

Operational Manual

Operations Housing

Allocations and Lettings of General Needs and Sheltered rented housing and Care and Supported Housing

Policy

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Responsibility: Tenant Services/C&SH

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1. Introduction

- 1.1 Hightown aims to provide good quality rented accommodation for people who are in need of housing, care and support.
- 1.2 This policy covers the allocation of general needs, sheltered rented housing and Care & Supported Housing (C&SH); it does not include the allocation of intermediate rent homes, for which there is a separate policy.

2. Objectives

- 2.1 In accordance with the Regulators' Tenancy Standard this policy aims to ensure that Hightown:
- lets its homes in a fair, transparent and efficient way
 - takes into account the housing needs and aspirations of tenants and potential tenants
 - makes the best use of available housing
 - contributes to Local Authorities' strategic housing function and sustainable communities
 - has clear application, decision making and appeals processes

3. POLICY FOR THE ALLOCATION OF GENERAL NEEDS & SHELTERED HOUSING

- 3.1 This policy covers the following general rented housing categories: -
- Local Authority nominations
 - Housing Register applicants
 - Transfer applicants
 - People wishing to exchange homes with others
- 3.1.1 This section does not apply to the allocation of shared ownership properties and intermediate rented properties; to supported housing (see C&SH Allocations Policy at section 15) or to temporary accommodation.

- 3.2 In accordance with S167 of the 1996 Housing Act (as amended) reasonable preference will be given to applicants from the following groups:
- people who have been assessed by the Local Authority as homeless within the meaning of Part 7 of the Housing Act 1996 (including those who are intentionally homeless and those not in priority need)
 - people occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
 - people who need to move on welfare or medical grounds relating to a disability
 - people occupying housing accommodation, which is temporary or occupied on insecure terms
 - families with dependent children
 - households consisting of or including someone who is expecting a child
 - households whose social or economic circumstances are such that they have difficulty in securing settled accommodation.
- 3.2 Hightown has nomination agreements with Local Authorities, therefore most applicants will be from this source.
- 3.3 Where nomination agreements allow, a percentage of properties may be let directly to those who meet Hightown's allocation criteria, including transfer applicants. As Hightown has a relatively low turnover of tenancies it will not be in a position to house most direct applicants.
- 3.4 If a Local Authority waive their nomination rights or there are difficulties in finding suitable tenants for specific types of properties e.g. sheltered housing, Hightown will look at alternative methods of letting these homes which may include its own housing register, advertising through HomeSwapper, local advertising or targeted referrals.
- 3.5 In line with Hightown's Equality and Diversity policy all applications for housing will be considered in the same manner (except where age restrictions apply in the case of sheltered housing). The Head of Housing will monitor and report monthly on the profiling data of rejected applications in relation to the protected characteristics as set out in the Equality Act 2010.
- 3.6 All applicants are asked to complete an Equal Opportunities in Housing form in order for Hightown to monitor applicants' protected characteristics in allocations and refusals.
- 3.7 Hightown will not exclude applications for Housing from staff, Board members or their close relatives. However these lettings will be scrutinised by the Chief Executive to ensure that no favourable treatment has been given.
- 4. Conditions Applying to Applicants for General Needs Housing**
- 4.1 All applicants for General Needs accommodation must complete an application form which will be assessed in relation to the applicant's suitability for a general needs tenancy and the property they are applying for.
- 4.2 All applicants will undergo an assessment prior to an offer of accommodation being made. The applicant must provide all supporting evidence required for the assessment to take place, as required in procedures.

