

### **Proposed changes to Rotherham Council's Housing Allocations Policy and Recommendations**

| No       | Policy area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Why change?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Recommended policy change prior to consultation                                                                                                                                                                                                                                                                                                                                                                                         | Revised recommendation following consultation                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Change 1 | <p><b>Local connection criteria</b></p> <p>The current Allocation Policy includes the following local connection criteria for applicants:</p> <ul style="list-style-type: none"> <li>lived for the last 3 years in Rotherham Metropolitan Borough Council's geographical boundary through their own choice.</li> <li>currently employed in Rotherham and have been for the last 3 years.</li> <li>have a close family relative or primary carer who live in Rotherham and have done so for the last three years.</li> </ul> | <p>Demand for social housing is significantly higher than was the case when the current local connection criteria were agreed.</p> <p>Currently applicants in other local authority areas are able to join Rotherham's housing register if they have a family connection. Proving this connection can be challenging.</p> <p>Government policy supports local authorities taking the view that, in deciding who qualifies or does not qualify for social housing, applicants who can demonstrate a close association with their local area should be prioritised.</p> | <p>Implement a two-year residency connection.</p> <p>Remove 'family connection' as a means to comply with local connection criteria.</p> <p>Retain exemptions, including:</p> <ul style="list-style-type: none"> <li>applicants who are currently in paid employment in Rotherham and have been for the past two years consecutively.</li> <li>care leavers under the age of 25.</li> <li>applicants fleeing domestic abuse.</li> </ul> | <p>Implement a residency test with the following criteria:</p> <p>To qualify for the housing register an applicant must have a residential connection to Rotherham. Within the terms of this Allocation Policy this means that an applicant has lived in Rotherham for three out of the last 4 years.</p> <p>Retain exemptions including applicants employed and align with the timescale of 3 out of the last 4 years.</p> <p>Remove 'family connection' as a means to comply with local connection criteria.</p> |
| Change 2 | <p><b>Tenancy related debt and tenancy breaches</b></p> <p>Applicants are excluded from joining the housing register if they have a tenancy-related debt exceeding £800. The debt criteria also apply to existing social housing tenants who wish</p>                                                                                                                                                                                                                                                                       | <p>The figure of £800 was set in 2014 and does not reflect the current cost of housing, particularly in the private rented sector.</p> <p>Currently some existing social housing tenants are prevented from applying for</p>                                                                                                                                                                                                                                                                                                                                          | <p>Amend the debt criteria from £800 to 'the equivalent of 8-weeks rent'.</p> <p>Where current social housing tenants are eligible to downsize and subject to the under-occupancy charge (bedroom tax), the debt shall not prevent them from joining the housing register.</p>                                                                                                                                                          | <p>No change following consultation</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|          | to downsize to more affordable accommodation.                                                                                                                                                                                                                                                                  | re-housing where they are subject to the under-occupancy charge (bedroom tax), and would like to downsize to smaller, more affordable accommodation. This also prevents larger properties being freed up through a tenant downsizing.                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                        |
| Change 3 | <p><b>Applicants who do not qualify</b></p> <p>Applicants who have been evicted from a council or housing association tenancy are not able to re-join the housing register for five years from the date of eviction. This includes tenancies outside of Rotherham.</p>                                         | Breaches in tenancy can include anti-social behaviour or damage to their property. Applicants who have breached the conditions of their tenancy may voluntarily terminate their tenancy to avoid the eviction process, and then rejoin the housing register.                                                                                                                                          | Retain the five-year exclusion for applicants who have been evicted from a council or housing association tenancy and include council or housing association tenancies where a court possession order has been attained and prior to eviction, the applicant has voluntarily handed back their tenancy.                                                                                                                                                                                                                                                                                        | Implement the recommendation, however where an applicant has been evicted due to rent arrears and there was no anti-social behaviour, if the debt is repaid in full before the five years, the applicant will be allowed to join the housing register. |
| Change 4 | <p><b>Qualification for owner occupiers or applicants with savings</b></p> <p>Applicants who own their own home, or applicants with savings over £16,000 are currently eligible to join the housing register in band 4. Where the applicant has a medical need this is considered on a case-by-case basis.</p> | <p>The demand for social housing is increasing and the Council does not have enough properties to house everyone on the housing register.</p> <p>Applicants who have assets by either owning a property, or savings over £16,000 will more often than not be able to resolve their own housing circumstances.</p> <p>The figure of £16,000 is taken from the DWP's threshold for housing benefit.</p> | <p>Introduce a new qualification criterion that would mean an in-depth assessment of any applicant who owns a home, or formerly owned a home, or has savings over £16,000, to identify if the applicant is in housing need and if they have assets to resolve their own housing circumstances.</p> <p>The assessment will assume that applicants who have equity, savings, or assets worth over a quarter of the average property price for Rotherham can resolve their own housing circumstances and not qualify to join the housing register, unless there are mitigating circumstances.</p> | No change following consultation                                                                                                                                                                                                                       |

