

1. Introduction

- 1.1. Social housing plays a vital role in the local community, providing affordable, high quality and secure accommodation to those in housing need. This policy sets out comprehensive eligibility criteria against which applications for renting social housing is assessed and prioritised. It also sets out the eligibility provisions for existing social housing tenants wishing to transfer.
- 1.2. This policy is set by the Minister for Housing and Communities (“the Minister”).
- 1.3. This policy is maintained by the Strategic Policy, Planning, and Performance (SPPP) department.
- 1.4. The policy is implemented through the Affordable Housing Gateway (the “Gateway”), that is part of the Customer and Local Services Department.
- 1.5. In June 2019, the then Minister for Children and Housing welcomed the independent Review of Access to Social Housing in Jersey (the “Gateway Review”) and endorsed a phased approach to evaluating and/or implementing the recommendations of the Gateway Review. The Government completed the review process in December 2021 through the publication of the [Fair Rents Plan](#) (Action 3B – Eligibility through the Housing Gateway). This updated policy document reflects those changes.
- 1.6. The Minister reserves the right to expand, change or modify any element of this eligibility criteria, as and when required, to ensure that it continues to reflect housing need, capacity and resources.

2. Policy Scope

- 2.1. This eligibility policy is limited to social rental accommodation in Jersey, allocated through the Gateway by the housing providers listed in Appendix III.
- 2.2. This policy applies only to applicants with ‘entitled’ status¹ and existing social housing tenants needing to move.
- 2.3. This policy describes the rules that determine who can access social rental accommodation and how eligible applicants and existing tenants are prioritised.
- 2.4. For the avoidance of doubt, this policy is restricted to eligibility criteria for accessing social rental accommodation through the Gateway and does not address the allocation policies of the social housing providers listed in Appendix III.
- 2.5. This policy does not apply to assisted purchase schemes, which have separate eligibility criteria as set out in the [Assisted Home Ownership Schemes Eligibility Criteria](#).

¹ Under the provisions of the Control of Housing and Work (Jersey) Law 2012

3. Policy Objectives

3.1. The objectives of the eligibility rules are to:

- Meet the needs of eligible households who have a low income but who are not otherwise disadvantaged.
- Meet the needs of households faced with an immediate housing crisis e.g., facing homelessness.
- Provide a safety net for disadvantaged households e.g., living in over-crowded conditions.
- Ensure that applicants are assessed and banded by their degree of housing need and presented to providers in such a way that allocation of available properties are to those in the greatest need who have been waiting longest.
- Ensure that procedures and processes that determine who can access social rental accommodation are transparent and fair.

4. Eligibility criteria

4.1. The Gateway is the single access point for renting social housing. The Gateway's remit is to:

- Decide whether an applicant is eligible to rent social housing or if an existing tenant is eligible for transfer.
- Assess eligible applicants or tenants against the Bands that define priority of housing need.
- Manage the Gateway waiting list, shared with all social housing providers.

4.2. The Gateway applies eligibility criteria consistently, so that all applicants in a similar situation can be confident they will be treated in the same way.

4.3. An applicant to the Gateway is eligible to be placed on the waiting list to rent social housing if they:

- Are over 18 years old.
- Have 'Entitled' residential status.
- Have been resident in Jersey for more than 6 months prior to the date of application².
- Do not own a property in Jersey or elsewhere in the world.
- Do not exceed the household income limits set out in this policy (see Appendix I below);
- Do not have savings or capital assets of more than £70,000.

² The 'more than 6 months' residency requirement does not apply to:

- Applicants who have returned to Jersey after fleeing domestic abuse who provide supporting documents from a police authority or domestic support agency.
- Applicants who can demonstrate that they are serving members or former members (Veterans) of the UK Armed Forces. A Veteran is defined as anyone who has served at least one day in Her Majesty's Armed Forces (Regular or Reserve) or Merchant Mariners who have seen legal duty on legally defined military operations.

And meet at least one of the following criteria:

- Are medically exempt from working³, with a need of specific types of housing, but cannot afford this accommodation in the private sector.

OR

- Have a family with children and be in receipt of a relatively low income.

OR

- Are over 40 years of age and in receipt of a relatively low income.

