need for that adaptation. Staff can re-advertise for one further cycle in this instance.

12. Terms of the advert

Where the successful bid does not comply with the terms of the advert.

13. Affordability

Where it is determined that the applicant will not be able to financially sustain the tenancy. A financial assessment should be carried out.

14. Adopters/foster carers

If the property is not a suitable location as advised by children's social care.

15. Mental Capacity Assessments

Where it is professionally assessed an applicant does not have the mental capacity to maintain a tenancy and there is no trustee in place. Each case will be individually assessed.

In exceptional circumstances a senior manager can override discretionary grounds to allocate a property.

APPENDIX 5 BEDROOM NEED

5.1 Assessing Bedroom Need

Applicants will only be considered for the size of property that meets their housing need. A separate bedroom will be allowed for:

- A single applicant or a married/cohabiting couple
 - A pair of children of the opposite sex aged under 10
 - A pair of children of the same sex aged between 0 - 16
 - Any adult aged 16 or over
 - Any foster child staying
 - Any other person
-
- A room intended as a bedroom but used for another purpose, for example storage of possessions, will still be regarded as a bedroom. If an applicant claims the bedroom is unfit for use, our Private Sector Housing Team will be contacted for advice.
 - If a child has a home elsewhere, but chooses to live with another applicant, the child will be discounted for assessing overcrowding.
 - If bedrooms could be better used, we will assume they are for assessment purposes.
 - Applicants living in bedsits are not generally classed as lacking a bedroom.
 - Applicants sharing a bedroom with a non-applicant are classed as lacking a bedroom.
 - Discretion can be exercised by staff to adjust the number of bedrooms required if the bedrooms in the property are particularly large or small having regard to the space standard.

5.2 Exceptional Circumstances

An additional bedroom may be considered in the following cases:

- A carer provides regular overnight care for the applicant and/or their partner

The applicant or their partner should be in receipt of high or middle rate Attendance Allowance or Disability Living Allowance (DLA), or enhanced rate Personal Independence Payment (PIP). Regular care should be a minimum of two to three nights care per week on average. There should be a continuing need for care, with the expectation that the care will be required for the foreseeable future. Care must be provided during the night, solely being put to bed, and woken up in the morning

does not constitute overnight care and the care provided must be more than simply a presence overnight, such as changing bedding or administering medication. The care must be provided by someone who does not normally live with the applicant and the carer must use the additional bedroom for their overnight stays, as opposed to sleeping in the living room. Only one extra bedroom will be allowed even if the applicant and their partner both need individual carers.

- A child has a serious disability and cannot share a bedroom as a result

The child should be in receipt of high or middle rate Disability Living Allowance (DLA). Consideration will be given to the nature and severity of the child's disability, the nature and frequency of care provided and whether it is regular and overnight (as specified above), the reasons why the child cannot share a bedroom and the extent to which other children would be disturbed during the night. Supporting evidence that the child needs its own bedroom should be obtained from a relevant health professional.

- Foster Carers or those seeking to adopt.

Applications from foster carers, those approved to adopt, or those persons being assessed for approval to foster or adopt, may be allocated an additional bedroom if they need to move to a larger home to accommodate a child. Written confirmation must be obtained from Social Services. Foster children are not considered in determining household size for the purposes of the under-occupation measure under the Welfare Reform Act 2012 and removal of the spare room rate subsidy and a financial assessment will be required to confirm that any accommodation offered is affordable.

5.3 Unborn Children

An unborn child is not counted as a member of the household until proof has been received that the child has been born. The only exception to this is where the applicant is within 12 weeks of their due date, and it is determined that they would be overcrowded in their current accommodation upon the birth of the child. Expectant mothers should provide a MATB1 form or other proof of pregnancy from a health professional (followed by a MATB1 form).

5.4 Children in Care

Children in care will be assessed on a case-by-case basis and confirmation will be required from social services that the child will return to live with the applicants on a permanent basis, should they be allocated a suitable property

5.5 Day to Day Residence and Parenting Responsibilities

In cases of shared parenting responsibilities and part time residency of children, although a child may live with its parents on a split week basis, only in exceptional circumstances, such as where children have special needs, will it be reasonable for children who already have an existing home with one parent to be provided with another home to live with the other parent.

We will request documentary evidence to determine who a child normally lives with.

Where a child is included on an application where no parental responsibility exists within the household (for example grandchildren, nieces, nephews), proof must be obtained of legal guardianship and confirmation obtained from Social Services that this will continue on a permanent basis.

5.6 Students

Students who are temporarily absent from the applicants home and living in student accommodation are included as household members.

5.7 Adult Household Members

Persons over the age of 18 may continue to be considered as part of an applicant's household if they still reside with the applicant and wish to continue to do so.

Adults living elsewhere will not normally be added to an application, unless they have a demonstrable need to live with the applicant, and they plan to live with the applicant on a permanent basis.

Applicants who require a full-time residential carer may include the carer on their application. Proof of the requirement should be obtained from Social Services or relevant health professional.

APPENDIX 6: PROPERTY NEED

The table shows the size of properties that applicants are eligible for based on their household composition.

	Bedsit or Studio	1 bed	2-bed	3-bed	4-bed	5-bed
One adult.	✓	✓				
A Couple	✓	✓				
Two adults* (not a couple)			✓			
Three adults*			✓	✓		
One / Two adults with one child			✓			
One / Two adults with 2 children under 10			✓			
One / Two adults with 2 children of the same sex up to the age of 16			✓			
One / Two adults with 2 children of the same sex one over 16				✓		
One / Two adults with 3 children				✓	✓	
One / Two adults with 4 children				✓	✓	
One / Two adults with 5+ children					✓	✓

*Joint tenancies between two adults not recognised as a couple for example a brother and sister would be eligible for a 2-bedroom property. Household compositions for 3 adults such as three adult siblings may be eligible for a 3-bedroom property.

