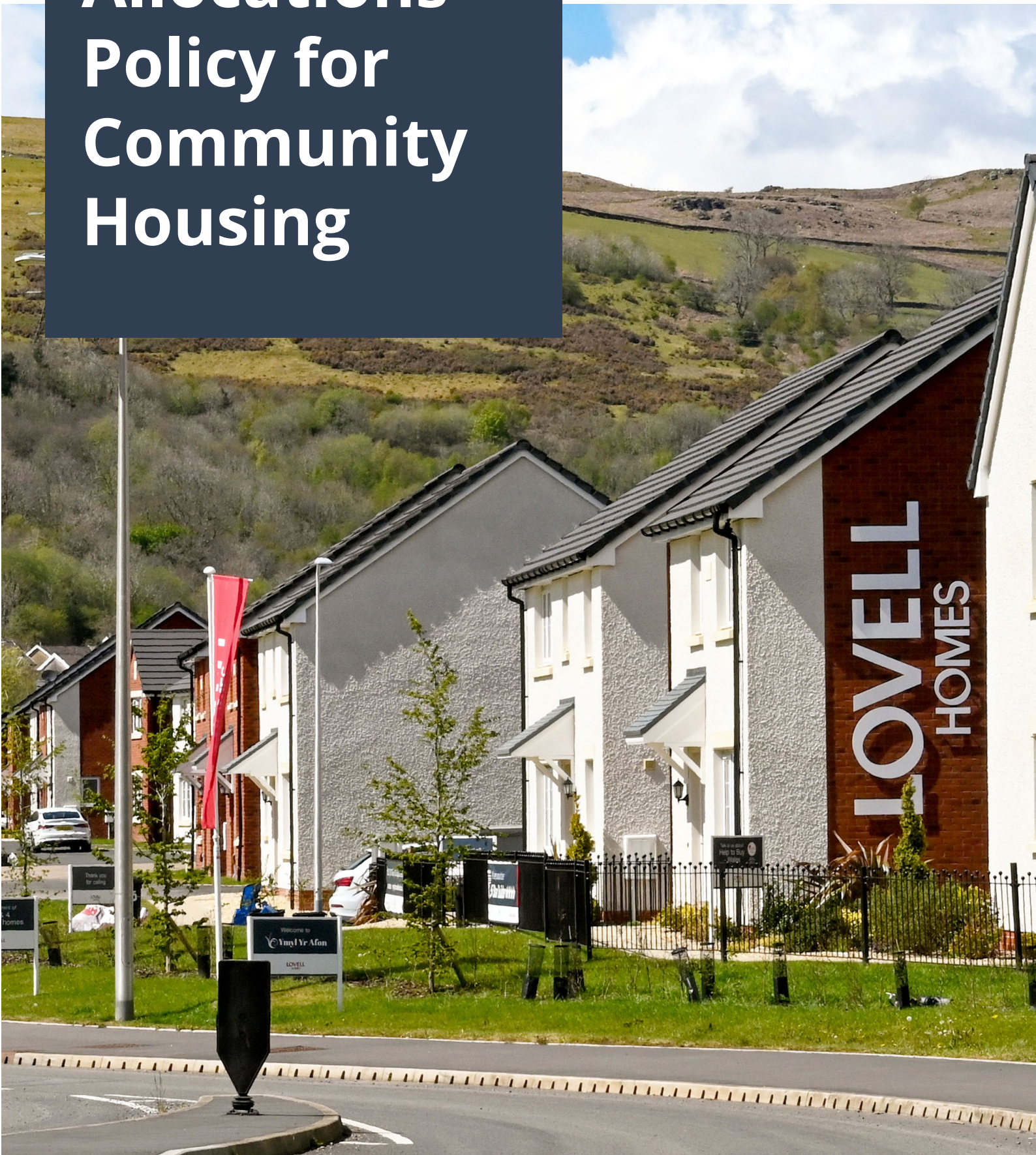




Cyngor Bwrdeistref Sirol  
**MERTHYR TUDFUL**  
**MERTHYR TYDFIL**  
County Borough Council

# Allocations Policy for Community Housing





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# 1. Introduction & Objectives

1.1 The demand for Community (social) rented housing accommodation in Merthyr Tydfil is high and it is therefore essential that there is a robust policy in place for prioritising who should be allocated community housing. This policy sets out how the Registered Community Landlords, who are members of the Living Merthyr Tydfil partnership, will prioritise applicants for the homes that they have available for rent across the county borough of Merthyr Tydfil. It sets out how applications will be assessed alongside the criteria to be used as well as providing how properties will be advertised through the partnership and detailing how applicants can apply for the vacancies.

1.2 Living Merthyr Tydfil is a partnership with:

- Merthyr Tydfil County Borough Council
- Merthyr Valleys Homes
- Hafod Housing
- Wales & West Housing
- Merthyr Tydfil Housing Association

Each of these Registered Community Landlords have voluntarily signed up to this allocations policy to ensure that all applicants applying for community (social) housing in the County Borough are provided with a single route of access and assessed using a single policy.

1.3 Since 2009, Merthyr Tydfil County Borough Council no longer owned any housing stock but may acquire a limited stock of accommodations as part of any future developments. Merthyr Tydfil County Borough Council retains the legal responsibility to fairly and appropriately administer community (social) housing within the County Borough. To this end all applicants for community (social) housing MUST originate with Merthyr Tydfil County Borough Council, regardless of which Registered Community Landlord owns the property an applicant may wish to apply for.

The type of occupational contract awarded is determined by the respective Registered Community Landlord.

The Living Merthyr Tydfil partners have agreed to work collaboratively to:

- Use the limited housing resources to best effect by meeting the greatest housing need in the county borough
- Fulfil statutory and legal requirements
- Support the Council in preventing homelessness and providing housing to applicants to whom the Council owe a duty to secure accommodation
- Provide an open, transparent and accountable system of prioritising applicants that is easy to understand
- Allow applicants to exercise choice in their accommodation where possible, appropriate and practicable
- Contribute to the creation of sustainable tenancies and communities
- Have flexibility within the policy to deal with emergencies and emerging priorities, where this will support the creation of cohesive communities and reduce anti-social behaviour and crime
- Ensure that the application process and operation of the policy is straightforward for all who want to use it so that no one is disadvantaged

- 1.4 The partnership will operate a needs-based system where applicants will be placed into one of the bands that reflects their household's needs. This system will be based upon a composite assessment of individual need and will take full account of relevant legislation and guidance issued by Welsh Government.

This system will be determined by the information that the applicant discloses at the time of application; followed by an assessment where it will be required to provide supporting evidence of the housing need taking into account relevant legislation and guidance by Welsh Government.

- 1.5 The Living Merthyr Tydfil partners have adopted this document as a joint policy. This enables all partners to work closely together to meet housing need in the county borough and shows a collaborative approach to addressing these issues in an open and transparent manner, supporting the core principles of Section 95 of the Housing (Wales) Act 2014 which requires Housing Associations to co-operate with the Local Authority in tackling and alleviating homelessness. The policy enables the partnership to support this agenda alongside ensuring that other individuals, such as care leavers, those leaving hospital or those living in accommodation that is having an adverse effect on their health and wellbeing, are provided with help to find alternative accommodation. The policy covers instances where current tenants/contract holders of one of the partner Registered Community Landlords need to transfer to another property as well as the letting of new homes.

- 1.6 This policy document only covers the allocation of Community (social) rented housing and does not cover other forms of accommodation owned by Registered Community Landlord partners such as supported housing, Extra Care Housing schemes, low-cost home ownership properties and other alternative affordable housing properties.

## 2. Administration of the policy

- 2.1 The Living Merthyr Tydfil partnership will be administering this policy through the MTCBC Housing Solutions Team. The MTCBC Housing Solutions Team will be responsible for the day-to-day decisions required on cases and applications for community (social) housing. Applications for community (social) housing will be reviewed and decisions will be determined by the MTCBC Housing Solutions Team.
- 2.2 The day-to-day decisions required on individual cases and applications will be determined by the MTCBC Housing Solutions Team in accordance with the policy. Reviews will be undertaken by an appropriate senior officer where these are submitted, and this may result in the review being discussed at Local Housing Panel where each partner organisation will have the opportunity to contribute to the review decision.
- 2.3 Oversight of the policy, its implementation and its operation will be undertaken by the Local Housing Panel each quarter. This Panel consists of a nominated representative from all partners with the delegated power to make decisions and /or recommendations. The Local Housing Panel will make recommendations for any changes required to ensure the smooth operation of the policy. In certain instances where major changes are being proposed to the allocations policy, formal approval will be required from Merthyr Tydfil County Borough at full Council and the representative boards of each partner organisation. For further information for the Local Housing Panel see section 24.

### 3. Eligibility to join the Living Merthyr Tydfil housing register

- 3.1 Anyone over the age of 16 can apply to join the register unless an applicant falls within one of the groups of ineligible applicants set out in section 4. However, if you are under 18 years of age an applicant's ability to manage a property will need to be assessed. This is to ensure that they can cope with being a contract holder at a young age and that they do not lose any property offered through a lack of support. This may include a referral to Social Services or other support services to ensure the appropriate support is in place. The Renting Homes (Wales) Act 2016 stipulates a person under 18 years old cannot hold an Occupational Contract and there may be a requirement to have a guarantor to act on their behalf until the age of 18. The type of Licence or agreement used will be the decision of the Registered Community Landlord that they deem appropriate for the circumstances of the applicant.
- 3.2 Joint applications will be accepted from two people who are married, in civil partnership, are co-habiting, are siblings, a parent and son/daughter, two people where one is a carer for the other or groups of two or more friends who wish to live together. In these instances, the Registered Community Landlord partner allocating the property will discuss the occupational contract options available and will offer the most appropriate form of contract based upon the individual circumstances of each case; this may include decisions to not authorise joint contracts to joint applicants. Where a decision is made to not grant a joint contract a referral to Local Housing Panel may be required if the joint applicants wished to appeal the decision with the partner Registered Community Landlord; this will provide a basis where the decision can be reviewed and where required agreed recommendations can be made to work towards a joint contract.
- 3.3 Individuals from abroad may apply to join the Living Merthyr Tydfil register and will be considered for housing in line with this policy provided they:
- Have exceptional or indefinite leave to remain in the UK, or;
  - Have been granted refugee status, or are habitually resident in the UK, Channel Islands, Isle of man or Republic of Ireland
  - Do not belong to one of the groups set out in Section 4 of this policy
- 3.4 Applicants will be advised that it is a criminal offence to knowingly or recklessly give false information to, or knowingly withhold information which carries a fine of up to £5000 and will result in their application for housing through this policy being cancelled. Partners will also be able to take possession proceedings against any contract holder who has been offered accommodation based on providing false or misleading information.

## 4. Who is ineligible to join Living Merthyr Tydfil?

4.1 The law outlines that certain people who are subject to immigration control may not be provided with housing and as such will not be registered on the Living Merthyr Tydfil register. These include the following:

- People with restrictions or conditions on their leave to enter or remain in the UK.
- People who have entered the UK illegally or who have overstayed their leave.
- People who are not habitually resident in the UK, Channel Islands, Isle of man or republic of Ireland.

4.2 The term “habitual resident” is used to describe the country where an applicant permanently lives and has connections such as a bank account, past or current employment, personal possessions, accommodation and family. Applicants who arrived in the UK in the last 2 years will be asked to provide information to enable the MTCBC Housing Solutions Team to assess if they are habitually resident and can therefore be considered for housing.

4.3 Assessments will be based upon the information provided by an individual applicant and any additional information obtained from investigations made with relevant agencies and organisations.