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| Change 5 | <p><b>‘Next Steps Plan’</b></p> <p>The Next Steps Plan was introduced to give homeless applicants who were not eligible for the housing register a second chance at securing accommodation.</p> | <p>Section 2.4 of the Allocation Policy seeks to safeguard vulnerable adults with debt and can be considered when applicants are not eligible for the housing register and in housing need. This can include applicants who are homeless or at risk of homelessness. The ‘Next Steps Plan’ section therefore constitutes repetition.</p> | <p>Delete the ‘Next Steps Plan’ section and amend Section 2.4 in the existing Policy to include that all applicants not eligible for the housing register and in urgent housing need, will be required to commit and engage with appropriate services and evidence presented to Housing Assessment Panel for consideration.</p> | <p>No change following consultation</p> |
| Change 6 | <p><b>Tenancy fraud</b></p> <p>Section 3.2 of the current Policy covers declaration, verification of identity, and providing false information. The content is relatively limited.</p>          | <p>The Council has a dedicated Housing Fraud Officer and is strengthening its housing fraud prevention and detection approach. The review of the Allocation Policy offers an opportunity to clearly set out the Council’s approach to dealing with tenancy fraud.</p>                                                                    | <p>Include further information regarding tenancy fraud and investigation.</p>                                                                                                                                                                                                                                                   | <p>No change following consultation</p> |
| Change 7 | <p><b>Pre-tenancy interviews</b></p> <p>The current policy mandates that all housing register applicants must undergo a pre-tenancy interview.</p>                                              | <p>All applicants are required to have a pre-tenancy interview when joining the housing register, including those households with little realistic chance of being rehoused. This creates additional administrative burden and is an inflexible approach.</p>                                                                            | <p>Due to the demand on the housing register allow flexibility regarding when a pre-tenancy interview is carried.</p>                                                                                                                                                                                                           | <p>No change following consultation</p> |
| Change 8 | <p><b>Allocation of new build properties</b></p>                                                                                                                                                | <p>Advertising properties to existing Council tenants excludes applicants in all</p>                                                                                                                                                                                                                                                     | <p>Remove the council tenant priority for new build properties and allocate them in the same way as any other property.</p>                                                                                                                                                                                                     | <p>No change following consultation</p> |

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|           | New build properties are currently prioritised for existing Council tenants.                                                                                                                                                                                                                                                                                                     | other tenures, including those who are in greater housing need who may be living close to newly developed homes. Some Council tenants prioritised for new build homes are not in housing need.                                                                                                    | Landlord references will continue to be obtained. Where there are breaches in tenancy or unsatisfactory references are received, or a history of anti-social behaviour, the Council reserves the right not to offer a property. |                                  |
| Change 9  | <b>Local Lettings Policies</b><br><br>A Local Lettings Policy (LLP) is an additional criterion (or quota) for a specific area, estate, or block of apartments. It means that the LLP properties affected will be allocated in a different way to the usual approach. There are only two LLPs in our current Allocation Policy which cover Sensitive Lettings and Rural Lettings. | The lack of flexibility in the Allocations Policy makes it challenging to introduce a new LLP to meet the particular needs of a local area or to address sustainability and community issues, which is particularly relevant when allocating to a large new build affordable housing development. | Include a provision to agree local lettings policies for larger new build schemes, allowing the Council to introduce specific allocations criteria in future.                                                                   | No change following consultation |
| Change 10 | <b>Age restricted properties</b><br><br>Currently there are properties and housing complexes within Rotherham that are advertised with an age restriction.                                                                                                                                                                                                                       | These properties are not publicly available.                                                                                                                                                                                                                                                      | List all properties and complexes that are advertised with an age restriction within the Allocation Policy.                                                                                                                     | No change following consultation |
| Change 11 | <b>Making best use of stock</b><br><br>Section 3.4 of the current Allocation Policy sets out the size and type of properties different household types are eligible for.                                                                                                                                                                                                         | The aim of the Allocation Policy is to help those in greatest housing need whilst making best use of our housing stock. Rotherham's existing Allocation Policy is relatively generous in terms                                                                                                    | The proposed new Policy includes updated permitted occupancy levels detailing the size and type of each type of property each type of household is eligible for. Please refer to the proposed new Policy Section 4.5.           | No change following consultation |

