

Derby City Council

Housing Allocations Policy

2020-2028

Summary



Policy Purpose

This summary document contains details of the scheme that Derby City Council uses in deciding between competing applicants for housing as required by s166A Housing Act 1996.

The Allocations Policy explains how the council records, collects and takes account of individual needs and requirements in order to allocate housing to those that need it most.

The policy does not discriminate against any person on the grounds of race, gender, sexuality, age, class, appearance, religion, responsibility for dependents, unrelated criminal activities, or any other matter which causes a person to be treated with injustice.

It applies to:-

- Existing tenants who want to transfer from one tenancy to another
- New applicants
- Nominations to Registered Providers

Context

At the end of March 2025, the Council and registered providers of social housing had a combined housing stock in Derby of around 20,000 properties.

There's incredibly high demand for housing in Derby and there are not enough properties for everyone on the housing register. There will always be more people wanting to be housed than homes will ever be available. Applicants with low levels of housing need, have little realistic prospect of receiving an offer of social housing in Derby.

The period of time it takes for a household to receive an offer of a property will vary due to:

- the available stock at any one time
- the type/size of property needed
- the number of people applying for homes during that period
- the level of priority that applicants have been awarded.

The Council recognise that it will never meet the demand for affordable rented accommodation in the city solely through use of its own housing stock, or through registered providers of social housing. In addition to applying for properties through the allocations process, the Council will also direct customers to our Mutual Exchange service, for those wishing to move from existing tenancies, and across city boundaries.

The Council will encourage applicants to explore all options for housing open to them, whilst making the best use of the limited properties that become available in social housing.

Objectives

The objectives of the policy are to:-

- Identify and support those people in the greatest housing need.
- Ensure that the Council's legal duties are met;

- Make best use of the housing stock and signpost all available housing options to applicants;
- Support the Council and its strategic priorities
- Prevent people from becoming statutory homeless;
- Minimise the number of properties refused by applicants and ensure properties are let as quickly as possible
- Enable applicants to be informed of vacancies which arise and express an interest.

The policy does **not** apply to:

- a) assignments
- b) successions
- c) mutual exchanges
- d) Private Rented Sector offers and incentives

Statement on Fraud

The Council will require applicants to produce specified identification documents (including photographs) and may check the accuracy of information submitted in support of the application. This is to deter and detect fraud and ensure that housing is allocated to those who are entitled to it.

1. What is Derby Homefinder?

Derby Homefinder is the name of joint housing register for people looking for social housing in Derby. It includes homes available to rent from Derby Homes and several other registered providers (housing associations) in the city.

Derby Homefinder is a Choice Based Letting system, which means applicants can choose the available homes they want to be considered for based on the size and type of property you need.

Before applicant's can use Derby Homefinder, we need to assess your rehousing needs from your application. If applicants are eligible and qualify, they will be placed in one of the three housing bands. Applicants will need an email address to apply.

1.1 Who can apply?

To join the housing register applicants must be both **eligible** and **qualifying**.

1.1.1 Eligibility

The Housing Act 1996 as amended restricts access to the Housing Register for certain people if they are subject to immigration control, or with limited rights of residence or have failed the habitual residency test access to the housing register, as well as some European nationals depending on their residency and/or employment status.

The regulations are updated by Parliament from time to time, and the Council will consider any housing applicants housing eligibility under the law as it stands when the application or allocation is made.

1.1.2 Qualifying Person

The Council will only allocate properties to those who it defines as being qualifying persons within the parameters of s160ZA of the Housing Act 1996.

To be a qualifying person applicants must:

- Be 18 years and over, or a care leaver
- Have an identified housing need
- Have a local connection - further detailed information can be found within the Allocations Policy.
- Not own their own home, except those people over 60, who are eligible for supported housing
- Have less than £75,000 in savings including stocks and shares
- Have a gross income of under £35,000 per annum if single and under £60,000 per annum if a family, excluding disability living allowance or personal independence payment
- Have not been excluded from Derby Homefinder within the last 6 months
- Be able to live independently or with support
- Not have current or previous tenant related debt, unless the applicant is making regular payments and/or have paid a substantial amount of the outstanding balance
- Not have participated in behaviour serious enough to make him or her unsuitable to be a social housing tenant
- The applicant has not made their own housing circumstances worse in the last six months (unless the applicant is owed a duty under section 190 of the 1996 Housing Act as amended by the Homelessness Act 2002).

2. How long will it take to find a home?

There is incredibly high demand for housing in Derby and there are not enough properties for everyone on the housing register. There are always more people wanting to be housed than homes will ever be available.