## 5. Application process

- 5.1 Living Merthyr Tydfil partners aim to make the application process as easy as possible with applications being able to be made:
- Online by visiting website - [livingmerthyrttydfil.org.uk](http://livingmerthyrttydfil.org.uk)
  - In person (at local drop-in services)
  - By telephone
- 5.2 Appropriate arrangements will be made to assist and support vulnerable people wishing to apply for housing through Living Merthyr Tydfil to ensure they are not disadvantaged in any way. The Living Merthyr Tydfil Partnership will try to reduce their carbon footprint by minimising the use of paper products. The partnership however recognises that not all people will have access to a computer or web-based browser and may not be able to visit in person to have support to make an application online. Paper copies can therefore be made available on request in exceptional circumstances from the Civic Centre or other Housing advice services including from Registered Community Landlord partners. There is also a guide on how to register that can be found ([council website link](#)) or obtained from the Civic building or other drop in services
- 5.3 Applications will only be assessed upon receipt of the required supporting documentation. Once all supporting evidence is received, the MTCBC Housing Solutions team will verify the information provided, request any further supporting documentation required and provide the applicant with advice and information about the scheme, its operation and any other options and solutions that could be pursued. This information will be requested in writing by letter/by email to the email address provided for the application. It is an applicant's responsibility to ensure their contact details are kept up to date and any supporting information required is added through logging into their Living Merthyr Tydfil website account.
- 5.4 When processing application the MTCBC Housing Solutions team will:
- Verify that the applicant is eligible
  - Establish whether the applicant has any immediate support needs
  - Complete a simple checklist to record basic personal and household information for service monitoring purposes.
  - Offer a range of housing advice and information to help the applicant to decide whether Living Merthyr Tydfil is going to be helpful to them, including
    - o The applicant's likely priority band
    - o What the priority banding means
    - o Information on waiting times for the type of accommodation they are eligible for in areas they wish to live.
    - o Advice on other housing options that may be available to them appropriate to their circumstances.
    - o What their responsibility and rights will be as a community housing tenant.
- 5.5 Following submission of the application the applicant will have 28 days to provide proof of their

identity and that of anyone else applying with them as a joint applicant. Additional information will be also required to support their application for the MTCBC Housing Solutions Team to make reasonable enquiries into their circumstances and housing needs so that an accurate assessment can be made; the MTCBC Housing Solutions team will endeavour to validate the application and review any supporting information within 21 days of the information being received. Applications will be cancelled after 28 days has elapsed where information has not been provided by an applicant.

- 5.6 Applicants will be subject to checks around their suitability to be a contract holder (tenant) at the initial application stage and these checks verified as detailed in this policy document. Appropriate data sharing arrangements are in place across the Living Merthyr Tydfil partners and details of the arrangements are reviewed on a regular basis to ensure compliance.
- 5.7 Upon the completion of enquiries and after the required information has been received, the MTCBC Housing Solutions Team will write to the applicant advising them of the outcome of their application. Applicants will be advised on how the scheme operates. Information will also be provided to applicants who have not been successful, and this will outline the reasons why. In both instances, an applicant will have the right to request a review of the decision made. Details of the review process can be found Section 19.

## 6. Assessing Priority

- 6.1 All eligible applications will be awarded a banding by the MTCBC Housing Solutions Team following the completion of a successful registration and banded based on the evidence provided by the applicant. Where an application provides additional information that materially changes their circumstances this will trigger a review of the application by the MTCBC Housing Solutions Team. The result of a review will be based on the evidence provided and could result in their level of priority moving up or conversely moving down. In either event, applications will be provided with confirmation of this in writing by letter or email to the email address provided by the applicant on the application.
- 6.2 Any changes to banding following a review of the application whether this is moving up or moving down will have an effective date from the date the evidence is received and decision made, if the decision results in a change.
- 6.3 Priority band decisions made by the MTCBC Housing Solutions Team will be based on an applicant's eligibility within the scheme and the priority band criteria set out in this policy. It is the sole responsibility of an applicant to notify the MTCBC Housing Solutions Team of any material change in circumstances that may affect their eligibility and the level of priority awarded under this policy.
- 6.4 Applicants (or their advocates) seeking an award of higher priority must comply with the requirements of Living Merthyr Tydfil and complete and return relevant information requested to enable their application to be processed. Whilst not an exhaustive list, such information may include completed medical questionnaire, an overcrowding assessment or supporting evidence from Environmental Health and so on. The MTCBC Housing Solutions Team will take into consideration supporting advice and statements from professionals where relevant and necessary.
- 6.5 When applying to join the common housing register, applicants must not have deliberately made their circumstances worse for any reason, for example by deliberately allowing their home to become overcrowded (exceptional circumstances may be considered e.g., to provide or receive care) in an attempt to try and gain higher priority. Any request made for higher priority must be pertinent to the home they currently occupy and how this adversely affects them and /or a member of their household on their application and must evidence why they cannot reasonably continue to live there. Some examples of deliberately making circumstances worse are:
- Applicants who have allowed family members or others to move into their property, who previously had suitable accommodation or the financial means to secure their own accommodation, and this has resulted in the current property being overcrowded.
  - Applicants who have moved from previously suitable or more suitable accommodation which it was reasonable for them to continue to occupy, into a less suitable property.
  - Homeowners who have transferred their property to another family member within the last 6 years from the date they make their application to the Register.
  - Giving up affordable and suitable private rented accommodation that they are able to maintain, to move in with other relatives or friends, creating a situation of overcrowding and/or sharing of bathroom/kitchen and/or a split household;
  - Requesting or colluding with a landlord or family member to issue them with a Notice to Quit.

This is not an exhaustive list of examples and all cases will be assessed on a case by case basis.

- 6.6 In reaching a decision, the MTCBC Housing Solutions Team will consider whether there are other options available to resolve or alleviate these difficulties and allow the applicant to remain in their own home. This may, for example include the provision of support, aids/adaptations or the completion of reasonable improvements required under Category 1 of the Housing Health and Safety Rating System. The MTCBC Housing Solutions Team will be able to sign post and advise who to contact in those instances most relevant to the need.
- 6.7 Applicants in high priority Band 1/Reduced will be expected to be placed on to Auto bid due to the urgent need for accommodation. Only in exceptional circumstances can this be reviewed where there is reasonable justification not to apply Auto bid. Based on supporting information received, the MTCBC Housing Solutions Team will use their discretion in making the decision whether to apply the Auto bid function. If it is decided that the applicant's case is accepted to be Band 1 and not have Auto Bid applied, there will be an expectation for the applicant to bid regularly for suitable advertised properties, these applications will be monitored and where applicants have failed to bid for suitable properties that are advertised, they may have their level of priority reduced.
- 6.8 In the case where applicants are awarded Band 1 due to being owed a Homelessness duty, Auto Bid must be applied for all areas due to the urgency to be housed as a priority. Areas of exclusion will be considered providing there is sufficient supporting evidence provided to confirm why and where you cannot reside. The MTCBC Housing Solutions Team will review the supporting information and will use their discretion in making a decision.
- 6.9 In the case where an applicant is awarded Band 1 Reduced or Band 2, applications will have their priority band reduced in accordance with section 10 of the policy if they have refused 2 reasonable offers of accommodation. Where an applicant is owed a homelessness duty and refused 1 reasonable offer of accommodation this will result in a review of the Homelessness application and having the duty removed as a result which could also result in a loss of any priority band status provided.
- 6.10 Applicants with no local connection to Merthyr Tydfil will be permitted to register on Living Merthyr Tydfil but will not be awarded additional priority. For the purposes of this policy, an applicant will have a local connection with Merthyr Tydfil if they or one of their adult household members can evidence that:
- Having lived in the County Borough for 3 years out of the past 5 years or 6 months out of the last 12 months.
  - Full time permanent paid employment in the County Borough for at least 6 months prior to application date.
  - Close family associations in the County Borough, i.e., parents and/or siblings or equivalent, and the applicant is in regular close contact with that member of their family. This family will need to have resided in the borough for five years or more.
  - They can provide evidence of exceptional reasons why they need to remain in Merthyr Tydfil.

## 7. The Priority Banding System

7.1 The Living Merthyr Tydfil scheme is based on a priority banding system that is used to determine who will be allocated housing that is advertised through the scheme. There will be a number of properties not advertised through the Living Merthyr Tydfil scheme as these will be set aside for individuals or households having to move for urgent reasons.

7.2 The banding system consists of five groups of bands of housing need which are designed to take account of the pressures within the county borough. The bands are detailed below, but are essentially:

- Band 1– Urgent Homelessness Priority
- Band 1 Reduced<sup>1</sup> – High Priority
- Band 2 – medium priority
- Band 3 – Low priority
- No Priority Band

7.3 The table below provides an outline of the reasons and criteria used to determine the priority awarded to applicants.

Band	Priority	Category
Band 1	Urgent Homelessness priority	<ul style="list-style-type: none"><li>• People who are homeless and have been assessed as being owed a homelessness s75 duty.</li><li>• People that need to move due to a fire or flood, or severe storm damage to their home and have no alternative place to stay on a temporary basis and require temporary accommodation.</li><li>• Applicants who need to move immediately due to domestic abuse and/or sexual violence and has had to access refuge or temporary accommodation and have been discussed at MARAC (Multi-Agency Risk Assessment Conference). Areas of risk will be excluded from the applicant's application.</li><li>• An applicant who has an urgent need to move for significant medical or welfare reasons (including disability) and are unable to be discharged safely from hospital to their current home due to safety concerns.</li><li>• People who are residing in Supported Accommodation funded by the Local Authority and been agreed through the move on process as ready for move on into an independent property.</li><li>• Homeless prison leavers classified as MAPPA (Multi-Agency Public Protection Arrangements) offenders Level 2 and 3; and a s75 duty is likely to be owed.</li></ul>

<sup>1</sup> Due to system constraints the "Reduced" is used to separate the Homelessness priority from all other applications and does not reduce applicant's priority further.

Band 1 Reduced	High	<ul style="list-style-type: none"> <li>• People where it has been verified by the Council, are rough sleeping within Merthyr Tydfil</li> <li>• People that need to move due to a fire or flood, or severe storm damage to their home that have alternative place to stay on a temporary basis such as with friends/family.</li> <li>• Households living in conditions which give rise to an imminent risk of serious harm and where the Council has served an Emergency Prohibition Order under Part 1 of the Housing Act 2004.</li> <li>• Excessive Overcrowding of 2 bedrooms or more measured by the bedroom standard i.e. Where a Council officer has made an assessment using the Housing Health and Safety Rating system and concluded there is a serious high risk of harm due the impact of severe overcrowding.</li> <li>• Demolition or Compulsory Purchase Order (CPO). Where the applicant's property is subject to demolition or subject to a Compulsory Purchase Order for redevelopment.</li> <li>• Applicants without access to any of the following facilities: A bathroom or kitchen An inside WC Hot or cold water supplies, electricity, gas or adequate heating. <i>(Note: Applicants who have access to shared facilities in shared accommodation – will not qualify under this criteria)</i></li> <li>• An applicant who has a high need to move for significant medical or welfare reasons (including disability), which are being exacerbated by their current housing situation which will be improved by moving to more suitable accommodation but are able to remain in property temporarily with support/care.</li> <li>• Applicants who need to move immediately due to domestic abuse and/or sexual violence but can remain temporarily in current property with target hardening measures in place and have been discussed at MARAC. Areas of risk will be excluded from the applicant's application.</li> <li>• Applicants who need to move immediately due to extreme violence or extreme harassment as confirmed by police or other relevant public agencies.</li> <li>• Where their spouse or partner's death is attributable (wholly or partly) to their Military service and the bereaved spouse or civil partner's entitlement to reside in Ministry of Defence accommodation then ceases.</li> </ul>
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		<ul style="list-style-type: none"> <li>Where a social housing tenant lives in a property with a significant adaptation and a change of circumstances has meant that the current occupier no longer needs the significant adaptation.</li> <li>Care leavers (not residing in accommodation provided by the MTCBC Housing Solutions Team as temporary/ supported accommodation) considered ready to move out of current placement by MTCBC Housing Solutions Team and Social Services (Move On Panel)</li> </ul>
Band 2	Medium	<ul style="list-style-type: none"> <li>Applicants owed a s66 homelessness prevention duty (Only where the Landlord has formally commenced possession proceedings with the Court) (Banding will be back dated to the date notice served or if already Band 2 for another priority need reason and the date precedes the notice the date will remain the same.)</li> <li>Applicants owed a S73 homeless duty (but only for as long as that duty is owed to the applicant) (Applicants owed a S66, or S73, or S75 duty by another Council will be given a Band 3)</li> <li>Where a s73 duty is ended and no final duty (s75) is owed – the applicant will remain in Band 2 for a maximum period of 52 weeks from the ending of the s73 duty.</li> <li>Applicants who live in accommodation that is a moveable structure, like a caravan, but there is no lawful place they can lawfully place it and live in it</li> <li>Serious Chronic/Acute medical reason(s) (including disability) that have a CLEAR and DIRECT link to existing housing circumstances, which would be significantly improved by re-housing.</li> <li>Significant Welfare reason(s) such as: victim of serious ASB impacting on existing mental health condition of the applicant(s) or where access to local amenities from their current home is significantly hindered by the applicant's mobility issues</li> <li>Household is overcrowded by 1 bedroom</li> <li>Existing Community (social) tenants who are under-occupying their home and need to move to a smaller property due to financial hardship. However, the applicant also has to evidence that they are also trying to solve the situation i.e. submit a DHP to assist with the payments until they can secure alternative accommodation.</li> </ul>

