



Draft Housing Allocation Scheme 2023

**Housing
Needs**



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Foreword

Deciding how we fairly allocate our limited supply of social housing is one of the most important questions we face as a Council, and it is something that we must get right.

We are in the midst of a housing crisis, where demand outstrips supply, and more people than ever need our help. In recent years, we have seen the number of families on our Housing Register reach record levels and the number of people in temporary accommodation grow.

Since taking this role in the aftermath of the Grenfell Tragedy, I have made it my mission to put residents at the heart of everything we do and ensure that everyone has the right to a safe decent settled home. I am proud of our record so far, with our New Homes Programme delivering new homes, including a number at social rent, and the £400+ million we are investing in our housing stock making our homes fit for the 21st Century.

However, it is clear that having large numbers of people in Temporary Accommodation (TA) is not the way forward and we need to change the system to help support people into settled housing arrangements. We need the process to be quicker, ensuring that people do not stay in TA for any longer than necessary allowing them to get on with their lives.

Therefore, it is time to revise our allocation scheme, to tackle the challenges of today. Our revision will concentrate on three major issues: incentivising the private rented sector with the introduction of a new category of points for those who choose it over TA; recognising those who have waited the longest with new waiting points; and our focus on chain lettings that will free up more family sized homes for households that need them.

We want our Allocation Scheme to support our residents, ensuring that everyone lives in a safe and decent home. However, we must be honest that we have a limited housing supply, and the answer cannot be more and more people ending up in temporary accommodation.

We must make the best use of Council and housing association homes in the Borough to help those most in housing need, and to do that we must be bold. I welcome this revised allocation scheme and hope that by working together we can prevent homelessness.



Cllr Kim Taylor-Smith

**Deputy Leader Grenfell
Housing and Property**

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1. What does the housing allocation scheme do?

A Housing Allocation Scheme is a council policy that explains how we rehouse residents to social housing – a home you can rent that is owned and managed by the Council or by a housing association. It sets out the rules for:

- who can apply to be rehoused by the Council to social housing
- what priority for rehousing the Council gives to residents who need a more suitable home – for example, because they need to move for health reasons, because they are overcrowded, or because they are homeless
- how the Council lets available Council and housing association homes to residents on our Housing Register.

All local councils, that let available Council and housing association homes, must have a Housing Allocation Scheme. The law sets out some rules that all councils have to follow in their Schemes. We look at this below and in **section 2 – Who can apply to our Housing Register**. However, different councils have different Schemes – no two Schemes are exactly the same.

This Housing Allocation Scheme explains how the Royal Borough of Kensington and Chelsea (Kensington and Chelsea Council, or the ‘Council’) rehouses residents to available Council and housing association homes.

1.1 What is the Housing Register?

The Housing Register is a record or list of every household that we agreed should be rehoused to a new Council or housing association home. Therefore, our Housing Register is a register of households who:

- a. can apply for social housing in Kensington and Chelsea, and
- b. have a priority for moving to a better home.

It is not a waiting list, though sometimes people call the Housing Register the ‘Council waiting list’. It is not like a queue. Being offered a new home does not just depend on when you joined the Register.

Although the Council believes that everyone on the Housing Register needs a better home, we also believe that some reasons for needing to move are relatively more important than others. This means that we prioritise some reasons for needing to move above others. Therefore, different reasons for needing a better home – different ‘housing needs’ – are given different priorities for rehousing.

Where you are on our Housing Register is based mainly on your priority for rehousing. Your priority does increase the longer you have been waiting, but that is not the main factor.

We explain how we prioritise households for rehousing later in this Housing Allocation Scheme.

1.2 What national laws tell us to do

We must comply with Government legislation, or national law, when we set out our Housing Allocation Scheme. The legislation tells us:

- that all the social housing we let to residents and households on our Housing Register must fall under our Housing Allocation Scheme – this means that we cannot let social housing outside of the rules set out in our Housing Allocation Scheme
- how a resident’s immigration status affects their right to be rehoused to social housing
- that we must give a priority for rehousing to certain types of housing need – this is called ‘reasonable preference’
- that we must allow residents the chance to express choices or preferences when they are trying to move to a new home

- that we must take into account other policies when setting out our Housing Allocation Scheme.

You will find more information on what the legislation tells us to do in Appendix One– The laws on Housing Allocation Schemes. You will also find separate information on how your immigration status can affect your right to be rehoused to social housing in **section 2 – Who can apply to our Housing Register**, and in **Appendix Four – Immigration rules**.

1.3 What does this Housing Allocation Scheme aim to do?

As well as complying with legislations and laws, we want our Housing Allocation Scheme to help and support our residents – putting residents at the heart of what we do. We also want the Scheme to help the Council manage the challenges it faces, in the best interests of our residents.

We want this Housing Allocation Scheme to:

- support those residents most affected by the Grenfell Tower tragedy
- help those most in housing need
- rehouse our residents and households in a clear and transparent way that can be easily understood and trusted
- respond to the different types of housing needs that our residents face
- offer different suitable choices to our residents who face or are homeless
- promote and support the strength of our diverse, mixed communities
- make the best use of Council and housing association homes in the Borough

- manage in the best way possible the challenges facing the Council given the huge gap between the number of households who need more suitable homes, and the number of suitable and affordable homes that become available.

1.4 What is not covered by this Housing Allocation Scheme?

Our Housing Allocation Scheme explains how we let social housing to households on our Housing Register. Therefore, the following types of housing are not covered by this policy.

• Private rented sector homes

We help households who are homeless, or who are in an unsuitable Council or housing association home, to move into a suitable and affordable home rented from a private landlord. This includes households where we have a legal responsibility to prevent or relieve their homelessness. If we have agreed that we have a ‘main homelessness duty’ to rehouse you, we have a separate policy that explains how we can offer you a home in the private rented sector – please ask us about this.

• Temporary accommodation

These are the temporary homes we provide to households if they become homeless. We have a separate policy that explains the decision we make when we offer you temporary accommodation – please ask us about this.

• Succeeding to, or assigning a social housing tenancy

Sometimes, when a council tenant dies (or sometimes a housing association tenant), family members living with the tenant have the legal right to take over the tenancy – this is called succeeding to a tenancy or succession.

A living tenant can also pass a tenancy to a family member living with the tenant who would have the legal right to succeed – this is called assigning a tenancy, or assignment.

Government legislation (national laws) explain when succession and assignment can happen, so succeeding to a Council tenancy is not covered in this policy.

Some councils and housing associations offer ‘discretionary succession’ – local rules that will allow a family member to take over the tenancy when the tenant dies, even if Government legislation does not give them that right.

At the time of introducing this Housing Allocation Scheme, **Kensington and Chelsea Council did not have a discretionary succession policy.**

If you are a social housing tenant and you have questions about succeeding to a tenancy or assigning a tenancy to a family member please ask for advice from your landlord, and you can seek independent advice from a local community advice agency.

- **Mutual exchange**

This is when two council or housing association tenants swap their homes and usually their tenancies. The rules about mutual exchange are set out in Government legislation.

If you are a social housing tenant and you have questions about mutual exchange, please ask for advice from your landlord, and you can seek independent advice from a local community advice agency.

- **Key worker housing, intermediate rent housing, and shared ownership**

There are different types of intermediate housing, which are different to social housing.

Intermediate rent homes are available at rents that are higher than social rent, but lower than market rent. Usually, they are let on an assured

shorthold tenancy (like tenancies in the private rented sector), not lifetime tenancies. Low-cost home ownership, such as shared ownership, are homes that you can part buy or completely buy at lower than market price.

The Council has intermediate rent homes for residents. Usually, we let these homes to **key workers** who support our residents. Housing associations also offer intermediate rent homes, and low-cost home ownership.

The Council has a policy that decides who should be offered key worker homes, other intermediate rent homes, and low-cost home ownership – please see our **Key Worker and Intermediate Housing Policy.**

- **Other rehousing schemes**

Kensington and Chelsea residents, including households on our Housing Register, can look for a new home using rehousing schemes run by other organisations. Examples of other rehousing options and schemes include:

- Organisations that help households move into available homes anywhere in the UK, owned and managed by local councils or housing associations
- Organisations that help households move into private rented sector homes anywhere in the UK.
- Organisations that help vulnerable households move into a suitable home, often with a special rehousing pathway and support.
- Rehousing arrangements that support Home Office resettlement schemes.

1.5 Keeping your Housing Register application up to date

If your situation changes, you need to tell us. Examples of changes you should tell us about include:

- if you have a baby
- if someone moves into or out of your home
- very important changes to your health or the health of a family member
- your immigration status changes.

Telling us is important because it might mean you are given more points for rehousing. Or it might mean that you lose points. Before you are offered a new home, we will check that we have recorded your points and your situation correctly. If you have not told us about changes to your situation, you may not be allowed to accept an offer of a new home.

We will not know if you have told another team in the Council, or another organisation such as Universal Credit, about changes in your situation. This means that it is important that you tell the Housing Needs Team too.

We usually will ask for evidence of any changes – for example, the birth certificate for a new baby.

If you deliberately fail to tell us about any changes – you know that a change in your situation might affect your Housing Register application, but you don't tell us – we may look at this as housing fraud – that you have not told us the truth. This could result in us closing your Housing Register application meaning we will not offer you a Council or housing association home.

1.6 Telling the truth

You must tell the truth on your Housing Register application.

This means you should not lie about your situation, hide information, or give us misleading information. If you do, you will be committing fraud.

We take fraud very seriously, and we can take legal action against anyone who does not tell us the truth on their application. We can also close your Housing Register application meaning

we will not offer you a Council or housing association home.

If we are not sure about the information you have given us, we may suspend or freeze your Housing Register application while we look into it further. If we have asked you for more information that we need to assess your Housing Register application but you do not provide it, we can close your application.

If you move into a Council or housing association home and we find out afterwards that you did not tell the truth when you were waiting for a new home, you can lose your tenancy and your home. This is called obtaining a tenancy by deception.

You will find more information about how not telling the truth can affect your Housing Register application in **section 2 – Who can apply to our Housing Register**.

1.7 Reviewing and amending our Housing Allocation Scheme

We will monitor and review how our Housing Allocation Scheme is working. We may decide that changes are needed – for example, because it is not meeting the needs of our residents in the way we hoped it would, because of financial or other pressures the Council has to manage, or because of changes in legislation, regulations or guidance.

If a small change to our Housing Allocation Scheme is needed, a senior officer in the Council – such as the Director for Housing Needs – can make this change in consultation with the Lead Council Member.

If a significant change is needed, the Council will engage with our residents and will run a public consultation on those changes.

1.8 Discretion

The Director of Housing Needs has the delegated authority in exceptional circumstances to apply discretion and to amend or waive this policy.

2. Who can apply to our housing register?

There are rules about who can, and cannot, apply to our Housing Register and be rehoused to a Council or housing association home. This section explains those rules.

There are two types of rules.

1. **Are you ‘eligible’ to join our Housing Register?** This is about your immigration status in the UK. These rules are set by the Government and are the same for all Housing Allocation Schemes.
2. **Do you ‘qualify’ to join our Housing Register?** These are rules set by Kensington and Chelsea Council, though we must comply with national laws and regulations. We look at your housing situation to decide whether you qualify, or can join, our Housing Register.

2.1 Are you ELIGIBLE to join our Housing Register?

This is about your immigration status in the UK, and the status of members of your family. The rules on being eligible to join a Housing Register can be very complicated, so you should ask for advice from the Council or from one of our community advice agency partners if you are not sure.

Usually you are eligible, or have the right, to join our Housing Register and be rehoused to social housing if:

- you are a British or Irish citizen
- you have indefinite leave to remain
- you have settled status under the EU settlement scheme
- you have the ‘right of abode’ as a Commonwealth citizen
- you have refugee status or humanitarian protection
- you have a visa that allows you recourse to public funds.

One good starting point is to check whether you (and members of your family) can claim ‘public funds’ – for example, benefits such as Universal Credit and Housing Benefit. This usually means you can also join a Housing Register and be rehoused to social housing. However, this is not a guarantee – it is just a useful first step.

Usually, you cannot be rehoused to social housing if:

- you are subject to immigration control
- you are a person from abroad excluded by regulations made by the Secretary of State
- you are a person not ‘habitually resident’ in the United Kingdom or you are required to leave the UK by the Home Office.

If you fall into one of these three categories above, but you are already a council or housing association tenant, you still might be able to be rehoused to another social housing home. This can happen if the reasons you need to move mean you must be given a ‘reasonable preference’ or priority for rehousing. We explain ‘reasonable preference’ later in this Scheme.

You will find more information about the legal rules on being eligible to be rehoused to social housing in Appendix One. You can also find very useful advice on the Citizen’s Advice website - **Citizens Advice applying for social housing**.

2.2 Do you QUALIFY to join our Housing Register?

Anyone can ask for housing advice from the Council. However, not everyone can join our Housing Register, even if they are ‘eligible’ to do so (see the section above).

We have local rules about who can join or ‘qualify’ for our Housing Register. This section will explain the following 4 main reasons why you may not be able to apply:

- i. Not living in Kensington and Chelsea for 3 years without a break
- ii. Not being given a priority or points for rehousing
- iii. Having enough money to be able to find your own housing
- iv. Being guilty of unacceptable or unreasonable behaviour

If any of the following situations describe you, you will not be able to join our Housing Register.

2.3 Not living in Kensington and Chelsea for 3 years without a break

You need to be living in Kensington and Chelsea and have lived here for at least three years, without a break, before being able to join our Housing Register. This is called our 'local residency rule'.

However, this may not apply to you if:

- the Council has given you housing inside or outside of Kensington and Chelsea because we have a legal duty to help you – for example, you were homeless and we gave you temporary accommodation
- the Council has given you supported housing outside of Kensington and Chelsea
- we have agreed that we will rehouse you as part of a reciprocal or 'swap' agreement with another local council, social landlord or another organisation
- we have agreed to rehouse you as part of a national, regional or pan-London agreement to help rehouse households in certain circumstances, or because we are a member of a scheme such as the Police Witness Protection Scheme
- you are serving or have served in the Armed Forces, or a family member is serving or has served in the Armed Forces

- you are a tenant in a Kensington and Chelsea Council home located outside of the Borough
- you have the 'Right to Move' and apply to this Council for rehousing – **see Appendix Three– The right to move for work for existing social housing tenants.**

We can decide to allow other communities or people to apply to join our Housing Register even if they are not living in Kensington and Chelsea when they apply and have not lived here for at least three years without a break. For example, this might include households who are experiencing or have experienced domestic abuse, members of the Travelling Community, or former unaccompanied asylum seekers who are leaving our care.

You will find more information about situations where you do not have to live in Kensington and Chelsea and have lived here for at least 3 years without a break, when you apply to join our Housing Register in **Appendix Five – Exceptions to our local residency rule.**

2.4 Not being given a priority or points for rehousing

If you have applied to our Housing Register but we have not given you a priority for rehousing – meaning that we have not given you any points – you will not be able to join it.

This is because the number of households who need a better, more suitable home is much greater than the number of homes that become available. Therefore, only those households with the greatest need can join.

However, you can join our Housing Register without any priority points if you would like to move to Sheltered Housing or sometimes housing for older residents. You can find more information in **section 30 – Sheltered housing and housing for older residents.**

2.5 Having enough money to be able to find your own housing

You will **not** be able to join our Housing Register if:

- you are single or in a couple and your household income is more than £40,000, or you have more than £30,000 in savings or capital
- you are a family who needs a home with two or more bedrooms and your household income is more than £60,000, or you have more than £30,000 in savings or capital
- If you own a property, or a share in a property, this will count in the same way as savings.

If you are above these limits you will have enough money to find a suitable home without the Council's help.

However, we may ignore this rule if you have income or savings above our limits but we think you could not reasonably use them to find a suitable home. For example, we may ignore this rule if:

- you are fleeing domestic abuse
- you are an older resident wanting to move to sheltered housing
- you have vulnerabilities that make it difficult for you to live independently
- you are a member or former member of the British Armed Forces who received a lump sum payment as compensation for an injury or disability sustained on active service.

2.6 Being guilty of unacceptable or unreasonable behaviour

If we have evidence and believe that you or a member of your family have behaved in a way that makes you unsuitable to be a Council tenant, you will not be able to join our Housing Register. Examples of unacceptable behaviour include:

- violence, crime or anti-social behaviour
- discriminating against anyone because of their sex, race, religion or faith, disability, sexual orientation, gender identity, or age or certain other personal characteristics
- physical or verbal abuse towards staff of the Council, its contractors, or housing association staff
- giving false or misleading information when trying to join our Housing Register, or when trying to find a home
- paying money to get a tenancy with either the Council or a housing association
- disposing of financial assets and resources that could have been used to find a suitable home, without good reason
- subletting a council or housing association home
- residents who moved into a home which was lacking two bedrooms from the start of their tenancy – and therefore overcrowded – when it was reasonable for them to find and move into a more suitably sized home at that time
- residents who moved into a home that from the start of their tenancy was unsuitable for them or a member of their family due to a disability or long-term health problem, when it was reasonable for them to find and move into a more suitable home.

If we believe you are guilty of one or more of these behaviours, usually you will not be able to re-apply to join our Housing Register for five years. During these five years, you should not be guilty of one or more of these behaviours.

2.7 Joint applications to Our Housing Register

Couples who are partners may apply jointly to our Housing Register – they will be ‘joint applicants’, which will usually lead to a joint tenancy when you are rehoused.

Couples will be considered to be partners if they are married, in a civil partnership, or are living together as partners. **Partner** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

If you are in a couple your partner cannot be part of a joint application to the Housing Register or be a joint tenant if your partner’s immigration status means they would not be able to be rehoused if they were on their own – in other words they are ‘ineligible’ to hold a social tenancy without you.

Except in very exceptional circumstances, we will not allow two (or more) people who are not partners to apply jointly to our Housing Register. It is very rare that two (or more) people who are not partners are given a joint tenancy by a council or housing association – decisions on offering a sole or joint tenancy is made by the landlord.

3. Equality, diversity and inclusion

The borough is home to residents and families from a wide range of backgrounds. We are committed to ensure that equality, diversity and inclusion will be at the centre of our decision making and service delivery. This includes opportunities to be rehoused to a more suitable home.

Our Housing Allocation Scheme must be fair to all sections of the community regardless of age, disability, gender, marriage and civil partnership, pregnancy and maternity, race, religion or belief, or sexual orientation. Our

Housing Register, and our advice and support services, must be accessible to anyone and everyone. If you need extra help to be able to use our services, such as translation and interpretation services, large print or signing, please tell us.

Our commitment to equality goes beyond complying with our statutory duties. We are working to remove barriers and are supporting individuals and families to reach their full potential by focusing on those with the most urgent and pressing needs. We are addressing cultural barriers to resident participation by introducing more culturally appropriate and accessible materials and approaches.

For further information on the Council’s commitment to equality and diversity, please see our Equality, Diversity and Inclusion Strategy. You will find it clicking the following link – [RBKC EDI Strategy](#).

4. Housing options – other than our housing register

The number of households on our Housing Register who need a more suitable home is much greater than the number of Council and housing association homes that become available each year.

We look at all possible ways to increase the number of affordable, suitable homes in Kensington and Chelsea, often working with our partners and talking to our residents. However, given the situation in Kensington and Chelsea – for example, the very limited land available for new homes, the cost of buying land, the many conservation areas, the types of homes our residents want to see in Kensington and Chelsea – there will never be enough available, affordable homes.

Households can wait many years on our Housing Register before we can offer them a Council or housing association home. This is especially the case if you need a larger family home, or an accessible home suitable for a resident with disabilities or mobility difficulties.

Some households may never be offered a Council or housing association home through our Housing Register.

Therefore, it is important to think about the other options and choices you might have to move to a new home, even if that means moving out of Kensington and Chelsea. Some of these options and choices may be good for members of your family rather than your whole family. Examples of other options and choices are given below.

Please ask us for more information on your options and choices. We can give you detailed advice and support or put you in touch with other organisations who will be happy to help you.

- Renting a home in the private rented sector
- Below-market rent (sometimes called intermediate rent), especially if you are a key worker

- Low-cost home ownership, such as shared ownership
- Moving to areas of the country where local council and housing association homes are more available – there are a number of schemes that can help you
- Making changes or improvements to your current home – for example, if a family member is struggling because of their health conditions, you may be given equipment or adaptations that will help them – please speak to our colleagues in Adult Social Care
- If you are a council or housing association tenant, completing a mutual exchange or swapping your home, with another council or housing association tenant



Finding a better home can be very difficult, especially in London. We want you to have all the information you need to make the right choices for you and your family. Please ask for advice and information – we will be happy to help you.

5. Who can be included in your family or household

5.1 Why we explain who can be included in your family

Before you make important decisions about where you are going to live, it is important that you have all the information you need. This includes knowing which members of your family or household you can include when you apply to our Housing Register.

5.2 Who can be included when you apply to the Housing Register?

You can include people who normally live with you and might be expected to live with you as their main and principal home. You can include the following.

Your partner or spouse	This includes mixed-sex and same-sex couples, whether or not you are married or in a civil partnership.
Dependent children	Children (aged 17 and under) who live with you as their main and principal home. This includes adoption, special guardianship and long-term fostering.
Adult sons and daughters	Sons and daughters aged 18, 19 or 20.
Other adults who must live with you	You can include other adults on your application for housing, including sons and daughters aged 21 and over, IF they need to live with you. Usually, this will be because they provide, or receive, very important care for you or another member of your family.