It can be difficult for us to say when applicants will be offered a home. Most people may never receive an offer.

Waiting times are affected by the type, size, and area of the property applicants are looking for as well as their individual circumstances. Applicants should consider options available to them, to increase the chances of being rehoused.

We understand how important it is to be near friends, family, and support services. Limiting the areas, you want to live, or landlords you want housing with, will affect our ability to help you even if you have a high priority for housing.

2.1 Adapted Properties

There is a shortage of fully adapted properties in Derby, especially for families. If applicants need an adapted property they will also be able to place bids on properties that might not have all the adaptations needed. If you are shortlisted, we will assess whether the adaptations can be made to meet your needs.

2.2 “Open To All” housing band

If you've been placed in the 'Open to all' housing band, it is highly unlikely that you'll be offered a property. There are currently around 2,000 people in the open to all band and very few properties are advertised to this band.

We recommend that people in this band look at other options such as renting privately, or if you're already in a social housing property, consider a 'Mutual Exchange'

3. How we prioritise applications

When applicants make an application for rehousing on Derby Homefinder, their needs will be assessed from the information they provide. If they are eligible and qualify, they will be placed in one of the three 'housing bands':

- Corporate Needs Band
- Priority Needs Band
- General Needs band

If applicants have no housing needs, or do not qualify, they will be placed in 'Open to All'.

Applications are live as soon as they have submitted and registered your email address. Applicants can log in using their registered email address and password and will be able to bid on properties that are advertised for their allocated band straight away.

The full Derby City Council's Allocation policy 2025 to 2028 explains in more detail how decisions are made on how we prioritise those who need housing and how properties are allocated in Derby City.

3.1 Corporate Needs Band:

This band reflects the key corporate priorities of the city council. The following groups of people will be placed within the Corporate Need Band:

Care Leavers

Those young people aged between 17 and 25 who are or have been looked after by the local authority.

Move on from Specialist Supported Housing

Those who are living in approved specialist supported accommodation and have been assessed as ready for independent living

Severe Medical

Those whose current housing situation is having a significant detrimental impact on their medical condition. Examples may include:

- a) Those who are currently in Hospital or residential rehabilitation centre and who cannot be discharged as their current property is no longer suitable
- b) To prevent admission into hospital or other care facility
- c) Those who require property adaptations where it is not feasible or cost effective to carry these out to the current property

- d) Those who are housebound due to current accommodation

Significantly Under Occupying

Those who are living in a property and have 2 or more bedrooms that are not occupied and are willing to move to a smaller property

Releasing Larger Properties

Those who are living in a property with four or more bedrooms and have one or more bedrooms that are not occupied and are willing to move to a smaller property

Severely Overcrowded

Those who are living in a property and are lacking 2 or more bedrooms.

Foster Carers/Adopters

This would include foster carers, those approved to adopt, or those being assessed as likely to be approved for fostering or adopting, who need to move to a larger home to accommodate a looked after child or a child who are/were looked after by the local authority Derby City Council.

The applicant is a tenant of a Derby Homefinder landlord and no longer need the adaptations made to their home

For example, the person who the adaptations were for no longer lives at the property

3.2 Priority Needs Band:

The following groups of people will be placed within the Priority Needs Band:

People who are Homeless or Threatened with Homelessness

As defined by the Homeless Reduction Act 2017

People living in overcrowded housing

Those who are living in a property and are lacking 1 bedroom.

Who need to move on medical or welfare grounds

Those whose current housing is having a detrimental impact on their condition examples of a need to move on medical grounds may include

- a) Those who need to move to give or receive care
- b) Those who need an adapted property and/or extra facilities, bedroom or bathroom and those needs would not be better served by adapting their current accommodation
- c) Those who need ground floor accommodation (on medical grounds)

Where it is unreasonable to remain in current accommodation, due to exceptional financial hardship

- a) Those who are subject to the under occupancy charge and cannot afford the shortfall in rent.

