

Allocations and Lettings Policy

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1		Allocations Policy	Nov 05		
2	June 09	Replaces the Allocations Policy, November 05 (265, Version 1)		Pauline Watts	SHA 14/04/09 SCP 25/06/09

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1. Purpose

This policy applies to Signpost Housing Association and Signpost Care Partnerships' (the Associations) properties, any accommodation directly managed by the Associations, and the communities within which the associations work.

This policy has been developed to ensure the associations comply with current legislation, Tenant Services Authority Standards, Housing Corporation guidance and best practice. This policy contributes towards local authority statutory duties, Supporting People Strategies and Crime Reduction Partnerships.

This policy develops effective allocation and letting of the Associations' accommodation and aims to maximise income, reduce void periods and ensure value for money is achieved and includes:

- actively supporting allocation schemes that provide choice for the applicant while recognising housing needs
- supporting local authority homeless duties and community sustainability.
- making best use of the associations' stock through appropriate allocation and/or referral agreements, and incentive schemes.
- ensuring effective communication with relevant partners and agencies
- ensuring all applicants are treated fairly and equally in accordance with Spectrum Housing Groups Equality, Diversity and Inclusion Policy.

The Associations strive to achieve the Spectrum Group mission:

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‘To be recognised and respected for providing quality homes and services. Empowering people, supporting active communities and building better futures’.

This policy supports the Associations’ overarching plans and strategies to deliver quality services and ensure accessibility to these services for all the Associations’ customers.

This policy applies to the allocation and letting of the Associations’ accommodation, including:

- general needs accommodation
- supported rented accommodation
- market rented units and student accommodation
- accommodation leased and managed on behalf of Western Challenge Housing Association.

1.1 Exceptions

The allocation and letting of Newbuild Homebuy, Rent to HomeBuy properties, and commercial units, are dealt with under separate policies and procedures.

2. Definitions

2.1 Allocation

The allocation of accommodation is where the Associations seek to let a vacant property to an appropriate applicant. The letting may be either a first letting on a newly acquired or developed property, or a previously let property.

2.2 Section 106 Agreement

A Section 106 Agreement is an agreement under Section 106 (S106) of the Town and Country Planning Act 1990 that allows a Local Planning Authority to enter into a legally binding agreement or planning obligation with a landowner in association with the grant of planning permission.

The Section 106 agreement is a way of addressing matters that are necessary to make a development acceptable in planning terms and can include the provision of affordable housing with specific restrictions relating to eligibility such as rural housing schemes.

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2.3 Local Lettings Plans

Local Lettings Plans may be used within in certain defined geographical areas, and can be used to make adjustments to the main Allocations and Lettings Policy to meet specific local issues. A Local Lettings Plan may include:

- criteria to give a mix of household sizes, often in new developments, to give a balanced community.
- criteria that aims to reduce the likelihood of anti-social behaviour in areas that have existing high levels of anti-social behaviour
- criteria that gives greater priority to local people in rural areas

2.4 Family Intervention Tenancies

The Housing and Regeneration Act, 2008 introduces family intervention tenancies. These are a new form of tenancy and can be used where either a starter tenancy, or demoted tenancy, cannot be used. This type of tenancy can be offered to those people who are at risk of losing their home due to anti-social behaviour and would only be used for those families who are taking part in family intervention projects. Entry into this type of tenancy will be voluntary. The issuing of family intervention tenancies will be dealt with in the Anti-social Behaviour Policy and Procedure

3. Legislative, Regulatory and Good Practice Requirements

This policy complies with, and aims to support:

- Audit Commission Key Line of Enquiry (7) Allocations and Lettings
- Commission for Race Equality Code of Practice
- Housing Acts 1985 and 1996
- Housing Corporation circular (April 02/07) Tenancy management, eligibility and evictions
- Housing Corporation Good Practice Note (12) Choice Based Lettings
- Housing Corporation Good Practice Note (16) Working with Local Authorities

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- Housing Corporation Regulatory Code and Guidance
- Housing Corporation Information Sharing Protocol, Access to Housing
- Housing and Regeneration Act 2008
- Supporting People Quality Assessment Framework.

3.1 Relationship with other Policies and Procedures

This policy should be read in conjunction with the following Spectrum Housing Group (SHG), Signpost Housing Association (SHA), Signpost Care Partnerships (SCP) policies and procedures.

