

NOMINATIONS AGREEMENT

BETWEEN

CITY OF WOLVERHAMPTON COUNCIL

AND

XXXXXXXXXX

(INSERT CITY MAP)

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1 INTRODUCTION

- 1.1 This document sets out the Nominations Agreement between City of Wolverhampton Council and Social Housing Providers (Registered Providers).
- 1.2 Under section 170 of the 1996 Housing Act, it is a requirement of registered providers to co-operate with the Local Authority as much as is reasonable in offering accommodation to people with priority from under the Local Authority's allocation scheme.
- 1.3 The Regulator of Social Housing's Consumer Standards 2015 sets out the requirement to cooperate with the Local Authorities strategic housing function.
- 1.4 In agreeing to the Nominations Agreement our Registered Provider partners support the City in realising its vision of 'Better Homes for All' as set out in the Housing Strategy 2019-2024.
- 1.5 For the first twelve months, this agreement will be reviewed every three months with each Registered Provider to ensure it is working effectively and meeting its aims and objectives. Thereafter it will be reviewed, at least every two years.

2 PURPOSE OF AGREEMENT

- 2.1 This agreement sets out the mechanism by which the Council will make nominations to Registered Providers, it also provides the procedures that are to be used to make existing and arising void properties available for nominations by the Council.

3 SCOPE OF NOMINATIONS

- 3.1 The nominations arrangements in this agreement apply to all Social Housing Providers with property within the City, even if they are not Registered Providers
- 3.2 Where the property is a true void, the Council will receive the agreed percentage of nominations for those properties. If the Registered Provider has a need for a true void that should come to the Council, they should consult with Wolverhampton Homes lettings team before they allocate the property.

Definition of a true void:

- A tenant who has moved to another landlord where no reciprocal commitment exists
- The death of a tenant where there is no statutory right of succession
- A tenant moving out to buy another property
- Abandonment of tenancy
- Eviction
- Rehousing of permanent decant
- A temporary decant returning to their permanent home

3.3 If the property is a non-true void, there is no obligation on the provider to offer it to the Council. This is unless there is a separate agreement either reciprocal or due to a nomination's debt owed to the council.

Definition of a non-true void:

- The temporary move of a tenant
- Transfer within the RP's stock
- Any reciprocal arrangement and mutual exchange

3.4 This agreement shall apply to new build properties, improved properties, conversions and relets.

3.5 The properties offered for nominees shall be a cross section of the quality and types of accommodation owned by the Registered Providers and take into account, size, type, location and whether social or affordable rent. Adapted properties will be included and properties that are accessible though not adapted will also be identified as such when seeking nominations, in order to assist customers with disabilities to choose suitable homes.

4 PERCENTAGE OF NOMINATIONS

4.1 Registered Providers shall offer the Council the right to nominate tenants for a minimum of 50% of lettings.

4.2 No account shall be taken of those identified as 'non true voids' as set out in 3.3.

4.3 The Council shall be notified by Registered Providers of all properties becoming available even if that void is not to be made available to a Council nominee.

4.4 New Build Properties

4.4.1 Most new developments will be subject to planning obligations known as section 106 agreements. Registered providers must submit any information requested regarding any proposed development to ensure that the planning obligation in respect of affordable housing is met.

4.4.2 This agreement requires that every new build scheme (irrespective of the number of units) and every conversion (producing three or more units) that has received public subsidy or is funded by a section 106 agreement should give the Council 100% nominations on first lettings and 50% nominations to subsequent lettings. This principle will apply unless it is superseded by an agreed Local Lettings Plan as set out in section 5.

4.4.3 If a Registered Provider has funded a new build scheme entirely through their own resources, the Council will receive 50% of nominations on first and subsequent lettings.

4.4.4 Registered Providers will advise the Council of the forthcoming properties three months prior to completion. Full details of the scheme, including layout plan, handover schedule, property type, size and mix, rent and service charge levels along with any other relevant information to be provided to Wolverhampton Homes.