		<ul style="list-style-type: none"> <li>Where an authorised officer from Merthyr Tydfil County Borough Council has determined that a private rented property contains one or more serious Category 1 hazards as defined by the Housing Health &amp; Safety Rating System and there is no prospect of the issues being remedied in a period of time that Merthyr Tydfil County Borough Council considers reasonable.</li> <li>Owner occupiers and private rented contract holders suffering financial hardship as a direct result of their current home</li> <li>Armed Forces Veterans who have served in the five years preceding their application date</li> <li>Support Hardship: applicants that have demonstrable evidence that they provide, or receive, substantial and ongoing support to, or from, relatives or friends. This will only be considered where there are significant medical or welfare issues including grounds relating to disability; and there are valid reasons why this support cannot be achieved or maintained through reliance on public transport or the applicant's personal transport</li> <li>Employment Hardship: priority will only be given in exceptional circumstances. Applicants must show that they need to move to take up or to continue an employment opportunity not available elsewhere. They will only be considered where they do not currently live within a reasonable commuting distance.</li> </ul>
Band 3	Low	<ul style="list-style-type: none"> <li>All other applicants who are eligible to be registered but do not have a statutory reasonable preference priority for bands 1 or 2.</li> <li>Applicants owed a S66 homelessness prevention duty, but it has been confirmed steps can be taken to prevent the eviction.</li> <li>Those who have previously had a priority banding but have refused 2 reasonable offers of a suitable property; who are required to provide new suitable supporting information to confirm they still require a higher band for a priority reason.</li> <li>Have rent arrears/housing related debt that is current or for previous tenancy/occupation contracts and have repayment plan in place. If priority band is required this can be assessed after rent repayment plan has been adhered to and applicant has notified that repayment plan has been completed. <sup>2</sup></li> </ul>

<sup>2</sup> Excluding those who have been assessed as a S75/S73 Homelessness duty.

No Priority		<ul style="list-style-type: none"> <li>• Applicants who are eligible to join the register but have been awarded no priority for a number of reasons set out in the policy including: <ul style="list-style-type: none"> <li>• Failure to address former rent arrears or housing related debts as set out in debt repayment criteria or as agreed with the Partner Registered Community Landlord.</li> <li>• Failure to address unacceptable behaviour and it has been assessed via Local Housing Panel as set out with in this policy.</li> <li>• Not yet considered to be ready for move on and ready to maintain an Occupational contract as set out in the Supported Housing and Temporary accommodation move on process.</li> <li>• Those who have made an application for a placement to Extra Care and are going through the panel process or been accepted to the allocations list for Extra Care.</li> <li>• Those who have refused 2 reasonable offers of accommodation and been placed into No Priority for 3 months following the notification from a community Landlord of the second reasonable refusals.</li> </ul> </li> </ul>
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7.4 Assessments will be based on the information provided by applicants alongside any supporting information obtained or provided from third parties or organisations. Any assessment is reliant on information provided and as such if this is not available or has not been disclosed then this cannot be considered. In addition, assessments will focus upon an individual's current housing circumstances and how these are potentially impacting on the applicant and any members of their household who would be reasonably expected to reside with them.

## Examples of additional evidence that may be requested

Risk of homelessness	<ul style="list-style-type: none"> <li>Valid eviction notice – MTCBC Housing Solutions Officer can support and provide advice on further checks carried out to verify a valid eviction notice.</li> <li>Rent statement - Rent arrears if the cause of the reason for eviction notice.</li> <li>Contact from Landlord to verify why the eviction notice has been served and if the tenancy can be saved if steps taken.</li> </ul>
Homeless	<ul style="list-style-type: none"> <li>Previous place of residence and why it ended.</li> <li>MTCBC Housing Solutions Officer may request contact with family, friends or any other you were residing with to verify you cannot remain at property.</li> <li>Establish you don't hold an occupation contract in your name for accommodation anywhere.</li> <li>If street homeless MTCBC Housing Solutions Officers may need to establish where you have been sleeping, if "sofa surfing" if it is safe to continue to do so.</li> </ul>
Move on from Supported /Temporary accommodation	<ul style="list-style-type: none"> <li>Agreed by Support provider/Support worker that the applicant is ready for move on.</li> <li>Discussed and approved by Temporary Accommodation officer that applicant is ready for move on.</li> <li>Move on application has been sent to Local Housing Panel and approved by Local Housing Panel.</li> </ul> <p>Changes to housing application will be made by relevant MTCBC Housing Solutions Officer when notified of agreement by all and partner Registered Social Landlords.</p>
Disaster	<ul style="list-style-type: none"> <li>Information confirming the event of the disaster from most relevant service.</li> <li>Information confirmed by Landlord if renting property of the disaster and cause; and applicant is unable to remain at the property.</li> <li>The Landlord has no means to offer you suitable alternate temporary accommodation.</li> <li>Not able to reside with family or friends and have a requirement to stay in Temporary Accommodation.</li> </ul>
Property condition	<ul style="list-style-type: none"> <li>Confirmed contact with landlord if renting; of reports of repairs required and confirmation that condition of property is not the cause of the applicant's actions such as malicious damage or how they choose to manage the property; or possible identified support need to have support and advice on how to manage the property.</li> <li>Confirmed contact with Environmental Health – Environmental Health officer reports of property inspection/Orders served to the landlord such as prohibition orders or improvement notices.</li> <li>Has it been decided by a Court that the property is unfit for Human Habitation.</li> </ul>
Medical need/Adaptions needed	<ul style="list-style-type: none"> <li>Any supporting medical evidence from the most relevant person involved in the health or care needs; such as consultant, Mental health nurse, social services.....This is not an exhaustive list</li> <li>Social services Care assessment &amp; COTs assessment provided by MTCBC COTs Team or Hospital COTs team if most relevant to circumstances.</li> </ul>
Adaptions no longer required	<ul style="list-style-type: none"> <li>Confirmation that the person who required the adaptions at the property is no longer a resident there.</li> <li>Verified the property as having adaptions by Landlord that are no longer required by the applicant.</li> <li>Partner Registered Community Landlord is in support of the move.</li> </ul>
Armed forces	<ul style="list-style-type: none"> <li>Confirmation of honourable discharge from the Armed Forces.</li> <li>Verified that have no other address that they own or lease</li> <li>The applicant's serving partner is deceased as a result of serving in the armed forces; can provide confirmation of the need to leave armed forces accommodation.</li> </ul>
Domestic Violence	<ul style="list-style-type: none"> <li>Confirmation received from MARAC of recommendation to be urgently rehoused.</li> <li>Supporting letters from a relevant supporting agency or service providing information to assess level of priority.</li> </ul>
Overcrowding	<ul style="list-style-type: none"> <li>Confirmation of addresses for all residing in the property – acceptable confirmation of address would be utility bill, wage slips, bank statements, and benefits letters.</li> <li>MTCBC Housing Solutions Officers may conduct a home visit to assess the level of overcrowding.</li> <li>Verified by Landlord the property size.</li> <li>Further information may be requested to confirm how the overcrowding occurred.</li> </ul>
Under occupying	<ul style="list-style-type: none"> <li>Verified by Landlord the property size.</li> <li>Further information may be requested for how the property came to be under occupied.</li> <li>Financial assessment to assess if the property is affordable – may be asked to provide bank statements and proof of benefits and list of outgoings.</li> <li>Partner Registered Community Landlord supports the need for you to move to another property.</li> </ul>

Flats	<ul style="list-style-type: none"> <li>• Verified with Landlord what floor the property is on.</li> <li>• Partner Registered Community Landlord supports the need for you to move to another property.</li> <li>• Supporting information that the flat is not suitable for needs.</li> </ul>
Child Protection/Welfare risk	<ul style="list-style-type: none"> <li>• Supporting information from social services/safeguarding to support the urgent need to move.</li> </ul>
Employment Need	<ul style="list-style-type: none"> <li>• Proof of employment is in Merthyr Tydfil; a permanent contract and you have been employed for 6 months or more with the same employer.</li> <li>• Wage slips</li> <li>• Contract of employment</li> </ul>
Sale of property	<ul style="list-style-type: none"> <li>• Why the sale was required e.g., Physical health issues, medical supporting information will be required to be provided.</li> <li>• Financials on equity obtained from sale of property, what the equity is going to be used on.</li> <li>• Why it has not been possible to purchase another property, e.g., bungalows to meet needs too expensive/paid off debt.</li> <li>• Each case will be assessed on a case-by-case basis.</li> </ul>
Additional Bedroom request	<ul style="list-style-type: none"> <li>• Evidence of the reason the additional bedroom is required relevant to the circumstances e.g., medical need and require additional room for storing medical equipment, would need to provide the medical supporting information as per the medical need evidence.</li> <li>• You will be asked to provide additional information to verify that the additional bedroom will be affordable.</li> <li>• Advice will be given on the need for additional bedroom by a MTCBC Housing Solutions officer on a case-by-case basis.</li> </ul>
Immigration status	<ul style="list-style-type: none"> <li>• Proof of status</li> <li>• Proof of recourse to public funds</li> </ul>
Proof of pregnancy / Proof of children	<ul style="list-style-type: none"> <li>• For all children on an application proof of child benefit will be required.</li> <li>• MatB1 form from Mid-wife will be the only acceptable evidence for proof of pregnancy from 26 weeks of pregnancy.</li> </ul>

When an applicant registers, they will be required to provide proof of address, proof of ID of all adults and proof of children moving as a household on the application. The further evidence list will be asked in addition to this dependent on the reason to move. The evidence list is not exhaustive, and the MTCBC Housing Solutions Team may request additional information dependent on the applicant's individual circumstances.

**7.5** When assessing for priority banding based on medical or welfare grounds this includes the medical conditions of all members of the immediate household that are on the same application for housing.

The 1996 Act requires Merthyr Tydfil County Borough Council to award reasonable preference to people who need to move on medical (or welfare) grounds. Furthermore, Merthyr Tydfil County Borough Council has decided to award additional preference on medical grounds where there are urgent housing needs.

Below is a summary of the circumstances in which additional preference or high priority (Band 1 Reduced), reasonable preference or medium priority (Band 2) or neither and hence low priority (Band 3) are awarded.