Landlords have different housing stock profiles, and they reserve the right to determine size criteria which will be made clear on the property advert. For example, a 3-bedroom house may be advertised as having one double and two single bedrooms (household of 4) as opposed to a 3-bedroom house with two double and one single bedroom (household of 5)

Landlords may define houses as family housing i.e., only suitable for applicants with children or who are expecting a child.

In general applicants and their households will match the size criteria but in certain areas or for certain properties they may be allowed to bid for larger property. However, a financial assessment will be required to confirm that the accommodation offered is affordable.

In exceptional circumstances, where applicants have very large families that may have little or no prospect of finding a property that is large enough to meet their assessed bedroom needs, partner landlords may permit bids for properties that are smaller (maximum 1 bedroom less than required) than their assessed bedroom need provided the allocation would not make the applicant statutorily overcrowded.

Where an applicant chooses to accept an offer of accommodation that has fewer bedrooms than their assessed bedroom need, and they then reapply they will only be able to apply for a property of an assessed suitable size

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APPENDIX 7 RESETTLEMENT AND MOVING ON FROM SUPPORTED HOUSING

Applicants who have successfully completed a programme of support in an approved supported housing scheme and are ready to move on to independent living may qualify for resettlement priority.

The support plan will normally have been completed over a period of 12 to 24 months, but in all cases will be a minimum of six months. Applicants who have lived in supported housing for less than six months will not be eligible for resettlement but can make an application to the housing register and will have their housing needs assessed accordingly.

A Resettlement report must be provided to the local authority which confirms that the applicant is able to live independently. Evidence of support around the following areas should be provided:

- Money management (budgeting, paying bills/rent, addressing arrears etc.)
- Practical skills (cooking, cleaning, hygiene and home management, forms and benefits, furniture, setting up utilities etc.)
- Health and well-being (managing substance misuse, registering with a GP/dentist etc, engagement with mental health services.)
- Social responsibility (accessing employment/education/training/volunteering)
- Managing offending (compliance with orders, completion of recognised perpetrator course etc.)
- Personal Skills (assertiveness, communication, self-esteem, conflict resolution, rebuilding family relationships etc)

The resettlement report may be rejected if there is insufficient evidence that the support programme has been fully completed or the applicant is not ready for independent living or ongoing support is not in place.

Applicants who qualify for resettlement priority will be placed in Gold Banding and given 3 months to bid on suitable properties. After this time, the Partnership reserves the right to place their application onto auto bid or make one direct offer of accommodation.

In certain circumstances the applicant will not be able to bid at all and will be made a single direct offer.

Restrictions may be placed on bidding to a specific location and the applicant will be advised of this in writing.

The receiving landlord must be satisfied that any applicant who needs long term help has a support package in place that is sufficient to meet the applicant's needs and includes with it a strategy for non-engagement.

A list of recognised supported housing schemes is available on our website: www.northyorkshirechoice.org.uk

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Last updated 9/5/23 claire willoughby



Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated April 2019)

NYC Allocations Policy

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find

completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Community Development Housing
Lead Officer and contact details	Carl Doolan Carl.doolan@northyorks.gov.uk
Names and roles of other people involved in carrying out the EIA	Dominic Richardson Vicky Young TBC
How will you pay due regard? e.g. working group, individual officer	Working group with support from the Policy, Partnerships and Communications Team.
When did the due regard process start?	26/04/2023

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

This EIA seeks to assess the proposed allocations policy for North Yorkshire Council, which was developed by housing colleagues as part of the preparations for Local Government Re-Organisation (LGR). The policy is drawn from the existing allocation policies of the predecessor councils which have been the subject of EIAs previously and approved through a democratic process.

In addition, the EIA will assess the impact of the proposal for North Yorkshire Council to adopt the North Yorkshire Home Choice allocation scheme across all locality areas which is a partnership scheme with Beyond Housing, Broadacres Housing Association and Yorkshire Housing.

The EIA has been created to reflect the difference in impact on the existing North Yorkshire Home Choice partnership area, which incorporates all former district and borough councils except Harrogate, and that of the former Harrogate Borough Council area, where a completely different allocations policy and vehicle for delivery is in place.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

Local housing authorities are required by law to have a scheme for determining priorities and procedures when allocating social housing, including council housing stock and housing association properties to rent. At present The Council (North Yorkshire) operates two allocation schemes, North Yorkshire Home Choice which covers all localities except for Harrogate and a standalone allocation scheme covering the former Harrogate BC area.

Local Government (Structural Changes) (General) (Amendment) Regulations 2018 provide a period of two years for the housing allocation schemes inherited from predecessor councils to be revised and harmonised across the new unitary authority.

The North Yorkshire Home Choice (NYHC) allocation scheme sets out how this is achieved via a Choice Based Lettings (CBL) scheme, the model that will be used to allocate homes. The scheme applies to households seeking social housing within North Yorkshire and existing social tenants wishing to transfer.

Section 3. What will change? What will be different for customers and/or staff?

Although the policy itself, which sets out criteria around qualification, eligibility and how applicants will be prioritised, will not be significantly different for customers of Harrogate or North Yorkshire Home Choice (the partnership that covers all of the North Yorkshire Council geographical area with the exception of Harrogate), the delivery vehicle of Choice Based Lettings will be a significant change for Harrogate customers.

