



**Operational Manual**

**Operations Housing**

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

**Policy**

**Issue: 07**

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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 shared ownership or intermediate rent homes.

## **2. Objectives**

- 2.1 Hightown operates in areas of high demand for housing, where supply is limited. In accordance with the Regulators' Tenancy Standard this policy aims to ensure that Hightown:
  - lets 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
  - Lettings are compatible with the purpose of the 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 allocation of the following general rented housing categories:-
  - Local Authority nominations
  - Direct lets and internal transfers
  - Housing First applicants
  - People wishing to exchange homes with others
- 3.1.1 This section does not apply to the allocation to supported housing (see C&SH Allocations Policy below) or to temporary 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 waives their nomination rights, fails to provide a nomination within the timescale set out in the nominations or service level agreement, 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 internal transfer, advertising through another Local Authority, advertising through HomeSwapper or property rental websites, local advertising or targeted referrals.
- 3.5 Hightown will not exclude applications for Housing from staff, Board members or their close relatives. However these lettings will only proceed if approved by the Chief Executive to ensure that no favourable treatment has been given. All approvals will be entered on the Exemptions Register.

#### **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, personal circumstances, support needs and the conduct of any previous tenancies, where applicable.
- 4.3 All prospective tenants must be assessed as able to sustain a general needs tenancy before an offer of accommodation is made. 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 appropriate level of ongoing 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 are no appropriate support arrangements in place, a conditional offer may be made on the condition that the applicant agrees to a referral to a support service, 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 for their current tenancy or where there are former tenant arrears from a previous tenancy. The individual circumstances that led to the accrual of arrears, the applicant's current circumstances and any support in place will be taken into consideration.
- 4.5 If an applicant, or anyone who would be a member of their household, has previously been evicted from local authority or housing association accommodation due to anti-social behaviour, had legal action taken against them for anti-social behaviour, or been convicted of an unspent relevant serious criminal offence, Hightown reserve the right to reject the application. Matters such as the length of time since the behaviour took place, current circumstances and any support in place to prevent similar behaviour will be taken into consideration.
- 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 may be rejected.

#### **4.7 Financial Assessments 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 General Needs home.
- 4.7.2 All applicants for General Needs and Sheltered housing (excluding Housing First) are required to undergo a financial assessment as part of the verification process
- 4.7.3 Hightown will consider the total household income of the applicant(s) and any capital available to them, and make an assessment of their financial position and commitments and whether the household would be able to meet their housing need in the private sector for the type of accommodation needed (e.g market rented).
- 4.7.4 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.
- 4.7.5 All applicants must 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 refuses or fails to provide this information within a reasonable timeframe, depending on the information required, but likely to be within two working days.
- 4.7.5 All rejected applicants will be advised of the reason their application has been

rejected, given advice on their housing options, and information on any criteria which would enable Hightown to consider a further application if they were to be nominated again in the future.

- 4.7.6 Where a homeless applicant for housing is rejected on the grounds of affordability, the application will be passed to the Head of Housing for reconsideration.
- 4.7.7 Advice will be given to all applicants regarding the prevailing government policies regarding housing and future benefit entitlement, and how it may impact upon them as a household.
- 4.7.8 Account is also taken of any savings, capital or assets, which an applicant could be expected to use to meet their housing need.
- 4.7.9 The financial assessment will consider whether they have sufficient capital and income to rent in the private sector, access intermediate rent housing, or to buy a property with a mortgage, either outright or through shared ownership. Consideration will be given to personal circumstances, including but not limited to; caring responsibilities, work, or other personal circumstances which would prevent them from accessing suitable accommodation in the private or intermediate sector.
- 4.7.10 In accordance with Hightown's charitable objectives, where it is deemed that the applicant is able to meet their own housing need through these options, the application will be rejected. All decisions will be clearly recorded on the application file.
- 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 formal 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

5.2.1 Hightown's 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.

5.2.2 Consequently the small number of empty properties not subject to a nomination agreement, will normally be offered to the Local Authority unless they are to be used to transfer existing tenants.