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|           |                                                                                                                                                                                                                                                                                                                     | <p>of allowing under-occupation, meaning the available stock is not utilised efficiently in all cases. This is more difficult to justify in the context of higher levels of housing need and demand. In particular, there are severe shortages of some types of homes including bungalows, four bed houses and 'parlour' houses.</p>                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                  |
| Change 12 | <p><b>Shared care of children</b></p> <p>Section 3.4 of the existing Housing Allocation Policy states:</p> <p><i>If the arrangement is 50/50 shared care e.g., 1 week with one parent and one week with the other parent, both parents will be eligible for family accommodation, subject to affordability.</i></p> | <p>The aim of the Housing Allocation Policy is to help those in greatest housing need, whilst making the best use of our housing stock. Larger accommodation is in high demand. In allowing both parents with 50% care responsibilities to be eligible for houses, larger family accommodation is under-occupied for 50% of the time. The Council has also faced issues with verifying care arrangements.</p> <p>At the same time, there is a high number of families homeless or overcrowded which need larger family accommodation.</p> | <p>Allocate houses to the main carer. The main carer will be established using the following test:</p> <ul style="list-style-type: none"> <li>• which parent/guardian receives benefits, such as child benefit/ Universal Credit.</li> <li>• the home address and next of kin which the child/ren's school and GP have registered for them.</li> <li>• and by checking the identity of the parents/guardian shown on the birth certificate(s), and if necessary, carrying out a home visit.</li> </ul> <p>In exceptional cases, the Council will have the discretion to allocate houses to applicants with shared care. Evidence will be sought via a multi-agency approach and where there is a proven need for the additional space.</p> | No change following consultation |

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|           |                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                               | <p>The other carer will still be eligible for a flat that is large enough to accommodate dependents.</p> <p>This approach also reduces the risk of tenancy fraud as formal verification will have been undertaken by HMRC and the DWP.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                  |
| Change 13 | <p><b>Direct lets</b></p> <p>The use of direct lets is detailed in the current policy under Section 5 Housing Management Lettings. Direct lets are where the Council allocates a property outside of choice-based lettings. It is commonly used to discharge a homelessness duty.</p> | <p>The use of direct lets has increased as the Council has had to deal with more urgent rehousing requests, including under its homelessness duties, to support care leavers, and to rehouse current council tenants who must move urgently.</p>                              | <p>Strengthen the approach in the policy in order to give the Council more flexibility in utilising direct lets where appropriate and provide more transparency about how this is done. This will include emphasising the Council's right to make a single, direct offer of appropriate accommodation in order to fulfil a statutory homelessness duty.</p> <p>This would mainly apply to applicants who are homeless and in temporary accommodation and owed a section 189B(2) relief duty or 193(2) main duty.</p> <p>As a landlord, the Council has discretion to facilitate management moves for its own tenants and this is detailed in a separate decant procedure.</p> | No change following consultation |
| Change 14 | <p><b>Band One bidding criteria.</b></p> <p>Band One is the highest level of prioritisation awarded. The current policy specifies that Band One is time limited to three-months and bids are restricted to areas of Rotherham with sufficient stock and turnover.</p>                 | <p>Applicants awarded Band One are recognised as being in greatest housing need, yet currently they are restricted in which areas they can bid for properties in. This does not support the choice-based lettings principle and is not applied to applicants in all other</p> | <p>Retain the three-month timescale but remove restriction that Band One applications can only bid in areas of high stock and turnover.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | No change following consultation |