- b) Those who cannot cover the cost of rent and other essential bills following a financial assessment

HM Armed Forces

- a) The applicant has served or is a bereaved spouse or civil partner of someone who has served in the armed forces in the last 5 years and they need re-housing
- b) Members of the Armed Forces and former Service personnel, where the application is made within five years of discharge.
- c) Bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner.
- d) Serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service

In Urgent Need of Housing

People living in a property that Derby City Council has assessed as a Category One Hazard under the Housing, Health and Safety Rating System

- a) People living in unsatisfactory housing conditions or insanitary conditions -
- b) Poor internal/external arrangement – includes where the only bathroom is accessed through a bedroom
- c) Lacking a bathroom/kitchen – could be awarded to those who are living in non-residential buildings (sheds/garages etc) or those in B+B for example
- d) Lacking inside WC – where only WC is accessed externally
- e) Lacking Hot/Cold Water, Lacking Gas/Electric or Inadequate Heating – Derby City Council has assessed that the applicant is lacking cold or hot water supplies, electricity, gas, or adequate heating and these services cannot be supplied or reinstated
- f) Sharing Facilities - Sharing a living room, kitchen, bathroom/WC with people who are not family and not moving with the applicant.

The applicant, or a member of their household, are at serious risk of harm in their present home

This may include victims of domestic violence, serious racial harassment, serious anti-social behaviour or harassment, violence from outside the home and victim of serious crime

Homeless Applicants in Priority Band – Final Offer

If, within one month of being owed a main duty under the Homeless Reduction Act 2017 and have not been successful in obtaining accommodation, the Council will make one final offer of suitable housing.

This may not be social housing and may be in the private sector. We will always try to take account of the preference of the applicant for an area and type of property but, due to high housing demand and a lack of supply, this may not always be possible.

We will make any final offer in writing, and state that it is a final offer, and that it discharges our homeless duty.

If an applicant feels that a final offer property is not suitable, they may ask for a suitability review of the offer. Suitability reviews can be requested whether, or not the applicant accepts the final offer.

If an applicant refuses a final offer of housing and the Council concludes it was reasonable, the Council's main housing duty will end, and the application will be reassessed and moved to an alternate band.

General Needs Band:

3.3 The following groups of people will be placed within the General Needs Band:

Under occupying by one bed space

The applicant lives in Derby and is a tenant of a Derby Homefinder landlord or of a private landlord and have one bedroom that is not used and want to move to a smaller property

Community Contribution

This need will only be awarded if the applicant is eligible for another need under this policy

- a) The applicant is employed and have been for the last 6 months
- b) The applicant is a volunteer and have been for the last 6 months (continuously) for a charity or a not for profit organisation
- c) The applicant gives unpaid care and support to a vulnerable person who lives in the community

The applicant needs to move to take up or remain in employment, education, or training opportunity

Statutory Right to Move for social tenants who need to move to take up a job or live closer to work

Homeless and duty ended

Those who have refused a suitable offer of accommodation from within the Priority Band and will not be awarded any further additional housing needs due to this

4. Suitability for Social Housing

4.1 Applicants may be excluded from the Housing register if the applicant, or a member of their household, has been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant of the authority.

Examples of serious unacceptable behaviour can be found within the full Allocations Policy.

5. What type and size of property you can bid for

Applicants will be able to place bids for properties which meet their size and type requirements, this is a general guide only:

Bedrooms		1				2				3				4	5
Type of Property	Bedsit / Studio	Apartment / Flat	Maisonette	House	Bungalow	Apartment / Flat	Maisonette	House	Bungalow	Apartment / Flat	Maisonette	House	Bungalow	House	House
Household make up/those who are moving															
Single Person	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	N
Couple	N	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	N
Single / Couple, Pregnant	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N
Single / Couple, No Children, but access to children	N	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N
Household with 1 child	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N	N	N
Households with 2 children of the same gender:-															
- both under 10	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N	N	N
- both aged 10 to 16	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N
- one under 16, one over 16	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N
- both over 16	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N
Households with 2 children of different genders															
- both under 10	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N
- one under 10, one over 10	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	N	N
- both over 10	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N
Household with 3 children	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N
Household with 4 children	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N
Household with 5 children	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y
Sharing adults (not partners), or families with adult children															
- 2 people (2 adults, or single person + adult child)	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N	N	N
- 3 people (Couple + 1 adult child)	N	N	N	N	N	Y	Y	N	Y	N	N	N	N	N	N
- 3 people (Single person + 2 adult children)	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N
- 4 people (Couple + 2 adult children)	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N
- 4 people (Single person + 3 adult children)	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	N

6. Advertising Properties

Due to the very limited supply of social housing we will allocate available properties to the Corporate Needs Band, Priority Needs Band & General Needs Band on a percentage basis. This will be reviewed every 6 months but may be sooner if there is a need to respond to emerging issues.

Properties will be advertised daily on Derby Homefinder for six days; this is called the advertising cycle. During the advertising cycle, the applicant can express an interest in up to three properties.