- 4.2.1 The assessment will verify the applicant's circumstances, housing need and the details provided by the Local Authority, taking into account financial circumstances, support needs and the conduct of any previous tenancies, where applicable.
- 4.3 All prospective tenants must be able to sustain a general needs tenancy. If support to do so is needed, Hightown must receive written confirmation from the support service that the accommodation applied for is suitable.
- 4.3.1 The prospective tenant and the support agencies involved must be able to provide sufficient information to enable Hightown to determine whether there is an ongoing appropriate level of support in place to enable the applicant to sustain their tenancy prior to any decision being made on whether to accept the nomination. Staff from Hightown may ask to meet with the applicant and support worker to discuss the suitability of the tenancy and to be provided with details of the proposed ongoing support arrangements.
- 4.3.2 Where a support need is identified and there is no appropriate support arrangement in place, a conditional offer may be made on the condition that the applicant agrees to a referral to a support agency, where one is available.
- 4.3.3 In cases where it is felt that the support is insufficient to enable the applicant to sustain a general needs tenancy, or where the applicant refuses a referral for support, the application will be rejected.
- 4.4 Hightown may reject applications where an applicant has rent arrears on their current tenancy or where there are former tenant arrears on a previous tenancy. The individual circumstances that led to the accrual of arrears may be taken into consideration; such cases should be referred to the Head of Housing.
- 4.5 If an applicant, or anyone who would be a member of the applicant's household has previously been evicted from local authority or housing association accommodation due to anti-social behaviour, or had legal action taken against them for anti-social behaviour, Hightown reserve the right to reject the application.
- 4.6 Where the applicant has previously held a tenancy, Hightown will require references from previous landlords, dating back over the previous five years. Hightown may reject an application based on the outcome of reference checks. If an applicant unreasonably fails to provide details of former landlords, or is unwilling for reference checks to be carried out, the application will be rejected.
- 4.7 Financial Restrictions and Affordability
- 4.7.1 Hightown's charitable objective is to help those who cannot afford to rent or buy a home at market rates and will therefore take the income and capital/savings and assets of the household into account when assessing an application. Those who have sufficient means to meet their own housing need would not qualify for a Hightown home (see 4.7.8 below).
- 4.7.2 For the purposes of this policy, the definition of 'Household' and 'Household Income' are:
- Household: the applicant or joint applicants and the spouse, civil partner or partner of a sole applicant where the spouse, civil partner or partner will live with them.

- Household Income”: the sum of the gross incomes of the Household, as defined above.

- 4.7.3 All applicants will be expected to provide up to date information and appropriate supporting evidence regarding their finances at the point of application, including their income and expenditure and details of any current savings or debts. The application will be rejected if the applicant fails to provide this information.
- 4.7.4 An affordability assessment will be carried out with all applicants for housing.
- 4.7.5 Where the affordability assessment indicates that the property is not affordable, taking benefit entitlements into account, the application will be rejected. If the applicant is rejected for an affordable rent home, but the applicant could afford a social rent home, they will be encouraged to bid for that instead.
- 4.7.6 Advice will be given to all applicants regarding the prevailing government policies regarding housing and future benefit entitlement, and how it could impact upon them as a household.
- 4.7.7 An overall income limit is applied, inclusive of interest from savings as set out below. Account is also taken of any savings, capital or assets, which an applicant could be expected to use to meet their housing need.
- 4.7.8 Where an applicant appears to have sufficient capital and income to rent in the private sector or to buy a property with a mortgage, either outright or through shared ownership, their application will be considered by the Head of Housing, who will take into account the applicant’s personal circumstances, including but not limited to; schools, caring responsibilities, work or other financial commitments which would prevent them from accessing suitable accommodation in the private or intermediate sector.
- 4.7.9 Any decision to accept a household in exceptional circumstances with income limits above those below will be reported to the Chief Executive

The Gross Household Income Limits are:

	2017/18	2018/19
1 bed property	£33,794	£35,112
2 bed property	£44,855	£46,604
3 bed property	£52,285	£54,324
4 bed property	£64,812	£67,340

- 4.7.10 Household Income Limits are updated in April each year, in line with the previous September’s RPI figure. A detailed assessment will be carried out every six years to rebase household income limits, taking into account the housing market at the time. Officers will make recommendations to the Board if any substantial change is proposed.
- 4.7.11 Legal action will be taken against any applicant who is found to have obtained a tenancy fraudulently by misrepresenting / understating their income and / or savings; or having otherwise given false information about their circumstances.