You and members of your family can only be on one Housing Register application to the Council.



If members of your family live elsewhere in the UK or abroad, you can include them on your application. However, we cannot include them when deciding your priority for rehousing – for example, overcrowding – until they actually live with you.

5.3 What about children who share their time between separated parents?

Many children will share their time between parents who have separated and now live in different homes. When you apply to our Housing Register and wish to include children who spend some time with their other parent, we will look at whether the children live with you as their main and principal home. This is the case even if the parents share custody of their children.

This means that we will decide which of the parents' homes is your child's or children's main home. It also means that, if both parents have applied to be on our Housing Register, the children can only be included on one application. This is important because it might make a difference to the number of bedrooms you need.

We will look at evidence to show which home is the main home. This might include showing who receives child benefit, Universal Credit support for childcare costs, disability living allowance for children, and child maintenance payments. It may also include asking a GP (doctor) or a school to confirm a child's registered home address.

If you are a single person applying to our Housing Register, you will usually be recommended for a studio property. However, if your child or children spend some of their time with you, but your home is not their main home, we may recommend that you are rehoused to a home with more space, usually a one-bedroom home.

5.4 Who cannot be included when you apply to our Housing Register?

Unless there is a clear need that they must live with you, people who cannot be included in your family or household when you apply to our Housing Register include the following – children aged 21 or over, you or your partner's

parents, grandparents, brothers, sisters, aunts, uncles, grandchildren, nieces, nephews, cousins, friends or lodgers. Usually, you cannot include sons and daughters living with you who now have their own children.

People living with you, who you cannot include on your Housing Register application, can ask for their own housing advice and support. They can visit the Council's website or contact us at Housing@rbkc.gov.uk or on 0207 361 3272 or ask for advice from community advice centres.

5.5 Including people who are usually not allowed to be part of your application

You might be able to include people on your Housing Register application if you can prove that they must live with you. For example, your mother may have to live with you because you provide very important long-term care for her or, your 24 year old daughter may have to live with you because she provides very important long-term care for you.

Examples of care and support include help with personal care such as dressing, feeding, bathing, and toileting. It might also include showing that the person who receives care cannot live independently.

We will need proof that the person must live with you. For example, a court order, or a social services or occupational therapy assessment.

Is this a change from the old allocation scheme?

No, we worked out who could be included in your application to the Housing Register in the same way under the old Allocation Scheme.

We know that some households have more family members than we allow on a Housing Register application. However, we are very aware of the real shortage of larger family-sized homes that become available to let. Including other types of family members will increase the demand and pressure on family-sized homes and would mean that families would have to wait even longer before they are rehoused, if they are rehoused at all. Therefore, we think it is important to focus on families who would be expected to and must live together.

What have residents told us so far?

Residents were interested in who could be included on a Housing Register application, especially when it related to overcrowding. The issue of overcrowding came up again and again during our early engagement with residents and was an important issue during the first public consultation.

Residents told us that they wanted to see:

- a relatively higher priority for overcrowded households with children
- family members aged 21 and over counted as part of the family.

We understand why residents want sons and daughters living with them to be included on an application to our Housing Register. We know that not counting them can mean that we do not recognise a family as being overcrowded when, in reality, it is. We also know that it can be very difficult for adult children to find their own place to live close to their communities because of the very high cost of housing in Kensington and Chelsea.

However, we are also aware of the real shortage of family-sized homes that become available to let. Including adult sons and daughters aged 21 and over will increase the demand and pressure on family-sized homes and would mean that families would have to wait even longer before they are rehoused, if they are rehoused at all. Therefore, we want to focus on families with children, including overcrowded families. Overcrowding usually has a bigger impact upon families with children under 18 years old.

By managing the demand for family-sized homes, we can try to help more families with children to live in a better home.

6. How many bedrooms do you need?

When we decide how many bedrooms you need, we look at who can be included on your Housing Register application and then we use our 'bedroom standard'.

You can find more information on who can be included on your application in section 5 – Who can be included in your family or household.

We will let you know how many bedrooms you need, and this will be shown on your Housing Register application. When you express an interest in an available home advertised on Home Connections, you can only do so for the size of home you need. For example, if you need a two-bedroom home, you cannot express an interest in a three-bedroom home.

6.1 The RBKC bedroom standard

One bedroom will be used by:

- You, and your partner or spouse if you have one
- Two children of the same sex, aged up to and including 20
- Children of different sexes, aged 10 or over
- Any other adult aged 21 or over

The following guidance helps you and Council officers work out how many bedrooms you might need in a home.

- We can only allow bedrooms for people who can be on your Housing Register application.
- A single parent will be treated in the same way as a couple.
- No more than two people should share a bedroom.

- People of different sexes who are aged 10 or over should not have to share a bedroom (unless they are aged 16 or over and living as a couple).
- People aged 21 and over should not have to share a bedroom, unless they are living as a couple.
- People living with you as a couple – for example your daughter and her partner – usually will not be included on your Housing Register application. They can ask us for advice and support to find their own home.
- We do not expect foster children, adopted children, or children you are looking after under a Special Guardianship to share a bedroom with your own children. National guidance says that, at the very least, foster children aged over three need their own room.
- If you need a four-bedroom home, or larger, you can ask to be rehoused to a home that has one bedroom less than you need. For example, if you need a four-bedroom home you can ask to be rehoused to a three-bedroom home. If we agree, you will then be on the Housing Register waiting for the size of home you have asked for, not for the size of home you need. It is important to remember that a landlord for a home you are interested in may not allow you to move in if you will be overcrowded in that home. Therefore, while we might agree to you being rehoused to a home with one less bedroom than you need, a landlord may not agree.

The following table should help you work out how many bedrooms you need.

	One adult or couple plus:								
	Single person	Couple	Two adults not living as a couple	One child or another adult	Two children of the same sex age 21 or under	Two children of different sexes aged under 10	Two children of different sexes, one or both over the age of 10	Three children	Four or more children
Studio flat	X								
One bed		X							
Two beds			X	X	X	X			
Three beds							X	X	X
Four beds									X

6.2 When might we recommend an additional bedroom, above the bedroom standard?

There are situations where we might recommend that you have another bedroom, in addition to the rules set out above. These include the following.

- When it has been recommended by our Housing Health and Disability Team because of health problems you or a family member has. This may include the need for additional space because medical equipment is needed, or because significant overnight care is needed.
- Social housing tenants with spare bedrooms who are downsizing to a smaller home, may have one extra bedroom. Members of your family who split and are rehoused to their own home cannot have an extra bedroom. If you are downsizing and would like an extra bedroom, please ask us whether you might be affected by the 'spare room subsidy', sometimes called the 'bedroom tax'.
- When we have agreed to rehouse you to a particular size of home due to a legal or contractual agreement.
- If you have been approved for fostering, adoption or a Special Guardianship, and need an additional bedroom.
- When you have fostered, adopted, or are a Special Guardian for a child and she or he should not share a bedroom with one of your own children.
- Sometimes we will rehouse a single person to a one-bedroom home. This may be because there are no suitable couples for an available home, or because of its particular layout or features. The advert on Home Connections will say whether single people can express an interest in an available one-bedroom home.
- Sometimes we might rehouse a couple to a studio home if that is their choice.

6.3 Rehousing policies that use a different bedroom standard

As well as the rules and guidance set out here in the Housing Allocation Scheme, we sometimes develop separate, special rehousing policies for particular communities or particular reasons. See **section 7 – Dispensation policies – special housing arrangements**.

Even though these special policies, arrangements and local lettings plans are part of the main Housing Allocation Scheme, they may have some different rules. This includes having a different bedroom standard.

If you are being rehoused under a special policy, arrangement or local lettings plan, you should look at the policy that applies to you. We will be happy to give you more advice, so you have all the information you need.

Is this a change from the old allocation scheme?

No, we worked out who could be included in your application to the Housing Register in the same way under the old Allocation Scheme, though we have tried to make some of the guidance clearer.

What have residents told us so far?

Residents have been interested in questions relating to overcrowding. The issue of overcrowding came up again and again during our early engagement with residents and was an important issue during the first public consultation.

Residents told us that they wanted to see a lowering of the age at which brothers or sisters of the same sex are expected to share a bedroom, down from 21 years of age.

We are suggesting that the age at which siblings of the same sex can share should remain at 21. We know that Universal Credit and Housing Benefit rules allow family members (who are not spouses or partners) to have their own room at 16. Sometimes, landlords will allow family members to have their own room at 18.

However, we are worried about steps that put even greater pressure on the shortage of larger family-sized homes. Increasing the demand for family-sized homes means that families will have to wait even longer before they are rehoused, if they are rehoused at all.

We are also following the Government's bedroom standard by expecting brothers or sisters and siblings of the same sex to share a bedroom between the ages of 10 and 20. This can be found in the Allocation of accommodation: guidance for local housing authorities in England (June 2012). You can find this guidance at this link – [**Allocation of accommodation guidance**](#).

7. Dispensation policies – special housing arrangements

This Housing Allocation Scheme explains who can apply to join our Housing Register, how we prioritise households on our Housing Register, and how we let available Council and housing association homes to those households.

However, there may be times when we will need to let available homes using different rules. These are sometimes called ‘special dispensation policies’.

Examples of when we might need to use different rules about joining the Housing Register, prioritising households, and letting available homes include:

- where we need a special rehousing policy for a particular community or group of residents because of their particular needs or situation
- where we need different rules to prevent or relieve homelessness
- where we use local lettings plans
- where we agree to ‘temporary to permanent’ decants for our own Council tenants – for example because the tenant’s original home is not suitable for them
- where we take part in particular schemes such as a witness protection programme
- reciprocal or ‘swap’ agreements with other local councils, housing associations or other organisations.

If we need to use a special dispensation policy that lets available homes using different rules to those set out in this Housing Allocation Scheme, we will publish the policy to ensure transparency and openness with our residents.

8. Our points and banding system – how we prioritise for rehousing

8.1 Our points system – priority for rehousing

We use a points system to prioritise households on our Housing Register.

This means that we give different points for different reasons for needing a new home. You will find below a table explaining the points we give for different types of housing need – sometimes called priority or points categories. You will also find full explanations about each of the points categories in this Housing Allocation Scheme.

Although the Council believes that everyone on the Housing Register needs a better home, we also believe that some reasons for needing to move are relatively more important than others. This means that the more important or urgent reasons for moving are given more points.

Where you are on our Housing Register is based mainly on your priority for rehousing. Your priority does increase the longer you have been waiting, but that is not the main factor.

There are three types of points categories.

a. ‘reasonable preference’ categories

Government legislation, or national law, says that we must give a priority or points for certain types of housing need – though it does not tell us how many points we must give.

b. Local priority categories

We also award priorities called ‘local priorities’ – these are priorities that are not included in the reasonable preference groups, but we think are important for rehousing our residents in Kensington and Chelsea, and for managing our limited supply of social housing in the Borough.

c. **Additional preference categories**

We also award priorities called ‘additional preference’ – this is an extra priority for households who have been given one or more of the main housing need categories.

You will find more information on why we have different points categories in **Appendix One – The law on housing allocation schemes**.

When we offer homes to suitable households, either through choice-based lettings or through direct offers, we will usually do this in priority order. This means that the household with the highest number of points is at the top, the household with the second highest points being second and so on. You will find more information on how we use points to let available homes in **section 28 – How we let available homes**.

8.2 Our banding system

As well as using points for different types of housing need, we use a banding system. Our banding system helps to explain the different levels of priority we give for different points categories.

Band 1	Acute Housing Need
Band 2	Major Priority
Band 3	Moderate Priority
Band 4	General Priority

8.3 Summary of our points and banding system

Priority category	Points	Band	See section
Band 1			
Exceptional priority	2000	1	10
Emergency health and independence	2000	1	15
Serious risk to welfare	1900	1	11
Grenfell Settled Home	1500	1	12
Band 2			
Under occupation downsizing	1000 to 1300	2	13
Accessible home hand back	1000	2	14
Health and independence	900	2	15
Wider Grenfell	900	2	16
Helping adoption and fostering	700	2	17
Redevelopment of homes	700	2	18
Band 3			
Choosing PRS	200	3	20.6
Overcrowding	200	3	19
Independent living	100	3	21
Main homelessness duty	100	3	20.4
Band 4			
Homelessness	10	4	20.10
K&C priority	10	4	22
Sheltered housing and housing for older residents	0	4	30.2
Additional points			
Waiting points	10 every year	23	
Armed forces	50	24	
Paid work (limited situations)	50	25	
Succession	50	27	

9. Quotas – letting available council and housing association homes

9.1 What are quotas, and how will we use them to allocate homes?

A quota is a share of something. In this case, it is a share of the total number of Council and housing association homes that become available each year that we let to households on our Housing Register.

Each year, we will set and publish a quota or a share of the total number of available homes that we will try to allocate or let to different types of housing priority on our Housing Register. In other words, we will set a ‘target’ for the number of homes we let to different types of housing need. We will also publish figures on our actual lets to the different types of housing need, so you can compare our lettings to our quotas.

Because we will not know at the beginning of the year how many Council and housing association

homes will become available, we will usually set the quotas as percentages (%) of the total lets. In some specific cases, we will set the quota as an actual number of homes.

We will use quotas to make sure the supply of Council and housing association homes is offered to different types of housing need on our Housing Register. This is instead of available homes simply going to the households with the highest numbers of points, whatever their housing need.

We also hope that, by publishing and using quotas, residents will have a clearer view of who we are trying to rehouse and of the types of households we have rehoused. In other words, our prioritisation and letting processes will be more visible to residents.

9.2 What types of housing need will have quotas?

We will set quotas for the following types of housing need or priority.

Type of housing need	Points categories
Homeless households and households who have chosen to move to a private rented home	<ul style="list-style-type: none">• choosing PRS• main homelessness duty• homelessness
Tenants with spare bedrooms willing to move to a smaller home, and tenants in accessible homes willing to move to free it up	<ul style="list-style-type: none">• under occupation downsizing• accessible home hand back
Overcrowded families	<ul style="list-style-type: none">• overcrowding
Needing to move for health reasons	<ul style="list-style-type: none">• health and independence
Special rehousing pathways	
Moving on from supported housing Care Leavers Adults with learning disabilities or autism Adopting and fostering	<ul style="list-style-type: none">• independent living• independent living• independent living• helping adoption and fostering

As you can see, as well as setting a quota for each of these five groups, we may also set more specific quotas for certain types of need. For example, a target number of homes let to Care Leavers, or adults with learning difficulties or autism.

9.3 An example of using quotas for different types of housing need

This is an **example** of how we will use quotas for different types of housing need. These are **not** the actual quotas we will use. We will publish the quotas each year.

Type of housing need	Quota		
Homelessness	50%		
Under occupation downsizing and accessible home hand back	10%		
Overcrowding	7%		
Health reasons	12%		
Special rehousing pathways	15%	Specific quota	
		Care Leavers	25 homes
		Adults: learning disabilities or autism	5 homes
		Helping adoption and fostering	3 homes
% of all lettings	94%	6% reserved for housing need categories that fall outside of the main categories	

9.4 How will quotas be used in practice?

We will publish the quotas at the beginning of the year – the ‘lettings year’ runs from April to the following March. We will also publish how many lets we have made to each of the types of housing need, so you can compare our quotas to our actual lettings.

9.5 Targeted adverts for available homes

When we advertise an available home on our choice-based lettings website, Home Connections, we might target or 'preference' the advert to a type of housing need. For example, an advert for an available two-bedroom home might be targeted to an under occupier – a social housing tenant with spare bedrooms willing to move to a smaller home.

If that home is not taken by an under occupier, we may then advertise the home to another type of housing need (e.g. homelessness), or simply make it available to all types of need on our Housing Register. Another option is to then use the home for a direct offer.

9.6 Direct offers

If we make a direct offer of a home, instead of advertising it on Home Connections, we will use our quotas to decide what type of housing need should receive the direct offer. For example, if we need to increase the number of homes let to homeless households to meet our quota, we will directly offer the home to a homeless family.

If that home is not taken by the homeless family, we may then make a direct offer to a family with the same housing need. Another option is to then advertise the home on Home Connections.

You can find more information on choice-based lettings, on how to express an interest in advertised homes, and on direct offers in **section 29**.

9.7 Are Band A types of housing need included in the quotas?

No – households given a Band A priority for rehousing have the most urgent or important reasons for needing a new home. It is important that we try to rehouse households with a Band A type of housing need anyway, without using quotas.

Households with a Band A priority will be able to express an interest in any home advertised on Home Connections that meets their needs.

In other words, Band A households can ignore any targeting or preferencing of the advert to a certain type of housing need.

Band A types of housing need are:

- exceptional priority
- emergency health and independence
- serious risk to welfare
- Grenfell Settled Home

9.8 Homes that become free under the Grenfell Settled Homes Policy

The Grenfell Settled Home Policy gives former residents of Grenfell Tower and Grenfell Walk, who survived the Grenfell Tower tragedy, the opportunity to move one further time to another permanent home. When survivor households move to a new home, they will make available a Council or housing association home (unless moving by mutual exchange).

Homes vacated by a survivor households will be made available and offered first to other survivor households seeking rehousing through the Grenfell Settled Home Policy. If survivor households choose not to move into the home, it will be made available to other residents on the Housing Register in need of a more suitable home.

Is this a change from the old allocation scheme?

Yes, this is a change from the old Allocation Scheme. We have not used quotas in this way before.

In the past, as well as having a Housing Allocation Scheme we have published a 'Rehousing Plan'. This Plan would set out quotas for certain lettings, or for ways of letting certain homes. You can find the last **Rehousing Plan on the Council's website here.**

For example, the last Council Rehousing Plan stated that we would aim to let 60 per cent of available homes to main homelessness duty accepted households, and 40 per cent to non-homeless households on the Housing Register. It also stated that offers would be made to families ready to move on from 'mother and baby' supported accommodation, to ensure there was enough space in that accommodation for women who would benefit from support.

Therefore, in the past, our Allocation Scheme would explain who the Council prioritised for rehousing, and how we did it. However, we also had a Rehousing Plan that might set out different rules about who we were prioritising, and how.

We believe it will be more open and straightforward if we bring the use of quotas into the Allocation Scheme. We will also publish our quotas each year based on the types of housing need set out in the Scheme, and every three months we will publish how many lets we have made against the quotas, so residents can see whether we are doing what we said we would.

What have residents told us so far?

Residents have been very clear, especially during our early engagement, that they want a more open and visible lettings system.

A key recommendation within the **Newman Francis report Early Engagement on the Housing Allocation Scheme in Kensington and Chelsea** (May 2021, published June 2021) concerns transparency.

Greater transparency in the bidding system – clear and transparent bidding system so people better understand where they stand and why. This needs to include regular correspondence as outlined in better information and systems and in reinstating the information about each let regarding the points and length of time waiting for the person who has the winning bid or the direct offer.

We understand and agree with this recommendation. Previously, the Council has explained that our Allocation Scheme explains the way we prioritise households for social housing, and the way we let available homes. However, we agree with residents who have told us that this can be misleading – that the Council also lets homes according to a separate, albeit published, Rehousing Plan. Our previous Allocation Scheme does not mention a Rehousing Plan.



Bringing the use of quotas more clearly within the Allocation Scheme, and very clearly advertising our quotas each year, should result in a more open and visible lettings system. However, we will need to go further.

Alongside the use of quotas, we will make available more accurate information on the waiting times for rehousing to a Council or housing association home. We want to offer information for the different circumstances that households can face – for example, their housing need and the size of home they require – so we can offer more accurate advice that reflects their situation.

This includes making available information about the homes we have let – the type of housing need the new tenants had, the average

length of time they had waited, and whether the tenants had received a direct offer or had expressed an interest in the home on Home Connections. These details will be aggregated to protect individual tenants' privacy.

We have not used quotas in this way before. If our suggestion about the use of quotas is supported and is included in the new Housing Allocation Scheme, we may not get it right straight away. We may need to change the share of lettings given to different housing needs if we think our lettings are unbalanced, especially as we try to use more 'chain lettings' to increase the supply of family-sized homes – see section 26. However, we will be very open and clear about any changes to the quota system and will talk to residents about those changes.

10. Exceptional or unusual circumstances

Exceptional priority	2000 points
	Rehousing Band 1

10.1 Reasons for needing a new home

Very occasionally, households may face very difficult housing problems that usual housing services and options cannot reasonably resolve. The Council may decide that the only appropriate way to help the household is to use its discretion to award a very high priority to be rehoused to a suitable home – exceptional priority, which falls under rehousing Band 1.

10.2 How is this assessed?

We will consider a number of questions when deciding whether awarding exceptional priority is the right thing to do. These may include, but are not limited to, the following.

- Do you qualify for another priority under the Housing Allocation Scheme?
- Do you qualify for help as a homeless resident or family? Will the Council's services offered to homeless households reasonably help to solve your housing problems?
- Are other housing options available to you, such as a mutual exchange, a move to a home in the private rented sector, or an application for low-cost home ownership?

The Council will also bear in mind the very high demand for social housing from households with a real need for rehousing compared to the low supply of social housing in Kensington and Chelsea. This means that we expect very few cases of exceptional priority will be awarded each year. It also means that we may make you a **direct offer** of a suitable home if we think this will help you.

The Director of Housing Needs or delegated senior officers must agree to the award of exceptional priority.

