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Allocations and Lettings Policy

Introduction

This policy sets out Great Places' approach to identifying new customers for available social and affordable rented homes. The policy is aligned with the Service Delivery Framework. In particular this policy relates to the principles of the Service Delivery Framework in the following ways;

We start from the home

The allocations and lettings policy ensures that we are providing customers with a home which meets their needs.

We create successful neighbourhoods

We will consider the needs of the existing community when letting existing homes, and the impact of creating a new community when allocating new build homes.

We work with partners for our customers' benefit

We work with Local Authorities and other housing partners to ensure that those in housing need are prioritised for the majority of available homes.

Context

This policy is aligned with the Regulatory Standards set by the Regulator of Social Housing. Specifically;

Customer Involvement and Empowerment Standard

- Customer service, choice and complaints
The options for customers looking to rent a home with Great Places, and the type of home they may be eligible for, are described in this policy.
- Understanding and responding to the diverse needs of customer.
This policy ensures that customers are treated fairly and equally, whether they are new customers or those already living in Great Places homes and who may be affected by allocations and lettings in their neighbourhood.

Tenancy Standard

- Allocations and mutual exchange
This policy describes how Great Places will make the best use of stock when letting homes, make lettings which are compatible with the purpose of the housing, contribute to Local Authorities' strategic housing function and support the creation of sustainable communities. The methods for applying for housing and the process for decision-making are described.

The Policy ensures Great Places is compliant with the statutory social housing allocations guidance updated by the Ministry for Housing, Communities and Local Government. In addition this Policy takes into account the 7 chapters within the Housing White Paper which was updated on the 22nd January 2021 and the principles of transparency and meaningful engagement which are relevant to how we allocate our homes.

Aims & Objectives

This policy aims to;

- Make the best use of Great Places' homes, ensuring the customers' needs are matched with appropriate properties.

- Facilitate the priority rehousing of customers who require a management move due to risks to health and safety or asset management considerations.
- Contribute to the creation of sustainable communities and deliver sustainable tenancies by offering customers choice as far as possible.
- Assist Local Authority partners to meet their statutory duty in relation to the allocation of homes.
- Comply with the regulatory framework, and other relevant legislation including the Equality Act 2010.
- To ensure that lettings made to our colleagues and involved customers are fair and transparent and do not conflict with job roles and responsibilities.

Part 1 – Methods of Allocating Homes

Great Places operates across a large number of Local Authority areas, and uses the Local Authority scheme, complemented by other methods, to allocate homes. Great Places operates various arrangements based on agreements in place with the Local Authority. For example, in some areas Great Places has made a commitment to offer 50% of available homes to the Local Authority for the nomination of a new customer whereas in other areas Great Places uses a local shared choice based lettings scheme to allocate all available homes.

Each Local Authority policy adheres to the legal requirements of the Part 6 of the Housing Act 1996 (as amended) and therefore meets all statutory requirements relating to eligibility and qualification for housing. Local Authority policies are framed to provide Reasonable Preference to those with housing need, and Great Places' participation with the Local Authority scheme therefore ensures that those with housing need have priority access to a proportion of homes.

Customers can apply for housing through the Local Authority scheme. The Local Authority policy will usually describe the types of properties eligible applicants can apply for, how eligible applicants will be prioritised, and the method of allocating homes. In most cases the Local Authority uses a web-based choice-based lettings system where customers can express interest in available homes, however some use a system of direct matching applicants to available properties.

In most areas Great Places will allocate the majority of homes through the Local Authority scheme.

Great Places may infrequently advertise some homes outside of the local scheme; either to attract new customers from different markets, or to address an imbalance in the locality. These homes will be advertised on a first come first served basis and may be advertised in a number of ways including web-based platforms such as Rightmove, or through a local lettings agent. The decision to allocate a home through one of these alternative methods, and the selection of the allocations method, will be at the discretion of the local team. Consideration will be given to any issues related to the previous tenancy, any known local issues, demand for the property and existing arrangements with the Local Authority. Applicants for these properties will be assessed to check that they are eligible for housing with Great Places as they have not already been verified by a Local Authority.

In exceptional circumstances Great Places will use an empty home to transfer an existing customer, and these homes may not be advertised in the manner described above.

Customers can find out more about how to access a home via Find a Home page on the Great Places website, www.greatplaces.org.uk.

