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To: Chair & Members of the Customer  
Services Scrutiny Committee

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Thursday 9th November 2023

Dear Councillor

**CUSTOMER SERVICES SCRUTINY COMMITTEE**

You are hereby summoned to attend a meeting of the Customer Services Scrutiny Committee of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Monday 20th November 2023 at 10:00 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 3 and 4.

Yours faithfully



Solicitor to the Council & Monitoring Officer

## **Equalities Statement**

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality, and fostering good relations between all groups in society.

### **Access for All statement**

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- **Phone:** [01246 242424](tel:01246242424)
- **Email:** [enquiries@bolsover.gov.uk](mailto:enquiries@bolsover.gov.uk)
- **BSL Video Call:** A three-way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need WiFi or mobile data to make the video call, or call into one of our Contact Centres.
- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
- **Visiting** one of our [offices](#) at Clowne, Bolsover, Shirebrook and South Normanton

**CUSTOMER SERVICES SCRUTINY COMMITTEE  
AGENDA**

**Monday, 20th November 2023 at 10:00 hours taking place in the Council Chamber,  
The Arc, Clowne**

<b>Item No.</b>		<b>Page No.(s)</b>
	<b><u>PART A - FORMAL</u></b>	
<b>1.</b>	<b>Apologies for Absence</b>	
<b>2.</b>	<b>Urgent Items of Business</b>  To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
<b>3.</b>	<b>Declarations of Interest</b>  Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:  a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time.	
<b>4.</b>	<b>Minutes</b>  To consider the minutes of the last meeting held on 25 <sup>th</sup> September 2023.	<b>5 - 6</b>
<b>5.</b>	<b>List of Key Decisions and Items to be Considered in Private</b>  <i>(Members should contact the officer whose name appears on the List of Key Decisions for any further information. NB: If Members wish to discuss an exempt report under this item, the meeting will need to move into exempt business and exclude the public in accordance with the Local Government (Access to Information) Act 1985 and Local Government Act 1972, Part 1, Schedule 12a for that part of the meeting only).</i>	<b>7</b>
<b>6.</b>	<b>New Council Ambition 2024-2028 - Scrutiny Consultation</b>	<b>8 - 13</b>
<b>7.</b>	<b>Customer Service Standards and Compliments, Comments and Complaints 2023/24 - 1st July 2023 to 30th September 2023</b>	<b>14 - 40</b>
<b>8.</b>	<b>Consultation on Draft Housing Allocations Policy</b>	<b>41 - 114</b>

9. Review of Members ICT & Support and ICT Service Delivery: 115 - 137  
Interim Monitoring Report

10. Customer Services Scrutiny Committee Work Programme 138 - 143  
2023/24

**PART B - INFORMAL**

11. Review Work

## CUSTOMER SERVICES SCRUTINY COMMITTEE

Minutes of a meeting of the Customer Services Scrutiny Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 25<sup>th</sup> September 2023 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor Donna Hales in the Chair

Councillors:- Amanda Davis, Louise Fox, Lisa Powell and Rita Turner.

Officers:- Jim Fieldsend (Monitoring Officer), Joanne Wilson (Housing Strategy and Development Officer) and Alison Bluff (Governance).

### **CS20-23/24            APOLOGIES FOR ABSENCE**

An apology for absence were received on behalf of Councillor Vicky Waplington.

### **CS21-23/24            URGENT ITEMS OF BUSINESS**

There were no urgent items of business to consider.

### **CS22-23/24            DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **CS23-23/24            MINUTES – 24<sup>TH</sup> JULY 2023**

Moved by Councillor Amanda Davies and seconded by Councillor Louise Fox  
**RESOLVED** that the Minutes of a Customer Services Scrutiny Committee held on 24<sup>th</sup> July 2023 be approved as a correct record.

### **CS24-23/24            LIST OF KEY DECISIONS AND ITEMS TO BE CONSIDERED IN PRIVATE**

Moved by Councillor Donna Hales and seconded by Councillor Amanda Davies  
**RESOLVED** that the List of Key Decisions and items to be considered in private document be noted.

## **CUSTOMER SERVICES SCRUTINY COMMITTEE**

### **CS25-23/24                      ANNUAL LETTER FROM THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN 2022/23**

Committee considered the annual letter from the Local Government and Social Care Ombudsman 2022/23.

The Annual Letter from the Local Government and Social Care Ombudsman (LGSCO) contained an annual summary of statistics on the complaints made against the Council for the financial year ending 31<sup>st</sup> March 2023.

The LGSCO received 3 enquiries and complaints during 2022/23 of which two were closed after initial enquiries, and one was not upheld with no fault found.

It should be noted that the data provided by the LGSCO may not align with the data the Council held because their numbers included enquiries from people who had been signposted by the LGSCO back to the Council, but who may then have chosen not to pursue their complaint.

Moved by Councillor Rita Turner and seconded by Councillor Louise Fox  
**RESOLVED** that the annual letter from the Local Government and Social Care Ombudsman 2022/23 be noted.

### **CS26-23/24                      CUSTOMER SERVICES SCRUTINY COMMITTEE WORK PROGRAMME 2023/24**

Committee considered their work programme 2023/24.

Moved by Councillor Rita Turner and seconded by Councillor Amanda Davies  
**RESOLVED** that the Committee's work programme 2023/24 be noted.

The formal part of the meeting concluded at 1015 hours and Members then met as a working party to continue their review work. The working party concluded at 1030 hours.

Matter in Respect of which a decision will be take	Decision Maker	Date of Decision	Documents to be considered	Contact Officer	Is this decision a Key Decision?	Is this key decision to be heard in public or private session
<b>Award of Provision of Waste Disposal - Skip Hire Contract</b>	Executive	4th December 2023	Report of the Portfolio Holder for Housing	Helena Skeavington Contract Administrator (QS)	Key - It is likely to result in the Council making revenue savings or incurring Revenue expenditure of £75,000 or more.	Public Session
<b>To receive £100,000 from DCC Public Health to support the emotional health and well-being of children and young people which will benefit the whole of the district.</b>	Executive	4th December 2023	Report of the Portfolio Holder for Partnerships, Health & Wellbeing Executive Member	Laura Duck Partnerships	Key - It is likely to result in the Council making revenue savings or incurring Revenue expenditure of £75,000 or more.	Public Session
<b>Bolsover Homes – Request for second tranche of Funding to deliver affordable and social housing</b>	Executive	4th December 2023	Report of the Portfolio Holder for Growth	Katie Walters Head of Property Services	Key - It is likely to result in the Council making capital savings or incurring capital expenditure of £150,000 or more.	Public Session
<b>Dragonfly Management (Bolsover) Limited Service Level Agreements</b>	Executive	4th December 2023	Report of the Portfolio Holder for Growth	Jim Fieldsend, Service Director Governance, Legal Services & Monitoring Officer	Key - It is likely to result in the Council making revenue savings or incurring Revenue expenditure of £75,000 or more.	Public Session

## Bolsover Ambition 2024 - 2028

### Working copy - Key – changes to ambition 2020-2024

Our Vision	
To become a dynamic, self-sufficient, and flexible Council that delivers excellent services, whilst adapting to local aspirations and acting as the economic and environmental driver for Bolsover District.	
Our Aims	
We will focus on: <ul style="list-style-type: none"><li>○ Our <b>Customers</b> by providing excellent and accessible services</li><li>○ Our <b>Economy</b> by driving growth, promoting the District and being business and visitor friendly</li><li>○ <b>Our Housing by delivering social and private sector housing growth</b></li><li>○ Our <b>Environment</b> by protecting the quality of life for residents and businesses, meeting environmental challenges, and enhancing biodiversity.</li></ul>	
Our Values	
We: <ul style="list-style-type: none"><li>○ Will show respect, honesty, openness, care and compassion in everything we do</li><li>○ Will challenge ourselves and change for the better</li><li>○ Are proud and passionate about what we do</li><li>○ Will continue to work as a team and with partners to provide quality services.</li></ul>	

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## Aim - Customers

### Our Priorities

We are committed to:

- ~~Increasing customer satisfaction with our services~~ Continuous improvement to service delivery through innovation, modernisation and listening to customers.
- Improving the customer contact experience and removing barriers to accessing information and services
- Having an agile, responsive, skilled, and engaged workforce
- ~~Actively engaging with partners to benefit our customers~~ Continue to work with partners from all sectors, ensuring priorities are aligned to benefit the residents of Bolsover district.
- Promoting equality, diversity, and inclusion, and supporting and involving vulnerable and disadvantaged people
- Improving health, wellbeing and increasing participation in sport, leisure, and social activities
- Ensuring good governance and transparency in all we do

### To deliver these priorities we will:

1. Measure customer satisfaction for all front facing service areas at least every two years on a rolling programme. Develop real time customer satisfaction measurement for our contact centres and explore rolling this out further.
2. Ensure we achieve a score of 90% or above (Excellent) on all four categories (Content, Accessibility, Marketing and User Experience) for our website using the Silktide software by December 2027
3. Work with partners to deliver the Sustainable Communities Strategy and publish an evaluation report annually. Work with stakeholders, regional and local partnerships to deliver shared strategies and priorities and publish an annual progress and evaluation report in respect of cross cutting themes (skills, aspiration, health, and local rail offer)
4. Monitor performance against the corporate equality objectives and publish information annually. Monitor progress against the Equality Plan and objectives for 2023-2027 and publish information annually.
5. Explore running a residents' survey to gain resident feedback on place-based services and priorities for improvement.
6. Increase participation/attendances in leisure, sport, recreation, health, physical and cultural activity by X per year. Maximising opportunities for residents of all ages and abilities to participate? Some leisure initiatives/targets to deliver the health priority.
7. Deliver a health intervention programme which provides \*\*\* adults per year with a personal exercise plan via the exercise referral scheme. As above

8. *Implement a revised Complaints Procedure in line with the merged Complaints Code of the Housing and Local Government Ombudsman by April 2025?*
9. *Another governance initiative?*

### Aim - Economy

#### Our Priorities

We are committed to:

- *Actively working with partners to support enterprise, innovation, jobs, and skills*
- *~~Unlocking development potential: unlocking the capacity of major employment sites~~ Unlocking regeneration and development potential of long-term vacant land and buildings, and stalled sites and deliver income-generating capital projects*
- *Ensuring financial sustainability, increasing revenue streams, and making the best use of our assets*
- *Promoting the District and working with partners to increase and support the creative, cultural and tourism sector*

To deliver these priorities we will:

- ~~1. Deliver a Business Growth Strategy by March 2021 that will support enterprise, innovation, jobs and skills and makes the best use of our assets.~~ Refresh our Business Growth Strategy to enable and empower Dragonfly to support the Council to make best use of our assets, support growth in the local economy, attract inward investment to the District and maximise the District's share of potential funding streams from the Government and the Combined County Mayoral Authority
2. Optimise business growth (as measured by gross Business Rates) by £2m by March 2023. *New target/initiative needed to link into the financial sustainability priority.*
- ~~3. Working with partners to bring forward employment and development opportunities at Coalite and Clowne Garden Village by 2025.~~
4. Working with partners to develop a place-based narrative to encourage inward investment, increase engagement with our key heritage assets and grow the visitor economy, the number of tourists and the amount of tourism spending in the District by 2025.
5. Working with partners to develop innovation and growth in our cultural and creative sectors through active support of an investment in a creative's network, cultural corridor, and maker's hub.

6. Working with Higher Education and Further Education providers and other partners to develop post 16 provision within the District to enable and empower more of our local workforce to find better paid, skilled jobs.
7. Securing investment in improvement of our existing business estate and delivery of new commercial space, including regeneration of Pleasley Mills, to meet the needs of local business, encourage inward investment and support growth throughout the local economy.
8. Deliver a fully operational creatorium by 2024 and manage this facility to generate income from 2025.

## Aim – Housing

### Our Priorities

*We are committed to:*

- *Enabling housing growth by increasing the supply, quality and range of housing to meet the needs of the growing population*
- ~~*Providing good quality council housing where people choose to live*~~ *Providing high quality value for money social housing where people choose to live*
- *Preventing and relieving more homelessness cases*
- *Being a good, fair, and effective landlord*
- *Improving property and housing management standards*
- *Maintaining and improving the supply of good quality, well-managed homes in the private rented sector*
- *Ensuring that housing standards and living conditions in the district contribute towards better health outcomes for all*

*To deliver these priorities we will:*

1. Maintain high levels of tenant satisfaction with council housing and associated services as assessed under the annual Tenant Satisfaction Measures (TSM) with the aim to be above the national average.
2. Work towards compliance with the Social Housing Consumer Standards, ensuring tenants' voice is key when developing new council housing policies, procedures, and improvements.
3. Commission and complete a full council housing stock condition survey by April 2025, upon completion develop an improved rolling programme of stock inspections to inform future repairs and maintenance programme.
4. Deliver annual rolling stock inspection programme of 1250 council properties per annum.

5. Annually review housing delivery in the district and facilitate delivery to meet the annual target of ??? new homes. –  
Some planning initiatives/targets needed
6. Work with partners to deliver an average of ??? units of affordable homes each year. As above
7. Deliver 200 new homes through a new Bolsover Homes Programme using Dragonfly Development Ltd by March 2028
8. Maximise potential from s106 arrangements to support affordable high-quality value for money social housing.
9. Develop strategies to support the private rented sector in supporting the Council in its duties.
10. Prevent homelessness for more than 50% of people who are facing homelessness each year. Suitable KPI to be developed.
11. Reduce average relet times for standard voids (council properties) to X calendar days by X and maintain thereafter –  
Suitable KPIs to be agreed under the Dragonfly SLA

## Aim - Environment

### Our Priorities

*We are committed to: Reducing our carbon footprint whilst supporting and encouraging residents and businesses to do the same.*

- Increasing recycling
- Ensuring a high standard of environmental cleanliness, undertaking appropriate enforcement activity where required
- Enhancing biodiversity *across the district* and ~~developing attractive neighbourhoods that residents feel proud of and take responsibility for~~
- Working with partners to reduce crime and anti-social behaviour
- ~~Actively engaging with partners to benefit our communities~~ *Work with stakeholders, regional and local partnerships to deliver shared strategies and priorities that support the local environment:*
- *Ensuring all areas, neighbourhoods, and streets in the district, irrespective of housing tenure or type, are places where people want to live and are proud to live*

*To deliver these priorities we will:*

1. ~~Reduce the District Council's carbon emissions by - 100 tonnes CO2 in 20/21 - 125 tonnes CO2 in 21/22 - 200 tonnes CO2 in 22/23 - 300 tonnes CO2 in 23/24.~~ **Update the Carbon Reduction plan to deliver Net Zero 2050 and publish an annual progress and evaluation report.**
2. **Increase the combined recycling and composting rate to meet government's 65% target by 2035**
3. **Implement Government Waste Consistency requirements by ending March 2026.**
4. **Introduce separate weekly collection of food waste by ending March 2026.**
5. Sustain standards of litter cleanliness to ensure 96% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS). **Retain as a KPI**
6. Sustain standards of dog fouling cleanliness to ensure 98% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS). **Retain as a KPI**
7. ~~Increase the number of fixed penalty notices issued for litter and dog fouling offences by 20% per year.~~ **Carry out 155 targeted proactive littering/dog fouling patrols per year (in 2023//24 and review number for 2024/25)**
8. **Increase the Council's ratio for fly-tipping fixed penalty notices issued per incident each year. (Draft wording)**
9. Resolve successfully 60% of cases following the issuing of a Community Protection Warning **A KPI around ASB to be developed as noted under the new Social Housing Consumer Standards**
10. **Support access to green space by delivering the walking and cycling offer in partnership with Walk Derbyshire by X or throughout the plan period? (Draft wording)**
11. **Develop a Biodiversity Net Gain Policy to meet future development of our urban and rural built environments**

## **Bolsover District Council**

### **Meeting of the Customer Services Scrutiny Committee on 20<sup>th</sup> November 2023**

#### **Customer Service Standards/ Compliments, Comments and Complaints** **Report 23/24 1<sup>st</sup> July 2023 to 30th September 2023**

#### **Report of the Portfolio Holder for Partnerships, Health & Wellbeing**

<b>Classification</b>	This report is Public
<b>Contact Officer</b>	Lesley Botham Customer Service, Complaints & Standards Manager

### **PURPOSE/SUMMARY OF REPORT**

- To provide information on the Council's performance in relation to its customer service standards.
  - To provide information on the effective management of complaints and customer requests which is central to excellent customer service and the Council can use to improve its services.
  - To provide information on the number of compliments, comments and complaints for the period 1<sup>st</sup> July 2023 to 30th September 2023.
  - To make Elected Members aware of performance in relation to its Customer Service Standards and the effective management of complaints.
- 

### **REPORT DETAILS**

#### **1. Background**

- 1.1 The purpose of this report is to make Elected Members aware of performance in relation to its Customer Service Standards and the effective management of complaints.

#### **2. Details of Proposal or Information**

##### **2.1 Customer Service Standards**

Appendix 1 and 2 provides a breakdown of the key customer service standards by quarterly period, together with the target and the cumulative performance for each standard.

##### **2.1.1 Revenues & Benefits (Appendix 1)**

**Target – Revenues 65% of incoming calls to be answered within 20 seconds**

Revenues 'direct dial' achieved 78% for Quarter 2.

**Target – Benefits 78% of incoming calls to be answered within 20 seconds**

Benefits 'direct dial' achieved 91% for Quarter 2.

2.1.2 Contact Centres (Appendix 1)

Telephones

**Target - 75% of incoming calls to be answered within 20 seconds**

Contact Centres achieved 83% for quarter 2 (16,884 calls answered).

E-mails

**Target 1 - 100% to be acknowledged within 1 working day**

**Target 2 - 100% to be replied to within 8 working days**

For this reporting period, 1<sup>st</sup> July 2023 to 30<sup>th</sup> September 2023:

- 9,276 email enquiries (in Q2) from the public were received through [enquiries@bolsover.gov.uk](mailto:enquiries@bolsover.gov.uk)
- All 100% were acknowledged within one working day
- 99.8% were replied to in full within 8 working days with 20 emails over target 8 working days for Q2.

Live Chat

**Target - 75% of incoming Live Chats to be answered within 20 seconds**

Contact Centres achieved 92% for Q2 (724 chats answered)

2.1.3 Corporate Telephone Standard (Appendix 2)

**Target - 93% to be answered within 20 seconds**

Appendix 2 shows the performance between 1<sup>st</sup> July 2023 to 30<sup>th</sup> September 2023 by quarterly period.

The report identifies in Quarter 2 **94%** of incoming calls are being answered corporately within 20 seconds cumulatively, which is above standard.

The majority of departments achieved and exceeded the corporate target of 93%, with the exception of the following departments Revenues and Benefits, Joint ICT, Joint Environmental Health & Housing Repairs.

**Target – 10% Unanswered Calls (Abandoned)**

Appendix 2 shows the performance between 1<sup>st</sup> July 2023 to 30<sup>th</sup> September 2023 quarterly period. The report identifies Quarter 2, **15%** of incoming calls direct to service areas are not being answered which exceeds target.

Departments meeting or exceeding the target include Finance and Audit, Revenues and Benefits, Joint ICT, Governance, Legal, Planning, Joint Env Health and Street Scene services.

## **2.2 Compliments, Comments and Complaints**

### Compliments

Appendix 3 (A) shows the number of written compliments received for the period by department. In total **35** written compliments were received during Q2 1<sup>st</sup> July 2023 to 30th September 2023. Compliments were received from customers who appreciated excellent service and passed to the respective department to cascade to their teams.

### Comments

Appendix 3 (B) shows the number of written comments received for the period Q2 1<sup>st</sup> July 2023 to 30th September 2023, **6** Comments were received and 100% were acknowledged and passed to the respective department within the target time of 3 working days, for consideration when reviewing their service.

### Complaints

#### Frontline resolution (stage one)

Appendix 3 (C) shows the number of Frontline Resolution complaints received by the Contact Centre service, in total **68** complaints were recorded on the Customer Information System (61) and Open Housing Repairs system (7) for the period Q2.

94% of which were responded to within our customer standard of 3 working days and only 2 Stage 1 complaints required escalation to Stage 2 process.

#### Formal Investigation (stage two)

Appendix 3 (D,E) shows the number of Formal Investigation complaints and M.P. enquiries received by department, **32** formal complaints Q2 1<sup>st</sup> July 2023 to 30th September 2023 and **55** M.P. enquiries during this same period.

100% Formal complaints and 100% M.P. enquiries were responded to within our customer service standard of 15 working days, target is well above the 95% for both S2 and MP responses and the first quarter which this has been achieved since Q3 2021/22.

#### Internal Review (stage three)

Appendix 3 (F) shows the number of stage three complaints received for the period by department. These are complainants who have already made a stage two complaint and still feel dissatisfied. During this period **9** stage three complaints were received all of which were responded to within the standard of 20 working days.



## Ombudsman

Appendix 3 (F) shows 1 Ombudsman complaint has been received for Q2 period 1<sup>st</sup> July 2023 to 30th September 2023 – Decision taken to not investigate by the Ombudsman as not enough evidence to justify any fault in the way the Council acted.

### **3. Reasons for Recommendation**

- 3.1 To note the overall performance on Customer Service Standards and Compliments, Comments and Complaints.

### **4 Alternative Options and Reasons for Rejection**

- 4.1 None

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## **RECOMMENDATION**

1. That the Customer Services Scrutiny Committee note the overall performance on Customer Service Standards and Compliments, Comments and Complaints

Approved by Councillor Mary Dooley Portfolio Holder for Partnerships, Health & Wellbeing

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### **IMPLICATIONS:**

**Finance and Risk:** Yes ☐ No ☒

**Details:** Whilst there are no direct financial implications with regard to the report, the Council is at risk of recommendations or decisions by the Local Government Ombudsman and the Housing Ombudsman if complaints are not handled well. In cases of maladministration, financial penalties can be imposed by the Local Government Ombudsman or the Housing Ombudsman.

On behalf of the Section 151 Officer

**Legal (including Data Protection):** Yes ☐ No ☒

**Details:** The Council is at risk of recommendations or decisions by the Local Government Ombudsman and the Housing Ombudsman and, in the case of complaints about Freedom of Information, Data Protection and Environmental Information requests, the Information Commissioner's Office can issue decision notices and impose significant fines. There are no Data Protection implications.

On behalf of the Solicitor to the Council

### **Environment:**

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

**Details:** Any complaints linked to environmental issues are dealt with in line with our policies.

**Staffing:**    Yes ☐            No ☒

**Details:**

Not applicable as the report is to keep Elected Members informed.

