



# **WATFORD BOROUGH COUNCIL**

## **Consultation on proposed changes to the Nominations Policy**

### **1. Introduction**

This document explains the changes WBC is proposing to its Nominations Policy and needs to be read in conjunction with the questions in the consultation.

This document explains why WBC has a Nominations Policy and gives some background on why we need to make some changes to the policy. An explanation is provided for each of the changes being proposed which is needed for respondents to answer the questions being asked in this consultation.

### **2. Background**

Local authorities are required by law to adopt and publish an Allocations Scheme - in Watford we call it a Nominations Policy – which sets out the priorities for the allocation of social housing accommodation and the procedures to be followed in accordance with Part 6 of the Housing Act 1996, as amended by the Homelessness Act 2002, the Localism Act 2011 and most recently the Homelessness Reduction Act 2017.

The policy covers who is eligible to apply for social housing and how priority for social housing is determined. It also sets out the procedures for nominating Housing Register applicants for social homes let within Watford.

Watford has a Nominations Policy, rather than an Allocations Policy, because all social housing available in the borough is owned by housing associations (also known as private registered providers) so we nominate Housing Register applicants to their vacant homes. The rules for joining

the Housing Register, determining priority, and nominating applicants are the same as they would be for an Allocations Policy.

Watford's current Nominations Policy has been in place since August 2015. It was updated in March 2018 to ensure reasonable preference was given to homelessness applicants to whom the council had a Prevention or a Relief Duty under the Homelessness Reduction Act 2017.

A consultation was held in 2019 on a number of changes however these were never approved or implemented due to the pandemic. Since then further changes have been proposed to reflect current housing circumstances.

### 3. Major policy changes for consultation:

The following are the thirteen policy changes that the Council is consulting on for nine weeks from 6<sup>th</sup> May to 8<sup>th</sup> July 2025.

This document sets out the proposed changes and why they are needed. The actual changes within the policy are referenced below.

There are four main groups of changes:

1. Proposed changes to access to the Housing Register		
What is the change?	Additional information	Why this change is being proposed
To ease the local connection requirement from 5 out of the last 6 years living in Watford to 5 out of the last 7 years and change local residence requirement for single applicants in the Single Homeless Pathway and Care Leavers (See Policy 4.2.4)	<p>This is required to ensure that all residents of Watford get a fair chance to apply to the housing register and are not disadvantaged if they need to move out of the area for a short period. Housing Register applicants should be living in Watford when they apply and to have lived in the borough for five out of the last seven years.</p> <p>For applicants accommodated within the Single Homeless Pathway and Care leavers to:</p> <p>a) Enable the local residence connection for single applicants in the Single Homeless Pathway to be 6 out of the last 12 months instead of the 5 out of the last 7</p>	<p>This would bring this set of applicants in line with all homeless applicants' access to the Housing Register who need to demonstrate either 6 out of the last 12 months residence in Watford or 3 out of the last 5 years. The residence needs to be prior to any occupation of supported housing within the homelessness pathway in Watford.</p> <p>Care leavers are a new group as proposed in the Labour Party Conference September 2024 who often face being moved areas and may not have a settled connection with any area.</p>

	<p>years, whether they have a homeless application or not.</p> <p>b) Add Care leavers to the list of types of person who do not need to prove a local connection.</p>	
<p>To enable applicants threatened with homelessness who accept an offer of a private rented home to remain on the Housing Register and bid on the CBL system for three years. (See Policy 5.2.1)</p>	<p>This new housing category would apply in the following circumstances:</p> <ul style="list-style-type: none"> <li>• WBC has accepted a Prevention duty (meaning the client is threatened with homelessness) and during the Prevention duty period (up to 56 days from the date of the council accepts this duty), the applicant accepts an offer of an alternative home with a private landlord within or outside of Watford.</li> <li>• Where an offer via the Housing Register has not been achieved during the three year period following the move to a private rented home, the Housing Register application will be closed, and the applicant will no longer be able to bid.</li> </ul>	<p>This change is proposed to encourage clients threatened with homelessness to accept an offer of an alternative private rented home before they lose their current home and avoid the need for them to go into temporary accommodation.</p> <p>Depending on the type of temporary accommodation available, it can be very expensive for households affected and WBC alike. Moving into temporary accommodation is also very disruptive for clients who may have to move out of Watford where they may have established support networks, jobs and children in schools. If households can find their own accommodation or WBC sources it for them within or outside of Watford, then being allowed to remain on the Housing Register and be able to bid for available social rented homes for up to three years after they move can help encourage clients threatened with homelessness to make more informed decisions about their housing future.</p>