Part 2 – Eligibility for Housing

Customers aged 16 or over will be eligible to apply for Great Places homes. Applicants between the ages of 16 and 18 will be granted an equitable tenancy. This enables a customer under the age of 18 to occupy a property despite being unable to hold a legal title. Further information about tenancies can be found in our Tenure Tenancy Management Policy 2020.

Applicants for housing who have applied through the Local Authority scheme will usually already have been confirmed as being eligible for social housing. There may be occasions where the Local Authority requires Great Places to undertake checks prior to allocation to verify eligibility.

Applicants for properties allocated on a 'first come first served' basis may be subject to a 'Right to Rent' check to ensure that they are eligible to rent a home. If an adult household member is found not to have a Right to Rent in the UK the household will not be offered a home. More information about Right to Rent is available from the Government website www.gov.uk.

Part 3 – Property Type Eligibility

Great Places will use the same property size eligibility criteria that are used to assess benefit eligibility for assistance with housing costs. Using these rules a separate bedroom is required for;

- a couple (aged 16 or over) who live together as partners
- a single adult
- two children under 10 who are part of the same family
- two children of the same sex under 21 who are part of the same family
- any remaining children who cannot be paired according to the rules above.

If there is a woman in the household who is pregnant (28 weeks or more) the baby should be considered according to the rules above and be allocated a separate bedroom if necessary.

In order to make the best use of stock Great Places will always seek to maximise the occupancy of a property according to these rules. However, there may be occasions where an allocation is made to a household who will under-occupy a property, with consideration of affordability. Any such decision will be at the discretion of the Neighbourhood Services Manager after discussion with the Area Services Manager but is expected to be in exceptional circumstances.

Great Places will prioritise households with children for available houses and flats with more than 1 bedroom, unless there are other agreed criteria in place such as a Local Lettings policy (see Part 5). Adult only households will be prioritised for flats above ground floor, however where an adult only household cannot be identified a family may be offered a flat above ground floor. Similarly, if a family cannot be identified for a house a group of adults sharing may be offered the property. We will work with our local authority partners to ensure flexibility in line with Housing Allocations Policies and the operation of choice-based lettings processes. Where a property is adapted we will seek to identify a household that requires the adaptations installed. Those with a need of ground floor accommodation as a result of mobility issues will be prioritised for ground floor flats and bungalows. Older people's accommodation and sheltered housing must be allocated to a household that meets the age criteria of the scheme or have a need for support.

Part 4 –Management Moves

Management moves will only be considered in exceptional circumstances and in line with the Management Move (exceptional circumstances) guidance.

Examples of such circumstances include;

- Exceptional cases of Anti-Social Behaviour and Harassment, including serious or targeted hate crimes and serious racial harassment, where the ASB has been investigated and prolonged/ targeted abuse is having a significant impact on the victim's quality of life. This to be done in clear view of alternative remedies and in line with broad principles of tackling ASB and in the clear interest of community safety.
- Elderly or disabled customers living in accommodation where severe hardship is incurred through the unsuitability of current dwelling. These will transfer on a like for like basis.
- Where living in the current home because of a change in financial circumstances there are concerns about affordability/puts customers in unnecessary hardship.
- Where living conditions within the home are or may be detrimental to the inhabitants health and/or wellbeing and we are unable to mitigate these issues in a reasonable timescale e.g. mould spores, pest infestation, structural concerns.
- Where asset management decisions mean the customer's home is subject to divestment or demolition.
- In cases of Domestic Abuse where remaining in the home presents a risk to the health, safety and well-being of the customer
- Where there are Safeguarding Issues which cannot be supported and managed by remaining in their accommodation.
- Emergency Health and Safety Issues i.e. Fire/Flood, ware gas, electricity escapes that present a serious risk to household members.
- Where a customer agrees to downsize and it would mean we would be releasing a larger home

The neighbourhood teams will consider the refusals criteria detailed in Part 7 of this policy when deciding whether a management move should be offered. Management moves will be subject to further supporting evidence on the reasons and need for rehousing, in order to ensure priority rehousing is given in a fair and transparent way.

Management move applicants will be made one direct offer of accommodation.

