

CHAPTER 1 : OVERVIEW OF THE SELECTION SCHEME

1	CHAPTER 1 OVERVIEW OF THE SELECTION SCHEME	2
1.0	INTRODUCTION	2
1.1	THE AIM OF THE HOUSING SELECTION SCHEME	2
1.2	METHOD	2
1.3	DEFINITIONS: RULE 1	2
1.3.1	LANDLORD: RULE 1 (1)	3
1.3.2	PARTICIPATING LANDLORD: RULE 1 (2)	3
1.3.3	HOUSING EXECUTIVE: RULE 1 (3)	3
1.3.4	THE APPLICANT: RULE 1 (4)	3
1.3.5	FULL DUTY APPLICANT: RULE 1 (5)	3
1.3.6	DESIGNATED OFFICER: RULE 1 (6)	4
1.3.7	ACCOMMODATION NEEDS: RULE 1 (7)	4
1.4	OTHER DEFINITIONS	4
1.4.1	HMS	4
1.4.2	VISIT REPORT	5
1.4.3	CIVIL PARTNERSHIP	5
1.5	STATUTORY BASIS: RULE 2	5
1.6	REPLACEMENT SCHEME: RULE 3	5
1.7	SCOPE OF THE SCHEME: RULE 4	5
1.8	BOUNDARIES OF THE SCHEME: RULE 5	6
1.9	JOINT APPLICATIONS: RULE 6	6
1.10	CHOICE OF LANDLORD: RULE 7	6
1.11	LEGISLATION: RULE 8	7

Amended Feb 14

1 CHAPTER 1 OVERVIEW OF THE SELECTION SCHEME

1.0 INTRODUCTION

This Guidance Manual gives details and guidance on the interpretation of the rules and operation of the Housing Selection Scheme approved by the Department of Social Development to ensure consistency in its application by all social landlords in Northern Ireland.

1.1 THE AIM OF THE HOUSING SELECTION SCHEME

This Selection Scheme had its origins in the Government's Housing Policy Review (issued in December 1995). In light of its recommendations that a Common Waiting List and Common Selection Scheme for the assessment of all applicants for social housing should be introduced, it was decided that the Scheme was in need of review.

The revised Selection Scheme has been jointly developed by the Housing Executive in liaison with the Housing Association movement, in conjunction with various professionals within the Department and Health and Social Services.

The New Selection Scheme represents a single gateway into social housing in N. Ireland, let on a permanent basis, whether owned and managed by the Housing Executive or any of the Housing Associations operating in N. Ireland. It will provide a 'one stop shop' for applicants and will further promote equitable treatment by using common criteria to assess the housing needs of all applicants.

1.2 METHOD

A Common Waiting List of those applicants who have applied for accommodation is maintained within each Housing Executive District and each Housing Association Office. Designated Officers are responsible for maintaining this Waiting List and ensuring that every offer of accommodation has been made in accordance with the Selection Scheme.

1.3 DEFINITIONS: [RULE 1](#)

The following definitions are contained within Part 1 Preliminary Section of the Rules of the Scheme and are referred to in the accompanying guidance.

Amended Feb 14

1.3.1 LANDLORD: **RULE 1 (1)**

In parts 1-3 of the Rules of the Scheme (Preliminary, Eligibility and the Ranking of Applicants), the term “Landlord” means the Participating Landlord to whom any particular Applicant has submitted his/her application form.

In part 4 of the Rules of the Scheme (Rules Governing Allocations), the term “Landlord” means the Participating Landlord who makes, or should make, an offer of accommodation to that Applicant.

1.3.2 PARTICIPATING LANDLORD: **RULE 1 (2)**

This means the Housing Executive or any registered Housing Association which is participating in the Housing Selection Scheme. A list of all the Participating Landlords is attached in Chapter 10.12

1.3.3 HOUSING EXECUTIVE: **RULE 1 (3)**

In this Scheme, the term “Housing Executive” means the Northern Ireland Housing Executive.

A list of all Housing Executive District Offices and the areas covered by them is attached in Chapter 10.13

1.3.4 THE APPLICANT: **RULE 1 (4)**

All Applicants seeking housing must complete an application form. The Applicant(s) i.e. the name(s) appearing on the application form will be treated as the representative(s) of all persons s intending to live together and will be registered on the **HMS** (see Other Definitions below). The term ‘Applicant’ also includes joint Applicants (see paragraph 1.9). The term “Applicant” will also apply to tenants of Participating Landlords who are seeking re-housing and who must also complete a transfer application form.

1.3.5 FULL DUTY APPLICANT: **RULE 1 (5)**

A Full Duty Applicant (FDA) is a person to whom the Housing Executive owes a duty under the homelessness legislation, Article 10 (2) of the

Amended Feb 14

Housing (NI) Order, 1988 to “secure that accommodation becomes available for his/ her occupation”

1.3.6 DESIGNATED OFFICER: [RULE 1 \(6\)](#)

In relation to any paragraph of this Selection Scheme and the accompanying guidance, the term “Designated Officer” means the officer who is duly authorised to perform the function or to decide the issue referred to in that paragraph. Each Participating Landlord should determine the Designated Officer to carry out particular functions as laid out in the Rules and Guidance, within their organisations.

