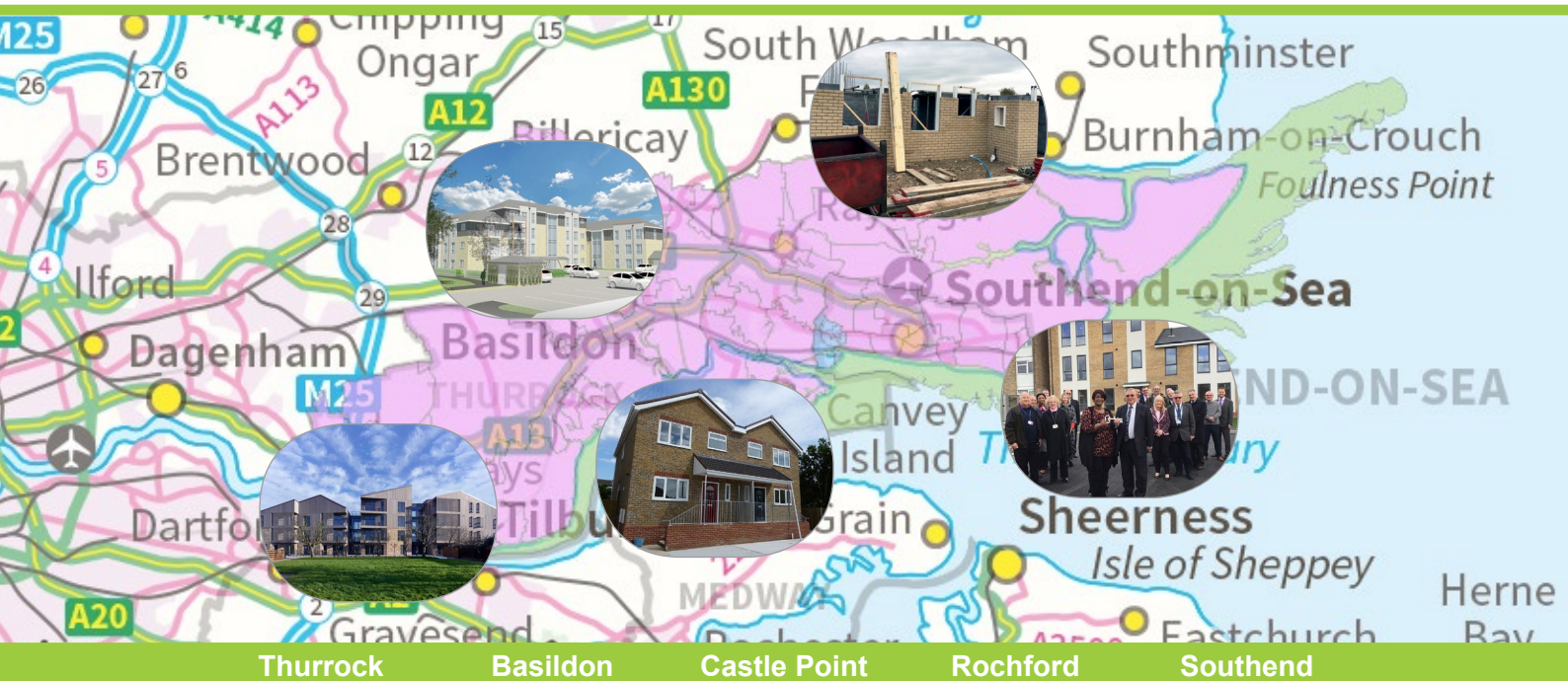


# SOUTH ESSEX HOUSING GROUP



**SEHG**  
SOUTH ESSEX HOUSING GROUP

## Nomination Agreement Best Practice Guide





<b>Contents</b>	<b>Page</b>
1. <b>Introduction</b> .....	<b>4</b>
2. <b>Communications</b> .....	<b>4</b>
3. <b>Void Definitions</b> .....	<b>5</b>
4. <b>Advertising Properties</b> .....	<b>5</b>
5. <b>Accommodation Types</b> .....	<b>7</b>
6. <b>Rent and Tenancies</b> .....	<b>7</b>
7. <b>Shortlisting</b> .....	<b>8</b>
8. <b>Viewings</b> .....	<b>9</b>
9. <b>Refusals</b> .....	<b>9</b>
10. <b>Monitoring</b> .....	<b>10</b>
11. <b>Transfer Tenancy Guidance</b> .....	<b>11</b>
12. <b>Advert and Bidding Cycle Dates</b> .....	<b>12</b>
13. <b>Contacts and Policies</b> .....	<b>13</b>