For current customers who are familiar with the NYHC CBL scheme, the key differences will be some proposed changes to the existing NYHC common allocation policy. For staff, applicants and partner agencies operating within the Harrogate locality there will be more significant change, particular in the way they apply and are allocated accommodation, which will be reflected within the involvement and consultation processes.

The key changes are:

1. INCOME, SAVINGS AND CAPITAL

Applicants who are deemed to have sufficient income, savings, capital and/or assets more than £60000 will not normally qualify to join the housing register.

This is a change for Harrogate applicants, who currently have a threshold of £120,000, but is already North Yorkshire Home Choice policy so will not affect those applicants.

2. LOCAL CONNECTION

Local connection will be required to the North Yorkshire partnership area through family, employment, or residency. For the purposes of residency, applicants must either reside in the partnership area and have done for at least 6 out of the last 12 months or have previous residence in the partnership for at least 3 out of the last 5 years.

This is a change for Harrogate applicants, where applicants must reside in the area and have done so for at least two years but is already North Yorkshire Home Choice policy so will not affect those applicants.

For the purposes of employment, applicants must be employed in the North Yorkshire partnership area on either a full or part time basis for a minimum of six months. Casual, seasonal, and voluntary work is not included. An employment contract must remain valid at the point of offer.

This differs slightly from the current Harrogate allocations policy, where employment must be in the district, for a minimum period of 12 months, and at least 16 hours a week, and the North Yorkshire Home Choice policy where an applicant must be employed in the partnership area, and is defined as meaningful, permanent full or part time, not casual, seasonal or voluntary.

3. EXEMPTIONS FOR LOCAL CONNECTION

In line with statutory guidance, we propose to exempt divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence from any local connection requirements.

This is not included in either the current North Yorkshire Home Choice or Harrogate Allocations Policies

We are proposing that care leavers (those aged between 16 and 20) who are owed a duty by North Yorkshire Council, or who are owed a duty by another Council but live in North Yorkshire are exempt from any local connection requirement.

This is a change for Harrogate applicants, and is not currently within policy, but is already within the North Yorkshire Home Choice policy so will not affect those applicants.

To comply with our duties under the Domestic Abuse Act 2021, we are proposing that those who have escaped domestic abuse in another local authority area and are living in a refuge or other form of safe temporary accommodation in the partnership area will be exempt from the requirement to have a local connection.

This is a change for Harrogate applicants, whose policy had not been updated to reflect the changes, but is already North Yorkshire Home Choice policy so will not affect those applicants.

4. RURAL INITIATIVES

In order to support rural communities, (settlements of less than 3000 population), properties in those areas may be restricted to those with a local connection to a specific parish. If there are no successful applicants, the property will be advertised to the wider partnership area.

This is currently included in the North Yorkshire Home Choice policy but there is no similar provision within Harrogate's policy.

5. FREE MOVEMENT ACROSS THE PARTNERSHIP AREA

Applicants will be able to bid on any property and will not be restricted to their locality area. This will apply to all applicants including those that are homeless.

This is currently included in the North Yorkshire Home Choice policy.

6. REFUSALS

An application will be cancelled if an applicant refuses two suitable offers of accommodation made in writing within a 12-month period, or a single direct offer of accommodation.

This differs slightly from the current North Yorkshire Home Choice, where applicants are entitled to three suitable offers of accommodation within no defined timescale, and Harrogate's Allocations Policy, where they are entitled to two offers within no defined timescale.

7. ASSESSED HOUSING NEED

Applications will be placed in either Emergency, Gold, Silver or Bronze band based on their assessed housing need. The definitions of each banding can be found in the draft North Yorkshire Home Choice allocations policy.

The bandings reflect the current North Yorkshire Home Choice policy so will not affect those applicants. For Harrogate, the way applicants are prioritised will be fundamentally similar but there will be a change as applicants will be placed in bandings rather than awarded points as they are currently.

8. ASSESSED BEDROOM NEED

The size of property that an applicant is eligible for is assessed by the family composition, taking into account the number of children and their ages. A table can be found in the draft North Yorkshire Home Choice policy.

This is a change for North Yorkshire Home Choice applicants, as it will reduce the age at which point someone requires their own bedroom from 21 to 17, but is already Harrogate policy so will not affect those applicants. For Harrogate, the way applicants are prioritised will be fundamentally similar but there will be a change as applicants will be placed in bandings rather than awarded points.

9. UNBORN CHILDREN.

Generally, an unborn child is not counted as a member of the household until proof has been received that the child has been born, the only exception to this is where the applicant is within 12 weeks of their due date, and it is determined that they would be overcrowded in their current accommodation upon the birth of the child.

This is a change for Harrogate applicants, where an unborn child is not counted as a member of a household until they are born, but is already North Yorkshire Home Choice policy, albeit this is discretionary, so will not affect those applicants.

At present applicants who wish to join the respective allocations scheme can do so in a variety of ways, predominantly online but alternative options are also available to ensure fair and equal access to the housing register. Thereafter there is a marked divergence in the process applicants will then experience.

In Harrogate Officers will draw up shortlists of applicants for council housing and for nominations for Housing Association properties whereas under the NYHC CBL scheme, properties are advertised, and applicants express their interest through a weekly bidding process (*some applicants may receive a direct let in certain circumstances).

Choice Based Lettings schemes require more active engagement on the part of applicants and we acknowledge that, without the correct support mechanisms in place, some people could potentially be disadvantaged by the proactive nature of the system due to age, disability, ethnicity (where English is not a first language or where literacy levels are low) and other vulnerabilities, potentially linked to low income and rurality (access to technology, skills, broadband).