On behalf of the Head of Paid Service

## DECISION INFORMATION

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No

<b>District Wards Significantly Affected</b>	All
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input type="checkbox"/> <b>Executive</b> <input type="checkbox"/> <b>SLT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input checked="" type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>	Yes  Details:

<b>Links to Council Ambition: Customers, Economy and Environment.</b>
Increasing customer satisfaction with our services Improving customer contact and removing barriers to accessing information Actively engaging with partners to benefit our customers Promoting equality and diversity and supporting vulnerable and disadvantaged people

DOCUMENT INFORMATION	
Appendix No	Title
1.	Customer Service Standards monitoring
2.	Telephony performance
3.	Compliments, Comments and Complaints:  A. Compliments by department 01/07/23 to 30/09/23

	B. Comments by department 01/07/23 to 30/09/23 C. Frontline Resolution (S1) complaints by department 01/07/23 to 30/09/23 D. Formal Investigation (S2) complaints 01/07/23 to 30/09/23 E. M.P Enquiries 01/07/23 to 30/09/23 F. Internal Review (S3) complaints 01/07/23 to 30/09/23 G. Ombudsman Complaint Investigation 01/07/23 to 30/09/23
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<b>Background Papers</b>
<b>None</b>

# APPENDIX 1 – Customer Service Standards Monitoring 01/07/23 to 30/09/23

Key Customer Service Standards - Performance Monitoring - 2023/2024															
	Telephone Standards						E-mail Standards			Live Chat		Written Complaints			
Period	No. of Incoming Calls Answered (Direct Dial)	% Calls Answered within 20 Seconds	No. of Incoming Calls Answered - Contact Centres	% Calls Answered within 20 Seconds - Contact Centres	% Calls Answered within 20 Seconds - Revenues	% Calls Answered within 20 Seconds - Benefits	No. of Emails	% Acknowledged within 1 Working Day	% Replied to within 8 Working Days	No. of Live Chats Contact Centres	% Live Chats Answered within 20 seconds - Contact Centres	No. of Complaints Received (Stage Two)	% Responded to within 15 Working Days	No. of M.P. Enquiries Received	% Responded to within 15 Working Days
Target		93%		75%	65%	78%		100%	100%		75%		97%		97%
April to June 2023	23,863	87%	18,478	82%	75%	93%	9,586	100%	100%	769	91%	27	96%	71	91%
Quarter 1 Cumulative	23,863	87%	18,478	82%	75%	93%	9,586	100%	100%	769	91%	27	96%	71	91%
July to September	24,494	94%	16,884	83%	78%	91%	9,276	100%	100%	724	92%	32	100%	55	100%
Quarter 2 Cumulative	48,357	91%	35,362	83%	77%	92%	18,862	100%	100%	1493	92%	59	98%	126	96%
October to December															
Quarter 3 Cumulative	48,357	91%	35,362	83%	77%	92%	18,862	100%	100%	1,493	92%	59	98%	126	96%
January to March															
Quarter 4 Cumulative	48,357	91%	35,362	83%	77%	92%	18,862	100%	100%	1,493	92%	59	98%	126	96%

## APPENDIX 2 –Telephony Performance 01/07/23 to 30/09/23

2023/24 Q1 & Q2 Oct - Mar Target - 93% to be answered within 20 seconds Target - 10% Unanswered Calls (Abandoned)	Q1						Q2					
Department (by directorate)	Total Calls Received	Total Calls Answered	Total Calls Answered within 20s	% Answered within 20s	Abandoned /Lost calls	% Abandoned calls	Total Calls Received	Total Calls Answered	Total Calls Answered within 20s	% Answered within 20s	Abandoned /Lost calls	% Abandoned calls
<b>Chief Executive Officer</b>												
<b>Chief Executive Officer</b>												
Elections							119	68	66	97%	51	43%
<b>Services</b>												
<b>Services Director Executive, Governance, Customer Services &amp; Partnerships</b>	52	27	21	77%	25	48%	38	19	18	94%	19	50%
Customer Services	137	112	106	94%	25	18%	98	83	80	96%	15	15%
HR & Payroll	272	241	238	98%	31	11%	221	191	188	98%	30	14%
Partnership Team	143	112	107	95%	31	22%	93	78	75	96%	15	16%
Communications	93	82	82	100%	11	12%	120	102	102	100%	18	15%
Executive	1	0	0	0%	1	100%	0	0	0	100%	0	0%
<b>Services Director Fiance &amp; Section 151 Officer</b>	26	26	26	100%	0	0%	19	19	19	100%	0	0%
Finance & Accountancy	302	292	291	99%	10	3%	295	282	279	98%	13	4%
Revenues & Benefits	9879	9863	7826	79%	16	0%	8590	8547	7006	81%	43	1%
Joint ICT	1161	1107	935	84%	54	5%	1167	1118	944	84%	49	4%
Audit	0	0	0	0%	0	0%	0	0	0	0%	0	0%
<b>Services Director Corporate &amp; Legal Services and Monitoring Officer</b>	20	20	20	100%	0	0%	20	20	20	100%	0	0%
Elections	308	240	232	96%	68	22%	0	0	0	100%	0	0%
Governance	67	60	59	98%	7	10%	70	58	57	98%	12	17%
Procurement	98	69	65	94%	29	30%	103	79	74	93%	24	23%
Performance & Improvement	87	78	78	100%	9	10%	74	66	65	98%	8	11%
Scrutiny	5	5	5	100%	0	0%	10	10	10	100%	0	0%
<b>Total</b>	<b>12651</b>	<b>12334</b>	<b>10091</b>	<b>83%</b>	<b>317</b>	<b>17%</b>	<b>10918</b>	<b>10672</b>	<b>8937</b>	<b>91%</b>	<b>246</b>	<b>12%</b>

<b>Strategy</b>												
<b>Strategic Director of Services</b>	0	0	0	0%	0	0%	14	12	12	100%	2	14%
Planning & Planning Policy	748	719	678	94%	29	4%	756	718	672	93%	38	5%
Joint Environmental Health	2504	2393	2010	84%	111	4%	2722	2597	2189	87%	125	5%
Housing Management & Enforcement	2611	2272	2178	96%	339	0%	2943	2587	2367	92%	356	12%
Corporate Health & Safety	50	27	27	100%	23	46%	34	21	21	100%	13	38%
Street Scene	2049	1849	1788	95%	200	7%	2003	1836	1759	96%	167	8%
Leisure, Health & Well Being	5	5	5	100%	0	0%	1630	1355	1307	96%	275	17%
<b>Total</b>	<b>7967</b>	<b>7265</b>	<b>6686</b>	<b>81%</b>	<b>702</b>	<b>9%</b>	<b>10102</b>	<b>9126</b>	<b>8327</b>	<b>95%</b>	<b>976</b>	<b>14%</b>
<b>Dragonfly</b>												
<b>Dragonfly Development Ltd Director</b>	5	5	5	100%	0	0%	3	2	2	100%	1	33%
Repairs	3656	3471	3165	91%	185	5%	4055	3754	3460	92%	301	7%
Economic Development	89	67	66	98%	22	25%	70	56	54	96%	14	20%
Facilities	158	156	151	96%	2	1%	201	197	195	98%	4	2%
Property & Commercial	285	238	235	98%	47	16%	358	298	293	98%	60	17%
Property Services	307	274	265	96%	33	11%	292	284	277	97%	8	3%
Engineers	15	8	7	87%	7	47%	8	4	4	100%	4	50%
<b>Total</b>	<b>4515</b>	<b>4219</b>	<b>3894</b>	<b>95%</b>	<b>296</b>	<b>15%</b>	<b>4987</b>	<b>4595</b>	<b>4285</b>	<b>97%</b>	<b>392</b>	<b>19%</b>
	<b>25133</b>	<b>23818</b>	<b>20671</b>	<b>87%</b>	<b>1315</b>	<b>14%</b>	<b>26007</b>	<b>24393</b>	<b>21549</b>	<b>94%</b>	<b>1614</b>	<b>15%</b>

Total in standard includes all incoming calls between Monday to Friday 9.00 a.m. until 17.00 p.m.:

Answered on the original extension within 20 seconds. Transferred to another extension on divert within 20 seconds. Picked up by a group pick up within 20 seconds

Which ring off within 20 seconds are unanswered (Abandoned)

Does not meet target

Appendix 3 (A) Compliments by Department 01/07/23 to 30/09/23

Q2 COMPLIMENTS SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	Compliment Header	Service Area	Numbers Per Department
Jul-23	1	Unknown	Customer would like to thank the Council's Communications team, they are very appreciative to have the support of the Council promoting and sharing events and information. It helps them connect altogether, it is really a invaluable service. It bridges the 'gap' between the Council and residents/businesses.	Communications	1
	1	Shuttlewood	Customer would like thank the Customer Advisor who dealt with their call regarding maggots in the communal hallway of XXX Street. Also the Ranger who went above and beyond as they visited to look at the problem and cleared and cleaned the area where the problem was. The ranger took all the rubbish and an old scooter away. The customer is very grateful to both of them.	Community Safety	1
	1	Bolsover	Customer has complimented the Customer Advisors. They said its easy to get the help needed, staff are always very friendly, helpful and nothing is too much trouble. No bad attitudes.	Contact Centre	4
	1	Langwith	Customer would like to compliment a customer advisor for being lovely, polite, professional and courteous.		
	1	Shirebrook	Customer thanked the Customer Advisor for being helpful and courteous as always when taking their rent payment via telephone		
	1	Shuttlewood	Customer would like thank the Customer Advisor who dealt with their call regarding maggots in the communal hallway of XXX Street. Also the Ranger who went above and beyond as they visited to look at the problem and cleared and cleaned the area where the problem was. The ranger took all the rubbish and an old scooter away. The customer is very grateful to both of them.		
	1	Whitwell	Customer would like to pass on their compliments to the 2 plumbers who attended their property for work to be carried out. They were polite, did a	Housing Repairs and Maintenance	1

Q2 COMPLIMENTS SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	Compliment Header	Service Area	Numbers Per Department
			good job and cleaned up after themselves. Superb is the word they wish to use!		
	1	Unknown	Customer would like to thank Planning for how they have handled the application in light of the fact that I hadn't spotted the 2no. listed structures at the point I submitted the CLD and how it has been progressed so swiftly, very much appreciated.	Planning	1
	1	Whitwell	Customer would like to thank a senior recovery officer for being helpful with their business rates account.	Revenues	1
	1	Clowne	Customer would like to thank the Operative who cleaned the road and the footpath, some of it by hand due to tree roots under the footpath. Thank you for a job well done.	Street Scene	3
	1	Creswell	Customer would like to thank the Road Sweeper Operative who cleared up the mess left from the Tree Operative and the internet fibre cable installers for their high standard of workmanship.		
	1	Pinxton	Customer would like to thank the black bin crew who assisted them with their bin collection		
Total compliments for July 2023. Split by department					12
Total compliments for July 2023.					11
Aug-23	1	Unknown	Customer advised they always marvels at how much Bolsover District Council manages to achieve	Communications	1
	1	Barlborough	Customer would like to thank the customer advisor for their efforts in sorting a one off gardening request for them.	Contact Centre	3
	1	South Normanton	Customer would like to thank the customer advisor who helped them contact their electricity provider when they had no electricity or credit on their telephone.		
	1	Whitwell	Customer called to thank the Council for a quick and prompt service.		
	1	Whitwell	Customer called to thank the Council for a quick and prompt service.	Housing Repairs and Maintenance	1
	1	South Normanton	Customer would like to thank the workmen and the inspector who helped re plaster their property.	Repairs	1



Q2 COMPLIMENTS SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	Compliment Header	Service Area	Numbers Per Department
	1	Barlborough	Customer praised a member of the grounds maintenance team for promptly resolving an issue of overflowing dog bins. They then checked customer satisfaction and all bins were emptied and the customer thought this was an excellent response and they had gone the extra mile.	Street Scene	2
	1	Langwith Junction	Customer would like to thank the Street Scene staff member who helped their missed bin be collected		
Total compliments for August 2023. Split by department					8
Total compliments for August 2023.					7
Sep-23	2	Unknown	Customer would like to thank the Communications Manager for last weeks excellent Bolsover TV and they think that other Councils could learn so much from the authority.	Communications	2
		Unknown	Customer would like to thank the Communications Manager for the excellent Bolsover TV and would like to be added to the weekly viewing figures		
	4	Bolsover	Customer called up to book in a repair and at the end of the call thanked me for the wonderful service we provide and said every time they contact us we are really helpful and friendly.	Contact Centre	6
		Bolsover	Customer would like to thank a Customer Advisor for the understanding and patience shown		
		Bolsover	Customer would like to thank the Customer Advisor for being polite and helping them with their damaged bin		
		Bolsover	Customer would like to thank the customer advisor and the repairs team for their prompt response		
	1	Creswell	Customer said that every time they call the Contact Centre, all the staff are lovely and they would like to thank them.		
	1	Langwith Junction	Customer would like to thank the Contact Centre staff for always being so courteous, polite and doing an excellent job.		
	2	Bolsover	Customer would like to thank the customer advisor and the repairs team for their prompt response	Housing Repairs and Maintenance	5

Q2 COMPLIMENTS SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	Compliment Header	Service Area	Numbers Per Department
		Bolsover	Customer would like to thank the Repairs Co-ordinator for being extremely polite and helpful		
	1	Clowne	Customer would like to thank the plumber who was very polite, friendly and efficient.		
	1	Newton	Customer would like to praise the work completed by a Repair Operative. They were conscientious and did a very good job.		
	1	Whitwell	Customer said that the repairs co-ordinator made time to listen to their individual concerns providing clear and accurate explanations. They were kind enough to spend time to identify solutions and this is a very positive experience for them.		
	1	Newton	Customer would like to thank the refuse team for their help, understanding and politeness	Refuse	2
	1	Tibshelf	Customer would like to thank the bin men's for putting their bins in the right location following their complaint.		
	1	Bolsover	Customer would like to thank the Refuse Department for being polite and friendly when delivering their new bin	Street Scene	3
	1	Hilcote	Customer would like to thank Streetscene for sweeping the roads and footpaths in Hilcote and keeping the area very clean		
	1	South Normanton	Customer wanted to thank the Grounds Maintenance staff member who cut all the grass on the street as they did an amazing job and they were impressed. The staff member also asked the neighbours what they would like doing.		
Total compliments for September 2023. Split by department					18
Total compliments for September 2023.					17
Total compliments for Q2 2023-2024. Split by department					38
Total compliments for Q2 2023-2024.					35

Appendix 3 (B) Comments by Department 01/07/23 to 30/09/23

Q2 COMMENTS SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	Comment Header	Service Area	Numbers Per Department
Jul-23	1	Unknown	General cleanliness of the pool areas at the arc	Leisure	1
	1	Creswell	Customer would like to request that stickers are placed on vehicles informing them when the road sweeper will be attending so they can ensure there is access.	Street Scene	2
	1	Whitwell	The customer would like to be kept informed about the signs for the wild flowers and has identified another roadside verge that needs to be left untouched. They would also like to meet the person who makes the decisions.		
Total comments received for July 2023. Split by department					3
Aug-23	1	Clowne	Customer thinks that all envelopes should be sealed using the sticky part of the envelope provided rather than using tape so it can be determined if it has been tampered with.	Housing	1
	1	Unknown	Customer says area has rubbish on gardens and the people living there are loud and intimidating.	Community Safety	1
Total comments received for August 2023. Split by department					2
Sep-23	1	Bolsover	Customer thinks the gutters on council houses should be maintained on a yearly basis	Repairs	1
Total comments received for September 2023. Split by department					1
Total Comments for Q2 2023-2024					6

APPENDIX 3 (C) – Frontline Resolution (S1) Complaints by Department 01/07/23 to 30/09/23

<b>(S1) Informal Complaints Summary Q2 2023-2024</b>					
<b>MONTH / YEAR</b>	<b>No. of reports per parish per Department</b>	<b>PARISH</b>	<b>Informal Complaint Header</b>	<b>Service Area</b>	<b>Numbers Per Department</b>
July 2023	1	Bolsover	Customer rang to complain about the public toilet in Bolsover Contact Centre being closed and no other provisions in Bolsover.	Contact Centre	1
	1	Bolsover	Council staff not observing road sign	Housing	1
	1	Barlborough	Burgundy bins are regularly being missed (20+ in 18 months).	Street Scene	15
	3	Bolsover	Ongoing issues with missed bins.		
		Bolsover	Ongoing issues with missed bins on normal and mop up collections.		
		Bolsover	Ongoing issues with missed bins.		
	1	Clowne	Ongoing issues with their assisted bin collection.		
	1	Creswell	Bins are still being missed despite a historical complaint.		
	1	Glapwell	Bins still not being returned to the correct location.		
	1	Hardstoft	Ongoing issues with missed bins.		
	1	Newton	Customers bin has been contaminated by someone else, the Council will return on the next collection.		
	1	Pleasley	Bin crew are not servicing assisted bin correctly.		
	2	South Normanton	Bin crew are dragging bin over customers properties.		
		South Normanton	Ongoing issues with missed bins.		
	1	Stanfree	Ongoing issues with missed bins.		

**(S1) Informal Complaints Summary Q2 2023-2024**

MONTH / YEAR	No. of reports per parish per Department	PARISH	Informal Complaint Header	Service Area	Numbers Per Department
	2	Whitwell	Not satisfied with the response to their enquiry regarding trees in their garden.		
		Whitwell	Bin crew didn't help resident with bin.		
	1	Clowne	Operatives not using skip provided and leaving kitchen parts on the shared pathway.	Repairs	3
	2	Shirebrook	Damage caused to plants by scaffolding.		
		Shirebrook	Conduct of Council subcontractors.		
Total informal complaints received for July 2023 . Split by department					20
August 2023	1	Bolsover	Unhappy with the service provided by Careline.	Careline	1
	1	Clowne	Felt the treatment received was not professional or to the standard of the council by the customer advisor.	Contact Centre	1
	1	Clowne	Customer was not happy with a Leisure attendants manner.	Leisure	1
	2	Barlborough	Customer disputes the bin crews decision on carding his bin.		20
			Customer unhappy with lack of response for his tree cutting request.		
	1	Belph	Ongoing issues with missed bins	Street Scene	
	4	Bolsover	Ongoing issues with missed bins at new build property.		
			Ongoing issues with missed bins.		
			Ongoing issues with missed bins.		
			Ongoing issues with missed bins.		
	3	Clowne	Customer has received conflicting information regarding a payment to refuse.		
			Customer has put through several requests regarding her overgrown hedge but has not received a response.		
			Issues with bin replacement.		
	2	Creswell	Ongoing issues with missed bins.		
			Ongoing issues with missed bins.		
1	Elmton	Ongoing issues with missed bins			
1	Hardstoft	Ongoing issues with missed bins.			

**(S1) Informal Complaints Summary Q2 2023-2024**

MONTH / YEAR	No. of reports per parish per Department	PARISH	Informal Complaint Header	Service Area	Numbers Per Department
	1	Hodthorpe	Bin crew member threw a recycling box onto residents garden.		
	2	Pinxton	Customer reported mixed messages regarding the responsibility of the maintenance of the trees and grass.		
			Issues with bins not being fully emptied.		
	1	South Normanton	Issues with bin replacement.		
	1	Tibshelf	Issue with bin not being emptied correctly.		
	1	Whitwell Common	Ongoing issues with missed bins.		
	1	Clowne	Tenant would like their front door replacing before the winter and not after due to the cold.	Repairs	3
	1	Langwith	Repair appointment was moved without the customers knowledge.		
	1	Whitwell	Complaint regarding a comment made by the workman.		
	Total informal complaints received for August 2023. Split by department				
September 2023	1	Tibshelf	Regarding the condition the gazette was delivered in	Communications	1
	1	Clowne	Customer called on 18/9 to arrange a bulky collection. The next available collection date when they called was 20/9 but this wasn't convenient as they wouldn't have her new mattress. They were therefore told to call back the next day to book in for Thursday. However the next available collection date wasn't until 27/9 which the customer is not happy about. They advised they would also complain to their local councillor as they are disgusted with the process and being given incorrect information.	Contact Centre	1
	1	New Houghton	Customer believes they have been misinformed	Environmental Health	1
	1	Pinxton	Customer believes the Council are in breach of tenancy and is not happy with a Tenancy Manager Officers actions	Housing	2

**(S1) Informal Complaints Summary Q2 2023-2024**

<b>MONTH / YEAR</b>	<b>No. of reports per parish per Department</b>	<b>PARISH</b>	<b>Informal Complaint Header</b>	<b>Service Area</b>	<b>Numbers Per Department</b>
	1	Whitwell	Complaint regarding their housing circumstances and the support they feels they are receiving from BDC	Housing	
	1	Shirebrook	Dragonfly Developments are building on XXX and are currently parked all along XXX without any consideration for all of the elderly residents that live on there.	Property and Estates	1
	1	Barlborough	Ongoing issues with their assisted bin collection	Street Scene	15
	1	Belph	Bins keep being missed and the extra recycling wasn't taken with the burgundy bin	Street Scene	
	2	Bolsover	Customer is chasing their bin delivery following on moving into a new build.	Street Scene	
		Bolsover	Customer saw his black bin go into the RCV today and is unhappy that we haven't delivered him a new bin	Street Scene	
	1	Clowne	Complaining since June about the hedge that borders onto their property. The hedge is falling onto their garage roof	Street Scene	
	1	Creswell	Customer advising that her side waste has been left after her bin has been collected.	Street Scene	
	3	Glapwell	Regarding bags not being delivered for the clinical collection	Street Scene	
		Glapwell	Bins not returned to correct location	Street Scene	
		Glapwell	Customer is reporting that they are not happy that they keep not getting enough clinical waste bags.	Street Scene	
	2	Pinxton	Customer complaint regarding overgrown vegetation at a cemetery	Street Scene	
		Pinxton	No reply from a case raised on 1/9/23. Tree is close to property and is overhanging on the customers garden/fence	Street Scene	
	2	Shirebrook	Car window smashed after the Councils have been strimming nearby.	Street Scene	
		Shirebrook	Weed killer used on verge when the customer has asked BDC not to use it because it is killing their grass	Street Scene	

**(S1) Informal Complaints Summary Q2 2023-2024**

<b>MONTH / YEAR</b>	<b>No. of reports per parish per Department</b>	<b>PARISH</b>	<b>Informal Complaint Header</b>	<b>Service Area</b>	<b>Numbers Per Department</b>
	1	Tibshelf	Two Men from Grounds Maintenance came cut the grass on the back today chopped their large plant down didn't even come and apologise.	Street Scene	
	1	Whitwell	Customer is not happy that the bins on their street were missed	Street Scene	
	1	Bolsover	Complaint regarding Scaffolding Contractor not shutting the gate correctly.	Repairs	1
<b>Total informal complaints received for September 2023. Split by department</b>					<b>22</b>
<b>Total informal complaints Q2</b>					<b>68</b>



## Appendix 3 (D) (S2) Formal Complaints by Department 01/04/23 – 30/06/23

Q2 Formal (S2) Complaints SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	Complaint Header	Service Area	Numbers Per Department
Jul-23	1	Bramley Vale	Dissatisfaction regarding the councils lack of action taken regarding nuisance the tenants have been causing in a council property	Community Safety	2
	1	Whitwell	Regarding neighbours antisocial behaviour		
	1	Bolsover	customer rang to complain about the public toilet in Bolsover Contact Centre being closed and no other provisions in Bolsover. This has been escalated from an informal to a formal complaint	Contact Centre	1
	1	Unknown	Regarding longstanding flytipping and litter and no response to previous complaint.	Customer Standards and Complaints	1
	1	Whitwell	Customer would like to complain about the road sides verges being cut and destroying the wildflowers	Ground Maintenance	1
	1	Blackwell	Occupiers in a Council Property causing issues in the neighbourhood	Housing	3
	1	Bramley Vale	Dissatisfaction regarding the councils lack of action taken regarding nuisance the tenants have been causing in a council property		
	1	Whitwell	Regarding neighbours antisocial behaviour		
	1	Whitwell	Customer would like to complain about the way the workmen conducted themselves at a void property.	Housing Repairs and Maintenance	1
	1	Tibshelf	Regarding a single person discount review letter.	Revenues	1
	1	Bolsover	Black bin collection and how the bins are left once emptied	Street Scene	3
	1	Clowne	Regarding neighbours overgrown ivy		
	1	Unknown	Regarding longstanding flytipping and litter and no response to previous complaint.		
Total formal complaints received in July 2023. Split by department					13
Total formal complaints received in July 2023					10

Q2 Formal (S2) Complaints SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	Complaint Header	Service Area	Numbers Per Department
Aug-23	1	Clowne	Complaint regarding the service they received from a customer advisor	Contact Centre	1
	1	South Normanton	Complaint regarding current tenancy and repairs needed.	Grounds Maintenance	1
	1	Bolsover	Complaint regarding advice given on housing associations right to acquire scheme	Housing	5
	1	Shirebrook	Regarding their housing application being made live		
	2	South Normanton	Complaint from a solicitor on behalf of their client regarding their tenancy, rent and council tax.		
			Complaint regarding current tenancy and repairs needed.		
	1	Unknown	Complaint regarding a manager at a Bolsover Council Owned residential home.		
	1	Barlborough	Complaint regarding their appeal for a fence being rejected.	Housing Repairs and Maintenance	2
	1	South Normanton	Complaint regarding current tenancy and repairs needed.		
	1	Clowne	Parking at The Arc and no break between swimming sessions to allow a changeover of vehicles.	Leisure	2
	1	Tibshelf	Customer has fell down a hole at a local BDC park and ended up in A&E		
	1	Clowne	Parking at The Arc and no break between swimming sessions to allow a changeover of vehicles.	Property Services	1
	1	Clowne	Complaint regarding Council Tax corospondence and recivery action taken.	Revenues	3
	1	Out of Area - Bilsthorpe	Complaint regarding Council Tax Billing and Recovery		
	1	South Normanton	Complaint from a solicitor on behalf of their client regarding their tenancy, rent and council tax.		
Total formal complaints received August 2023. Split by department					15
Total formal complaints received August 2023					11

Q2 Formal (S2) Complaints SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	Complaint Header	Service Area	Numbers Per Department
Sep-23	1	Clowne	Complaint regarding overgrown bush on a neighbouring Council property being removed.	Community Safety	1
	1	Bolsover	Complaint regarding Planning and Environmental Health and how an alleged water leak has been dealt with.	Environmental Health	1
	2	Bolsover	Please see attached a formal complaint about the Housing Needs Officer and not happy that the banding is not being amended.	Housing	4
			Complaint regarding the housing department		
	1	Shuttlewood	complaint regarding noise nuisance from another tenant		
	1	Whitwell	Complaint regarding their housing circumstances and the support they feel they are receiving from BDC		
	1	Bolsover	Complaint regarding multiple leaks at their property	Housing Repairs and Maintenance	2
	1	Shirebrook	Complaint regarding the Repair Operator coming at 4pm and the attitude of the Repair Operator		
	1	Bolsover	Complaint regarding Planning and Environmental Health and how an alleged water leak has been dealt with.	Planning	1
	1	Elmton	Complaint regarding ongoing missed bins	Streetscene	3
	1	Glapwell	Complaint regarding bins being left on the pavement		
	1	Steetley	Complaint regarding the bins not being collected on the correct day.		
Total formal complaints received September 2023. Split by department					12
Total formal complaints received September 2023					11
Total formal complaints received in Q2 2023-2024. Split by department					40
Total formal complaints received in Q2 2023-2024					32

Appendix 3 (E) MP Enquiries by Department 01/07/23 to 30/09/23

Q2 MP Enquiries SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
Jul-23	1	Clowne	Regarding the path between Creswell Road and Barton Street by Clowne Fire Station	Contact Centre	3
	1	Langwith	Regarding welfare adaptations.		
	1	Shirebrook	Regarding their housing situation.		
	1	Bolsover	Regarding business grants available	Economic Development	1
	1	Clowne	Regarding a noise complaint they have raised about the Nags Head Pub in Clowne.	Environmental Health	2
	1	Tibshelf	Regarding concerns about their neighbour and the neighbouring property		
	1	Creswell	Regarding the grass area between Creswell Model Village and Elmtown Close	Grounds Maintenance	1
	1	Shirebrook	Regarding their housing situation.	Housing	1
	1	Bolsover	Regarding OAP swimming classes at Go! Active	Leisure	1
	1	Bolsover	Connect Fibre have installed a cabinet on their property, which my constituent advises the Council confirmed to them did not have planning permission	Planning	2
	1	Tibshelf	Regarding concerns about their neighbour and the neighbouring property		
	1	Clowne	Regarding an appeal.	Revenues	1
	1	Clowne	Regarding trees behind their home	Street Scene	4
	1	Langwith	Regarding trees behind their home		
	1	Langwith Junction	Regarding littering at the bus stop next to their garden		
	1	Newton	Regarding their recycling waste collection		
Total MP enquiries received in July 2023. Split by department					16
Total MP enquiries received in July 2023					14
Aug-23	1	Bolsover	Regarding the rollout of CCTV in Bolsover	Community Safety	4
	1	Creswell	Regarding antisocial behaviour on land behind their home		
	1	Shirebrook	Regarding ongoing abuse from a neighbour and a request for a review on their housing application		
	1	Whitwell	Regarding current tenancy and antisocial behaviour		
	1	Bolsover	Regarding overgrown trees near their home.	Contact Centre	2
	1	Clowne	Regarding pest control and customer services.		
	1	Unknown	Regarding the progress of the Shirebrook Crematorium	Economic Development	1
	1	Bolsover	Regarding a landlord disrepair and a housing application	Environmental Health	4
1	Clowne	Regarding pest control and customer services.			