## 2. Proposed changes to Banding

What is the change?	Additional information	Why this change is being proposed
<p>Reducing the number of bands from 5 to 3 and clarifying the type of applicants in each of the new bands (See Policy 5.2.1 and Appendix 1 of this document)</p>	<p>The Council believes that social housing should be allocated to people with the greatest housing need, recognising there are additional housing needs which cumulatively may have a greater impact on the need for housing.</p> <p>We're proposing to reduce the number of Bands from 5 to 3 and have reviewed</p>	<p>To ensure that social housing is allocated to those who have greatest need. In addition, we wish to simplify the banding system and make it clearer and easier for applicants to understand. Applicant's advocates will also be able to clearly see why their application has been placed in a certain band. We</p>

	<p>the type of applicants falling into the three new bands to meet the requirements of the Homelessness Reduction Act 2017 in that reasonable preference has been extended to those who are at the Prevention and Relief stages of a homeless application.</p>	<p>have taken the opportunity to review the applicant types per band and have made recommendations that suit current housing allocations circumstances.</p> <p>Amending the banding will require a comprehensive review of all Housing Register applications to reassess them. Although the date of application will be retained, some applicants may be placed in a different band with an increased or a reduced priority.</p>
<p>Two new local reasonable preferences (See Policy 3.1.1 and 5.2.1):</p> <p>a) Applicants agreed as ready to move on from accommodation and support in Watford's Single Homeless Pathway (SHP) (and other supported schemes funded by Hertfordshire County Council (HCC).</p> <p>b) Applicants currently occupying Housing First (HP) properties.</p>	<p>Both the Watford Single Homeless Pathway (SHP) and the Housing First (HF) Project came about as a result of COVID and the need to respond in a more focused way to the needs of single homeless people, especially those with multiple disadvantage. The main aims of both projects are to reduce the numbers of single people sleeping rough and to create a flexible and supported pathway to independence for them. That said, neither forms of accommodation are permanent and residents are expected to move on when they are ready to live independently.</p>	<p>Part VI of the Housing Act 1996 already requires local housing authorities to have regard for a range of reasonable preferences when allocating social housing. These statutory reasonable preferences are:</p> <ul style="list-style-type: none"> <li>• Homeless people, including those who are not owed a statutory homeless duty</li> <li>• People occupying insanitary or overcrowded accommodation</li> <li>• People needing to move on medical or welfare grounds</li> <li>• People who need to move to avoid hardship</li> </ul> <p>Both proposals will enable throughput, freeing up spaces in the SHP and in the HF project, created by residents moving on, which then become available to new entrants. It should be borne in mind that there are not enough studio or one-bedroom homes for everyone that requires one, so SHP clients ready to move on must consider settled accommodation in the private rented sector as well.</p>
Additional priority for households affected	A new section on prioritising Housing Register applicants affected by	The Social Housing (Regulation) Act 2023 deal with hazards affecting social

<p>by damp and mould (See Policy 5.2.1)</p>	<p>insanitary conditions including damp and mould in their homes will be included in the revised Nominations Policy as follows:</p> <ol style="list-style-type: none"> <li>Applicants living in the private rented sector (PRS): will have a reasonable preference (e.g. insanitary conditions) and placed in Band B on the Housing Register.</li> <li>Applicants living in social housing: decant status will be applied and the applicants placed in Band A</li> </ol>	<p>housing. It includes the requirement for social landlords to remedy damp and mould hazards within strict time limits. This requirement arose from the coroner's finding that the death of Awaab Ishaak in 2022 was due to unremedied damp and mould in his Rochdale social rented homes.</p> <p>For most PRS tenants' assistance with a move to an alternative PRS home is the most likely and quickest outcome. For both elements WBC's Environmental Health will be involved and must agree that the situation cannot be resolved with the household in situ.</p>
<p>Moving certain households in temporary accommodation from Band B to Band A after a period of 12 months. (See Policy 5.2.1)</p>	<p>It is proposed to move from Band B to Band A some housing applicants who have been accommodated in temporary accommodation (because WBC has accepted a homelessness duty) for more than 12 months to increase their chances of accessing housing which could be with a social or a private landlord</p> <p>Where the council has accepted a homeless duty to house, but the applicant has not lived in Watford for 5 out of the last 7 years, it is proposed the applicant is moved to Band A, if the following circumstances are met:</p> <ol style="list-style-type: none"> <li>They reside in temporary accommodation provided by WBC</li> <li>They have not been able to move to settled accommodation after 12 months of being in temporary accommodation.</li> </ol>	<p>As stated, this proposed change is to increase the chances of being housed for the type of households cited and reduce the number of households living in temporary accommodation. It is costly to both the council and households to remain for long periods in temporary accommodation awaiting settled housing options.</p> <p>Applicants needing homes with 3 or more bedrooms may usually be trumped by applicants in a higher band and not made offers of available homes they have bid for even if they are the highest placed (because of date order) in the lower band. There are issues about financial viability for the client and WBC of remaining in temporary accommodation.</p>