- Allocations and Letting Procedure (SHA/ SCP)
- Appeals Procedure (SHA/SCP)
- Application, Assessment, and Support Plan Procedure (SCP)
- Anti-social Behaviour Policy (SHA/SCP)
- Child and Adult Protection from Abuse Policy (SCP & SHA)
- Community Involvement Strategy (SHA/ SCP)
- Customer Feedback Policy and Procedure (SHA/ SCP)
- Data Protection Policy (SHG)
- Eligibility for Independent Living and Peace of Mind Support Service in Dorset Policy (SHA)
- Equality, Diversity and Inclusion Policy (SHG)
- Financial Inclusion Strategy (SHA/SCP)
- Group Standing Orders (SHG)
- Health and Safety Policy (SHG)
- Homelessness Policy (SHA/SCP)
- Housing Support Service Policy (SCP)
- Local Lettings Plan Policy (SHA/SCP)
- Starter Tenancy Policy and Procedure (SHA)
- Tenancy Deposit Procedure (SHA)

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- Value for Money Strategy (SHA/SCP).

4. Allocation and letting of the Associations' accommodation

4.1 Access to accommodation; Signpost Housing Association

Access to Signpost Housing Association's accommodation will be by a number of routes including:

- direct nomination from a local authority
- participation in a choice based lettings scheme
- nationally recognised mobility schemes
- direct application to the Association (Market rented only)
- an application through an approved agent (Market rented only).

4.2 Access to accommodation; Signpost Care Partnerships

Signpost Care Partnerships provides supported accommodation for vulnerable adults. Each scheme has specific referral arrangements. Applicants for Signpost Care Partnerships accommodation will be identified in partnership with the relevant local authority or another referring agency, for example, Probation Services, Social Services, Mental Health Services, Adult Services.

Eligibility for the accommodation is determined by a full support needs assessment along with a risk assessment to determine the suitability of the applicant for the specific scheme.

4.3 Priority for the Allocation of Housing

Priority for the allocation of housing will be assessed by the relevant local authority, or in accordance with:

- formal referral agreements
- service level agreements with other housing providers
- specific service specifications for identified schemes
- any formal nomination agreement.

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An applicant with a Local Connection will not be given preference above other applicants with a higher housing need except where a Section 106 agreement applies or, where there is a Local Lettings Plan in place.

Market rented units will be allocated on a 'first come, first served' basis. Waiting lists for the Market rented accommodation may be held by an approved agent.

4.4 Allocation Schemes

The Associations will actively work with Local Authorities, Referral Agencies, and other Registered Social Landlords to support and develop allocations schemes which include:

- providing choice for the applicant
- equality of access to the allocation scheme
- supporting housing need priorities
- supporting local authority homelessness duties.

To support local allocation schemes the Associations will, where appropriate, enter into Service Level Agreements for allocation schemes which are based on the above criteria.

To ensure effective communication is developed with all relevant parties the Associations will enter into appropriate information sharing protocols.

To make the best use of its stock, the Associations will consider family size against the size of the property (Appendix 1). Exceptions to this guidance will be considered in discussion with the relevant local authority or nominating organisation and may also be considered in accordance with an agreed Local Lettings Plan.

Where a property has been adapted, preference will be given to applicants who have a specific need and who would benefit from the facilities provided.

4.5 Type of Tenancy

4.5.1 Signpost Housing Association tenancies

New residents of Signpost Housing Association will be issued an Assured Shorthold tenancy in accordance with the Starter Tenancy procedure.

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Exceptions will include:

- where the new occupant has immediately prior to the allocation, been a tenant of another Registered Social Landlord or local authority and, holds an existing Assured or Secure tenancy, in which case an Assured tenancy will issued
- where the accommodation is within the Association's Independent Living stock, the new resident will be issued with an Assured tenancy
- where a short term tenancy is being offered in agreement with the local authority for specific reasons such as refurbishment
- where a licence is issued as a direct result of the requirements of a specific scheme.
- where the tenancy is being granted to a minor
- where circumstances identify the requirement for a Family Intervention Tenancy(FIP)
- where the property is a market rented property when an Assured Shorthold tenancy will be issued.

4.5.2 Signpost Care Partnerships tenancies

New residents of Signpost Care Partnerships will be issued with an Assured tenancy. Exceptions will include:

- where the scheme requirements, accommodation, or support arrangements require that an assured shorthold tenancy or other occupancy agreement should be issued.
- where a potential risk has been identified due to high level care and/or support needs
- where the tenancy is being granted to a minor.