The North Yorkshire Home Choice partnership, excepting Harrogate, has been in operation since 2011, and has been mindful to mitigate any exclusion from its inception. The majority of partners at this time moved from points to choice-based lettings system in the same way Harrogate will be, and through equalities and operational groups has ensured this has remained on the agenda.

General evaluations of Choice Based Lettings, and a comprehensive study by Birmingham University in relation to North Yorkshire HomeChoice (2012), which considered vulnerability as one of its key themes, confirmed that issues around exclusion can be overcome so long as appropriate support and assistance is provided.

Within North Yorkshire Home Choice, and the proposed new allocations policy, vulnerable applicants can be identified through a series of questions within the application process and, as a result, they can:

- Nominate someone to act on their behalf.
- Be added to an assisted list and sent weekly newsletters.
- Be activated for auto-bid, meaning the system will place bids on properties for them.
- Make contact and place bids on properties via a variety of methods – phone, text, online, direct messaging on the system.

Alongside this, applicants can upload their own documents on to the system, meaning they do not have to attend an office or put items in the post.

Local partners and support services are also familiar with the system and have supported their customers for many years within the partnership area.

The table below shows the current number of active applicants on the respective housing registers.

Area	Number of active applicants
NYHC	6166
Harrogate	2084
TOTAL	8250

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

The involvement and consultation undertaken to date has been limited to officers involved in the LGR working group and which included representatives from all predecessor councils.

The North Yorkshire HomeChoice Allocations Scheme will be subject to a twelve-week consultation.

The consultation will be an online SNAP survey and open to all residents, stakeholders and interested organisations. The consultation will also be accessible to those who wish to provide feedback via other methods, such as telephone, post, and email and available in other formats and languages upon request.

The following consultation and promotional methods will be utilised:

- Communication to all applicants and prospective applicants via the NYHC and NYC websites with links to the online survey.
- Direct contact with all existing Harrogate applicants.
- Direct communication with involved tenants from the Harrogate, Richmondshire and Selby locality areas through face-to-face discussions, and other relevant forums.
- Promotion on North Yorkshire Council's social media platforms.
- Internal staff communications via email, team meetings etc.
- Direct contact with all housing association partners.
- Direct contact with statutory and voluntary partners with an interest in housing.

A separate communications plan will be developed by the working group communications lead to identify key partners for consultation and develop specific, additional engagement opportunities for the Harrogate locality, to cover both staff and applicants.

This Equality Impact Assessment will be updated accordingly to confirm any negative impact following the consultation period.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result.

In the short term there will be a budgetary impact in harmonising the two existing allocation schemes which cannot be avoided. We will however seek to mitigate and minimise these costs by working with colleagues in other areas via a formal procurement process (a procurement resource will be allocated and will be invited to join the allocation policy working group).

Source information for section 6 below includes

- Existing customer profiles from both NYHC and Harrogate
- 2021 Census

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.																																														
<p align="center">Age</p> <p>The table below shows the current age bands of the main applicant on both North Yorkshire HomeChoice and the Harrogate waiting list.</p>	NYHC			Harrogate			Existing users of North Yorkshire HomeChoice	Existing users of Harrogate's waiting list																																													
<p>North Yorkshire HomeChoice</p> <table border="1" data-bbox="206 735 736 1270"> <thead> <tr> <th>Age of main applicant</th> <th>Number</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td></td> <td>NYHC</td> <td>NYHC</td> </tr> <tr> <td>16-17</td> <td>4</td> <td>0.1%</td> </tr> <tr> <td>18-24</td> <td>586</td> <td>9.5%</td> </tr> <tr> <td>25-31</td> <td>1077</td> <td>17.5%</td> </tr> <tr> <td>32-38</td> <td>1082</td> <td>17.5%</td> </tr> <tr> <td>39-45</td> <td>753</td> <td>12.2%</td> </tr> <tr> <td>46-52</td> <td>599</td> <td>9.7%</td> </tr> <tr> <td>53-59</td> <td>675</td> <td>10.9%</td> </tr> <tr> <td>60-64</td> <td>376</td> <td>6.1%</td> </tr> <tr> <td>65-69</td> <td>360</td> <td>5.8%</td> </tr> <tr> <td>70-74</td> <td>275</td> <td>4.5%</td> </tr> <tr> <td>75-79</td> <td>215</td> <td>3.5%</td> </tr> <tr> <td>80+</td> <td>164</td> <td>2.7%</td> </tr> <tr> <td>TOTAL</td> <td>6166</td> <td></td> </tr> </tbody> </table>	Age of main applicant	Number	Percentage		NYHC	NYHC	16-17	4	0.1%	18-24	586	9.5%	25-31	1077	17.5%	32-38	1082	17.5%	39-45	753	12.2%	46-52	599	9.7%	53-59	675	10.9%	60-64	376	6.1%	65-69	360	5.8%	70-74	275	4.5%	75-79	215	3.5%	80+	164	2.7%	TOTAL	6166		X			X			<p>23% of applicants (1226) are aged 60 or above.</p> <p>10% of applicants (590) are aged under 25.</p> <p>Applicants already registered on the NYHC allocation scheme will not be affected by any of the proposed policy changes, as a result of their age.</p>	<p>It is not possible to compare the same data due to reporting restrictions from the allocations system.</p> <p>20% of applicants (538) are aged 60 or above.</p> <p>19% of applicants (396) are under 30.</p> <p>The new policy will not affect how properties are allocated to those over 60, or under 25.</p> <p>However, moving to Choice Based Lettings has a potential to disadvantage due to age, specifically the elderly who might face particular challenges in engaging with choice-based lettings, given the system's</p>
Age of main applicant	Number	Percentage																																																			
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Harrogate – Estimates based on March 2023 percentages.