### 3. Proposed changes relating to bidding and offers

What is the change?	Additional information	Why this change is being proposed
Removing two months free bidding (See Policy 6.3)	<p>For homeless households and Care Leavers on the Housing Register to whom the council owes a prevention or relief duty, it is proposed they will no longer have 2 months free bidding on the choice based letting system.</p> <p>i. For homeless households, the council will place auto and management bids on the choice based letting system on their behalf from the prevention or relief start date.</p> <p>ii. For care leavers, the council will place auto and management bids on the CBL system from their band start date</p> <p>Currently, homeless applicants on the Housing Register can bid freely, or not if they choose, for homes advertised on the choice based lettings system (CBLS) during their first 2 months of joining the Housing Register. The council cannot bid for suitable homes on the CBLS on their behalf during this time. This undermines the council's ability to assist homeless applicants with finding an alternative suitable home during the statutory 56-day assistance period.</p>	<p>For homeless households, the reason for introducing this measure relates to the periods of 56-days attached to Prevention and Relief Duties under the Homelessness Reduction Act 2017 during which the council must work together with applicants who have approached it, who are either threatened with homelessness (Prevention Duty) or actually homeless (Relief Duty), to find them an alternative settled home.</p> <p>The situation for care leavers is a clarification of the current practice which is set out in the Hertfordshire Joint Housing Protocol (HJHP) agreed and published 2021 and in the Homelessness Reduction Act 2017 (HRA); both post-date the current Nominations Policy</p>
Overlooking applicants' bids (See Policy 6.5.1)	<p>Housing Register applicants who have a "live" application (rather than suspended) are able to bid for vacant homes advertised on the council's choice based lettings system. The reasons why officers may overlook Housing Register applicants' bids on the choice based letting system are not detailed in the current policy and are to be set out in the new policy.</p>	<p>The Nominations Policy needs to explain the circumstances in which a bid will not be accepted from an applicant. Circumstances include bidding for a home that is inappropriate for an applicant's needs, or they are not in the client group a property is advertised for (e.g. the property is advertised as being prioritised for existing housing</p>



		association tenants who needs to move – for example a transfer applicant).
Criteria for suspending applications (See Policy 4.2.3)	<p>In the current Nominations Policy, there are a range of applicant groups who can be suspended from the Housing Register for various reasons including: owing rent to a current landlord, neglect or damage to a social rented home, refusing two offers (non-homeless applicants). The applicant categories set out below will be additional criteria for suspending applications from the Housing Register:</p> <ul style="list-style-type: none"> <li>a. Anti-social behaviour</li> <li>b. Care leavers</li> <li>c. Single Homeless Pathway applicants</li> </ul> <p>The current Nominations Policy states unacceptable behaviour must be serious enough in nature to warrant possession by a landlord with examples being given of “anti-social behaviour and providing false or misleading information” relating to their application. Providing false or misleading information will continue in the new Nominations Policy, but anti-social behaviour would be defined to include:</p> <ul style="list-style-type: none"> <li>• the applicant has been involved in cuckooing another person’s home</li> <li>• the applicant is a perpetrator of domestic abuse</li> </ul> <p>Both examples would be evidenced by confirmation from the police. A Housing Register application suspended for anti-social behaviour could last for up to 6 months at a time with a review at the end of this period to explore</p>	<p>For Care Leavers and Single homeless Pathway applicants, it is because they are not considered ready to manage an independent tenancy until it is confirmed with support agencies that they are ready to move on and live independently. Applications will then be made live and able to bid for vacant homes advertised on the Choice Based Lettings System.</p> <p>For Housing Register applicants involved in anti-social behaviour, the council wishes to provide more examples of such behaviour which may result in an application being suspended.</p>