10.3 Can exceptional priority be combined with any other priority?

No, if you are awarded exceptional priority you cannot be awarded points for any other type of housing need, though you can be given waiting points.

Is this a change from the old allocation scheme?

No, the old Allocation Scheme also had exceptional priority.

We suggest that we keep this because we sometimes need to support residents who we believe would be helped by living in social housing, and who are facing rare or unusual situations that cannot be properly helped by other types of rehousing priority under the Allocation Scheme.

What have residents told us so far?

Residents did not express a strong view on exceptional priority during our early engagement with them, or within our first formal public consultation. Broadly, there appeared to be support for keeping exceptional priority with very high points.

11. Serious risk to welfare

Serious risk to welfare	1900 points
	Rehousing Band 1

11.1 Reasons for needing a new home

Unfortunately, residents may find that there will be a serious risk to their physical or mental health (or the welfare of a household member) if they continue to live in their current home. Two main types of risk or threat qualify for **serious risk to welfare priority**.

- i. The threat of physical harm, and/or serious harassment or abuse that affects the physical health, mental health and welfare of the resident or a family member. This includes domestic abuse. The person or persons putting the households at risk will not be living in the same home.
- ii. Where the Council's Children's Services have no option but to take a child into the Council's care unless the parent or guardian is rehoused to a more suitable home in which they can support the child.

The Council may decide that the best way to look after your welfare, or your family member's welfare, is to give you a very high priority (Band 1) for rehousing to another home.

If you are awarded **serious risk to welfare** priority your whole family within the home will be rehoused. If some but not all members of the household feel they need to move, they should approach the Council's Housing Needs Services for personalised advice.

We will continue to review your case for rehousing to make sure you are aware of

opportunities for you to move to a more suitable home. We may make you a **direct offer** of a suitable home if we think this will help you.

If your circumstances change and you or a family member are no longer facing a serious risk to your welfare, we may remove the serious risk to welfare points.

11.2 How is this assessed?

You cannot apply for serious risk to welfare points directly.

The case for serious risk to welfare points must be made on your behalf by organisations that have been helping you with your difficulties. These organisations are:

- The Police
- Children's Services
- Adult Social Care Services
- RBKC Housing Management

A panel of Housing staff, with appropriate knowledge and expertise, will consider each serious risk to welfare referral, looking at the information and evidence provided by the one or more organisations listed above, plus any other relevant information.

More information on the referral and assessment process is found in the serious risk to welfare referral form and procedure notes. Please ask us (or get the organisation helping you to ask us) for a copy of the referral form.

11.3 Can serious risk to welfare priority be combined with any other priority?

No, if you are awarded serious risk to welfare priority you cannot be awarded points for any other type of housing need, though you can be given waiting points.

Is this a change from the old allocation scheme?

No, the old Allocation Scheme also gave a very high priority to residents who needed to move due to there being a threat of physical harm, and/or serious harassment or abuse.

It also included helping families who are caring for children who might have to be taken into care unless the family is rehoused to a better home.

We are suggesting that we keep the same very high level of priority but we have changed the name from ‘at serious risk of harm’ to serious risk to welfare.

What have residents told us so far?

Residents did not express strong views on ‘at serious risk of harm’ during our early engagement with them, or within our first formal public consultation. Broadly, there appears to be support for keeping this reason for moving at a very high level of points, and we think it is important to keep this type of priority for rehousing.

12. Helping survivors of the Grenfell tragedy move a second time

Grenfell settled home priority

1500 points

Rehousing
Band 1

12.1 Reasons for needing a new home

While many households who formerly lived in Grenfell Tower or Grenfell Walk have settled in their new homes under the Grenfell Rehousing Policy, some families are finding it difficult to settle. The Council listened to residents and their advocates who explained that we needed to set out far more clearly the housing support that should be available to survivors of the Grenfell tragedy. This included being upfront about the Council’s rehousing and housing-related commitments and making sure that families are supported with the key housing difficulties they continue to face.

In March 2022, we introduced the Grenfell Settled Home Policy. It provides survivor households (including former residents of Grenfell Tower and Grenfell Walk who lost family members in the tragedy) with the opportunity to move one further time to another permanent home with a high priority for rehousing. It also looks to keep safe the original commitments on rent, service charges, council tax and home ownership options when households move to a new permanent home.

Households who now need a larger home will need to apply for overcrowding points rather than seek a move under the Grenfell Settled Home Policy. Households moving under the Policy will be offered a home with the same number of bedrooms, unless they have spare bedrooms and choose to move to a smaller home.

Households who wish or need to move to another permanent home to support their long-term recovery will be awarded Grenfell settled home priority.

12.2 How is this assessed?

Households who can move to a new permanent home with Grenfell settled home priority can contact their Housing Allocations Officer or dedicated worker. Of course, residents can also ask a supporting organisation, advocate, family or friend to contact us.

Although Grenfell settled home priority falls under the Allocation Scheme, it has its own policy which explains how certain rules differ from our main Scheme. You can find the **Grenfell Settled Home Policy here**.

We think that it is important that you should seek advice if you want to move to a new permanent home. This might be from teams within the Council such as the Grenfell Rehousing Team or the Dedicated Service, from advocates and advice agencies, from medical and healthcare professionals such as the Grenfell Health and Wellbeing Service, and, of course, from your family and friends.

We want you to feel confident that moving to a new permanent home will help you with the barriers to recovery you are facing in your current home. We don't want you going through the disruption of moving to a new permanent home only to find you are facing the same, or new, barriers to recovery.

12.3 Can Grenfell settled home priority be combined with any other priority?

No, if you are awarded Grenfell settled home priority you cannot be awarded points for any other type of housing need, though you can be given waiting points.

Is this a change from the old allocation scheme?

Yes, the old Allocation Scheme does not mention Grenfell settled home priority because the Scheme was introduced before the Grenfell Tower tragedy.

Despite this, the Grenfell Settled Home Policy did fall under the old Allocation Policy. The same goes for the other Grenfell-related rehousing policies: the Grenfell Rehousing Policy, the Wider Grenfell Rehousing Policy, and the Local Lettings Plan for the Lancaster West Estate and Bramley House.

Section 1.11 of the old Allocation Scheme, called 'special dispensation allocations', explained that the Council could decide to rehouse residents to social housing in ways that differed from the main rules set out in the Scheme. However, if we decided to do this, we had to publish policies and procedures that explain these different rules. This is why we published the Grenfell-related rehousing policies, including the Grenfell Settled Home Policy.

Now that we plan to bring in a new Allocation Scheme, we want to include Grenfell-related rehousing policies introduced after we published the old Scheme.

What have residents told us so far?

The Grenfell Settled Home Policy was approved in March 2022 and therefore it is a fairly new rehousing policy. We will review how this policy is working, talking to the residents it aims to help to guide us.

13. Moving to a smaller home from a home with spare bedrooms

Under occupation downsizing	1000 points giving back 1 spare bedroom
	1100 points giving back 2 spare bedrooms
	1200 points giving back 3 spare bedrooms
	1300 points giving back 4 spare bedrooms
	1400 points giving back 5 spare bedrooms
	Rehousing Band 2

13.1 13.1 Reasons for wanting a new smaller home

Council and housing association tenants (social housing tenants) can end up with spare bedrooms in their home when family members no longer live there. This is sometimes known as ‘under occupying’.

Social housing tenants who have permanent or lifetime tenancies (also called ‘periodic’ secure or assured tenancies) cannot be made to move to a smaller home if they have spare bedrooms. An exception to this is explained later in this section. However, under occupiers often choose to move to a smaller home.

Reasons for choosing to move to a smaller home might include the following.

- Electricity and gas bills should be more affordable in a smaller home
- It will be easier to clean and look after a smaller home
- Moving to a smaller home offers a chance to move to an area you like, or to a type of home you like
- You may be able to move to an area elsewhere in London, or outside of London
- You may pay less rent for a smaller home
- If you have to pay the ‘spare room subsidy’ (sometimes called the ‘bedroom tax’) in your current home, moving to a smaller home will stop you being affected by this
- You would like to offer your home to a family who needs a stable, suitable home.

13.2 When might a tenant with spare bedrooms have to move to a smaller home?

Sometimes, the landlord can make you move from a home with spare bedrooms to a smaller home that fits your needs when you have succeeded to a tenancy.

This can happen when:

- you succeed to the tenancy (become the tenant) for the home you are living in when the tenant dies, and
- you have a secure tenancy, which is a type of social housing tenancy – usually your landlord will be the Council, but it might be a housing association if your family has lived in the home a long time, and
- you are not the spouse or civil partner of the tenant who has died, and
- the home has more bedrooms than you need.

If this happens, the landlord cannot make you move straight away, it must follow a clear legal process, and it must offer you another home that is suitable for you. It must also write to you and talk to you to explain why you are being asked to move to a smaller home.

If you have to move, you can still apply for under occupation downsizing points and you may also be given succession points too. You can find more information in **section 27 – Statutory succession – Having to move to another home.**

13.3 Why we help tenants who want to move to a smaller home

We want to help you because you have told us you would like to move to a smaller home.

It also means that we can move a family, who needs a more suitable home, into your old home. This is really important because the number of families who need a better home is far greater than the number of family-sized homes that become available.

We help tenants who choose to move to a smaller home in a number of ways. This help can include:

- giving you a very high priority for rehousing – between 1000 and 1400 points – depending on the number of bedrooms you are giving back
- sometimes giving you first choice of the homes that are available, so you can move to a home you like
- helping you move to a home that still has one spare bedroom
- rehousing adult household members who live with you to their own home when you downsize (see below for more information)
- giving you a financial (cash) incentive to move to a smaller home
- giving you advice and support if you would like to move away from Kensington and Chelsea, or away from London (for example, schemes run by other organisations)
- helping you move into your new home – for example, by providing removals. If you need it, we may also help you pack, help you find new energy suppliers, a new GP, or schools, redirect your post, and provide a handyman service when you move in.

13.4 ‘Split household’ – rehousing adult members of your family to their own home

When you move to a smaller home, we may agree to rehouse a member, or members, of your household to their own separate homes at the same time. The members of your household must be 18 or over and living with you as their main home. This is sometimes called a ‘split household’.

The total number of bedrooms in the new homes, occupied by you and your household member or members, must be less than the number of bedrooms in the home you moved out from.

For example, a couple living in a three-bedroom home with an adult daughter could move to a one-bedroom and a studio property but not two two-bedroom properties.

The 'split household' member will be given 1000 under occupation downsizing points once you have given up your existing tenancy. We may make the household member a direct offer of a suitable home.

It is important to know that members of your household will not have the right to continue to live in your old home once you have moved to your smaller home.

13.5 Giving you first choice on available homes – 'chain lettings'

If you have spare bedrooms and you are happy to move to a smaller home, we will give you first choice on a lot of the homes that become available. This might include brand new social housing homes built by the Council or by housing associations.

We may make you a direct offer of a new home to help you move to a new home.

We know that to have the chance to move to a home you really like can be important when you downsize. And we want to help as many under occupiers to downsize as possible so we can then help other families in need.

Giving under occupiers the first choice on homes helps to create chain lettings. For example, helping a tenant downsize means that we can rehouse an overcrowded family. We might then offer their home to another under occupier, whose home then goes to another overcrowded family. The final home in this chain can then be offered to a family in temporary accommodation. So, by offering the first available home to an under occupier, we have been able to move five households altogether into better homes.

You can find more information on how we use chain lettings in **Section 26**.

13.6 How is this assessed?

Kensington and Chelsea Council tenants and housing association tenants living in the Borough, who have spare bedrooms in their home, can apply to move to a smaller home.

The number of points you will be given depends on the number of bedrooms you are giving back. We work this out by working out the difference between the number of bedrooms in the home you are moving out from, and the number of bedrooms in the home or homes you and your family members are moving in to.

Example A You are living alone in a three-bedroom home. You move to a two-bedroom home, because you can have one spare bedroom in your new home. You are giving back one bedroom.

Example B You and your daughter are living in a five-bedroom home. You move to a two-bedroom home and your daughter moves to a studio. You are giving back two bedrooms.

1000 under occupation downsizing points	if you are giving back 1 bedroom
1100 under occupation downsizing points	if you are giving back 2 bedrooms
1200 under occupation downsizing points	if you are giving back 3 bedrooms
1300 under occupation downsizing points	if you are giving back 4 or more bedrooms
1000 under occupation downsizing points	if you are a split household member moving to your own separate home

We work out whether you have spare bedrooms using our 'bedroom standard' – the way we decide how many bedrooms you need based on the people living in your households. You can find more information on how we work out the number of bedrooms you need in **Section 6**.

If you are a housing association tenant who wishes to downsize to a smaller home, we may ask your landlord to confirm that it will make your home available to us after you have moved. This means that we can help a family on our Housing Register move into your old home.

13.7 Can under occupation downsizing priority be combined with any other priority?

Yes, under occupation downsizing points can be awarded along with points for the following types of housing need.

- Health and independence (but not emergency health and independence)
- Accessible home hand back
- Redevelopment of homes
- Armed Forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)
- Succession

You can also be given waiting points.

Is this a change from the old allocation scheme?

Some of our proposals are new.

Under occupying tenants wishing to downsize were given a high priority for rehousing under the old Allocation Scheme, though they were called vacating home points. This time, we are suggesting an even higher priority to help under occupiers move. We are also suggesting that the more bedrooms you are happy and able to give back, the more points you will be given. We hope this will help to free up as many homes with two or more bedrooms as possible.

Giving under occupiers the first choice on a lot of our available homes is a new suggestion. We want to encourage as many under occupiers to downsize as we can as this means that we can help other families by using chain lettings.

The number of households on our Housing Register is far greater than the number of homes that become available each year, and this has been the case for many years. Even with the new affordable homes being built in Kensington and Chelsea, the number of homes becoming available in usual ways will never equal the number of families who need a better home.

This means that we want to make the best use of the existing Council and housing association homes in the Borough. One way we can do this is by helping tenants with spare bedrooms to move to a smaller home. We do this already, but we want a new focus on chain lettings after we have helped an under occupier downsize.

For example, helping a tenant downsize means that we can rehouse an overcrowded family.

We might then offer their home to another under occupier, whose home then goes to another overcrowded family. This final home in the chain can then be offered to a family in temporary accommodation. So, by offering the first available home to an under occupier, we have been able to move five households altogether into better homes.

You will find more information on why we want to use chain lettings in **Section 26**.

What have residents told us so far?

During our early engagement residents were in favour of Council support to help under occupiers move to smaller homes to help free up family-sized homes. Further, throughout the early engagement and within our first public consultation, residents emphasised the need to provide more help to overcrowded families.

We think that by encouraging more under occupiers to downsize, partly by giving them first choice on available homes and by using chain lettings, we can increase the supply of family-sized homes within our existing social housing stock. This is important because for many years the demand for family-sized homes has been far greater than the number of suitable homes that become available. So, we want to do more to increase that supply.

14. Moving to free up a home for a resident with disabilities

Accessible home hand back	1000 points
	Rehousing Band 2

14.1 Reasons for wanting to move

Some Council and housing association homes in Kensington and Chelsea are suitable for residents with disabilities and residents with mobility difficulties. For example, the homes might be suitable for residents who use wheelchairs, or residents who find stairs difficult. They help the residents live more independent lives. These types of homes are sometimes called 'accessible homes'.

Council and housing association tenants (social housing tenants) can end up living in an accessible home even though there are no members in the household that need this kind of home. Social housing tenants who have permanent or lifetime tenancies (also called 'periodic' secure or assured tenancies) cannot be made to move from an accessible home. An exception to this is explained later in this section.

Households who live in an accessible home but do not need it may choose to move to a less accessible home.

Reasons for choosing to move might include the following.

- Moving to another home offers a chance to move to an area you like, or to a type of home you like
- You may be able to move to an area elsewhere in London, or outside of London

- Moving to another home may mean you moving to somewhere more suitable for your own household. For example, if you are overcrowded it may help you move to a larger home.
- You would like to offer your home to a resident who needs an accessible home.

We want to help households who do not need an accessible home to move to another home. This is so we can then help a resident who needs an accessible place to live, to move into your old home.

14.2 When might a tenant have to move out of an accessible home?

Sometimes, the landlord can make you move from an accessible home if you have succeeded to a tenancy.

- This can happen when the home has been specially built or adapted for a physically disabled person, and there is no one in your family who is physically disabled and needs this kind of home.

If this happens, the landlord cannot make you move straight away, it must follow a clear legal process, and it must offer you another home that is suitable for you. It must also write to you and talk to you to explain why you are being asked to move to another home.

If you have to move, you can still apply for accessible home hand back points and you may also be given succession points too. You can find more information **in section 27 – Statutory succession – Having to move to another home.**

14.3 Why we help tenants who will move out of an accessible home into another home

We want to free up accessible homes for residents with disabilities and residents with mobility difficulties. This is important because the number of households who need an accessible home is far greater than the number of accessible homes that become available.

We help tenants willing to move out of an accessible home in a number of ways. This help can include:

- giving you 1000 accessible home hand back points, a high priority for rehousing – Band 2
- giving you a financial (cash) incentive to move to another home or
- moving you to a home that is better suited to your family's needs – for example, a larger home if you are overcrowded
- giving you advice and support if you would like to move away from Kensington and Chelsea, or away from London (for example, schemes run by other organisations)
- helping you move into your new home – for example, by providing removals. If you need it, we may also help you pack, help you find new energy suppliers, a new GP, or schools, redirect your post, and provide a handyman service when you move in.

14.4 'Split household' – rehousing adult members of your family to their own home

If you move out of an accessible home into another home, we may agree to rehouse a member or members of your household to their own separate homes at the same time. The members of your household must be 18 or over and living with you as their main home. This is sometimes called a 'split household'.

The total number of bedrooms in the new homes, occupied by you and your household members, must be equal to or less than the number of bedrooms in the home you moved out from.

For example, a couple living in an accessible three-bedroom home with an adult daughter could move to a two-bedroom and a studio property but not two two-bedroom properties.

The 'split household' member will also be given

1000 accessible home hand back points once you have given up your existing tenancy. We may make the household member a direct offer of a suitable home.

It is important to know that members of your household will not have the right to continue to live in your old home once you have moved to your new home.

14.5 How is this assessed?

Kensington and Chelsea Council tenants and housing association tenants living in the Borough, who live in an accessible home they do not need, can apply to move to another home.

You will be given 1000 accessible home hand back points.

If we think the home you are living in is suitable for a resident with disabilities or a resident with mobility difficulties, you may qualify for accessible home hand back points.

There are different types of accessible homes. They might be suitable for a resident who uses a wheelchair - accessible home category A (see below) – or may simply have no steps both inside and outside of the home – accessible home Category E.

If you live in a home above the fourth floor that only has one lift, you probably won't qualify for accessible home hand back points.

If you or a member of your family need an accessible home – accessible home categories A to E – you may not qualify for accessible home hand back points simply because you also need an accessible home.

We assess how accessible a home is using the Accessible Housing Register Guidance. See the **section 28 – How we let accessible homes** for more information.

14.6 Can accessible home hand back priority be combined with any other priority?

Yes, accessible home hand back points can be awarded along with points for the following types of housing need.

- Under occupation downsizing
- Health and independence (but not emergency health and independence)
- Helping adoption and fostering
- Overcrowding
- Redevelopment of homes
- Armed Forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)
- Succession

You can also be given waiting points.

Is this a change from the old allocation scheme?

No, the old Allocation Scheme also gave a very high priority to residents who were willing to move out of an accessible home they did not need. Under the old Allocation Scheme, residents were awarded vacating homes points, and this kind of move was called a 'mobility transfer'.

We still want to free up accessible homes by helping families who do not need them move to another home. This is because the number of households who need an accessible home continues to be far greater than the number of accessible homes that become available.

What have residents told us so far?

Generally, residents did not express a strong view on accessible home hand back priority during our early engagement with them, or within our first formal public consultation. However, residents who need an accessible home told us that they want the Council to do all it can to increase the supply of the homes they need.

15. Needing to move due to health problems

Health and independence priority	900 points
	Rehousing Band 2
Emergency health and independence priority	2000 points
	Rehousing Band 1

15.1 Reasons for needing a new home

Some residents have long-term health problems that make it very difficult to continue to live in their current home. Usually, these are physical health problems including problems with mobility (e.g. using stairs), but it also includes mental health problems and learning disabilities.

Being rehoused to a more suitable home is one of several options that may help you if you are struggling in your current home due to your health problems. They are looked at in more detail below.

If we think that rehousing you to a more suitable home is the right way to help you, there are two different levels of points that we can consider. The first is a high priority called health and independence priority. The second is a very high priority called emergency health and independence priority.

15.2 When will we award health and independence priority?

We will award 900 health and independence points where:

- in the current home, disabilities or long-term health problems have a very big impact on your independence (or the independence of a family member)

and

- moving to a more suitable home is certain to increase independence in very important ways, and/or really help the use of essential facilities within the home, and/or a move is needed to receive necessary treatment and care

15.3 When will we award emergency health and independence priority?

We will award 2000 emergency health and independence points where:

- the disabilities or long-term health problems are so serious that it makes it virtually impossible for you (or a family member) to continue to live in the current home

and

- you need to move to a more suitable home so that you (or a family member) can receive appropriate support and care to safeguard health, independence and wellbeing.

Situations where the award of emergency health and independence priority are needed are very rare, usually because essential treatment and care can be provided in the existing home.