**Forms**

- LA South Essex Form
- RP South Essex Form

*The Nomination Agreement Best Practice Guide will be reviewed by the South Essex Allocations Sub Group on an annual basis or more frequently as required. The latest version will be available online at: [www.housingessex.org/topic/nominations-allocations-lettings](http://www.housingessex.org/topic/nominations-allocations-lettings)*

## 1. INTRODUCTION

The partners of South Essex (SE) have agreed to work together to help tackle the general needs housing shortage within the boroughs of Basildon, Castle Point, Rochford, Southend and Thurrock.

This document sets out the approach that has been agreed between local authorities and registered providers owning or managing social and affordable rented properties within the South Essex sub-region. It sets out examples of best practice and the standards that partners are expected to work towards.

Partners have agreed to work to achieve greater consistency in their allocation policies when possible to maximise the use of stock in the region.

Partners recognise and acknowledge the difficulties individual partners face and are committed to working together to resolve any issues arising from differing policies and practices and reduce inequality and eliminate discrimination.

## 2. COMMUNICATION

The quality of our communication is key to the success of this guidance. Secure generic emails should always be used to exchange information between Registered Providers (RP) and Local Authorities (LA). Communications should include details of a named officer who will be able to provide detailed further information if required.

RP will be advised of the applicant(s) being nominated through the agreed Nomination Form. Methods and content of correspondence regarding offers that is sent to nominees should be agreed between the LA and RP. Generally, it has been agreed that offers can initially be made by phone, text or email or in person and confirmed in the post or by hand as appropriate depending on the RP communication policy.

Each organisation is responsible for ensuring they have the relevant permissions in place to enable them to exchange information relating to an applicant and their housing application. The applicant should be informed by the LA that by applying for a property they are giving consent for the LA to exchange information with the RP who owns or manages the property.

LA will be notified of RP properties becoming available to let through an online system or by email. The void information should include as much detail as possible about the property, rent and tenancy, as well as details about local amenities, transport links and the accessibility of the property.

Individual organisations will have their own policy to describe how they prioritise applicants and how they shortlist and allocate properties. RP should check the LA Allocations Policy and advise when their policies differ when they request a nomination.

RP should advise the LA whether or not they would accept a nomination that is outside of their policy. This is especially important with regard to:

- Levels of over-crowding
- Under-occupation
- Children of different sex sharing a bedroom
- Offers based on pregnancy
- Pets
- Local lettings plans
- Definitions of affordability

### 3. VOID DEFINITIONS

True voids are properties within the entitlement of the LA as set out in a nomination agreement:

Void Type	Description of Void Type
True Void or Housing Gain	Newly built, acquired or rehabilitated property Moved to another landlord, no reciprocal in place Died with no right of succession Purchased property or is renting privately Evicted or abandoned the property Permanent decant
Non-true Void or No Housing Gain	Transferred within own stock Temporary move Mobility scheme or mutual exchange Moved through a reciprocal to another landlord

The percentage of RP properties made available to the LA as part of an agreement will differ depending on whether the property has been let before or whether there is a scheme specific arrangement in place:

Type of Let	% of properties to be let via LA
First lets	100 % of new build properties
Relets	75 % of properties being relet

Properties let through nomination agreements should include a cross section of property types and bedroom sizes during each financial year. If a RP has a specific need for retaining a true void which should go to the LA, they should discuss this need with the LA to determine whether a reciprocal arrangement with the LA can be agreed before allocation of the property.