5. Supplementary Eligibility Criteria

5.1. Meeting the eligibility requirements set out above are also contingent on the following conditions being met as appropriate:

- **Couples:** Couples in a long-term relationship, who are not married or in a civil partnership, may be asked to submit documentary evidence to confirm that the relationship is genuine and long-term.
- **Non-residentially qualified partner:** If an applicant's partner is not residentially qualified, the non-qualified partner will only be able to live in the property whilst they are a partner of the qualified tenant. If a non-qualified partner subsequently becomes entitled, they can apply to become a joint tenant should they wish.
- **Those expecting a child (Birth/Adoption/Fostering):**
 - Where an applicant is expecting a child, which entitles the applicant to an additional bedroom in accordance with the bedroom policy (see section 10), their application will not become active until week 24 of the pregnancy. Whilst an application can be submitted prior to 24 weeks it will be deferred until this point is reached.
 - Where an applicant is in the process of adopting a child, which entitles the applicant to an additional bedroom in accordance with the bedroom policy, their application will not become active until the successful completion of Step 4 of Jersey's adoption process⁴. Whilst an application can be submitted at an earlier stage in the adoption process it will be deferred until Step 4 is completed successfully.
 - Where an applicant is in the process of fostering a child, which entitles them to an additional bedroom in accordance with the bedroom policy, their application will not

³ An applicant who has a long-term illness or disability that exempts them from being required to seek work under the Income Support legislation, whether or not the applicant receives Income Support. The Gateway will consider each case on the merits of the evidence supplied by medical professionals. The Gateway will need to be satisfied that an applicant has a long-term medical condition making it likely that they will continue to be exempt from a requirement to seek work under the Income Support legislation whilst of working age. [edit this footnote text]

⁴ Successful completion of Step 4 grants approval to adopt. The full adoption process in Jersey is available via the following link: <https://www.gov.je/Caring/Children/FosteringAndAdoption/ThinkingOfAdoption/Pages/ApplyingToAdopt.aspx>

become active until the successful completion of Step 4 of Jersey's fostering process⁵. Each foster child is eligible for their own bedroom regardless of their age.

- The Gateway should be notified if there are special reasons why an applicant cannot remain in existing accommodation until the due date of the pregnancy or completion of adoption or fostering. This should be supported by a medical professional or supporting agency.

- As all allocations are subject to availability there is no guarantee that an offer of accommodation will be made before the arrival of a child.

- **Young mothers:** Mothers under the age of 18 who are unable to stay with their families are not eligible for social housing. Depending on their circumstances they may be housed by the Children's Service or by the Causeway Association.
- **Separated parents:** An applicant to the Gateway who has separated from the mother or father of their child/children is eligible to apply to house themselves and their children if they meet the Gateway criteria. Children can only be housed once, therefore children can only be considered on the application of one parent. The parent who cares for the child/children most of the time would be the application that the Gateway considers were both parents to apply at the same time; this would need to be evidenced by a court agreement or a signed letter from the other parent. If both parents care for the child/children equally (50% each) and were to apply at the same time, then the parent who has the lower household income would be the applicant that the Gateway considers. If the child/children of an applicant are already housed in social housing with the other parent, or if an applicant is not the main care provider for their child/children, then the applicant could only be considered if they meet the Gateway criteria in their own right.
- **Homelessness:** Applicants who are homeless or about to be made homeless (by an Eviction Order issued by the Court⁶) will be placed in Band 1. This special priority does not apply to anyone who has made themselves homeless deliberately or, to people being evicted from existing accommodation because of unacceptable behaviour or serious rent arrears. Emergency accommodation is provided by voluntary sector organisations (e.g., The Shelter Trust, Sanctuary Trust or Woman's Refuge). Social housing providers do not have emergency accommodation.
- **Tenancy History:** An application for social housing may be rejected by the Gateway if it comes to light that the applicant has had a previous tenancy terminated because of a breach of tenancy on their part e.g., anti-social behaviour or significant rent arrears. In all cases the specific circumstances of an applicant's tenancy history will be considered.
- **Property ownership:** The Gateway will not normally consider an application from someone who owns property. However, if a prospective applicant feels they have an exceptional

⁵ Medical, criminal and a full assessment is conducted before completion of Step 4 in the fostering process. The complete fostering process in Jersey is available via following link:
<https://www.gov.je/Caring/Children/FosteringAndAdoption/BecomeAFosterCarer/Pages/WhoCanFoster.aspx>

⁶ This is distinct from the commencement of eviction process or the issuance of a notice to terminate a tenancy by a landlord, which are not grounds for placement in the highest priority Band.

mitigating reason concerning property ownership, they should contact the Gateway Team (see section 7.1).