Applicants age	Number	%
Under 30	396	19
30-59	1270	61
Over 60	312	15
Sheltered Only	104	5
Total	2082	100

requirement for active participation.

Potential barriers to elderly residents accessing the scheme are:

- visibility of the service and ease of registration
- lack of access to information about vacant properties
- lack of access to mechanisms for bidding

However, as per information in section 3, based on the experience of existing partners of North Yorkshire HomeChoice, any potential negative impact will be mitigated by the following measures.

Whilst the majority of applicants will be expected to register online, they can also be provided with a paper copy of the application form or can nominate someone to act on their behalf.

Newsletters can also be sent to customers weekly with a list of vacant properties, and there are a variety of ways that applicants can place bids – including text, auto-bid (which, once activated, will place bids automatically on

							<p>behalf of an applicant), telephone.</p> <p>We will also seek approval from the NYHC Partnership Board to re-establish an Equalities Monitoring operational group for a period of up to 12 months post the planned go-live date of 01 April 2025.</p> <p>The benefits, to all groups, of CBL includes greater customer choice (as Harrogate applicants will be able bid across the North Yorkshire area), more transparency, increased engagement and interaction between customers and housing providers, better acceptance rates and more sustainable neighbourhoods.</p>	
Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.	
<p>Disability</p> <p>The table below shows active applications where the main applicant has identified as having a disability.</p>	NYHC		Harrogate			Existing users of North Yorkshire HomeChoice	Existing users of Harrogate's waiting list	
Figures for North Yorkshire HomeChoice	X			X			49% of main applicants (3040) have identified	The level of breakdown for NYHC is not available on the Harrogate

Disability	Number	% (of those with disabilities)							<p>that they consider themselves to have a disability.</p> <p>Applicants already registered on the NYHC allocation scheme will not be affected by any of the proposed policy changes as a result of their disability.</p>	<p>system but 23% (496) of waiting list applicants answered yes to "Does anyone have an illness, medical condition, or disability".</p> <p>13% (269) require adaptations.</p> <p>Although the Allocations Policy will not have a negative impact on Harrogate applicants, moving to a Choice Based Lettings model for allocating social housing has a potential to disadvantage due to disability, both physical and cognitive – including hidden disabilities.</p> <p>Barriers which may prevent disabled residents actively participating in the process are:</p> <ul style="list-style-type: none"> • visibility of the service and ease of registration • lack of access to information about vacant properties • lack of access to mechanisms for bidding • the inability to understand written material (either through language or literacy difficulties) • the inability to comprehend the basic requirements of the scheme and to exercise informed choice • the inability to make or articulate choices and adopt an appropriate bidding strategy
Autistic	87	2.9%								
Not disclosed	167	5.5%								
Hearing impairment	75	2.5%								
Learning disability	114	3.8%								
Mental Health	1053	34.6%								
Mobility	677	22.3%								
Other	267	8.8%								
Progressive disability /chronic illness	547	18%								
Visual Impairment	53	1.7%								
TOTAL	3040									