5 LOCAL LETTINGS PLAN (LLP)

- 5.1 From time to time a Registered Provider may identify the need for a LLP, this will normally be a short term measure to address local management issues and support community cohesion.
- 5.2 LLP may therefore over-ride the existing nominations agreement for specific areas or developments for a time dependant period.
- 5.3 The Council has in place a LLP for new build development schemes that should meet the needs of providers. In the event that it is felt that this is not suitable, the Registered Provider will consult the Council as the strategic housing authority, at least six months prior to expected completion in order that the Housing Strategy team can have oversight of the proposal and seek Cabinet approval for the proposed plan.
- 5.4 The reasoning behind an LLP will need to be demonstrated to the Council by providing:
- A clear definition of the objective(s) to be achieved, backed up by clear evidence base.
 - The numbers/types of properties affected.
 - An equalities impact assessment.
 - Evidence of consultation with any other affected persons or organisations such as Tenant groups, voluntary groups or other local forums.
 - How it is proposed to market the LLP so that existing and potential stakeholders are aware of it.
 - Clear methodology on how the scheme will be monitored, reviewed and reported on.
 - Have a clear exit strategy should the LLP not achieve its objectives
- 5.5 LLPs must be reviewed annually, and a copy of the annual review outcomes sent to Housing Strategy for consideration.

6 REQUESTING A NOMINATION

- 6.1 All nomination requests will be made to the Council via Wolverhampton Homes Lettings Team who will be responsible for making all nominations.
- 6.2 For first lettings of new build or newly refurbished and converted properties, the Registered Provider shall request nominations three months prior to handover of the properties where there is a certainty that completion dates can be met.
- 6.3 No more than three of the same property types will be advertised each week on a new build scheme.
- 6.4 For re-let properties, providers will inform the Lettings team of vacancies by completing a nominations request.
- 6.5 Process for making a nomination request:
- The provider completes a nomination request proforma (Appendix 1) when a vacancy occurs and emails it to the Nominations Officer. A photograph in jpeg format of the property in landscape, resized to 200 x 150 is required.
 - The nomination request pro-forma must be received by Friday at 12.00 noon in order for Wolverhampton Homes to create the property record and add it to the following week's adverts.
 - Properties are advertised weekly on Tuesday, opening at 5.00pm and closing on Monday at 10.00am.
 - On bank holidays a two-week advertising cycle may be required. Registered Providers will be notified in the event of this.
- 6.6 All properties for which a nomination is requested will be advertised through Homes in the City (HiTC), the Council's choice-based lettings scheme.
- 6.7 If you wish to advertise other properties through HiTC over and above the nomination percentage an alternative proforma can be obtained from WH and a charge for each property advertised will be agreed. (Appendix 2).

7 MAKING AND ACCEPTING NOMINATIONS

- 7.1 A shortlist of bidders is run when the HiTC advertising cycle closes each Monday. Wolverhampton Homes will send the provider a short list of bidders within three working days. The shortlist will include any information about the applicant that has been collected at registration stage.
- 7.2 If a restriction was selected when the property was advertised, for example, preference given to bands 2/3 applicants; these applicants will be at the top of the shortlist.
- 7.3 The shortlist will name bidders in priority order. The provider will offer the property to the first bidder on the shortlist. If refused, they will move down the shortlist until the property is accepted.
- 7.4 Registered Providers should endeavour to inform Wolverhampton Homes within one working day of a nominee being considered for an offer, this will help to prevent an applicant being considered for multiple properties and will reduce delays to other applicants on the waiting list.
- 7.5 Both Wolverhampton Homes and Registered Providers will agree to respond to requests for references within three working days.

8 REJECTED NOMINATIONS

- 8.1 There are circumstances where it may be appropriate for a Registered Provider to reject a nomination. This may include, but is not limited to:
- Information given about a nominee is substantially incorrect. In the case of this, Wolverhampton Homes would expect to be informed without delay so that there is the opportunity to seek to provide the missing information.
 - The nominee does not meet the specified requirements for the property.
 - The nominee is subject to the Registered Providers exclusion policy.
- 8.2 If a nomination is rejected by the Registered Provider, reasons must be submitted in writing to housing.strategy@wolverhampton.gov.uk. Each nomination must be considered on a case by case basis.

- 8.3 The Housing Strategy Team retains the right to appeal any such decision within two working days of receiving the information regarding a rejected nomination. During this two day period, the Registered Provider will agree not to offer or let the property to another applicant. If the Housing Strategy Team do not respond within this period, then the Registered Provider can move on and follow the usual procedures to let the property.
- 8.4 It is essential that Registered Providers when rejecting a nomination consult with Housing Strategy. Each case must be dealt with individually and it should be recognised that there is a shared responsibility in housing vulnerable households.