Q2 MP Enquiries SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
	1	New Houghton	Regarding Japanese Knotweed		
	1	South Normanton	Regarding a landlord disrepair		
	2	Bolsover	Regarding a large tree next to their property causing issues.	Grounds Maintenance	3
			Regarding the cleanliness of the streets in Bolsover and the road sweeper		
	1	New Houghton	Regarding Japanese Knotweed	Housing	11
	3	Bolsover	Regarding a housing application		
			Regarding renting the cost of garage from BDC		
			Regarding a landlord disrepair and a housing application		
	1	Bramley Vale	Regarding a housing application		
	1	Doe Lea	Regarding their Housing Application		
	1	Pinxton	Regarding their Housing Application		
	3	Shirebrook	Regarding ongoing abuse from a neighbour and a request for a review on their housing application		
			Regarding their Housing Application		
			Regarding a letter for the HARP Panel		
	1	Whitwell	Regarding current tenancy and antisocial behaviour		
	1	Worksop - Out of area	Regarding whether the constituent has been accepted for a property with their housing application.		
	1	Clowne	Regarding vegetation at their property and their roof replacement	Housing Repairs & Maintenance	1
	1	Pleasley	Regarding the safety of Children in Playparks in Pleasley.	Leisure	1
	1	Bolsover	Regarding development of the land of the old Bolsover Hospital	Planning	4
	1	Hillstown	Regarding a rejected planning application		
	1	Hodthorpe	Regarding a housing development		
	1	Shirebrook	Regarding Charge Gullies being installed.		
	1	Creswell	Regarding antisocial behaviour on land behind their home	Property Services	1
	1	Bramley Vale	Regarding bin collections and litter on their street.	Street Scene	2
	1	Clowne	Regarding vegetation at their property and their roof replacement		
Total MP enquiries received in August 2023. Split by department					34
Total MP enquiries received in August 2023					27
Sep-23	1	Clowne	Regarding being turned down for a Council Tax reduction	Benefits	1
	2	Bolsover	Regarding antisocial behaviour in Bolsover	Community Safety	2
			Regarding littering and antisocial behaviour at a park.		

Q2 MP Enquiries SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	MP Enquiry Header	Service Area	Numbers Per Department
	1	Bolsover	Regarding the fact that the toilets at the Contact Centre in Cotton Street are not available	Contact Centre	1
	1	Newton	Regarding a landlord disrepair and a housing application	Environmental Health	1
	2	Bolsover	Regarding littering and antisocial behaviour at a park. Regarding litter in and around Bolsover town centre.	Grounds Maintenance	4
	2	Clowne	Regarding the assisted gardening service Regarding a tree that potentially poses a fall risk		
	2	Bolsover	Regarding a housing application Regarding an housing application.	Housing	5
	1	Newton	Regarding a landlord disrepair and a housing application		
	2	Shirebrook	Regarding their current housing application and homelessness Regarding an housing application.		
	1	Bolsover	Regarding Town End Car Park in Bolsover		
	1	Shirebrook	Regarding the condition of the road on Sherwood Drive in Shirebrook, which has potholes all along it	Property Services	2
	1	Clowne	Regarding being turned down for a Council Tax reduction	Revenues	1
Total MP enquiries received in September 2023. Split by department					17
Total MP enquiries received in September 2023					14
Total MP enquiries received in Q2 2023-2024. Split by department					67
Total MP enquiries received in Q2 2023-2024					55

Appendix 3 (F) (S3) Internal Review by Department 01/07/23 to 30/09/23

Q2 Internal (S3) Review SUMMARY 2023/24					
MONTH	No. of reports per parish	PARISH	Internal Review Header	Service Area	Numbers Per Department
Jul-23	1	Westhouses	The Customer is not happy with the Formal Response advised.	Contact Centre	1
	1	Tibshelf	The customer is not happy with the response provided.	Housing	1
	1	Tibshelf	The customer is not happy with the response provided.	Housing Repairs and Maintenance	1
	1	Unknown	The customer requested an internal review of their FOI request	Performance	1
	1	Westhouses	The Customer is not happy with the Formal Response advised.	Street Scene	1
Total internal reviews received in July 2023. Split by department					5
Total internal reviews received in July 2023					3
Aug-23	1	Bolsover	Customer requested a review of their formal complaint.	Leisure	1
	1	Bramley Vale	Customer requested a review of their formal complaint	Housing	1
	1	Clowne	The customer would like the complaint escalating to an internal review.	Street Scene	1
	1	Clowne	Customer not happy with the outcome of the investigation and would like it to be internally reviewed.	Contact Centre	1
Total internal reviews received in August 2023. Split by department					4
Total internal reviews received in August 2023					4
Sep-23	2	Unknown	The customer requested an internal review of their SAR request	Performance	2
			The customer requested an internal review of their FOI request		
Total internal reviews received in September 2023. Split by department					2
Total internal reviews received in September 2023					2
Total internal reviews received in Q2 2023-2024. Split by department					11
Total internal reviews received					9

Appendix 3 (G) Ombudsman Complaint Investigations by Department 01/07/23 to 30/09/23

OMBUDSMAN SUMMARY Q2 2023/2024					
MONTH	No. of reports per parish per Department	PARISH	Ombudsman Header	Service Area	Numbers Per Department
August	1	Whitwell	Complainant says the Council failed to follow due process when assessing their neighbour's planning applications for a boiler flue as it did not properly consider the impact of the smoke of residential amenity.	Environmental Health	1
				Planning	
Total Ombudsman Complaint Investigations received in Q2 2023-2024					1



## **Bolsover District Council**

### **Meeting of the Customer Services Scrutiny Committee on 20<sup>th</sup> November 2023**

#### **Bolsover District Council Allocations Policy Review**

#### **Report of the Assistant Director Housing Management and Enforcement**

<b>Classification</b>	This report is Public.
<b>Contact Officer</b>	Victoria Dawson Assistant Director Housing Management and Enforcement

#### **PURPOSE/SUMMARY OF REPORT**

To consider and provide comment on the draft revised Allocations Policy.

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#### **REPORT DETAILS**

##### **1. Background**

- 1.1 It is a statutory requirement under the Housing Act 1996 for local authorities to have an Allocations Policy in place which outlines how social housing located within their authority will be allocated.
- 1.2 Statutory guidance on social housing allocations for local authorities in England sets out how allocation schemes are to be framed. In summary the guidance covers:
  - who is eligible for allocation, this relates to immigration status.
  - how local housing authorities can determine who can qualify for an allocation, this can relate to local connection, financial resources, and unacceptable behaviour; and
  - the categories of persons that an allocation scheme must give “reasonable preference” to, this includes households who are homeless (not just those considered to be statutory homeless), overcrowded households, persons with medical and welfare needs, and those suffering from hardship.
- 1.3 The current Bolsover District Council allocations policy was approved in April 2020.
- 1.4 Council housing within the district is an extremely limited resource and demand significantly outstrips supply. The Council has approximately 380 properties becoming available each financial year to meet the housing needs of applicants. It is imperative that the policy can adequately balance availability of the resource with needs that people have for rehousing into council housing.
- 1.5 At 1<sup>st</sup> October 2023, there were 1,410 applicants on the housing register with a further 885 suspended. Approximately 600 of these are suspended pending

providing necessary proofs to process the applications and join the register, the remaining are suspended either for rent arrears, anti-social behaviour, or risk-management reasons. The 1,410 is broken down into the following bands.

Band A – Urgent i.e., Street homeless, in temporary accommodation	0
Band B – High need i.e., Homeless, and high medical need	165
Band C – some need – overcrowding, medical etc	819
Band D – low need, including out of area	426

## **2. Details of Proposal or Information**

- 2.1 The last full review of the allocations policy was undertaken in 2019, with this being formally adopted in April 2020. This moved away from a points-based system to a band system.
- 2.2 Demand for social housing continues to rise, and it is important that the housing allocations policy provides a genuine route to access housing for households in need. The criteria to determine access to the housing register and priority banding are important. The policy has been reviewed in the context of local housing need. The changes proposed may mean that some households who do not have a housing need are no longer eligible to access social housing via the Bolsover District Council Housing Register. A full Equality Impact Assessment will be carried out as part of the consultation phase.
- 2.3 On 6<sup>th</sup> November 2023, the Executive approved the draft policy (Appendix 1) and a period of 8 weeks consultation commencing on 16<sup>th</sup> November 2023. The Executive also delegated the final decision to adopt the revised policy to the Assistant Director of Housing Management and Enforcement in consultation with Leader, Deputy Leader, and Portfolio for Housing to adopt the policy in the absence of any substantive changes following consultation.
- 2.4 The areas of the policy requiring change are outlined below along with the rationale for the changes. Full details are contained within the appendix summary of changes document (Appendix 2). These changes will then be subject to full public consultation and following analysis of the responses and careful consideration a final updated policy will be presented to the Leader, Deputy Leader, and Portfolio Holder for Housing for final approval and adoption.
- Local Connection has increased from 1 to 2 years continuous residency, we have tightened up the requirement for those in permanent employment in the area and removed the key worker status connection to the area. This ensures we prioritise established local families who have a strong connection for residence of 2 years or more.
  - Removal of Band D which is primarily applicants who live out of area or who have a very low need. Approx 30% of those on the housing register have no housing need or live out of area, removing Band D removes these people who are unlikely to ever be allocated a property.
  - Amendment to Band C - This change will remove those who wish to move within the district but have no statutory housing need, therefore ensuring bands are awarded based on a housing need.

- We have expanded the criteria for when an applicant will qualify for the statutory housing need bands A, B and C, to make it clearer when a band will be awarded and ensure assessments are always consistently applied.
  - A rent arrears suspension rule has been amended to allow people on the register if they have maintained repayment agreements and reduced arrears within an acceptable threshold.
  - Introduced a 12-month suspension for refusal of 2 suitable offers. Where applicants were bidding for properties, and later changed their mind after the bidding cycle had ended as void times were being adversely affected.
  - Overcrowding and assessment of bedroom size has been amended to reflect statutory rules.
  - The 3 years rule preventing a move to another council property will now be applied consistently to all social housing tenants. The time scale remains the same but ensures everyone is treated the same regardless of tenure.
  - The review of decision process has been simplified to make the process quicker and easier for applicants and officers alike.
  - A non-qualification rule for home ownership has been introduced, to reflect that bands are awarded for housing need. The demand on the register is unprecedented and many owner occupiers have the means to secure suitable accommodation without the need for assistance from the local authority. There are some circumstances which will give rise to being accepted on the register, but these are limited.
  - Those over 60 and with no statutory housing need (excluding Homeowners) will be awarded a Band C. This reflects that approximately 45% of the Council's housing stock is older persons accommodation and ensures we do not have significant empty properties of this type.
  - General terminology - we have identified some areas where the policy was inconsistent and have remedied this as well as updating the terminology and job roles.
- 2.4 The Council is legally required to consult with other housing providers operating within the district, but it is also important to seek views and feedback from other partners and stakeholders. In addition to those already on the housing register, all existing Council tenants, all Local Registered Housing Providers, The Derbyshire Law Centre, and Citizens Advice Bureau will be consulted. These consultees will be provided with a summary of change document, a link to the full draft policy as well as an online or paper survey to complete to provide comments on the draft policy. All Councillors will also be consulted and provided the same documentation and an opportunity to provide feedback.

### **3. Reasons for Recommendation**

- 3.1 It is a statutory requirement that Councils have an allocations policy in place under Part VI of the Housing Act 1996. The policy needs to reflect changes in legislation and Government guidance as well as local requirements.
- 3.2 It is important that the policy is regularly reviewed to ensure that it remains fit for purpose and continues to ensure that the limited resource of social housing is allocated fairly, in line with legislation and with local and national priorities.
- 3.3 The unprecedented demand on the housing register means we need to ensure the policy balances the availability of resources with housing needs.

#### 4 **Alternative Options and Reasons for Rejection**

- 4.1 The policy is considered necessary so that members of the public are aware of the Council's position on allocations, to ensure that the bands reflect the statutory housing need and that the policy is applied consistently.

#### **RECOMMENDATION(S)**

To consider and provide comment on the Revised Allocations Policy

Approved by Councillor Sandra Peake, Portfolio Holder for Housing

#### **IMPLICATIONS.**

**Finance and Risk:**            Yes ☐            No ☒

**Details:**

There are no financial implications arising from this report. However, the policy changes will need to be reflected as part of the Council's Housing Management Choice Based lettings system and online application form configuration. The costs associated with system configuration are separate to this report and will be contained within existing budgets.

On behalf of the Section 151 Officer

**Legal (including Data Protection):**            Yes ☐            No ☒

**Details**

The allocation of housing accommodation by local housing authorities (LHAs) is regulated by Part 6 of the Housing Act 1996 (HA 1996). The Council is required to have a scheme for determining priorities and the procedure to be followed in allocating housing accommodation, including all aspects of the allocation process and the persons or description of persons by whom decisions are taken. Generally, an LHA must not allocate housing accommodation except in accordance with its allocation scheme. LHAs must also have regard to guidance issued by the Secretary of State.

To meet legal requirements consultation must be undertaken when proposals are still at a formative stage; it must include sufficient reasons for the proposals to allow interested parties the opportunity to consider the proposal and formulate a response; it must allow adequate time for interested parties to consider proposals and formulate their response and the outcome of consultation must be conscientiously taken into account when the ultimate decision is taken. The proposed consultation period is 8 weeks which will provide adequate time for the proposals to be considered.

The proposed changes will ensure that the Council has a legally compliant and robust housing allocations policy.

On behalf of the Solicitor to the Council

**Environment:**            Yes ☐            No ☐

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment. (Please speak to the Climate Change Lead Officer for advice)

**Staffing:** Yes ☐ No ☒

**Details:**

There are no staffing implications arising from the report or policy.

On behalf of the Head of Paid Service

## DECISION INFORMATION

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards, or which results in income or expenditure to the Council above the following thresholds:  <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies.</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No

<b>District Wards Significantly Affected</b>	Yes
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input type="checkbox"/> <b>Executive</b> <input checked="" type="checkbox"/> <b>SLT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>	During consultation process – all Councillors, all tenants, Customer Services Scrutiny and Tenant Participation and Member Development Group

<b>Links to Council Ambition: Customers, Economy, and Environment.</b>
Customers – Providing excellent services.  Supports Targets CUS.08 - Maintain high levels of tenant satisfaction with council housing and associated services.

DOCUMENT INFORMATION	
Appendix No	Title
1	Draft Allocations Policy
2	Summary of changes

<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers)
None



## Bolsover Council Housing Allocation Policy

Draft V4 Sept 2023

### 1: Introduction

This document is the revised Housing Allocation Scheme for Bolsover District Council. It describes the criteria and procedure that the Council use to prioritise housing applicants for the social housing that we allocate to, i.e., homes owned by the Council, and a proportion of homes owned by Private Registered Providers (commonly known as housing associations) in the District.

The Policy applies to both new applicants and existing council/social housing tenants who wish to transfer to another property and covers key areas such as:

- Who is eligible to apply for housing
- Circumstances when people will not be eligible to join the Housing Register or will not qualify to do so.
- The process of applying for housing, including 'bidding'
- How housing needs are assessed
- How properties are allocated to different household sizes and circumstances
- How the Council will consider exercising discretion
- How offers of accommodation are made

### 2 . Legal Context

Bolsover Council's Allocation Scheme sits within a legal framework that is summarised in this section.

The 1996 Housing Act (as amended by the 2002 Homelessness Act) requires local authorities to make all allocations and nominations in accordance with an Allocation Scheme. A summary of the Allocation Scheme must be published and made available free of charge to any person who asks for a copy. This document is available on the council's web site: <https://www.bolsover.gov.uk/c/council-housing/170-applying-for-council-housing>

The Housing Act 1996, (as amended) requires councils to give Reasonable Preference in their Allocation Schemes to people with high levels of assessed housing need who are defined as:

- all homeless people as defined in Part VII of the Housing Act 1996 (whether or not the applicant is owed a statutory homeless duty)
- people who are owed a duty under Sections 189B, 190 (2), 193 (2), or 195 of the Housing Act 1996 (or under Sections 65 (2) or 68(2) of the Housing Act 1985) or who are occupying accommodation secured by any Housing Authority under Section 192 (3)
- people occupying insanitary, overcrowded or otherwise unsatisfactory housing
- people who need to move on medical or welfare grounds (including grounds relating to a disability)
- people who need to move to a particular locality within the district to avoid hardship to themselves or others

The Housing Act 1996 also requires councils to state within their Allocation Scheme their position on offering applicants a choice of housing accommodation or offering them the opportunity to express a preference about the housing accommodation to be allocated to them. Our policy on choice is described in section 4 of this Scheme.

In developing the Scheme, the Council has had regard to the law and regulatory requirements, including:

- The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England);
- The Housing Act 1996, Part 7 as amended by the Homelessness Reduction Act 2017;
- Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) “the Code”;
- Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) “Supplementary Code”;
- Allocation of Housing (Procedure) Regulations 1997, SI 1997/483 Allocation of Housing (England) Regulations 2002, SI 2002/3264;
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments;
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869;
- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989;
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015;
- ‘The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)’;
- Equality Act 2010;
- Data Protection Act 2018
- UK-GDPR (General Data Protection Regulation) 2021;
- Care Act 2014;
- Human Rights Act 1998;
- Domestic Abuse Act 2021; and
- Children and Social Work Act 2017



In framing the Allocation Scheme, regard has also been had to the Council's current:

- Housing Strategy
- Homelessness and Rough Sleeping Strategy
- Tenancy Strategy
- Relevant caselaw.

All references to statutory materials are by way of summary and are not used as substitutes for the details within the original.

The council will provide an electronic copy of this Scheme to anyone who asks for one. Copies in alternative formats will be considered on an individual basis. The whole of this Scheme is available for inspection by any person at the principal office of the council if someone is unable to access the Scheme online.

Any provision in this Scheme may be waived in exceptional circumstances at the discretion of the lead officer responsible for the housing services. The reasons why a provision has been waived will be documented. An applicant can ask for discretion to be applied for exceptional circumstances and the process for this is detailed in section 2 of this policy.

This is the revised Housing Allocation Scheme for Bolsover Council and will take effect on or after *insert date here when the Scheme has been approved and an implementation date has been agreed*. The assessment of need and qualifying criteria set out in the Scheme will be applied to all new and existing applicants from this date.

### **3: Making changes to the Policy**

The policy will be reviewed and revised as required in response to:

- Any national policy or legislative changes, or
- Policy changes instigated by the Council, or
- To reflect the requirements of any leading and relevant new case law.

Any significant changes to this Scheme will be approved by a meeting of Bolsover's Executive

For minor changes to the Scheme, or changes to the procedures that administer the Scheme, decisions will be delegated to the Portfolio Holder responsible for Housing.

Formally, any major change to the Scheme can only be made after a copy of the proposed amendments have been consulted on by sending this Scheme to every Private Registered Provider operating in the district and giving them a reasonable period of time to comment on any proposed changes. This is a requirement under Section s166A (13) Housing Act 1996.

The council will take any steps as it considers reasonable (for example, by making contact via email, telephone, or letter, or by placing a notification on a council's

website, or via another suitable form of communication), within a reasonable period of time, to bring to the attention of applicants likely to be affected by:

- a) any alterations made to this policy
- b) any subsequent alteration to this Scheme that would affect the relative priority of a large number of applicants; or
- c) any significant alteration to any associated procedures for administering this policy.

Where a full review of the Scheme is undertaken, the council will adopt local government good practice guidelines and undertake a broad consultation that includes relevant statutory and voluntary sector organisations, tenant representatives, and applicants to the scheme.

#### **4: key objectives of the scheme**

- To meet the legal requirements placed on the council to give appropriate priority to applicants who fall under the Housing Act “reasonable preference groups”. This is to ensure that social rented housing is let to those in greatest need.
- To make the best use of the housing owned by the Council.
- To have a system that is transparent and easy to understand.
- To have a system that treats all sectors of the community fairly.
- To offer choice to applicants wherever practicable.

**Section 2: The criteria for deciding who is eligible to be included on the Council Housing Register and the rules for when an applicant will not qualify.**

## **1: The eligibility rules**

Some groups of people cannot by law join the Council's Housing Register regardless of their housing need or circumstances. These are people who:

- come under a government rule which means they cannot lawfully access social housing as they are not eligible, or
- do not live habitually in the 'Common Travel Area' (UK, Channel Islands, the Isle of Man or the Republic of Ireland), or
- do not have the right to live in the UK, or
- Fall under other categories of people who the Government may in the future decide are not eligible for housing assistance.

The key relevant regulations that apply to eligibility are:

- Regulations 3 and 4 Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294, and
- All subsequent amendments including 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861), plus
- The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) Regulations 2020 (SI 2020/667) implemented from the 24 August 2020.

The above is not a complete list of all the eligibility regulations. For example, there is significant legislation that relates to the UK's exit from the European Union and the implications for accessing housing assistance. These rules are complicated. Anyone who is impacted, or believes they may be impacted, can approach the council for advice, or can seek independent legal advice.

## **2: The non-qualification rules adopted by the council**

Under Section 160ZA(7) of the Housing Act 1996 Part 6 a council is allowed to set criteria for classes of persons who are, or are not, qualifying persons. The non-qualification rules adopted by the Council mean that the following classes of person will not normally qualify to join the Housing Register unless the Council accepts there are exceptional circumstances.

### **Non qualification rule 1: The need to demonstrate a local connection to the Bolsover district.**

To qualify for the Housing Register an applicant (or, alternatively the applicant's partner) must meet one of the following rules. They must have:

- a) Lived in the Council's area continuously for the last 2 years and that residence was of their choice. If registered they must continue to live in the area to remain on the Housing Register. Or
- b) The applicant or their partner are employed in permanent employment in the Bolsover Council's area and to travel to work by public transport would take them in excess of 90 minutes each way and they do not have their own transport. Employment is defined as paid employment for at least 16 hours or more per week for a continual period of at least 6 months and is not work that is considered to be temporary, casual or seasonal. Where there is a zero hours contract the assessment will consider if, on average over a 3-month period, the person is working for 16 hours a week or more and that zero hours contract is not a temporary contract. The applicant or household member must be working at the point any offer of a tenancy is made. Where an applicant is self-employed they must demonstrate that the self-employed work they perform is:
  - a) In the Council's area and
  - b) Cannot be performed from home, and
  - c) They have been self-employed for a continual period of at least 6 months and
  - d) Their self-employment is not work that is considered to be temporary or seasonal.

In addition the applicant or partner must be working self-employed at the point an offer of a tenancy is made.

*Note: For applicants who are employed the employment must be their actual place of work in area and not employment based on a head office or regional office situated in the area but from which the applicant does not work. For people employed by a national company their actual place of work must be within the Bolsover district.*

- c) Or, have close family (normally considered to be a mother, father, brother, sister, or adult son or daughter) that have lived in the district for a minimum of the last 5 years and the applicant, or their partner, need to be in the Council's area to give or receive essential support from close family. Note: it is for the Council to decide on whether an applicant meets this local connection qualification rule for close family needing to give or receive essential support.

*Note 1: The Council will consider whether there are exceptional circumstances whereby other family members may be considered to provide a local connection. For example, the circumstances where a person has been brought up by an extended family member, in the absence of their own parents and the applicant continues to need to receive essential support from this person.*

*Note 2: The level of support required to qualify under c) must be essential and significant and cannot be short term or low level such as to carry out shopping once a week, and there is no existing support package in place.*

Once registered an applicant must continue to meet one of the local connection qualification rules a-c above. If the applicant no longer meets this rule they will be removed from the register as they will no longer qualify for inclusion on the housing register.

If an applicant has lived in the Bolsover district for 2 continuous years in the circumstances where they have been placed into temporary accommodation in the Bolsover district by another local authority, they will not qualify to join the Housing Register. This rule is justified because a Council from outside of Bolsover that has placed a household into temporary accommodation in the Bolsover district will legally retain the responsibility for helping the applicant to obtain long term settled housing.

For the purposes of determining a local connection for residence, the Council will accept the following circumstances as demonstrating residence:

- a) Residency in a non-traditional dwelling, such as a mobile home that is placed on a residential site, or an official pitch.
- b) People who are forced to sleep rough in the Bolsover Council area as long as they still meet the 2-year qualification period for residency.

There are a number of exceptions to the 2-year residency rule. These are:

1. Applicant's owed a main section 193(2) homeless duty by Bolsover Council only.
2. Where Bolsover Council has placed an applicant into temporary accommodation outside of the Council's area that period of time in temporary accommodation will count as residence in Bolsover.
3. Where the Council agrees that there are exceptional circumstances requiring a move into an area. This will be decided on a case-by-case basis. Examples where circumstances may be considered to be exceptional include:
  - Reasons of safety, for example when an applicant is fleeing domestic abuse or hate crime from another area, or
  - An applicant is on a witness protection programme and the Council has agreed that a move to the Bolsover area is essential.
4. The Council will consider any application from a gypsy or traveler household where the applicant may not meet the 2-year continuous period of residence rule, if the period has been broken by travelling. The facts of each case will be considered when deciding whether the rule should be waived.
5. Care Leavers below the age of 21 years (or 25 if they are pursuing a programme of education agreed in their pathway plan) who are owed a duty under section 23C of the Children Act 1989 by Derbyshire County Council or another County or Unitary Council and have been looked after in accommodation outside of Bolsover and wish to live in Bolsover.

6. Applicants who satisfy the right to move criteria. The Right to Move qualification regulations 2015 states that local connection qualification rules must not be applied to existing social tenants who seek to move from another Council district in England, and who have a need to move for work related reasons to avoid hardship. However, the Council's policy is to limit these moves to no more than 1% of all lettings per year. (See annex 3 for details of how the 'right to move' criteria will be applied.)
7. Where at the date of application the applicant is not currently resident in the Bolsover area whilst:
  - a) receiving medical or respite care
  - b) serving a custodial sentence

The applicant will be considered to have a local connection for residence as long as they had been living in the Council's area for 2 continuous years prior to their current accommodation circumstances

8. Applicants that satisfy the Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 will be exempt from the local connection qualification rule. These are:
  - a) Applicants who are serving members of the regular armed forces
  - b) Applicants who served in the regular armed forces within the 5 years immediately prior to the date of their application
  - c) Applicants who are serving or former serving members of the regular armed forces or reserve forces who suffer from a serious injury, illness or disability sustained as a result of their service
  - d) Applicants who are a bereaved spouse/civil partner of a former serving member of the regular armed forces and have recently ceased (or will soon cease) to be entitled to reside in services accommodation following the death of their spouse/civil partner.
  - e) The divorced or separated ex-spouse of a member of HM Armed Forces, who is currently serving or going through resettlement, will be exempt from the local connection criteria for a period of six months following the divorce or separation

#### **Non-qualification rule 2: The requirement to have an assessed housing need as defined by the criteria set out in Bands A-C**

Applicants who do not meet the housing need criteria for an award of a band A-C will not be admitted to the Housing Register. This is because the level of housing demand in the district means that any applicant who is not assessed as being in a statutory housing need will almost certainly not be able to receive an offer of accommodation.