**7.5.1** Band 1/Reduced: Urgent medical reason(s) (Band 1 being for those who are not able to return to the property due to significant risks due to health conditions)

Applicable to those who need to move because of URGENT medical conditions. Including where an applicant's (or a member of their household's):

- i. Condition is expected to be terminal/life limiting and re-housing is required due to unsuitable accommodation or to provide a basis for the provision of suitable care;
- ii. Condition is life threatening, and the applicant's existing accommodation is a MAJOR contributory factor;
- iii. Planned discharge from hospital is imminent and there is no accommodation available to them that is reasonable for them to occupy.
- iv. A new and life-changing condition that severely impairs their mobility, meaning they are unable to carry out day-to-day activities or have difficulty accessing facilities inside and outside of their accommodation and requires rehousing into accommodation suitable for their use;
- v. The applicant or household member requires significant and immediate disabled adaptations to meet their needs, and this is not possible in their current accommodation or would not be cost effective.

#### 7.5.2 Band 2: Serious Chronic/Acute medical reason(s)

Applicable to those who need to move because the applicant (or their household) has SERIOUS medical condition(s) or disability that has a CLEAR and DIRECT relationship to existing housing circumstances.

For the avoidance of doubt the relevant terms are defined below:

- Acute illness - An acute pain or illness is one that quickly becomes very severe.
- Chronic illness – one persisting for a long time or constantly recurring.

The following are examples of circumstances that may qualify for reasonable preference (Band 2):

- i. Children with conditions such as autism, or cerebral palsy where their long-term needs cannot be met within their current accommodation.
- ii. A person whose disability means that re-housing would enable them to overcome physical barriers created by their current accommodation e.g., stairs and steps.
- iii. A person with a severe disability requiring substantial adaptations to a property not provided for in their current accommodation (not immediately required).
- iv. A person with a terminal illness or long-term medical debilitating condition whose current accommodation is not having a significant impact on their condition but where their quality of life would be significantly improved by moving to alternative settled accommodation which may or may not be closer to support
- v. Due to limited mobility a person is unable to access essential parts of the property e.g., bathroom/toilet and requires re-housing into accommodation suitable for their use.
- vi. Veterans who have seen active service within the armed forces and are suffering from post-traumatic stress disorder or serious illness directly related to service in the Forces
- vii. People who have a severe mental health or learning disability which significantly affects their ability to lead a normal life, and which puts them at risk of admission to hospital or residential care.

#### 7.5.3 Band 3: Medical condition is not affected by the person's current housing No additional preference/priority will be given in such circumstances.

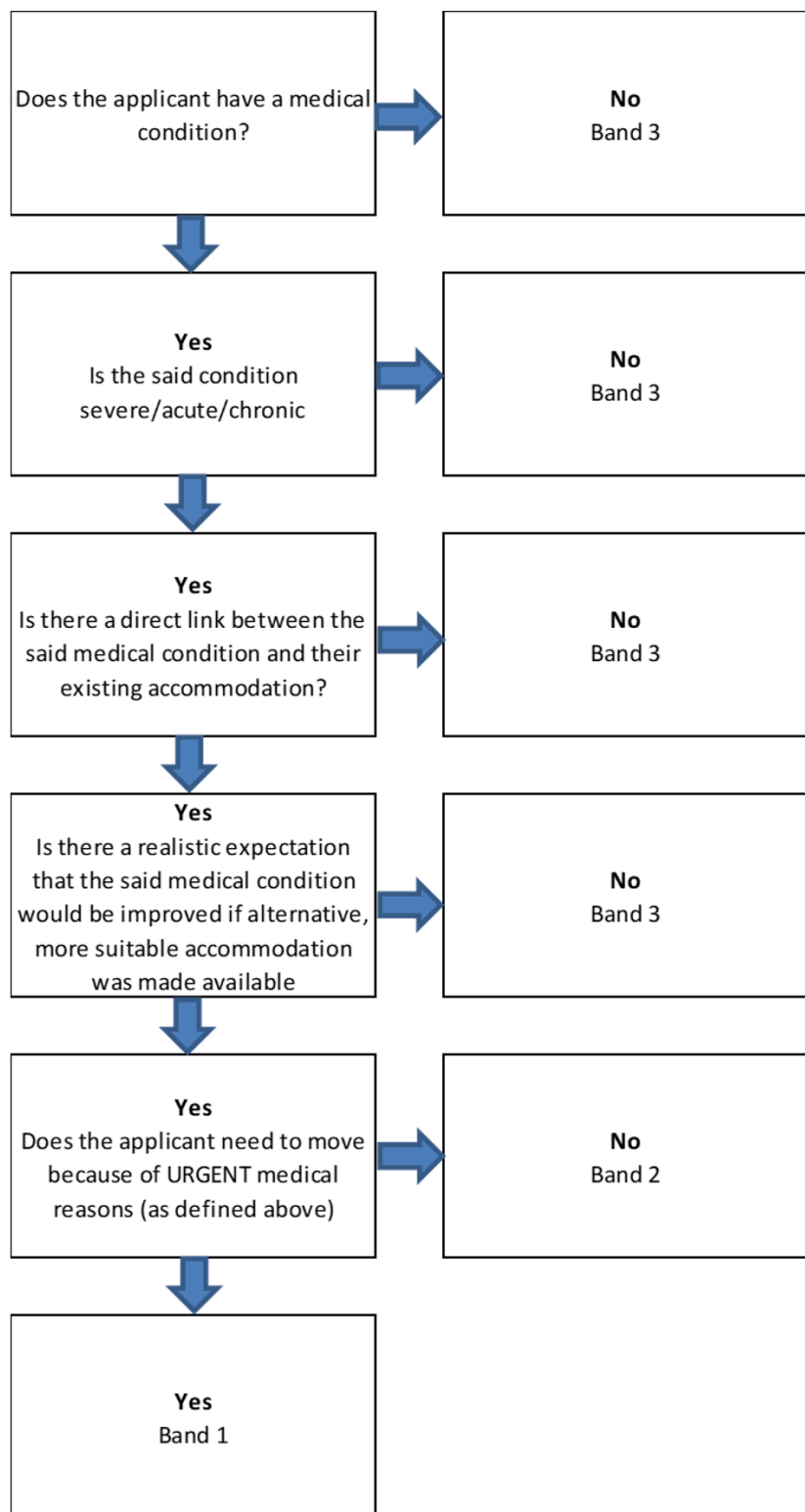
**IMPORTANT NOTE:** the mere existence of an Urgent or Serious medical condition is not sufficient grounds for the awarding of additional or reasonable preference (Bands 1B or 2); but rather the consideration is whether the condition would be significantly improved if the person was re-housed.

#### 7.5.4 Screening & Assessment

A MTCBC Housing Solutions Officer will carry out the majority of medical priority assessments during the course of an applicant’s housing solutions consultation – this may be face to face or over the telephone.

Where it is considered necessary and appropriate to take account of medical advice, Merthyr Tydfil County Borough Council may contact the most appropriate health professional who has direct knowledge of the applicant’s medical condition, to request a professional view on how the applicant’s medical condition impacts upon their housing needs and how alternative housing could meet said needs.

When awarding additional or reasonable preference (priority) on medical grounds, the flowchart below will be used:



### 7.5.5 Home Size Matrix

Family Size	Bedsit	1 Bed flat/ Bungalow	2 Bed flat/ maisonette bungalow	2 bed houses	3 bed flat/ maisonette	3 bed house/ bungalow	4 bed houses
Single Person	Yes	Yes					
Couple		Yes					
Couple/ Single Person who is pregnant			Yes	Yes			
Parent/ Couple with 1 child			Yes	Yes			
Parent/ Couple with 2 children			Yes	Yes	Yes	Yes	
Parent/ Couple with 3 children					Yes	Yes	
Parent/ Couple with 4 or more children						Yes	Yes
2 or more single adults (dependent on how many in the household)			Yes	Yes	Yes	Yes	Yes

When there are requests to be eligible for additional bedroom applicants please note that you may not be entitled to any additional housing element or benefit if claiming benefits for the additional bedroom; any decision for such would be made by the benefits department or the DWP and not the decision of MTCBC Housing Solutions Team. At the time of any pre-offer checks the Registered Community Landlord partner for the property will assess your affordability for the additional bedroom; if this is deemed unaffordable the offer of the property may not progress any further.

If an applicant has a change of circumstances and have not updated their application with the change before any offer of accommodation from a Registered Community Landlord, it may result in the Registered Community Landlord not proceeding with the offer of a property.

Further information for the LHA rates please see <https://www.merthyr.gov.uk/resident/housing-benefit/local-housing-allowance/> where a LHA rate calculator can be accessed to provide estimates of what you may be entitled to.

## 8. Advertising Properties

8.1 All homes that become available through Partner Registered Community Landlords will be advertised by the MTCBC Housing Solutions Team on the Living Merthyr Tydfil website other than:

- Homes that are required to assist with move on requirements from temporary and support accommodation schemes operating within the county borough where there is an exceptional need for a particular property such as the client requiring adaptations.
- Homes required for housing a contract holder temporarily in an emergency to enable essential repair or improvement works to be carried out to their existing home where the contract holder cannot remain in occupation whilst the works are undertaken.
- Homes required for re-housing someone being harassed at their current home, which is evidenced or substantiated by a professional body/individual including the Police or other agency, and the move will protect the person(s) from danger. It may not be possible for an applicant to retain choice where that choice may impact on their safety and welfare. This may also include assistance to other Registered Community Landlords operating outside of the County Borough.
- Homes required for re-housing someone who needs accommodation of a particular type and size or in a particular location to protect them or other persons from danger.
- Homes required enabling the occupant(s) to secure suitable alternative accommodation where a Living Merthyr Tydfil Partnership Community Landlord is seeking possession and must secure suitable alternative accommodation e.g., a successor to a contract of occupation whose home is too big or where a home is intended to be demolished and the contract holder must be re-housed.
- Homes required to re-house a person accepted by the Council as statutory homeless and owed a full homelessness duty through section 75 Housing Wales Act 2014 who has refused to bid for a suitable property or has refused a suitable offer through the bidding process.
- Modula Homes used to temporarily house those with a full homelessness duty through section 75 Housing Wales Act 2014.
- Homes required for temporary re-housing in the event of a major incident e.g., flooding or major fire.
- Homes required to re-house existing contract holders of the Living Merthyr Tydfil Partnership Community Landlords whose existing home needs substantial adaptations but who has agreed to move to a home that is suitable for their needs.
- Homes required to house a patient in a hospital who is medically fit to leave hospital but unable to move back to their original home. The Partnership will consider each case on an individual basis and will provide either temporary or permanent housing dependent upon whether the applicant is able to secure suitable housing using their own means e.g., by selling their existing home and purchasing a more suitable property to meet their needs. The partnership will also have due regard to other applicants with similar priorities and needs.
- Homes required urgently for someone with a terminal illness who has particular housing needs, and those needs would be met by the property to be allocated - The Partnership will consider each case on an individual basis and will provide either temporary or permanent housing dependent upon whether the applicant is able to secure suitable housing using their own means.

All of the above possible circumstances are to be referred to the Local Housing Panel to discuss and agree for the need to communicate to the partnership and ensure Living Merthyr Tydfil Common Housing Register applications are updated to reflect any changes in circumstances.