### 4. ADVERTISING PROPERTIES

RP should discuss with LA when a property is becoming void to agree the timing of an advert. Properties can be advertised in advance of becoming void when the existing tenant has been offered and accepted another property, when the existing tenant has died and there is no successor, or when major works are almost completed.

Properties should usually not be advertised more than two weeks prior to the date the keys are expected to be received. Voids as a result of an eviction may not be advertised prior to the eviction taking place.

Projected hand-over dates for new builds should be provided to the LA promptly, and where a Choice Based Letting (CBL) system is in place, the date the property will be available for letting must be specified in the advert and any changes to this date communicated as soon as known.

When a property has already been advertised and received bids, the RP will be responsible for informing the applicants that the property is not yet ready to let. This is especially important for larger schemes and will enable bidders the opportunity to discuss with the LA the option of withdrawing their bid if there is an excessive delay.

The RP should notify the LA of a property to be advertised within the deadlines set out in the advertising cycle. Failure to provide details by the deadline will result in the property not being advertised until the following cycle.

RP are responsible for ensuring properties are not advertised with incorrect or insufficient details. The accuracy, quality and amount of information detailed in the property advert will assist in the letting of the property.

All adverts must include at least one photograph and if the property is a new build, photographs can be Computer Generated Image (CGI).

Rochford District Council operates a direct letting scheme and do not operate a CBL system. RP's would still need to ensure all property details are correct and accurate.

Rochford will provide up to 4 nominations for a void property as per each nomination request from the relevant RP.

As well as general information such as the property type and size, rental charges (social or affordable rent) and type of tenancy (fixed term or lifetime), the following details should also be included in a nomination request and advert:

<b>Property external details</b>
Flats only - floor level, number of lifts in block and door entry system details Number of steps to front door or inside property or if level access Outside space such as garden (private or shared) or balcony Parking availability (allocated or communal) or if car free zone / permit scheme in place Locality to shops and public transport
<b>Property internal details</b>
Number of bedrooms with bed-spaces showing maximum occupancy levels (room measurements if known) Heating type Dining room / Parlour Number of toilets and floor level Bath facilities (eg. bath, bath with shower, shower only, wet room) Adaptations (full details and whether will be removed if no suitable bids, eg. stair-lift)
<b>Applicant eligibility</b>
Age restrictions if applicable Pet restrictions if applicable Suitability for disabled applicants and/or ground floor only bidders Local Letting Plan restrictions
<b>Landlord</b>
Expected void / ready to let date Proposed date for viewing to take place Link to the RP website

## 5. ACCOMMODATION TYPES

### General needs housing

General needs housing is self-contained accommodation and can be let at either social rent or affordable rent. General needs can also be let on a fixed-term tenancy, a lifetime tenancy, a starter tenancy or a shorthold tenancy.

### Sheltered housing

Sheltered housing is self-contained accommodation set within a scheme that may have a staff presence or intercom assistance facility and offer an enhanced housing management service. To be eligible for sheltered housing applicants must meet the minimum age criteria for that scheme.

### Designated older persons - age restricted

This is housing that is ring-fenced for older residents. In contrast to sheltered housing there is no staff presence and it may not be within a scheme or have an intercom facility. Eligibility is based on age criteria which is lower than sheltered. If the accommodation is designated for older persons this must be made clear in nomination requests and adverts. Details of whether children are allowed if the property has more than one bedroom should be included or if under-occupation is allowed.

## 6. RENT AND TENANCIES

The amount and frequency of rent and service charges, and other costs that are liable via the tenancy, such as Combined Heat and Power (CHP) charges, and the type of tenancy being offered should be confirmed in writing at the point of offer.

When considering rent levels and type of tenancies to be issued, RP should have regard to the LA Tenancy Strategy. Applicants who have held a secure or assured tenancy since before April 2012 should be offered a tenancy of the same security unless moving to an affordable rented property when it would then be at the discretion of the landlord.