The Derby Homefinder Landlords are responsible for describing and labelling their properties on Derby Homefinder. To help applicants choose the properties that would

best suit their needs, we will advertise all properties with details of size, type, location and features. The adverts will also include:

- which Derby Homefinder Landlord owns the property
- weekly rent and any other charges
- the closing date for applicants to express an interest
- other available information on the property, for example if pets are allowed

Applicants will not be able to express an interest in properties if they are advertised to a different Band. For example, if the applicant is placed in the Corporate Needs Band, they will not be able to express an interest in properties advertised solely to the General Needs Band.

6.1 Derby Homefinder Landlords may prioritise allocations through local letting policies. These will be clearly displayed in all adverts. As an example of this Local Lettings Policies may prioritise Local Connection, those who are in Education or Employment or may seek to restrict certain groups.

6.2 Derby Homefinder Landlords may prioritise allocations to make best use of available housing. As an example of this, Homefinder Landlords may seek to maximize the full use of all bedrooms.

6.3 Further guidelines on the size and type of property applicants may qualify for within this Policy can be found within the full Allocations Policy.

7. Offers of Accommodation

7.1 If a Derby Homefinder landlord offers you a property, they will phone you and then send you an 'offer letter' to confirm this.

If you're not successful, you won't be contacted and you won't be able to find out where you came on the shortlist.

Important: you have only three working days from the date on the offer letter to contact the landlord to accept or turn down their offer. If you don't, we will assume you are no longer interested in the property and the offer will be withdrawn and will be considered an unreasonable refusal, and in some cases, we may close your application

The landlord will contact the successful applicant with details of the offer. This will normally be by telephone and may be followed up in writing.

7.2

All Derby Homefinder Landlords reserve the right to:

- 1) invite the applicant for a before-tenancy interview
- 2) visit the applicant at home
- 3) carry out checks - for example, check with current or former landlords to ask about rent arrears or anti-social behaviour
- 4) ask for a reference(s)
- 5) withdraw an offer if checks reveal issues that are not on their housing application or their circumstances have changed, and the applicant has not told us

- 6) make the same offer to more than one applicant at the same time to make sure that the property is let as quickly as possible
- 7) carry out a financial assessment to establish if the applicant can meet the full rental charge for the property

7.3 Any offer of housing is based on the overriding legal duty of the Council to make the best use of the social housing properties. Further detailed information can be found within the full Allocations Policy

7.4 The applicant will be made only one offer at a time. If the applicant has been made an offer of housing, the applicant will not get any further offers - even if the applicant continues to express an interest in properties while they are under offer.

7.5 The final decision about offering Registered Provider (RP) tenancies lies with that registered provider. If the Council nominates an applicant to become a tenant of an RP, and the RP does not make an offer of a tenancy, the applicant should contact the RP about its decision.

7.6 Non-shortlist (direct) offers

7.6.1 Sometimes, we need to make offers to applicants not appearing on shortlists. For example:

- 1) If a property does not receive any expressions of interest from applicants or is rejected by everyone who expressed an interest for it, we may offer the property directly to an applicant on the Housing Register. Or we may re-advertise it with different criteria. We will base the decision to make a direct offer or to re-advertise on demand for the particular property.
- 2) We may hold back some properties from the Derby Homefinder scheme to make allocations that are at our discretion to support sustainable communities, discharge duties contained within the Housing Act 1996 as amended and other Council initiatives. This may include using properties for temporarily housing people where the council has statutory duties to do so.

7.8 Local letting plans

7.8.1 In some cases, Derby Homefinder Landlords, together with Derby City Council, may decide to let properties within a local area or new development on a slightly different basis than normal. This would be implemented to help create sustainable communities within an area and are known as Local Letting Plans.

7.9 Refusing an Offer

If the applicant is registered on Derby Homefinder and unreasonably refuse two offers of housing from Derby Homefinder their application will be closed.

Examples of what we consider an 'unreasonable refusal' may include:

- you have a pet and you have bid for a property where pets are not allowed
- you do not want to live in an area, and you have bid for a property there
- you want your own garden and have bid for a property with no garden or a communal garden

- you do not want to live in that type of property, and you have bid for that property type
- you are unable, not ready or cannot afford to move

8. Derby City Council's Tenancy Strategy

8.1 Derby City Council's Tenancy Strategy is principally concerned with our approach to tenure reform and whether or not we will adopt the use of fixed term tenancies. However, reforms in related areas such as rent models, allocations policies and measures to address homelessness also impact and in some cases, overlap with tenure issues. Government guidance requires that tenancy strategies be consistent with homelessness strategies and allocations policies. Consequently, the strategy addresses not only tenure but also homelessness, allocations and rent models. A copy of the Council's Tenancy Strategy can be viewed on the council's website.