4.6 Transfers

A direct transfer of any of the Associations' residents to another of the Associations properties will be considered, in consultation with the relevant local authority or referral partner on a case by case basis including:

- where an emergency situation applies
- where it is necessary to decant the existing resident

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- where move-on arrangements are in place.

4.7 Incentive Schemes

Signpost Housing Association will work towards effective use of the Association's accommodation by taking part in incentive schemes for residents who wish to move to a smaller property, thereby releasing a larger property within the Association's stock.

4.8 Rehousing of Minors (persons under eighteen)

The Associations will offer accommodation to minors (16 to 18 years) and will seek the appointment of a guarantor. Where no guarantor is identified the Associations will not delay the start of the tenancy.

4.9 Rehousing of an employee, members of the Associations' main governing bodies, sub committees, and their relatives

Schedule 1, Housing Act 1996 and subsequent Housing Corporation determinations outline the circumstances which need to be satisfied for the Associations to rehouse an existing or former employee and their relatives or a member of the Associations' main governing body, sub committees or area committees and their relatives. Applicants will be required to declare such interest on the application form.

The Associations must be satisfied that the applicant meets the eligibility criteria and priorities set out in the Allocation policy. Where an applicant is subject to Schedule 1, Housing Act 1996 the approval for the allocation, or sale, must be obtained from the Associations' Boards in accordance with the delegated authority as stated in Standing Orders, 2007(8.2.2), Spectrum Housing Group

Where approval is obtained under the delegated authority and the applicant accepts the accommodation a report will be submitted to the relevant Associations' Board for note.

4.10 Rehousing of asylum seekers and applicants from A8 countries

Access to the Associations' properties will be made where the applicant, or member of their household, has a right to reside within Great Britain. Applicants will have the right to apply for one of the Associations' properties where they, or a member of their household:

- Are seeking rehousing as Asylum Seekers under the immigration and Asylum Act 1999.
- Have moved from one of the following (A8) countries since 1st May

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2004: Cyprus, Malta, Poland, Lithuania, Estonia, Latvia, Slovenia, Slovakia, Hungary, or the Czech Republic and are registered workers.

If either of the above apply, the Associations will require relevant documentation confirming the status of the applicant or member of their household in the United Kingdom.

4.11 Protocols

Where specific protocols are in place such as Multi Agency Protection Panels the Associations will participate in the relevant protocols as agreed with the Local Authority and relevant agencies

4.12 Refusal to house an applicant

4.12.1 Reasons for refusing to house an applicant

The Associations may refuse an applicant in a number of circumstances and on a case by case basis which include:

- where there is scheme specific criteria in place, for example, Independent Living schemes or schemes for ex-offenders where the applicant does not fit the specified criteria
- where the applicant has either rent arrears or any housing related debt with a public landlord. This will not be an automatic barrier to access to the Associations' properties, however, applicants with previous arrears or housing related debt may be excluded where no regular repayment plan has been agreed and maintained
- Where the property is an inappropriate size for the applicant (see Appendix 1)

4.12.2 Anti-Social behaviour

Where anti-social behaviour, unacceptable behaviour, or previous convictions can be evidenced, an offer of accommodation may be refused. While these will not be an automatic reason for a refusal, refusal to allocate a property will be on a case by case basis and the reasons for refusal may include:

- where is a potential risk to the household, neighbours, staff, or the wider community
- where a current Notice of Intent to Seek Possession on the grounds of anti-social behaviour is in place
- where any current action is being taken in respect of anti-social behaviour, for example an Anti Social Behaviour Contract

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- where there has been an eviction for anti-social behaviour
- where a previous Anti-Social Behaviour Order or injunction has been obtained against the applicant or a member of their household
- where a demotion of tenancy has been obtained
- where there has been a conviction for actions that have directly caused issues of anti-social behaviour
- where an applicant, or member of the household has a current conviction related to anti-social behaviour or where there is a potential risk to the household, neighbours, or the wider community
- where any applicant or member of the household is known to have current or previous convictions, offers of accommodation will be subject to a full risk assessment prior to any decision being made.

No applicant will be excluded from an offer of accommodation if the anti-social behaviour occurred two or more years prior to the date of application, unless there is evidence of further incidents of anti-social behaviour.