6. Transfers

6.1. Existing social housing tenants can apply to transfer to another social housing property through the Gateway should their circumstances change, and the existing accommodation no longer meet their needs. Acceptable reasons for a transfer request include:

- Living in a property too large for their needs.
- A medical condition where their current accommodation is deemed unsuitable for their medical needs and cannot be adapted or if a family member qualifies for an additional bedroom on medical grounds.
- Opposite-gender children (one of them at least 5 years old) who are having to share a bedroom.
- Overcrowding in existing accommodation where children of the same gender, with more than a five-year age gap, are sharing a room.

6.2. Existing tenants who need to transfer to a new social housing property because their landlord needs their current home back for refurbishment, redevelopment or disposal will be re-housed by their landlord in alternative social housing stock. Alternatively, they can be added to the Gateway waiting list should they wish to be considered by all housing providers. In these circumstances they would be prioritised within Band 1 on the Gateway list⁷.

7. Exceptions

7.1. It is recognised that on occasion an applicant's circumstances may not strictly meet the eligibility criteria even though the applicant demonstrates a genuine need to rent social housing or to transfer to another social housing property. If a Gateway officer believes there are reasonable exceptional circumstances that warrant an applicant being deemed eligible, their application may continue outside of the eligibility rules, subject to confirmation from the Minister or a senior officer holding delegated responsibility on behalf of the Minister. These cases will be kept to a minimum for reasons of fairness.

7.2. Some examples of exceptions that have been made previously are:

- Applicants who have high childcare costs for a child/children under school age.
- Applicants who can provide a letter from their current employer confirming that their income will reduce (below applicable income thresholds) on return from parental leave.

⁷ Banding prioritisation could be re-assessed if an applicant turns down being re-housed in accommodation assessed by the Gateway to be appropriate for their needs.

7.3. The Minister will review all exceptional decisions taken outside the written guidelines and will consider the need to update or amend the written guidelines on an annual basis.

8. Application process

8.1. Once an applicant has been assessed and their application placed into one of the priority Bands (see section 9 and Appendix II) applications are maintained in date of application order.

8.2. The Gateway will request a range of documents to support applications (e.g., bank statements, marriage certificates, birth certificates, declarations concerning rental history). Gateway staff will either visit applicants at home or invite them to its office to discuss the application in more detail. If an applicant has a medical condition that means they will require a specific type of property, Gateway staff may ask for information from doctors and/or specialists or arrange for an assessment to be carried out by Health & Community Services. Gateway staff may also, where relevant, seek advice from the Occupational Therapists, Children's Service, Police and Family Nursing Services, other professional bodies or GoJ departments to support an application.

8.3. If an application for social housing or transfer request is rejected because it does not meet the Gateway criteria, the applicant(s) will be informed of the decision and the reasons for the decision explained. An applicant can request a review of a decision (see section 14). Every application is treated individually; exceptional or mitigating factors will be considered on request.

8.4. There are five social housing providers in Jersey (see Appendix III) who allocate their accommodation through the Gateway. However, these providers have their own allocations procedures. The largest provider, Andium Homes, operates a Choice-Based Lettings system through its website, providing applicants assigned with Gateway numbers an element of choice in identifying preferred properties.

8.5. The other social housing providers in Jersey are the Housing Trusts. They operate independently of government, managing their own housing stock and apply their own allocations policies. The Housing Trusts operate a 'best fit' model. When there is a vacancy within their housing stock, the Trusts' representatives access the Gateway list to identify the applicant (using Gateway criteria) whose needs best meet the available unit of accommodation and who they deem to be in the greatest need.

8.6. Existing social housing tenants who request a transfer will be considered alongside new applicants on the waiting list. Existing tenants are advised to review their current tenancy agreement to ensure they fully understand their obligations regarding the condition they are expected to leave their current home in before transfer. Any tenant wishing to transfer will need to ensure their rent account is clear of any rent arrears for at least 6 months.

8.7. Only the immediate family of an applicant will be registered as part of the household for the Gateway. Immediate family includes the main applicant, their spouse or partner, and their children.