Even if you are given health and independence priority or emergency health and independence priority, you may still face a wait to be rehoused, especially if you need a particular type of home that is suited to your needs or the needs of a family member. There is a very real shortage of homes that will help residents with significant mobility problems live independent lives.

Example

A resident lives on the fifth floor in a one bedroom flat. She struggles to use stairs due to arthritis. However, there is a lift to her floor and there are no steps to enter her building or her flat, and no steps inside her flat. Her bathroom has been adapted so she can easily shower.

Although the resident has arthritis which makes it very difficult to use steps, she is living in a suitable home and therefore would not be given a priority for rehousing to another home.

We will not give you a priority for rehousing simply because you, or a household member, has health problems. We look at how your current home affects you and your independence because of your health problems. For example, how difficult it is to get in and out of your home, how difficult it is to move around inside your home, to cook and to wash yourself, or to receive the treatment and care you need inside your home.

15.4 How is this assessed?

We will consider a number of questions when deciding whether awarding a priority on health grounds is the right thing to do. These may include, but are not limited to, the following:

- What kinds of treatment, support and care are you receiving or can receive in your current home?
- Is treatment and care a better way to help you than rehousing?
- Is it possible to install equipment and adaptations in your current home, and would these help your wellbeing and independence?

- What other rehousing options are available to you, that might help you move to a more suitable home?
- If it is extremely difficult to continue living in your current home, is it possible to create a micro-environment. A micro-environment is where you or a family member is set up to live in one room of your home, usually with a bed, receiving help with daily activities and looking after yourself. You or the family member are unable to access parts or all of your home – for example – the upstairs, the bathroom or the bedroom.

We will look at independent reports and information provided by the professional staff who treat you or provide care and support to you. This includes GPs (doctors), consultants, nurses, occupational therapists, and social workers. This information must explain your health problems in full, and the treatment and support you are getting for them. Occasionally, a member of our team may decide that they need to see you in person and assess what you can and cannot do.

Usually, we will not re-assess your case unless there has been a significant change in your health and as a result the type of home you need to live in. We are unable to re-assess information you have provided already, if there has been no change in your circumstances.

15.5 Situations where we might not award a priority for rehousing due to health problems

Living in unsuitable temporary accommodation

- If you are living in temporary accommodation provided for you by this Council, and we decide that your current home is not suitable for you because of your health problems, we may not give you health and independence points straight away. This is because we have a responsibility to provide you with suitable

temporary accommodation. Finding you another, suitable, temporary home will be our priority.

- If we have not been able to offer you another, suitable, temporary home within three months (from the date we decided your current temporary accommodation was unsuitable), we will give you health and independence points to improve your chances of moving, providing you meet the criteria for health and independence points. We will still continue to look for a suitable, alternative home and can remove the health and independence points once we have found one that is available for you
- If we understand that you have to use a wheelchair indoors you will be awarded the health and independence points straight away – you will not have to wait three months.

Moving into an unsuitable home

- We may not award you health and independence priority or emergency health and independence priority if you move into a home that, from the start, was not suitable due to any family member's health problems. This might mean that you do not qualify to join our Housing Register.
- We look at these kinds of cases very carefully. For example, we will consider the reasons why you moved into an unsuitable home, and whether it might have been possible and reasonable for you to move into a more suitable home elsewhere.

Problems due to repair issues

- If the health-related problems you are facing are caused by repair issues within your current home and your home would be suitable for you otherwise, it is likely that it will be better to look at fixing the repair issues rather than look to find you another home. We can give you advice about this, as the help you can be given by the Council depends on who your landlord is.

15.6 Recommending a suitable home for you

Your disabilities or long-term health problems mean that the home you move to must be suitable for you: for example, allow you to use essential facilities at home, to be able to enter and leave your home without great difficulty, and support your independence and wellbeing. This can be true whether or not you have been given a priority for rehousing on health grounds.

When we look at reports and information, provided by the professional staff who treat you or provide care and support to you, we will also consider the type of home you need. For example, we may decide that you need a home with only a few steps, or that you need a home in which you can use a wheelchair all of the time.

We use the **Accessible Housing Register** (AHR) Guidance when we recommend a suitable home for you. More information on how we use the Accessible Housing Register, and how we target homes for residents with health and mobility problems, is found in **section 28**.

15.7 Can a priority due to health problems be combined with any other priority?

We can award emergency health and independence priority or health and independence priority to each member of your household who we decide qualifies for them. This means that a household can be awarded more than one set of points for health reasons.

Emergency health and independence priority

If you or a family member has been given emergency health and independence priority you cannot be awarded points for any other type of housing need, though you can be given waiting points.

Health and independence priority

Health and independence points can be awarded along with points for the following types of housing need.

- Under-occupation downsizing
- Wider Grenfell
- Helping adoption and fostering
- Overcrowding
- Independent living
- Redevelopment of homes
- Moving from tied accommodation
- Armed Forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)

You can also be given waiting points.

You cannot be given health and independence points and main homeless duty points or homeless points while you remain in your original home

We believe that if you have been awarded health and independence points you will have been awarded a 'reasonable preference' or priority for rehousing (**see section 8**) even if, later on, we have accepted that you are homeless.

Is this a change from the old allocation scheme?

No, the old Allocation Scheme also had two levels of priority for moving for health reasons. We are suggesting that we keep the same levels of priority for both, but we have changed 'supporting health and independence' to health and independence.

What have residents told us so far?

Residents did not express strong views on points for having to move for health reasons during our early engagement with them, or within our first formal public consultation. Broadly, there appears to be support for keeping high levels of points for having to move for health reasons.

16. Helping Council tenants from the area around Grenfell Tower move to another permanent home

Wider Grenfell priority	900 points
	Rehousing Band 2

16.1 Reasons for needing a new home

The Grenfell Tower tragedy had a very deep impact on the community and especially residents who live or lived close to the Tower. Residents of Barandon Walk, Hurstway Walk and Testerton Walks (the Walkways), Treadgold House and Bramley House, and their families, were particularly affected.

The Council introduced the Wider Grenfell Rehousing Policy in February 2018 to help council tenants who do not feel able to return to, or remain in, their home in the Walkways, Treadgold House or Bramley House. Wider Grenfell priority helps Council tenants from these homes move to another permanent social housing home.

16.2 How is this assessed?

Tenants who are living at Barandon Walk, Hurstway Walk and Testerton Walk, Treadgold House and Bramley House as their main home, and were living there as their main home at the time of the Grenfell Tower tragedy, can apply for Wider Grenfell priority. Two types of tenants may apply.

- i. Kensington and Chelsea Council secure tenants.
- ii. Tenants of temporary accommodation provided by Kensington and Chelsea Council following a homelessness application where the Council has a 'full rehousing duty' towards them.

A number of households who were tenants at the time of the tragedy are now living in temporary accommodation away from the Lancaster West Estate and Bramley House were awarded Wider Grenfell priority under the old Allocation Scheme. These tenants keep their Wider Grenfell points under this Allocation Scheme.

Although Wider Grenfell priority falls under the Allocation Scheme, it has its own policy which explains how certain rules differ from our main Scheme. You can find the **Wider Grenfell Rehousing Policy at this link – Wider Grenfell Rehousing Policy**.

We think that it is important that you should seek advice if you want to move to a new permanent home. This might be from teams within the Council such as the Lancaster West Neighbourhood Team or Housing Solutions Team, from advocates and advice agencies, from medical and healthcare professionals such as the Grenfell Health and Wellbeing Service, and, of course, from your family and friends.

We want you to feel confident that moving to a new permanent home will help you with the barriers to recovery you might be facing in your current home. We don't want you going through the disruption of moving to a new permanent home only to find you are facing the same, or new, barriers to recovery.

16.3 Can Wider Grenfell priority be combined with any other priority?

Yes, Wider Grenfell priority points can be awarded along with points for the following types of housing need.

- Health and independence (but not emergency health and independence)
- Overcrowding

You can also be given waiting points.

Is this a change from the old allocation scheme?

Yes, the old Allocation Scheme does not mention Wider Grenfell priority because the Scheme was introduced before the Grenfell Tower tragedy.

Despite this, the Wider Grenfell Rehousing Policy did fall under the old Allocation Policy. The same goes for the other Grenfell-related rehousing policies: the Grenfell Rehousing Policy, the Grenfell Settled Home Policy, and the Local Lettings Plan for the Lancaster West Estate and Bramley House.

Section 1.11 of the old Allocation Scheme, called ‘special dispensation allocations’, explained that the Council could decide to rehouse residents to social housing in ways that differed from the main rules set out in the Scheme. However, if we decided to do this, we had to publish policies and procedures that explain these different rules. This is why we published the Grenfell-related rehousing policies, including the Wider Grenfell Rehousing Policy.

Now that we plan to bring in a new Allocation Scheme, we want to include Grenfell-related rehousing policies introduced after we published the old Scheme.

What have residents told us so far?

Generally, residents did not express a strong view on Wider Grenfell priority during our early engagement with them, or within our first formal public consultation.

However, we feel it is very important to keep this priority for rehousing. The deep impact of the Grenfell Tower tragedy will be felt by our communities for a very long time. Tenants who have not wished to move away from the area around Grenfell Tower so far may, in the future, find that they want or need to. Under the separate Wider Grenfell Rehousing Policy there is no deadline by which tenants must apply, as long as they qualify for it.

17. Moving so you can foster or adopt

Helping adoption and fostering	700 points
	Rehousing Band 2

17.1 Reasons for needing a new home

We really want to encourage more opportunities for children and young people in our care to be fostered and adopted. We want to support residents from all backgrounds to help children and young people who need short-term or long-term care.

Some residents become Special Guardian for children or young people. This is when the Family Court orders that a child or young person must live with someone other than their parent(s) on a long-term basis.

You might wish to foster or adopt or become a Special Guardian for a child or young person but cannot do so because the home you live in isn't suitable. Or you may have fostered or adopted or become a Special Guardian for a child or young person, but it is difficult because your home isn't suitable.

Usually, you will need a home with more bedrooms. Sometimes you might need a more accessible home for a child or young person with disabilities.

17.2 How is this assessed?

If you need a new home because you have fostered, adopted or become a Special Guardian, you will need to be referred by our Children's Services or by an organisation the Council has contracted to deliver our fostering and adopting services.

If you need a new home due to fostering, adopting or Special Guardianship you will be given 700 Helping adoption and fostering points.

We will set a quota for the number of homes each year we will let to families with helping adoption and fostering points. You will find more information on how we use quotas in **section 9 – Quotas – letting available Council and housing association homes.**

The referral will need to explain why your current home is not suitable for you to foster, adopt or become a Special Guardian for children or young people. The referral will also provide us with information that will help us work out what kind of home you need.

You must be offering a home to a Kensington and Chelsea child or young person in our care, even if you are not a Kensington and Chelsea resident. Or, you will need to be a Kensington and Chelsea resident who has become a Special Guardian for a child or young person who may live within, or outside of, Kensington and Chelsea.

We do not expect foster children, adopted children, or children you are looking after under a Special Guardianship to share a bedroom with your own children. National guidance says that, at the very least, foster children aged over three need their own room.

17.3 Can Helping adoption and fostering priority be combined with any other priority?

Yes, helping adoption and fostering points can be awarded along with points for the following types of housing need.

- Health and independence (but not emergency health and independence)
- Accessible home hand back
- Overcrowding
- Choosing PRS
- Main homeless duty
- Homelessness
- Armed forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)

You can also be given waiting points.

Is this a change from the old allocation scheme?

There are small changes from the old Allocation Scheme. The old Scheme also gave a high priority to residents who will foster, adopt, or become a Special Guardian, or have already done so. We are suggesting that we keep the same high level of priority, but we have changed the name from 'supporting adoption and fostering' to helping adoption and fostering.

We will also set out a very clear quota for the number of homes each year we will let to families with helping adoption and fostering points. We have had a commitment to let homes to fostering and adopting residents, but we are now making this commitment more explicit and transparent.

What have residents told us so far?

Residents did not express strong views on 'supporting adoption and fostering' during our early engagement with them, or within our first formal public consultation. We think it is important to keep this type of priority for rehousing.

18. Social housing refurbishment or redevelopment

Redevelopment of homes	700 points
	Rehousing Band 2

18.1 Reasons for needing a new home

This priority covers situations where the social housing landlord has decided to demolish or refurbish existing homes meaning that the current tenants have to move to another home. Social landlords only take this decision after talking to the affected tenants.

Kensington and Chelsea Council has no plans to demolish its own homes. The only refurbishment works currently planned which would mean the current tenants have to move out are those at the Lancaster West Estate and Bramley House, and the Council works closely with the tenants there on the plans for the refurbishment programme.

However, sometimes the Council will reach an agreement with a housing association (sometimes called a Private Registered Provider) to help rehouse its tenants as part of that housing association's refurbishment or regeneration programme. This means that we will give a priority for rehousing, called redevelopment of homes priority – 700 points, Band 2 – to help housing association tenants move to another social housing tenancy.

If we rehouse a housing association tenant to another landlord, the housing association will give us a property in return to let to a household on our Housing Register.

18.2 How is this assessed?

The Council will reach an agreement with a housing association about the help it will offer to rehouse the housing association's tenants that need to move out of their existing home.

Those tenants will be contacted directly to explain how they apply to our Housing Register, and how the rehousing process will work.

We may make direct offers of a new home to households to help them move to a new home, and to help with the housing association's refurbishment or redevelopment plans.

18.3 Can redevelopment of homes priority be combined with any other priority?

Yes, redevelopment of homes points can be awarded along with points for the following types of housing need.

- Under-occupation downsizing
- Accessible home hand back
- Helping adoption and fostering
- Overcrowding
- Moving from tied accommodation
- Armed Forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)

You can also be given waiting points.

Is this a change from the old allocation scheme?

No, the old Allocation Scheme also had redevelopment of homes priority.

We suggest that we keep this because we may wish to help housing association tenants who need to move into a new social housing home because their current home is being demolished or refurbished by their landlord as part of a regeneration programme.

What have residents told us so far?

Residents did not express a strong view on redevelopment of homes priority during our early engagement with them, or within our first formal public consultation. However, within the consultation, there was support for lowering the points given for redevelopment of homes priority compared to other priority categories.

19. Needing a larger home due to overcrowding

Overcrowding	200 points
	Rehousing Band 3

19.1 Reasons for needing a new home

Many families in Kensington and Chelsea, and across London, are overcrowded, meaning that their home does not have enough bedrooms for all members of the family.

Overcrowding can cause important problems. It can affect the physical and mental health and wellbeing of family members, especially children who may not have enough space to play and study. Families from Black, Asian and other minority ethnic groups are more likely to be affected by overcrowding.

There are not enough affordable Council or housing association family-sized homes in Kensington and Chelsea. Therefore, we suggest that you think very carefully about the different options you might have to move to a larger home. This might include a mutual exchange if you are living in a Council or housing association home. Along with our partner community advice centres, we can provide you with advice about those options.

19.2 How might 'chain lettings' help you if you are overcrowded?

Not enough family-sized Council and housing association homes in Kensington and Chelsea become empty and available to let each year. Therefore, we want to make better use of homes that tenants are living in now.

One way we can do this is by helping more tenants with spare bedrooms to move to a smaller home, by giving those tenants first choice on a lot of the homes that become available. This will free up family-sized homes, increasing the number of homes that are available for overcrowded families. Using a chain lettings approach, we will sometimes offer many of the homes freed up by downsizing tenants to families with overcrowding points first.

You can find more information on how we use chain lettings in **Section 26**.

19.3 How is this assessed?

Households who lack two or more bedrooms in their current home will be given 200 overcrowding points.

We work out how many bedrooms you and your family need using our 'bedroom standard'. You can find more information about how we work out the number of bedrooms you need in **Section 6**.

Families with a child or children living in a studio property will be awarded overcrowding points.

Unfortunately, if you lack one bedroom you will not be given overcrowding points. Because there are not enough family-sized homes, we need to focus our help on families who are very overcrowded – lacking two or more bedrooms. We know that families lacking one bedroom will face real problems due to overcrowding. However, we do not have enough family-sized homes to help the most overcrowded families, so even if families lacking one bedroom did join the Housing Register, they would never be rehoused to a larger home.

We may not award you overcrowding points if you move into a home that, from the start, was lacking two or more bedrooms. This might mean that you do not qualify to join our Housing Register. We look at these cases very carefully. For example, we will consider the reasons why you moved into an overcrowded home, and whether it might have been possible and reasonable for you to move into a more suitable home elsewhere.

19.4 Can overcrowding priority be combined with any other priority?

Yes, overcrowding points can be awarded along with points for the following types of housing need.

- Health and independence (but not emergency health and independence)
- Wider Grenfell
- Helping adoption and fostering
- Accessible home hand back
- Choosing PRS
- Redevelopment of homes
- Independent living
- Armed Forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)

You can also be given waiting points.

You cannot be given overcrowding points and main homeless duty points or homeless points while you remain in your original home.

We believe that if you have been awarded overcrowding points you will have been awarded a 'reasonable preference' or priority for rehousing (see **section 8**) even if, later on, we have accepted that you are homeless.

Is this a change from the old allocation scheme?

No, we assessed overcrowding in the same way under the old Allocation Scheme. Like the old Scheme, families will be lacking at least two bedrooms in their home before they can qualify for overcrowding points.

See section 5 for more information on who can be included, and who cannot be included, in your family.

The Council is looking at ways to increase the number of family-sized homes. For example, we are building larger homes in our New Build Programme and our Planning policies encourage the building of new, affordable family-sized homes.

Our proposals for the Allocation Scheme include a focus on freeing-up family sized homes by encouraging tenants with spare bedrooms to move to a smaller home. Using a chain lettings approach, we plan to offer many of these homes first to families with overcrowding points.

You will find more information on why we want to use chain lettings in Section 26.

What have residents told us so far?

The issue of overcrowding came up again and again during our early engagement with residents and was an important issue during the first public consultation.

Residents told us that they wanted to see:

- an increase in the points given for overcrowding
- a relatively higher priority for overcrowded households with children

- help to reduce overcrowding by rehousing adult family members into their own separate homes
- a lowering of the age at which two brothers or two sisters are expected to share a bedroom – under the old Allocation Scheme we expected siblings of the same sex to share until the eldest reaches the age of 21
- family members aged 21 and over counted as part of the family.

Residents told us that the need to lack two bedrooms or more to qualify for the Housing Register, and not counting family members aged 21 or over, meant that the real levels of overcrowding in the Borough was not recognised on the Housing Register. We accept that this is true.

Residents also told us that not allowing families lacking one bedroom to join the Housing Register, due to overcrowding, left such families feeling forgotten – they felt that the Council did not care about them.

We understand why families lacking one bedroom may feel like this. Unfortunately, there are simply not enough family-sized homes to help all families that need a larger home. All overcrowded families experience problems due to the lack of space. However, we take the view that the most overcrowded families – those lacking two or more bedrooms – experience greater problems. Therefore, we should focus on letting the limited supply of family-sized homes to those families in greatest need.

If we did allow families lacking one bedroom to join the Housing Register, we would have a more accurate picture of the level of overcrowding in Kensington and Chelsea. However, families lacking one bedroom would never be rehoused to a larger home through the Housing Register, so joining the Register would not improve their situation.

We looked at proposals to give a higher priority to overcrowded families with children compared to overcrowded households only with adult family members. This is an important issue, because overcrowding usually has a bigger impact upon families with children. We decided not to go ahead with this proposal as residents and advocates have told us they do not want a complicated Housing Allocation Scheme. Having many different levels of priority for similar circumstances can make a rehousing policy more difficult to understand and trust.

The gap between the demand and supply for larger homes is bigger than the gap for studio and one-bedroom homes. However, the demand for smaller homes is still far greater than the supply. Studio and one-bedroom homes are extremely important for rehousing Care Leavers, vulnerable homeless households in temporary or supported accommodation (single people and couples), and of course, tenants with spare bedrooms who free up family-sized homes.

This is why we think it is not possible, at this point in time, to look at ways of rehousing adult family members, living in overcrowded conditions, into their own homes.

Lastly, we are suggesting that the age at which siblings of the same sex can share should remain at 21. We know that Universal Credit and Housing Benefit rules allow family members (who are not spouses or partners) to have their own room at 16. Sometimes, landlords will allow family members to have their own room at 18. However, we are worried about steps that put even greater pressure on larger family-sized homes.

We are also following the Government's bedroom standard by expecting two brothers or two sisters to share a bedroom between the ages of 10 and 20. This can be found in the Allocation of accommodation: guidance for local housing authorities in England (June 2012). You can find this guidance at this link – **[Allocation of accommodation guidance](#)**.

20. Support if you are homeless or worried about becoming homeless

Main duty homeless	100 points
	Rehousing Band 3
Choosing Private Rented Sector	200 points
	Rehousing Band 3
Homelessness	10 points
	Rehousing Band 4

There are three ways that we can provide rehousing points if you are at risk of becoming homeless, are homeless, or have been homeless. Later in this section we explain all three.

20.1 Becoming homeless

Losing your home or finding you have nowhere to live is very difficult and stressful. It can greatly upset your life and that of your family. Finding a new place to live that you can afford can be very hard, especially in London. The costs of housing in Kensington and Chelsea are the most expensive in the country.

20.2 If you are homeless or worried about becoming homeless, you should contact us as soon as you can.

We will work with you to do all we can to stop you becoming homeless in the first place. If it is not possible to prevent your homelessness, we will help you try to find somewhere else to live.