There is an exception to this rule for applicants **who are not home owners** over the age of 60 without an assessed housing need and would qualify for an age restricted property. The exception is because the evidence is that a number of older applicants are able to receive an offer of older person housing or age restricted housing as there is a greater availability for this type of housing. Note applicants who qualify under this

exemption will only be considered for age restricted properties and not general needs properties. **For homeowners there are some exceptions where an applicant who 60 or over and a homeowner may be allowed to qualify for the housing register (see non qualification rule 5 below).**

Applicants with no assessed housing need are still able to apply directly to any of the Housing Associations with social housing stock in the Bolsover area or elsewhere in Derbyshire. Some Housing Associations may operate their own housing registers as not all properties that become vacant are let under a nomination agreement through the Council under this policy.

The justification for the Council adopting this non qualification rule option is that there is clear data evidence that applicants without a statutory housing need as defined by the criteria needed to qualify for bands A-C have little or no prospect of being offered social housing but may not pursue alternative housing options based on the 'false hope' that by being registered they may eventually obtain an offer.

### **Non-qualification rule 3: Applicants who will be excluded from the Housing Register due to their unacceptable behaviour**

The disqualification rule for unacceptable behaviour will apply where an applicant, or any member of their current or prospective household, has demonstrated serious unacceptable behaviour that, in the view of the council, makes them at the time of their application, or since their application, unsuitable to be a tenant. The assessment framework below refers to an applicant but this is to be taken to mean any member of an applicant's household.

The rule of non-qualification will apply where the council is satisfied that an applicant (or a member of their current or prospective household) has demonstrated a serious failure to adhere to the terms of a current or previous social housing or private rented tenancy agreement. This is defined as:

- a) failing to maintain any previous social rented or private sector rented property within the terms of their tenancy agreement, or committing acts causing or likely to cause nuisance or annoyance to neighbours or others in the area where they live or have previously lived. Non-qualification will apply until the applicant (or a member of their prospective household) has demonstrated, to the satisfaction of the council, their previous unacceptable conduct is unlikely to reoccur. This may include demonstrating cooperation with support agencies leading to a substantial improvement in behaviour;
- b) conduct likely to cause nuisance or annoyance if they were to be offered a tenancy. This is conduct or behaviour that does not only relate to a previous social housing or private rented sector tenancy. It may include the circumstances where an applicant, or a member of their current or prospective household, is the subject of actions being taken by any council (or some other recognised body) on grounds of alleged antisocial behaviour (ASB).
- c) rent arrears for their last private rented tenancy in the circumstances where the council has obtained information that confirms on the balance of probabilities that a debt is owed. If there is a debt owed it will be for the assessing officer to decide on the facts gathered, regarding the level of debt

and the reasons for it, whether the applicant should be classified as a non-qualifying. Where it is established that a debt is owed the same rules will apply as per a social housing debt (see below).

- d) circumstances where the applicant, or any member of their household, has assaulted a member of the council's staff, whether or not an injunction is being sought, or has been obtained.

Other examples of serious unacceptable behaviour include:

- a) being subject to a court order (including an interim order) for breach of tenancy conditions;
- b) conviction for illegal or immoral use of their current or former home;
- c) causing nuisance and annoyance to neighbours or visitors;
- d) committing criminal offences in or near the home and still posing a threat to neighbours or the community such as drug dealing;
- e) being violent towards a partner or members of the family;
- f) allowing the condition of the property to deteriorate;
- g) paying money illegally to obtain a tenancy;
- h) unlawfully subletting their tenancy;
- i) applicants who have been convicted of housing or welfare benefit related fraud, where that conviction is unspent under the Rehabilitation Offenders Act 1974;
- j) having unspent convictions where an assessment by the Council concludes that the applicant is unsuitable to be a tenant due to a significant risk to potential neighbours and/or communities;
- k) an applicant or any member of their household has been responsible for any racial harassment or other hate crime. 'Racial harassment' and 'hate crimes' are defined as racist, religiously aggravated, faith, gender, age, disability, and trans phobic or homophobic or gender re-assignment harassment or hate crime. A hate crime or racist incident is defined as any incident which is perceived to be racist or hate crime related by the complainant or any other person.

The assessing officer will be guided by the following framework when assessing whether an applicant should not qualify based on their unacceptable behaviour:

- a) The behaviour need not have led to possession, prosecution, or other enforcement action by a statutory agency, provided that, on the balance of probability, the household is responsible;
- b) in normal circumstances the behaviour concerned should have occurred within the last two years. In cases of a more serious nature, for example, those involving criminal prosecution, a longer timescale may be appropriate;
- c) there must be reasonable grounds for believing that the behaviour could continue or be repeated. For example, the applicant may have issued threats, or there might be a history of repeat offending;

When assessing whether behaviour may result in the applicant not qualifying the assessing Officer will consider:

- 1) the seriousness of the applicant's behaviour;



- 2) the duration of the behaviour and/or the number and frequency of incidents;
- 3) the length of time that has elapsed since the behaviour took place;
- 4) any relevant vulnerability or support needs that may explain the behaviour;
- 5) whether there is meaningful engagement with support agencies;
- 6) critically, whether there has been a significant and sustained change in the applicant's behaviour;
- 7) whether they believe on the evidence that the behaviour is likely to still reoccur now or at the point a tenancy was offered or commenced;
- 8) whether the circumstances that caused the behaviour have changed. For example, whether nuisance was caused by drug or alcohol problems that the applicant has since successfully resolved;
- 9) whether the member of the household responsible for the behaviour is still a member of the household;
- 10) whether the council can accept any assurances from the applicant as to future behaviour;
- 11) if the unacceptable behaviour is believed to be due to physical, mental or learning difficulties, whether, with appropriate support, the applicant could maintain a tenancy; and
- 12) the applicant's current circumstances. For example, health needs, dependents, and any other relevant factors.

Applicants to whom the rule is applied will be written to and informed that:

- 1) the unacceptable behaviour rule has been applied to their case and either they do not qualify, or that they qualify but cannot be considered for an allocation until the behaviour has been resolved.
- 2) what they must do to resolve the problem.
- 3) for a decision that they do not qualify it is the applicant's responsibility to notify the council when they have, in their view, resolved the issue and that they will need to present evidence to back up their view.
- 4) where an applicant is disqualified for unacceptable behaviour they will be informed that they have a right to ask for a review of the decision made to disqualify them.

Note: where an applicant is disqualified, any new application will only be reconsidered at the request of the applicant and only where there has been no reasonable cause for complaint or concern against the applicant (or members of their prospective household) for a continuous period of 12 months.

Note: The unacceptable behaviour disqualification rule will also apply to applicants currently on the Housing Register. An applicant's eligibility to remain on the Housing Register will be kept under review and an applicant may be rendered ineligible should the council be satisfied that the rule relating to unacceptable behaviour should be applied to their case.

**Non qualification rule 4: Circumstances where an applicant has a current or former social housing rent arrears, or another relevant recoverable housing related debt.**

This section sets out the rules for when an applicant:

- a) Will not be allowed to qualify for the Housing Register because of rent arrears or another recoverable housing related debt, or
- b) Will be allowed to qualify but will not be allowed to bid for any properties advertised until their rent arrears or housing related debt have been resolved to the satisfaction of the Council.

When carrying out an assessment, the Council will take into consideration all housing related debts, associated with either a current or former tenancy that relate to any social housing provider in the UK. Note the rules in this section only apply to social housing former or current rent arrears, occupation of temporary accommodation debts, and some other forms of housing related debt listed. This section does not cover rent arrears for a private sector tenancy, or licence. This is covered under the unacceptable behaviour rule set out in the unacceptable behaviour qualification rule above.

For the purposes of this qualification rule housing related debts include:

- a) Current or former tenancy rent arrears of a social housing tenancy. Note current social housing tenants seeking a transfer will not normally be allowed to transfer until they have met the relevant criteria set out in this section for addressing the debt (i.e. the criteria for £0-500, £501-£1000, £1001 plus).
- b) Outstanding re-chargeable repairs
- c) Current and former housing related service charge arrears
- d) Temporary accommodation charge arrears for a licence or a tenancy where that temporary accommodation was provided by the Council
- e) Failing to adhere to the terms of an agreed payment plan in relation to rent arrears or housing debt for a social housing tenancy, or temporary accommodation
- f) Any court costs incurred by the Council or a Housing Association associated with any of the above debts

Housing related debts apply to both the applicant and their partner

The purpose of this qualification rule is:

- 1) To ensure any relevant debt owed to a social landlord or the Council is recovered and
- 2) To consider whether an applicant's current position creates a risk of future non-payment of rent.

The following framework will be used to guide officers when applying this qualification rule. The Council will consider:

- The reasons why the applicant accrued the housing related debt and whether there are exceptional circumstances that should be considered when applying the rule.

- Whether the debt has been caused by factors difficult for the applicant to control, for example a case where an applicant was unable to pay the full rent due to being impacted by the 'spare room subsidy' rule.
- Whether the applicant still owes that debt, and if they do, the extent of the arrears/debt as well as whether it is a recoverable debt, or a statute barred debt.
- Whether the applicant has taken debt advice, acted on it, and entered into an arrangement to clear the arrears/debt.
- If an arrangement has been made, the amount of arrears/debt paid off, any amount outstanding, and the regularity of payments made.

After considering the above the Council will decide whether the applicant will not qualify for the housing register, or that they will be allowed to qualify, but not allowed to bid for properties until the issue has been resolved to the satisfaction of the Council.

There is no time limit regarding when a person can make a new application following disqualification under this rule. Where a new application is made, the Council will assess whether the applicant has taken appropriate action to address the rent arrears/debt.

If disqualified an applicant will be informed of the actions they need to take to resolve the debt in order to qualify.

### **How decisions for applicants with a housing related debt will be made**

#### **a) Applicants with debts of £1,000 or more who have not made any arrangement to address the debt**

Applicants with debts of £1000 or more who have not made an arrangement acceptable to the Council to address the debt. They will be ineligible to join the housing register unless the circumstances surrounding the debt are exceptional and an assessment concludes that there is no real risk of future non-payment.

#### **b) Applicants with debts of £1,000 or more who have already made an arrangement to address the debt at the point of their application**

Applicants will be permitted to join the register and be able to bid for accommodation if they have maintained a payment arrangement for at least 13 weeks and have repaid at least 25% of their original debt.

Applicants who satisfy the above will be permitted to bid for properties. All partner housing association landlords are encouraged to abide by these guidelines and to accept bids on this basis. However, a housing association to whom the debt is owed, may wish to see that a longer period of repayment has been kept to. Any requirement by the partner to whom the debt is owed for payments to be maintained for a longer period should not prevent an applicant from bidding for properties advertised by another housing association partner.

In order to encourage good financial management and discourage applicants from using doorstep lenders, who often charge high interest loans, lump sums of 50% or

more for the total debt owed will be accepted but the applicant must still demonstrate that repayments have been made for at least 13 weeks prior to the lump sum payment in order to be allowed to bid.

Where a discretionary housing payment (DHP), or payment from homelessness grant funding has been agreed to clear or reduce debt to the level required an application may be activated. A decision will be made on a case-by-case basis which will focus on whether there is still a significant risk of the applicant defaulting on rent payments for a future tenancy.

The Council will not always require debts of £1000 plus to be paid in full. To always require the debt to be paid in full may act as a disincentive to make an attempt to repay the debt and for some applicants is likely to result in having to demonstrate an extended repayment period of several years before they can be considered for accommodation. This would be unfair on applicant's who have demonstrated through their repayment actions a commitment to pay off the debt, meaning that the risk of any further debt for a new tenancy is low. Requiring a debt of £1000 plus to be paid off in full, also makes it more likely that the social landlord will be unable to recover the debt.

### **c) Applicants with debts of £500-£999**

Applicants with debts of £500-£999 will be eligible to join the register but ineligible to bid, unless the applicant can demonstrate to the Council that there is a low risk of non-payment for a new tenancy. They will still be allocated a band and will accrue their time in band whilst they take action to resolve the debt as per the rules in the policy.

Evidence of a low risk of non-payment for a new tenancy could include:

- a) A history of not having housing debts,
- b) A history of regular rent payments, and
- c) A history of payment arrangements having been maintained.

Where no such evidence exists, an applicant will be unable to bid until there is evidence such as:

- a) Maintaining a payment arrangement for 13 weeks, or
- b) Reducing the debt to below £500, or
- c) Demonstrating that the issues that caused the debt have been addressed.

In order to encourage good financial management and discourage applicants from using doorstep lenders, who often charge high interest on loans, lump sums of 50% or more of the total owed will be accepted but the applicant must still demonstrate that repayments have been regularly made for at least 13 weeks prior to the lump payment in order to be allowed to bid.

Where a discretionary housing payment (DHP), or payment from homelessness grant funding has been agreed to clear or reduce debt to the level required an application may be activated. A decision will be made on a case-by-case basis which

will focus on whether there is still a significant risk of the applicant defaulting on rent payments for a future tenancy.

#### **d) Applicants with debts of £1-£499**

Applicants with debts of £1-£499 will be eligible to join the register and eligible to bid, unless there is clear evidence of a future risk of non-payment.

Evidence of a future risk could include factors such as:

- a) A long history of housing debt,
- b) A long history of poor rent payments, and
- c) A long history of breached payment arrangements

Where such evidence does exist, the applicant will be unable to bid until there is evidence of:

- a) Maintaining a payment arrangement for 13 weeks and
- b) Demonstrating that the causes of the previous problems have been addressed.

Applicants who are disqualified for a housing related debt of £1,000+ should notify the Council immediately when they have either repaid at least 25% of their original debt so their circumstances can be reassessed. If it is agreed they can then join the housing register their effective registration date will be the date they have been assessed as qualifying for the register and will not be the date of their earlier application which resulted in the decision that they did not meet the qualification rule.

The only exception to the rent arrears or housing related debt rule is where an applicant can demonstrate that their circumstances are exceptional, and they would therefore face serious hardship or risk through not being allowed to qualify.

An exception may be considered where for example, an applicant has a good payment history but has incurred a debt as a result of a 'one off' problem, or where a tenant had to flee domestic abuse and a subsequent debt has built up for the tenancy left.

Note 1: It is the responsibility of the applicant to make the case as to why their circumstances are exceptional. Once a request has been made for exceptional circumstances to be applied to their case it will be considered under the statutory review procedure.

Note 2: This qualification rule also applies to applicants currently on the register. An applicant's eligibility to remain on the register will be kept under review. An applicant may be rendered ineligible (or allowed to remain on the register but not be allowed to bid) should the Council become satisfied that there is new evidence, or a change of circumstances, meaning that this rule should be applied.

Note 3: For applicants who have had their rent arrears included in a 'Debt Relief Order', bankruptcy declaration or individual voluntary agreement (IVA) a period of at least 12 months has to pass from the declaration of insolvency to the point a debt is cleared. Should an applicant maintain their finances for this period, this will be considered as strong evidence that their previous problem has been resolved.

#### **Non qualification rule 4: Making false or misleading statements or withholding information**

Under s171 Housing Act Where a person approaches the Council seeking an allocation of housing the Act named makes it an offence, punishable with a fine, for a person to make a false statement or to withhold information which is relevant to their claim.

Any applicant seeking to obtain accommodation by making a false or misleading statement, by withholding relevant information, or by failing to inform the council of any material change in circumstances may be prevented from qualifying for the Housing Register, or where they are already registered, may have their application cancelled. Prosecution will be considered where it appears to the council that a criminal offence has been committed. Proceedings for possession will be taken to recover any tenancy granted in consequence of a fraudulent application for housing.

It will be for the housing assessing officer in the first instance to decide if any errors contained in an application were deliberately made or not. If the officer is satisfied that the errors were not deliberate, or that they had no impact on the application, then no action will be taken though the applicant may be warned about the need to provide accurate information and the consequences for not doing so.

Once an applicant is disqualified from joining the register or removed from the register on these grounds they will normally not be able to reapply for a period of 12 months. Decisions will be made based on the seriousness of the attempted fraud or false information given, including an assessment of why information was withheld.

#### **Non qualification rule 5: Homeownership**

An applicant cannot qualify for the housing register if they or their partner own a residential property in the UK or abroad. Applicants who have been the owner of a residential property within the last 5 years will be required to provide proof of the proceeds from the sale and of the disposal of any proceeds. Where the Council considers that the proceeds from any sale have been spent recklessly an applicant can still be determined as not qualifying for the housing register.

Applicants who do not qualify under the homeownership rule may be considered as an exception if:

- a) If as a result of a divorce settlement a Court has ordered that an applicant may not reside in the former matrimonial or civil partnership home in which they still have a legal interest for a period which is likely to exceed 5 years and that restriction is not due to being a perpetrator of domestic abuse, or
- b) Where someone is a homeowner and homeless due to domestic abuse and whose property has not yet been sold. In these circumstances a decision will be made as to whether to treat this as an exemption based on the facts and circumstances of the case, or
- c) The applicant has a substantial disability, and their current home is not suitable for their specific needs and cannot be adapted in a reasonable period of time and they cannot find an alternative property suitable for their disability on the open market.

### **Non qualification rule 6: Current Council and Housing Association tenants who apply within 3 years of the commencement of their current tenancy**

Any applicant who is a Council or Housing Association tenant will not normally be allowed to join the Housing Register for a period of 3 years (from the start date of their current tenancy), however in some circumstances exceptions may apply such as for example:

- A change in the number of people in the household (including births and deaths but excluding lodgers) and as a result of this the home is either under occupied or overcrowded.
- In exceptional circumstances, for example, the property is no longer suitable for tenants (or a member of their household) due to a disability or the property/location is impacting on their health and wellbeing.

Each case will be assessed on its own merit.

### **Non qualification rule 7: Previous Council and Housing Association tenants**

Any applicant who has voluntarily given up a Council or Housing Association tenancy, including assignment, will be unable to apply for housing for a period of 3 years starting from the final day of their tenancy. In exceptional circumstances an exemption may be applied.

### **Non qualification rule 8 : Applicants must be over the age of 18 to apply**

An applicant must be over the age of 18 to apply. There may be an exception for applicants aged 16 or 17 who are being assessed in conjunction with Derbyshire County Council's Children's Social Care Team.

If in exceptional circumstances a person who is 16 or 17 is granted a tenancy, this will normally be held in trust until they reach the age of 18. This means that another suitable person (such as a parent, legal guardian, social worker or relative) will normally be responsible for the tenancy. Priority will only be given for a home located in an area that will enable the necessary support to be provided.

### **3: How exceptional circumstances will be considered in respect to any of the qualification rules, or any other rule adopted under this policy**

Bolsover Council will retain the ability, in exceptional circumstances, to exercise its discretion when applying any of the qualification rules listed or any other rule adopted under this policy.

Where an applicant makes a case in their application to join the register for discretion to be applied for exceptional circumstances this will be considered as part of the application. Otherwise it is for the applicant to request a review and make the case for why discretion should be applied to their case for exceptional circumstances. A request for a review by an applicant of a decision that an applicant

does not meet a qualification rule, or for a rule to be waived, will be taken as a request for any exceptional circumstances to be considered.

Where requested, the council will consider whether the applicant's circumstances (or those of a member of the applicant's household) are so exceptional that discretion should be applied.

The applicant will receive a written decision on their claim for exceptional circumstances to be applied and, where that decision is that the case is not considered to be exceptional, reasons will be given.

Note the council cannot waive the eligibility rules for any applicant who is not allowed to access social housing under the immigration and 'persons from abroad' rules set by Central Government.

In deciding whether an applicant's circumstances are exceptional the council will fully consider the Equality Act 2010 and Children Act 2004 where children are part of the applicant's household. With regard to the Equality Act, the council will specifically consider:

- a) whether the person, or a member of their household, meets the definition for one or more of the nine protected characteristics listed in the Equality Act 2010
- b) if we agree that the applicant or a member of their household comes under the definition for a protected characteristic, the council will fully comply with Section 149 of 2010 Equality Act and ensure it has obtained all relevant information relating to the applicant's protected characteristic and will consider that if they were not able to qualify for the scheme, whether this would have an exceptionally detrimental impact on the person with that protected characteristic; and
- c) ensure any decision that the applicant's circumstances are not exceptional will be a decision that is a proportionate means of achieving the legitimate objectives for the Scheme.



## Section 3: Applying to join the Housing Register

### 1: How to apply to join the Housing Register

Anyone over the age of 18 can apply to join the Council's Housing Register. Applications will be rejected if:

- a) they are ineligible to be considered by law; or
- b) they come within one of the 'non qualification' categories adopted by the Council (see section 2 of the Policy).

The Bolsover Homes website provides an online housing application form to join the Housing Register.

People wishing to join the register should apply on-line through:  
<https://bolsoverhomes.bolsover.gov.uk/oalive/ibsxm1pr.p?docid=home>

Any applicant who may need help in completing their on-line application can call or visit the Customer Advisers at our Contact Centres where they will be guided through the process of making their application on-line.

There is free access to the 'internet' at libraries, and at some community facilities. A home visit or office appointment can be offered when an applicant has no access to the 'internet' or is unable to use the 'internet'.

If the Council agree that an applicant is unable to apply on-line it will arrange for a paper application form to be issued. The paper form can be made available in different formats to meet the needs of the applicant. This includes:

- Arranging to explain any letters or forms in a language suitable for the applicant
- Provide large print versions of the form or letters received on request.

Once submitted the application will be created and the applicant will be provided with an application reference number, at this stage they will also be asked to provide proofs of identification and where applicable documentation in support of their application based on their circumstances. The application will remain suspended until this information has been received and verified by the Council.

The Bolsover Council housing application webpages contain a list of the supporting documents that an applicant must provide in order to progress an application.

Once the application has been received there may be a need for additional information. If so, this will normally be requested via the applicant's portal account, however, in some circumstances the applicant may receive a phone call, email or letter asking for the additional information needed and explaining how it can be provided.

Any application forms that are not fully completed or, where verification evidence has not been provided, cannot be processed meaning that an applicant will not be able to access the housing register until the information is fully completed and assessed.

The Council will make any enquiries it considers necessary in order to verify and assess an application for housing. This may involve contacting previous landlords, health or medical advisors, police etc. Applications will be processed within a reasonable period of time (relative to the particulars facts given in the application) after all documentation has been received.

If accepted onto the Housing Register the applicant will be informed of:

- 1) The band they have been placed in (this determines priority)
- 2) The date of application (this is used to determine priority within the band allocated)
- 3) The size and type of properties for which they can bid
- 4) Their application reference number (applicants will need this to bid)
- 5) How to seek a review against their banding if they think it is wrong.

If an application to join the housing register is refused the applicant will be informed in writing and will have a right to review the decision made.

## **2: Who can apply to join the Housing Register?**

The Housing Register is open to anyone over the age of 18 years who has a housing need, unless they come within one of the 'ineligible' or 'non qualification' categories set out in section 2 of the policy.

A person can apply to join the Housing Register if their current address is their only home, or sole residence, and they are not already registered through someone else's housing application.

## **3: Persons entitled to be considered as part of the application**

Sole applications or joint applications may be accepted. Joint applicants will be treated as one application. The housing circumstances of the whole household will be considered in assessing housing need.

Persons entitled to assistance must be members of the applicant's immediate family who normally reside with the applicant. Any other person or persons will only be considered as part of the household if the council is satisfied that it is reasonable for that person to reside with the applicant. This will normally exclude lodgers or anyone sub-letting from the applicant.

Applicants should only include persons on their application who will be a permanent member of their household and who will be occupying the accommodation offered as their only or principal home.

People who usually live with the applicant but are temporarily absent due to circumstances beyond their control (for example, they are in prison on a short-term sentence, or in the care of the local authority, staying in hospital, or undertaking a

college or university course), may be considered as a 'usual' household member at the discretion of the council, and depending on the facts presented.

Specifically, a person's housing application can include the following household members:

- a) spouses or civil partners where the applicant lives with and/or intends to live with their spouse or civil partner;
- b) partners where the applicant is currently cohabiting with a member of the same or opposite sex;
- c) children who reside with and are dependent upon the applicant. Children are defined as under 18 for these purposes;
- d) a carer, where the council decides that on the evidence there is a need for a live-in carer. Note: even if a carer is in receipt of Carer's Allowance this does not necessarily mean that it is necessary for them to reside with the person who is being cared for. An application to include a carer will be assessed based on whether there is a need to provide live-in support. In these circumstances the applicant must provide supporting evidence from other agencies e.g., Social Care or a health professional. Note: the provision of overnight care would not automatically result in the inclusion of the carer in the application. An overnight carer may not require a bedroom as they would be expected to stay awake to provide that care.
- e) any other household member such as an adult child where it is accepted that they are currently living with the applicant, and this isn't a short term or temporary arrangement. Decisions on whether any other adult relative can be included will be at the discretion of the council;
- f) family members who do not currently reside in the UK cannot be added to a Housing Needs Register application.

The council will normally carry out a visit to the applicant's current residence if their priority is sufficient for an allocation of housing under this Allocation Scheme. Visits conducted will include an inspection of the accommodation and facilities and are usually arranged by appointment.

Joint tenancies are normally granted by the Council or a Private Registered Provider where applicants have a long-term commitment, for example, married, or unmarried couples, or civil partners. This decision is for the Council or the relevant Private Registered Provider offering accommodation, who will decide whether to allow a joint tenancy depending on the circumstances.

#### **4: Households with access to children/shared residency order or Child Arrangement Orders**

As part of the assessment process the Council will record whether the applicant claims to have children that live with them part of the week and whether or not this arrangement is set by the court or not.

The Council will adopt the test set out in Section 189(1)(b) of Part 7 of the Housing Act 1996 to decide whether any child both lives with and is dependent on the applicant.

Unless this test is passed an applicant will only be able to be considered for the size of accommodation relevant to their circumstances.

Following this assessment there will be cases where it is agreed that children live with the applicant on a 'shared arrangement' even though they do not exclusively live with the applicant.