							<ul style="list-style-type: none">• the inability to participate actively in choice-based lettings over a sustained period as a result of ongoing health problems or debilitating illnesses, particularly mental ill health. <p>However, as per information in section 3, based on the experience of existing partner landlords, any potential negative impact will be mitigated by the following measures.</p> <p>Whilst the majority of applicants will be expected to register online, they can also be provided with a paper copy of the application form or can nominate someone to act on their behalf.</p> <p>Translation services can be utilised to assist and documentation can be translated on request.</p> <p>Newsletters can also be sent to customers weekly with a list of vacant properties, and there are a variety of ways that applicants can place bids – including text, auto-bid (which, once activated, will place bids automatically on behalf of an applicant), telephone.</p>
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								<p>We will also seek approval from the NYHC Partnership Board to re-establish an Equalities Monitoring operational group for a period of up to 12 months post the planned go-live date of 01 April 2025.</p> <p>Adapted homes will be advertised as part of the scheme to ensure that applicants assessed as needing this type of accommodation are given the widest possible choice.</p> <p>This is consistent with the duty to promote disability equality.</p> <p>Applicants with disabilities who wish to bid for an un-adapted home are free to do so, although the landlord reserves the right to overlook any successful bid if it is not practical to adapt the property for the applicant or there is no funding to enable them to do so.</p> <p>Direct offers may also be utilised for cases who have an urgent need for housing and require an adapted property.</p> <p>The benefits, to all groups, of CBL includes greater customer choice (as Harrogate applicants will be able bid across the North</p>
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											Yorkshire area), more transparency, increased engagement and interaction between customers and housing providers, better acceptance rates and more sustainable neighbourhoods.																																		
Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse					Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.																																		
Sex The table below shows the sex of the lead applicant for active applications	NYHC			Harrogate			Existing users of North Yorkshire HomeChoice	Existing users of Harrogate's waiting list																																					
<table border="1"> <thead> <tr> <th rowspan="2">Sex</th> <th colspan="2">Number</th> <th colspan="2">Percentage</th> </tr> <tr> <th>NYHC</th> <th>Harrogate</th> <th>NYHC</th> <th>Harrogate</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>4002</td> <td>1345</td> <td>65</td> <td>64.5</td> </tr> <tr> <td>Male</td> <td>2164</td> <td>735</td> <td>35</td> <td>35.3</td> </tr> <tr> <td>Other</td> <td>0</td> <td>2</td> <td>0</td> <td>0.1</td> </tr> <tr> <td>Prefer not to say</td> <td>0</td> <td>2</td> <td>0</td> <td>0.1</td> </tr> <tr> <td>TOTAL</td> <td>6166</td> <td>2084</td> <td>100</td> <td>100</td> </tr> </tbody> </table>	Sex	Number		Percentage		NYHC	Harrogate	NYHC	Harrogate	Female	4002	1345	65	64.5	Male	2164	735	35	35.3	Other	0	2	0	0.1	Prefer not to say	0	2	0	0.1	TOTAL	6166	2084	100	100	X			X			<p>On North Yorkshire HomeChoice, 65% (4002) of lead applicants are female, and 35% (2164) are male</p> <p>Social housing via North Yorkshire HomeChoice is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of their sex.</p>	<p>In Harrogate, 65% (1345) waiting list applicants (lead applicants) are female, and 35% (735) male.</p> <p>Social housing in Harrogate is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of their sex.</p>			
Sex		Number		Percentage																																									
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Race						NYHC	Harrogate	Existing users of North Yorkshire HomeChoice	Existing users of Harrogate's waiting list
The table below shows the ethnicity of the lead applicant for active applications									
Ethnicity	Number		Percentage		Census 2021	X	X	All ethnic groups are slightly under-represented when compared to the North Yorkshire population figures on the latest 2021 census, with the exception of black and other ethnic groups. The overwhelming majority of those on the list were from White backgrounds, accounting for 96.1% of the housing register, which reflects figures for the overall population in North Yorkshire. Social housing via North Yorkshire HomeChoice is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of race/ethnicity.	In Harrogate currently 95% of applicants identify as white, white British or any other white background. Although the Allocations Policy will not have a negative impact on Harrogate applicants, moving to a Choice Based Lettings model for allocating social housing has a potential to disadvantage due to ethnicity, where English is not a first language and/or where culturally levels of literacy are low. However, as per information in section 3, based on the experience of existing partner landlords, any potential negative impact will be mitigated by the following measures. Translation services can be utilised to assist the bidding process and documentation can be translated on request. Whilst the majority of applicants will be expected to register online, they can also be
	NYHC	Harrogate	NYHC	Harrogate	North Yorkshire				
Asian / Asian British – Indian	5	6	0.1%	0.3%					
Asian / Asian British – Pakistani	7	3	0.1%	0.1%					
Asian / Asian British – Bangladeshi	6	1	0.1%	0%					
Asian / Asian British – Chinese	1	0	0%	0%					
Asian / Asian British – Any other	16	13	0.3%	0.6%					
Asian Total	35	23	0.5%	1.1%	1.4%				
Black - African	9	18	0.1%	0.4%					
Black - Caribbean	8	3	0.1%	0.1%					
Black – Any other	10	1	0.2%	0%					
Black Total	27	22	0.4%	1%	0.4%				
Mixed – White and Black Caribbean	17	9	0.3%	0.4%					

Mixed – White and Black African	4	2	0.1%	0.3%	
Mixed – White and Asian	9	2	0.1%	0.09%	
Mixed – Any other	18	7	0.3%	0.3%	
Mixed Total	48	20	0.8%	1%	1.1%
White - British	549	1396	89.1%	67%	
White - Irish	21	4	0.3%	0.2%	
White – Gypsy or Irish Traveller	10	1	0.2%	0%	
White – Any other	403	145	6.5%	7%	
White Total	591	1546	96.1%	95%	96.7%
Other – any other ethnic group	43	18	0.7%	0.9%	
Other Total	43	18	0.7%	0.9%	0.5%
Not Stated/Refused	87	454	1.4%	21.8%	
TOTAL	6166	2084			

provided with a paper copy of the application form or can nominate someone to act on their behalf.

Newsletters can also be sent to customers weekly with a list of vacant properties, and there are a variety of ways that applicants can place bids – including text, auto-bid (which, once activated, will place bids automatically on behalf of an applicant), telephone.

We will also seek approval from the NYHC Partnership Board to re-establish an Equalities Monitoring operational group for a period of up to 12 months post the planned go-live date of 01 April 2025.

The local authority works closely with the refugee council and their support workers for families who arrive through the resettlement scheme.

The benefits, to all groups, of CBL includes greater customer choice (as Harrogate applicants will be able bid across the North Yorkshire area), more transparency, increased engagement and interaction between customers and housing providers, better

							acceptance rates and more sustainable neighbourhoods.
Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Gender reassignment NYHC includes the question “Is your gender the same you were given at birth?”. The data below reflects the responses to this question for main applicants.	NYHC		Harrogate			Existing users of North Yorkshire HomeChoice	Existing users of Harrogate’s waiting list
No information currently available.	X			X			Social housing is allocated according to an applicant’s eligibility, qualification status and housing need. This is irrespective of whether they identify as the same gender they were assigned at birth. Harrogate currently allocate according to an applicant’s eligibility, qualification status and housing need. This is irrespective of whether they identify as the same gender they were assigned at birth.
Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Sexual orientation The table below shows the sexual orientation of the lead applicant for active applications.	NYHC		Harrogate			NYHC	Harrogate

No information currently available.	X			X			Social housing is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of their sexual orientation.	Social housing is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of their sexual orientation.
Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.	
Religion or belief The table below shows the religion or belief of the main applicant for active applications.	NYHC			Harrogate			NYHC	Harrogate
No information currently available.	X			X			Social housing is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of their religion or faith.	Social housing is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of their religion or faith.
Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.	
Pregnancy or maternity The table below shows the number of main applicants who are pregnant.	NYHC			Harrogate			NYHC	Harrogate

Pregnant	Number		Percentage	
	NYHC	Harrogate	NYHC	Harrogate
Yes		99		4.8%
No		1985		95.2%
TOTAL		2084		100%

No information currently available for North Yorkshire HomeChoice applicants.