There are three main points in time when we can try to help you.

1. When you think you might become homeless, but you are not homeless yet.

The Council has a legal responsibility to help you if you are at risk of becoming homeless within 56 days (8 weeks). Often working with our partners in the community and across the Council, we will try to prevent you from becoming homeless. The earlier we can help you, the more chance of success.

This is called the '**prevent**' stage of homelessness.

2. When you have become homeless.

The Council has a legal responsibility to help you find a new place to live if you have become homeless. This includes helping you find a suitable home you can afford in the private rented sector or 'PRS' – a rented home with a private landlord. We have 56 days (8 weeks) to try to relieve your homeless – in other words, to help you find you somewhere new to live.

If you have nowhere to live, we may offer you temporary accommodation. We do not offer every homeless resident temporary accommodation, so it is important that you are given more information about this.

This is called the '**relief**' stage of homelessness.

3. When it has not been possible to stop you becoming homeless or to find you a new place to live after you become homeless.

If it has not been possible to stop you from becoming homeless, or a new place to live that is suitable and affordable has not become available, the Council may still have an ongoing legal responsibility to rehouse you. Usually by this point in time we will have given you temporary accommodation.

This can be called the ‘main homelessness duty’, ‘main rehousing duty’, or simply the ‘main duty’.

This is only a very brief summary of the ways we can help you if you are homeless or think you might become homeless. It is very important that you have all the information you need to make choices for you and your family.

Please visit the Council’s website or contact us at HousingSolutions@rbkc.gov.uk or on 0207 361 3008 for more information about help with homelessness. You can also get advice from community advice centres, who we work with to help you.

20.3 Temporary accommodation

If it isn’t possible to prevent or relieve your homelessness, we may give you temporary accommodation. We do not have a legal responsibility to give every homeless household temporary accommodation, so you should be given more information about this.

Sometimes, we will offer you temporary accommodation while we decide if we have a ‘main homelessness duty’ to rehouse you.

Temporary accommodation is a place to live until you move to a settled home in the private rented sector, or to a Council or housing association home. However, in most cases, temporary accommodation is not short-term.

Families find they can spend many years in temporary accommodation, often a long way from Kensington and Chelsea, waiting for a settled home. This is because the number of households on our Housing Register who need a better home is far greater than the number of Council and housing association homes that become available each year. This is especially the case for family-sized homes.

Please note – even if we have a ‘main duty’ to rehouse you and/or you are living in temporary accommodation, there is no

guarantee you will be rehoused to a council or housing association home. We can offer you a suitable and affordable home in the private rented sector (PRS) instead. This is sometimes called a ‘Private Rented Sector Offer’. If we offer you a suitable and affordable PRS home, this will end our legal responsibility to rehouse you – even if you refuse it. It will also mean you will have to move out of your temporary accommodation. Is it very important that you get more information and advice about this, whether it is from the Council or from an independent organisation such as an advice centre or a solicitor.

20.4 Rehousing points if we have a ‘main homeless duty’ to help you – 100 points

If it has not been possible to prevent your homelessness, and an alternative suitable home has not been available to relieve your homelessness, we may agree or accept that we have a ‘main homelessness’ duty to rehouse you.

20.5 How is this assessed?

If you are homeless or believe you might become homeless, the Council will make a decision about the legal responsibilities we have to help you. See the section on the prevent duty, relief duty, and main homelessness duty earlier in this section.

If we have agreed that we have a ‘main homelessness duty’ to rehouse you, we will give you 100 main homeless duty points for rehousing through our Housing Register.

If you have been given main homeless duty points it is very likely you will be living in temporary accommodation, waiting to be rehoused to a settled home of your own.

20.6 Choosing a home in the private rented sector instead of temporary accommodation – 200 points

If you are homeless, the Council may have a legal responsibility to provide you with temporary accommodation. However, you can choose to move into a private rented sector (PRS) home instead.

20.7 Reasons for choosing a private rented sector home instead of temporary accommodation

If you are living in or will be offered temporary accommodation, you can choose to move to rent a home in the private rented sector (PRS) instead. Reasons you may choose to do this include the following.

- You will be given a higher priority on our Housing Register for rehousing to a Council or housing association home than if you choose to stay in temporary accommodation.

If you move to a PRS home, you will be given 200 choosing PRS points.

If you decide to stay in temporary accommodation, you will be given 100 main homeless duty points.

- You will have more choice about where you live.

All councils in London, including Kensington and Chelsea Council, find it very difficult to find temporary accommodation for homeless households. This is why most of the temporary accommodation we offer families is outside the Borough, elsewhere in London and sometimes outside London. It is also why we cannot offer you choice about where your temporary accommodation will be.

Because private sector homes to rent in Kensington and Chelsea (and in much of London) are very expensive, if you choose to move to a PRS home it is likely to be outside

of the Borough. However, you will still have more choice than if you stay in temporary accommodation.

- Living in a PRS home is likely to give you more stability and certainty than living in temporary accommodation.

Like other councils, we rent nearly all our temporary accommodation from private landlords. This means we cannot guarantee that a home will remain available for use as temporary accommodation – the landlord can ask us to hand the home back, meaning the family living in it must move. If you move to a PRS home, your tenancy agreement (an assured shorthold tenancy) will be for at least six months, usually for one year, and sometimes longer. Just because your tenancy agreement is for this fixed amount of time, it does not mean you will have to move out at the end of it. Most tenants in PRS homes are given a new tenancy when the old one ends, so you can continue living there.

- We may help you with the costs of moving to a PRS home.

For example, we might help you pay the deposit and several weeks rent in advance, and we might help you with removals.

20.8 How do I find a home in the private rented sector?

You can look for an available PRS home yourself. This is likely to give you more choice about where you would like to live. We can give you advice about looking for a private rented home, including making sure that you can afford it.

Or, we can look for a home for you and let you know when we have found a home that is suitable and affordable.

20.9 How is this assessed?

You will be able to choose to move into a PRS home if:

- a. we have agreed that we have a 'main duty' to rehouse you and you are already living in temporary accommodation

or

- b. we have agreed that we will help you to find another home under the 'relief of homelessness' legal duty, and either you are already living in temporary accommodation, or we have agreed that we should provide it to you.

When you move to a PRS home you will be given 200 choosing PRS points. This is higher than the 100 main homeless duty points you will have if you move into or stay in temporary accommodation. You will be awarded the choosing PRS points once you have signed the tenancy for PRS home, and moved into that home, and completely moved out of temporary accommodation.

If you have not chosen to move to a PRS home, we may offer you a suitable and affordable PRS home anyway because we have a responsibility to rehouse you. This is known as a Private Rented Sector Offer or Final Accommodation Offer. If you move to a PRS home following a Private Rented Sector Offer or Final Accommodation Offer you will not be given choosing PRS points. You can only receive choosing PRS priority if you choose to move to a PRS home.

20.10 Being homeless (but the Council does not have a main homelessness duty) – 10 points

Because of the way homelessness is assessed by councils, which is set out in laws, we do not accept a main homelessness duty for every household that becomes homeless.

However, you can be given homelessness points if you are homeless. The meaning of 'being homeless' is explained in law – 1996 Housing Act, Part VII.

In simple terms, it means that you do not have somewhere to live, in the UK or outside of the UK, that you have a right to live in and that is available and suitable for you, and your family if you have one.

20.11 How is this assessed?

If you have the legal right to make a homeless application to the Council, you are homeless (according to the law), but we do not have a main homelessness duty to help you, you can be given 10 homelessness points.

20.12 When family members have a different immigration status to you – ‘restricted cases’

This section deals with ‘restricted cases’.

Your immigration status in the UK can affect the type of help the Council can offer you. You will find more information about immigration status in Appendix Four.

A person who we cannot directly help with housing due to their immigration status is called an ‘ineligible person’, or ‘not eligible’. To put it simply, a person is not eligible if:

- they do not have the right to enter or remain in the UK

or

- they do have the right to enter or remain in the UK, but they cannot claim public funds – for example, the person cannot claim welfare benefits or apply to a council for help with housing.

The help you can get from the Council if you are homeless is limited if:

- i. you can live in the UK and have access to public funds, and
- ii. we would have had a main homelessness duty to help you because of a member or members of your family BUT they are not eligible.

This is called a ‘restricted case’ and the ineligible person is a ‘restricted person’. If you are a restricted case, the law says that we cannot give you any points because you are homeless. This means we cannot give you main duty homeless points, choosing PRS points, or homelessness points.

Usually, if you are homeless and a restricted case, we will offer you a home in the private rented sector.

20.13 Can the three types of homeless points be combined with any other priority?

This section looks at situations when main homeless duty points, choosing PRS points or homelessness points can be combined with other points.

20.14 Main duty homeless

Yes, main homeless duty points can be awarded along with points for the following types of housing need:

- Helping adoption and fostering (in some circumstances)
- Armed Forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)

You can also be given waiting points.

You cannot be given main homeless duty points and health and independence points or overcrowding points while you remain in your original home - in other words, you have not been offered and moved into temporary accommodation or another form of settled accommodation that ends your homelessness.

We believe that if you have been awarded health and independence points or overcrowding points you will have been awarded a ‘reasonable preference’ or priority for rehousing (see **section 8**) even if, later, we have accepted that you are homeless.

If you are living in temporary accommodation provided for you by this Council, and we decide that your current home is not suitable for you because of your health problems, we may not give you health and independence points straight away. This is because we have a responsibility to provide you with suitable

temporary accommodation. Finding you another, suitable, temporary home will be our priority.

If we have not been able to offer you another, suitable, temporary home within three months (from the date we decided your current temporary accommodation was unsuitable), we will give you health and independence points to improve your chances of moving, providing you meet the criteria for health and independence points. We will still continue to look for a suitable, alternative home and can remove the health and independence points once we have found one that is available for you

If we understand that you have to use a wheelchair indoors you will be awarded the health and independence points straight away – you will not have to wait three months.

20.15 Choosing PRS

Yes, choosing PRS points can be awarded along with points for the following types of housing need.

- Health and independence (but not emergency health and independence)
- Helping adoption and fostering
- Overcrowding
- Armed Forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)

You can also be given waiting points.

Apart from Armed Forces points, there would have to be a change in your circumstances before any other points for rehousing could be awarded. This is because your PRS home will be suitable for you when you move into it – for example, you will not be overcrowded, and any health or medical needs you have will not be affected by your home.

20.16 Homelessness

Yes, homeless points can be awarded along with points for the following types of housing need.

- Armed Forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)
- Independent living points

You can also be given waiting points.

Is this a change from the old allocation scheme?

Choosing PRS priority is a brand new category of points.

The old Allocation Scheme had two types of priority for homeless households. One was 'main duty' priority, equal to 100 points. You were given main duty points if we had agreed that we had a 'main homelessness duty' to rehouse you. Usually, households with main duty points are living in temporary accommodation provided by the Council.

The second was 'homeless' priority, equal to 10 points. You were given homeless points if you were homeless, but the Council did not have a main homelessness duty to rehouse you. If we had a legal responsibility to help you because you were homeless (the 1996 Housing Act explains the meaning of homelessness) you could be awarded the 10 homeless points.

The old Allocation Scheme also had the same rules about homeless 'restricted cases'. These rules are set out in law – 1996 Housing Act, as amended.

We are suggesting that the new Allocation Scheme keeps the 100 homelessness main duty points and the 10 homeless points, while also introducing the new category of 200 choosing PRS points.

What have residents told us so far?

Residents living in temporary accommodation told us that they want a much higher priority for rehousing. This is understandable, especially as many families have spent a long time in temporary accommodation waiting to be rehoused. On average homeless households had waited longer to be rehoused than other register applicants during the 2021-2022 financial year:

Average Waiting Times 2021-22	Number of Bedrooms					
	Studio	1	2	3	4	Total
Homeless	2 Years 4 Months	3 Years 2 Months	6 Years 1 Month	11 Years 1 Month	10 Years 6 Months	5 Years 2 Months
Housing Need	3 Years 2 Months	3 Years 5 Months	2 Years 7 Months	2 Years 2 Months	5 Years 8 Months	3 Years 2 Months
Total	2 Years 10 Months	3 Years 4 Months	4 Years 7 Months	7 Years 4 Months	8 Years 9 Months	4 Years 11 Months

Residents on our Housing Register who are not homeless and in temporary accommodation – for example, overcrowded families or residents who need to move for health reasons – did not

share this view. They felt that the Council rehoused more homeless families and, as a result, they did not have as many opportunities to move to a better home. The rehousing figures for 2021-22 show this:

Rehousing by need totals 2021/22:	Category	Lettings
	Homeless in TA	168
	Exceptional Priority	11
	Emergency Health	5
	Risk of Harm	17
	Wider Grenfell	8
	Supporting Health	38
	Under Occupying	22
	Overcrowding	21
	Move On Priority	80
	Other	39

We want to reduce the number of households living in temporary accommodation for two main reasons.

Firstly, while temporary accommodation offers a very important safety net for households who are made homeless, it is not a good option over the longer term. This is especially the case for families with children. Despite the long waiting time many families spend in temporary accommodation, it is a very uncertain form of housing. It can be difficult to plan and rebuild lives after becoming homelessness.

Many reports by independent organisations (e.g. Shelter) point to the difficulties of living in temporary accommodation for a long time.

We know and understand that many families in temporary accommodation want the security and the stability of a permanent council or housing association home. Unfortunately, the number of households on our Housing Register is far greater than the number of homes that become available each year, and this has been the case for many years.

Even with the new affordable homes being built in Kensington and Chelsea and the Council's focus on maximising affordable homes in the Borough, the number of homes becoming available will never equal the number of families who need a better home.

We understand that residents may be worried about the cost and shorter-term tenancy agreements found in private sector housing. But because there are not and will not be enough Council and housing association homes for everyone that needs a better home, both the Council and our residents must rely on the private rented sector for rehousing.

The introduction of additional priority for homeless households to choose to move to the private rented sector rather than stay in temporary accommodation could result in better outcomes for those families, with a sense of agency and greater choice in where they live whilst they wait for social housing.

Choosing to move into private rented accommodation will give residents more choice and empower them to make informed decisions about the location of their next home. Given the significance and impact that housing has on residents' lives, it is important, where possible, that residents have an active role in choosing their next home, one that meets not only their assessed needs but preferences also.

This is because one of the main disadvantages of the Council placing residents in temporary accommodation is the lack of flexibility with the area because the main focus is to house residents in a property that meets the assessed needs. This can result in residents being placed in an area they are unfamiliar with, far away from family/friends or an area they do not particularly like.

In addition, temporary accommodation is costly and even though the Council has a duty to provide suitable accommodation, this is not an ideal option for the reasons set out earlier. If we increase the usage of temporary accommodation, it may mean having to cut back on vital services we offer to vulnerable residents, both within the Housing Needs department and in other Council services.

By encouraging families to move into PRS homes while keeping a priority for rehousing on our Housing Register, we can reduce our spend on temporary accommodation and families will have more control and choice over their lives.

21. Moving on from support into independent living

Independent living	100 points
	Rehousing Band 3

21.1 Reasons for needing a new home

Some of our residents are given help and support to live independently, or to work towards living independently so they can live their best lives. Often, residents will be given specialist housing – called supported housing – which provides support or care. Sometimes they may have their own place to live or be living with family.

Examples of residents living in supported housing and/or receiving support include the following.

- Former rough sleepers
- Care leavers
- Residents with a learning disability or autism
- Residents with mental ill health
- Residents (and their families) fleeing domestic abuse
- Pregnant residents or residents with babies who benefit from support
- Residents recovering from a drug or alcohol dependence
- Ex-offenders released from prison

Not everyone living in supported housing will need to be rehoused to a Council or housing association home. Most residents in supported housing will be able to move into their own home in the private rented sector and will receive help to do so.

However, some residents will struggle to manage a private rented home or to live completely independently. They will need the stability and safety of a Council or housing association home.

21.2 How is this assessed?

You will be awarded 100 independent living points if:

you are ready to move out of supported housing or another form of support to live independently

and

you have vulnerabilities and needs that mean you would find it very difficult to manage a private rented tenancy and stay independent

or

you are living in one of our ‘working hostels’ and you have been in paid work averaging 16 hours or more per week for six months or more.

If you have vulnerabilities or needs it usually means the Council has a legal responsibility or duty to help you – for example, under the Children Act, Care Act, mental health law or homelessness law.

You must have been given supported housing or care by Kensington and Chelsea Council, or this Council must have arranged and paid for your supported housing and care.

Before being given independent living points we will need assessments and reports from other Council departments and/or the organisations that are supporting you. The reports must explain what kind of help and support you need, any health problems that you have, and explain why you are now ready to live independently. You should agree to receiving help and support after you move to your own home if this is recommended for you.

There is no guarantee you will be given independent living points. We will need to decide whether you need a Council or housing

association home and whether you are ready to live independently.

Sometimes a resident who was ready to move out of supported housing and live independently has a setback – there is a change to their health or their situation – which means they are not ready to move to a new home. If this happens to you, we will suspend or ‘freeze’ your Housing Register application until you have recovered and you are ready again to move on. You will not lose any priority or points for rehousing.

We will set a quota for the number of homes each year we will let to residents with independent living points – called special rehousing pathways. Specifically, we will also set out the number of homes we will let each year to ‘special rehousing pathways’ – residents with particular needs – which can include care leavers, adults with learning disabilities or autism, and former rough sleepers. You will find more information on how we use quotas in **section 9 – Quotas – letting available Council and housing association homes.**

21.3 Can independent living priority be combined with any other priority?

Yes, independent living points can be awarded along with points for the following types of housing need.

- Health and independence (but not emergency health and independence)
- Overcrowding
- Homelessness
- Armed forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)

You can also be given waiting points.

Is this a change from the old allocation scheme?

There is one small change from the old Allocation Scheme.

The old Scheme gave a priority to residents who were ready to move out of supported housing, or another form of care, and who needed the stability and safety of a Council or housing association home. We are suggesting that we keep the same level of priority, but we have changed the name from ‘move-on priority’ to independent living.

We will also set out a very clear quota for the number of homes each year we will let to residents with independent living points, and we will set out the number of homes we will let to residents with certain needs, such as care leavers, adults with learning disabilities or autism, and former rough sleepers. We rehoused residents from these communities under the old Scheme but we are now making this commitment more explicit and transparent.

What have residents told us so far?

Generally, residents did not express strong views on ‘move-on priority’ during our early engagement with them, or within our first formal public consultation. However, adults with learning disabilities or autism, and their families, wanted a much clearer route to rehousing and a more transparent process, which we agreed was a very good idea.

22. Needing to live in Kensington and Chelsea

K&C priority	10 points
	Rehousing Band 4

22.1 Reasons for needing a new home

You may have a particular reason for needing to move to Kensington and Chelsea, or a part of the Borough, and because you live somewhere else it causes you or someone else real hardship or difficulty.

There are two main ways we can look at the problems you face because you are not living in Kensington and Chelsea, when deciding if you should be given K&C priority points.

22.2 The 'Right to Move'

Government regulations or rules say that a Council or housing association tenant can apply to move to Kensington and Chelsea if they have a paid long-term main job in the Borough and they would not be able to start or stay in that job if they didn't move here. This is called the 'Right to Move'. You will find more information on the Right to Move in Appendix Three.

We will make available a number of Council or housing associations homes each year for people who we agree have the 'Right to Move'. This number of homes will be equal to 1% of all the Council and housing associations lettings we made the previous year. It is likely that we will let a home to a person with the Right to Move using a direct offer.

22.3 Other essential reasons for needing to live in the Borough

We will look at other extremely important reasons you need to live in Kensington and Chelsea or in a part of the Borough, and because you do not live in the Borough, it is causing real hardship. For example:

- you might need to live in the Borough because only you can provide necessary care to another person, or another person is the only one who can provide necessary care for you, and that other person lives in Kensington and Chelsea
- you need extremely important medical care or treatment that is only available in Kensington and Chelsea and you must live here to receive that care.

It is very unusual to be given K&C priority points for reasons that include the following:

- Kensington and Chelsea is the second smallest district in London (only the City of London is smaller), and there are very good public transport links into, out of, and within the Borough. If you are already living in the Borough, if not within London, it is not difficult to travel.
- Almost all types of medical treatment are provided all over the country, and certainly in London, and it is extremely unlikely that you would need to live close by to receive treatment.
- If we give you temporary accommodation, we look at whether you should live in or close to Kensington and Chelsea. Therefore, we will give you local temporary accommodation if we think you need it. We have a separate policy for this which we can show you.

22.4 How is this assessed?

If you live elsewhere in the country and you tell us you need to move to Kensington and Chelsea under the 'Right to Move' rules, we will look at the number of questions before deciding whether you should be given 10 K&C priority points.

Who is your landlord?	You will need to be a Council or housing association tenant.
Where do you live now?	We will need to agree that where you live now means that you cannot start or stay in your job. For example, we will look at whether it is reasonable to travel to and from your work, and whether you can reasonably afford to travel.
Where is your job?	Is it in Kensington and Chelsea, and do you need to live in Kensington and Chelsea to do the job? Are there similar jobs close to where you live?
Is it paid work?	Do you get paid for the job, and do you usually work for at least 16 hours a week?
Is it long-term work?	Usually, we will NOT consider a job that will last for less than 12 months to be long-term.

22.5 How is this assessed?

If you live elsewhere in the country and you tell us you need to move to Kensington and Chelsea under the 'Right to Move' rules, we will look at the number of questions before deciding whether you should be given 10 K&C priority points.