In these cases, even though the child/children can be included as part of the application there will be a number of factors that will be considered when deciding what size accommodation can be offered. These factors include:

- a) The ability of the applicant to afford the rent with or without help from benefits
- b) The availability and popularity of family housing in any area that an applicant expresses a preference to live in. For example, a partner housing association may be willing to be more flexible where a vacancy relates to a flat than a house as long as the rent is assessed as being affordable.

For households with access to children through a Child Arrangement Order, the council will adopt the test set out in Section 189(1)(b) of Part 7 of the Housing Act 1996 to decide whether any child both lives with and is dependent on the applicant. Unless this test is passed an applicant will only be able to be considered for the size of accommodation relevant to their circumstances.

## **5: Applications from Care Leavers**

Young people under the age of 21 who have been or are still in the care of Derbyshire County Council's Children's Services, and people aged from 21 up to the age of 25 who are receiving support from the Children's Social Care Personal Advisor can be accepted on to the housing register and receive priority housing. The local connection criteria will normally be waived for this group (see exceptions to the local connection rules in section 2) to enable the right care and support to be put in place.

"Care leavers" means persons who are former relevant children (within the meaning given by section 23C(1) of the Children Act 1989). The statutory guidance Section 3 of the Children & Social Work Act 2017 widened the criteria to introduce a new duty to provide Personal Advisers (PA) to support all care leavers up to the age of 25, if they want this support. Click on the link below to see the statutory guidance.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/683701/Extending\\_Personal\\_Adviser\\_support\\_to\\_all\\_care\\_leavers\\_to\\_age\\_25.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/683701/Extending_Personal_Adviser_support_to_all_care_leavers_to_age_25.pdf)

## **6: Applications from elected council members, staff members or relations**

To ensure the council is seen to be treating all applicants fairly, any application for housing or rehousing from members of the council or employees of the council must be disclosed.

If an applicant has a connection with the Council they are treated no differently than any other applicant. However, before any offer of accommodation is made this must be authorised by the Assistant Director for Housing Management or the Chief Executive. For this purpose an applicant with a connection includes the following circumstances plus the level of authorisation required:

- Any applicant who is a current elected member of the Council, or a former elected member of the Council – (CEO)
- Any applicant who is a current member of staff of the Council (AD)
- Any applicant who is a current member of the Housing Service (CEO)
- Any applicant who is a former member of staff of the Housing Service within the past 10 years - (AD)
- A close relative of any current member of the Council's Housing Service defined as mother, father, son, daughter, brother, sister, partner, nephew, niece, uncle, aunt, grandparent, or grandchild - partners and people living together are treated in the same way as if they were married. (AD)

Canvassing is not allowed in any circumstances by, or on behalf of, a councillor or member of staff.

## **7: Applications from ex-offenders from a Prison or Institution of care**

The Homeless Reduction Act 2017 specifies that statutory agencies including prisons (and care institutes) should refer to the council those people who are either homeless or at risk of being homeless upon release.

Ex-offenders can apply for help with their housing if they are homeless now, or due to leave prison or an institutional care facility and don't have anywhere to stay on release.

On referral we will work with the prisons Resettlement Team to provide help and/or advice in accordance with the statutory guidance of the Homeless Reductions Act 2017.

As well as the Resettlement Team, we may work with other organisations as appropriate to determine what support may be required for the applicant to live independently and to help sustain a tenancy, for example, the Probation Service, Community Rehabilitation Team or Youth Offending Team.

When a member of an applicant's household is in prison and not applying for accommodation in their own right, this person may be included in the applicant's household (for the purpose of the allocations criteria) 4 weeks before their confirmed release date from prison.

Applicants or members of their household who are leaving prison or institutional care will also be assessed in accordance with the Risk Management procedure (see point 9 below on risk management).

## **8: Checks into any court cases or unspent criminal convictions**

All applicants and members of their prospective household will be requested to disclose any pending court cases or unspent criminal convictions.

The council may use any information disclosed (or any other information obtained during the assessment or following registration) to ascertain whether the applicant should be disqualified from joining, or from remaining on the Housing Register, after applying the serious unacceptable behaviour rule.

Spent convictions are not required to be disclosed and will not be taken into account in assessing a person's eligibility to join the Housing Register. The assessment will consider whether there is evidence of any current serious unacceptable behaviour regardless of whether a person has been convicted in the past for that behaviour.

If the council decides that, on the information obtained during the assessment process, there is a pressing need for a Disclosure and Barring Service (DBS) check, or further information from the Probation Service, relevant inquiries will be made.

Information gained will not automatically exclude an applicant from the Housing Register. Information received may also be used to make informed decisions about the suitability of any property that may be offered.

All assessments will be carried out in accordance with data protection and information sharing policies and other legal requirements.

## **9: The requirement for references**

All applicants who are currently in rented accommodation (excluding Bolsover District Council tenants) will normally need a reference from their current landlord to support their application.

During the application process the applicant is asked to provide contact details for their current landlord and are asked if Bolsover District Council can make contact for a reference. The Housing Admin team will then make contact with the landlord directly guiding them to the 'Self-Service' Landlord Reference Form via a dedicated link. Once submitted and reviewed by the Housing Needs Assistant the application will be updated to reflect that the Landlord Reference has been received. All instances where an applicant has indicated that they do not want us to contact their landlord for a reference will be reviewed by the Housing Needs Officer on a case-by-case basis and the reasons why the applicant does not want the Council to contact the landlord will be considered.

At the time of allocation if the reference is over 6 months old an additional up to date reference will be requested. If a landlord does not provide an up to date reference within 7 days the applicant will be contacted and asked a series of questions about their history of behaviour and their ability to conduct a tenancy (this is in addition to any financial assessment that is carried out). This information will be recorded on a 'Declaration of Truth' form. The information from this form will be used to complete a risk assessment of the applicant before any firm offer of accommodation is made.

The tenant will be made aware that if a tenancy is granted and the information is incorrect, the council may take action to evict the tenant.

For clarity, under no circumstances can the Declaration of Truth replace the initial landlord reference as this is a requirement of registration.

## **10: Assessing Applications**

In order to assess an applicant's housing need and their place on the Housing Register the policy has adopted a 'needs based' banding system detailed in section 5.

Any band awarded reflects an applicant's housing need with the higher the band awarded reflecting the greater level of housing need.

Applicants will be required to sign a declaration, or to give informed consent, to confirm their understanding that:

- a. The information given is correct and that they will notify the Council of any change in their circumstances.
- b. Enquiries will be made concerning their eligibility for housing and level of priority.
- c. Information will be provided to other partner organisations that are part of the scheme.

Once an applicant provides information, the Council will process that information under Article 6 GDPR. The processing is necessary under the 'Public Task' purpose and is necessary for the Council to perform a task in the public interest or for its official functions, in this case to meet its legal responsibility to assess housing applications, and we are satisfied that the task or function has a clear basis in law.

It is the responsibility of the applicant to provide all the information requested to assess their circumstances, and to provide any supporting information or documents that are requested. Incomplete applications will not be made active until such time as the Council is satisfied that it has in its possession all of the information it requires to complete its assessment.

All incomplete applications will be cancelled after a period of 28 days measured from the date further information has been requested. If cancelled this does not prevent the applicant making a subsequent application at a later date, although in such cases the applicant's effective date of registration would not be backdated to the date of the earlier application.

The Council may request information or a reference from an applicant's current or previous social or private rented landlord.

Where a social or private landlord does not reply any other information or records available will be checked to try to determine whether there have been any concerns over the way an applicant may have conducted their tenancy. An applicant should not be disadvantaged if, despite every effort, it is not possible to obtain a reference from their current or previous landlord.

All applications are subject to verification checks and these may be applied:

- At the point of initial application
- Following any change of circumstance notified to the Council by the applicant
- Following any routine validation audits
- Following an annual review of the application
- At the point of an offer of accommodation
- At the point of letting

## **11: The requirement to inform the council of any change of circumstances**

Applicants are required to inform the council in writing or by updating the portal of any material change in their circumstances that may affect their priority for housing. Proofs will need to be provided for the assessment to take place. Examples of a change in circumstances include but are not limited to:

- a) a change of address or contact details, for either themselves or members of their household
- b) a change in their medical condition or disability (either existing or newly acquired)
- c) additional family members or other people they wish to add to their application (It will be for the council to decide whether they will allow additional people to join the application)
- d) any family member or any other person on the application who has left their household; and/or
- e) any significant changes in income, savings, or assets, that may require a reassessment under the income and savings qualification rule.

Applications may be temporarily suspended while the council assesses the information provided by the applicant and completes further enquiries that may be necessary.

Where following a change in an applicant's circumstances this results in a change to the applicant's application or banding, they will be informed in writing.

Note: on allocation of accommodation, verification checks into the applicant's current circumstances are likely to be carried out again by the council or Private Registered Provider Housing Association that owns the property advertised. This is to ensure the allocation is being made in accordance with the applicant's current housing circumstances and needs at the time of a prospective offer. Therefore, a failure to notify the council of a change in circumstances may lead to an offer of housing being withdrawn and the application suspended whilst changes that were not notified to the council are assessed.

## **12: Cancelling applications**

An application will be cancelled from the Housing Needs Register in the following circumstances:

- a) at the request of an applicant



- b) where an applicant does not respond to an application review, within the specified time set out in any correspondence sent to them
- c) where the Council or Private Registered Provider has housed the applicant
- d) when a tenant completes a mutual exchange
- e) where the applicant moves and does not provide a contact address
- f) where the applicant has died
- g) where, at the housing application or any reassessment, an applicant has not supplied information requested within 28 days
- h) where an applicant already registered becomes ineligible or is disqualified under the rules adopted for this policy
- i) where the applicant buys a property either through the Right to Buy or Right to Acquire or through the open market or inherits a property.

Any applicant whose application has been cancelled has the right to ask for a review of that decision.

### **13: Reviewing the application**

Every active applicant on the Register will have their application reviewed annually, or more frequently if required, to ensure the application information is kept up to date and in order to efficiently manage the administration of the register.

At the anniversary of the application date, or when carrying out a review, each applicant will be contacted, usually by letter or email, to confirm their application is still required and will be asked to check their application details are still correct against their online portal and update them where necessary. In the instance of an applicant being unable to check and update their online application via the online portal, a paper review form will be issued and should be returned within the timescales provided.

If an applicant has not responded after 28 days a second reminder will be sent by email (or by letter, if the applicant does not have an email account). If no response is received to the renewal reminder then the application will be cancelled.

### **14: Deliberate worsening of circumstances**

Where there is evidence that an applicant has deliberately made their housing situation worse in order to gain a higher banding, the assessment of their needs will be based on the circumstances before the change in their situation brought about by their actions to deliberately worsen their circumstances.

Examples of deliberately worsening circumstances include:

- applicants who have allowed family members or others to move into their property, who previously had suitable accommodation or the financial means to secure their own accommodation, and this has resulted in the property being overcrowded.
- homeowners who have transferred their property to another family member within the last five years from the date they make their application to the Housing Needs Register.

- applicants who have given up affordable and suitable private rented accommodation that they are able to maintain to move in with other relatives or friends, creating a situation of overcrowding.
- requesting or colluding with a landlord or family member to issue them with a notice to leave their accommodation.

These are examples only. There may be other circumstances in which the council decides that an applicant has deliberately worsened their circumstances.

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## Section 4: General Rules and Conditions

### 1: The Council's statement on choice

It is a legal requirement for the Council to include within its Allocation Policy a statement on choice.

The Council will let the majority of properties (but not all properties) through a system called 'choice-based lettings' (CBL). This means the majority of properties will be advertised and applicants will be able to 'bid' on properties that suit their needs.

Applicants who are eligible to be considered for properties under the policy will be able to express a preference for an area in which they would like to live and the type of property they would prefer. See the table in Appendix 4 for eligibility of property types. However, the ability to satisfy their preferences is extremely limited by the lack of available social housing in the Bolsover district.

The considerable housing pressures faced in Bolsover limit the degree of choice that can be offered, along with the responsibility the council has to offer housing to applicants in urgent housing need. These pressures include the need to reduce the financial impact on the council for households placed into temporary accommodation under a homelessness duty.

Therefore, expressing a preference over where an applicant would prefer to live does not mean that preference can be met, or that an applicant won't be offered suitable accommodation outside of their preferred area.

An applicant may be asked at time of registration to state any area in which they believe they cannot live due to fear of violence, harassment, or domestic abuse. The assessment of their application will then consider the facts and decide whether the applicant is allowed to restrict areas.

Priority for Council and Private Registered Provider properties being let as secure, flexible, or assured tenancies will be determined by housing band, with those applicants in Band A having a greater priority than those in Bands B and C, and those in Band B having a greater priority than those in Bands C. Within bands, priority will normally be determined by the date the applicant is registered in that band.

In selecting properties to allocate the council will take into account the following factors:

- the number of bedrooms required (as measured against the criteria adopted in this policy).
- any essential requirement concerning the type or location of housing
- the housing band into which the applicant's case falls, and
- the date registered within that band (except for when a property may be allocated outside of band and date order (see section below for details))

The Council will not normally take into account:

- non-essential preferences concerning the location or type of rehousing requested by the applicant, or
- an applicant's preference concerning an allocation of a Council property or a nomination to a Private Registered Provider Housing Association property.

## **2: When the council may choose to make a direct offer outside of the 'choice based lettings' (CBL) system and sometimes outside of the band and date order system**

There may be circumstances in which there are urgent strategic, operational, or financial reasons to make a direct offer of housing outside of CBL, or outside of the normal band and date order criteria. Specific examples include but are not limited to:

- a) people that need to move due to a fire or flood, or severe storm damage to their home.
- b) where there is an evidenced threat to life in the area in which an applicant currently lives for example, people who are at imminent risk of violence and are to be housed through a Witness Protection Programme.
- c) people who it has been agreed must be housed urgently as part of a multi-agency protocol such as a MAPPA, MARRAC case where it is agreed there is a need to manage where a person should be housed.
- d) where a vacant adapted property or a property designed to disability standards becomes available it may be offered to those households with a need for this property type regardless of their band or the date they were registered.
- e) in the case of a secure or flexible council tenant who is willing to transfer from a property they do not require, and which is particularly suitable for an applicant with special or support needs.
- f) applicants who have given up their secure council tenancy whilst they are in prison.
- g) where an applicant is homeless and in temporary accommodation and owed a Section 189B (2) Relief duty or 193(2) Main duty under the Housing Act 1996 and the council wishes to make a direct offer to move applicants out of temporary accommodation to manage any budgetary or legal requirements placed on the council.
- h) persons whom the council has a duty to rehouse under Section 39 of the Land Compensation Act 1973.
- i) a vulnerable applicant where the outcome of an assessment is that a managed let in a particular suitable location is the best letting solution for that applicant; or

- j) Special allocation arrangements may also apply in respect of properties available for letting on new-build developments.
- k) Where the previous tenant of a vacant property has perpetrated anti-social behaviour and there may be a need to let that property sensitively in respect of understanding the impact on the community of the previous tenant.

Decisions to allocate properties outside of band and date order system will be recorded, with the reasons why an allocation has been made.

Note: social housing tenants that may be at risk due to, for example significant repair issues will be decanted and made a direct offer outside of this Allocation Scheme. Any offer will be a management initiated move and these transfers sit outside of the legal requirements set under allocations legislation.

### **3: The Councils policy on choice: Penalty for refusing 2 suitable offers.**

Any applicant who refuses 2 suitable offers within a 12-month period will be suspended from the housing register for 12 months and therefore not allowed to bid. They will however, keep their band and effective date for that band whilst they are suspended. After 12 months they will be allowed to bid again and would only be further penalised if they refused 2 further offers in a 12 month period starting from the date the suspension was lifted.

This adopted rule is intended to tackle the problem of some applicants making a successful bid and then refusing the property offered, which has the impact of increasing the time it takes to re-let that vacant homes.

The Council will determine whether an offer was reasonable for an applicant to accept using the reasonable offer criteria set out at appendix 1. An offer is to be taken to mean where an applicant has been contacted after the bidding cycle (or contacted with a direct offer) and offered a viewing for a specific property. If an applicant who is contacted refuses to view the property where a viewing has been offered this will be taken as a refusal and will count as one of the applicant's 2 offers unless the Council accepts the reasons given for refusing to view or failing to attend the viewing that has been arranged.

### **4: Choice and offers made to any applicant owed a statutory homelessness duty under Part 7 of the Housing Act 1996**

For applicants owed any statutory homelessness duty under Part 7 of the Housing Act 1996, the need to offer suitable housing is considered to be more important than allowing an applicant to wait for an offer of accommodation in a location where they would prefer to live. Therefore, there is therefore no minimum time set that an applicant owed a statutory homeless duty will be allowed to bid for social housing before a direct offer can be considered.

An offer of accommodation for an applicant owed a statutory homeless duty could be either a private rented property, or a social rented property. Should the applicant refuse an offer which is considered both suitable for their needs and reasonable then,

subject to the Council's homelessness review procedure, the homelessness duty owed will be discharged and they will lose any priority status granted to them based on the homelessness duty owed.

In these circumstances the Council will then assess whether they have another housing need that means they should be awarded bands A-C. If they don't, they will be removed from the Housing Register.

A statutory homeless duty is defined as:

- a) The prevention of homelessness duty under Section 195(2)
- b) The 'relief of homelessness duty under Section 189B(2)
- c) Where the relief duty has come to an end and an applicant is then owed a section 190 Intentionally homeless temporary accommodation duty to provide them with a reasonable opportunity to secure alternative accommodation for occupation (section 190(2) duty),
- d) The section 193(2) Main Homelessness duty or the section 193C(4) 'reduced' section 193 duty

## **5: When an application may be suspended**

An application can be suspended for various reasons set out in this policy. Where an applicant is suspended the applicant remains on the Housing Register and continues to accumulate waiting time within their band. They cannot however express an interest (bid) or receive any offer of accommodation. An applicant can be suspended for various reasons which include

- Waiting for verification information
- Investigation of incomplete or inconsistent details on the application
- Awaiting proof of change of circumstances
- Applicants in supported accommodation who are not ready for move on
- Some applicants with rent arrears (see section 2 non qualification rule for details of when an applicant will be allowed to qualify but suspended from bidding)
- Applicants considered not to have mental capacity

## **6: If the applicant is not capable of entering into a contract**

Where an applicant who has qualified to join the housing register is assessed as lacking the mental capacity to understand the contractual responsibilities of a tenancy they will be suspended from being considered for any offer of accommodation. The Council cannot enter into a contractual agreement with applicants who are unable to understand the contract. Mental capacity can change and if the applicant, following their suspension, is subsequently assessed as possessing sufficient mental capacity the suspension can be lifted.

## **7: Assessing whether a band should be awarded for any impact of an applicant's current housing on a medical condition or disability**

Priority banding may be given if applicants with a local connection to the district suffering ill-health, which is aggravated by their housing conditions and which would be helped by a move elsewhere.

When assessing whether to award Band A or B or no priority, the council will follow the five-stage assessment set out below:

- 1) Is the medical/disability issue serious enough for a priority banding to be considered?
- 2) If the medical condition is serious enough for a priority banding to be considered the assessing officer should then decide if there is a direct link between the identified medical problem and the applicant's current housing accommodation/situation, i.e., on the facts obtained (from the applicant and any medical information or reports submitted including any advice from an independent medical advisor or occupational therapist) does the assessing officer accept that the applicant's current housing accommodation/circumstances are making their medical condition or disability substantially worse, or will make it worse?
- 3) In practical terms, the officer will consider the adverse effect this has on the applicant's ability to manage day-to-day tasks in their current home. The applicant's current housing accommodation/circumstances may be impacting on their medical condition or disability but not to the extent that an award of Band A or B priority should be granted under the criteria adopted for the Scheme. There are examples listed in appendix 2 for when an award of Band A or B may be awarded, and they are used to guide the officer when making their decision.
- 4) Before making an award, the assessing officer needs to be satisfied there is a realistic expectation that the impact on the identified medical condition/disability would be removed or significantly improved through the provision of alternative accommodation.
- 5) If the officer is satisfied that the impact on the identified medical condition/disability would be removed or significantly improved, they would then decide whether to award Band A or B depending on the severity of the impact. The Housing Needs Officer will make their final decision based on a medical adviser's recommendations and the medical adviser will be guided by this five-stage assessment process.

As an example circumstances may be:

### **Physical Health:**

- Crisis or volatile situation, requiring re-housing in the very near future in order to avoid serious repercussions on health.
- Serious physical dysfunction or deterioration.

Mental illness/learning disability:

- High risk or actual breakdown.
- To live in ordinary housing is essential to avoid loss of life.
- Serious mental ill health or deterioration (including severe PTSD caused by serving in the Armed Forces)

Environment:

- Life threatening situation developing if not re-housed away from existing home/neighbourhood.
- Dangerous or unsafe physical environment

## **8: When medical priority will not normally be awarded**

Medical priority will not normally be awarded in the following circumstances:

- a) where the applicant has a health issue, however severe, that is not impacted by the accommodation occupied
- b) health problems that are not affected by housing or cannot be improved by moving
- c) where a move would only make a marginal improvement to the applicant's condition
- d) medical impacts caused by housing defects that are likely to be rectified in a reasonable time frame
- e) where another reasonable course of action is available to the applicant to resolve their difficulties
- f) time-related medical problems (e.g., pregnancy-related problems or a broken leg)
- g) Disrepair problems not impacting significantly on the applicant's medical condition. (Note: under the Scheme an applicant may receive priority separately for living in unfit or unsatisfactory housing depending on the assessment made of their circumstances and impact)
- h) overcrowding not impacting significantly on the applicant's medical condition. (Note: under the Scheme an applicant may receive priority separately for being overcrowded)
- i) if the situation can be resolved by equipment or minor adaptations which can be implemented in a reasonable period of time.

Medical assessments are not just related to banding. The council will also consider recommendations for future housing, for example regarding the floor level a household may need and whether an extra bedroom is required due to a child having for example autism, ADHD, Asperger's, sensory processing difficulties, and other mental or physical health problems.

An applicant or member of their household who considers themselves to have a disability will only be given housing priority banding (based on the disability), if the property is assessed as no longer suitable for their needs. If the assessment indicates that a move to a different type of property would be more beneficial to the household's health and wellbeing, then priority will be awarded. For example, an applicant with a disability who finds it difficult to walk up steps would be awarded priority if their current property had stairs (and no adaptation to help), they would not



be awarded any priority if their current housing was level access or contained adaptations to make the property suitable.

## **9: Need for an Adapted Property**

An applicant with an assessed need for specific adaptations will not normally be offered a property where these adaptations are not already fitted, this excludes minor adaptations such as handrails. Exceptions to this can be considered only after a full assessment has been carried out by the Occupational Therapists, and this includes options for adapting the applicant's current property.

If an applicant has been awarded additional priority as they (or a member of their household) have a medical need, accommodation will only be given for a housing type that will resolve the housing need as determined in the medical assessment. The applicant will not be offered an unsuitable property.

If an applicant with a need for adaptations moves into a property and has neglected to inform the Council of their disability needs, the Council will not automatically carry out these adaptations, or will consider charging the applicant for the cost of the works. For more details the applicant can ask for a copy of the Welfare Adaptations Policy.

## **10: When the Council has provided adaptations to the current home**

If a person has an adaptation fitted to their current home to meet their needs, (regardless of whether this is a Council property) and the person has signed an undertaking to remain in that home for a period of time, the applicant will not be considered for rehousing until a period of 3 years after the fitting of the adaptation, or other period determined by any grant conditions. If there has been a significant change in circumstances, as assessed by the Housing Needs Officers, this timeframe may be waived and the decision will be recorded

Exemptions to this provision are Council properties where the adaptations are no longer needed by any member of the household.

## **11: Allocations to bungalows and adapted properties**

Particular care needs to be taken in allocating bungalows and sheltered housing. Such properties can only be allocated to people who have a need for the facilities provided. An incorrect allocation could have an impact on the:

- Concessionary Television Licences to other residents
- Contract requirements which provides support for some residents, and
- Perceived danger and insecurity felt by current vulnerable residents and their families.
- Sheltered accommodation is currently excluded from the Right to Buy.

Inappropriate allocation may lead to this being questioned and some properties could be lost to the Right to Buy legislation.

To make the best use of housing stock and to reduce voids, where homes have a minimum age limit and every attempt has been made to offer the property to someone above that age, we may consider allocation to younger applicants. This can be for individual properties or a group of properties, for example:- upper floor flats that are normally allocated to applicants over the age of 60 may allow applicants over the age of 50 to be considered. If this is the case it will be made clear on the property advert.

In all cases homes with aids and adaptations will be restricted to applicants with mobility needs in the first instance.

Where allocations to bungalows and adapted properties are made where there are other family members (with the exception of any partner or joint tenant), the tenant will be informed that should a succession occur due to any unforeseen circumstances, or the tenant needs to move out of the property with no foreseeable return and there is no other household member with the need for the facilities in that property, the Council will seek to move the remaining family into alternative suitable accommodation.

## **12: 'Move On' Accommodation**

This covers applicants from Bolsover District or who have a local connection who are currently living in temporary supported accommodation and are requesting to move as part of a planned support process.

People leaving temporary supported accommodation is defined within the Derbyshire Move On Plans Protocol (MOPP), more information on the MOPP can be found on Derbyshire County Council website at [www.derbyshire.gov.uk](http://www.derbyshire.gov.uk).

Where the applicant is leaving temporary or 'move on' accommodation, referrals will be considered using the Derbyshire 'Move on Protocol.'

Note where a person who is assessed as ready to leave supported accommodation does not meet the residency requirement there is an exception for applicants to whom the Council has accepted the main homelessness duty under section 193 (2) of the Housing Act 1996.

## **13: Local Lettings Policies**

Local lettings initiatives may be applied to meet the particular needs of a local ward or area or to address sustainability and community issues to ensure that the housing allocation scheme is able to contribute to building sustainable communities. Note all new developments will be subject to a local lettings plan.

Local lettings plans will be tailored to fit local situations in well-defined communities (such as a particular block of flats, an individual street, or new housing development, or may be applied to a parish or a village in a rural area). Each local lettings policy will be based on a detailed analysis of relevant information gathered from a variety of sources and may include, for example, evidence from internal departments, partner Housing Associations, local Councillors, and the community itself. (Evidence may

include information such as tenant profiling, the incidence of anti-social behaviour, and stock turnover in a particular block, street or area, a neighbourhood plan or the need to provide housing for local people in rural villages and parishes).