4.13 Risk

Prior to any formal offer of accommodation a full needs and risk assessment will be undertaken to determine the eligibility of the applicant for the accommodation and to identify any potential risks the applicant could pose to themselves and others.

4.14 Support

Where housing support needs are identified, all relevant support will be agreed prior to any offer of accommodation being made. Where insufficient support is available to sustain the tenancy, or the level of support required would seriously undermine the Associations ability to support other residents within the scheme, no offer of accommodation will be made.

4.15 Joint Tenancies

Joint tenancies will normally be granted to applicants who fulfill the following criteria:

- married couples, or same sex couples who have registered their relationship at a Registry Office
- couples jointly nominated, including same sex partners
- close relatives, such as a brother, sister, parent and child over 18 years of age, or those jointly nominated or registered as joint applicants

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- there are no restrictions on joint tenancies for the Market Rented units.

4.16 Garage and parking space allocations

Signpost Housing Association owns a number of garages and hardstandings and maintains a garage and parking space application register. Allocations will be made in accordance with the following priority order:

- **First priority**, SHA or SCP residents
- **Second Priority**, Other local residents
- **Third priority**, Other applicants living elsewhere

Applicants who have housing debts with a local authority or registered social landlord will be considered on a case by case basis.

4.17 The Right to Appeal

Any appeal against a decision not to offer a property to an applicant will be dealt with in accordance with the Associations' Appeals procedure.

4.18 Monitoring and Control

Allocation and Letting of the Associations' accommodation will be monitored and reported to the Associations' Boards as part of the Performance Information pack.

4.19 Equality, Diversity, and Inclusion

The policy has been developed to:

- To take account of equality of service for all potential applicants
- Ensure that no applicant is disadvantaged irrespective of their race, gender (including gender reassignment), faith, colour, ethnic or national origin, sexual orientation, marital status, age, disability, or social position in accordance with Spectrum Housing Group's Equality, Diversity and Inclusion Policy
- Ensure that if prospective applicants have specific communication or support requirements appropriate access to the service will be made available. In these circumstances appropriate communication methods will be made available. The Associations will work in partnership with other agencies to ensure appropriate support is available
- Identify and address any inequality of access to the service.

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4.20 Equality Impact Statement

This policy will:

- be available in different languages and large print on request.
- ensure access to allocation of the Associations' properties will be available to all and will be measured in the annual Equality and Diversity Impact Assessment.
- services will meet the religious, language or cultural needs of those who use, or might use them.
- all staff will be trained in accordance with the Spectrum Housing Group Equality, Diversity, and Inclusion Policy.
- performance management information will be reported to the Associations' Boards on a quarterly basis.

This policy has had an equality impact assessment and has concluded this policy does not discriminate either directly or indirectly and does not disadvantage any individual or group.

4.21 Responsible Officers

The Divisional Director Housing Services, Signpost Housing Association, and the Divisional Director Support Services, Signpost Care Partnerships will be responsible for monitoring and implementing this policy.

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5. Appendices

Appendix 1		
General Needs	Eligibility	Other factors/exceptions
Studio flats	Single person	Couples will not be eligible unless the space standards indicate the property is large enough for two people
One bedroom	Single person Couples, including same sex partners	Couples will not be eligible where specific scheme agreements limit occupancy to one person, or where space standards indicate the property is only suitable for single occupancy
Two bedrooms	Families with one or two children Two applicants who require separate bedrooms	Children of opposite sexes and aged ten years or over will require a separate bedroom
Three bedrooms	Families with two, three or four children	Children of opposite sexes and aged ten years or over will require a separate bedroom
Four bedrooms	Families with three or more children	Children of opposite sexes and aged ten years or over will require a separate bedroom
Independent Living		
Studio flats	Single persons	Couples will not be eligible unless the space standards indicate the property is large enough for two people
One bedroom	Single person Couples, including same sex partners	Couples will not be eligible where specific scheme agreements limit occupancy to one person, or where space standards indicate the property is only suitable for single occupancy
Two bedrooms	Couples, including same sex partners Two applicants requiring separate bedrooms	Couples who have an identified need for separate bedrooms.
Supported Housing		
Allocations will be made in accordance with scheme specific referral agreements		
Exceptions to this guidance will be considered in discussion with the relevant local authority or nominating organisation.		

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