9 FAILURE TO MAKE OR SECURE A NOMINATION

- 9.1 There are times when the Lettings Team are unable to make nominations, the reasons for this may include, but are not limited to:
- The specified criteria for the property cannot be met by any of the applicants on the register.
 - It has been agreed that all of the nominees are unsuitable or have refused the offer.
 - The Council has not made the nominations within the time limits agreed.
 - There has been no response from nominees after two attempts at contact.
 - The information given about the nominee is substantially incorrect, in which case Wolverhampton Homes must be informed.
- 9.2 In the case of not being able to provide suitable nominees within the agreed three day limit, this will be classed as a failed nomination and the Registered Provider will be able to let from their own waiting list. This will show as a nomination for statistical purposes but must show as a failed nomination on the monitoring report.

10 HOUSING STATUTORY HOMELESS PEOPLE

- 10.1 As part of the agreement for nominations with the Council, Register Providers are asked to:

- use the prescribed wording (Appendix 3) when making offers to homeless applicants to ensure that statutory duties owed by the Council to homeless applicants can be effectively discharged.
- inform Wolverhampton Homes Lettings Team as to whether a homeless household has accepted, refused or not replied to an offer within one working day.

11 NUMBER OF OFFERS

11.1 The Councils Allocations Policy restricts the numbers of offers a person can receive to two offers in any twelve-month period.

11.2 The Councils Allocations Policy in respect of those with a Homeless priority will be restricted to one reasonable offer.

11.3 A reasonable offer made by a Registered Provider will count towards the maximum offers that a person could receive.

12 MONITORING OF NOMINATIONS

12.1 The Council and Registered Providers shall notify each other of any changes in their lettings policy and criteria which may affect this agreement.

12.2 Registered Providers will submit lettings logs to the Council on a monthly basis. Logs should be emailed to housing.strategy@wolverhampton.gov.uk. (Appendix 4).

12.3 Where requested by the Registered Provider, it is possible to submit letting logs on a quarterly basis.

12.4 The Council will review each Registered Provider's letting's log and compare this with lettings data held by Ministry of Housing, Communities and Local Government (MHCLG) on its CORE database every six months.

- 12.5 Any issues arising from nominations will be discussed quarterly as part of the individual partnership meetings between the Council, Wolverhampton Homes and Registered Providers.
- 12.6 Where the Registered Provider has failed to offer the appropriate percentage of nominations within a six-month period, it is expected that this percentage will be made up by an increased number of properties being made available for the Council to nominate to in the following six months.
- 12.7 An annual report will be prepared in the first quarter each year and distributed to Better Homes Board (BHB). The annual report may also be used to inform reports to Cabinet.
- 12.8 All data will be collected, stored and used in accordance with the Data Protection Act 1998 (as amended) GDPR/DPA 2018.

13 DATA PROTECTION

- 13.1 All staff who handle personal data should undertake mandatory training on protecting and handling personal information on at least an annual basis.
- 13.2 The Registered Providers should maintain a suite of policies on how to manage and handle personal data including, but not limited to:
- Information Governance Policy
 - Information Security
 - Records Management
 - Data Protection
- 13.3 The Registered Providers should apply appropriate technical and organisational measures to ensure the security of the information it collects and processes which may include: pseudonymizing and encrypting personal data, ensuring confidentiality, integrity, availability and resilience of systems and services, ensuring that availability of and access to personal data can be restored in a timely manner after an incident, and regularly assessing and evaluating the effectiveness of the such measures adopted by it.
- 13.4 The Registered Provider will inform and cooperate with the Council in the event of any data breaches, Freedom of Information requests and Information Rights requests made.

14 EQUAL OPPORTUNITIES

- 14.1 The Council is committed to equal opportunities in employment and service delivery. The policies and practice of the Council aim to provide an environment that is free from all forms of unlawful or unfair discrimination and values the diversity of all of people.
- 14.2 In managing nominations and allocations, the Council and Registered Providers to ensure they comply with Equality Act 2010.
- 14.3 An annual information report on nominations will be provided to the Equalities Advisory Group and BHB by the Housing Strategy Team.

15 DISPUTE RESOLUTION

- 15.1 In the event of any disagreement between the Council and a Registered Provider with regards to the obligations or processes set out in this agreement, attempts should be made through discussion between Lead Officers to seek to resolve any issues.
- 15.2 In the event that resolution cannot be found, the dispute should be escalated to the relevant Heads of Service of both the Council and Registered Provider.
- 15.3 Following this, if there remains no resolution, the dispute will be escalated to relevant Directors of both the Council and Registered Provider and a decision made as to how to proceed.