### Rental charges

The nomination request and advert should state whether the property is being let at an affordable rent (up to 80% of market rent) or a social rent (sometimes known as target or formula rent). Affordable rents will normally include eligible service charges but not 'personal' charges, such as the cost of heating and hot water. Social rents must clearly state the level of all service charges, including non-eligible (personal) charges. In accordance with Partner LA's tenancy strategies, affordable rent will not exceed the Local Housing Allowance (LHA) rates/housing element of universal credit.

Adverts or nomination requests should include details of any advance payment or proof of income that will be required by the RP before the keys are issued. Any requirement to pay more than one weeks rent in advance should be discussed with the LA. RP are expected to be flexible when an applicant has been nominated with a low income and no access to sufficient funds to cover a month rent in advance.

### Fixed term or flexible tenancies

The advert should indicate the type of tenancy that will be issued to the successful applicant. If this is a fixed term tenancy, the term the tenancy will be offered for should be included. It should also include whether a starter or introductory tenancy will be offered first and if so whether this tenancy will automatically convert into a longer term tenancy or whether a new tenancy will need to be signed at the end of the term.

### Any day tenancies

When a tenancy is issued on an 'any day' basis, the nomination request and advert should, where possible, advise what day the tenancy will start, such as the day after the keys are issued. RPs will be expected, whenever possible, to allow sufficient time for an applicant to make arrangements to move, especially if they have had to give notice on another property and/or have financial hardship.

### Monthly tenancies

When rent is charged monthly it must be made clear within the advert or nomination request so the applicant is aware. This is especially important if the LA IT system will only allow weekly charges to be listed on the advert.

## 7. SHORTLISTING

LA should provide the RP with a nomination shortlist within 2 days of bidding closing. LA will shortlist applicants based on need, assessed in accordance with the LA's Allocations Policy or any agreed Local Lettings Policy, and when the property will become available, including new builds, when homes may be advertised and pre-allocated in advance of handover. Wheelchair units can be pre-allocated 6 months ahead of handover to enable any specific adaptations to be carried out. Such allocations can be done by a direct let to ensure enough time for the necessary adaptations to be carried out prior to the new tenant moving in.

If the host LA is unable to provide a suitable nomination and the bidding or nomination shortlist has been exhausted, the property will be re-advertised. After this process, the RP may offer the property to the other LA in the sub-region with the agreement of host LA. If the host borough is unable to provide a suitable nomination for an adapted or wheelchair accessible property and the RP does not have someone with such a need within their own stock, the property can be offered to another LA within the sub region with prior agreement.

Properties that may take longer to let, such as bedsits, affordable rented units, or those in less popular areas may be suitable for multiple shortlists. If multiple shortlists are possible they will contain details of applicants in priority order. Where group viewings take place, the RP must advise each applicant of their position on the shortlist. Viewings for applicants should take place in their order of priority and applicants offered the opportunity to accept the property in the same order.

Direct offers can be made at the discretion of the LA, in line with their Allocations Policy. The RP should state when requesting a nomination whether the property would be suitable for a direct let and the reason why this is the case. All nomination requests will be for direct lets for Rochford District Council.

Requests for a sensitive let must first be discussed with the LA, though it should be noted that some LA's will not be able to accommodate such a request. Reasons for requesting a sensitive let may be due to a number of reasons, including:

- Anti-social behaviour of the previous tenant
- Lifestyle of occupants in neighbouring properties
- Previous tenancy ending under difficult circumstances
- High risk of harm to tenant or neighbour e.g. an ex D.V/exploitation/attack survivor being housed next door to their former perpetrator



LA should complete robust verification checks within a reasonable timeframe. Although not required for social housing such checks must fulfil the requirements set out under the conditions of 'Right to Rent' and the LA should provide evidence of all members of the household's ID if requested.

A data sharing protocol should be in place between each organisation to enable personal information to be exchanged. Each organisation is responsible for ensuring the process for personal data to be exchanged meets the requirements for their organisation and government legislation. Personal information should always be shared in a secure environment and be GDPR compliant.