4.8 Property Size

- 4.8.1 To maximise the use of the stock, Hightown will not normally consider applicants for properties larger than the household's bedroom need as determined by this policy (Appendix 1).
- 4.8.2 An applicant may, in exceptional circumstances, be considered for a home that is smaller than their bedroom needs, for example where a large three bedroom home would meet the needs of household normally requiring a four bedroom property.
- 4.8.3 There may be occasions when applicants are considered for properties larger than determined by the size of the household for example, due to medical grounds or for example to achieve sustainable communities.
- 4.8.4 Such cases must be referred to the Head of Housing for consideration.

5. Local Authority Nominations

5.1 Agreed Nominations from Local Authorities.

- 5.1.1 Hightown has nomination agreements with Local Authorities for most of its properties.
- 5.1.2 Where there is no negotiated nominations or service level agreement and the homes have been provided with the help of public subsidy, at least 50% of lettings will be made available to people nominated by the Local Authority.

5.2 Additional Nominations

Hightown's relatively low number of rented properties and their geographical spread has led Hightown to take nominations from Local Authorities (who have a full picture of housing need in their area) rather than to operate numerous housing registers. Consequently the small number of empty properties not subject to a nomination agreement, which are not needed for transfer cases nominations, will normally be offered to the Local Authority.

5.3 Choice-based lettings (CBL)

- 5.3.1 Hightown participates in Choice Based Lettings schemes across its areas of its operation. It is actively involved with Local Authority partners in their efforts to manage such systems, and aims to have the highest level of involvement available. Each consortium differs in methods of advertising properties, deadlines, and retrieval of successful bidders.
- 5.3.2 Where Hightown operates a system for allocating homes, such as a transfer list, it too will be a CBL scheme.

5.4 Housing Register

Where a Local Authority does not operate a Choice Based Lettings scheme, Hightown will accept nominations directly from the Local Authority.

6. Local Lettings Plans

- 6.1 There may be occasions when Hightown agrees a local lettings policy for a particular scheme or area with the Local Authority. Under a local lettings policy, certain groups – for example applicants who are working – may be awarded additional priority for some properties.

7. Transfer List

- 7.1 Hightown operates an "open" Transfer Policy, which means that any current Hightown tenant with a housing need under this policy that wishes to move is entitled to apply for a transfer.
- 7.2 Priority for transfers is assessed in accordance with Hightown's Points System (Appendix 1).
- 7.3 Any tenant seeking to move should complete an Application for Rented Housing form. The application will be assessed and, if successful, held on a transfer list. The tenant will receive written notification of the outcome of their application and any priority awarded.
- 7.4 Transfer properties are allocated using a choice-based lettings system. When a property is identified as available for a transfer, details will be sent to those on the transfer list who have been accepted for that type of property. They will be given 5 working days to submit a bid for the property. A pre-tenancy assessment will be carried out with the applicant with the highest number of points to verify the information given in the application.
- 7.5 Priority in the lettings of bedsits (not subject to nomination agreements) will be given to people needing to move out of Hightown's supported and young people's housing accommodation.
- 7.6 There is no limit to the number of bids an internal transfer applicant can make through Hightown's CBL system. However, any applicant who bids through the CBL system and wins and refuses two properties in any 3 month period will have their access to bid suspended for 6 months from the second refusal.
- 7.7 If 2 winning bids are outstanding at the same time, the applicant will usually be expected to make a decision on the first to close before viewing the alternative property, unless this will lead to an extended void period on either property.
- 7.8 Generally, no offer of accommodation will be made to a tenant who has rent arrears or outstanding recharges. However, discretion may be exercised to allow an alternative offer of accommodation to be made, such cases will be considered by the Head of Housing. Circumstances where discretion may be exercised include arrears accruing due to the reduction in housing benefit for spare rooms, tenants fleeing violence or serious harassment.
- 7.8.1 Any offer made to a tenant with rent arrears or outstanding recharges will be conditional upon an agreement being entered into to clear the debt as part of the tenancy conditions for their new home. A clause will be included in the tenancy agreement for the new property which will enable legal action to be taken if necessary to recover the debt.