Customers seeking to transfer to another Great Places property who are not eligible for a transfer may still apply for housing through the Local Authority scheme or may access properties advertised through a first come first served route. Customers may also be able to swap home through a 'mutual exchange'. First come first served lettings and mutual exchanges will be subject to any additional criteria in place such as a Local Lettings policy (see Part 5).

Where Great Places is seeking to rehouse customers as a permanent decant Great Places will work with the customer to identify a suitable alternative property to be offered directly, either within Great Places' or another landlord's stock where possible. Customers may also be advised to register with the Local Authority allocations scheme. Transfer applicants will be prioritised for available homes over permanent decants due to the urgent nature of the need for rehousing

Part 5 – Local Lettings Policies

The Housing Act 1996 (as amended) S.166(A) provides the statutory basis for Local Authorities to deliver Local Lettings Policies, particularly where the Local Authority is the largest stockholding landlord. Great Places will work with local authorities to develop Local Lettings Policies where through reasons of demand or sustainability an alternative letting approach is required.

Local Lettings Policies should be a time-limited intervention to adjust the standard allocations criteria in a specified location

Allocations and Lettings Policy

or for specified housing stock in order to achieve specific outcomes. As a responsible Landlord and especially when building homes at volume in any area we will ensure that we work with the Local Authority to explore our allocation plans. Great Places will use Local Lettings Policies in two ways; to redress an imbalance or an identified issue related to tenancy sustainability, or to make maximise the positive impact that the allocation of new build homes offers. All Local Lettings Policies require a review of the equality and diversity implications

New Build Homes

The key objective when allocating new build homes is to achieve balance and sustainability in the scheme and with the surrounding community. Great Places aim is to protect its financial investment and ensure that it creates cohesive and inclusive communities that are attractive to stakeholders and customers. Local Lettings Policies for new build developments are common practice for housing associations and will typically prioritise working households and those engaged in work-related activity such as volunteers and carers (with due consideration given to those who cannot work), although they may contain different allocations criteria. The aims of these policies typically include;

- To create a balanced, sustainable community, with a mix of residents successfully managing their tenancies and making a positive contribution to the local area in terms of its socio-economic profile and reputation.
- To provide low income working households with improved prospects of accessing an affordable alternative to costly and often unaffordable private rented housing.
- To recognise and reward the valuable contribution made by volunteers and carers.
- To support the Council in its objectives and its statutory duty to offer Reasonable Preference to those in housing need
- To protect the capital investment made by Great Places in the area through the delivery of sustainable tenancies.

Local Lettings Policies for new build homes apply only to the first let unless a separate policy is agreed for subsequent lets. Usually Great Places allocates 100% of first lets through the Local Authority scheme.

S106 Restrictions

We need to be aware though that we cannot apply occupancy controls and nomination rights restricting the current and future use of affordable housing to particular groups of people (e.g. local people and key workers) if there are S106 restrictions. This information will come through the development process and will be part of neighbourhood discussions from the beginning.

Local Lettings Policies for Re-Lets

Local Lettings Policies for re-lets require that the policy is reviewed regularly to assess its effectiveness and suitability. The policy requires;

- An evidence base to understand the issues the policy is seeking to address. The evidence base can then be used to develop a framework of targets against which the performance of the policy can be measured.
- Clear criteria for the prioritisation of applicants. These should directly relate to the outcomes sought, and not built on assumptions regarding customer behaviour.
- An outline of the approach to review. Local Lettings Policies should be reviewed at least every 2 years.

Once a policy has achieved the intended outcome it should either be terminated immediately or the proportion of lets it applies to reduce over time until it can be removed altogether.

If a policy is not having the impact intended then the approach should be reviewed and the policy amended or removed.

Re-lets may be advertised both through the Local Authority scheme and through other first come first served routes. If the policy is only intended to apply to those allocated outside of the Local Authority scheme then approval from the local Authority may not be required.

Part 6 – Mutual Exchange

Great Places supports customers to exchange homes through mutual exchange, in accordance with the Tenancy Standard. Customers seeking to transfer to another Great Places home will be encouraged to register for mutual exchange and we will provide advice and assistance, in line with eligibility criteria and statutory guidance. Decisions to grant or refuse a mutual exchange will be communicated with customers and landlords, in line with the standards and timescales outlined in the groups mutual exchange guidance notes.