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|           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | bands. In some cases, it can prevent applicants securing a rehousing in their local area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Change 15 | <p><b>Housing need categories</b></p> <p>The aim of the Allocation Policy is to help those in greatest housing need and applicants are placed in a band depending on their circumstances. The three housing need categories are Band One (highest priority), Band Two and Band Three.</p> <p>The Housing Act 1996 part VI stipulates which housing need categories are required to be given 'reasonable preference'. Once these are met, the Council can then set the framework for its Allocation Policy.</p> <p>Band Four is reserved for applicants with no housing need.</p> | <p>Benchmarking has evidenced that Rotherham's Allocation Policy has a high number of housing need categories in bands one, two, and three. This has made the Policy challenging to apply and understand.</p> <p>Current bandings do not always reflect or support the Council's homelessness responsibilities. For example, homeless households that are not in priority need currently receive the same level of priority on the housing register as those who are in priority need.</p> <p>Band One is the Council's highest priority band and time limited to reflect the urgency to be re-housed, yet the current Policy includes a large number of categories within Band One.</p> | <p>Reduce the number of housing need categories across Band One, Band Two and Band Three.</p> <ul style="list-style-type: none"> <li>- Band One will focus on the most urgent rehousing cases, including where a main homelessness duty is owed and/or where there is a significant and pressing safeguarding risk that can only be managed through urgent rehousing.</li> <li>- Band Two will focus on the statutory 'reasonable preference' housing need categories.</li> <li>- Band Three will focus on households who are in housing need but where statutory thresholds may not be met.</li> </ul> <p>Please refer to the new proposed Allocation Policy Section 5 which details which housing need categories will fall into which bands.</p> <p>Retain Band Four to enable applicants with no housing need to remain on the housing register.</p> | <p>The proposal is to award Band One to Rotherham care leavers, and Band Three to out of Borough care leavers including care leavers who have been placed in Rotherham by other local authorities.</p> <p>On 10 July 2025 the Government published updated guidance. Following the updated guidance the Council will seek to agree reciprocal agreements with other local authorities in prioritising the housing need of care leavers, and the delegation to enable this is provided for in the Cabinet report.</p> |
| Change 16 | <p><b>Transfer Band</b></p> <p>Council tenants in no housing need are eligible to re-join the housing register 12 months after</p>                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>Applicants in the transfer band are not in housing need and are adequately housed. They have already benefited from at least one</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <p>Remove the transfer band and place council tenants with no housing need in Band Four.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>No change following consultation</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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|           | securing their tenancy. The criteria applied is no tenancy breaches and a clear rent account. Currently 10% of all properties are advertised with a preference to the transfer band including all new build developments.                                                                                                                                                                                                                                                                                                                                                                                | allocation to social housing. Despite this, currently 10% of properties are advertised with a preference to the transfer band.                                                                                                                                                                                                                                                                                                                                                    | Council tenants will be assessed the same as all applicants, and where they meet the criteria for a housing need category, will be placed in the appropriate band.                                                                                                                  |                                  |
| Change 17 | <p><b>Advertising quotas</b></p> <p>Advertising quotas are used to assign a 'preference' to applicants in certain bandings. Quotas are used to ensure that applicants in lower bands have a route to secure rehousing, which supports the principle of an open housing register and can contribute to mixed and balanced communities.</p> <p>The current advertising quotas are:<br/> 60% to Band Two<br/> 30% to Band Three<br/> 0% to Band Four<br/> 10% to Transfer Band</p> <p>Band One applicants are always placed at the top of any shortlist and therefore no advertising quota is required.</p> | <p>Without advertising quotas there would be reduced housing options for applicants outside of bands one and two, so retaining quotas is considered an important feature of any open housing register.</p> <p>While the current system provides a route to council lettings for existing social tenants not in housing need, it does not do so for private rented tenants not in housing need and this group is more likely to be experiencing challenges with housing costs.</p> | <p>The proposal is to retain advertising quotas to the following:</p> <ul style="list-style-type: none"> <li>• 60% to band two (no change)</li> <li>• 30% to band three (no change)</li> <li>• 10% to band four (increase as no quota is currently applied to this band)</li> </ul> | No change following consultation |