5.2.3 Hightown will accept nominations from Local Authorities where agreed as part of other initiatives undertaken in partnership with them, such as Housing First.

## 5.3 Choice-based lettings (CBL)

5.3.1 Hightown participates in Choice Based Lettings schemes across its areas of its operation, where they are in place. 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 authority differs in methods of advertising properties, deadlines, and retrieval of successful bidders.

5.3.2 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 plan for a particular scheme or area with the Local Authority, in order to promote sustainable communities. Under a local lettings plan, certain groups, for example applicants who are working, may be awarded additional priority by the Local Authority for some properties.

## 7. **Direct Lets and Internal Transfers**

7.1 Hightown does not hold an internal transfer list. Any properties which are not subject to nomination rights or let through the Local Authority Housing Register will be advertised through Homeswapper and/or Zoopla. This will be publicised to Hightown tenants.

7.1.1 Current Hightown tenant with a housing need under this policy that wishes to move will be given priority over external applicants in accordance with the Allocation points scheme in Appendix 1.

7.2 In accordance with S167 of the 1996 Housing Act (as amended) reasonable preference will be given to external 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.

7.3 Applicants for Direct Let or Internal transfer should complete an Application for Rented Housing form. The tenant will receive written notification of the outcome of their application and any priority awarded.

7.4 Generally, no offer of accommodation will be made to a current Hightown 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 welfare reform (e.g. the reduction in housing benefit for spare rooms or the benefit cap), tenants fleeing violence or serious harassment.

7.4.1 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.

## **8.0 Managed Moves**

8.1 In some situations, it may be necessary to transfer a tenant on management grounds, for example, where a tenant is fleeing domestic violence, high level medical need, or due to an irresolvable dispute between neighbours over a long period of time.

8.2 All requests for a move on management grounds must be referred to the Head of Housing for consideration.

8.3 Managed moves 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. The Statutory Duty for tenants fleeing violence rests with the Local Authority, and the tenant must approach the Local Authority in the first instance.

8.4 Where a managed move is agreed, one offer would be made on a like-for-like basis.

8.5 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.

- 8.6 Hightown may, where appropriate, participate in a reciprocal agreement with another social landlord to facilitate a move in cases of domestic abuse or fleeing violence or harassment to support homelessness prevention

## **9.0 Mutual Exchanges**

- 9.1 Hightown will participate in mobility and mutual exchange schemes where these are available.
- 9.2 All eligible Hightown tenants will have access to an internet based mutual exchange system free of charge (currently Homeswapper). This will be promoted on our website.

## **10.0 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

## **11.0 Equality and Diversity**

- 11.1 In accordance 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).
- 11.2 All applicants are asked to complete an Equal Opportunities in Housing form in order for Hightown to monitor applicants' protected characteristics in allocations, rejections and refusals. The Head of Housing will monitor the profiling data of rejected applications.

## **12.0 Monitoring**

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

## **13.0 Appeals and Complaints**

- 13.1 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 the rejection of their application or an offer of accommodation as unreasonable. Appeals should be made to the Head of Housing, whose decision will be final.
- 13.2 If an applicant is dissatisfied with the way their application has been handled they may make a complaint under Hightown's Complaints Procedure.

## **14.0 POLICY FOR THE ALLOCATION OF CARE AND SUPPORTED HOUSING**

- 14.1 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.

### **15.0 Objectives**

- 15.1 To ensure that all potential service users who are nominated, or referred for a place in a supported housing service 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 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.

### **16.0 Roles and Responsibilities**

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

### **17.0 The Policy**

- 17.1 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.
- 17.2 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 services. 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.

### **18.0 Equality and Diversity**

- 18.1 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.

### **19.0 Helping people to make an informed decision**

- 19.1 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.