## 8. VIEWINGS

The RP will contact the nominees within 48 hours of being sent the nominee(s). Properties that have not been viewed and let within six weeks of being advertised, may need to be re-advertised. This may be due to a delay in handover or more extensive works are required than initially thought. The LA may wish to re-advertise to ensure properties are allocated to those in the most need of housing at the point of allocation.

Any known risks or support needs that could be relevant to the viewing process must be made known to the RP before a viewing takes place. This is especially important if a RP intends to carry out a viewing while the outgoing tenant is still in occupation.

After viewing applicants will have 24 hours to confirm whether they wish to accept the property. This may be extended at the discretion of the RP, especially if the:

- Applicant has a disability
- Nomination has been made under homeless legislation

The RP should advise the LA the outcome of the viewing within 24 hours of it taking place and the date that the successful applicant will, or is expected, to move in. This will ensure any use of temporary accommodation can be terminated in a timely manner.

## 9. REFUSALS

In accordance with the Tenancy Standard, registered providers shall co-operate with local authorities' strategic housing function and their duties to meet identified local housing needs. A refusal of a nomination will always be made with regard to the Equality Act and local policy and discussed with the LA before the nominee is advised. When a nomination is being refused by a RP they must clearly set out the reason for their refusal. A RP can refuse a nomination where first approved by a senior within the frontline Allocations/Housing team for one of the following:

- Applicant demonstrably unable to afford property charges
- Applicant behaviour causes concern
- Conflict of published policies
- Change of circumstances

If a RP carries out affordability assessments they should be done consistently and with accuracy. It is the intention of the sub-region to work towards standardising affordability assessments across all landlords and to ensure they could stand up to external scrutiny by the courts or the Housing Ombudsman.

Some applicants may not be able to afford a property if their benefits have been restricted due to the ages and make up of children (bedroom tax) or they have reached the benefit cap. In such cases it will be at the discretion of the RP whether they will offer a tenancy.

RP are encouraged to accept applicants that could be helped into work or can demonstrate they can cover the shortfall in rent through other means.

If an applicant displays behaviour that suggests there could be future management issues, the RP must contact the LA to discuss before refusing to accept the applicant.

If a nominee does not attend a viewing it will be classed as a refusal unless the RP has been advised beforehand. LA are expected to confirm the time of the viewing with the applicant if the RP has included it in their advert.

If an appeal against an offer is made the LA can request a RP to hold the property for up to 4 days while a decision is made.

## 10. MONITORING

The South Essex Allocations sub group (RPs and LAs) will meet on a regular basis to discuss specific borough related issues.

RP should complete any performance monitoring forms if requested by a LA.

The Nomination Agreement Best Practice Guide will be reviewed by the Allocations sub group on an annual basis or more frequently if required and the latest updated version will be made available online at: [www.housingessex.org/topic/nominations-allocations-lettings](http://www.housingessex.org/topic/nominations-allocations-lettings)

## 11. TRANSFER TENANCY GUIDANCE

Current tenancy held	Transferring to social housing	Transferring to affordable housing		Comments
	New tenancy to be issued	New tenancy to be issued		
Assured tenancy issued before 1st April 2012	Assured or secure tenancy (not with starter or probation)	Fixed-term tenancy Assured or secure at Landlords discretion	Fixed-term tenancy Assured or secure at Landlords discretion	Starter or probationary must not be offered prior to assured or secure
Secure tenancy issued before 1st April 2012	Assured or secure tenancy (not with starter or probation)	Fixed-term tenancy Assured or secure at Landlords discretion	Fixed-term tenancy Assured or secure at Landlords discretion	Starter or probationary should not be offer prior to assured or secure
Assured tenancy issued after 1st April 2012	Fixed-term tenancy Assured or secure (with starter or probation at landlords discretion)	Fixed-term tenancy	Fixed-term tenancy	Assured or secure (with starter or probation) if landlord does not issue Fixed-term
Secure tenancy issued after 1st April 2012	Fixed-term tenancy Assured or secure with starter or probation at Landlords discretion	Fixed-term tenancy	Fixed-term tenancy	Assured or secure (with starter or probation) if landlord does not issue Fixed-term
Fixed-term tenancy	Fixed-term tenancy	Fixed-term Tenancy	Fixed-term Tenancy	Assured or secure (with starter or probation) if landlord does not issue Fixed-term