- 7.9 In some situations, it may be necessary to transfer a tenant on management grounds, for example, where a tenant is fleeing domestic violence or due to an irresolvable dispute between neighbours over a long period of time.
- 7.9.1 All requests for a Management Transfer must be referred to the Head of Housing for consideration.
- 7.9.2 Management Transfers will only be approved as a last resort where other action has failed or been impossible and there is a suitable property available for letting. Where the tenant is moving to flee violence or serious harassment, the Head of Housing will require supporting information from third party agencies such as the police or the Multi Agency Risk Assessment Conference (MARAC) to ensure moving is an appropriate course of action and any property identified would mitigate the risk to the tenant.
- 7.9.3 Where a management transfer is agreed, one offer would be made on a like-for-like basis.
- 7.9.4 Any allocations made to tenants in rent arrears or through a management transfer, will be reported on a monthly basis by the Head of Housing.

8. Housing Register

- 8.1 Hightown holds an open housing register for Over 55s accommodation for harder to let sheltered accommodation. Applicants for this list do not have to be current Hightown tenants.
- 8.2 In the rare event that accommodation is proving difficult to let and it is decided, in consultation with the Local Authority, that it will not be possible for the Local Authority to find sufficient nominees to fill all potential vacancies on an estate, a housing register will be kept. Application forms may be requested by visiting, writing to, telephoning Hightown's office or visiting the Hightown website.
- 8.3 Applicants will be assessed by means of the Points Scheme (Appendix 1).

9. Mutual Exchanges

Hightown will participate in mobility and mutual exchange schemes where these are available.

10. Referrals

In the event that a prospective tenant cannot be found from a Local Authority nomination, a transfer or a housing register, Hightown may contact other Housing Associations or agencies in the area for a referral.

11. Advertising

Where Hightown has been unable to find a suitable applicant from any of these sources an advertisement will be placed in the local press and/or on Homeswapper. Applicants will still need to meet the needs criteria set out in this policy.

12. Joint to Sole tenancies

A tenancy will sometimes be granted to a tenant who has been part of a joint tenancy that has been terminated. This will only be granted with the approval of the Head of Housing, for example in the case of domestic abuse.

13. Monitoring

The Head of Housing will report monthly on lettings performance, and any lettings made using the discretion available within this policy.

14. Right to Appeal

All applicants have the right to appeal if they feel that their application has not been dealt with in accordance with this policy, or if they regard an offer of accommodation as unreasonable. Appeals should be made to the Head of Housing. If an applicant is dissatisfied with the way their application has been handled they may make a complaint under Hightown's Complaints Procedure.

15. POLICY FOR THE ALLOCATION OF CARE AND SUPPORTED HOUSING

15.1 When allocating accommodation in a supported housing service, Hightown has to comply with the Regulator's Standards, regulations linked to the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, commissioning referral processes, nomination agreements with placing authorities and this policy.

15.2 Objectives

15.2.1 To ensure that all potential service users who are nominated, or referred for a place in a supported housing scheme are considered in accordance with their individual needs assessments commissioning contracts, local service allocation procedures and Hightown's Health and Safety procedures and Equality and Diversity policy.

15.2.2 To give all potential service users who are not accepted for a place in a supported housing service, the reasons why the referral has been declined, and the opportunity to appeal against the decision.

15.3 Roles and Responsibilities

The Director of C&SH has the overall responsibility of ensuring that everyone nominated or referred for a place in a supported housing scheme is considered in accordance with this policy.

15.4 The Policy

15.4.1 Referrals or direct applications for a place in a care home or supported housing service will be considered by Hightown and their decision will be based on the eligibility criteria for the service, the service's allocations procedure, a needs and risk assessment and referrer information. Each service has a lettings and allocations procedure which must be adhered to when considering allocations to services.

15.4.2 If a referral or direct application for a place in a service is rejected, the reason for the rejection will be communicated to the applicant and the person who made the referral or nomination, along with details of the appeals procedure and any information available about alternative Hightown services or other providers of care and supported housing schemes. Such an appeal should be made to the relevant Care & Supported Housing Manager. If they are dissatisfied with the way their application has been handled applicants may use Hightown's Complaints Procedure.