X

X

Social housing is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of pregnancy or maternity.

In Harrogate currently 4.75% (99) of applicants were pregnant when they last updated their profile.

This will have a positive impact for Harrogate applicants, as currently unborn children are not counted until proof has been received that the child has been born.

In the draft Allocations Policy, an unborn child will not be counted as a member of the household until proof has been received that the child has been born. The only exception to this is where the applicant is within 12 weeks of their due date, and it is determined that they would be overcrowded in their current accommodation upon the birth of the child.

In the present Allocations Policy, there is discretion for staff to award additional bedrooms within 12 weeks of the due date but the new policy makes this a mandatory requirement and, as a result, will make things

							better for those who are pregnant.	
Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.	
Marriage or civil partnership	NYHC			Harrogate			NYHC	Harrogate
No information currently available.	X			X			Social housing is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of marital status.	Social housing is allocated according to an applicant's eligibility, qualification status and housing need. This is irrespective of marital status.

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.	
Live in a rural area...	NYHC			Harrogate			NYHC	Harrogate
The policy recognises the issues in terms of rural communities not having	X				X		The NYC policy contains the same criteria as the existing policy.	The rural parish connection will have a positive impact for Harrogate applicants

<p>access to affordable and social housing. To support rural communities a partner landlord may allocate properties to those with a local connection to a specific parish.</p> <p>Rural communities may be defined as parish settlements of less than 3000 in population. If there are no successful applicants, the property will be advertised to the wider partnership area.</p>								<p>as there is no provision with the existing allocations policy.</p> <p>However, moving to choice-based lettings has a potential to disadvantage due to rurality.</p> <p>Potential barriers are the visibility of the scheme, access to information about available properties and access to the mechanisms used for bidding linked to available broadband, technology, and phone signal.</p> <p>However, as per information in section 3, any potential negative impact will be mitigated by the following measures.</p> <p>Whilst the majority of applicants will be expected to register online, they can also be provided with a paper copy of the application form or can nominate someone to act on their behalf.</p> <p>Newsletters can also be sent to customers weekly with a list of vacant properties, and there are a variety of ways that applicants can place bids – including text, auto-bid (which, once activated, will place bids automatically on behalf of an applicant), telephone.</p> <p>We will also seek approval from the NYHC Partnership Board to re-establish an Equalities Monitoring operational group for a period of up to 12 months post the planned go-live date of 01 April 2025.</p>
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							<p>However, moving to Choice Based Lettings has a potential to disadvantage those on a low income. Potential barriers include the access to technology, literacy levels, skills and ability to engage with the bidding mechanism.</p> <p>Whilst the majority of applicants will be expected to register online, they can also be provided with a paper copy of the application form or can nominate someone to act on their behalf.</p> <p>Newsletters can also be sent to customers weekly with a list of vacant properties, and there are a variety of ways that applicants can place bids – including text, auto-bid, telephone.</p> <p>We will also seek approval from the NYHC Partnership Board to re-establish an Equalities Monitoring operational group for a period of up to 12 months post the planned go-live date of 01 April 2025, who will actively monitor the impact of the policy on those with protected characteristics.</p> <p>The benefits, to all groups, of CBL includes greater customer choice (as Harrogate applicants will be able bid across the North Yorkshire area), more transparency, increased engagement and interaction between customers and housing providers, better acceptance</p>
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								rates and more sustainable neighbourhoods.
Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.	
	NYHC		Harrogate			NYHC	Harrogate	
<p>...are carers (unpaid family or friend)?</p> <p>The new allocations policy contains provision for carers to be awarded an additional bedroom in certain, defined circumstances:</p> <p>They must be in receipt of PIP or DLA; it must be for a minimum of 2/3 nights per week on average; care must be provided during the night; care must be provided by someone who does not normally live with the applicant (as they would be considered part of their household for the purposes of assessment in this case), the overnight bedroom must be used by the carer and</p>	X			X			<p>In the present Allocations Policy, there is discretion for staff to award an additional bedroom for a carer or to facilitate specialist medical treatment.</p> <p>The new policy is better defined in terms of what is expected but ultimately achieves the same so there will be no impact.</p>	<p>The current Harrogate policy allows for carers in much the same way as the new policy so there would be no change.</p>

only one extra bedroom will be allowed.								
Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.	
	NYHC		Harrogate			NYHC		Harrogate
...are from the Armed Forces Community		X			X		<p>NYHC applied an exception to the local connection criteria for members of the Armed Forces.</p> <p>Members of the Armed Forces are also exempt from the “Sufficient Financial Resources” qualifying criteria if this as a result of compensation for an injury or disability sustained whilst on active duty. This is the same as existing policy.</p> <p>The new policy is compliant with the Armed Forces Act and pays due regard to the Armed Forces Covenant duty.</p> <p>The new policy will extend the local connection exception following the “armed forces</p>	<p>The new policy is an improvement for Harrogate. Armed Forces were previously given exception to local connection, additional points for need etc but the new policy opens it up to ‘the community’ of spouses/ family etc which will have a positive impact for those who are defined within the armed forces community.</p> <p>The new policy is compliant with the Armed Forces Act and pays due regard to the Armed Forces Covenant duty.</p>