- 8.2 Living Merthyr Tydfil adverts will include details of the property type, size and location together with other relevant marketing information that will help applicants to understand what is on offer so they can make informed choices about bidding. Where appropriate this will include information about adaptations and accessible housing as well as any restrictions (e.g., to point out that there is limited access to some upstairs flats in sheltered and retirement housing schemes). Adverts may also include restrictions around family sizes due to the nature and layout of accommodation.
- 8.3 Where properties have had substantial or other adaptations that make them particularly suitable for an applicant with particular needs e.g., in a wheelchair, then they may be advertised on the basis that priority will be given to people needing accommodation that has been adapted in this way and bidding may be restricted to those who have or whose family have these specific needs. The advert description will clearly identify preference.
- 8.4 Where properties are particularly suitable for older people or people with limited mobility (e.g., bungalows or identified ground floor properties) then they may be advertised on the basis that priority will be given to people needing accommodation of that type. The advert description will clearly identify preference.
- 8.5 Landlords within the Living Merthyr Tydfil Partnership may on occasion decide to vary the eligibility criteria for individual properties when advertising in response to particular local circumstances e.g., by allowing a difficult to let home to be under occupied.
- 8.6 Properties will be advertised on the Living Merthyr Tydfil website at [www.livingmerthirtydfil.org.uk](http://www.livingmerthirtydfil.org.uk), new adverts for properties will be advertised daily between Monday - Friday. For those who are not able to place bids independently online due to the level of computer literacy or lack of access to the internet bids can be placed through alternate methods by contacting the MTCBC Housing Solutions Team through 01685 725000 or by visiting the Civic Centre or any other provision available to place bids.
- 8.7 Where properties have been advertised at least twice and have not been let either because of no bids being received or no suitable applicants placing a bid, the property will be offered to the most suitable applicant through the agreed move on process and agreed in partnership through the Local Housing Panel.
- 8.8 Special arrangements may apply when advertising new build developments by Partnership landlords. In such cases all advertising will be split equally between the bands, with a share of properties also being utilised for applicants being allocated homes via the 'Move-On' arrangements contained in section 14 of this policy. There may be a need for a Registered Community Landlord partner to have in place a sensitive letting arrangement as per section 12 of this policy.

## 9. Applying for properties

- 9.1 Applicants or individuals acting on their behalf can apply for properties each day. The number of properties that can be selected each week is unrestricted, but the selections must be received before closure of the advert. Any late selections will not be considered.
- 9.2 The size of home that an applicant can bid for depends on household size. If the household needs an extra bedroom(s) for medical, pregnancy or other reasons, (e.g., if they have a full-time carer) the decision about the size of home the applicant is eligible for will be taken by the MTCBC Housing Solutions Team when awarding the priority Band. Unless there are exceptional reasons agreed by the MTCBC Housing Solutions Team the size of property that an applicant can select and be considered for is outlined in the Home Size Matrix attached to this policy document in section 7 of this policy. When making a request to be eligible for additional bedroom applicants please note that you may not be entitled to any additional housing element or benefit if claiming benefits for the additional bedroom; any decision for such would be made by the benefits department or the DWP and not the decision of MTCBC Housing Solutions Team. At the time of any pre-offer checks the Registered Community Landlord partner for the property will assess your affordability for the additional bedroom; if this is deemed unaffordable the offer of the property may not progress any further.
- 9.3 Applicants with dependent children are required to evidence the child resides with them through evidence of child related benefits; such as child benefit. Applicants or members of the household who are pregnant will also be required to provide appropriate evidence of pregnancy; A MatB1 form can be acquired from a Mid-wife to evidence that the pregnant applicant/household member is at least 26 weeks pregnant before the pregnancy can be taken into consideration for their application.
- 9.4 Where a divorce or separated applicant is not the primary child carer but has sufficient evidence of joint custody of a child/children they will be eligible for an additional bedroom(s) in line with the home size matrix criteria for parents with children. Sufficient evidence accepted will be a Court order or letter from a registered Solicitor. This will be subject to individuals also being financially assessed to determine affordability for a larger property by a MTCBC Housing Solutions Officer making the decision as well as verifying affordability at the time of an offer being made.
- 9.5 Where properties have had substantial or other adaptations that make them particularly suitable for an applicant with particular needs (e.g., in a wheelchair) they will be advertised on the basis that priority will be given to applicants needing accommodation that has been adapted in this way; they may directly be matched with individual applicants should the Local Housing Panel and relevant senior officer of the MTCBC Housing Solutions Team determine this to be appropriate.
- 9.6 An applicant can request for the system to bid automatically for them on their behalf, but this will have limitations around the choices made. Applicants will be made aware of this option and the possible issues around the application process as a result.

## 10. Selection process and the offers of accommodation

- 10.1 When each property advert ends a shortlist is generated by the Living Merthyr Tydfil system which partners can directly access. Partnership Community Landlords will use the short list (containing all eligible applicants) to make offers to applicants in the order they are ranked and prioritised on the shortlist.
- 10.2 Unless there are exceptional circumstances applicants who are transferring from an existing Living Merthyr Tydfil Partnership home will only be allowed to transfer if they have complied with the requirements of Section 11 of this policy and their landlord is satisfied their existing home meets its lettable standards. This will be determined and agreed on a case-by-case basis and each Living Merthyr Tydfil Partner Community Landlord will retain the responsibility for decision making in these cases.
- 10.3 The final decision on all allocations will remain with the appropriate Living Merthyr Tydfil Partnership Community Landlord in conjunction with an appropriate officer from MTCBC Housing Solutions Team where relevant. If Partnership landlords are unable to offer the vacancy to the highest ranked applicant in accordance with this Allocations policy, they will continue to offer in rank order through the list until it is exhausted at which point the property may need to be re-advertised.
- 10.4 In cases where a home is likely to be under occupied by a successful applicant when judged against the prevailing bedroom size criteria for housing benefit the Living Merthyr Tydfil Partnership Community Landlords will take appropriate steps to ensure that their prospective contract holder is able to make an informed choice about affordability before accepting any offer of occupational contract. This will help to reduce the risk of financial hardship arising and tenancies being put at risk because of debt.
- 10.5 Exceptions to this process can be agreed by the Local Housing Panel. Cases will be considered carefully and will only be granted in instances where there is a clear, distinct and demonstrable need for an urgent intervention to resolve the housing issues faced by an applicant.
- 10.6 The availability of 4 bed houses is extremely limited and the Living Merthyr Tydfil Partnership Community Landlords may seek to make the best use of this type of accommodation by maximising occupancy. This may result in an applicant with a shorter registration date being considered above another applicant where they have a larger family and would therefore make best use of the accommodation. Decisions in cases such as this will be made by the Local Housing Panel.
- 10.7 Where an applicant has an association with any of the partner agencies concerned either through being an employee, a relative of an employee, an elected member or board member then any application made will be assessed in line with this policy document. However, where an offer of accommodation is to be made then a senior officer of an appropriate level within the respective organisation will verify the application prior to any offer being made. Each organisation will use its own internal processes and procedures to ensure that the application has been assessed correctly and that the shortlisting process has been followed appropriately.

## 11. Suitability to be a contract holder (Tenant), anti-social behaviour and rent arrears

11.1 Applications for housing will be assessed to determine whether an individual applicant is suitable to be a contract holder (tenant). Assessments will take account of an individual's current circumstances and will focus on:

- Whether there is evidence of unacceptable behaviour that would be considered serious enough to have entitled an authority to obtain a possession order.
- Whether the behaviour was serious enough to result in the applicant or a household member to be considered unsuitable to be a contract holder (tenant).
- Whether the behaviour is still considered to be unacceptable at the time of the application.

Assessments will consider a range of factors such as:

- The circumstances around the applicant and their household.
- The reasons for the behaviour. For example, in the case of rent arrears, why did the arrears occur?
- Whether there are support needs identified that are not being met or were not met at the time.
- What advice, assistance and support had been offered to the applicant and what action could they have taken.
- The overall nature of the behaviour.

11.2 Consideration will need to be given to the time that has elapsed since the unacceptable behaviour occurred, whether there has been evidence of improved behaviour and whether there are any mitigating circumstances that should be taken into account in making the decision. This could include:

- Whether an individual has paid back rent arrears accrued or has commenced a repayment plan.
- Whether an applicant has successfully sustained accommodation since the unacceptable behaviour for a period of time that would demonstrate a change in behaviour.

11.3 Such applications will be referred to the Local Housing Panel to discuss before any final decision is made so the Living Merthyr Tydfil Housing Partnership can agree to accept the application or make recommendations/advice to work towards being accepted with a date to be reviewed.

11.4 Applicants will be notified of the reasons for the decision in writing and informed of the right to request a review within 21 days of receiving the letter. In addition, advice will be provided on what steps could be taken by them to address the issues that have led to their application being deferred for acceptance. An agreed date to review the application will be arranged by the Local Housing Panel.

11.5 Applicants with current or former tenancy/Contract arrears with any of the Living Merthyr Tydfil Partnership Community Landlords will not be excluded from the Living Merthyr Tydfil Housing register unless they fail the eligibility test outlined above. However, where a recoverable housing related debt is owed as indicated above, applicants will be required to make a clear commitment to clear the debt owed and to have subsequently maintained payments for an agreed period of time or amount as outlined in the repayment table in this policy.

11.7 It is intended that partner Registered Community Landlords will verify an applicant's former tenant arrears at the time the applicant becomes registered on Living Merthyr Tydfil. The Council

will seek to verify any other relevant housing related debts. Furthermore, the Partner Registered Community Landlord, for whom an applicant has come top of the shortlist, will carry out a tenant arrears check at that time – as it is entirely possible that an arrears situation may have changed in the time between registration on the system and an applicant being shortlisted for a property.

- 11.6 In the event of an applicant or a member of their household owing arrears then their application will be assessed, and their level of preference adjusted to Band 3 or No Priority<sup>3</sup> dependent on if there is a repayment plan in place and being adhered to at the time as per the banding system table. This may be completed at a later stage where the debt is not identified at the original point of the application being made. Applicants will need to demonstrate a commitment to address the debt owed either through the clearance of the arrears in full, partial clearance of the debt to an agreed level or through making regular and consistent payments for a period of time sufficient to evidence this commitment.
- 11.7 The period of time will vary on each individual case and will take into account the whole circumstances of each individual applicant and their household. This may consider the urgency of an applicant's housing circumstances alongside any mitigating factors surrounding the accrual of the arrears. The table below provides a framework to be considered in assessing applications, but each case will be assessed individually and take account of the whole circumstances relating to the application and not solely the debt owed.

Level of Debt	Repayment Period/Value	Example of amounts
Up to £250	Repayment agreement made	
£250 - £500	Repayment agreement made and at least 6 consecutive payments or 25 % of the debt value, whichever is greater	25 % of debt amount could be a repayment of £62.50 - £125. Paying between £10.42 - £20.83 of 6 consecutive payments.
£500 - £1000	Repayment agreement made and at least 12 consecutive payments or 25 % of the debt value, whichever is greater	25 % of debt amount could be a repayment of £125 - £250. Paying between £10.42 - £20.83 of 12 consecutive payments.
£1000 - £2000	Repayment agreement made and at least 18 consecutive payments or 25 % of the debt value, whichever is greater	25 % of debt amount could be a repayment of £250 - £500. Paying between £13.88 - £27.77 of 18 consecutive payments.
£2000+	Repayment agreement made and at least 26 consecutive payments or 25 % of the debt value, whichever is greater	25 % of debt amount could be a repayment of £500+. Paying £19.23+ of at least 26 consecutive payments.

- 11.8 Applicants must also demonstrate a continued commitment to repay the debt after any agreed period of time has elapsed; failure to do so may affect their application with officers having the discretion to remove their preference and demote the application to No Priority until a revised agreement is made and adhered to. Where sufficient payments have been made, the level of preference will be readjusted to the correct band that reflects an applicant's housing needs in line with the provisions of this policy. Evidence for the current need for a priority banding may be requested again to evidence that the need for a priority band is still required. The effective date will be the date on which the evidence has been provided by the applicant to the MTCBC Housing Solutions Team.

<sup>3</sup> Where an applicant has been assessed by a MTCBC Housing Solutions Team and completed a legal homelessness assessment Under Section 62 of the Housing (Wales) Act 2014; and a decision has been made that you are owed a homelessness duty under Section 75 of the Housing (Wales) Act 2014; and required to access temporary accommodation or considered ready for move on from a supported placement will be excluded under Rapid Rehousing to address urgent need to be housed for homelessness.

