

# Barnsley Homeseeker Reviews

## Procedure

This procedure sets out how Barnsley Homes deals with reviews of decisions made about housing applications.

### 1. What is a Homeseeker Review?

A Homeseeker Review is a review of decisions made about an applicant under the terms of the Homeseeker Scheme.

Applicants have a legal right to ask for a review of a decision made in respect of their housing application under Part 6 of the Housing Act 1996.

The core purpose of the review is to ensure we have made decisions about an applicant in line with our legal duties and the Homeseeker Scheme.

There are three types of decision an applicant can request a review of, which are set out below.

#### 1.1 Reviews regarding the status of an application

Under the terms of the Barnsley Homeseeker Scheme, an applicant has the right to request a review of the following decisions made about their status on the register:

1. That an application does not qualify to be on the Housing Register (Section 3.1.2).
2. That an application qualifies to be on the register but is placed in an inactive bidding status for a period of time (Section 4.4.3a)
3. That an applicant is on the register but we place restrictions on the area or property types an applicant can apply for (Section 3.3).

#### 1.2 Reviews regarding the priority awarded to an application

Section 4.4.13 of the Barnsley Homeseeker scheme details the priority categories. An applicant can request a review of this if they have reason or evidence to support that our decision has not been made in line with the Homeseeker Scheme.

#### 1.3 Reviews regarding the removal of priority awarded to an application

Under the terms of the Homeseeker Scheme, we may remove priority in the following circumstances.

- Where an applicant unreasonably refuses a reasonable offer. This is covered in section 5.4.4 of The Homeseeker Scheme.
- Where an applicant is not reasonably applying for suitable vacancies. This is covered in section 4.4.3b of The Homeseeker Scheme.

An applicant has a right to request a review if they have reason or evidence to determine that we have not made the decision in line with the Homeseeker Scheme.

## 2. How does an applicant request a review of these decisions?

An applicant has six weeks after a decision is made to request a review. They can do this online using the eform, by e-mail, over the phone, face to face via a nominated representative or in writing.

## 3. Who considers the review?

There is only one review allowed under the terms of the Barnsley Homeseeker Scheme.

Most reviews are completed by one officer, who is competent in understanding the terms of the Homeseeker Scheme. They can consider a review as long as they have not been involved in the original decision and are more senior than the officer making the decision. Typically, but not exhaustively, the review officer can be any one of the following roles:

- Lettings Team Leader
- Assessment Team Leader
- Lettings Manager
- Homeseeker Team Leader
- Customer Services Manager
- Neighbourhood Services Team Leader
- Income Manager
- Head of Customer Services
- Head of Estate Services

However, there are occasions, as set out in section 6.4.2 of the Barnsley Homeseeker Scheme, where the review will be considered by The Barnsley Homeseeker Panel.

## 4. How is the Homeseeker panel made up?

Any case being considered by panel will be sensitive or involve a Band 1 applicant. The panel is made up of two or three officers from Berneslai Homes and/or Barnsley Council.

### **Berneslai Homes Officers**

There will always be at least one senior officer from Berneslai Homes and this can be any of the following:

- Lettings Manager
- Head of Customer Services
- Tenant First Service Manager
- Neighbourhood Services Manager
- Head of Estate Services
- Income Manager

### **Barnsley Council Officers**

Representatives from BMBC can include various senior officer roles.

## **5. What process does the reviewing officer or Homeseeker Panel follow?**

The process followed for either a single officer review or panel is the same.

Within 5 working days of the review being requested, The Homeseeker Team will confirm with the applicant whether the review will be an officer review or a panel review. They will ask whether the applicant wishes to attend the review and if so whether this is in person or via a Teams meeting.

Once this has been confirmed a date for the review will be set and the applicant will be given 5 working days' notice of this date.

The officer making the original decision will complete the standard review template and share this with the reviewing officer, panel **and** applicant at least 5 working days before the date that the review is being considered.

This template includes the applicant's reasons for requesting a review, any evidence used by the officer making the original decision and how the policy has been applied.

In all cases, the officer making the original decision will be asked to attend the review meeting.

## **6. Does the applicant attend the review meeting?**

They have three options.

- They can attend with or without representation.
- They can send a nominated representative.
- They can choose not to attend.

## 7. What happens at the review meeting?

There is a formal process that is followed in **all** review cases, irrelevant of whether the applicant attends or whether it is a panel or single officer review.

The process followed at a review meeting is set out below and ensures that even if the applicant doesn't attend that the officer or panel considering the review will follow the same process,

- The officer leading the review will welcome attendees and will take from them any additional written evidence they have brought. This will be copied and distributed to all other attendees.
- The officer leading the review will ask the officers to present their case.
- The officer leading the review will ask the applicant or their representative to present their reasons for requesting a review. If the appellant is not present, the officer presenting the original decision will read out the applicant's reasons for requesting a review.
- The officer leading the review will give the officers an opportunity to ask the applicant or their representative any questions.
- The officer leading the review will give the applicant or the representative an opportunity to question the officer/s in attendance.
- The officer leading the review and any panel members will question the officers.
- The officer leading the review and any panel members will ask the applicant or their representative any questions.
- The officer leading the review will ask the officers to summarise.
- The officer leading the review will ask the applicant or their representatives to summarise their case.
- The officer leading the review will ask everyone to leave the room (or Teams meeting) for the decision to be made. This is with the exception of the panel.
- The officer leading the review and/or panel will consider the review and make their decision.
- The officer leading the review will ask everyone to return to the room and they will deliver their decision.
- The decision of the officer leading the review and/or collective panel will be based upon factual evidence and will comply with the Barnsley Homeseeker Scheme.

A record of the review meeting will be taken by either an audio recording, which is transcribed, or by notes made by an attending officer. Any notes will be shared with the applicant following the review meeting, and any personal sensitive data redacted.

## 8. What decisions can be made following a review?

One of three decisions can be made.

### **Agree with the applicant**

The applicant will either be:

- reinstated on the register and reassessed in line with the Homeseeker Scheme rules;
- have their priority increased and backdated to the date we awarded lower priority (unless in the interim period their circumstances have altered or they have provided new evidence); or
- reinstate their priority back to the date it was awarded (unless in the interim period their circumstances have altered or they have provided new evidence).

### **Disagree with the applicant**

The officer recommendation stands and the applicant has no further right of review.

### **Defer the decision whilst further investigations or actions take place**

Once this has taken place the applicant will be informed of the outcome of the reassessment and they then have a further right to request a review.

### **How are decisions confirmed?**

The decision will be confirmed in writing within 5 working days of the review being completed. Applicants will be informed of their right to seek judicial review (Section 6.5) and their right to make a complaint under Berneslai Homes Your Comments Count Policy if they do not believe the review process has been followed.