If you need to move to Kensington and Chelsea for another reason, we will look at a number of questions that include the following before deciding whether you should be given 10 K&C priority points.

- Is it essential that you live in Kensington and Chelsea to avoid hardship? For example, is the medical treatment you need also available closer to where you live, or are there other reasonable care arrangements?
- Is it reasonable for you to travel from where you live now in terms of availability of transport, time, distance and/or cost?
- How often do you need to be in Kensington and Chelsea?

22.6 Can K&C priority be combined with any other priority?

If you have been given K&C priority points because you have the Right to Move, you cannot be awarded points for any other type of housing need except Armed forces points, though you can be given waiting points.

If you have been given K&C priority points because of another reason, you can also be given points for the following types of housing need.

- Health and independence (but not emergency health and independence)
- Overcrowding
- Armed forces
- Paid work (if you had them before this Allocation Scheme was introduced)

You can also be given waiting points.

Is this a change from the old allocation scheme?

No, the old Allocation Scheme also gave a priority to residents who needed to move to Kensington and Chelsea for an essential reason, and who were experiencing hardship because they were living somewhere else. We are suggesting that we keep the same level of priority but we have changed the name from 'locality hardship' to K&C priority.

What have residents told us so far?

Residents did not express strong views on 'locality hardship' during our early engagement with them, or within our first formal public consultation. However, there were discussions about why so much of our temporary accommodation was outside of Kensington and Chelsea. The main reasons for this are that it is extremely difficult to find homes that can be used for temporary accommodation within the Borough, and that even if homes might be found they can be extremely expensive, and the Council simply does not have the financial resources (money) to lease very expensive homes for use as temporary accommodation.

23. Waiting to be rehoused – points for each year on the housing register

Waiting points	10 points awarded each year
	Additional priority category

23.1 Higher points for each year on the Housing Register

Waiting points are awarded to each household on the Housing Register to reflect the length of time each household has waited to be rehoused to a better home.

Therefore, the longer a household has waited on the Register, the more points they will have.

23.2 How is this assessed?

10 waiting points will be awarded each year a rehousing application remains open on our Housing Register.

The points will be awarded on the anniversary of the day you joined our Housing Register.

The waiting points will be added to your rehousing application on top of your main points award.

Here is an example of how waiting points work.

A homeless family joined our Housing Register on 1 October 2019 after the Council agreed that it has a 'main homelessness' responsibility or duty to rehouse the family. The family has been given 100 main homeless duty points.

On 2 October 2023, the family will have 40 waiting points, as well as the 100 main homeless duty points, making a total of 140 points. This is because the family were awarded 10 waiting points on 1 October 2020, 2021, 2022 and 2023.

For some households being rehoused under a special rehousing policy (see section 7) the date they joined our Housing Register will be different to the priority date for their application. This is why the date that waiting points are added is not based on your priority date. You will find more information on priority dates in **section 29 – How we let available homes.**

Is this a change from the old allocation scheme?

Yes, this is a new additional points category.

The time a household spent on our Housing Register was recognised under the old Allocation Scheme because of their priority date, usually the date they joined the Register.

The priority date would be used if two or more households with the same number of points were interested in the same available home. Because we need to offer the home to the household with the highest priority, but the households had the same points, we would put them in priority date order and offer the home to the household with the oldest priority date.

We are suggesting that we use waiting points so that a household's priority for rehousing, and their position on our Housing Register, more clearly reflects how long they have been waiting for a better home – the longer they have waited, the more points they will have.

What have residents told us so far?

During our early engagement residents told us very clearly that the longer residents waited on the Housing Register, the higher priority they should have. In other words, they wanted the time spent on the Housing Register (in unsuitable housing) to be recognised.

Residents we spoke to understood how the priority dates work – that when two or more households with the same number of points are interested in the same available Council or housing association home, the households with the earlier (older) priority date would be offered the home first.

However, they felt that priority dates were not transparent enough and that they only helped in cases where more than one household has the same number of points. More importantly residents felt that being given waiting points would give them a higher relative priority on the Housing Register as a whole and would be a more visible and direct way of showing how long they had waited for a more suitable home.

24. Armed forces personnel

Armed Forces points	50 points
	Additional priority category

24.1 Extra priority for Armed Forces experience

If you or a family member are serving in, or used to serve in, the Royal Navy, Royal Air Force, the British Army, or Reserve Armed Forces, you may be given an extra priority for rehousing.

You will need to have been given points for one of the main types of housing need before you are provided with Armed Forces points.

Government regulations or rules set out how we should help Armed Forces personnel with applications for council and housing association homes. You can find those regulations here: [Government social housing allocations guidance](#).

24.2 How is this assessed?

You do not need to be a local resident.

Usually, to join our Housing Register, you must have lived in Kensington and Chelsea for at least the last three years without a break. However, this is ignored if you fit into one of the following groups:

- a. You are currently serving in the Regular Armed Forces or you were serving in the Regular Forces at any time in the 5 years before your application to our Housing Register.
- b. You are a bereaved spouse or civil partner of someone who served in the Regular Forces where (i) you cannot continue to live in Ministry of Defence accommodation following the death of your Service spouse or civil partner, and (ii) the death was wholly or partly due to your partner's service.

- c. You are a serving or former member of the Reserve Armed Forces who is suffering from a serious injury, illness or disability which is wholly or partly due to your service.
- d. You are a divorced or separated spouse or civil partner of someone serving in the Regular Forces and, because you are divorcing or separating, you need to move out of Ministry of Defence accommodation.

24.3 How you are awarded the extra Armed Forces points

You will need to have been given points for one of the main types of housing need before you are provided with Armed Forces points.

You can then be given 50 extra Armed Forces points if:

- you are a former member of the Regular Armed Forces, or
- you are a serving member of the Regular Armed Forces, and you are suffering from a serious injury, illness or disability which is wholly or partly due to your service, or
- you are a serving or former member of the Reserve Armed Forces, and you are suffering from a serious injury, illness or disability which is wholly or partly due to your service, or
- you are a divorced or separated spouse or civil partner of someone serving in the Regular Forces and, because you are divorcing or separating, you need to move out of Ministry of Defence accommodation, or
- you are a bereaved spouse or civil partner of someone serving in the Regular Forces where (i) you cannot continue to live in Ministry of Defence accommodation following the death of your Service spouse or civil partner, and (ii) the death was wholly or partly due to your partner's service.

Is this a change from the old allocation scheme?

No, the old Allocation Scheme also gave extra points for people who are serving or used to serve in the Armed Forces, or spouses or civil partners of serving personnel.

Government regulations set out how we should support applications for social housing from Armed Forces personnel or their families. The regulations can be found here: **Government social housing allocations guidance**.

We suggest that we keep the same number of points for Armed Forces priority.

What have residents told us so far?

Residents did not express a strong view on Armed Forces priority during our early engagement with them, or within our first formal public consultation.

25. Additional points if you are working

Paid work	50 points
	Additional points on top of your main housing need

25.1 We do not offer paid work points to new Housing Register applications

If you apply to join our Housing Register after this Housing Allocation Scheme is introduced, you cannot be given paid work points. We are no longer giving this type of priority for rehousing.

Households on our Housing Register before the Scheme was introduced and who were given paid work points will keep them. This includes residents on maternity or paternity leave who will be returning to work. However, if you are no longer working, you will lose your paid work points and will not be able to apply for them again.

25.2 What are paid work points?

If you or a family member is getting paid for work, you can be given 50 extra points.

25.3 How is this assessed?

You will need to have been given points for one of the main types of housing need before you were given paid work points.

The points can only be awarded once to any Housing Register application. This means that if more than one family member is in paid work, you cannot be awarded more than 50 paid work points.

You or the family member on your Housing Register application must:

- have paid work points already, having been given them under the 2017 revised Housing Allocation Scheme
- be in paid work
- have been working for at least six months
- be working at least 16 hours every week, on average, in a paid job or jobs
- be earning pay that, on average, is equal to or above the National Minimum Wage.

If you or your family member stop working, you will lose your paid work points. If you or your family member start paid work again you cannot be given paid work points. This is because we are no longer awarding points for this type of category.

You will need to give us proof that you are working. This will include proof of how long you have been working, how much pay you earn, and the hours that you work. If you are self-employed, you will still need to give us proof – for example, the type of information you give when you declare your earnings to HM Revenue and Customs.

Is this a change from the old allocation scheme?

Yes. We are suggesting that we will no longer award additional points because you or a family member is working.

However, we are also suggesting that if you already have paid work points, you will keep them under the new Allocation Scheme.

We are suggesting that we keep the same level of priority for paid work points.

What have residents told us so far?

Resident feedback was split on the issue of paid work points. Some residents wanted us to keep them, while others wanted us to end them.

We are suggesting that we no longer award paid work points, except that households who already have them can keep them while a member of the household continues working.

Analysis of the impact of the Covid 19 pandemic on paid work showed that some parts of our community were more affected by others. Members of our community who are Black, Asian or Minority or Multiple Ethnic were more likely to have lost employment and/or pay, especially if they were female. We are also aware that some members of our community face more barriers to getting paid work – for example, residents with disabilities or autism, or parents who cannot find affordable childcare. Because some members of our communities will find it more difficult to find or to keep paid work, we do not think it is fair to use it to give a higher priority for rehousing over the long-term. However, because a large number of households already have paid work points, we feel it is fair that they keep them under the new Allocation Scheme.

26. Chain lettings – trying to increase the number of available homes

26.1 What are chain lettings?

Chain lettings, sometimes called ‘vacancy chains’ are a way of using homes that become available, when existing council and housing association tenants move, to rehouse more families into a suitable home.

Rather than simply advertise a home that has become available to everyone on the Housing Register, adverts and lettings can be targeted to households with a particular housing need. In this way, we can try to make better use of the Council and housing association homes we have in the Borough to rehouse more households into a more suitable home.

Step 1	A two-bedroom Council home becomes available. The Council could either advertise this home to anyone on the Housing Register or target it to a Council or housing association tenant with spare bedrooms – an ‘under occupier’.
Step 2	The available two-bedroom home is made available to under occupiers only. An under occupier moves into the two-bedroom home and moves out of a three – bedroom Council home.
Step 3	The Council could either advertise this home to anyone on the Housing Register or target it to an overcrowded family in a Council or housing association home who needs three bedrooms.
Step 4	The available three-bedroom home is made available to overcrowded families in Council or housing association homes only. An overcrowded family moves into the three-bedroom home and moves out of a one-bedroom housing association home.
Step 5	The Council could either advertise this home to anyone on the Housing Register or target it to an under occupier in a Council or housing association home who wants a one-bedroom home.
Step 6	The one-bedroom home is made available to under occupiers only. An under occupier moves into the one-bedroom home and moves out of a two-bedroom Council home.
Step 7	The Council makes a direct offer of the two-bedroom home to a homeless family in temporary accommodation who has been waiting to be rehoused.

Chain lettings work when available homes are targeted to households already living in a Council or housing association home. This is because the home they move out of can then be used to rehouse another household on the Housing Register.

Looking at the example above, after the first two-bedroom home became available, four families were able to move into a suitable home using targeted chain lettings. If that first two-bedroom home had been let to the homeless family in temporary accommodation, we would not have been able to help the other three families.

26.2 How we use chain lettings to help more families move into a better home

We want to help overcrowded families move into better homes, while also helping other households on our Housing Register with different housing needs. This is because the number of overcrowded families needing a larger home is far greater than the number of family-sized homes that usually become available each year.

Therefore, we will target a share of the homes we let to Council and housing association tenants living in family-sized homes with spare bedrooms – under occupiers.

The more under occupiers we can encourage to downsize to a smaller home, the more family-sized homes we can make available for overcrowded families. When an overcrowded family moves out of a Council or housing association home, we can then use that home to rehouse another household on our Housing Register.

You will find more information about how we encourage under occupiers to downsize to a smaller home in **section 13**.

Depending on the balance of different housing needs on our Housing Register, we may target

other types of need for available homes in the hope of creating chains. Chains may not always start with moving an under occupier.

When we target a home to a particular housing need in the hope of creating a chain, we will use both choice-based lettings and direct offers. You can find more information on choice – based lettings, on how to express an interest in advertised homes, and on direct offers in **section 29**.

26.3 What about households who are not living in Council or housing association homes?

We will not always target available homes to existing Council or housing association tenants. We need to ensure that we are being fair to other households on our Housing Register whose existing home cannot be used for a chain let – for example, households living in a private rented home, in temporary accommodation, or living with family or friends.

26.4 Using chain lettings alongside our quotas

Each year, we will set and publish a quota or a share of the total number of available homes that we will try to allocate to different types of housing priority on our Housing Register. You will find more information on our use of quotas in **section 9**.

When we make a home available to a particular type of housing need as part of a chain let, it will fall within our quotas. For example, if we make homes available to under occupiers in the hope of creating a chain let, it will fall within our lettings quota for under occupiers that year.

Is this a change from the old allocation scheme?

Yes, this is a change from the old Allocation Scheme. We have not used chain lettings or 'vacancy chains' in this way before.

Under previous Allocation Schemes, we have given a high rehousing priority to Council and housing association tenants with spare bedrooms – under occupiers – willing to downsize to a smaller home. This is alongside other measures, such as financial incentives, help with moving to and settling into a new home, and at one time, offering under occupiers the first choice on homes refurbished to a very high standard using external funding.

Therefore, trying to increase the number of family-sized homes by encouraging under occupiers to downsize is not new. However, using a targeted chain lettings approach will be.

What have residents told us so far?

The issue of overcrowding came up again and again during our early engagement with residents and was an important issue during the first public consultation.

The Council is looking at ways to increase the number of family-sized homes. For example, we are building larger homes in our New Build Programme and our Planning policies encourage the building of new, affordable family-sized homes.

Our proposals for the Allocation Scheme include a focus on freeing-up family sized homes by encouraging tenants with spare bedrooms to move to a smaller home. Using a chain lettings approach, we plan to offer

many of these homes first to families with overcrowding points.

Residents have been very clear, especially during our early engagement, that they want a more open and visible lettings system.

A key recommendation within the NewmanFrancis report Early Engagement on the Housing Allocation Scheme in Kensington and Chelsea (May 2021, published June 2021, [found here](#)) concerns transparency.

Greater transparency in the bidding system - Clear and transparent bidding system so people better understand where they stand and why. This needs to include regular correspondence as outlined in better information and systems and in reinstating the information about each let regarding the points and length of time waiting for the person who has the winning bid or the direct offer.

We understand and agree with this recommendation. Previously, the Council has explained that our Allocation Scheme explains the way we prioritise households for social housing, and the way we let available homes. However, we agree with residents who have told us that this can be misleading – that the Council also lets homes according to a separate, albeit published, Rehousing Plan. Our previous Allocation Scheme does not mention a Rehousing Plan.



Bringing the use of quotas more clearly within the Allocation Scheme, and very clearly advertising our quotas each year, should result in a more open and visible lettings system. However, we will need to go further.

Alongside the use of quotas, we will make available more accurate information on the waiting times for rehousing to a Council or housing association home. We want to offer information for the different circumstances that households can face – for example, the type of housing need they have and the size of home they require – so we can offer more accurate advice that reflects their situation.

This includes making available information about the home we have let – the type of housing need the new tenants had, the length

the length of time they had waited, and whether the tenants had received a direct offer or had expressed an interest in the homes on Home Connections. We will provide as much information as the current data protection legislation will allow.

We have not used quotas in this way before. If our suggestion about the use of quotas is supported and is included in the new Housing Allocation Scheme, we may not get it right straight away. We may need to change the share of lettings given to different housing needs if we think our lettings are unbalanced. However, we will be open and clear about any changes to the quota system and will talk to residents about those changes.

27. Statutory succession – having to move to another home

Succession priority	50 points
	Additional priority category

27.1 Reasons for having to move to a new home

Sometimes, after you have succeeded to a tenancy, you will have to move to another Council or housing association home that meets your needs. In other words, you may not have the legal right to stay in the home you have been living in and have succeeded the tenancy to.

This can happen when:

- you succeed to the tenancy (become the tenant) for the home you are living in when the tenant dies, and
 - you have a secure tenancy, which is a type of social housing tenancy – usually your landlord will be the Council, but it might be a housing association if your family has lived in the home a long time, and
 - you are not the spouse or civil partner of the tenant who has died, and
 - the home has more bedrooms than you need
- or
- the home has been specially built or adapted for a physically disabled person, and there is no one in your family who is physically disabled and needs this kind of home.

If this happens, the landlord cannot make you move straight away. They must give you written confirmation that you need to move out of your home into another suitable home. The written notification is sometimes called 'being served with a notice of seeking possession'. If you receive a notice of seeking possession, you should speak to your landlord as soon as possible. You might also want to get advice from a community advice centre or a solicitor.

27.2 How is this assessed?

If you have been told by your landlord that you cannot stay in your current home because of the reasons explained above, you should apply to our Housing Register. You may be able to choose to move to another home before your landlord offers you a suitable home but one you have not chosen.

If you have succeeded to a home with spare bedrooms

You can be awarded 1000 under occupation downsizing points.

You can also receive an additional 50 succession points if you or your landlord can prove that you can be, or have, or should have been served with a notice for seeking possession on ground 15A of Schedule 2 to the Housing Act 1985.

The under occupation downsizing and succession points can also be given to 'split household' members of your family if we have agreed to rehouse you and the household members separately. You will find more information on split household members in **section 13 – moving to a smaller home from a home with spare bedrooms**.

If you have succeeded to a home built or adapted for a resident with disabilities

You can be awarded 1000 accessible home hand back points.

You can also receive an additional 50 succession

points if you or your landlord can prove that you can be, or have, or should have been served with a notice for seeking possession on ground 13 of Schedule 2 to the Housing Act 1985.

The accessible home hand back and succession points can also be given to 'split household' members of your family if we have agreed to rehouse you and the household members separately. You will find more information on split household members in **section 14 – Moving to free up a home for a resident with disabilities**.

27.3 Can succession priority be combined with any other priority?

You can only be given succession priority if you have been given under occupation downsizing points and/or accessible home hand back points.

You can also be given points for the following types of housing need.

- Health and independence (but not emergency health and independence)
- Helping adoption and fostering (in certain situations)
- Overcrowding (but not if you have spare bedrooms)
- Redevelopment of homes
- Armed Forces
- K&C priority
- Paid work (if you had them before this Allocation Scheme was introduced)

You can also be given waiting points.

Is this a change from the old allocation scheme?

Yes, this is a new additional points category.

We are suggesting this because we want to give a rehousing option for tenants who have statutorily succeeded to a tenancy but who will be moved to another home.

If a tenant who has been served with a ground 15a notice or ground 13 notice does not move out, their landlord must apply to a court to see if it agrees. If the court does agree, it will give the tenant a date by which they must move out to another suitable home provided by the landlord. The tenant may not have a choice about where they move to.

Therefore, offering succession points in addition to under occupation downsizing points and/or accessible home hand back points helps the tenant move quickly and helps them choose their new home. It also means the Council more quickly frees up a family-sized home and/or an accessible home for a household who needs one, and it saves the costs of having to go to court.

What have residents told us so far?

During our early engagement residents were in favour of Council support to help under occupiers move to smaller homes to help free up family-sized homes. Further, throughout the early engagement and within our first public consultation, residents emphasised the need to provide more help to overcrowded families.

28. How we let accessible homes

28.1 What are accessible homes?

Your disabilities or long-term health problems might mean that the home you move to must be suitable for you: for example, allow you to use essential facilities at home, to be able to enter and leave your home without great difficulty, and support your independence and wellbeing.

Some Council and housing association homes in Kensington and Chelsea are suitable for residents with disabilities and residents with mobility difficulties. For example, the homes might be suitable for residents who use wheelchairs, or residents who find stairs difficult. They help the residents live more independent lives.

These types of homes are sometimes called 'accessible homes'.

28.2 The shortage of accessible homes

There is a shortage of accessible homes in Kensington and Chelsea, and across London. This means that the residents who need to move to a more accessible home can sometimes face a long wait until a suitable home becomes available.

We want to make sure that when accessible homes do become available they go to residents who need them.

Therefore, we use the Accessible Housing Register (AHR) guidance to work out what kind of home a resident needs, and how accessible a Council or housing association home is. This helps us target available accessible homes to residents with disabilities and mobility difficulties.

28.3 What is the Accessible Housing Register (AHR) guidance?

The Accessible Housing Register (AHR) guidance is produced by the Mayor of London. This complex piece of guidance can be found on the Mayor's london.gov.uk website here:

The London Accessible Housing Register.

The guidance sets out different categories of home based on how accessible the home is. Using this guidance, the Council can decide which category fits an available Council or housing association home.

Using the same categories, the guidance also helps us decide what kind of accessible home is needed by a resident with disabilities, mobility difficulties or other health conditions.

This means we can match the category of a home with the category of a resident.

If you need an accessible home, you should have a health and independence assessment. You will find more information on health assessments in **section 15 – Needing to move due to health problems.**

The table on the following page explains the AHR categories – A, B, C, D, E, E+, and F.