16 RESPONSIBILITY FOR LEGAL COSTS

- 16.1 The Council will be responsible for the conduct and costs relating to the Council's Allocations Policy and general operation of the housing register and nomination system.
- 16.2 The Registered Provider will be responsible for the conduct and costs relating to actions of the individual Registered Providers. This includes where a nominee has been refused a property because they do not meet the Registered Providers Lettings Policy criteria, were refused an offer of housing due to the Registered Provides exclusion policy or cannot provide rent in advance or payment by direct debit if required.

Signed on behalf of Registered Provider

.....

Name of Registered Provider

.....

Date

Signed on behalf of City of Wolverhampton Council

.....

Date -----



Homes In The City



Wolverhampton Homes

NOMINATIONS FROM HOUSING ASSOCIATIONS
Homes in the City Advert proforma

In order for Wolverhampton Homes to advertise your home this proforma must be received by Friday at 12:00 noon for Wolverhampton Homes to create the property and add it to the following Tuesday's adverts. You will also need to include a photograph of the property in Landscape, resized to 200x150. If you have any queries please contact Georgina Spilsbury or Lorraine Wilkes.

Property element	Details	
Address		
Landlord/Managing Agent		
Rent per calendar month		
Property type	House	
	Flat	
	Maisonette	
	Bungalow	
	Studio flat (bedsit)	
Parlour type (if house) (Y/N)		
Number of bedrooms (total)		
Number of double bedrooms		
Number of single bedrooms		
Gradient of approach (please tick one only)	Level ground	
	Hilly terrain	
	Steps in or around property	
Floor Level (if a flat)		

Bathing facilities (please tick one only)	Bath	
	Shower over bath	
	Walk in shower	
	Wet Room	
2nd Toilet (Y/N)		
Location of toilet	Upstairs	
	Downstairs	
Heating Type (please tick one only)	Gas	
	Electric	
	Solid fuel	
	District heating scheme	
	Other (please specify)	
Garden (please tick one only)	Private sole use	
	Private but shared	
	Communal	
	No garden	
Pets (please tick one only)	Yes	
	No Dogs	
	No Pets Allowed	
	Written permission required	
Parking facilities (please tick one only)	Property with garage	
	Garage site nearby	
	Property has a drive	
	Property has no parking	
	Paid for parking scheme nearby	
	Communal car park	
Sheltered Accommodation Y/N		
Warden Y/N		
Minimum age requirement (please tick one only)	25+	
	30+	
	40+	

	50+	
	55+	
	60+	
Adaptations (if any)	Adapted Kitchen	
	Ground Floor Bedroom	
	Ground Floor Bathroom	
	Stair lift	
	Vertical Lift	
	Walk in shower	
	Wet Room	
	Widened Doorways	
Council Tax Band		
Furniture Provided (Y/N)		
Eligibility (please tick one only)	Families with children of any age	
	Families with children under 21	
	Single people only	
	Single people or couples only	
	Single people couples or families	
	Disabled Applicants only	
	Disabled families	
	60+/registered disabled	
Estimated tenancy start date		
Other information to be published		
Is this a short life tenancy Y/N		

All nominations should be sent to

Georgina.Spilsbury@wolverhamptonhomes.org.uk

Lorraine.wilkes@wolverhamptonhomes.org.uk



Homes In The City



NOMINATIONS FROM HOUSING ASSOCIATIONS **Homes in the City Advert proforma**

In order for Wolverhampton Homes to advertise your home we require this at the latest by Friday at 12:00 noon in order for Wolverhampton Homes to create the property and add it to the following weeks void edition. You will also need to include a photograph of the property in Landscape, resized to 200x150 pixels. If you have any queries, please contact Georgina Spilsbury or Lorraine Wilkes. Please note that your organisation will be charged £50* for this advert.

Property element	Details	
Address		
Landlord/Managing Agent		
Rent per calendar month		
Property type	House	
	Flat	
	Maisonette	
	Bungalow	
	Studio flat (bedsit)	
Parlour type (if house) (Y/N)		
Number of bedrooms (total)		
Number of double bedrooms		
Number of single bedrooms		
Gradient of approach (please tick one only)	Level ground	
	Hilly terrain	
	Steps in or around property	
Floor Level (if a flat)		
	Bath	