- 11.9 Consideration can be given to adjusting the above repayment framework in exceptional circumstances. The decision in these instances will be made by appropriate senior officers from the Living Merthyr Tydfil partnership on a case-by-case basis.
- 11.10 Where an applicant has adhered to an agreed debt repayment plan it is the applicant's responsibility to update the MTCBC Housing Solutions Team with confirmation for their banding to be reviewed as with any other change of circumstances as stated in section 21.
- 11.11 There may be on occasions where an applicant is overlooked for a property by a partner Registered Community Landlord. The following are the agreed circumstances in which an applicant may be overlooked as shortlisting stage and not made a formal offer for a property:
- Applicants guilty of extreme serious behaviour to make them unsuitable to be a tenant will not qualify to be an applicant on Living Merthyr Tydfil; taking into consideration the above test as stated in 11.1 and whether there are additional risk factors required to be considered before any offer of a property can be made.
  - At the time of shortlisting/offer a partner Registered Community Landlord or Merthyr Tydfil County Borough Council may consider an applicant to be too vulnerable to sustain a tenancy/contract and the applicant currently has no support in place. The partner Registered Community Landlord and Merthyr Tydfil County Borough Council will make recommendations to engage in a supported route into a sustainable tenancy, whether that be through Temporary Supported Housing, floating support or Housing first scheme.
  - Those who are MAPPA (Multi Agency Public Protection Arrangements) or MARAC (Multi Agency Risk Assessment Conference) cases.
    - o MAPPA apply to persons who have committed certain types of offences. There may be occasions where a partner Registered Community Landlord considers the risk of making a particular offer to the applicant is too high for a variety of reasons including – potential risk to the applicant(s), risk to neighbours and the immediate community, risk to staff etc.
    - o MARAC is a multi-agency meeting that focuses on the safety of high-risk domestic violence victims. Whilst the risk of housing such applicants will typically have been considered by a supporting agency (such as Probation or South Wales Police) and a risk assessment issued to this effect, the partner Registered Community Landlord reserves the right to refuse to make an offer of accommodation; providing the property places others at risk. Such cases are expected to be rare, and as such senior officers from the relevant partners are likely to be involved in such decisions. Such cases may also be referred to the Local Housing Panel for in-depth discussion with the aim of reaching a consensus view.
  - If a property is a sensitive let, certain households will not be considered for that property as per Section 12 where a partner Registered Community Landlord has submitted a request for the property to be a sensitive let and this has been granted.
  - Where there has not been sufficient information collated for information and verification. All five partners signed up to this Policy shall endeavour to ensure that no applicant will be overlooked because of a lack of pre-offer preparation or planning. Every effort shall be made to verify relevant information in a timely and appropriate manner.
  - Where accommodation is deemed unaffordable for the applicant. As per section 10 where it is deemed by the partner Registered Community Landlord that the property may be unaffordable when conducting pre-tenancy checks they may not continue with the offer of the property.

## 12. Local Lettings Arrangements

- 12.1 In certain circumstances there will be a requirement for individual or a group of properties to be considered and let under a local letting policy agreement for a time limited period. This will be done for a specific identified purpose such as to promote community safety and community cohesion or improve contract holder sustainability. This will not be a regular and standard practice to take and must take account of the prevailing housing conditions at the time e.g., demand for certain property types where age restrictions may be an issue. Any such policy must be approved in accordance with the current Welsh Government regulatory requirements and by partnership boards and will be subject to a full Equality Impact Assessment, prior to its implementation.
- 12.2 Local letting plans will be considered for properties or estates where one or more of the following situations occur:
- There are units of accommodation that are low demand
  - An area is unpopular, as demonstrated by the turnover of tenancies, the number of refusals
  - There is a disproportionate number of a certain age group or type of household in the area which is considered to contributing to ongoing problems or issues
  - The area is subject to a major regeneration programme
  - Where new developments have been introduced and there is a requirement to meet certain criteria in the locality
  - Where there are blocks of flats that currently have identified issues due to the current profile of existing residents and there are issues around the sustainability of contracts/tenancies and there are wider community impacts as a result of the current tenant profile/mix
- 12.3 Only those applicants who qualify under the established local letting criteria may be considered for properties within the arrangement. Living Merthyr Tydfil Partnership Landlords who require the introduction of such a local lettings scheme will be required to develop a policy report to support the schemes' introduction. Local letting plans will be reviewed annually by the Local Housing Panel and either extended or removed as a result.
- 12.4 In addition, there may be occasions where Registered Community Landlord partners require individual properties to be let sensitively owing to specific issues. This will generally be for a single letting and it will be the responsibility of each individual Registered Community Landlord partner to ensure that properties are advertised with reference to additional criteria to be applied. Agreement will be between appropriate officers within MTCBC Housing Solutions Team and the respective Registered Community Landlord partner concerned.
- 12.5 Merthyr Tydfil County Borough Council and the Registered Community Landlord will come to an agreement on the villages, estates, blocks or streets where a local letting policy may be appropriate and why.

There must be a clear evidence base for adopting a local letting policy. Agreement as to whether a local letting policy is appropriate will be based on the following tests:

- i. A clear objective/purpose
- ii. Demonstrable evidence to support its introduction
- iii. That any potential equality impact has been considered.

Local lettings policies should be time limited i.e., for a specific period, whilst also allowing for periodic review.

12.6 For a local lettings policy to be considered the following form will need to be completed:

## Local Lettings Policy Submission

<b>RSL Name:</b>	
<b>Location</b> (Ward, street, postcode)	
<b>Purpose of having a Local Lettings Policy for this address/area</b>	
<b>Evidence to support its introduction</b>	
<b>Has an Equality Impact Statement been completed? If so can you please enclose a copy.</b>	
<b>Time frame for the Local Lettings Policy</b>	
<b>Date to be reviewed</b>	

Agreed by  
Name:  
Signature:

Agreed by  
Name:  
Signature:

12.7 A written record of each local lettings policy adopted or rejected shall be maintained by MTCBC Housing Solutions Team.

12.8 An individual property may be considered for a 'sensitive let'. This could be where there is a documented history of anti-social behaviour or criminal activity at a property or particular location involving the previous tenant or members of their household.

A property shall only be designated as a sensitive let with the approval of the MTCBC Housing Strategic Manager or MTCBC Housing Operational Manager and by a Manager of equal seniority within the respective Registered Community Landlord.

If a property is a sensitive let, certain households will not be considered for that property. Once the property has been let it will no longer be classed as a sensitive let. Discussions between the Registered Community Landlord and MTCBC Housing Strategic/Operational Manager should occur prior to a sensitive let being made. All such sensitive lettings will be reviewed by the Local Housing Panel to ensure a consistent approach is adopted by all. To aid this consistent approach the following pro forma needs to be completed as part of considering whether a property will be a sensitive let:

<b>RSL Name:</b>	
<b>Location</b> (Ward, street, postcode)	
<b>Why a sensitive let is needed</b>	
<b>Evidence to support its introduction</b>	

## 13. Lettings Plan for future developments

- 13.1 The Living Merthyr Tydfil Partnership have an agreed lettings plan that will be regularly reviewed on a quarterly basis by the Local Housing Panel. This will form part of the ongoing process of monitoring the impact and outcomes achieved through the operation of this policy against the objectives set out in section 1. Where objectives are evidently not being achieved or need to be modified it will inform recommendations for change, through the administration processes referred to in section 23.
- 13.2 The lettings plan will set out the property types and locations that are expected to become available over the time period of the plan, and will identify a fair and appropriate proportion of those predicted to become available for which reasonable preference will be given. Reasonable preference groups by law include:
- People who are homeless within the meaning of the Housing (Wales) Act 2014
  - People who are owed a duty under Section 73 and Section 75 of the Housing (Wales) Act 2014 or who are occupying accommodation secured by Merthyr Tydfil County Borough Council under Section 68 of the Housing (Wales) Act 2014
  - People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
  - People who have a need to move on medical or welfare grounds, including grounds relating to disability
  - People who need to move to a particular locality in the area, where failure to do so would cause hardship to themselves or others.

## 14. Move on Accommodation

- 14.1 The Living Merthyr Tydfil Partnership has developed a move on policy and process in conjunction with the providers of supported Housing schemes across Merthyr Tydfil. This process is aimed at ensuring that individuals within supported and temporary housing are provided with the necessary support and practical help to develop the essential life skills required to sustain accommodation in the long term thereby reducing possible contract holder failure and homelessness. It is also an integral part of creating cohesive and well-established communities that are safe places for people to live, develop and thrive.
- 14.2 Providers of supported and temporary housing across the borough will be able to source accommodation from Registered Community Landlord partners. This process will be co-ordinated and administered by MTCBC Housing Solutions Team, linking to the Living Merthyr Tydfil housing register process and ensuring that individuals who are considered ready to move on into permanent accommodation are assisted to do so in a timely manner.
- 14.3 Those residing in Supported accommodation or temporary accommodations identified as ready for move on by support providers or MTCBC Housing Solutions Officers will be required to have a move on application submitted to Local Housing Panel. Where it is agreed by the Local Housing Panel and Housing Solutions Team Leader that a person is ready for move on into a permanent accommodation, relevant changes will be made to banding in line with the banding policy in section 7.

## 15. Lettings Plan for future developments

- 15.1 There are a range of housing options open to older people within Merthyr Tydfil. Within the County Borough the four Registered Community Landlord partners between them operate and manage Extra Care schemes, as well as older person accommodation schemes or sheltered accommodation schemes.
- 15.2 Each of the Registered Community Landlord partners may have different age eligibility criteria for different schemes; however, such criteria will be clearly stated on the property advert. Applications for such accommodation is made via the Living Merthyr Tydfil Common Housing Register in the same way as general needs homes.
- 15.3 Access to Extra Care accommodation operates outside the remit of this Policy and Extra Care properties are not advertised via the Living Merthyr Tydfil Site. Further information on Extra Care can be found - ([LMT WEBSIT LINK](#)) Allocations to Extra Care Accommodation is managed by the Extra Care Accommodation Panel.
- 15.4 In addition, when considering options for older applicants wishing to transfer from private to social housing, consideration of whether the needs of the individual are actually better served by adaptations to their existing home with assistance from Community Occupational Therapist Team (COT's) completing an assessment who can further advise if adaptations may be an option more appropriate than moving into community housing.

## 16. Accessible Housing/Adapted Properties

- 16.1 For the purposes of this Policy – Adapted Properties are typically those which have received low, moderate or high-level adaptations to facilitate independent living. Properties which have received independent living aids only, such as grab rails, handrails, key safes etc... will not be classified as adapted properties.
- 16.2 Accessible accommodation will be advertised through the Living Merthyr Tydfil process and information will be provided on the advert to identify the adaptations present in the accommodation. Individuals who are considered to require a form of accessible housing will be carefully assessed and permitted to apply for accommodation that is considered to be accessible. Criteria will be applied to each property and the shortlisting process will follow the requirements of section 10 of this policy document. However, consideration will be given to the adaptations present and how these meet the needs and requirements of the applicant concerned. Applicants will be required to provide relevant supporting information as part of their assessment to evidence the need for an accessible property. Please see evidence Matrix in Section 7.
- 16.3 Some community housing has been specially adapted to meet people's needs or has the potential to be adapted to meet people's needs. Within Merthyr Tydfil adapted community housing is not administered separately from the Common Housing Register, but instead, is an integral part of the one system. The adapted features of a property will be made clear within the property advert, posted by the respective Registered Community Landlord partner. Again, there will be requirement to provide supporting evidence from a relevant Health Professional or COT's team to support the need for the specialist adaptations.

To obtain a COT assessment there is a requirement to have a medical need as evidenced by a GP/relevant health professional. Please note that COT assessments are based on an applicant's current accommodation and where possible will support to provide aids and adaptations so an applicant can remain in their current property. The COT team will only provide supporting information to the MTCBC Housing Solutions Team to support the need for a move where it has been identified that it is not possible to provide aids/adaptations in the current accommodation and the optimum option to meet an applicant's needs would be to move to an alternate suitable property. To obtain a COT assessment an applicant will need to contact the Adult Duty Intake desk and complete a brief assessment where a decision is made on the information provided if there is an identified need to be referred to the COT team or if another part of the service is more appropriate.