See appendix 4 for full details of how local lettings policies will be agreed and applied.

### **15: Assessing overcrowding and the bedroom size that will be allocated to applicants**

For the purpose of assessing overcrowding and the bedroom size to be allocated to a household for rehousing purposes the following criteria will be used:

1 bedroom will be allowed for:

- a) Each single adult
- b) Each couple
- c) 2 children of the same gender under 21
- d) 2 children under 10 (regardless of gender)
- e) Any additional children under 10 can share the same bedroom where that room is 110 square feet or more (10.2 square metres) and this would not result in sex overcrowding (except foster children who can have their own room).

Notes re the above criteria:

- 1) All foster children (also applies when no foster children live there as long as the room isn't empty for more than 20 weeks)
- 2) Each adult child in the Armed Forces or each reservist would be allowed their own bedroom where the evidence is they have no other accommodation when 'home' on leave
- 3) Adult children over the age of 18 should only be regarded as part of the household if they have always lived with the applicant, otherwise the non-dependent criteria may apply.
- 4) Children are not considered as part of the household of the applicant if the children have a main permanent residence elsewhere.
- 5) Families headed by a single parent will be treated in the same way as a family headed by a couple.
- 6) Two people living together will be treated as a couple regardless of their marital status or sexual orientation.
- 7) Couples should always have their own bedrooms and not share with children.
- 8) Couples can be treated as needing two bedrooms only if there is a medical need and the Council's medical assessment agrees with this need.
- 9) A child up to the age of 1 will be disregarded when measuring overcrowding but counted for the purposes of the size of accommodation an applicant would be entitled to.
- 10) Children over the age of 18 should only be regarded as part of the household if they have always lived with the applicant. If they have moved away and then moved back with the applicant, for example after a relationship breakdown they will be treated as a non-dependent (excluding members of the Armed Forces who continue to live with their parents but are away on operational duty and Students who are away on a temporary basis i.e. at university or college).

- 11) Non-dependent children will only be considered as a member of the household if they have been living with the applicant as their permanent full-time residence for a period of over 12 months. This may be waived for non-dependents who give or receive care from the applicant.
- 12) Other non-dependents who have lived with the applicants for less than 12 months will be disregarded.
- 13) Commercial lodgers are never considered as non-dependents. (In this context commercial Lodgers are non-family members who are receiving board and/or lodgings in return for payment, or payment in kind).
- 14) Any property with 2 reception rooms will have one counted as a bedroom
- 15) Applicants may be permitted to bid for properties with one fewer bedrooms than their assessed bedroom need.
- 16) A severely disabled adult or child who needs their own room but would be expected to share under the criteria above if the Council assess that there is an essential need for an extra bedroom (see appendix 3 for more details as to how a claim for an extra bedroom will be assessed).
- 17) Carers who provide regular overnight care. Note: other dependent family members or 'live in' carers in receipt of carers allowance will be taken into account when deciding the size of accommodation that the household is entitled to. The fact that there is overnight care will not necessarily mean an extra bedroom will be allowed. The decision will be based on the facts of the case including:
  - the number of days overnight care is provided.
  - whether there is a requirement for the carer to remain awake and
  - what other facilities are available in the home.

## **16: Data protection**

Bolsover Council will ensure personal information of all applicants (new, existing, and deleted) is:

- a) stored lawfully;
- b) processed in a fair and transparent manner;
- c) collected for a specific, explicit and legitimate purpose;
- d) kept up to date and held until it is no longer required; and
- e) shared only with other organisations for legitimate processing.

The Council's privacy notice, which sets out when and why it collects personal information about people who access its services, how it uses it, how it keeps it secure, and individuals' rights, can be found on its website:

<https://www.bolsover.gov.uk/data-protection-cctv-and-foi/251-privacy-statements>

The UK-GDPR and the Data Protection Act 2018 provide individuals with a right to request access to any of their personal data held by the Council and a right to know where the data came from, how it is used, and why it is held. Such a request is called a "subject access request" and applies to personal data in housing files. Information about making a subject access request is available on the Council's website:

[https://www.bolsover.gov.uk/index.php?option=com\\_content&view=article&id=101](https://www.bolsover.gov.uk/index.php?option=com_content&view=article&id=101)

Applicants must state their name and provide proof of their identity, such as a copy of a passport, driving license, or recent utility bill. The Council will not usually charge a fee to deal with a subject access request.

Once the Council has received the information and proof of ID, it must provide the requested information within one month. There is a limited range of exemptions from the right of subject access.

## **17: Right to information**

Anyone has the right to request access to recorded information held by the council under the Freedom of Information Act 2000 (FOIA).

Requests under the FOIA must be made in writing using a form that can be downloaded from our website.

[https://www.bolsover.gov.uk/index.php?option=com\\_content&view=article&id=101](https://www.bolsover.gov.uk/index.php?option=com_content&view=article&id=101)

Once a valid request has been reviewed the council must usually respond within 20 working days.

Requests made by individuals for their own personal data will be treated as “subject access requests” under the UK-GDPR and Data Protection Act 2018 (see section above for information).

## **18: Equality, accessibility, and monitoring**

Bolsover Council is committed to ensuring that the Scheme, and the implementation of all associated guidance and procedures, are non-discriminatory, taking into account the needs of groups protected by the Equality Act 2010, the Human Rights Act 1998, and for children, Section 11 of the Children Act.

To help the council identify the needs of applicants, the application form contains specific questions relating to vulnerability, ethnic origin, sexual orientation, disability, and other relevant criteria. The information obtained will be used to monitor the impact of the Scheme to enable a better understanding of people’s housing needs and ensure no one is discriminated against as a result of the way this Scheme has been framed or during the administration of it.

Under the Equality Act 2010, and in particular Section 149 of the Public Sector Equality Duty, a council is required to give due regard to eliminate discrimination, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not, when exercising a public function such as implementing their legal ‘Housing Allocation Policy’.

The Council will ensure this Scheme complies with current equality legislation. It will be subject to a full Equality Impact Assessment (EIA) before it is adopted. The EIA will be regularly reviewed as information regarding the impact of the Scheme is obtained. A copy can be requested directly from the council.

## 19: Complaints

Complaints are separate to the circumstances in which an applicant is entitled to seek a review of a decision made on their housing application. A request for a review of a decision made on an application should be made under the review procedure (set out in the section below) and not through the council's complaints process.

Where an applicant wishes to make a complaint about poor service, or the way they have been treated, this should be made using the self-service portal on the Council's website. Access to the portal and information about how to make a complaint and how the Council will deal with it can be found at <https://www.bolsover.gov.uk/c/177-compliments-comments-and-complaints#:~:text=You%20can%20make%20a%20compliment,one%20of%20our%20Contact%20Centres>

Where a complaint relates to how an applicant has been dealt with under this policy an applicant has the right to continue with their complaint to the Local Government Ombudsman Service if they are unhappy with the response to their complaint.

The Local Government Ombudsman is an independent service run by Central Government to make sure that Councils provide the required standard of service to their customers.

The Ombudsman can investigate complaints about how the Council has done something, but they cannot question what has been done simply because someone did not agree with it.

Website: [www.lgo.org.uk](http://www.lgo.org.uk)

## 20: When an applicant has a right to request a statutory review

Under the housing legislation an applicant has a legal right to request a review of any of the following decisions reached by the council:

- a) a decision that an applicant is ineligible, or not a qualifying person to join the Housing Register
- b) a decision regarding which band an applicant has been awarded
- c) the priority date granted for the band awarded
- d) to remove an applicant from the Housing Register
- e) any decision about the facts of the case that has been used to assess their application including the decision the council has made regarding who can be included in the application
- f) where an applicant considers that a decision has been reached based on incorrect information.

## 21: How a request for a review will be dealt with

Applicants who are unhappy with a decision (listed above) made under the Allocation Scheme should in the first instance contact the Housing Allocations Team and explain why they think the decision is not correct or not reasonable. An initial

informal review will then be undertaken by either the housing officer who dealt with their case or an equivalent officer.

The applicant will be notified whether the decision still stands and the reasons for this usually within two working days via a telephone call, text, email, or letter.

If an applicant wishes to take the matter further, they can make a request for a formal review of the decision which must be made within 21 days of receiving the decision. The request can be made verbally or in writing by letter or email. In these cases, the applicant will then be invited to make a written submission stating the reasons for their request for a review. Formal reviews will be conducted by a Housing Manager who will notify the applicant of the outcome of the review in writing, including the reasons for their decision. The council aims to notify the applicant within 56 days; however, this is a target timescale and may be longer depending on operational pressures.

There is no right to request a review of a review decision.

## **22: The Role of the HARP Panel**

Most decisions will be made by the assessing officer or the manager for the service where a decision is considered to need further scrutiny. However, there are a number of decisions where a case will be referred to the Housing Application Review Panel (HARP) due to the complexity of the decision to be made. There are no set criteria for when a decision will be referred to the HARP Panel. The Assistant Director for Housing Management or manager for the applications and allocations team will make a decision based on the facts and circumstances as to whether a decision needs to be considered by HARP or not.

The HARP panel is made up of 2 members:

- Housing Services Manager
- Community Safety & Enforcement manager
- Or an appropriate substitute of an appropriate seniority

Either the Housing Services manager or Community Safety and Enforcement Manager must be in attendance.

The panel will meet monthly, or as needed to consider urgent cases. The panel will consider for example:

- Decisions on whether to award Band A for medical, welfare or exceptional circumstances where the manager for the applications and allocations function is of the view that the case is not straightforward and would benefit from being considered by the Panel.
- Complicated cases where on the facts and circumstances a decision is needed as to whether to exercise discretion, for example should discretion be applied where an applicant does not meet a qualification rule but has made a case for discretion to be applied and the facts presented are not straightforward.

Minutes will be kept of each meeting and decisions noted. Applicants will be informed of their case within 10 working days of each meeting.

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## Section 5: How an applicant's housing needs and circumstances are assessed

### 1: The Banding system that has been adopted by the Council

The demand for social housing exceeds supply in Bolsover and therefore this policy prioritises the housing of applicants assessed as being in the greatest need. Once registered many applicants will still unfortunately, not have sufficient housing need to be offered a property.

The banding system set out in this section will normally be used to decide when to make an offer of accommodation and to whom.

The council has chosen to adopt a simple and transparent system creating four 'queues' where people will normally be ranked by date order in each queue as long as they qualify to join the housing register. The housing bands are summarised below, and full details are then set out.

**Band A – Urgent priority statutory housing need to move:** these are applicants that are owed a statutory award of 'reasonable preference' but whom the Council also believes should also be awarded 'additional preference' based on their very urgent housing need.

**Band B – High priority statutory housing need to move:**

This band consists of applicants that are owed a statutory award of 'reasonable preference' under the policy and have been awarded band B priority based on their assessed high housing need.

**Band C – Lower priority statutory housing need to move:**

This band consists of:

- a) applicants with a statutory need but that need is assessed as being lower than Band B
- b) Applicants over the age of 60 without a statutory housing need and who are not homeowners and are willing to consider accepting a tenancy for older person housing only in the district.

### The date a band will be allocated

The band start date is the date the assessment of the applicant's Housing Register application has been completed and not the date the application was received. If following being banded, an applicant's housing need and/or circumstances change and a reassessment results in the applicant being placed in a higher band then in these circumstances, they will not retain the date they were awarded the lower band as the new higher band reflects a higher level of housing need. Therefore their date

for the higher band will be the date they were awarded that band for that higher assessed housing need.

Note: for eligible homeless applicants who meet the qualification rules to join the Housing Register the following will apply with regard to their band start date:

- a) owed a Section 195(2) Prevention of homelessness duty – Band date is the date the duty was owed and not the date of the homelessness application.
- b) owed a Section 189B (2) Relief of homelessness duty – If an applicant has not been owed a prevention duty then the band date is the date the relief duty is owed and not the date of the homelessness application. If the applicant was owed a prevention duty which ended because they became homeless and they are then owed a relief duty, the effective date is the date the prevention duty was owed.
- c) owed the Main Section 193(2) duty – Band date is the date the Relief of homelessness duty was owed and not the date the Main duty was owed. This is because to start the date at the date the Main duty was owed would disadvantage an applicant by 56 days who has been found to be in priority need and unintentionally homeless.
- d) circumstances where the relief duty has ended, and the applicant is assessed at this point as not being in priority need - Band date is the date the Relief of homelessness duty is owed (or the date the prevention duty was owed if the applicant had been owed a prevention duty before being owed the relief duty) and not the date that the Relief duty is brought to an end.
- e) circumstances where the relief duty has ended, and the applicant is assessed at that point as not being owed a main duty due to being intentionally homeless - Band date is the date the Relief of homelessness duty is owed (or the date the prevention duty was owed if the applicant had been owed a prevention duty before being owed the relief duty) and not the date that the Relief duty is brought to an end.
- f) where the applicant becomes homeless unintentionally within 2 years of accepting a private rented sector offer, offered to bring the main Section 193 homelessness duty to an end, the effective date will be the date of the new application.

## **THE BANDING SYSTEM AND THE ADOPTED HOUSING NEED CRITERIA TO QUALIFY FOR EACH OF THE 3 BANDS**

The following section provides details for how the policy defines and assesses housing need for an award of a band is described below. Where there are further details, beyond the details set out below for how the housing need criteria will be assessed, these are set out in appendices. For example, the detail for how the Council will assess applications where it is claimed there is a housing need based on the impact of an applicant's current housing on a medical condition including physical or mental health, or a disability is detailed in appendix 2.

It is important to note that applicants will be placed in the appropriate band following an assessment that their housing need meets the threshold for that band. An applicant who qualifies under more than one of the housing need criteria will be awarded the highest priority they are entitled to under the criteria. They will not be awarded a higher band just because they meet more than one housing need criteria. For example, an applicant who meets 2 housing need criteria for Band B will still only be awarded band B and not Band A.

### **BAND A: URGENT PRIORITY, STATUTORY HOUSING NEED TO MOVE**

This band includes applicants with the highest need for rehousing.

#### **1: Homeless applicants who are owed one of the following duties by Bolsover Council only**

- the Main Housing Duty under Section 193 of the Housing Act 1996, or
- a relief duty under Section 189B (2) where the applicant is, at the point of that 189B duty being accepted, considered likely to be in priority need and unintentionally homeless, whether a decision to that effect has been made or not, and the applicant is accommodated in interim temporary accommodation.

#### **2: Significant impact of an unfit private sector property**

- Private sector tenants and residents of dwellings where the council's Private Sector Housing Team has determined the property poses a Category 1 hazard under the Housing Health and Safety Rating System (e.g. crowding and space, excessive cold or risk of falls) and
- Following assessment, the applicants property is subject to a prohibition order, emergency action, demolition order or clearance under the Housing Health and Safety Rating System of the Housing Act 2004, and
- The council is satisfied that the problem cannot be resolved by the landlord within six months and as a result continuing to occupy the accommodation will pose a considerable risk to the applicant's health. This includes a property that has severe damp, major structural defects including subsidence, flooding, collapse of roof, or living conditions that are a statutory nuisance, and there is no prospect of the problems being remedied within a six-month time period.

### **3: Urgent need to move status due to exceptional circumstances where the only way an exceptional housing need can be resolved is through a Band A award.**

These decisions may be made by the Allocations Manager , in conjunction with the Housing Services Manager.

In the interests of fairness to all these applicants these circumstances are kept to a minimum. Examples of exceptional circumstances include, but are not limited to:

- a severe threat to life
- emergency cases whose homes are damaged by fire, flood, or other disaster may be provided with another tenancy if it is not possible to repair the existing home, or if any work to repair is to take such a long period of time that there will be serious disruption to family life
- households which, on police advice, must be moved immediately due to serious threats to one or more members of the household, or whose continuing occupation would pose a threat to the community
- cases nominated under the Police Witness Protection Scheme or other similar schemes that the council has agreed to be part of
- an applicant who has an exceptional need that is not covered in the Allocation Scheme. For example, where child or public protection issues require rehousing or for domestic abuse where all other options to remain in the home have been considered
- a care leaver assessed as ready to move to independent settled housing with a profound disability or assessed as having a significant vulnerability over and above the fact that they have been in care, who is assessed as needing to be housed urgently to significantly improve the impact their current circumstances are having on their disability or vulnerability
- other exceptional circumstances as authorised by the Head of the Housing Service or equivalent.

For any Private Registered Provider tenant, the expectation is that, where it is safe to do so, the RP would arrange for a like for like management transfer would be granted or an emergency decant provided whilst a suitable transfer can be arranged.

**4: Succession** – Bolsover District Council tenant who has succeeded to the tenancy of a property and is willing to move to a smaller property –

### **5: Existing Bolsover District Council tenants who:**

- a) Will release a property which was specially built or substantially adapted for a person with a disability and the accommodation is no longer needed

- b) Has succeeded to the tenancy of a property which was specially built or substantially adapted for a person with a disability and they do not need this accommodation (see the succession policy for further information).
- c) Has an identified need for adaptations to their current property and there is another property with these adaptations already fitted. This will only apply when the applicant has been assessed by an Occupational Therapist and excludes minor adaptations i.e. grab rail.

## **6: Emergency medical or disability need:**

A Band A award is for applicants who are suffering sudden or severe progressive life-threatening medical conditions or disability and need an immediate move (e.g., to facilitate hospital discharge) because their current home is unsuitable (as it does not meet their medical needs and/or cannot be adapted) and poses an immediate and serious danger to the individual.

The following Band A examples are intended to guide the applicant on the threshold set for a Band A award.

- where an applicant's condition is expected to be terminal within a period of twelve months and rehousing is required to provide a basis for the provision of suitable care
- the condition is life threatening and the applicant's existing accommodation is a major contributory factor
- the applicant's health is so severely affected by the accommodation that it is likely to become life threatening
- the applicant has severe mobility issues, is housebound and is unable to leave their accommodation save with assistance that will result in high risk to themselves or their carer. They have an assessed need to move to accommodation that meets their needs
- the applicant is a wheelchair user who is unable to use their wheelchair within their current accommodation and has an assessed need to move to wheelchair suitable accommodation
- the applicant's accommodation is directly contributing to the deterioration of the applicant's health such as severe chest condition requiring intermittent hospitalisation as a result of chronic dampness in the accommodation and the condition of the property cannot be resolved within a reasonable period of time – usually 6 months
- where overcrowding in the property leaves the applicant at risk of life-threatening infection.

## **7: Armed Forces who meet the following criteria**

Applicants with urgent housing need and have access to no other accommodation who:

- a) Are serving (and will soon leave) the regular forces and are suffering from serious injury, illness, mental ill health, or disability which is attributable to the person's service
- b) Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the MOD following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service or
- c) Is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service

For this purpose "the regular forces" and "the reserve forces" have the meanings given by section 374 of the Armed Forces Act 2006.

## **BAND B – HIGH PRIORITY, STATUTORY HOUSING NEED TO MOVE:**

These are applicants that are owed a statutory award of 'reasonable preference' under the policy and have been awarded band B priority based on their assessed high housing need.

### **1: Severe medical or disability impact:**

- Where an applicant (or a member of their household) is living in accommodation with a severe, long term, medical conditions (chronic or progressive) or severe disability that means they urgently need to move because their home is assessed as being highly unsuitable and is directly detrimental to the applicants' physical or mental health.
- Where an applicant's (or a member of their household) housing is unsuitable because of severe medical reasons or because of their disability. The applicant (or member of their household) is not housebound, but their current housing is exacerbating their health conditions.

### **2: Existing Bolsover District Council tenants who**

- will move into a smaller property releasing a high demand property
- occupy a house and wish to move to a general needs flat
- occupy a two-bedroom bungalow or elderly persons flat and wish to move to a one bedroomed bungalow or into sheltered accommodation

### 3: Care Leavers

- A Derbyshire County Council care leaver who is ready to move to independent settled housing and is genuinely prepared for a move to independent living; and
- They possess the life skills to manage a tenancy including managing a rent account; and
- The care leaver is in need of either a long term or medium-term tenancy support; and
- That support package has been assessed and is in place.

### 4: Applicants owed one of the following homelessness duties

Applicants owed any of the following homelessness duties by Bolsover Council as set out below:

- a) Applicants where the Section 189(B) Relief duty has been brought to an end and an applicant has been assessed at that point as being intentionally homeless (and hasn't been disqualified under the unacceptable behaviour disqualification rule).
- b) Applicants owed the Section 193 C (4) Main duty where the Prevention or Relief duty was ended by the council due to their deliberate non-cooperation.
- c) Applicants owed a Section 189B (2) Relief duty by the Council and not considered likely to be in priority need.
- d) Applicants owed a Section 195 (2) Prevention of homelessness duty by the Council and not considered likely to be in priority need.
- e) Applicants where the Section 189(B) Relief of homelessness duty has been brought to an end and the applicant is determined to be homeless but not in priority need and therefore not owed a Main homeless duty.

Note: Applicants owed a main homeless duty by any other council will not be allowed to qualify for the Housing Register unless there are exceptional circumstances.

### 5: Former Regular Armed Forces Applicants

*Note armed forces that meet the legal requirement for additional preference have been added to band A as legally required. Band B armed forces below cover former members who have left the service in the last 5 years or are due to leave.*

Members of the Armed Forces persons who meet the following criteria:

- a) They are serving in the regular forces and will be discharged within 6 months and have served for 5 years or more, or
- b) They were serving in the regular forces and they apply to join the housing register within 1 year of discharge, and
- c) Had been previously living in the SMP district immediately before joining the armed forces or since leaving

And d and e below must also apply

- d) They did not leave the armed forces as a result of a dishonorable discharge, and
- e) They do not own or have a legal interest in any other property

For this purpose "the regular forces" and "the reserve forces" have the meanings given by section 374 of the Armed Forces Act 2006.

**6: Overcrowded by 2 bedrooms as defined by the bedroom standard set out in this policy**

This group is defined as applicants overcrowded by 2 or more bedrooms who are living in the Bolsover District as defined under this Policy's overcrowding standard.

**7: Ready to move on from Council accredited supported housing schemes**

- An applicant is in a Council accredited supported housing scheme in the Bolsover district, and
- Is ready to move to independent settled housing on the recommendation of the support worker or equivalent; and
- The applicant is in need of medium to long term rather than short term ongoing tenancy support; and
- That support package has been assessed and is in place.

These cases will normally be approved by the Allocations Manager in conjunction with the Housing Services Manager, or in more complicated cases by the HARP Panel.

**8: Insecurity that risks homelessness**

A pregnant woman or applicant with a child or children who are sharing a home with family who are not part of their household and where:

- a) They have no ownership or tenancy rights, and the arrangement is short term and very insecure and only available whilst the applicant is actively seeking an offer of social housing or alternative accommodation with friends or in the private rented sector, and
- b) They were owed a prevention of homelessness duty as they were assessed as likely to become homeless within 56 days, and that duty has ended because they have been allowed to remain at home whilst they bid for social housing with their Band B priority and it is likely that they can remain for at least a year, and
- c) The family member with the interest in the home has agreed to allow the applicant to remain for at least a year.

**BAND C – LOWER PRIORITY, STATUTORY HOUSING NEED TO MOVE:**

**1: Applicants over 60 without a statutory housing need and who are not homeowners and are willing to consider accepting a tenancy for older person housing only in the district.**



Note applicants who wish to sub-let their property and move into older person housing will not qualify for this band.

**2: Overcrowding by 1 bedroom** in Bolsover district as per the definition of overcrowding adopted under this policy.

**3: Hardship:** Applicants who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others). (This includes the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015). See appendix 2 for further guidance

#### **4: Move on from supported housing from people not living in Bolsover**

People leaving move on accommodation outside of the Bolsover District area and without a local connection but with a local connection in Derbyshire who are currently living in temporary supported accommodation and are requesting to move as part of a planned support process.

### **Advertising Properties**

All properties available for bidding will be advertised through the Bolsover Homes website which can be accessed via [www.bolsover.gov.uk](http://www.bolsover.gov.uk) and newsletters will be available each week from our Contact Centres, in Clowne, Shirebrook, South Normanton and Bolsover. We can arrange to post newsletters but we will make a charge to cover the cost of this.

Adverts will clearly indicate any restrictions on bidding (e.g., where properties have been adapted and/or are specifically for people with disabilities) and will detail any particular criteria that apply (e.g., any affordability criteria).

Available properties will normally be advertised on a regular basis and applicants given a restricted timeframes to place a bid. The bidding rules and deadlines will be available to applicants. We will not accept any bids received after the deadline.

### **3: The bidding and selection process**

Properties are advertised on a weekly cycle from Thursday to Tuesday and will be uploaded to the Bolsover District Council website. Each listed property will have a closing date within which the customers will need to register their bid.

Applicants should note that they should only place bids for properties that they wish to accept. A bid that is valid at the end of the bidding cycle will amount to an offer if the applicant is invited to view the property. The refusal of 2 reasonable offers will mean that an applicant is suspended from bidding for a period of 12 months.

All properties advertised will be advertised for a minimum of 5 days including weekends and bank holidays. An applicant may express an interest through bidding on any advertised property that meets their needs.

- Bids will only be registered if the applicant is on the housing register

- Applicants will not be contacted individually if their bid is unsuccessful, however the results of the bids will be advertised on a regular basis.
- Applicants can express an interest on a maximum of 3 properties in any single bidding cycle.
- Bids can be withdrawn at any time prior to the closing date.
- Bids will be accepted from nominated representatives of the applicant. To make a bid on behalf of an applicant the representative will be required to give the Housing Application Reference Number and date of birth for the first applicant.
- Bids received after the advertised closing date and time will not be accepted
- Applicants are encouraged to check the 'My Bids' section of the Bolsover Homes website to ensure the bids they have placed are recorded and the order of priority reflects their preferences.

Note: where applicants are being shortlisted for a 4-bedroom property and there are more than one household who have bid from the same band, any household with 3 or more children under 16 will be shortlisted before a family where there are children over the age of 16 or where there are adult children over 18 unless a child over 16 or adult child has an assessed disability which is impacted by their current housing. The reason for this policy is that the demand for 4-bedroom properties is far higher than the number that become available to let and families with younger children are more likely to require and larger property for longer than a family with older children where it is more likely that 1 or more of those children will move out.