1.3.7 ACCOMMODATION NEEDS: [RULE 1 \(7\)](#)

In deciding the accommodation needs of the Applicant within the Selection Scheme, due regard shall be paid not just to the Applicant’s personal needs, but also the needs of all members of the Applicant’s household who might be reasonably expected to reside with the Applicant.

1.3.8 RESTRICTED PERSON: [RULE 1\(8\)](#)

A restricted person means a person –

- (a) who is not eligible for assistance under Part II of the Housing (NI) Order 1988, as amended,
- (b) who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996, and
- (c) either –
 - (i) who does not have leave to enter or remain in the United Kingdom, or
 - (ii) whose leave to enter or remain in the United Kingdom is subject to a condition to maintain and accommodate himself, and any dependants, without recourse to public funds.

1.4 OTHER DEFINITIONS

1.4.1 HMS

“HMS” is the name given to the Housing Executive’s on-line computer system. It is used by the Participating Landlords to administer the Housing Selection Scheme and the Common Waiting List.

Amended Feb 14

1.4.2 VISIT REPORT

In the guidance, the term “Visit Report” refers to the Housing / Homelessness Assessment and Input Form used by all Designated Officers carrying out a visit / housing needs assessment of the Applicant. The Visit Report combines both the housing needs assessment and the homelessness investigation. It is also used as a keying document. A Visit Report must be completed for all Applicants and Transfer cases.

1.4.3 CIVIL PARTNERSHIP

Civil Partnership is a new legal status created by the Civil Partnership Act 2004 which came into force on 5th December 2005. The Act enables same sex couples to obtain legal recognition of their relationship by forming a civil partnership and it extends to them many of the rights and responsibilities which married persons enjoy. The Housing Executive’s policy and guidance have been amended to comply with the provisions of the 2004 Act relating to civil partnerships.

1.5 STATUTORY BASIS: [RULE 2](#)

The Housing Executive is required by Article 22 of the Housing (NI) Order, 1981 to allocate dwellings in accordance with a scheme approved by the Department of Social Development for Northern Ireland.

Similarly, every Registered Housing Association is required to allocate its accommodation on the basis of a scheme approved by the Department for Social development. This is laid down by the Tenants’ Guarantee, which is issued by the Department using its powers under Article 11 of the Housing (NI) Order 1992.

1.6 REPLACEMENT SCHEME: [RULE 3](#)

This Housing Selection Scheme was approved by the Department in 1999 and is effective from 1st November 2000 and effectively replaces all other Selection Schemes operated by the Housing Executive / Landlord before 1st November 2000.

1.7 SCOPE OF THE SCHEME: [RULE 4](#)

All parts of the Selection Scheme apply in relation to all applications for housing made to a Participating Landlord on or after 1st November 2000.

Amended Feb 14

Parts 3 and 4 of the Rules (Ranking of Applicants and Rules Governing Allocations) apply in relation to any current application to a Participating Landlord which was first made before 1st November 2000.

All Applications for housing (including requests from tenants seeking a transfer) pending at 1st November 2000 will be assessed and ranked under this Scheme regardless of whether they have been assessed and / or ranked under any other Scheme.

1.8 BOUNDARIES OF THE SCHEME: [RULE 5](#)

This Scheme will apply to all applications to a Landlord for accommodation let on a permanent basis. The Scheme will not apply to accommodation let on a temporary basis and in particular that accommodation where the Landlord is providing support and / or shelter pending housing on a permanent basis.

Where accommodation is let on a temporary basis, this Selection Scheme will not apply and applicants for such accommodation will have to apply separately to the specific Landlord.

Persons, who occupy such temporary accommodation, should be treated as Applicants to the Selection Scheme, if they are seeking alternative accommodation which is let on a permanent basis by any of the Participating Landlords.

1.9 JOINT APPLICATIONS: [RULE 6](#)

An application for housing can be made in joint names, provided each Joint Applicant is currently living in the same household, or plans to live in the same household, in the event of a dwelling being allocated pursuant to the Scheme.

Each joint applicant must be eligible to apply under the criteria as set out in Chapter 2 of this guidance.

1.10 CHOICE OF LANDLORD: [RULE 7](#)

The effect of Rule 7 is that an application to any Participating Landlord within an Area of Choice will be deemed to be an application to all the Participating Landlords in that Area unless the following two conditions are satisfied:

- The Applicant is not a Full Duty Applicant; and

Amended Feb 14

- The Applicant has expressly stated, in writing, that he / she does not wish to apply to a particular Participating Landlord

However, Applicants who have been awarded FDA points are permitted to restrict their choice of landlord for a period of six months from the date of their homeless presentation. After that date the GHA rule will apply by virtue of Rule 55.

1.11 LEGISLATION: **RULE 8**

Both the Housing Executive and Other Landlords participating in the Housing Selection Scheme continue to be subject to the legal requirements imposed on them. The other Rules of this Selection Scheme must be construed in the light of the Executive's obligations and the Other Landlords' obligations in that connection.