Part 7 – Refusals

Great Places takes a customer-focused approach to allocating homes and as such will try to identify an approach which allows a household to be made an offer of accommodation. However there may be some circumstances where a household is not suitable for the property and in these cases Great Places may refuse to make an offer. The reasons for refusal below may apply to all lettings including mutual exchanges and transfers. Great Places reserves the right to use any information received in decision making.

Debt

Where it is identified that an applicant has a former housing related debt either owed to Great places or another landlord the Neighbourhood Services Manager will consider the circumstances to form a decision on whether to allocate a property. The factors which will be considered include;

- how long ago the debt was accrued, and the rent payment behaviour since it was accrued
- the total amount of the debt
- the cause of the debt e.g. whether the customer chose not to pay, was unable to, whether the rent charged was affordable, or whether welfare reforms contributed.
- whether a repayment plan had been agreed or a possession order and whether the customer has complied with it. If not, why not?
- whether the customer's circumstances have changed significantly.

This list is not comprehensive and each case should be considered individually. Applicants will only be refused an offer of accommodation where the risk of non-payment of rent is high and could not easily be addressed through low level support.

Antisocial Behaviour

If there is evidence that the applicant/member of the household has acted and/or been identified as perpetrating antisocial behaviour which makes them unsuitable to be a customer in the property they have applied for the application may be refused. This will only be in circumstances where the nature and severity of the antisocial behaviour is a serious threat to Great Places colleagues, customers or the community. Consideration will be given to how long ago the incidents occurred, whether there were factors involved which were related to the previous address, and how the individual has conducted themselves since and whether the customer's circumstances have changed significantly.

Criminal Behaviour

If an applicant/member of the household has been convicted of a 'serious offence' that is unspent, and they may pose a threat/risk to our customers, colleagues or the community the application may be refused.

Examples of 'serious offences' include:

- Public order offences, nuisance, vandalism, breach of an injunction
- Dealing, supplying or cultivating controlled drugs
- Burglary, robbery, theft
- Violence
- Indictable offences
- Offences relating to hate crimes

Consideration will be given to how long ago the incidents occurred, whether there were factors involved which were related to the previous address, and how the individual has conducted themselves since the conviction.

Unmet Support Needs

Applicants with unmet support needs, where Great Places is unable to identify suitable and sufficient support either through working with partner agencies or within its own capacity, may be refused a tenancy. However, the aim will always be to find appropriate support to enable an allocation to be made.

False Information

If an applicant is found to have deliberately provided false information that is relevant to a housing application, or has

deliberately withheld information, which has resulted in improved chances of being offered a home the applicant may be refused an offer of accommodation.

Tenancy Breaches

Applicants may be refused where there is evidence that the applicant/member of the household has seriously breached a tenancy agreement or has behaved in a way that would constitute a breach of tenancy conditions. The breach will be considered if it would be reasonable for a court to grant a possession order, or if it renders the applicant unsuitable to be a Great Places customer

Examples include:

- Not ending a tenancy in accordance with the terms of the tenancy agreement.
- Malicious damage to a property.
- Unwilling to comply with any imposed conditions of tenancy, e.g. floating support.

Pets

The neighbourhood team will consider whether an applicant with a pet can be offered a home. Occasionally it may be appropriate to refuse the offer of accommodation, for example if an applicant has several large dogs and property is a small flat above ground floor.

Other Reasons for Refusal

An applicant may also be refused an offer of accommodation if;

- The property applied for is unsuitable to the applicant's needs and by offering the property would cause overcrowding
- The applicant is a person from abroad prescribed as ineligible by the Secretary of State

Lettings to Great Places Employees and Involved Customers

Great Places employees and involved customers are eligible to apply for homes in the same way as any other applicant. Employees are required to discuss their intentions with their manager before applying for or expressing interest in a Great Places property. This will enable managers to advise and support the employee and consider the potential for any conflicts of interest and how they may be managed.

Additional steps are taken to ensure that the allocation has been made fairly and that the individual is able to manage any actual or perceived conflicts between work and home. This also applies to employees who are existing customers looking for a transfer to another property.

Employees or involved customers applying for accommodation will be subject to the same refusals criteria as any other applicant. Great Places reserves the absolute right to refuse an offer of accommodation outside of the standard refusals criteria if the offer is deemed to be inappropriate.