#### **4: Offers of accommodation**

This section sets out the procedure that will apply to making an offer of accommodation once an applicant has been selected from a shortlist of successful applicants bidding for that property.

Once selected and, prior to an offer being made a further verification of the applicant's eligibility and the circumstances that had resulted in the band award priority will be normally carried out. In certain situations, the offer will not be made, or if made may be withdrawn if:

- Since joining the scheme an applicant has become ineligible.
- On verification of the applicants' details, the priority band has been incorrectly awarded due to the information received by the applicant, or due to mistakes in the assessment of the application itself.
- The applicants' circumstances have changed since the priority band was awarded and the applicant is no longer entitled to the same level of priority.
- The Council or the Housing Association landlord for the property being advertised has evidenced housing management reason not to offer the property to the person selected.

As part of the pre allocation verification checks applicants will be expected to provide evidence of their identify and the identity of anyone to be rehoused with them, as well as their current address before any tenancy can be agreed.

Wherever practical applicants will be visited prior to making an offer of accommodation. The purpose of the visit is twofold:

- Firstly, to check household details
- Secondly, to check requirements have not changed.

If the visiting officer discovers the details are incorrect, no offer of accommodation should be made, and the applicant informed of the reasons in writing.

If the applicant is a current tenant of the Council, the visit should also look at the condition of the property. If there is a breach of tenancy such as damage to the property, unauthorised alterations or rent arrears, the tenant should be informed that they will not be offered alternative accommodation until the breach is resolved.

Applicants will be considered for an offer of any property which they have placed a successful bid.

Applicants will only be offered one property at a time. Once an offer has been made to the applicant they will not be able to bid or be considered for other offers of accommodation until the current offer is refused.

The successful bidder will normally be contacted within 48 hours of the close of bids. Applicants should ensure that at the time of bid that current up to date contact details are available. If contact cannot be made with the successful bidder within 48 hours this could result in the bid being withdrawn and the property being offered to the next suitable bidder.

As part of the offer we will provide details of the property and make arrangements to view it as quickly as possible. Applicants are expected to decide whether to accept or refuse the offer at the viewing and will also be offered the opportunity to sign for the tenancy at the viewing. If applicants do not inform Bolsover District Council of their decision within 48 hours of the viewing the offer may be withdrawn and the property allocated to the next suitable bidder.

If an applicant does not reply to an invitation in writing, by letter or email or text, to view a property within 2 working days the offer will be deemed to have been refused and the property will be offered to the next applicant on the shortlist who qualifies for that offer. This will then count as one of the applicant's 2 reasonable offers unless a satisfactory explanation for the applicant's failure to respond is accepted by the Council.

Where the offer is to an applicant owed a statutory homeless duty a property will not be reoffered until the Council have been informed of the applicant's refusal or failure to attend the appointment to view and have made a decision whether or not to enforce the offer to end the homeless duty owed.

A suitable and reasonable offer of accommodation is defined in appendix 1 of the policy.

There may, unfortunately, be exceptional circumstances where, following a viewing or notification of offer an offer may still be withdrawn. This can be done up to the point before a tenancy is signed. Examples of reasons when a property offer may be withdrawn are:

- The property is not suitable for the households needs
- The property fails to become available
- There is an issue and concern for community safety
- It comes to light that information has been withheld
- It comes to light that the household or member of the household has a property related debt
- The offer has been made in error
- The household's circumstances changed
- The property is required for an emergency
- It transpires that the rent would not be affordable

There must be clear grounds for refusing or bypassing applicants who are top of any shortlist that are recorded by the Council, or a partner Housing Association where the property advertised is owned by them.

## **Appendices**

**Appendix 1 – Definition of a suitable offer**

**Appendix 2 – Right to Move qualification criteria**

**Appendix 3 – Local Lettings policy criteria**

**Appendix 4 – Eligibility of Propwerty Type Table**

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## APPENDIX 1: DEFINITION OF A SUITABLE OFFER

Where accommodation is offered an applicant will normally be expected to accept an offer of a property that meets their specified needs. Reasonable offers are those that are deemed as suitable and appropriate to meet the housing and medical needs of the household concerned and are affordable to the applicant and his or her household.

The suitability criteria used to determine whether an offer to end a main homeless duty owed under Section 193(2) of the Housing Act 1996) or a relief of homelessness duty owed under Section 189b, will be the criteria set down in the Suitability of Accommodation Order England 2012, as amended by Section 12 of the Homelessness Reduction Act 2017, relevant case law and statutory guidance.

These criteria only apply to an offer of social housing or private rented housing made with the intention of ending a full homeless duty. Where an offer is made to any other banded applicant who is not owed a full homeless duty it is for the council to decide on the facts of the case whether the offer is suitable using the guidance in this appendix to help the officer make the decision.

The council will consider that a property is suitable if all of the following criteria are met:

- it is located in an area that the council considers to be suitable for the applicant and their household. This could include accommodation located outside of the Bolsover area;
- if it is affordable for the applicant and his or her household based on his or her financial circumstances at the time of offer;
- it is sized in accordance with the criteria in this Scheme;
- it complies with any recommendation made by a medical or other relevant advisor.

In determining the suitability of accommodation, the council will consider the following:

- a) the significance of any disruption to the employment, education or caring responsibilities of the applicant or a member of the household;
- b) the accessibility of medical or other support facilities that are currently used by the applicant or a member of the household;
- c) the accessibility of local services, including places of worship, amenities, and transport;
- d) its duty to safeguard children under Section 11 Children Act 2004;
- e) its public sector equality duty under Section 149 Equality Act 2010;
- f) if a suitable property is located outside of the borough's boundary then the council has to take into consideration the distance from the applicant's existing accommodation in the borough.

The above are matters for the council to determine based on the facts of the case.

## **Guidance for assessing officers on how the council will assess reasonable and unreasonable refusals:**

### **1) Property size**

The property must be the appropriate size for the household's needs at the time of making the offer. Where the family composition has changed, so that the property offered is too small or large for the applicant's needs, the refusal will be recorded as reasonable.

It is the applicant's responsibility to ensure that they register any change in their circumstances that will affect the number of bedrooms to which they are entitled.

Where the applicant refuses a property because it is too small on grounds of the need for an additional or larger bedroom(s) due to medical/mobility factors, but it meets the lettings standard, this will normally be considered to be an unreasonable refusal unless the applicant provides new medical information at the offer stage that is accepted by the council.

### **2) Property type**

It will not be considered to be a reasonable refusal due to a dislike of the property type. Therefore, an applicant cannot reasonably refuse an offer because for example, it is in a tower block, it does not have a garden or a particular heating system, it is on a wrong floor, or does not have a lift. If the applicant states medical grounds for refusing the property, these should already have been disclosed and considered as part of the assessment of their application, unless new information is submitted that is accepted by the council.

Where specialist accommodation is offered to a household inappropriately, this is considered to be a reasonable refusal. This may be for example:

- a) offers of wheelchair standard housing to households which do not have wheelchair users;
- b) offers made to disabled applicants which are unsuitable for their needs, for example where they are unable to open a door entry system because the doors are too heavy;
- c) offers of sheltered housing where the applicant is not of the appropriate age.

### **3) Property condition**

Where a property is refused on grounds of repair/decoration, this will be considered an unreasonable refusal unless the voids team decides to withdraw the property from letting for further works to be carried out.

### **4) Area of choice**

An offer will still be considered reasonable even if it is not within an applicant's area of choice.

## **5) Racial harassment**

Where an applicant from an ethnic minority household refuses the property prior to viewing because the previous tenant was rehoused as a result of racial harassment, or there is a known problem of racial harassment in the vicinity of the property, the refusal is considered reasonable.

## **6) Choice of landlord**

An applicant cannot choose whether they are rehoused by a specific Private Registered Provider. Therefore, any refusal for example by an applicant of a property because it is a Private Registered Provider property with no 'Right to Buy', or 'Right to Acquire', or the rent is higher than another social landlord will not be considered to be reasonable (unless in the example of the rent level the assessment is that the offer is unaffordable for the applicant in question).

## **7) Pets**

One of the conditions of the tenancy agreement is that a tenant must obtain the written consent of the landlord before keeping domestic pets.

Any intention to keep a pet must comply with the council or Private Registered Provider tenancy terms and conditions, which means that permission must be sought and agreed prior to signing the tenancy agreement for the property. Therefore, any refusal on the basis that permission has not been granted to keep a pet is not reasonable.



## **APPENDIX 2: RIGHT TO MOVE QUALIFYING CRITERIA**

Right to Move – Statutory guidance on social housing allocations for local housing authorities in England

An existing social housing tenant (living outside of the Bolsover area) will not be disqualified on the grounds of no residential connection if they have reasonable preference under s166(3)(e) because of a need to move to the Bolsover area because the tenant works in the Bolsover district or needs to move to take up an offer of work.

Whether or not the applicant meets the above criteria isn't solely determined by the need to move for work, but that it would cause them hardship if they were able to do so.

### **Definition of Work**

- Work should be a permanent contract or one with a minimum term of 12 months.
- Work should be of 16 or more hours a week (unless it can be demonstrated that the earnings are substantial).
- Work should not be voluntary.
- Work can include apprenticeships.
- The relevant district should be the main place of work.
- In the case of self-employed tenants, work should be regular as opposed to intermittent.

### **Distance, time and travel costs**

When determining hardship, the time taken to travel to work and the cost of the travel should be taken into account. The council considers the following criteria may suggest hardship:

- Travel time to get to work is in excess of two hours each way (personal or public transport depending on circumstances).
- Travel costs are more than £30 per day or 25% of net income from the employment or there is no transport available at all.

### **Other factors**

These factors are all considered on a case-by-case basis as to whether hardship would be faced by the applicant if they could not move:

- Would failure to move mean the applicant would lose an opportunity to gain a better job/promotion, an apprenticeship, increase hours/pay or move from unemployment to employment.
- If the nature of work likely to be available closer to the applicant's home.
- Personal factors including care responsibilities and medical conditions affected by the tenant not being able to move closer to work.
- Any other situation where hardship would be demonstrable if the tenant could not move.

### **Discretion**

Every application will be dealt with on a case-by-case basis allowing all circumstances and variables to be considered.

### **Proof of Work**

A combination of the following can be used to prove that work or a job offer is genuine:

- Contract of employment (particularly if stating main place of work).
- Wage slips showing hours worked (particularly if zero hours contract) but they are unlikely to evidence the location of work.
- A letter offering employment (it is likely that the employer will be contacted to confirm acceptance).
- A letter from an employer to prove the work and location.

### **Right to Move Quota**

No more than 1% of all lettings will be prioritised for Right to Move applicants based on the total of the previous year's lettings by the council.

## **APPENDIX 3: HOW ANY LOCAL LETTINGS POLICY WILL BE APPLIED AND REVIEWED**

Local lettings initiatives may be applied to meet the particular needs of a local ward or area or to address sustainability and community issues to ensure that the housing allocation scheme is able to contribute to building sustainable communities.

They will be tailored to fit local situations in well-defined communities (such as a particular block of flats, an individual street, or new housing development, or may be applied to a parish or a village in a rural area). Each local lettings policy will be based on a detailed analysis of relevant information gathered from a variety of sources and may include, for example, evidence from internal departments, partner Housing Associations, local Councillors, and the community itself. (Evidence may include information such as tenant profiling, the incidence of anti-social behaviour, and stock turnover in a particular block, street or area, a neighbourhood plan or the need to provide housing for local people in rural villages and parishes).

The following are examples of local lettings policies that may be deployed under this policy. The list is for illustrative purposes and is not exhaustive.

- 1) Age restrictions.
- 2) Prioritising applicants who are key workers, as defined by the Council.
- 3) Restrictions on lettings to vulnerable households where there are already a concentration of supported tenants/residents in a street or block.
- 4) Lettings to childless households where there are high concentrations of children and young people living on a specific estate, street or block.
- 5) Disregarding household type or property matching rules to allow, for example, under-occupation to reduce child density or to account for future family growth.
- 6) Ensuring that there is a balance of working and non-working households allocated to a scheme.

New developments will normally have local lettings policies (usually only applies to first lettings) regardless of whether the new development is subject to a Section 106 agreement or affordable housing statement. Where a new development is subject to a Section 106 planning agreement the criteria set will be followed.

In order to ensure a reasonable mix of household sizes and types, and families with children of different ages, a local lettings policy will normally be used for new developments larger than four properties. This may set restrictions on the number of lettings, which can be made to families with young children, for example, or the number of families who are not working.

### **How will a local lettings policy be assessed and agreed?**

The Council will decide when a local lettings policy may be appropriate and why.

There must be a clear evidence base for adopting a local lettings policy. The following framework will be used by the Council to decide whether a local lettings policy is appropriate:

- 1) That there is a clear definition of the objective to be achieved by that particular local lettings policy.
- 2) That there is a clear evidence base to back up the need for a local lettings policy.
- 3) That any potential equality impact has been considered.
- 4) How long the local lettings policy is intended to operate.
- 5) When the local lettings policy should be reviewed.

A written record of each policy adopted or rejected should be kept.

It is the intention that local lettings policies will be fluid with new policies being added as are required and existing policies being deleted once the objective for that policy has been met.

Any property advert will state whether there are any local lettings restrictions or criteria.

## Appendix 4

GENERAL NEEDS ACCOMMODATION								OLDER PERSONS ACCOMMODATION			
HOUSEHOLD CATEGORY	FLATS		HOUSES					BUNGALOWS		OLDER PERSONS FLATS	INDEPENDENT LIVING SCHEME
	1 BED	2 BED	1 BED	2 BED	2 BED +	3 BED	4 BED	1 BED	2 BED	2 BED	1 AND 2 BEDS
<b>GENERAL NEEDS</b>											
Single Applicants and Couples	Y	Y	y	N	N	N	N	N	N	N	N
Single Applicants and Couples who are pregnant	N	Y	N	N	N	N	N	N	N	N	N
Households with 1 child	N	Y	N	Y	Y	N	N	N	N	N	N
Households with 2 children of the same gender											
Both under 21	N	Y	N	Y	Y	Y	N	N	N	N	N
Both over 21	N	N	N	N	Y	Y	N	N	N	N	N
One under 21 and one over	N	N	N	N	Y	Y	N	N	N	N	N
Households with 2 children of different gender											
Both under 10	N	Y	N	Y	Y	Y	N	N	N	N	N
One under 10 and one over	N	N	N	N	Y	Y	N	N	N	N	N
Household with 3	N	N	N	N	Y	Y	Y	N	N	N	N
Household with 4	N	N	N	N	Y	Y	Y	N	N	N	N
Household with 5	N	N	N	N	N	N	Y	N	N	N	N
All adult 2 person	N	Y	N	N	N	N	N	N	N	N	N
All adult 3 person plus	*	*	*	*	*	*	*	N	N	N	N
Household with a need for adapted accommodation	**	**	**	**	**	**	**	**	**	**	**
<b>OLDER PERSONS</b>											
Single applicants and couples over 50	Y	Y	Y	N	N	N	N	Y	N	N	N
Single applicants and couples over 60	N	N	N	N	N	N	N	Y	Y	Y	Y
Applicants with a need for adapted accommodation	**	**	**	**	**	**	**	**	**	**	**

NOTE – The table refers to 2 bed + houses. These are 3 bedroomed houses in areas with very limited 2 bedroomed accommodation.

If analysis of the allocation system suggests that the needs of these communities can be better met with flexibility, HARP can consider designating a proportion of properties as + (plus) properties in specific areas.

All adult households refers to 2 or more people living together but not in a relationship.

\* To be approved by HARP

\*\* To be approved by the Welfare Adaptation Panel

DRAFT

## Summary of Changes to the Proposed Allocations Policy

Theme	Proposed Allocation Policy		Reason for change
	Relevant section		
Local Connection	Non qualification rule 1 – page 5	We have increased the local connection to 2 years continuous residency and tightened up the requirement for those in permanent employment in the area and removed the key worker status connection to the area.	Prioritise established local families who have a strong connection for residence of 2 years or more. There are a number of exceptions to the 2-year residency rule found on page 7-8; for instance, those fleeing domestic abuse or extreme threats of violence from another area or have close family who they need to provide or receive essential support; or, have employment where it is extremely difficult to commute.
Assessment of Need – out of area or very low need.	Section 5 Assessment of need and circumstances page 43-51	<p>Removed Band D – this is applicants who live out of area or who have a very low need. This would also include those who live in the district, who are registered to move but have no housing need.</p> <p>Amendment to Band C – currently those who live in private rented, social housing or lodge within the district are placed in Band C even when there is no housing need. We propose to remove this.</p>	<p>The demand on the register is unprecedented and these changes mean that those with a legitimate housing need are awarded a band on the housing register, Approx 30% of those on the housing register have no housing need or live out of area. Removing band D removes these people who are unlikely to ever be allocated a BDC property from the register. This change will also remove those who wish to move within the district but have no housing need. This choice to move could be resolved by way of mutual exchange.</p> <p>This change is to reflect that Bands are awarded based on a housing need.</p>

Assessment of needs	Section 5 Assessment of need and circumstances page 43-51	We intend to expand the criteria to address when an applicant will qualify for statutory housing need bands A, B and C.	The revised policy is clearer about when a band will be awarded for each housing criteria within each band. This will mean assessments are always consistently applied.
Suspension – rent arrears	Non qualification rule 4 – page 11-14	Amended the suspension for rent arrears section to reflect different amount/categories of debt but to allow people on the register if they have maintained repayment agreements and reduced arrears to within an acceptable threshold.	We acknowledge that people may have arrears and former tenancy arrears but if they can demonstrate a commitment to maintain repayment agreements they will no longer be suspended from the register.
Suspension for refusal of suitable offers	Penalty for refusing 2 suitable offers – page 31 and appendix 1 (Page 55)	We will suspend an applicant who refuses 2 suitable offers within a 12-month period. Suitable offers are defined within the policy,	To address where applicants bidding for properties, later changing their mind after the bidding cycle had ended. This builds in extra work and delays in letting properties which affects void times.
Overcrowding	Assessment of bedroom size - Page 37-38	Tightened up the rules around overcrowding, this is now more reflective of the statutory rules.	The previous policy was overly complicated in this area and is now reflective of the statutory overcrowding rules
Transfers	Non qualification rule 7 – page 17	We do not allow someone to move to another Council property within 3 years. This applied to both new tenancies and those who have terminated a Council or Housing Association property within the timescales.	The time scale remains the same but ensures everyone is treated the same regardless of tenure.
Review of decisions	Right of review – page 40-42	Simplified the review process. The legislation sets out when an applicant can request a review. In the first instance there will be an informal review carried out. If the applicant is unhappy then they can escalate this to a formal review. Whilst there is legal right to request a review of a review decision, the informal element of this allows for a 2-stage process.	To make the process quicker and easier for applicants and officers alike.



113	Home ownership	<p>Non qualification rule 5 – page 16</p> <p>Any owner occupier is to be excluded from the register unless</p> <ul style="list-style-type: none"> <li>• If as a result of a divorce settlement a Court has ordered that an applicant may not reside in the former matrimonial or civil partnership home in which they still have a legal interest for a period which is likely to exceed 5 years and that restriction is not due to being a perpetrator of domestic abuse, or</li> <li>• Where someone is a homeowner and homeless due to domestic abuse and whose property has not yet been sold. In these circumstances a decision will be made as to whether to treat this as an exemption based on the facts and circumstances of the case, or</li> <li>• The applicant has a substantial disability, and their current home is not suitable for their specific needs and cannot be adapted in a reasonable period of time and they cannot find an alternative property suitable for their disability on the open market.</li> </ul>	<p>Demand on the register is unprecedented and many owner occupiers have the means to secure suitable accommodation without the need for assistance from the local authority. There are some circumstances which will give rise to being accepted on the register, but these are limited.</p>
	Over 60 and no housing need	<p>Band C page 50</p> <p>Applicants over 60 (who are not homeowners) without a statutory housing need but would be willing to move to an older person property will be awarded a band C.</p>	<p>This reflects that approximately 45% of the Councils housing stock is older persons accommodation and ensures we do not have significant empty properties of this type.</p>
	General terminology	<p>Throughout</p> <p>In addition, we have identified some areas where the policy was inconsistent and have</p>	

		remedied this as well as updating the terminology and job roles.	
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## **Bolsover District Council**

### **Meeting of the Customer Services Scrutiny Committee on 20<sup>th</sup> November 2023**

#### **Review of Members ICT & Support and ICT Service Delivery Post Scrutiny Monitoring (INTERIM REPORT)**

#### **Report of the Chair of Customer Services Scrutiny Committee**

<b>Classification</b>	This report is Public
<b>Contact Officer</b>	Joanne Wilson Scrutiny & Elections Officer

### **PURPOSE/SUMMARY OF REPORT**

- To present the Interim Report assessing progress against the recommendations to date for the Review of Members ICT & Support and ICT Service Delivery to Customer Services Scrutiny Committee.

### **REPORT DETAILS**

#### **1. Background**

- 1.1 This review initially commenced during the 2020/21 municipal year, as a result of operational issues raised by the pandemic.
- 1.2 The initial aim of the review was:
  - To ascertain the impact of the pandemic on ICT Service delivery and review the effectiveness of Member ICT equipment and support provision.

Once the review was re-started in 2022/23 the aim refocussed on Member ICT equipment and support.

- 1.3 The initial review period took place from November 2020 to March 2021. Members identified the following issues for investigation:
  - Impact of the pandemic on ICT service delivery
  - Member Connectivity
  - Remote support for Member iPads
  - Member ICT Equipment
  - Support for Virtual Meetings
  - Chamber ICT equipment
- 1.4 Once the review was recommenced, Members prioritised the following issues:

- Remote support for Member iPads
- Member ICT Equipment
- Member ICT Support
- Creation of a Member ICT Working Group
- Chamber/Meeting Room ICT equipment

## **2. Details of Proposal or Information**

2.1 The original review commenced during the pandemic. Members looked at a range of issues including:

- Impact of pandemic/remote working/support to onsite meetings on IT service delivery – focus was on compliance with SLA targets, impact on Servicedesk, capacity of service and impact on budgets
- Member Connectivity – 3G/4G and WIFI
- Remote support for Member iPads
- Member ICT Equipment – queries raised around suitability of kit, ability to update, compatibility with documents
- Support for Virtual Meetings – by Governance/ICT/Communications
- Chamber ICT equipment i.e. microphones, cameras, facility to livestream/produce recording

2.2 Following the removal of the temporary legislation enabling remote/hybrid meetings to be held for social distancing, the issues relating to delivery of such meetings ceased and were not investigated further. Due to lobbying and consultation at a national level on possible changes to legislation around local government meetings (following the end of temporary legislation), and also for internal work on structure reviews (Governance Team), the review was paused while Members waited for updates. This also allowed Members to focus on other work. Furthermore, Members were aware of discussions at Member Development Working Group and did not want to duplicate work already in place with a scrutiny review.

2.3 Key issues that were not taken further during the initial review were as follows:

- Member connectivity
- support for virtual meetings
- impact of the pandemic/remote working on ICT service delivery

2.4 Following assessment of evidence in the original review phase Members agreed recommendations linked to the monitoring of ICT service delivery.

2.5 Towards the end of 2021/22 municipal year, Members acknowledged that there were still a number of issues remaining unresolved as well as new issues that now needed addressing. They agreed that pending duplication of any existing work, it should form part of the 2022/23 work programme. In the early part of the 2022/23 municipal year, Members became aware that there was no longer a risk of duplicating work by other Member groups and were keen to pick the review back up. Members were still concerned with the following:

- Remote support for iPads to enable easier updates
  - Member ICT equipment, Members ICT support
  - Chamber/meeting room ICT equipment
  - Power supply within the Council Chamber
  - Creation of a Member IT Working Group
  - Accessibility of mod.gov
  - Access to the intranet
- 2.6 The Committee put together 13 recommendations which will hopefully assist the Council in improving equipment provision and support to Members and the operation of meeting spaces within a modern post-Covid environment.
- 2.8 This report acknowledges progress by officers implementing the recommendations.
- 2.9 To date XX out of 13 recommendations have been achieved, XX have been completed behind schedule, XX are on alert, and XX has been further extended.

### **3. Reasons for Recommendation**

- 3.1 Members are required to make their report and findings public, in accordance with Part 4.5.17(4) of the Constitution.
- 3.2 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(1) of the Constitution.
- 3.3 Members must note Executive's response to the review recommendations and agree to review progress on the approved recommendations. A progress report will be submitted in six and twelve months' time, with any exceptions to expected delivery highlighted.

### **4 Alternative Options and Reasons for Rejection**

- 4.1 There are no alternative options. Members are required to note the service's response to progress against the review recommendations.
- 4.2 Committee is required to monitor implementation of their recommendations in accordance with Part 3.6(1) of the Constitution and as such the report cannot be rejected.

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### **RECOMMENDATION(S)**

1. That Members note the progress against the review recommendations.
2. That Members acknowledge any exceptions to delivery and clarify the additional action required by the service.
3. That Members make its report and findings public, in accordance with Part 4.5.17(4) of the Council's Constitution.

4. That Officers continue to implement the recommendations and submit a further report in six months' time highlighting progress and any exceptions to delivery.

**IMPLICATIONS:**

**Finance and Risk:** Yes ☐ No ☒

**Details:** There are a number of recommendations in the report that relate to further investigation of replacement ICT equipment, both personal and within meeting rooms, and improvements to WIFI provision. These will require additional investigation and further reports to Executive in due course in relation to the individual decisions. Depending on costs associated this may also require a tender process and agreement for additional budget allocations in the MTFP to be approved by Council.

On behalf of the Section 151 Officer

**Legal (including Data Protection):** Yes ☒ No ☐

**Details:** In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in Part 1A, s9F(2) of the Local Government Act 2000.

On behalf of the Solicitor to the Council

**Environment:**

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

**Details:** Improvements to Members ICT equipment will hopefully in the long-term lead to a significant reduction in paper usage and a move to full usage of electronic committee papers. This will generate a carbon reduction in relation to paper usage and associated costs benefits.