						<p>community” definition which includes former partners and their first re-location after the end of the relationship.</p> <p>Current NYHC application includes questions on current and former armed forces personnel. Date of discharge and bereavement.</p> <p>New policy questions will be improved to reflect the armed forces community definition. Dedicated web page signposting support available to armed forces to be introduced.</p>	
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Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	<p>The policy and allocation scheme will operate across the full council area. Smaller rural locations may have Local Lettings Initiatives, or rural lettings, in place to try and provide much needed affordable and social housing for those who live and work locally. This has a knock-on effect in terms of the amount of overall accommodation the list that everybody can bid on. However, LLIs have been in operation across the North Yorkshire Home Choice partnership area for a considerable amount of time, and Harrogate has had restricted bidding within the former borough area, so it is not expected that this will cause any issues.</p> <p>The chosen method of allocation, Choice Based Letting, will impact Harrogate specifically as it has not previously been used here. Applicants within Harrogate will also now be in competition for properties in the former borough with those who have a local connection to the wider NY partnership area. However, this will be balanced by their ability to bid beyond their previous boundaries for properties in other areas of North Yorkshire.</p>
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	
As above, areas with LLIs or rural lettings criteria in place, which are currently all across the partnership area.	

Applicants in the Harrogate locality will be required to ‘reregister’ on the CBL system and familiarise themselves with the new process, as will staff and partners operating here.

Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

There is no reason to suggest that the policy and allocations scheme would have any adverse impact on combinations of characteristics we can of course update this post consultation and consider within the Equalities Monitoring Group.

Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	X
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<p>Explanation of why option has been chosen. (Include any advice given by Legal Services.)</p> <p>Both legacy allocation schemes had already been subject to EIA’s and broader impact assessments in the case of NYHC and were fully compliant with the relevant legislation at the time, which has not changed recently.</p> <p>The revised policy has been reviewed by Legal and their proposed amendments have been fully incorporated.</p>	

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

We will seek approval from the NYHC partnership board to re-establish an Equalities Monitoring operational group for a period of up to 12 months post the planned go-live date of 01 April 2025 as noted above.

We may also undertake other activities if it is appropriate such as customer journey mapping and tenant scrutiny once new housing structures are in place.

Rolling reviews will take place on an annual basis to make contact with those who are not bidding and engaging with the process.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.				
Action	Lead	By when	Progress	Monitoring arrangements
Amend the allocations policy and system to incorporate the latest Forces guidance.				
Set up Equalities Working Group				
Review Equalities Impact Assessment Action Plan following consultation.				

Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

This EIA confirms the statement made within the draft Allocations Policy, that scheme will be accessible and sensitive to the diverse needs of individuals and will take measures to ensure that people with disabilities have equal access to housing opportunities. Whilst there is clearly much more potential impact on those who will join the scheme from Harrogate, this is mitigated through the processes that are in place and the development that has taken place over many years.

The scheme is committed to ensuring equal access in its allocation of housing. No one will be treated any less favourably than anyone else because of age, disability, gender reassignment, marital status and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

The creation of an equalities monitoring group that will help to continue to monitor impact of policy beyond its commencement.

Section 14. Sign off section

This full EIA was completed by:

Name: Carl Doolan
Job title: Housing Services Manager
Directorate: Community Development
Signature:

Completion date: 1 August 2023

Authorised by relevant Assistant Director (signature): Carl Doolan on behalf of Andrew Rowe

Date: 1 August 2023

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Social Housing Allocations (revised NYC allocations policy and allocations scheme)
Brief description of proposal	<p>To align the two separate social housing allocation schemes from the legacy organisations by 01 April 2025 and create one, single allocations policy for the new authority.</p> <p>Local housing authorities are required by law to have a scheme for determining priorities and procedures when allocating social housing, including council housing stock and housing association properties to rent. At present The Council (North Yorkshire) operates two allocation schemes, North Yorkshire Home Choice which covers all localities except for Harrogate and a standalone allocation scheme covering the former Harrogate BC area.</p> <p>Local Government (Structural Changes) (General) (Amendment) Regulations 2018 provide a period of two years for the housing allocation schemes inherited from predecessor councils to be revised and harmonised across the new unitary authority</p> <p>The North Yorkshire Home Choice (NYHC) allocation scheme sets out how this is achieved via a Choice Based Lettings (CBL) scheme. The scheme applies to households seeking social housing within North Yorkshire and existing social tenants wishing to transfer.</p>
Directorate	Community Development
Service area	Housing
Lead officer	Carl Doolan
Names and roles of other people involved in carrying out the impact assessment	Ollie Braithwaite Climate Change Officer


The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	Choose an item.	Choose an item.	No effect on emissions
Waste	Choose an item.	Choose an item.	No effect on waste
Water use	Choose an item.	Choose an item.	No effect on water usage
Pollution (air, land, water, noise, light)	Choose an item.	Choose an item.	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	Choose an item.	Choose an item.	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	Choose an item.	Choose an item.	No effect on ecology
Heritage and landscape	Choose an item.	Choose an item.	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:		Continue to full CCIA:	
Reason for decision	<p>The harmonisation of the two existing allocation schemes is not considered to have any adverse climate impacts.</p> <p>Consideration will however be given to data storage as part of any procurement process and for the project group to ensure that climate impacts are integral to any decision.</p>			
Signed (Assistant Director or equivalent)	<p style="text-align: center;"><i>Andrew Rowe</i></p> <p style="text-align: center;">Andrew Rowe</p>			
Date	17/5/2023			