AHR Category	Description of the home	Description of the resident
A Wheelchair Accessible	Designed to meet the latest accessible housing design standards offering extra space and full access to all rooms and facilities.	Resident requires fully wheelchair accessible accommodation, into and out of the home, and within the home. Resident may use a large wheelchair and requires more generous space standards for wheelchair circulation or specialist equipment.
B Wheelchair Accessible	Designed to older wheelchair standards or significantly adapted to provide extra space and wheelchair access to at least the entrance level of the property. Provides access to essential facilities (bedroom, bathroom, kitchen and living room).	Resident requires wheelchair accessible accommodation. Resident uses a standard wheelchair and may only need to access entrance level facilities.
C Lifetime Homes	Designed to meet the space standards of Lifetime Homes. Main step features include a step-free approach/entrance and wider doorways.	Resident is able to mobilise but requires step-free accommodation. Resident may use a mobility aid or wheelchair and requires property with no steps.
D Easy Access	Main features include a level approach to the entrance, wider doorways and more space than in general needs housing.	
E Step-Free	General needs housing with a step-free approach/entrance to the property.	
E+ Minimal steps	Has up to 6 steps to access the front door.	Resident is able to manage only a limited number of steps (up to 6).
F General Needs	Has more than 6 steps or ramp access that is steeper than 1:10.	Resident does not need an accessible home.

28.4 How we let accessible homes

We let available Council and housing association homes in two ways – through choice-based lettings (adverts on Home Connections) and through direct offers. You will find more information about choice-based lettings and direct offers in **section 28.5**.

When an accessible home becomes available, we will first look to offer it to a resident we have assessed as needing it. Therefore, the accessible home will be offered to someone who needs it before someone who doesn't, even if the person who needs it has less points.

Amongst the households we know need that accessible home, we will usually offer it to the household with the highest points.

The Housing Occupational Therapy Team might decide to come with you to view a property you have been offered or shortlisted for, to give you personalised advice and guidance.

28.5 Direct offers

If we can, we will let an accessible home through a direct offer. Usually, the offer will be made to the household with the highest points who we know needs that kind of accessible home, using the AHR guidance.

We do this because we want to make sure accessible homes go to residents who need them. A direct offer also allows our Housing Occupational Therapists to talk to a resident and their family about the available home. We can offer advice about the home, talk to you about equipment and minor adaptations in the home that might help you, and answer any questions that you have.

28.6 Choice-based lettings – adverts on Home Connections

When we advertise an available home on Home Connections, the advert will tell you which AHR category the home fits. For example, the advert may say that the home is AHR category E – step

free. The advert will also tell you what floor the home is on, and whether there is a lift.

Residents who have been assessed by the Council as having the same or similar AHR category, and who have expressed an interest in the home following the advert, will be considered first. The household with the same or similar AHR category and with the highest points will usually be the first to be offered the home.

28.7 Rehousing you to a home that is suitable for the long term

We will consider your long-term health, independence and wellbeing when we recommend the type of home we think you should move to. This means we will look at the type of needs you are likely to have in the future, as well as now, as we want you to have a home that will be suitable for you for many years.

We understand that you may want to move into another home that may still cause you some difficulty simply because it will be better than the one you have now, especially if you have had to wait a long time to be offered a suitable home. While it might feel very frustrating, we will not offer you the tenancy for a new home if we think it will not be suitable for you (or a family member) on health grounds. Also, the home that is not suitable for you might be very suitable for another household that has waited a long time to be rehoused.

28.8 Using our judgement when letting accessible homes

Because of the shortage of accessible homes, sometimes we will use our judgement or discretion when letting particular homes. Here are examples of when we might use our discretion.

We might offer you a home even though your AHR category does not match the property's category. For example, sometimes it may be suitable for a resident recommended for a AHR category A home (fully wheelchair accessible) to move to a category C (lifetime home) or E (step free) home due to the particular features of the home, the abilities of the resident, or the use of equipment and minor adaptations.

We also might offer you an accessible home even if you do not have the highest points for that type of home. This might be because you or your family member needs specific features or a particular location that the available home can offer and that rarely become available otherwise.

We may decide that you should not be offered a home, even if your AHR category matches an available home or you think it will meet your needs or the needs of a family member. This might be because there are particular features of the home or its surroundings that will cause difficulty or limit independence.

Usually, we will not recommend that a person who uses a wheelchair, or has a lot of difficulty using stairs, is rehoused to a home above the fourth floor when there is only one lift. We say this because, if the lift breaks down, hospital transport and similar services (that may take you to and from hospital appointments for example) will not transfer you using stairs if you live above the fourth floor.

However, if you need a step free home or a home that might be suitable for a resident who uses a wheelchair, and you express an interest in or choose a home above the fourth floor that only has one lift, we may accept this is your choice and offer you the home.

Is this a change from the old allocation scheme?

No, we let accessible homes in the same way under the old Allocation Scheme, making sure that the homes were targeted to residents who need them.

What have residents told us so far?

Residents, and especially those who need accessible homes, told us that they wanted to see more available accessible homes. Local community advice centres such as Action Disability Kensington and Chelsea are very clear and committed to the principle that all homes should be accessible. Although this is more an issue for Planning and the building of new homes, we agree and want to make sure that any available accessible homes go to residents who need them.

29. How we let available homes

There are two main ways that we let available Council and housing association homes – through choice-based lettings (including adverts on Home Connections) and direct offers. Later in this section we will look at choice-based lettings and direct offers in more detail.

29.1 How do Council and housing association homes become available?

There are two main types of social landlord in Kensington and Chelsea - RBKC Housing Management, which is the Council team that manages Council homes for rent, and housing associations, sometimes called Private Registered Providers. Housing associations are entirely separate from the Council.

Homes managed by RBKC Housing Management are sometimes called 'Council homes'.

The Council has around 7000 rented homes, and the housing associations, together, have around 12,000 homes in Kensington and Chelsea.

Each week, RBKC Housing Management and the different housing associations let us know when one of their homes is available to let to a household on the Housing Register.

RBKC Housing Management hand over to us nearly all of their available homes. They may need to keep some so they can transfer existing tenants who urgently need to move, either for a short period of time or permanently.

Housing associations hand over a share of their available homes. An agreement between the Council and the housing associations called the Nominations Agreement sets out what share of their available homes housing associations should give us to let to households on the Housing Register. You can find a copy of the Nominations Agreement at this link –

[Guide to the Nominations Agreement.](#)

We have no control over how many homes become available to let. We rely on the homes to become vacant and on the landlord to hand them over to us so we can let or allocate the homes to households on our Housing Register. We do encourage housing associations to give us as many homes as possible.

29.2 Our rules for letting homes

When we offer you a home, either through choice-based lettings or through a direct offer, the following rules will usually apply.

29.3 Quotas and points

We will offer a home in line with our quota system. You will find more information on how we use quotas in **section 9 – Quotas – letting available council and housing association homes.**

We will offer an available home to the household with the highest points within the quota. Households in Band 1 do not fall into a quota and can express an interest in any suitable home. However, the same rule applies to Band 1 – the household with the highest number of points will be offered the home first.

29.4 Offering a suitable home

- i. The home you are offered should be suitable for you. This means that it has the right number of bedrooms, it is suitable for any assessed health needs you or a family member may have, and that you will be able to afford the rent and service charges.
- ii. Social landlords have their own rules on suitability. This means that even if we think an available home is suitable for you and we nominate you for it, the landlord for that home may say no.

29.5 Pets

If you have a pet, we cannot guarantee that a social landlord will allow you to take it to a new home, unless you have an assistance or service pet such as a guide dog. We will be happy to talk to the landlord on your behalf if you are nominated to the available home.

29.6 Letting homes outside of these rules

Sometimes we will decide to offer a home outside of these rules. For example, we might offer a household an available home even though the household does not have the highest number of points. This might be because of the particular circumstances of the household we are helping, or because of a Council service or financial need.

We sometimes develop separate, special rehousing policies for particular communities or particular reasons. See **section 7 – Special rehousing policies, arrangements and local lettings plans**. Even though these special policies, arrangements and local lettings plans are part of the main Housing Allocation Scheme, they may have different rules on how we let available homes.

If you are being rehoused under a special policy, arrangement or local lettings plan, you should look at the policy that applies to you. We will be happy to give you more advice so you have all the information you need.

29.7 How do we decide which housing need quota to target for an available home?

Through the year, we will try to keep to our published quotas – the share of homes that become available that are offered and let to different types of housing need.

For example, if we try to let 40 per cent of homes to homeless households under the quota, and 10 homes become available to let, we will target four of those homes to homeless households.

If, through the year, the number of homes we are letting to homeless households is falling below 40 per cent, we may increase the number of available homes we target to those households.

We will make available and publish information on all our lettings, including whether we are meeting our quotas. It will also include information on rehoused households such as the number of points and type of housing needs they had, the length of time they had waited, and whether households had expressed an interest in an advertised home or had received a direct offer. We will not make available any personal information about any household.

You will find more information about our quotas in **section 9 – Quotas – letting available council and housing association homes**.

29.8 Choice-based letting or direct offer – how do we decide?

When homes become available to let to a household on the Housing Register, we offer most of them by choice-based letting. This is because we want to offer households on the Housing Register as much choice (from a limited supply of housing) as possible. However, we will let some homes by direct offer.

We will consider a number of factors when deciding whether we will offer a home by choice-based letting or by direct offer, including the following questions. If the answer is ‘yes’, it is likely that we will make a direct offer.

- Is the home accessible? Accessible homes are usually offered by direct offer first of all as we want them to go to residents who need them.
- Is the home suitable and desirable for an under occupying tenant who wishes to downsize? The more under occupiers who choose to move, the more family-sized homes become available to let through our chain lettings approach.

- Is the home for older persons only? We offer older persons housing by direct offer to make sure residents do not miss out on suitable available homes.
- Are we on track with our quotas? Do we need to offer homes by direct offer to make sure enough homes are going to a type of housing need so we are hitting our quota? This might include direct offers to households on a special rehousing pathway, such as adults with learning disabilities or autism, care leavers, or adopting or fostering parents or special guardians. It may also include households who need to be rehoused due to domestic abuse.
- Are there households with an urgent need to move to a suitable home – usually a household in Band 1? A direct offer will help to make sure they do not miss out on a suitable available home.
- Is the home suitable for a family with very specific needs?
- Is there a Council service or financial need to make a direct offer? For example, there may be a need to move households out of high cost or unsuitable temporary accommodation, or to prevent or relieve homelessness.

29.9 Offering homes to the household with the highest priority

Highest priority means the most points

When we offer homes to suitable households, either through choice-based lettings or through direct offers, we will usually do this in priority order. This means that the household with the highest number of points is at the top, the household with the second highest points being second and so on.

If two or more households have the same number of points, we look at their priority dates. We then put the households in priority date order and select the oldest first.

What is the priority date?

A priority date is usually the date that a household joined the Housing Register. Your waiting points are worked out from the date you joined the Register. You will find more information on waiting points in **section 23 – Waiting points**.

In some situations, we work out the priority date in a different way. These situations are:

- If you are being rehoused under a special rehousing policy (see **section 8**)
- if you are already on the Housing Register before being given any of the following priorities for rehousing – your priority date will change to the date you were awarded these points
 - exceptional priority
 - emergency health and independence
 - serious risk to welfare
- if you have been placed into supported accommodation by the Council and you then can join the Housing Register having been awarded independent living points, your priority date will be the date you moved into supported accommodation
- if you are under the Council's care as a young person or you are a care leaver, and you join the Housing Register with independent living points, your priority date will either be the date the Council accepted the duty of care towards you or the date you turned 16, whichever is the later.

29.10 Sensitive lets

Sometimes, we look carefully at who we might put forward for a particular home, meaning that we do not necessarily select the household with the highest number of points. This is sometimes called a 'sensitive let'.

Reasons that we might use a sensitive let include:

- other tenants and residents already living in the block or close area are vulnerable
- a previous tenant of the home caused a lot of serious problems for their neighbours
- people living in the block or close area are known to have caused problems for their neighbours
- public protection concerns
- community concerns.

29.11 Choice-based lettings – homes advertised on Home Connections

Adverts

We advertise most of the available Council and housing association homes on a website called Home Connections. Home Connections can be found at these links – [Home Connections](#) and [RBKC Home Connections](#).

The website uses a system called choice-based lettings (CBL). You will see details on available homes and will be able to let us know that you are interested – sometimes called expressing your interest or 'bidding'.

The advert will tell you:

- which quota we are letting the home to
- whether there are any other restrictions on who may express an interest – for example, residents over the age of 60
- how many bedrooms the home has

- whether it is suitable for a resident who needs accessible housing
- the floor level and if there is a lift
- who the landlord is
- the type of tenancy you will be offered
- the weekly rent and service charges

We advertise homes every week. Usually, new adverts will go on to Home Connections on a Monday or Tuesday, though look out for homes we might advertise later in the week. The deadline for expressing an interest is usually Sunday at midnight – this is when the advert will close.

29.12 Expressing an interest in an advertised home

You will see clear advice on the Home Connections adverts about how to express an interest in a home. Please contact us if you're not sure how to register your interest.

You can express an interest in as many homes as you like, as long as they are suitable for you. However, the most homes you can be selected or 'shortlisted' for is three.

It does not matter when in the week that you express an interest in a home. There is no advantage to expressing an interest early, or late, in the week as long as you express your interest before the deadline on a Sunday.

Please let us know if you find using a website difficult. We can make sure that you will not miss out if a home that is suitable for you becomes available.

29.13 Making sure you express an interest in the right adverts

You can only express an interest in advertised homes that are suitable for you. This means:

- the number of bedrooms is the same as the number you are registered for
- you have the type of housing need the advert is targeted to – in other words, you are in the right quota
- that it has the same, or similar, Accessible Housing Register category as you – see **section 28 – How we let accessible homes**
- that you meet any conditions found in the advert – for example, a home for residents aged 60 or over

If you express an interest in a home that is not suitable for you, or that is targeted to another type of housing need or quota, your expression of interest will not count.

29.14 How we shortlist and how we offer homes

After an advert has closed, we look at all the expressions of interest. We only look at those where the resident has expressed an interest in a suitable home and has met the conditions set out in the advert

We then put the expressions of interest into priority order – the household with the highest number of points being at the top.

We will select or ‘shortlist’ the households with the highest priority. Usually, we will shortlist four to six households, though we may shortlist fewer households for an accessible home.

The shortlisted households will be invited to see the home. This means they will have the chance to look around the home before they are asked whether they are still interested in it. The invitation may come from the Council’s Allocations Team or directly from the landlord.

If you are shortlisted, we hope you will be able to make the appointment to see the home. If you cannot make the appointment, please let us or the landlord know as soon as possible.

The home will be offered to the household with the highest points. If that household does not want to accept the offer, the home will be offered to the household in second place. If that household does not want to accept the offer, the home will be offered to the household in third place, and so on.

29.15 Why does my priority compared to other households seem to change?

When you log in to your account on Home Connections, you can look at previous homes you expressed an interest for. You can see where you came on the list of households who also expressed an interest, in priority order – for example that you came 45th for a particular home.

You may see that your position changes on the lists for different homes. For example, for one home you might have been 34th, for the next 19th, and for the next 61st.

This can make it look like your priority on our Housing Register is changing.

Where you come on the priority list for any particular home depends on who else has expressed an interest and the number of points they have. If fewer households with higher points than you are also interested, you will be higher up the list for that advertised home. If more households with higher points than you are also interested, you will be lower down the list.

Your overall priority position on the whole of our Housing Register, compared to households who need the same type of home as you, only changes when:

- households with more points than you get rehoused – you move higher

- Housing Register applications from households with more points are closed
– you move higher
- households join the Housing Register and are given more points than you due to the type of housing need they have
– you move lower
- when your waiting points are added each year – you move higher
- when other households' waiting points are added and this makes the total number of points they have higher than yours – you move lower.

29.16 What happens if the home is not ready to move in to?

Landlords decide when a home is ready for someone to move into. The landlord may tell us the date so we can tell households, or they may let households know directly.

Unfortunately, sometimes the date that someone can move in to an available home is delayed.

If we have advertised the home, and afterwards the landlord says that the home will not be ready for at least six more weeks, we may cancel the letting and wait for a new date.

Unfortunately, if you have been shortlisted for a home and this happens, we cannot guarantee we will keep this shortlist – it depends on how long the delay is. We might have to advertise and shortlist the home again or use it for a direct offer at a later date.

29.17 What happens if you are offered a home and you say YES?

If you are offered a home and you accept the offer, you will be told when you can move in.

Remember, that if you are renting somewhere, you will need to tell your current landlord that you are moving out.

29.18 What happens if you are offered a home and you say NO?

We want to advise and support you in the best way we can. If you are not happy with the home we have offered you, please speak to us as soon as possible so we can understand why and give you advice.

There are important differences to saying no to an offer of a home if you are a homeless household – we are helping you because we have a prevent, relief or main homelessness duty. You will find more information on these duties in **section 20 – Homelessness**.

We explain what happens if you say no to an offer of a home later in this section.

29.19 Direct offers of available homes

A direct offer is the offer of an available home to a household on the Housing Register without advertising it through choice-based lettings. This means that the household offered the home did not express an interest in it on Home Connections.

Based on our recommendations about the type of home you need, and the information you have given us, we will make sure that any home directly offered to you will be suitable.

Usually, we will make direct offers in order of priority/points.

We can make a direct offer to any household on our Housing Register. Earlier in this section, we explain how we decide whether we will offer a home by choice-based letting and or by direct offer.

If you are homeless, please see the section below called 'Saying no to an offer of a home'.

29.20 Being able to choose what home you will move to – your ‘home preferences’

Unless you are a homeless household we are helping, you will be able to tell us the type of home you are hoping to move to. This is called your ‘home preferences’. This means that if we make you a direct offer of an available home, it will have to meet your home preferences.

You can choose the following:

Area	You can tell us whether you’d like a home in the north, in the south, or anywhere in Kensington and Chelsea, and homes inside and outside of the Borough.
Estate/tower block	You can tell us whether you do not want to be rehoused to an estate or to a tower block.
Floor level	You can tell us whether you do not want to be rehoused above a certain floor level, or that you do not want to be rehoused in a basement.
Landlord	You can tell us whether you only want to be rehoused to a Council home, to a housing association home, or to either.

Accessible homes will be offered to residents who need them. This is why you cannot have a home preference for accessible housing.

Important – We want you to have some choice over the home you will move to. However, because we have a shortage of available Council and housing association homes in Kensington and Chelsea, if you limit your home preferences you may wait far longer for a home you like. When a home that meets your home preferences becomes available, there may be other households with a higher priority for it. Here are some facts about social housing in Kensington and Chelsea.

- There are more Council and housing association homes in the north of the borough than there are in the south.

- We are able to nominate households on our Housing Register to a small share of homes outside Kensington and Chelsea, mainly in West London, but they do not become available very often.
- Most Council and housing association homes are on estates and many in tower blocks.
- Homes of lower floors are more likely to be targeted to residents with disabilities, mobility difficulties or other health problems.
- There are almost 7,000 Council homes for rent, and almost 12,000 housing association homes for rent in Kensington and Chelsea.

You will still be able to express an interest in homes advertised on Home Connections that do not meet your home preferences – in fact, we encourage you to do so.

29.21 Why homeless households do not have home preferences

Homeless households cannot tell us their home preferences. This is because the Council has a legal responsibility to rehouse you to a suitable home, which might include a home in the private rented sector. While we understand that you might also want the chance to tell us about the types of homes you'd prefer not to move to, we do not want to have rules that mean you will wait even longer for a suitable settled home.

You can still express your interest in available homes you like advertised on Home Connections.

If you have chosen to move to a private rented home and have been awarded choosing PRS points, you can tell us about your home preferences.

29.22 Saying no to an offer of a home

Saying no to an offer of a home if you are NOT a homeless household

You can say no to two offers of a Council or housing association home without any penalty – in other words, without it affecting your priority or points for rehousing.

However, if you have refused 3 offers of a home, we will:

a. Remove your waiting points

This means that you will be given waiting points on the two-month anniversary of your last offer of a suitable home.

b. Change your priority date to the date of your last suitable offer.

This applies to all offers of a Council or housing association home, both through choice-based lettings or a direct offer.

You will keep your points for your housing need category – for example, your health and independence points or your overcrowding

points – so you can continue to express an interest in advertised homes or receive a direct offer.

If you think that any of the homes you are offered are not suitable, you can seek a review, or challenge, our offer. You will need to tell us why the offer was not suitable for you and your family if you have one, and provide evidence to support this.

If we agree with you that the home we offered you was not suitable – it will not count as one of the three offers you can receive before losing your waiting points and having your priority date changed.

You will find more information about seeking a review of an offer of a home in **section 31 – Reviews – disagreeing with a decision we have made.**

29.23 Please read the following guidance if you are a homeless household

If you are a homeless household and we have agreed to rehouse you (we have agreed that we have a prevent, relief or main homelessness duty to help you) we can end that help by offering you a suitable home. This is sometimes called 'discharging our duty'.

It does not matter whether you say yes or no to the offer – if the home we have offered is suitable for you (and your family members) it means we will no longer have a responsibility or duty to rehouse you. If you are living in temporary accommodation, you will have to leave it – this means that if you did not accept the offer of a home, you will have to find another home.

If you receive a direct offer of a home, please think very carefully about it. Make sure that you have all the information you need to make the right decision for you and your family. We will be happy to answer any questions you have.

If you think the home we have offered is not suitable, you can ask for a review – this means you can tell us that the home is not suitable and

give us your reasons why. You will find more information on asking for a review in section 31– Reviews – disagreeing with a decision we have made.