**Staffing:** Yes ☐ No ☒

**Details:** There are no implications from this report.

On behalf of the Head of Paid Service

**DECISION INFORMATION**

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards, or which results in income or expenditure to the Council above the following thresholds:  <b>Revenue - £75,000</b> <input type="checkbox"/> <b>Capital - £150,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> <i>(Only Key Decisions are subject to Call-In)</i>	No

<b>District Wards Significantly Affected</b>	All
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input checked="" type="checkbox"/> <b>Executive</b> <input type="checkbox"/> <b>SLT</b> <input checked="" type="checkbox"/> <b>Relevant Service Manager</b> <input checked="" type="checkbox"/> <b>Members</b> <input checked="" type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>	<b>Details:</b> Specific engagement as part of the evidence gathering process.

**Links to Council Ambition: Customers, Economy, and Environment.****Customers**

- Improving customer contact and removing barriers to accessing information

**Environment**

- Reducing our carbon footprint whilst supporting and encouraging residents and businesses to do the same.

**DOCUMENT INFORMATION**

<b>Appendix No</b>	<b>Title</b>
1	PSM Review of Members ICT & Support and ICT Service Delivery – INTERIM REPORT Original Recommendations from Review and Executive's Response
2	PSM Review of Members ICT & Support and ICT Service Delivery – INTERIM REPORT Response to Scrutiny Committee on implementation following scrutiny review

**Background Papers**

*(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).*

Please contact Scrutiny & Elections Officer where further information is required.

## Original Recommendations from Review and Executive's Response

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
CSSC22-23 1.1  120	That performance of the ICT service be incorporated to the quarterly performance reports produced via PERFORM to both raise the profile of the service and ensure delivery was monitored alongside all other key service areas.	Greater visibility of service performance as part of council-wide performance.	July 2023 onwards	Assistant Director for ICT  Information, Engagement & Performance Manager	Officer time	<p><u>ICT:</u> ICT statistics can be added to the quarterly reports and are added to the PERFORM system when requested. A report is already distributed to the Joint ICT Committee quarterly which provides performance data along with other performance related information relating to the Joint ICT service, this is distributed to committee members including three members from BDC and is made available on the website for review:  <a href="#">AGIN 8 Terms of Reference.pdf (bolsover.gov.uk)</a>  <a href="#">Committee details - Joint ICT Committee - North East Derbyshire District Council (ne-derbyshire.gov.uk)</a></p> <p><u>Performance Team:</u> Two indicators are currently reported to</p>	Recommendation Approved.



PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
121						<p>SLT, but these are not reported to Scrutiny/Executive as part of the KPI report. These can easily be included in quarterly reporting from 2023/24. Additional KPIs included in reports to Joint ICT Committee can be added to the system/reports as Members determine. Further work would be required with Members to determine what data they would like to see presented, from that already collated by ICT.</p> <p>It may also be timely to consider how information considered at Joint ICT Committee is communicated back to the wider group of Councillors and how Members receive District specific data in relation to the SLA targets.</p>	
CSSC22-23 1.2	That an email alert be sent to Members as and when new performance data	Greater visibility of service performance as part of council-	July 2023 onwards	Assistant Director for ICT	Officer time	There is no direct communication from the Performance team to Members currently to	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
122	becomes available within PERFORM.	wide performance.				<p>alert that new information is available.</p> <p>The PERFORM application is not real-time reporting, it is updated at specific intervals. The system itself does not generate alerts to users.</p> <p>Scrutiny Members currently receive data via quarterly reports only and there is limited, if any, access by Members of the system.</p> <p>Service Managers can send their own alerts out to advise Members that new data is available should they wish to view it.</p>	
CSSC22-23 1.3	That there should be adequate PC/laptop provision to ensure Member access to PERFORM to view performance data.	Improved Member access to performance data.	Dependent on assessment of equipment and Budget allocation.	Assistant Director for ICT	<p>Officer time</p> <p>Budget allocation (if additional equipment required. This will require Executive/Council approval.)</p>	Perform is not accessible via non networked devices, The Performance team would need to look for an alternative product if this is required so access could be provided via the iPads. Reports are produced quarterly for Scrutiny/Executive which provide some of	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
						this information. Another PC can be installed pending budget allocation, but we will need to know what is required above what is already available.	
CSSC22-23 1.4 123	That the necessary works are completed in the Chamber to upgrade the power supply. This will future proof the space enabling all those in attendance to access power and accommodate the move to use of electronic devices for committee papers. This would also likely be required should alternative speaker/chamber systems were purchased. As per quote supplied at Appendix 1.	Improved power resource to enable Members/officers to move to full use of electronic devices for access to committee papers.  Improved capacity/capability of use of the Chamber for large scale events/meetings.	Dependent on decision re Chamber systems.	Governance & Civic Manager (advisory only)  Corporate Property Manager	Officer time  Budget allocation (requiring Executive/Council approval)	This can be delivered pending agreement by Members on any changes to the chamber systems and would require budget allocation and approval by Executive/Council.	Recommendation Approved.
CSSC22-23 1.5	That consideration be given to providing additional access to ERIC (Intranet) either via an extranet link or	Improved access to internal communications and documentation/	<i>Awaiting confirmation from Service.</i>	Assistant Director of Leader's Executive, Partnerships,	Officer time  Budget allocation (if additional equipment required. This will	<i>Awaiting confirmation from Service.</i>	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
	additional on-site PC/Laptop provision for Members.	reports for Members.		Governance & Communications  Communications, Marketing & Design Manager  Governance & Civic Manager (advisory only)	require Executive/Council approval.)		
CSSC22-23 1.6 124	That the roll-out of Microsoft Teams access for Members be delivered as a priority action post-election to ensure new Members have improved connectivity to officers.	Full engagement of Members in the roll out of M365 leading to more efficient operations and Member connectivity.	Sept 2023	Assistant Director for ICT	Officer time	This will be dependent on Members bringing their equipment into the Arc when requested to do so.	Recommendation Approved.
CSSC22-23 1.7	That additional boosters be installed within the Arc to secure a more efficient WIFI service, particularly in proximity to the ground floor Member areas and Meeting rooms.	Improved WIFI service provision for Members, officers and the public.	To be determined	Assistant Director for ICT	Officer time  Potential budget allocation if beyond existing resources. (This will require Executive/Council approval.)	As there are two wi-fi infrastructures Members and officers may be using. Corporate wi-fi is only available from corporately owned and managed devices (laptops, iPads, phones). Public wi-fi is available to any device. Improvement of each is possible but will require additional budget and resource depending on which infrastructure is causing issues. Further	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
						information will need to be obtained from Members and officers experiencing the issues to ensure the proposed solution will improve Wi-Fi coverage.	
CSSC22-23 1.8  125	That a Member ICT Working Group be created and added to the Meeting Schedule for 2023/24. <i>(This has been added to the Schedule approved at Council in March 2023.)</i>	Improved engagement of Members in design and delivery of their ICT services.	31/8/2023	Governance & Civic Manager  Assistant Director for ICT	Officer time	Member ICT Working Group meetings are scheduled for 23/24 although there is still some work to do regarding membership of the group and how it will function.	Recommendation Approved.
CSSC22-23 1.9	That a review of the Chamber and Meeting room ICT equipment takes place post-election, based on the evidence gathered, in conjunction with the Member ICT Working Group, Assistant Director for ICT Services and the Governance & Civic Manager. This should incorporate as a minimum a replacement microphone system and an improved	Improved meeting/ conference equipment to enable council business/ meetings (and bookings for private external meetings) to be conducted in an accessible and modern format.	To be determined	Assistant Director for ICT  Governance & Civic Manager  Member ICT Working Group	Officer time  Budget allocation (Executive/ Council approval)	At this stage it is difficult to provide a specific target date as it will be dependent on Executive/ Council decisions and the procurement process once a decision has been taken on the systems required in the Chamber.  Further exploration of systems to take place during the 2023/24 municipal year.	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
	projector system within the Council Chamber.						
CSSC22-23 1.10	That a review of Members ICT Equipment provision takes place post-election in conjunction with the new Member ICT Working Group.	Improved Member ICT equipment that is fit for purpose post-covid, with provision for remote updates, access to remote meetings.	October 2023	Assistant Director for ICT  Governance & Civic Manager	Officer/ Member time	This will be dependent on work completed with the new Members ICT Working Group and wider consultation with Members. Once a clear solution is identified, a target date for implementation of new equipment can be determined. The initial target date reflects a deadline for agreeing whether there is to be a change in equipment provision or not.	Recommendation Approved.
CSSC22-23 1.11	That where a decision be made to remain with iPads as the preferred Member device, that the option be made available for either the 10.9" or 12.9" screens to accommodate those requiring a larger screen size. Furthermore that a case and charger be provided as standard with the option of a	Provision of Members ICT equipment that meets accessibility needs.	October 2023	Assistant Director for ICT  Governance & Civic Manager	Officer time  Budget allocation (Executive/Council approval)	This will be dependent on work completed with the new Members ICT Working Group and wider consultation with Members. Once a clear solution is identified, a target date for implementation of new equipment can be determined. The initial target date reflects a deadline for agreeing whether there is to be a change in equipment provision or not.	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
	keyboard if required.						
CSSC22-23 1.12	That an ICT Support drop-in session be made available at all Council meetings. <i>(This was initially trialled at Council in February and March 2023.)</i>	Improved Member ICT support and guaranteed access to support at key times, when Members are on site.	March 2023 onwards	Assistant Director for ICT	Officer time	This is in place, providing Governance schedule ServiceDesk to be available at the start of the full council meetings and planning meetings. A member of the Servicedesk will be available 30 minutes before the meeting to provide assistance to members. Resources are not available to do this for every council meeting, but the Servicedesk is contactable over the phone between 8:00-17:30 and can schedule individual appointments as required.	Recommendation Approved.
CSSC22-23 1.13	That consideration be given to a revised approach to Member ICT Training, both face-to-face and online, to ensure Members remain able to use their ICT equipment effectively.	An improved approach to Member ICT Training.	October 2023	Assistant Director for ICT  Governance & Civic Manager	Officer time	This is in progress, we have recently created iPad guides advising Members how to do common tasks and are continuing to update these as new applications are introduced. We will be adding links to these with training videos and guides to assist them further. Feedback from the Members Working	Recommendation Approved.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response	Executive Response
						Group will help to input into what training is required.	



## RESPONSE TO SCRUTINY COMMITTEE ON IMPLEMENTATION FOLLOWING SCRUTINY REVIEW

<b>Title of Review:</b>	Review of Members ICT & Support and ICT Service Delivery				
<b>Timescale of Review:</b>	November 2020 – March 2021 (phase 1)	<b>Post-Monitoring Period:</b>	12 months commencing May 2023. Interim report due November 2023.		
	December 2022 – March 2023 (phase 2)				
<b>Date agreed by Scrutiny:</b>	March 2023	<b>Date agreed by Executive:</b>	April 2023		
<b>Total No. of Recommendations and Sub Recommendations</b>	<b>Achieved</b>	<b>On track</b>	<b>Extended</b>		
	<b>Achieved (Behind target)</b>	<b>Overdue</b>	<b>Alert</b>		

### Key Achievements:

- 1.1 / 1.2 & 1.3 Key performance statistics monitored by the ICT services will be added to the quarterly performance report sent out to Members by the Information, Engagement and Performance Team.
- 1.6 Microsoft Teams has been made available to all Member devices.
- 1.6 Ipads can now be updated remotely, fingerprint unlock has been enabled, improved web filtering software.
- 1.8 ICT has been added to the agenda of the Members Development Group as of January 2024.
- 1.12 Providing Governance schedule ServiceDesk to be available at the start of the full council meetings and planning meetings. A member of the Servicedesk will be available 30 minutes before the meeting to provide assistance to members. Resources are not available to do this for every council meeting, but the Servicedesk is contactable over the phone between 8:00-17:30 and can schedule individual appointments as required.

**Reasons for non-implementation of Recommendations:**

- 1.3 The Perform software does not provide real-time reporting, the Information, Engagement and Performance Team provides the information available in the Perform system via the Quarterly report, therefore access to Perform is unnecessary. There is however a desktop computer in the Members area to use.
- Further feedback is required from Members via the next Members Development group to clarify and progress some of the recommendations.

PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
131 CSSC22-23 1.1	That performance of the ICT service be incorporated to the quarterly performance reports produced via PERFORM to both raise the profile of the service and ensure delivery was monitored alongside all other key service areas.	Assistant Director for ICT  Information, Engagement & Performance Manager	July 2023 onwards	October 2023	Complete	Officer time	This will be added to the Q2 report sent out to all Members.
CSSC22-23 1.2	That an email alert be sent to Members as and when new performance data becomes available within PERFORM.	Assistant Director for ICT	July 2023 onwards	October 2023	Complete	Officer time	Performance data is available Quarterly and is distributed by the Information, Engagement and Performance Team to all Members.
CSSC22-23 1.3	That there should be adequate PC/laptop provision to ensure Member access to PERFORM to view performance data.	Assistant Director for ICT	Dependent on assessment of equipment and Budget allocation.	October 2023	Complete	Officer time  Budget allocation (if additional equipment required. This will require Executive/Council approval.)	The information on the Perform system is the same as the information reported by the Information, Engagement and Performance Team on a quarterly basis. Access to perform would not provide any additional information, however there is a desktop pc available for Members to log onto

PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
							in the Members room and Cabinet/Junior Cabinet will have access to laptops.
CSSC22-23 1.4  132	That the necessary works are completed in the Chamber to upgrade the power supply. This will future proof the space enabling all those in attendance to access power and accommodate the move to use of electronic devices for committee papers. This would also likely be required should alternative speaker/chamber systems were purchased. As per quote supplied at Appendix 1.	Governance & Civic Manager (advisory only)  Corporate Property Manager	Dependent on decision re Chamber systems.		Awaiting outcome of January 2024 Member Development Group.	Officer time  Budget allocation (requiring Executive/Council approval)	Waiting on any decision regarding chamber systems before carrying out any work.  This will be raised at the next Member Development Group in January 2024.
CSSC22-23 1.5	That consideration be given to providing additional access to ERIC (Intranet) either via an extranet link or additional on-site PC/Laptop provision for Members.	Assistant Director of Leader's Executive, Partnerships, Governance & Communications  Communications, Marketing & Design Manager	<i>Dependant on requirements</i>		Awaiting outcome of January 2024 Member Development Group	Officer time  Budget allocation (if additional equipment required. This will require Executive/Council approval.)	Eric has purposely been developed as a staff intranet and is not available externally to the network. This will be raised at the next Member Development Group in January 2024 to

PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
		Governance & Civic Manager (advisory only)					establish what information Members want from Eric before proceeding.
CSSC22-23 1.6  133	That the roll-out of Microsoft Teams access for Members be delivered as a priority action post-election to ensure new Members have improved connectivity to officers.	Assistant Director for ICT	Sept 2023	October 2023	Complete	Officer time	All Members now have access to Teams on either an iPad or corporate laptop.
CSSC22-23 1.7	That additional boosters be installed within the Arc to secure a more efficient WIFI service, particularly in proximity to the ground floor Member areas and Meeting rooms.	Assistant Director for ICT	May 2023		In progress.	Officer time  Potential budget allocation if beyond existing resources. (This will require Executive/Council approval.)	The capacity of the internet connection used by the Members and Public wi-fi has been increased which should improve performance. Some of the public wi-fi devices were not working properly and these have been reset, replacement ones are on order. A survey of the Members/Corporate wi-fi is in progress, and we are looking at options to replace these. In the interim Staff with access to

PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
							network cables have been asked not to use the corporate wi-fi as these connections are impacting performance of the wi-fi for Members.
CSSC22-23 1.8 134	That a Member ICT Working Group be created and added to the Meeting Schedule for 2023/24. ( <i>This has been added to the Schedule approved at Council in March 2023.</i> )	Governance & Civic Manager  Assistant Director for ICT	31/1/2024		Complete	Officer time	ICT has been added to the agenda for the Member Development Group as from January 2024.
CSSC22-23 1.9	That a review of the Chamber and Meeting room ICT equipment takes place post-election, based on the evidence gathered, in conjunction with the Member ICT Working Group, Assistant Director for ICT Services and the Governance & Civic Manager. This should incorporate as a minimum a replacement microphone system and an improved	Assistant Director for ICT  Governance & Civic Manager  Member ICT Working Group	To be determined		Awaiting outcomes of January 2024 Member Development Group	Officer time  Budget allocation (Executive/ Council approval)	Awaiting feedback from the next Member Development Group.  Replacement Microphones and projectors would likely be the costliest element of the system to replace.  Officers need a steer to understand what the issues with the current equipment are and if there is appetite to look at replacements.

PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
	projector system within the Council Chamber.						
CSSC22-23 1.10	That a review of Members ICT Equipment provision takes place post-election in conjunction with the new Member ICT Working Group.	Assistant Director for ICT  Governance & Civic Manager	October 2023		Awaiting outcome of January 2024 Member Development Group	Officer/ Member time	Awaiting feedback from the January 2024 Member Development Group
CSSC22-23 1.11	That where a decision be made to remain with iPads as the preferred Member device, that the option be made available for either the 10.9" or 12.9" screens to accommodate those requiring a larger screen size. Furthermore, that a case and charger be provided as standard with the option of a keyboard if required.	Assistant Director for ICT  Governance & Civic Manager	October 2023	Dependent on review of Members ICT equipment provision	Awaiting outcome of January 2024 Member Development Group	Officer time  Budget allocation (Executive/Council approval)	Dependent on feedback of January 2024 Member Development Group  All devices are provided with a Case and charger and optional keyboard (ipad).  Cabinet and Junior Cabinet have laptops with larger screens and a Member who required a larger screen.
CSSC22-23 1.12	That an ICT Support drop-in session be made available at all Council meetings. <i>(This was initially trialled at Council in</i>	Assistant Director for ICT	March 2023 onwards	8/3/2023	Complete	Officer time	This is in place, providing Governance schedule ServiceDesk to be available at the start of the full council

PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
136	<i>February and March 2023.)</i>						meetings and planning meetings. A member of the Servicedesk will be available 30 minutes before the meeting to provide assistance to members. Resources are not available to do this for every council meeting, but the Servicedesk is contactable over the phone between 8:00-17:30 and can schedule individual appointments as required.
CSSC22-23 1.13	That consideration be given to a revised approach to Member ICT Training, both face-to-face and online, to ensure Members remain able to use their ICT equipment effectively.	Assistant Director for ICT  Governance & Civic Manager.			In progress and awaiting outcome of January 2024 Member Development Group.	Officer time	Training documentation has been handed out with devices when they were issued, and one-on-one training is offered via a Servicedesk appointment which several Members have made use of. Feedback from the Members development group will help establish what training is



PERFORM Code	Recommendation	Lead Officer	Target Date	Completion Date	Status	Resources	Progress/Action
							required to develop a members training plan.

## **Bolsover District Council**

### **Meeting of Customer Services Scrutiny Committee on 20<sup>th</sup> November 2023**

#### **Customer Services Scrutiny Committee Work Programme 2023/24**

#### **Report of the Scrutiny & Elections Officer**

<b>Classification</b>	This report is Public
<b>Report By</b>	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, <a href="mailto:joanne.wilson@bolsover.gov.uk">joanne.wilson@bolsover.gov.uk</a>
<b>Contact Officer</b>	Joanne Wilson, Scrutiny & Elections Officer, 01246 242385, <a href="mailto:joanne.wilson@bolsover.gov.uk">joanne.wilson@bolsover.gov.uk</a>

#### **PURPOSE/SUMMARY OF REPORT**

- To provide members of the Scrutiny Committee with an overview of the meeting programme of the Committee for 2023/24.

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#### **REPORT DETAILS**

##### **1. Background**

- 1.1 The main purpose of the report is to inform members of the meeting programme for the year 2023/24 and planned agenda items (Appendix 1).
- 1.2 This programme may be subject to change should additional reports/presentations be required, or if items need to be re-arranged for alternative dates.
- 1.3 Review Scopes submitted will be agreed within Informal Session in advance of the designated meeting for Member approval to ensure that there is sufficient time to gather the information required by Members and to enable forward planning of questions.
- 1.4 Members may raise queries about the programme at the meeting or at any time with the Scrutiny & Elections Officer should they have any queries regarding future meetings.

- 1.5 All Scrutiny Committees are committed to equality and diversity in undertaking their statutory responsibilities and ensure equalities are considered as part of all Reviews. The selection criteria when submitting a topic, specifically asks members to identify where the topic suggested affects particular population groups or geographies.
- 1.6 The Council has a statutory duty under s.149 Equality Act 2010 to have due regard to the need to advance equality of opportunity and to eliminate discrimination.
- 1.7 As part of the scoping of Reviews, consideration is given to any consultation that could support the evidence gathering process.

## **2. Details of Proposal or Information**

- 2.1 Attached at Appendix 1 is the meeting schedule for 2023/24 and the proposed agenda items for approval/amendment.

## **3. Reasons for Recommendation**

- 3.1 This report sets the formal Committee Work Programme for 2023/24 and the issues identified for review.
- 3.2 The Scrutiny Programme enables challenge to service delivery both internally and externally across all the Council Ambitions.
- 3.3 The Scrutiny functions outlined in Part 3.6(1) of the Council's Constitution requires each Scrutiny Committee to set an annual work plan.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 There is no option to reject the report as the Scrutiny functions outlined in Part 3.6(1) of the Council's Constitution requires each Scrutiny Committee to set an annual work plan.

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## **RECOMMENDATION(S)**

- 1. That Members review this report and the Programme attached at Appendix 1 for approval and amendment as required. All Members are advised to contact the Scrutiny & Elections Officer should they have any queries regarding future meetings.

**IMPLICATIONS:****Finance and Risk:** Yes ☐ No ☒**Details:** None from this report.

On behalf of the Section 151 Officer

**Legal (including Data Protection):** Yes ☒ No ☐**Details:** In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in Part 1A, s9F(2) of the Local Government Act 2000.

On behalf of the Solicitor to the Council

**Environment:**

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

**Details:** None from this report.**Staffing:** Yes ☐ No ☒**Details:** None from this report.

On behalf of the Head of Paid Service

**DECISION INFORMATION**

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/></b> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> <i>(Only Key Decisions are subject to Call-In)</i>	No
<b>District Wards Significantly Affected</b>	N/A
<b>Consultation:</b> <b>Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/></b> <b>SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/></b> <b>Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></b>	Yes  Details: Committee Members

**Links to Council Ambition: Customers, Economy and Environment.**

All

## DOCUMENT INFORMATION

Appendix No	Title
1.	CSSC Work Programme 2023/24

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>
Previous versions of the Committee Work Programme.

## Customer Services Scrutiny Committee

### Work Programme 2023/24

#### Formal Items – Report Key

Performance Review	Policy Development	Policy/Strategy/ Programme Monitoring	Review Work	Call-In/Review of Executive Decisions	Petition

Date of Meeting	Items for Agenda		Lead Officer
19 June 2023  142	Part A – Formal	<ul style="list-style-type: none"> <li>Agreement of Work Programme 2023/24</li> </ul>	Scrutiny & Elections Officer
		<ul style="list-style-type: none"> <li>Customer Service Standards and Compliments, Comments and Complaints 2022/23 – 1<sup>st</sup> January 2023 to 31<sup>st</sup> March 2023 and Annual Summary</li> </ul>	Customer Services, Standards and Complaints Manager
		<ul style="list-style-type: none"> <li>Tenant Engagement Strategy</li> </ul>	Assistant Director of Housing Management & Enforcement
		<ul style="list-style-type: none"> <li>Equality Plan and Objectives 2023-27</li> </ul>	Information, Engagement & Performance Manager
		<ul style="list-style-type: none"> <li>Review of Members ICT &amp; Support and ICT Service Delivery: Executive Response</li> </ul>	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> <li>Review work</li> </ul>	Scrutiny & Elections Officer
24 July 2023	Part A – Formal	<ul style="list-style-type: none"> <li>Business Rates Mandatory and Discretionary Rate Relief Policy</li> </ul>	Director of Finance/S151 Officer
		<ul style="list-style-type: none"> <li>Customer Service Standards and Compliments, Comments and Complaints 2023/24 – 1<sup>st</sup> April 2023 to 30<sup>th</sup> June 2023</li> </ul>	Customer Services, Standards and Complaints Manager
		<ul style="list-style-type: none"> <li>Review of Council-owned Adapted Accommodation: Final Monitoring Report</li> </ul>	Scrutiny & Elections Officer
		<ul style="list-style-type: none"> <li>Customer Services Scrutiny Committee Work Programme 2023/24</li> </ul>	Scrutiny & Elections Officer
	Part B – Informal	<ul style="list-style-type: none"> <li>Review work</li> </ul>	Scrutiny & Elections Officer

Date of Meeting	Items for Agenda		Lead Officer
25 September 2023	Part A – Formal	• LG&SCO and Housing Ombudsman Annual Report 2022/23	Customer Services, Standards and Complaints Manager
		• Customer Services Scrutiny Committee Work Programme 2023/24	Scrutiny Officer
	Part B – Informal	• Review work	Scrutiny Officer
		• Site Visit – HW Martins	
20 November 2023 143	Part A – Formal	• New Council Ambition 2024-2028 - Scrutiny Consultation	Kath Drury / Amar Bashir
		• Customer Service Standards and Compliments, Comments and Complaints 2023/24 – 1 <sup>st</sup> July 2023 to 30 <sup>th</sup> September 2023	Customer Services, Standards and Complaints Manager
		• Consultation on Draft Allocations Policy	Assistant Director of Housing Management & Enforcement
		• Review of Members ICT & Support and ICT Service Delivery: Interim Monitoring Report	Scrutiny Officer
		• Customer Services Scrutiny Committee Work Programme 2023/24	Scrutiny Officer
	Part B – Informal	• Review work	Scrutiny Officer
22 January 2024	Part A – Formal	• TBC	
		• Customer Services Scrutiny Committee Work Programme 2023/24	Scrutiny Officer
	Part B – Informal	• Review work	Scrutiny Officer
25 March 2024	Part A – Formal	• Customer Service Standards and Compliments, Comments and Complaints Report 2022/23 – 1 <sup>st</sup> October 2023 to 31 <sup>st</sup> December 2023	Customer Services, Standards and Complaints Manager
		• Housing Strategy 2021-24 – Action Plan Monitoring Update	Director of Construction, DDL/ Assistant Director of Housing Management & Enforcement/ Principal Planner (Policy)
		• Customer Services Scrutiny Committee Work Programme 2023/24	Scrutiny Officer
	Part B – Informal	• Review work	Scrutiny Officer