Adapted properties are categorised dependent on the level of adaptations in the property; adapted properties will fall into one of two categories:

- **Category A** - properties will have one or more of the following:
  - Ceiling hoist
  - Full wheelchair access
  - Specialist bath
  - Through floor lift (for properties with 2 bedrooms or more)
  - Wheelchair accessible shower room
- **Category B** - properties will have one or more of the following:
  - Level or ramped access
  - Level (or low threshold) access shower
  - Specialist toilet
  - Stair lift
  - Widened doorways

- 16.4 The benefits of matching client's needs to existing adapted homes are numerous, including making best use of limited resources, safeguarding public funds, whilst also allowing applicants who require adaptations to continue to live well and independently as possible in the community.
- 16.5 The applicant is required to declare as part on their online application, which adapted features (if any) would prove useful to allowing them to live independently. Most applicants who indicate on their application form that they would benefit from adaptations in their new home – will receive a verification phone call, letter or email from a MTCBC Housing Solutions Officer to discuss or request further information and the account will not be activated until the additional information/evidence requested has been provided. As per section 5 of the policy if the information is not received or no notification that there are attempts being made to retrieve supporting information the application will be cancelled after 28 days.
- 16.6 Community Housing may not be the only or best solution. Where a person is currently renting privately or own their own home, it may be more appropriate to consider adapting the person's current home instead of moving. Furthermore, minor aids may assist the person to live more independently in their current home; if this is the case the applicant should contact Adult social services to obtain a Community Occupational Therapy (COT) assessment.

Where an applicant is struggling to maintain their independence within their current home, there are other options that can be considered by the applicant -

- It may be more appropriate and timelier to consider moving through a sale of current property and purchase of an adapted or accessible home by accessing assistance from the Disability Facilities Grant (DFG) via the relocation grant providing this is a recommendation by the COT's team as part of the DFG process.
  - An application for Extra Care Scheme if this is a recommendation following an adult care assessment. Further information can be provided through the Extra Care Allocations policy.
  - Adaptations to person's private residences are not always reasonable or practicable. If not financially viable to sell the current property to move, an application to move into community housing owned by one of our Registered Community Landlord partners may be the most appropriate option based on the individual circumstances that would be subject to an assessment.
- 16.7 The Registered Community Landlord partner reserves the right to prohibit further adaptations to already adapted stock and to prohibit any adaptations to existing general needs stock.
- 16.8 Where an applicant is already residing in an adapted property, and the household member requiring the adaptations is no longer residing at the property, but the applicant doesn't require the adaptations, consideration will be made when assessing their banding as per section 6 to offer a priority banding to move out of the property to allow the property to become available for those who do require the adaptations.

## 17. Owner Occupiers

- 17.1 Owner occupiers will be permitted to register for accommodation and will have their accommodation needs assessed in line with the provisions of this policy. Where an owner occupier has a demonstrable need to move to alternative accommodation then they will be awarded reasonable preference under the provisions of this policy in order to assist them to seek to secure suitable alternative accommodation.
- 17.2 Where an owner occupier has had to sell their property whether that be due to financial hardship, relationship breakdown or possible physical health reasons where they are no longer able to maintain the property; their application can be referred to the Local Housing Panel for a decision to accept that the applicant is awarded a priority banding as set out in section 7 of the policy.
- 17.3 The Local Housing Panel will be required to assess and make a decision based on the individual circumstances of –
- Why it was required to sell the property.
  - The financial circumstances such as; equity that was obtained and not required to be used for any other purpose (E.g., resolving debt) and if sufficient monies to obtain alternative accommodation through Private rental or a further purchase.
  - The local property market conditions if a particular property is required to meet their housing need. Such as bungalows or adapted property that may be difficult or unaffordable to purchase.

## 18. Owner Occupiers

18.1 In certain circumstances, the Living Merthyr Tydfil partnership may use their discretion to allocate properties directly. This is in addition to the separate move on arrangements referred to within this policy document and will include but are not limited to:

- Individual's under-occupying extremely desirable properties who have specific housing needs and requirements.
- Decant accommodation for applicants who are required to vacate their home for essential major works to be carried out.
- Where there is an adapted property, and the adaptations are extensive, and an applicant is known to require the property concerned given the adaptations present or likely to be present.
- Where there is an identified risk of harm to or from an individual that requires a multi-agency approach to manage the risk.
- Where properties are required for the use within the Housing First scheme.
- Where properties are required to assist the Council in meeting its corporate and statutory responsibilities.
- Where there have been exceptional difficulties in or within immediate vicinity of the property available for letting.
- Where there has been a major incident such as a fire or a flood and the individual concerned requires housing urgently as a result.

18.2 Decisions taken outside of the normal process will be agreed by partners either individually or collectively depending on the nature of the case. In all instances the Living Merthyr Tydfil partnership will be provided with details of the exceptional process and any subsequent letting will be recorded on the centralised system and register.

## 19. Review of decisions

- 19.1 Applicants will be notified in writing of decisions made surrounding their applications. Any appeal must be submitted within 21 days of receiving a decision. The review will then be carried out by a senior officer not involved in the original decision. The officer concerned will vary depending on the decision made and reviews will generally be completed within 56 days of receipt of the review request where reasonably practicable to do so.
- 19.2 Applicants will be advised when reviews are anticipated to exceed the 56-day review period. Reviews submitted outside the timescale may be considered where this is considered reasonable to do so.
- 19.3 The review procedure
- i. Applicants will be notified in writing of decisions made in respect of the review.
  - ii. Applicants must request a review of a decision within 21 days of being notified in writing, unless there are exceptional circumstances that they did not request a review within that timescale. Applicants must give reasons why they wish to have the decision reviewed including where they believe an incorrect decision has been made on the facts.
  - iii. MTCBC Housing Solutions Team Leader will carry out the review where the MTCBC Housing Solutions Team Leader has not been involved in making the original decision. Where the MTCBC Housing Solutions Team leader has been part of making the decision another relevant Senior Officer will carry out the review.
  - iv. Merthyr Tydfil County Borough Council will aim to complete and inform the applicant in writing of the decision within 21 working days, after taking into account any additional information that has been provided by the applicant. Alternatively, the applicant will be advised of any time extension required to make the decision.

## 20. Annual review of applications

- 20.1 Applications that are accepted onto the Living Merthyr Tydfil register will be reviewed on an annual basis by the MTCBC Housing Solutions Team and applicants will be asked to confirm that they wish to remain on the Living Merthyr Tydfil register. Applicants who fail to respond within 28 days will have their application cancelled.
- 20.2 Where an applicant re-applies to join the Living Merthyr Tydfil register at a later date they will be required to complete the full application process and will be registered from the date they re-apply unless there are mitigating circumstances. This could include:
- Being away from home due to an admission to hospital, nursing home, residential home or other similar provision.
  - Being away from home to support/care for family member or friend.
  - Other exceptional circumstances considered reasonable by the MTCBC Housing Solutions Team.
- 20.3 Evidence will need to be provided in order to support a request for re-instating an application that has been cancelled and an applicant will have a right to request a review of the decision as per the provisions of section 19 of this policy document.

## 21. Change of circumstances

21.1 Applicants are required to keep their Living Merthyr Tydfil registration up to date with any change in circumstances that may impact on their application status. This could include:

- A change of address & contact details.
- New household members.
- Household members leaving the household.
- Significant changes to personal, medical or social circumstances.
- Where an applicant has a No Priority banding for tenancy/contract related debt that has been cleared or agreed payment arrangement has been adhered to for the agreed period; it is the applicant's responsibility to update the MTCBC Housing Solutions Team with the information.

21.2 Changes of circumstances can be completed through the applicant online Living Merthyr Tydfil Housing application by logging in and updating the information or by contacting the MTCBC Housing Solutions team by phone 01685 725000 or email [Housing@merthyr.gov.uk](mailto:Housing@merthyr.gov.uk) to notify of any relevant change in circumstances.

21.3 The changes are critical in determining the status of each individual application. Failure to provide the correct information could result in applicants being considered for the wrong accommodation and potentially not being able to apply for other types of accommodation. Also potentially resulting in a Registered Community Landlord partner not being able to continue with an offer of accommodation for failing to provide up to date information.

## 22. Cancelled applications

22.1 Applications can be cancelled or removed from the Living Merthyr Tydfil register at any time. The list below provides a number of scenarios that may result in an application being removed:

- The applicant requests to cancel their application.
- The applicant does not respond to a review within specified time period.
- The applicant is rehoused through the Living Merthyr Tydfil register.
- The applicant fails to provide information requested within a reasonable timescale.
- The applicant has moved and has not updated their change of circumstances for the new address through the Living Merthyr Tydfil website or by contacting the MTCBC Housing Solutions Team.
- The applicant has knowingly and wilfully given false or misleading information or has not disclosed relevant information in connection to their application.
- The applicant no longer has recourse to public funds and/or no longer has indefinite leave to remain in the UK and so is no longer entitled to be housed or be allowed to remain on the Living Merthyr Tydfil register.
- The applicant or a member of their household is found to be guilty of unacceptable behaviour since their application was registered that would result in them failing the test outlined in Section 11 of this policy.

22.2 Correspondence will be sent to applicants who are removed from the Living Merthyr Tydfil register. This will outline the reasons why their application has been removed. Applicants will have the right to review this decision as indicated in section 19 of this policy document. Applicants who have been rehoused will not be contacted but their application will be closed as their housing need has been met through the offer and acceptance of suitable accommodation. Application records will be retained for a period of 7 years and will then be disposed of appropriately.

## 23. Monitoring and policy review

- 23.1 The Living Merthyr Tydfil Housing Register policy will be monitored on a quarterly basis by the Living Merthyr Tydfil partnership via the Local Housing Panel through the production of a report that will analyse the operation of the service and feedback received from applicants around the service. This will enable partners to take appropriate and timely action to address any identified issues alongside ensuring that the policy is being operated in a fair and transparent manner.
- 23.2 It is the intention that this policy is reviewed every 3 years and that in doing so a wider impact assessment will be carried out. However, the policy may be reviewed earlier where there are significant changes required as a result of legislative changes.
- 23.3 There may be occasions where a partner challenges the implementation or interpretation of this policy; in the event of a dispute arising as to the correct implementation or interpretation of any part of this policy, for example the refusal by a Registered Community Landlord to consider or make an offer of accommodation to an applicant, whose priority means they are due an offer, then Merthyr Tydfil County Borough Council or any other Registered Community Landlord may raise a 'challenge request'. Any challenges will be monitored to ensure the policy is clear and being implemented fairly and where recognised make amendments to the policy for the purpose of clarity.

A 'challenge request' shall be considered and resolved in accordance with the following procedure:

- i. Within 2 days of a concern being raised, the Registered Community Landlord's Nominated Officer (e.g., Head of Housing or Senior Allocations Officer) and Merthyr Tydfil County Borough Council's Housing Solutions Team Leader shall discuss the case in question, using all reasonable endeavours to settle the dispute amicably and in good faith.
- ii. If the dispute cannot be resolved through the above it shall be referred to more senior officers in both organisations, who shall aim to discuss the matter within 2 days of the dispute being referred to them and shall use all reasonable endeavours to settle the dispute promptly and amicably.

It is worth acknowledging that there may be occasions where a dispute cannot be resolved by compromise. In such circumstances the Registered Community Landlord reserves the right to stand by its decision. The Council is within its rights to object/disagree with said decision. In the event of a challenge or review of the decision by the applicant – the Council will be duty bound to advise the applicant of its view on the matter and will refer the applicant to the respective Registered Community Landlord for them to seek an explanation directly.