Great Places has specific processes around lettings to employees and involved customers to ensure that allocations are fair and transparent and appropriate, taking into consideration the potential challenges of living in a Great Places' property and any roles working for the organisation. This also links to Great Places' Probity Policy. A separate document is available to managers which details our approach to allocating homes to employees and involved customers. There may be circumstances where an employee or involved customer is refused an offer of accommodation.

If an offer for housing is refused the reason for the refusal will be explained to the applicant.

There may be exceptional circumstances where it is appropriate to let a property outside of this policy. This will be at the discretion of the Area Services Manager. There may be circumstances where there are sensitivities around whom we rehouse in the property. This is where a single or very few properties need to be allocated outside of the standard criteria and may be a response to a specific issue. For example, if neighbours have experienced significant antisocial behavior caused by a pet at a particular address, when the property is re-let it may be appropriate to apply a restriction on households with pets. These lets are expected to be unusual and therefore few in number. The specific criteria will be chosen by the local team with due consideration for any equality and diversity impact.

Part 9 – Review of Decision

If a customer is unhappy with a decision made in relation to this policy the complaints procedure should be followed.

Part 10 – Monitoring and Review

An annual allocations profiling report is produced and shared with senior leadership and the Great Places Board. The report highlights the demographic of incoming customers and their households and identifies any emerging trends and the number of management moves we have undertaken and for what reasons.

As part of Great Places' commitment to continuous improvement a Choice Based Lettings assessment is completed every 2 years or earlier if the agreement with the Local Authority is changed and refreshed to identify the relative performance of the schemes which Great Places uses and to focus resources on those poorer performing areas. In addition, on an annual basis the operational success of Choice Based Lettings Schemes will be considered at the Service Excellence Group.

There is a critical success factor linked to allocations and lettings; Average Re-let Time. While this measure is important it is also important that achieving targets does not drive the wrong behaviour, and that the focus remains on allocating the right homes to the right applicants. For this reason we review on an annual basis to understand those customers who leave us as a Landlord in the first 12 months within the Service Excellence Group and this is just as important to monitor as is how quickly we let our homes.

Links to Related Policies

- Service Delivery Framework
- Anti-Social Behaviour Policy
- Complaints Policy
- Estate Management Policy
- Tenure and Tenancy Management Policy
- Income Management Policy
- Probity Policy
- Development Strategy
- HR Policies and Procedure

Additional Guidance re Mutual Exchange

There are, by law, 11 grounds on which the Local Authority or Housing Association can withhold or refuse consent to a mutual exchange:

- **Ground 1:** There is a Possession Order on the property.
- **Ground 2:** A Notice of Seeking Possession has been served.
- **Ground 2a:** The tenant or any member of his household has behaved in an anti-social way and action including possession proceedings, injunctions, anti-social behaviour orders or a demotion order against them are in place or are being sought.
- **Ground 3:** The property is bigger than is needed by the family wishing to move into it.
- **Ground 4:** The property is not big enough for the family wishing to move into it.
- **Ground 5:** The property is tied accommodation.
- **Ground 6:** The landlord is a charity and the proposed new tenants moving into the property would conflict with the objects of the charity.
- **Ground 7:** The property has special features that make it suitable for occupation by a physically disabled person who needs it and if the exchange took place there would no longer be such a person living in the property.
- **Ground 8:** The landlord is a Housing Association or Housing Trust that lets properties to particularly vulnerable people and if the exchange took place there would no longer be such a person living in the property.
- **Ground 9:** The property is supported housing for people with special needs and if the exchange took place there would no longer be such a person living in the property.
- **Ground 10:** The property is the subject of a management agreement where the manager is a Housing Association and there are specific arrangements in place that the proposed new tenant is not willing to participate in.
- Requests for mutual exchanges from customers with assured tenancies may be reasonably refused on the grounds specified in section 91 Housing Act 1985. Where a household has breached a tenancy agreement it is also possible (under Part IV, S92 (5) of the Housing Act 1985 (Assignment in General)), to make consent to an exchange conditional on any breaches being remedied or obligations performed. This will be at the discretion of the local team.
- Requests for mutual exchanges where one party has a 1 year (or longer) fixed term assured shorthold tenancy at a social rent or a flexible tenancy may be reasonably refused on the specified grounds contained in Schedule 14 of the Localism Act 2011.
- The refusal criteria at Part 7 of this policy may also be applied to any request for a mutual exchange

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