### Notes

- Assured and fixed-term tenancies are issued by registered providers
- Secure and flexible tenancies are issued by local authorities
- Starter, introductory or fixed-term tenancies issued for less than 2 years do not have the right to exchange
- Fixed-term tenancies usually include a one-year starter period
- The Tenancy Standard states that registered providers shall grant those who were social housing tenants on the day on which section 154 of the Localism Act 2011 came into force, and have remained social housing tenants since that date, a tenancy with no less security where they move to another social rented home, whether with the same or another landlord (unless they choose to move to accommodation let on Affordable Rent terms)
- Failure to issue the correct tenancy to a tenant that has held a secure tenure since before April 2012 could result in a regulatory notice being issued by the Regulator of Social Housing in relation to the effectiveness of a provider's governance arrangements

## 12. LOCAL AUTHORITY ADVERT AND WEEKLY BIDDING CYCLE DATES

Local Authority	Advert Deadline	Advert Starts	Advert Ends	Nomination Result Available
<b>Basildon</b>	Wednesday Midday	Thursday Midnight	Monday Midnight	Thursday
<b>Castle Point</b>	Tuesday 5 pm	Wednesday Midnight	Sunday Midnight	Tuesday
<b>Rochford</b>	Direct Lets	Direct Lets	Direct Lets	Direct Lets
<b>Southend</b>	Tuesday Midday	Wednesday Midnight	Sunday Midnight	Tuesday
<b>Thurrock</b>	Tuesday 10.00 am	Thursday Midnight	Monday Midnight	Friday

### 13. CONTACTS AND LETTING / ALLOCATION AND TENANCY POLICIES

Organisation	Allocation Policy	Tenancy Policy	Generic email
Basildon Borough Council	Housing Allocations Scheme	Tenancy Policy and Strategy	Housingallocations@basildon.gov.uk
Castle Point Borough Council	Home Choice	Housing Services	Happs@castlepoint.gov.uk
Rochford District Council	Housing Allocation Scheme	Housing Strategy <i>(under review)</i>	housingoptions@rochford.gov.uk
Southend on Sea Borough Council	Allocations Policy	Housing Strategy	homeseekersteam@southend.gov.uk
Thurrock Council	Housing Allocation Scheme	Tenancy Policy and Strategy	Housing.reg@thurrock.gov.uk
CHP	Allocations and Lettings Policy	Tenure Policy	DLAllocationsVoids@chp.org.uk
Estuary	Lettings Policy	Tenure Policy	allocations@estuary.co.uk
Guinness	Allocations Policy	Tenancy Policy	housingapplication@guinness.org.uk
Home Group	Referrals and Allocations Policy	Tenure Policy	policy@homegroup.org.uk
L&Q	Renting from us	Tenancies	Contact L&Q Direct   L&Q
Moat	Lettings Policy	Tenancy Policy	customer@moat.co.uk
Notting Hill Genesis	Allocation Policy	Tenancy Policy	contact@genesisha.org.uk
Peabody	Lettings Policy	Tenancy Policy	Lettings@peabody.org.uk
Sanctuary	Applying for housing	Tenancy Details	contactus@sanctuary-housing.co.uk
South Anglia (Clarion)	Allocations Policy	Tenancy Policy	Housing.options@myclarionhousing.com
Swan	Allocations Policy	Tenancy Policy	allocations@swan.org.uk

Click on the links above for access to websites



## LA SOUTH ESSEX NOMINATIONS FORM

**ADVERT NUMBER:**

**Section 1 - Applicant's details**

RP

For Attention of

Property Address  
(including postcode)

Property Type & Size

Nominee Name

Current Address  
(including postcode)

Tel No

Email

List Position of  
Nominee if CBL

Application Number

Form of ID provided  
and copy of signature

Type of nomination  
(eg CBL / direct)