- 23.4 Where a dispute cannot be resolved by compromise as stated above Merthyr Tydfil County Borough Council will seek the guidance and advice from Welsh Government. When making decisions Part 6 of the 1996 Housing Act Section 170 requires Housing Associations co-operate to such an extent as is reasonable in the circumstances in offering accommodation to people with priority under the authority's allocations scheme'. This has been strengthened further through section 95 duty (Duty to co – operate) in the Housing (Wales) Act 2014, which covers both strategic and operational functions. The presumption is now placed clearly on the relevant service to co – operate unless it can demonstrate that the proposed action would be incompatible with its duties. The Welsh Government's Regulatory Framework for Housing Associations Registered in Wales puts a requirement on Housing Associations to ensure that their work supports the Local Authority in the delivery of its strategic housing role.

## 24. Local Housing Panel

24.1 The primary role of the Panel is to ensure fair, consistent and transparent implementation of the Common Allocations Policy, primarily making decisions on complex applications to join the Living Merthyr Tydfil Housing Register; and reviewing decisions made by Merthyr Tydfil County Borough Council or its Registered Community Landlord partners. Cases may be referred to the Local Housing Panel for consideration by Council Officers, Registered Community Landlord's, an applicant or an applicant's appointed representative (e.g., a support agency).

The assessment of more complex applications will be supported by the operation of a Local Housing Panel. This Panel consists of a nominated representative from all partners with the delegated power to make decisions and /or recommendations.

24.2 The Panel will have a wide remit covering:

- Review and challenge decisions made in respect of matters such as:
  - o Bandings impacted by rent/debt repayments plans; where there is substantial hardship and the requirement to move is pertinent to the welfare of the applicant.
  - o Applicants who have intentionally worsened or misrepresented their circumstances in an attempt to increase priority.
  - o Knowingly or recklessly makes a statement which is false, or knowingly withholds information.
  - o Cases that require to go through the “move on” process from supported or temporary accommodation or have a requirement to have a VALID risk assessment before being housed through Living Merthyr Tydfil housing register; or where the risk assessment requires wider consideration due to the complexity of the case or degree of perceived risk.
- Monitor the number and reason why applicants are being overlooked, paying due regard to the Rapid Rehousing Transitional plan.
- To discuss and debate how to apply any local letting policy and to review that policy periodically.
- Review urgent management transfers and Band 1/Reduced allocations made due to urgent housing need, which have occurred since the previous meeting.
- Any complex cases where it has not been possible to award medical priority based on the set criteria and process.
- Where it is claimed that there are welfare circumstances or exceptional circumstances that are not covered in the policy criteria.
- Where there may be a case requiring a sensitive let.
- To monitor performance and letting information.
- Any other relevant matters for which a consensus view is required.
- Consideration of securing an Urgent Management Transfer (UMT) for under occupied properties and exacerbating the applicants' circumstances.
- For Partner Registered Community Landlords to work together where there is an urgent need to decant a contract holder and household; the Landlord of the property is unable to provide an alternative property at the time.

24.3 Applicants requiring support intervention may be discussed at Local Housing Panel and an action plan outlining the support required may be developed. The relevant support agency may attend the meeting to help facilitate discussion regarding the support needs of the applicant. The Panel will then come to a decision stating whether the applicant is suitable to be re-housed and if there need to be any conditions attached to the contract (specific areas, support needs, etc.).

Only complex cases should be considered by the Local Housing Panel. The vast majority of allocation decisions are delegated to the MTCBC Housing Solutions Officers in the course of their daily duties and officers within Registered Community Landlords. Summary information shall be shared with the Local Housing Panel for challenge and review prior to, or during each meeting, where appropriate.

24.4 The core Panel Members will consist of the following:

- MTCBC Housing Solutions Team Leader (Chair)
- MTCBC Housing Operational Manager
- MTCBC Housing Solutions Officer(s)
- Registered Community Landlord Manager with responsibility for Housing (or nominated deputy) for each of the partner Registered Social Landlords.
- Secretariat to be provided by MTCBC

The following will be invited to attend the Local Housing Panel to discuss relevant cases as and when required. Each agency may also request to attend in any event.

- Support agencies and voluntary sector
- Criminal Justice service
- South Wales Police
- Public Health Wales
- NHS
- Community Occupational Therapists
- Housing Support Grant Team representative

24.5 The Local Housing Panel will meet monthly or more frequently if required. The Panel meets virtually, this accommodates all core members who have agile working structures, office bases being outside of the local area. A record will be kept of the Panel's decisions and the reasons for reaching a decision on a particular application. The full remit for the Panel is set out throughout this policy; a term of reference for the panel is also specified and agreed to by all members of the panel.

24.6 The Panel administrator (within Merthyr Tydfil County Borough Council) must receive all case and supporting information from the referring organisation (or individual) at least 3 working days in advance of scheduled meetings, to allow the data to be shared securely with all core Panel members ahead of the meeting. Information will be referred using a standard format.

Where a case cannot wait for the next scheduled meeting, a decision can be made by circulating evidence relating to the case to panel members who will make their recommendation by e-mail.

24.7 All decisions and reasons for that decision will be recorded and the subject applicant informed in writing of the decision within 10 WORKING DAYS by the Panel administrator (within Merthyr Tydfil County Borough Council).

Applicants then have 21 days to request a review of the decision.

In exceptional cases an applicant may be asked to attend the panel to provide clarification on their case.

24.8 All 5 organisations signed up to this Policy are signatories to a protocol which governs the way information is shared for the purpose of maintaining the common housing register. The information sharing protocol or ISP has been developed in-line with the framework produced by

The Wales Accord on the Sharing of Personal Information (WASPI). The protocol ensures that information is shared between organisations safely and securely. On occasions where other organisations are present at, or provide information to, the Panel, a confidentiality agreement will be required, if that party is not a signatory to the ISP in place.

- 24.9 The number of cases dealt with by the Panel, along with the decisions made and reasons will be monitored and may be reported annually to the relevant Scrutiny and/or Performance Committee within Merthyr Tydfil County Borough Council and to the Boards of relevant Registered Community Landlords.

Recommendations, monitoring reports and local intelligence will be reported to the Strategic Housing Partnership (attended by senior officials from a range of partners) where appropriate.

## 25. Meeting Diverse Needs

- 25.1 For Gypsy/Travellers wishing to obtain their own pitch for a caravan; an application can be obtained online, [www.merthyr.gov.uk/resident/housing/gypsytraveller/](http://www.merthyr.gov.uk/resident/housing/gypsytraveller/) or a paper copy obtained from the Civic Centre. Assistance can be provided to complete the application if required through the MTCBC Housing Solutions Team.

Allocations of plots/pitches for Gypsy/Travellers operates outside of this policy and vacant plots are not advertised via the Living Merthyr Tydfil site. Further information on the Allocations policy for plots/pitches can be obtained here - (LMT LINK for Allocations policy). Wait lists for plots/pitches are managed outside of this policy.

For Gypsy/Travellers wanting a move into “bricks & Mortar” accommodation through community housing are to be made in the same way as any other household, by following the steps in this policy.

- 25.2 Asylum Seekers are not eligible for an allocation of accommodation under Part 6 of the 1996 Housing Act. If they receive a positive decision on their claim for asylum and are awarded refugee status, humanitarian protection or discretionary leave, then they may be entitled to an allocation of accommodation.

Should the Local Authority participate in any refugee resettlement programmes (or similar) appropriate arrangements may be made to secure appropriate accommodation. Where this accommodation is community housing, it is likely that working in partnership with our Registered Partner Community Landlords, the Local Authority will seek to allow a Registered Partner Community Landlord to make a direct offer to the household; so that accommodation is available to the household upon arrival in the area.

- 25.3 For Care leavers and persons 16-17 years of age Local Authorities have a range of duties to care leavers who represent a particularly vulnerable group. Pathway Plans must be prepared for children who are being looked after to ensure they move into suitable accommodation when they leave the care system. Merthyr Tydfil County Borough Council is committed to joint planning arrangements between Housing and Social Services to achieve this. This is a key client group for floating support or other forms of tenancy support to enable contracts/tenancies to be maintained.

Merthyr Tydfil County Borough Council acknowledges that under section 23B of the Children Act 1989, they are required in prescribed circumstances to assist in meeting the accommodation needs of care leavers, whether they are homeless or not.

- 25.4 For Lone Parents under the age of 18 an allocation of appropriate housing and support shall be based on consideration of the young person's housing and support needs, their individual circumstances and their views and preferences where possible, the main priority being meeting their housing need. Merthyr Tydfil County Borough Council shall ensure that the accommodation is suitable for babies and young children. Wherever possible, the Council shall take account of education and employment needs and opportunities when identifying suitable accommodation.

Arrangements are in place to ensure that, where an application for housing is received from a lone parent aged 16 or 17, a joint assessment involving Housing, Social Services and any other relevant agencies, of the applicant's housing, care and support needs shall be undertaken. The relevant officer with initial contact should obtain the consent of the young parent before involving Social Services, unless child protection concerns are present and to seek consent might endanger the welfare of the child and/or of the young parent.

Young parents under the age of 16 must always be referred to Social Services so that their social care needs may be assessed.

- 25.5 With regard to duties under the Social Services & Well-being (Wales) Act 2014 accommodation is a key factor to take into account when establishing how to meet an individual's needs and the extent to which the local authority may need to provide care and support, or support to carers, to meet identified needs.

Merthyr Tydfil County Borough Council is therefore determined to implement an integrated approach between Housing and Social Services Departments to deliver the duties under the Housing (Wales) Act 2014 and the Social Services and Well-being (Wales) Act 2014.

## 26. Compliments, Comments, Complaints and the Right to Review

26.1 For the Council to improve the quality of our services, and to assist in the planning of new services, we value customer feedback. Such feedback can be provided via the comments form on the Council website – [www.merthyr.gov.uk](http://www.merthyr.gov.uk)

26.2 Sometimes the Council does not get everything right. If you wish to make a complaint you can do so in the following ways:

- Online at [www.merthyr.gov.uk](http://www.merthyr.gov.uk) by completing an online form
- Email: [customer.care@merthyr.gov.uk](mailto:customer.care@merthyr.gov.uk)
- Telephone: 01685 722146
- Writing to: MTCBC, Civic Centre, Castle St, Merthyr Tydfil, CF47 8AN

A full copy of the Council's complaints procedure can be found online or by contacting the Complaints Team using one of the above methods.

26.3 The above does not affect the right of an applicant to also pursue a complaint with the The Public Services Ombudsman for Wales, which is an independent service run by the Welsh Government to make sure that Local Authorities provide the required standard of service to customers. This service is free and impartial.

The Ombudsman will normally deal with a complaint if an applicant feels they have been treated unfairly as a result of maladministration.

For example, if Merthyr Tydfil County Borough Council has:

- Delayed acting without good reason
- Considered facts which are not relevant or ignored facts which are relevant
- Not followed their own rules or complied with the law
- Not taken action that they had promised to
- Given an applicant incorrect information
- Not reached a decision in the correct manner

The Ombudsman will not normally investigate:

- Until after Merthyr Tydfil County Borough Council has had the opportunity to review its decision (normally by going through the complaints process)
- Matters which have been, are, or could be dealt with by the courts or the internal review procedure
- Matters which the applicant was aware of more than twelve months before making the complaint
- The aim of the Ombudsman is to have Merthyr Tydfil County Borough Council put right any wrongs which may have been made to the complainant and to ensure that things are done right in the future.

The Public Service Ombudsman for Wales can be contacted in the following ways:

Telephone: 0300 790 0203  
Online: [www.ombudsman-wales.org.uk](http://www.ombudsman-wales.org.uk)  
By writing to: Public Services Ombudsman for Wales,  
1 Ffordd yr Hen Gae, Pencoed, CF35 5LJ  
Email: [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

26.4 All applicants have the right to request general information; Section 166(2) of the 1996 Act requires local authorities to inform applicants that they have the right to certain general information such as:

- i. Information that will enable the applicant to assess how their application is likely to be treated under the scheme, and, in particular, whether they are likely to fall within the reasonable preference categories; and
- ii. Information about whether accommodation appropriate to their needs is likely to be made available and, if so, how long it is likely to be before such accommodation becomes available.