9. The Council's Approach

9.1 The approach of the Local Authority is to ordinarily issue introductory or secure tenancies when new tenancies are created. There may be some circumstances that relate to the Local Authorities response to homelessness, that mean non secure tenancies will be issued. This will be done in line with the legislative requirements. In addition to this there may also be circumstances where grant funding linked to homelessness prioritizes the use of fixed term tenancies which will only relate to specific objectives, meaning the use of these will be the exception and not routinely used.

10. Changes of circumstances that might affect their housing application

10.1 The applicant must tell us if there is a change of circumstances for:

- the applicant
- a joint applicant
- other members of their household, or
- anyone else on their housing application

This is because it may affect the Band and the housing needs on which we have based our decision. The best way to tell us about any change of circumstances is online. If we need any more information or evidence, we will contact the applicant to explain what we need and what they need to do.

11. Suspensions and Closures

11.1 Suspending their housing application, we will put their housing application on hold (suspend it) if, for example if:

- we have asked the applicant, in writing, by telephone or email for information to support their application and we are waiting for their reply
- we have asked a support agency or worker, in writing, by telephone or email for information about the applicant and are waiting for a reply from them. Their application will be suspended until we receive a reply

11.2 We will close their housing application if:

- the applicant has asked us to close it
- the applicant has been re-housed by a Derby Homefinder Landlord
- the applicant has exchanged their property with another tenant
- the applicant has moved and not told us of their new address
- we have written to or emailed the applicant about their application and the applicant has not responded within 14 days
- the applicant has not given us within 14 days all the information we reasonably require and have asked for to support their application
- the applicant has not responded to an offer of housing
- we have evidence that the applicant no longer qualifies for housing
- the applicant has given false or misleading information
- Their circumstances have changed, and they have no housing need under this policy
- the applicant has made a current Right to Buy Application and it has been accepted

11.3 We will contact the applicant if they have not bid on any available properties within the last 3 months asking if the applicant is still in housing need. If, after this they have not expressed an interest in the following 3 months, we may close their application. We do this to make sure that only applicants who are actively seeking housing remain on the Housing Register.

11.4 However, this will not apply if the applicant needs re-housing in an adapted property, are a vulnerable person requiring further support to bid, or require a larger home such as a 5 or 6 bedroom property that has not been available/advertised to express an interest in during this period.

12. Right to ask for a review

12.1 The Housing Act 1996, as amended, gives applicants the right to ask for a review if we:

- decide not to allow them to join the Housing Register
- make any decision that affects their housing application.

12.2 Applicants can ask for a review about a decision we have made on grounds that we have:

- made a mistake
- failed to take into account a relevant fact, or
- taken into account an irrelevant fact.

12.3 Applicants must provide all the relevant information for us to consider as part of the review process.

12.4 The applicant, or their representative, should make the request to the Social Housing Options Manager, Housing Options at the Council House in writing or to housing.options@derby.gov.uk, **within 21 days of getting our written decision**. If it is difficult to give us the applicants reasons in writing, the applicant or their representative may tell us in person.

12.5 The decision about their application review

- 12.6 A senior officer, who has not been involved in the original decision, will look at their request for a review.
- 12.7 The officer will base their decision on the known facts at the time of the review. In some cases, they may need to ask the applicant for more information to help in making a decision.
- 12.8 They will write to the applicant or email the applicant about their decision and explain the reasons for it within 56 days of the date of their request for a review.

13. Complaints

- 13.1 If the applicant is unhappy with the service the Housing Options and Advice Service provides, please contact us straight away to try to get the problem resolved.
- 13.2 **The applicant can make a complaint by:**
- Using our webform at www.derbyhomes.org/contact/complaints/
 - Email us at: Housing.Complaints@derbyhomes.org
 - Telephone: 01332 888777
 - Letter: Derby Homes Limited, The Council House, Corporation Street, Derby DE1 2FT

The applicant can contact the Housing Ombudsman at any time during the complaints process.

13.3 Complaints against Derby Homefinder Landlords

- 13.3.1 If the applicant feels they have been treated unfairly or have not been given a professional service by any Derby Homefinder Landlord, the applicant should directly complain to them. All the Derby Homefinder Landlords have their own formal complaints policies and procedures.