Even if you do not think the home is suitable, we strongly suggest that you say yes to the offer. You can still ask for a review even if you say yes and move in. This means that if you lose your review (we believe the home is suitable) you will still have somewhere to live. If you win your review (we agree with you, that the home is not suitable) you will keep your points and can continue to look for another home.

It is also important to remember that if you made your homeless application with us after 9 November 2012, we can make you an offer of private rented housing and end our duty to rehouse you that way – again with the right to ask for a review.

Please see **section 20 – Support if you are homeless or worried about becoming homeless**.

29.24 Rent arrears whilst in temporary accommodation

If the full homelessness duty is accepted towards you and you are living in temporary or hostel accommodation provided by the Council your expressions of interest (or ‘bids’) may be bypassed and/or your application suspended if:

- i. you have more than four weeks’ rent arrears, (or the equivalent of four weeks’ charges outstanding)
- ii. you have static arrears and have not made a payment within the last five weeks
- iii. you have accrued arrears and left the accommodation and have not made an arrangement to repay these
- iv. you have an arrangement to repay your arrears but have not maintained repayments for at least four months from the date of the arrangement.

30. Sheltered housing and housing for older residents

Older residents	0 points
	Band 4

30.1 Reasons for needing a new home

If you are aged 60 or over you can apply for sheltered housing and housing for older residents.

Sheltered housing supports our older residents to live independently. The homes are self-contained (they have their own kitchens and bathrooms), often have common areas open to all the residents, and have staff nearby during working hours. This type of housing provides a safer, more comfortable community for our older residents. They are usually studio or one-bedroom homes.

Residents under the age of 60 can be considered for sheltered housing if they have a disability or need some form of care.

Sometimes homes for residents aged 55 and over become available. Usually, you will be amongst residents of a similar or older age but there may not be the type of support that is available for sheltered housing.

We usually let sheltered housing using direct offers. This is because we want to make sure our older residents, especially those with the greatest need for a new home, do not miss out on available homes.

When we advertise available sheltered or older residents’ housing on Home Connections, the advert will say that the home is for our older residents only.

If we are helping you because you are homeless and you are an older resident, we will automatically register you for sheltered

and older residents' housing, as well as general needs homes. This is because we have a legal responsibility, or duty, to rehouse you to a suitable home.

If you need extra-care housing, you will need to contact our Adult Social Care services rather than apply to the Housing Register. Extra-care housing offers a lot more support, 24 hours a day, for residents.

30.2 Other housing options for our older residents

If you would like to move to a home for older residents, and you are happy to move elsewhere in London or in the UK, please talk to our Housing Solutions Team. There are schemes that help older residents find new homes, especially if you have a spare bedroom in your current home.

30.3 How is this assessed?

You must normally be aged 60 or over if you would like to move to sheltered housing. If you are a couple moving to sheltered housing, both of you must be aged 60 or over. If you are under the age of 60 you can be considered for sheltered housing if you have a disability or need some form of care.

If you are aged 55 and over, you can apply to our Housing Register to move to homes for residents aged 55 and over.

You do not need to be awarded points, or a priority reason for moving to a new home, if you would like to move to sheltered housing or to a home for residents aged 55 and over. You can simply apply to our Housing Register.

If we agree that you do have a housing need – for example, you need to move for health reasons – then you will be given points.

For example, if you need to move for health reasons and would like to move to sheltered housing you will be given 900 health and independence points.

We will offer an available sheltered home or a home for older residents to the resident with the highest priority or points, like we do with 'general needs' homes. You will find more information in **section 29 – How we let available homes**.

If you have savings or investments, we might waive, or ignore, the maximum cap we have for residents wanting to join our Housing Register (if you have more than £30,000 in savings, investment or capital, you usually cannot apply to our Register. You will find more information in **section 2 – Who can apply to our Housing Register**). We might do this if we think it would be difficult for you to rent or buy a home you need with the money that you have.

30.4 Can you be given points for other rehousing priorities?

If you are applying to move to sheltered housing or homes for older residents, you can be given points for the following types of housing need.

- Health and independence (but not emergency health and independence)
- Under-occupation downsizing
- Wider Grenfell
- Choosing PRS
- Homelessness
- Independent living
- Redevelopment of homes
- Armed Forces
- K&C priority

You can also be given waiting points.

Is this a change from the old allocation scheme?

No, under the old Allocation Scheme residents could apply to move to sheltered housing or housing for older residents even if they did not have a housing need and points on the Housing Register. We also waived or ignored savings and capital that an older resident might have if we thought it would be difficult for that resident to move to a better home with the money they had.

We are suggesting that we keep the same level of priority, but we have changed the name from 'sheltered housing' to older residents' priority.

What have residents told us so far?

Residents did not express strong views on 'sheltered housing' during our early engagement with them, or within our first formal public consultation.

However, we know from other engagement with residents that we need more affordable housing for older residents in Kensington and Chelsea, and it needs to be more modern and accessible. We are looking at how we can have more, better, housing for our older residents but this sits outside of the Housing Allocation Scheme.

31. Reviews – disagreeing with a decision we have made

We want to advise and support you in the best way we can, whether that is helping you move to a new home through the Housing Register or through a different housing option. Sometimes, though, you may not agree with a decision we have made about your rehousing application.

If you are not happy with a decision we have made, we suggest you ask us for advice first – we might be able to solve the issue very quickly. For example, perhaps you or the Council have not understood an important bit of information or missed a change in circumstances. We might be able to put a problem right very easily.

However, if you are still unhappy with a decision we have made, you will be able to:

- a. seek a review, or challenge a decision we have made
- b. make a complaint.

You will have the legal right to seek a review, or challenge, some of the decisions that we make. We explain what those decisions are below and tell you how you can seek a review.

If you seek a review, we will look at our decision again, taking into account any further information you think is relevant. We will then make a 'review decision' which might agree with our original decision, might agree with you that we made the wrong original decision, or might reach a new decision. The review decision will be taken by someone who was not involved in the original decision and is more senior than the person taking the original decision.

If you are unhappy with the service we are giving you or the way we are managing your application, you may have to make a complaint rather than seeking a review. You will find more information in **section 32 – How to make a complaint.**

NB: If we have a ‘main homelessness duty’ to rehouse you and we have offered you a council, housing association or private rented home that you believe is not suitable, please read the following sections very carefully. There may be important consequences if you lose some kinds of reviews.

31.1 When can you ask for a review of a decision?

You can seek a review, or challenge, the following kinds of decision about your rehousing application. You may want to first read **section 2 – Who can join our Housing Register**, and **section 29 – How we let available homes**:

- You have been told that you are not eligible to join our Housing Register – this means you cannot join because of your immigration status
- You have been told that you do not qualify to join our Housing Register – for example, because you have not lived in Kensington and Chelsea for three years without a break, or because we have decided not to award points for your reason for wanting to move to a new home
- You disagree with the way we have assessed your application for rehousing, or any decision about the facts of your application which is likely to be, or has been taken into account in considering whether to allocate housing accommodation to you – for example, the number of points we have given you or the number of bedrooms we think you and your family need
- You are unhappy that we have suspended or frozen your Housing Register application – for example because we do not think you are ready to live independently

There is only one stage to reviews on these kinds of decisions.

31.2 Offers of a Council, housing association or private rented sector home

You can also seek a review, or challenge, a decision to offer you a Council, housing association or private rented sector home that you do not think is suitable or right for you and your family.

There are important differences, depending on whether you are a homeless household and we are helping you because we have a ‘prevent’, ‘relief’ or ‘main homelessness’ duty. You will find more information on these duties in **section 20 – Homelessness**.

31.3 If you are a homeless household

The Council must offer you a suitable home when it rehouses you – whether it is a council home, a housing association home, or a private rented sector home. However, offering you a suitable home ends our legal duty to rehouse you – it does not matter whether you like and accept the offer, or do not like it and say no.

If you think the home we have offered you is not suitable, you have the legal right to seek a review, or challenge that offer. This legal right is found at Section 202 of the 1996 Housing Act. You will need to tell us why the offer was not suitable for you and your family if you have one, and provide evidence to support this.

If you want to seek a review, we will give you all the information you need. However, please let us know as quickly as possible – see the timescales for seeking a review, given below.

If you are unhappy with our review decision, you can seek an appeal to the County Court under Section 204 of the Housing Act 1996 on a point of law. In outline, an appeal should be made to the County Court within 21 days of your being notified of the review decision (or the date when you should have been notified). Appeals to the County Court, including the procedure and time

limits can be complex, so you might want to get independent legal advice – for example, from the Citizens Advice Bureau or from a solicitor.

31.4 If you are NOT a homeless household

If you have said no to three offers of a suitable Council or housing association home, we can remove your waiting points and change your priority date to the date of the last suitable offer – sometimes called a penalty for refusing suitable offers.

If you think that any of the homes you are offered are not suitable, you can seek a review, or challenge, our offer. You will need to tell us why the offer was not suitable for you and your family if you have one, and provide evidence to support this.

If we agree with you that the home we offered you was not suitable – it will not count as one of the three offers you can receive before losing your waiting points and having your priority date changed.

31.5 How to seek a review of a decision

If you want to seek a review or challenge a decision you are unhappy with you will need to tell us within 21 days of you receiving that decision. You will then need to give us as much information as possible to support your case.

We will aim to complete the review of the original decision within 56 days.

If you think you will find it difficult to ask for the review within 21 days, or the 21 days have passed and you could not ask for a review in time, please let us know why. We might be able to extend these timescales.

You might want to get advice and support to help you with your case – for example from a community advice centre or a solicitor. Please ask us for a list of advice centres or organisations that can help you.

31.6 Who to contact if you want to seek a review

You should contact our Housing Reviews and Scrutiny Team.

By email:

housingreviews@rbkc.gov.uk

In writing:

Housing Review and Scrutiny
Housing Needs Department
Royal Borough of Kensington and Chelsea
The Town Hall, Hornton Street
London W8 7NX

By telephone:

020 7361 3008

32. How to complain about our service

We are committed to providing high quality services, but occasionally things can go wrong. We are very sorry if you feel that you need to complain about our service to you.

Often, matters can be quickly resolved by contacting the relevant officer or service directly. You can do this face-to-face, by telephone, or email. You might find the following contact details useful if you do not know the relevant officer:

Email:

housing@rbkc.gov.uk

Telephone:

020 7361 3008

You can also use the Council's online contact form which you can find here

– **[Complaints comments and compliments](#)**.

If you want to make a formal complaint you can do so in the following ways:

By email:

complaints@rbkc.gov.uk

Telephone:

0207 361 2060

Phone lines are open Monday to Friday from 9am to 4pm.

You can also use the Council's online contact form which you can find here

– **[Complaints comments and compliments](#)**.

If we receive your complaint after 3pm, we will acknowledge it on the next working day and will aim to reply within ten working days.

We would be grateful if you could provide us with a phone number and your address in case we need to clarify the details of your complaint. We will still send our response by email or letter.

You can find more information about the way we investigate and aim to resolve complaints, and a copy of the Corporate Complaints and Compensation Policy, using the website links provided above.

Appendices

Appendix one	the law on housing allocation schemes
Appendix two	the housing health and disability team
Appendix three	the 'right to move' for work for existing social housing tenants.
Appendix four	eligibility for housing – does your immigration status stop you from being rehoused to social housing?
Appendix five	exceptions to our local residency rule

Appendix One

The law on housing allocation schemes

We must comply with Government legislation, or national law, when we set out our Housing Allocation Scheme. This appendix sets out what those laws are.

It is divided into the following sections.

A	Making sure all the social housing we let falls under our Housing Allocation Scheme
B	Giving priority to certain type of housing need – reasonable preference, additional preference and local priorities
C	Allowing residents to express choices when looking for a new home
D	Taking into account other policies

a. Making sure all the social housing we let falls under our Housing Allocation Scheme.

The Housing Act 1996 (as amended by the Homelessness Act 2002, the Localism Act 2011 and the Homelessness Reduction Act 2017) requires a local authority (a Council) to make all allocations and nominations in accordance with its Allocation Scheme. A summary of the Allocations Scheme must be published and made available free of charge to anyone who asks for a copy.

b. Giving priority to certain type of housing need – reasonable preference, additional preference and local priorities.

Reasonable preference

The Housing Act 1996 (as amended) requires local authorities to give reasonable preference in their allocations policies to people with high levels of assessed housing need. This means that we must give a priority or points for certain types of housing need.

Apart from the first two categories below, we do have some flexibility about how we decide to give a priority for a reasonable preference group.

The main groups are:

- i. people who are homeless as defined by the Housing Act 1996, Part 7 – see section 20
- ii. people who are owed a homelessness duty by any local housing authority under section 190(2), 193(2) or 195(2) (or under section 65(2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any such authority under section 192(3)) – see section 20.10
- iii. people occupying insanitary or overcrowded housing, or who are otherwise living in unsatisfactory conditions – see sections 19 and 20
- iv. people who need to move on medical or welfare grounds (including any grounds relevant to a disability); – see sections 11 and 15
- v. people who will suffer hardship to themselves or to others if they are unable to move to a particular locality or district – see section 22

Additional preference

We can also award priorities called ‘additional preference’ – this is an extra priority for households who have been given a main housing need priority. This Housing Allocation Scheme awards additional priority or points to households for:

- how long they have waited on our Housing Register – waiting points
- if they, or family members, are in or were in the Armed Forces – Armed Forces points

- if a family member is in paid work, but only if a household already had these points under the February 2017 revised Housing Allocation Scheme – paid work points.

Local priorities

We can also award priorities called ‘local priorities’ – these are priorities that are not included in the reasonable preference groups, but we think are important for rehousing our residents in Kensington and Chelsea, and for managing our limited supply of social housing in the Borough.

This Housing Allocation Scheme awards local priority or points to households for:

- former residents of Grenfell Tower or Grenfell Walk who lost their homes in the Grenfell Tower tragedy and who require rehousing to a new permanent home – Grenfell rehousing priority
- former residents of Grenfell Tower or Grenfell Walk who are unable to settle in their permanent home (provided through the Grenfell Rehousing Policy) and who need to move to an alternative permanent home in order to rebuild their lives – Grenfell Settled Home points
- Council tenants from the area around Grenfell Tower - Barandon Walk, Hurstway Walk, Testerton Walk, Treadgold House and Bramley House – who do not feel able to remain in, or return to, their home – Wider Grenfell points
- households with exceptional or unusual situations where other housing options are not suitable – exceptional priority
- social housing tenants with spare bedrooms who are willing to (or have to) move to a smaller home – under occupation downsizing points

- social housing tenants who live in an accessible home they do not need, and who are willing to (or have to) move to another home – accessible home hand points
- residents wishing to adopt or foster or become a Special Guardian but need a more suitable home to do so – helping adoption and fostering points
- households who are homeless, where the Council may have a legal responsibility to provide them with temporary accommodation, who choose to move into a private rented sector (PRS) home instead – choosing PRS points
- residents who are ready to move out of supported housing or another form of support to live independently – independent living points
- social housing tenants who have to leave their home because it is being demolished for redevelopment, or significantly refurbished, and the Council has agreed to help with this – redevelopment of homes points
- successions that require a move to a more suitable property – succession points

c. Allowing residents to express choices when looking for a new home

The Housing Act 1996 also requires local authorities to state within its Housing Allocation Scheme what its position is on offering residents a choice of housing accommodation or offering them the opportunity to express preference about the homes to be allocated to them.

Section 29 – How we let available homes – explains how we allow residents on our Housing Register to express choices and preferences when they are looking for a new home.

d. Taking into account other policies

The legislation, policies and documents we have taken into account when developing this Housing Allocation Scheme include the following:

- Housing Act 1996 (as amended)
- Allocation of Accommodation: Code of Guidance for Housing Authorities 2012
- Choice Based Lettings Code of Guidance for Housing Authorities 2008
- Equality Act 2010
- Localism Act 2011
- Homelessness Reduction Act 2017
- Homelessness Code of Guidance for Local Authorities 2018
- Children Act 2004
- Care Act 2014
- London Housing Strategy
- Royal Borough of Kensington and Chelsea – Our Council Plan
- Royal Borough of Kensington and Chelsea Housing Strategy
- Royal Borough of Kensington and Chelsea Homelessness and Rough Sleeping Reduction Strategy.

Appendix Two

The housing health and disability team

Sometimes called the ‘Housing Occupational Therapists’ or the ‘Housing Medical Team’.

The Council’s Housing Health and Disability Team decides whether you should be awarded a priority for rehousing on health grounds, and it recommends the type of home you should live in based on your health problems. It reaches these decisions by considering independent reports and information provided by the professional, medical and healthcare staff working with you, sometimes discussing your case with those staff, and sometimes by assessing you in person.

The Housing Health and Disability Team is made up of healthcare professionals who are very experienced in housing issues. The Team works to the very highest standards, set by professional medical and healthcare bodies. Though we may ask for valuable information from medical and healthcare partners, the final decisions about priority for rehousing, and the type of home you need, are the Council’s to make.

The Team will not consider the supply of suitable social housing when it reaches decisions about a priority for rehousing, or the type of home a resident should live in. The Team reaches those decisions based on the medical and healthcare information only.

Appendix Three

The ‘right to move’ for work for existing social housing tenants

This is set out in The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015.

To qualify for our Housing Register, the resident must have lived in Kensington and Chelsea for at least the last three years continuously, though there are exceptions to this. This is sometimes called a local residence requirement.

Because we have a local residence requirement, we need to apply the Right to Move regulations to residents who:

- are secure or introductory tenants (council tenants), or assured tenants of a private registered provider of social housing (housing association tenants)
- qualify for a reasonable preference or priority for rehousing because they need to move to Kensington and Chelsea to avoid hardship,

and

- work or need to move to the Borough to take up an offer of (non-voluntary) work here, though work that is short-term, marginal or ancillary is not included.

When we look at Right to Move applications, we look at a number of important questions including:

- the distance between work and the current home
- the affordability of transport to work relative to earnings
- whether similar work opportunities are available closer to the current home
- whether the work is at least 16 hours a week
- whether the work is due to last at least 12 months
- whether the work is occasional or not very regular
- whether the work is located in Kensington and Chelsea, and the resident needs to physically be at work.

Appendix Four

Eligibility for housing – does your immigration status stop you from being rehoused to social housing?

The Legal Rules

The Secretary of State (the Government) has said that the following groups are not eligible to be rehoused to social housing because of their immigration status.

1. A person registered with the Home Office as an asylum seeker.
2. A visitor to this country (including an overseas student) who has limited leave to enter or remain in the UK granted on the basis that they will not have a recourse to public funds.
3. A person who has valid leave to enter or remain in the UK which includes a condition there will be no recourse to public funds.
4. A person who has a valid leave to remain in the UK which carries no limitation or condition and who is not habitually resident in the Common Travel Area.
5. A sponsored person who has been in this country less than 5 years (from date of entry or date of sponsorship, whichever is the later) and whose sponsor(s) is still alive.
6. A person who is a national of a EU country that is subject to immigration control.
7. A person who is a national of a non EEA country that has ratified the ECSMA and/or the ESC but is not lawfully present in the UK (i.e. does not have leave to enter or remain or is an asylum seeker with a temporary admission) and/or is not habitually resident in the Common Travel Area.
8. A person who is in the UK illegally or who has overstayed their leave to remain.

However, a person who is habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and has Calais leave to remain under Paragraph 352J of the Immigration Rules is eligible for an allocation of housing accommodation or homelessness assistance.

You can find very useful advice on the Citizen's Advice website – **Citizens Advice applying for social housing**.

Appendix Five

Exceptions to our local residency rule

You need to be living in Kensington and Chelsea and have lived here for at least 3 years, without a break, before being able to join our Housing Register. This is called our 'local residency rule'.

However, this may not apply to the following types of households.

- Those accommodated out of borough by the Council under a statutory duty. This includes homeless households where we have agreed that we have a main rehousing duty to rehouse, who have been placed in temporary accommodation outside the borough. It also includes those placed in residential care, or residential educational establishments, outside the borough. These households will retain their local residency until rehoused.
- Those placed into supported accommodation or other short-term accommodation out-of-borough and who qualify for independent living points.
- Those owed a statutory duty to be provided with suitable housing by us, whether or not they were or are currently living in the borough.

- Those who are to be rehoused under part of a reciprocal or 'swap' agreement with another local council, social landlord or another organisation.
- Those who the Council has agreed to rehouse as part of a national, regional or pan-London agreement to help rehouse households in certain circumstances.
- Those serving in the regular forces or who have served in the regular forces within five years of the date of their application for an allocation of housing under Part 6 of the 1996 Act.
- Those who have recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of their spouse or civil partner where:
 - i. the spouse or civil partner has served in the regular forces; and
 - ii. their death was attributable (wholly or partly) to that service.
- Those who are serving or have served in the reserve forces and are suffering from a serious injury, illness or disability which is attributable (wholly or partly) to that service.
- Those with no immediate local residence due to service overseas with the British Armed Forces, but with strong family connections to the borough.
- Royal Borough of Kensington and Chelsea Council tenants in homes located outside of the borough boundaries.
- Social housing tenants who the Council agrees have a 'Right to Move' under The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015.

The Council can exercise discretion to allow other communities or people to apply to join our Housing Register even if they are not living in Kensington and Chelsea when they apply and have not lived here for at least 3 years without a break. For example, this might include households who are experiencing or have experienced domestic abuse, members of the travelling community, or former unaccompanied asylum seekers who are leaving our care.

Notes