- 8.8. If an applicant lives with someone who would not normally be defined as immediate family (e.g., because of care or support reason) the main applicant should submit their application and then discuss with Gateway staff. If there is a health need for the applicant to live with someone not in their immediate family the Gateway will require supporting evidence from a health professional.
- 8.9. If an applicant is not a main care provider for their children⁸, those children will not normally be considered as part of their household for the purposes of the Gateway.

9. Banding

- 9.1. The Gateway process places eligible applicants into three Bands that categorise priority of need - Band 1 (Urgent Need), Band 2 (Moderate Need), and Band 3 (Low Need). The allocation criteria for each of these three Bands is set out at Appendix II.
- 9.2. Each application will be carefully considered against the banding criteria. In most cases there is usually a single over-riding reason that determines the Band assigned to an applicant. However, the Gateway can use discretion in identifying those circumstances where multiple criteria apply, in combination, warrant an applicant being allocated a higher priority Band. In all cases supporting documents from relevant professionals will be required to allocate applicants into the appropriate Band and the allocation decision will be formally recorded.
- 9.3. As an applicant's circumstances are subject to change so too will their level of housing need. An applicant who has been banded can be required to provide information to support their continuing housing need. Reviews can be undertaken after 6 months in one banding. If evidence of ongoing need is not available, the applicant can be moved to a lower band, in line with the available evidence.
- 9.4. Andium Homes manages the scheme for those who wish to purchase their home with financial assistance. This is a separate category that is external to the Banding system, with access determined by the [Assisted Home Ownership Schemes Eligibility criteria](#)⁹.

10. Accommodation

- 10.1. During the assessment process the Gateway staff will discuss the size of accommodation that an applicant is eligible for. Ordinarily, single applicants and couples will be assessed as needing to occupy a Studio/Bedsit or one-bedroom property¹⁰. Families will be offered a family home that best meets their needs. It is not generally possible to allow a bedroom for each child and an appropriate level of sharing is expected as follows:

- One bedroom for the parent(s).

⁸ Children who do not live with the applicant for at least 50% of the time (see section 5.1).

⁹ Property allocated to applicants in this category are currently drawn exclusively from Andium Homes stock.

¹⁰ Income Support will only pay a bedsit rate in some cases. Please refer to Income Support rules for housing component.

- No more than two children are expected to share one bedroom, regardless of age or gender.
- Two children of the same gender, with no more than a five-year age gap, are expected to share a bedroom regardless of age unless they have a medical condition preventing them from sharing a bedroom. Medical evidence would be required
- Children of different gender, where the elder child has reached the age of 5, qualify for a bedroom each.
- Additional bedrooms will be allocated for medical reasons. Written evidence will be required from a medical professional or specialist.

10.2. Should an applicant believe their circumstances fall outside these guidelines and require additional bedrooms they should raise this during the assessment period. Supporting information from professionals will be required as appropriate.

10.3. Properties allocated are generally let unfurnished, without carpets, curtains, white goods etc. Applicants are therefore encouraged to consider this additional financial burden when they are budgeting for their move. In some cases, assistance is available by way of a loan from Income Support that must be paid back on an affordable weekly basis. If an applicant believes they will require this financial support, they should seek confirmation from Income Support about their eligibility for the loan before they accept an offer of accommodation.

11. Offer of Accommodation

11.1. Once an applicant has been accepted onto the Gateway waiting list (and allocated a Gateway number) they are expected to actively express interest in properties that are available via Choice-Based Lettings (through Andium Homes). The Housing Trusts do not have a choice-based lettings system so will contact applicants when they have properties available if they are able to make an offer of accommodation.

11.2. An applicant should not turn down accommodation that is assessed by the Gateway to be appropriate for their needs without good reason. If the Gateway does not consider the reason given for turning down accommodation to be justifiable, the applicant could be removed from the waiting list or moved to a lower priority Band. This stipulation also applies to existing social tenants requesting transfer.

11.3. Once on the Gateway waiting list applicants should do all they can to avoid the need for social housing before they have secured a property from a housing provider. For example, if an existing lease is about to expire it is worth asking the landlord if an extension is possible. Similarly, if an applicant is due to be evicted, they should advise their landlord that they have registered for social housing and ask if the eviction process can be delayed. Citizens Advice Bureau can be contacted for more information.