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| Change 18 | <p><b>Deliberate worsening of circumstances</b></p> <p>Currently there is no ability in the Policy to suspend and investigate an applicant where we have reason to believe they have deliberately worsened their circumstances to get housing priority. Examples includes owner occupiers who have “gifted” their property and approached the Council for re-housing.</p> | <p>The demand for social housing is growing, resulting in the number of households on the housing register increasing. It is therefore important that applicants utilise other housing options available to them.</p>                                                                                                                  | <p>Insert new section in the Policy allowing the Council to suspend applications and conduct investigations.</p> <p>Any applicant who has deliberately worsened their circumstances will not be awarded additional priority and the Council would reserve the right to cancel their application.</p>                                                                                                                                                                                                                                                                        | <p>No change following consultation</p> |
| Change 19 | <p><b>Auto-bid</b></p> <p>Auto-bid is a facility that enables bids to be placed automatically where applicants may not wish to or be incapable of bidding themselves. All other applicants receive two offers on the housing register, and if both offers are refused their housing application is cancelled. This does not apply to those set to auto-bid.</p>           | <p>Because applicants set to auto-bid are currently not restricted to two suitable offers, some applicants receive considerably more than two offers and remain on the housing register. As the Council operates a housing register of need, all applicants should be actively bidding on properties that meet their requirements.</p> | <p>The proposal is that auto-bid is retained, however if the property offered meets the applicant’s requirements for re-housing, this will be counted as an offer if refused. If two auto-bids are refused, auto-bid will be removed, and applicants will be required to bid themselves.</p> <p>Where there are known advocates or support services, if consent has been given, we will also discuss re-housing preferences and review the requirements of the applicants re-housing needs and amend auto-bid as appropriate so that a second offer should be suitable.</p> | <p>No change following consultation</p> |
| Change 20 | <p><b>Failure to bid.</b></p> <p>The current Policy does not cover applicants failing to bid.</p>                                                                                                                                                                                                                                                                         | <p>The Council operates a housing register of need and therefore applicants are expected to be actively bidding. Currently this is not always the case.</p>                                                                                                                                                                            | <p>Where no bids have been placed within 12 months, the application will be automatically cancelled, and applicants will be required to re-join the housing register. The applicant will receive a letter advising them of this decision.</p> <p>Where applicants re-approach within a six-month period, if there have been</p>                                                                                                                                                                                                                                             | <p>No change following consultation</p> |

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|           |                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                   | extenuating circumstances such as bereavement, or long-term illness, which has led to no bids being placed, their application will be reinstated to their original band and effective date.                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Change 21 | <p><b>Assignments, successions and mutual exchanges</b></p> <p>Some applicants are eligible to assign, succeed, or mutually exchange social housing tenancies. There is no reference to these processes in the current Allocation Policy.</p>                       | Setting out the process for assignments, successions, and mutual exchanges supports transparency and provides information on further housing options.                                                                                                                                                             | Re-introduce and include a description of the criteria and processes for assignments, successions, and mutual exchanges.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | The wording in the draft revised Housing Allocation Policy has been amended following advice from the Council's legal services.                                                                                                                                                                                                                                                                                                                                                                                   |
| Change 22 | <p><b>Fixed term tenancies</b></p> <p>The Council currently issues fixed term tenancies in the following circumstances:</p> <ul style="list-style-type: none"> <li>• Accommodation with four or more bedrooms.</li> <li>• Specialist adapted properties.</li> </ul> | Fixed term tenancies help to ensure people move to a suitable property when they no longer require a larger or adapted council house, freeing up suitable properties to enable the Council to continue to meet the needs of overcrowded families and families with a disabled household member, in priority need. | <p>To review and amend the Strategic Tenancy Policy.</p> <p>To retain existing approach and additionally apply fixed term tenancies in the following circumstances:</p> <ul style="list-style-type: none"> <li>• Fixed term tenancies will be granted to families where a son or daughter is over the age of 18 at the point of signing for the tenancy and there are no dependent children under the age of 18. Discretion will be applied in circumstances where the son or daughter over the age of 18 has ongoing support needs.</li> <li>• Applicants who do not have indefinite leave to remain but are eligible by virtue of their inclusion</li> </ul> | <p>Apply fixed term tenancies in the following circumstances:</p> <ul style="list-style-type: none"> <li>• Accommodation with four or more bedrooms.</li> <li>• Specialist adapted properties.</li> <li>• Applicants who do not have indefinite leave to remain but are eligible by virtue of their inclusion in a class set out in the Allocation of Housing and Homelessness (Eligibility)(England) Regulations 2006. The length of a fixed-term tenancy will depend on individual circumstances and</li> </ul> |

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|  |  |  | <p>in a class set out in the Allocation of Housing and Homelessness (Eligibility)(England) Regulations 2006. The length of a fixed-term tenancy will depend on individual circumstances and will be reviewed in-line with their immigration status.</p> | <p>will be reviewed in-line with their immigration status.</p> <p>Do not extend fixed term tenancies to families where a son or daughter is over the age of 18 at the point of signing for the tenancy and there are no dependent children under the age of 18. Discretion will be applied in circumstances where the son or daughter over the age of 18 has ongoing support needs.</p> |
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