	what steps an applicant had taken to modify or address their behaviour.	
Reducing the number of offers to non-homeless Housing Register applicants from three to two, and limit care leavers and those in the Single Homeless Pathway to one offer only of accommodation. (See Policy 5.3)	Watford Single Homeless Pathway (SHP) applicants and other applicants in HCC funded supported housing) to receive one offer of accommodation. Applicants in the Single Homeless Pathway are to be suspended from the Housing Register until their accommodation and support provider (A&SP) recommends they are ready to move on into independent living.	<p>this proposal brings SHP housing applicants in line with homeless applicants being assisted under the Homelessness Reduction Act 2017 as their position is equivalent. The expectation of A&amp;SP support in submitting Housing Register applications which are detailed about an applicant's housing need, their support in enabling an applicant to become tenant ready including having realistic expectations about housing availability, should mitigate the potential for inappropriate bids for social homes being made.</p> <p>To reduce speculative bids from people who are not serious about taking the property they are bidding on. This causes delays in letting social homes and the change will ensure only those who are serious about a property bid for them.</p> <p>This proposal brings care leavers into line with homeless applicants being assisted under the Homelessness Reduction Act 2017 as their position is equivalent. Homeless applicants receive one offer.</p>
Letting available homes by quotas as well as bands with quotas reviewed annually. to enable flexibility to meet local housing need. (See Policy 3.7.1)	Currently, the council prioritises people who bid for housing association homes using the band they are in and the date which they applied. This means that out of those bidding for a property, the person who is in the highest band, and has waited the longest will be nominated for a suitable property before people who have not waited as long or who are in a lower band. It is well known that there are not enough housing association homes to meet	A quota system will mean that the council can make sure most groups of Housing Register applicants will get a share of the limited supply of housing association homes available. It will also be able to increase or reduce the quotas for groups at least annually to respond to changing needs in the borough. and provides flexibility to respond appropriately.



	<p>demand and in order to ensure that different groups have access to social housing, we are proposing having certain percentages of homes available for specific groups of applicants.</p> <p>Such proportions would be monitored and reassessed at least annually, for example, we may set a quota for 2025/26 to ensure that where possible nominees will come from the following groups at agreed proportions such as:</p> <ul style="list-style-type: none"> <li>• 20% to existing housing association tenants who want to move,</li> <li>• 35% to homeless households,</li> <li>• 10% to households living with family or friends,</li> <li>• 15% to single people such as care leavers or those living in supported housing who are ready to move on and live independently</li> <li>• 20% to households living in the private rented sector</li> </ul> <p>The nomination will still be based on need and length of time on the register. For example, if it is decided that a certain home will go to an applicant who is an existing housing association tenant, the successful nominated bidder will be the applicant in the highest band who has been waiting for such a property the longest.</p> <p>The use of quotas may result in certain groups that are not prioritised within a quota being excluded from certain properties and it may take longer for them to be housed. However, even under the current system, there are applicants who will never be housed because there are not enough housing associations homes for everyone who needs them.</p>	
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Changing the bedroom entitlement to align with that for local housing allowance and allocating a bedroom for adult dependants aged 19 or over (See Policy 5.4.1)	Due to the acute shortage of social housing nationally and within Watford, we must ensure that the affordable homes are allocated to meet the size needs of the household. This will bring the policy in line with Local Housing Allowance regulations. We also propose one change to the bedroom standard which is for dependent adults aged 19 or over who are part of a household should have their own bedroom. An assessment of whether the child is still dependant on the parent(s) will be made.	<p>The proposed changes would simplify the calculation of bedroom need and would ensure that no working age household would be allocated a home that would immediately put them at risk of the Government's housing benefit under occupation penalty.</p> <p>The change for adult children is proposed to ensure those households accommodated are entitled to benefits to cover their rents and recognises the need of dependent adults over the age of 19 to have their own bedroom. This follows a Local Government and Social Care Ombudsman decision on the inclusion of certain adults in a household thereby resolving a conflict with Article 8 of the Human Rights Act.</p>
<b>4. Other changes</b>		
<b>What is the change?</b>	<b>Additional information</b>	<b>Why this change is being proposed</b>
New Emergency and Exceptions Panel (See Policy 7.1)	<p>A new Emergency and Exceptions Panel is proposed where officers can refer cases to decide:</p> <p>a. urgent housing cases that do not fit current Nominations Policy criteria, e.g. urgent cases with no local connection, disability cases that do not involve homelessness.</p> <p>b. the priority of statutory reasonable preference cases concerning social, welfare and hardship issues</p>	<p>This enables consideration and flexible, accountable decision-making on cases which fall outside the Nominations Policy criteria for joining the Housing Register or for nominating applicants. Few cases arise under point (a), approximately 1-2 per year. The number of cases under point (b) are also low at around 10 per year. Cases will be considered at the officer's request; it is not a route open for applicants to pursue.</p> <p>The Panel will be chaired by an Associate Director, or equivalent officer, and comprise of a further two senior officers. The case officer will present the case and expert guidance will be provided by a Housing Manager or a Legal Officer where required.</p>

## Appendix 1

### Banding Example – see change