Type of tenancy  
to be issued

Joint or Sole

**Household Details:**

1	Surname	First Name	D.O.B	Gender	Relationship to Applicant	Nat Ins No.
1					Applicant	
2						
3						
4						
5						
6						
7						

If Pregnant EDC

Does anyone in the household have a disability (CORE Q10)

Name of household member	Type of disability, special need or mental health condition

**Details of housing application**

Housing Register		Reciprocal		Length of Residence in LA	
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**Housing Access Route (CORE Q13)**

Not Homeless		Statutorily Homeless and owed a main homelessness duty		Statutorily Homeless but not owed a main homelessness duty	
Other Homeless		Other LA Nomination		Recognised mobility scheme	

Ethnic Group and Nationality of Applicant (CORE Q3) If other insert in blank box

White		Mixed		Asian or Asian British		Black or Black British		Other ethnic groups	
British		White & Black Caribbean		Indian		Caribbean		Chinese	
Irish		White & Black African		Pakistani		African		Arab	
Gypsy, Traveller		White & Asian		Bangladeshi		Other		Other	
Other		Other		Other		Refused to give this information			
UK national		Other, please state							

**Section 2: Risks and support needs**

Risk	✓	Summary of Risk - if known	
Risk to other individuals			
Risk to Applicant			
Risk to Organisation			
Not aware of any risk			
Potential risk - further investigation advised			

**Risk to other individuals** - from potentially violent or dangerous applicant/member of applicant household - including if the applicant or member of the applicant family committed a violent crime in the past.

**Risk to applicant** - of unfair treatment because of their circumstances for example, self harm or abuse, or blind and therefore needs specialist services.

**Risk to organisations** - cost of tenancy failure, arrears, damage to property, higher void rates, dealing with anti social behaviour; risk to reputation through poor publicity, previous eviction.

**Section 3: Administration details**

Nominating Landlord			
Nominating Officer		Date	
Direct Contact Details			

**Outcome of Offer**

If accepted tenancy start date	
Type of tenancy issued	
Date moved in	
If Rejected Reason	
If Refused Reason	

**Section 4: Background information**

**Property Address, Type and size** - Property full address, including postcode, Property Type - House / Flat / Maisonette/Bungalow - Number of bedrooms and number of bed spaces.

**1<sup>st</sup> / 2<sup>nd</sup> / 3<sup>rd</sup> etc nominee** - please give priority order position of shortlisted nominee with 1<sup>st</sup> being the highest - subject to each Local Authority policy.

**CORE** - Throughout the form there is a reference to CORE in each of these parts the information will relate to the relevant question contained within the standard CORE return.



## RP SOUTH ESSEX NOMINATION REQUEST FORM

LA  For Attention of

**PLEASE PROVIDE A NOMINATION FOR THE FOLLOWING PROPERTY:**

Property Address					Postcode		
Tenure Type	General Needs		Sheltered		Older persons <small>specify age</small>		
Property type			Number of beds		Max person		
Age restrictions			Floor level				Lift
Type of let			Dining room		Door entry		
Heating type			Wet room				Double glazing
Bathing facilities			Ground floor WC		Garage		
W/C accessible			Adaptations				
Pet restrictions			Parking spaces				
Outside space type - please state <small>Private garden/ Communal/ Courtyard/ Balcony/ None</small>							

Current status of property <small>Eg. Under notice, undergoing works</small>		Expected RTL date	
Reason for Void			

Type of Rent <small>Social / Affordable</small>		Frequency rent charged	
		Weekly	Monthly
Rent		£	£
Eligible Service Charge		£	£
Ineligible Service Charge		£	£
Garage Charge		£	£
Heating Charge		£	£
<b>Total Rent</b>		£	£

**ADDITIONAL INFORMATION:**

Please do not hesitate to contact me should you require any further information.

Lettings Officer	<input style="width: 90%; height: 20px;" type="text"/>	Date	<input style="width: 90%; height: 20px;" type="text"/>
Email	<input style="width: 90%; height: 20px;" type="text"/>	Direct dial	<input style="width: 90%; height: 20px;" type="text"/>