11.4. The Social Housing rents policy requires that social housing rents are set up to a maximum of 80% of market equivalent for each property. If an applicant cannot afford the

rent set, they should contact Customer and Local Services to see if they can access income support for the size/type of property they are registered for. This advice should be sought before accepting an offer of accommodation to prevent/reduce the build-up of rent arrears.

12. Change in Circumstances

12.1. **Applicants:** An applicant must notify the Gateway immediately of any changes to their circumstances. Some examples are:

- A change of address
- A significant change in a medical condition
- Threat of homelessness
- Increase or decrease (actual or anticipated) in the size of household
- Change in relationship or marital status
- An increase in income beyond the income limit (see section 4.3)
- Acquisition of property
- A substantial increase in savings (see Savings, section 5.1)
- New pets

12.2. An applicant will be required to submit evidence for any re-assessment process. The Band allocated to an application (and therefore waiting time) may change depending on the change of circumstances. If an applicant moves into a higher Band their application date will be the date that the Gateway was first notified (or evidence submitted) of the change of circumstances. Alternatively, if an applicant moves into a lower Band, then the application date will revert to the original date of their Gateway application. Applications will generally be reviewed on an annual basis. An update form will be sent to applicants to capture any change of circumstances.

12.3. Failure to notify the Gateway of a significant change in circumstances could result in the cancellation of an application.

12.4. **Tenants:** Some change of circumstances criteria (as set out above) may apply to existing social housing tenants applying to transfer. Tenants should notify the Gateway and supply evidence as needed. The Gateway will evaluate what is appropriate on a case-by-case basis.

13. Standards of Behaviour

- 13.1. Applicants who are found to have provided false information deliberately, or who have withheld important information deliberately, that would have had a material effect on their application, could have their application cancelled or be removed from the Gateway list.
- 13.2. Jersey's social housing providers and their tenants have a right to expect certain standards of behaviour. The Gateway and social housing providers will consider any evidence that comes to light of a history of unacceptable behaviour by an applicant (or members of their household) that indicates that they would not be able to comply with tenancy obligations. This could lead to an applicant being removed from the Gateway list. With respect to existing tenants, social housing providers have the right not to renew a tenancy on grounds of unacceptable behaviour.
- 13.3. Unacceptable behaviour relates to both current and former tenancies and apply no matter who the landlord is, when the behaviour happened or what type of tenancy was held. Some examples of unacceptable behaviour include but are not limited to:
- Causing deliberate damage to a property.
 - Causing anti-social behaviour such as nuisance to neighbours, discriminatory behaviour or harassment, violence or intimidation to the community or social housing staff.
 - Providing false information to the Gateway or social housing providers or contriving personal circumstances to improve banding.
 - Serious rent arrears.
 - Eviction from hostel or temporary accommodation.
- 13.4. Applicants disqualified from social housing on grounds of their behaviour, or former tenants who have not had their leases renewed, will not be allowed to reapply to the Gateway for a minimum period of 12 months. In exceptional circumstances Gateway staff may exercise discretion on the duration, subject to confirmation from a senior officer holding delegated responsibility on behalf of the Minister or, in the most unusual cases, by the Minister.
- 13.5. During the period of disqualification applicants or former tenants should be able to demonstrate that they are able to conduct themselves responsibly. With respect to serious rent arrears (from any type of tenancy), the disqualified individual will need to have entered an agreed repayment plan and adhered to it for a minimum period of 6 months.

14. Right of Appeal

- 14.1. An applicant or existing social tenant has the right to ask for a review of any decision made under this eligibility criteria with which they do not agree¹¹. Some examples are:

¹¹ The Gateway appeals process does not apply to the social housing providers who each have their own review procedures concerning allocation decisions.

- Rejection of an application for social housing or transfer request on grounds of not meeting eligibility criteria.
- Allocation by the Gateway to Band that is not considered to be appropriate.
- The cancellation of an application for any reason or as set out in section 13.

- Circumstances that an applicant believes should be considered as an exception (see section 7.1).

14.2. The review must be requested within 28 days of the gateway decision and must include the reason for the review.

14.3. Requests for review should be submitted in writing to the Gateway (contact details are set out in Appendix III). All requests will be reviewed by a more senior officer within Customer and Local Services. Where a decision sits outside the Gateway guidelines, this will be considered by an officer acting under delegated authority from the Minister, or by the Minister.