15.5 Equality and Diversity

In line with Hightown's Equality and Diversity policy all applicants for housing will be considered in the same manner regardless of their protected characteristics (unless age restrictions apply) in accordance with the protected characteristics as set out in the Equality Act 2010.

15.6 Helping people to make an informed decision

Where practical, referrals / direct applicants will be given the opportunity to visit and if appropriate, stay at the service that they have applied for, and be given suitable information to allow them to make an informed choice about the suitability of the accommodation / care and support being offered.

15.7 Promoting Independence

To promote the move towards independence, Service Users already receiving a service will be given priority if a vacancy arises in a scheme offering less support if they have been assessed as ready to move on.

15.8 Funding

Before a place in a service is confirmed, an applicant will need to have entitlement to funding that is adequate to meet their needs or be able to demonstrate that they have the means to pay the rent and care and/or support charges or are eligible for Housing Benefit.

15.9 Financial Restrictions

Account will be taken of income and capital/savings in assessing an applicant's ability to pursue other housing options. An overall income limit is applied, inclusive of interest from savings. Account is taken of any savings or capital, which an applicant could be expected to use to purchase a property (see 4.7.8). Hightown will make 'fairer charging' referrals to County Councils when appropriate, who in turn will make a decision as to whether a service user needs to contribute to the cost of their care or support.

15.10 Tenure

Service users moving into a care and supported housing scheme will be made an offer of tenure in accordance with Hightown's Tenure Policy.

15.11 Monitoring

15.11.1 Data on lettings, evictions and refused applications is reported in monthly reports.

15.11.2 Hightown will report on the profiling data of rejected applications in order to monitor access to care and supported housing in line with regulatory and contractual obligations.

Appendix 1: Internal Housing Register Points Scheme for General Needs and Sheltered Housing

<p>1. Bedroom Deficiency (not applicable if homeless)</p> <p>For each bedroom lacking As a guide, the following minimum standards apply when calculating bedroom deficiency:</p> <ul style="list-style-type: none"> • Single person – 1 bedroom/bedsit • Couple - 1 bedroom • Single person with one child - 2 bedrooms • Couple with one child - 2 bedrooms <p>Household including pregnant woman in third trimester of pregnancy; unborn child will be considered as an additional member of household.</p> <p>All adults aged over 18 years not living as a couple require their own bedroom. Children of different genders will not be expected to share a room when one of them is over 10 years old. Where nominations do not meet these requirements refer to Head of Housing.</p>	<p>15 points</p>
<p>2. Room Surplus</p> <p>Under-occupying social housing per bedroom Under-occupying social housing tenant who is of working age and claiming housing benefit</p> <p>Fixed Term Tenant who is under-occupying at the end of the fixed term, and remains in housing need, according to Hightown’s Tenure Policy (will receive an additional 20 points)</p>	<p>15 points Additional 10 points per bedroom</p> <p>Additional 20 Points</p>
<p>3. Tenure</p> <p>Lodger/with friends of family Shorthold tenant / licensee e.g. hostels, short term tenants Service Tenant e.g. army Temporary accommodation (e.g. bed and breakfast, rented rooms, caravan, houseboat) Prisoners within 6 months of release who will be homeless on release</p>	<p>4 Points 2 Points</p> <p>2 Points</p> <p>10 Points 20 points</p>
<p>4. Sharing Facilities (not own family/household)</p> <p>Shared living-room Shared kitchen Shared WC/bathroom Shared any of the above with more than one household an additional</p>	<p>4 Points 4 Points</p> <p>4 Points 4 Points</p>

<p>5. Lack of Facilities (not applicable if homeless)</p> <p>No kitchen sink or mains water supply No hot water supply Chemical WC or non-flushing WC External WC No effective heating system Poor structural condition/general disrepair</p> <p>One of the above</p> <p>Two or more</p>	<p>15 Points</p> <p>20 Points</p>
<p>6. Employment</p> <p>To enable an applicant to live within travelling distance (one hour) of work.</p>	<p>5 Points</p>