Bathing facilities (please tick one only)	Shower over bath	
	Walk in shower	
	Wet Room	
2nd Toilet (Y/N)		
Location of toilet	Upstairs	
	Downstairs	
Heating Type (please tick one only)	Gas	
	Electric	
	Solid fuel	
	District heating scheme	
	Other (please specify)	
Garden (please tick one only)	Private sole use	
	Private but shared	
	Communal	
	No garden	
Pets (please tick one only)	Yes	
	No Dogs	
	No Pets Allowed	
	Written permission required	
Parking facilities (please tick one only)	Property with garage	
	Garage site nearby	
	Property has a drive	
	Property has no parking	
	Paid for parking scheme nearby	
	Communal car park	
Sheltered Accommodation Y/N		
Warden Y/N		
Minimum age requirement (please tick one only)	25+	
	30+	
	40+	
	50+	

	55+	
	60+	
Adaptations (if any)	Adapted Kitchen	
	Ground Floor Bedroom	
	Ground Floor Bathroom	
	Stair lift	
	Vertical Lift	
	Walk in shower	
	Wet Room	
	Widened Doorways	
Council Tax Band		
Furniture Provided (Y/N)		
Eligibility (please tick one only)	Families with children of any age	
	Families with children under 21	
	Single people only	
	Single people or couples only	
	Single people couples or families	
	Disabled Applicants only	
	Disabled families	
	60+/registered disabled	
Estimated tenancy start date		
Other information to be published		
Is this a short life tenancy Y/N		

All nominations should be sent to

Georgina.Spilsbury@wolverhamptonhomes.org.uk

Lorraine.wilkes@wolverhamptonhomes.org.uk

Dear

Offer of accommodation to resolve your housing need under a homelessness duty

I am pleased to tell you that you have been made an offer of

The Landlord / agent of the property is

This is a final offer made to discharge your homelessness duty and we are satisfied that this is a suitable offer to meet your re-housing needs.

If you refuse this offer any housing duty owed to you under the Housing Act 1996, amended by 2002 Act or the Homeless Reduction Act 2017 will be ended.

You can accept the property and still review its suitability.

I would ask that you please consider this offer carefully taking into consideration the consequences for refusing this final offer to resolve your homelessness.

You have a right to request a review of the suitability of the offer within 21 days of the date of this decision.

Yours sincerely

Statement of Choice

Applicants owed a homeless duty will have their applications regularly reviewed to ensure they are bidding on suitable properties or to identify any barriers i.e. where they require an adapted property or large property.

Being owed a homeless duty relates to those accepted by The City of Wolverhampton under prevention, relief or main duty.

Where this is the case the Council retains the right to make direct bids on behalf of homeless applicants to help resolve their homelessness into suitable accommodation.

The Council will try to meet preferences around location, which will be assisted by the ability to make offers within the private rented sector and registered provider housing.

Due to the limited availability of housing the Council will retain the right to make an offer of accommodation where this becomes available in any area of Wolverhampton that the Council or one of its managing agents has assessed as reasonable, suitable and affordable for the household to live in.

The Council recognises that social housing is just one option to resolving a customer's housing need and therefore the council may also organise for a direct offer of private rented or housing association accommodation be made.

The Council will have due regard to where an applicant cannot live in certain areas due to fear of violence, harassment, domestic abuse or similar circumstance.

Applicants owed a homeless duty will be made one offer of suitable accommodation.

If refused this will end the homelessness duty, meaning the removal of reasonable preference need award and the loss of any temporary accommodation arranged.

This applies to those households accepted as homeless and owed a duty under prevention, relief or main duty.

Unless the applicant has another reason to be awarded a priority they will be placed in the lowest band on any housing application. The homeless application will be closed.

Applicants will have a right to request a review.

Monthly Lettings Return Form

City of Wolverhampton Council		Month:			Registered Provider returning form:			Number of voids on last day of month			
Address		Tenancy start date	Property type	Property size	Demand (high/medium/low)	Nomination requested by RP (Y/N)	Nomination requested by RP – paid advert (Y/N)	Allocated to Nominee (Y/N) – (if yes – reg no)	Housing Need (BAND)	Gender	Ethnicity
1											
	Comments										
2											
	Comments										
3											
	Comments										
4											
	Comments										
5											
	Comments										
6											

housing.strategy@wolverhampton.gov.uk

Return – 10th day of every month or quarterly where RP requested.
CWC nominations monitoring form - December 2020

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housing.strategy@wolverhampton.gov.uk
Return – 10th day of every month or quarterly where RP requested.
CWC nominations monitoring form - December 2020

16											
	Comments										
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housing.strategy@wolverhampton.gov.uk
Return – 10th day of every month or quarterly where RP requested.
CWC nominations monitoring form - December 2020

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26											
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