Senior Policy Officer (Housing)
Cabinet Office
1 January 2023

Appendix I

Household Income limits as of 1 January 2023

Number of dependent children	Maximum gross annual income	
	Single applicant	Joint applicant
None	£32,300	£40,700
1 child	£51, 200	£56,400
2 children	£61,800	£66,900
3 or more children	£67,600	£72,700

Gateway income limits are the same as those applied by Income Support (IS) as of 1 January 2023. The income threshold for single applicant / no children has been set at the same level as the one bed flat rate within IS. Previously it was set at the bed sit rate.

APPENDIX II

Banding System for Social Rental Accommodation in Jersey		
Band	Need	Types of Applicant
1	URGENT	<p>Homeless:</p> <ul style="list-style-type: none"> ▪ Sleeping on the streets or in non-permanent accommodation or about to face these circumstances. Anyone in this category should engage with relevant social services. ▪ Of no fixed address with no choice but to rely on the goodwill of others for somewhere to live. ▪ Is 'sofa surfing' - frequently having to change address. This is distinct from living with friends or relatives. <p>Has no right to stay in current accommodation e.g. staying with friends or family</p> <p>Staying in a hostel or shelter type accommodation</p> <p>Under eviction notice (court order in place) through no fault of the applicant.</p> <p>In tied accommodation (linked to employment) where employment has come to an end</p>

		<p>Unable to live in or return to present accommodation because of an urgent medical condition(s). Written confirmation from appropriate health professional is required.</p> <p>Forced to live apart from family because current accommodation is unsuitable.</p> <p>Present accommodation subject to serious overcrowding.</p> <p>Social Housing tenant whose landlord needs them to transfer imminently as the existing property is required for significant repair work, refurbishment, redevelopment or disposal.</p> <p>Safeguarding issues e.g. domestic abuse. Concerns should have been raised with the appropriate authorities with supporting evidence.</p> <p>Existing tenant elects to 'down-size' to address under-occupation and better meet housing needs.</p> <p>Requiring multi-agency supported housing. Applicants referred through this pathway fall within a separate 'Supported Housing Band' that is managed through Andium Homes (see Section 9.2). Applicants in this Band are classed as Band 1 on the Gateway.</p> <p>Either serving or former members of the UK Armed Forces.</p>
2	MODERATE	<p>Subject to poor housing standards in existing accommodation.</p> <p>Experiencing moderate overcrowding problems e.g. opposite gender children sharing a room if there is an age gap of five or more years, or more than two children in one room.</p> <p>Present accommodation does not fully meet needs associated with ongoing medical condition. Written confirmation from appropriate health professional is required.</p>
3	LOW	Not eligible for Band 1 or 2.

APPENDIX III

You can contact the Gateway and the social housing providers using the following addresses:

Housing provider name	Affordable Housing Gateway
Phone number	01534 448944
Address	Customer and Local Services PO Box 55 La Motte Street St Helier JE4 8PE
Email	hsggateway@gov.je
Website	https://www.gov.je/Home/RentingBuying/ApplicationAllocation/Pages/HowToApply.aspx

Housing provider name	Andium Homes Limited
Phone number	01534 500700
Address	33-35 Don Street St. Helier JE2 4QT
Website	www.andiumhomes.je

Housing provider name	Christians Together in Jersey Housing Trust (CTJ)
Phone number	01534 507777
Address	Voisin Hunter Ltd. One Esplanade St. Helier JE2 3QA
Website	www.ctjhousingtrust.org.je

Housing provider name	F.B. Cottages Housing Trust / Clos de Paradis Housing Trust
Phone number	01534 507777
Address	Voisin Hunter Ltd. One Esplanade St. Helier JE2 3QA
Website	N/A

Housing provider name	Jersey Homes Trust
Phone number	01534 750200
Address	Brunel Chambers Devonshire Place St. Helier Jersey JE2 3RD
Website	www.jerseyhomestrust.org.je

Housing provider name	Les Vaux Housing Trust
Phone number	01534 507777
Address	Voisin Hunter Ltd. One Esplanade St. Helier JE2 3QA
Website	www.lesvauxhousingtrust.org.je