## **20.0 Promoting Independence**

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

## **21.0 Funding**

21.1 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.

## **22.0 Financial Restrictions**

22.1 Account will be taken of income and capital/savings in assessing an applicant's ability to pursue other housing options, taking into consideration the support housing required.

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.

## **23.0 Tenure**

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

## **24.0 Monitoring**

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

24.2 Hightown records 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: Direct Let/Internal Transfer Points Scheme for General Needs and Sheltered Housing

<p><b>1.0 Current Hightown Tenant</b></p> <p>Applicant currently holds a Hightown General Needs Starter, Fixed Term or Assured Tenancy</p> <p>Current Hightown C&amp;SH tenants tenants occupying a property provided to meet a specific need who no longer require such accommodation and need to Move-on. Where that tenant does not qualify for the Local Authority Housing Register</p>	<p>20 Points</p> <p>15 Points</p> <p>An additional 2 points</p>
<p><b>2.0 Bedroom Deficiency</b></p> <p><b>For each bedroom lacking</b></p> <p>As a guide, the following minimum standards apply when calculating bedroom deficiency:</p> <ul style="list-style-type: none"> <li>• Single person – 1 bedroom/bedsit</li> <li>• Couple - 1 bedroom</li> <li>• Single person with one child - 2 bedrooms</li> <li>• Couple with one child - 2 bedrooms</li> </ul> <p>An unborn child will be considered as an additional member of household from the beginning of the Third trimester of pregnancy.</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.</p>	<p>15 points</p>
<p><b>3.0 Room Surplus</b></p> <p>Under-occupying social housing per bedroom</p> <p>Under-occupying social housing tenant who is of working age and claiming housing benefit</p>	<p>15 points</p> <p>Additional 10 points per bedroom</p>
<p><b>4.0 Tenure</b></p> <p>Lodger/with friends or family</p> <p>Shorthold tenant / licensee e.g. hostels, short term tenants</p> <p>Current or former serving member of the regular or reserve Armed Forces</p> <p>Temporary accommodation (e.g. bed and breakfast, rented rooms, caravan, houseboat)</p>	<p>4 Points</p> <p>2 Points</p> <p>2 Points</p> <p>10 Points</p>

<p><b>5.0 Sharing Facilities with another household</b></p> <p>Sharing living-room  Sharing kitchen  Sharing WC/bathroom  Sharing any of the above with more than one household an additional</p>	<p>4 Points  4 Points  4 Points  4 Points</p>
<p><b>6.0 Lack of Facilities</b> (external applicants only)</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 these 15 points   Two or more 20 points</p>
<p><b>7.0 Medical</b></p> <p>If current accommodation is unsuitable due to medical/disability grounds (priority to be assessed by independent assessor)</p> <p>Low  Medium  High</p>	<p>5 points  15 points  35 points</p>

<p><b>8.0 Employment</b></p> <p>To enable an applicant to live within travelling distance (one hour) of work.</p>	<p>5 Points</p>
<p><b>9.0 Homeless or Threat of Homelessness</b> (external applicants only)</p> <p>Applicant has been served with a valid Notice to Quit or its equivalent and is owed a duty under the homelessness legislation (as assessed by the Local Authority) If the applicant has lost a previous tenancy by virtue of nonpayment of due charges, or of any form of harassment, or anti-social behaviour the application will be referred to the Head of Housing, who must authorise any homelessness points awarded.</p>	<p>35 points</p>
<p><b>10.0 Harassment</b></p> <p>Applicant has provided supporting evidence that they are a victim of harassment. The proposed move must reduce the risk (e.g. out of area)</p> <p>One reasonable offer will be given under this category</p>	<p>35 points</p>
<p><b>11.0 Domestic Abuse</b></p> <p>Applicant is fleeing domestic abuse and the proposed move will reduce the risk (e.g. out of the area)</p>	<p>35 points</p>