



	Organisation Name Somerset Community Housing Trust	Version: 3
Policy	Allocations Policy	
Ref	SCHT/HS/POL/ALL/08	
Staff affected	All staff	Effective Date: May 2010
Approved by	Trust Board	Approval Date: May 2010
Lead Officer/ Policy Owner	Director Customer Services (Housing and Support)	Review Date: May 2012

Policy Statement

The Trust will ensure that all housing allocations are made in a fair and transparent way in accordance with its charitable objectives and equalities policy, taking into account relevant legislation, good practice and statutory responsibilities of partner local authorities. The Trust equally recognises its responsibilities to work with new tenants to ensure sustainable tenancies are achieved and we respond to the great demand for affordable housing within the region by allocating tenancies promptly.

1. Scope

- 1.1 This policy describes how the Trust allocates properties to applicants who bid under the local authorities' 'Choice Based Lettings' systems; applicants who are referred to the Trust under recognised Referral Agreements and applicants who apply directly to the Trust. This policy also links to other policies and strategies, including the Starter Tenancy Policy and Anti-Social Behaviour Policy, together with the Tenancy Agreement.
- 1.2 There is a separate policy covering the re-housing of existing Trust tenants by way of transfer.

2. Responsibilities

- 2.1 The Director of Customer Services (Housing & Support) has overall responsibility for the policy and its related procedures.
- 2.2 The Assistant Director Tenancy Services and the Lettings Services Manager have operational responsibility for ensuring adherence to the policy and procedures.
- 2.3 Lettings Services team officers have operational responsibility for the procedures which underpin this policy and support the efficient letting of the Trust's homes.

3. Definitions

- **'Anti- Social Behaviour'** – **action or behaviour** that has caused or was likely to cause harassment, alarm or distress to another person.
- **'Choice Based Lettings'** – systems operated by local authorities enabling applicants to bid for properties advertised by registered social landlords.
- **'Local Lettings Plans'** – allocations schemes falling outside the standard remit of the Allocations Policy.
- **'Difficult to Let' properties** – properties advertised through the local authorities' Choice Based Lettings schemes which have generated very little or no demand, and / or which have been refused on several occasions specifically because of the type or location of the property.
- **'Referral Agreements'** – agreements whereby the Trust will provide a designated number of properties per year as 'move-on' accommodation for clients of housing support agencies.
- **'Floating Support'** – ongoing, non-residential support for tenants with support needs.
- **'Vulnerable Applicant'** – any applicant who:
**"..is or may be in need of services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or serious exploitation.'*
*'Who Decides', Lord Chancellor's Department 1997.
For the purpose of this policy this definition also includes applicants with a history of alcohol and/or drugs abuse.
- **'Domestic Violence and Abuse'**
Threatening or perpetrating physical, emotional or sexual abuse against a partner, ex-partner, or another member of the family or household.
- **'Racial Harassment' / 'Hate Crime':**
Racial harassment is defined as 'any incident which is perceived to be racist by the victim or any other person' - The Stephen Lawrence Report (1999). The Trust extends this definition to all other forms of 'hate crime', including harassment on grounds of sexuality, culture,

- gender, disability, religion and age.
- **‘(Housing) Support Need’** – ‘Housing related support or the support that people receive in order to live independent lives and to achieve their personal potential’
- **‘Decant’** - Moving from one Trust property to another to enable major works, refurbishment or clearance. Decants may be on either a temporary or permanent basis.
- **‘Direct Let’** – Allocation to a non-Trust applicant outside ‘choice-based lettings’ schemes, generally in respect to ‘difficult to let’ properties
- **‘Sensitive Let’** – The identification of a property which will be allocated with a specific criteria on this one occasion due to the history and tenancy conduct of the former tenant.

4. Principles

In applying the Allocations Policy the Trust will adhere to the following principles:

- Work closely with local authorities to assist them in fulfilling their statutory duties to secure accommodation for people in housing need.
- Advertise housing opportunities to applicants through local authorities’ ‘choice based lettings’ systems and/or common housing registers.
- Operate its own waiting lists only in relation to properties which are deemed by the Trust and Local Authority to be difficult to let. In such circumstances the Trust will let properties in chronological order of application, subject to the applicant meeting appropriate criteria.
- Operate Local Lettings Plans only in relation to community sustainment; either in recognition of difficulties facing rural communities (declining employment opportunities and housing options, particularly for younger people), or in combating an over-preponderance of socially and economically vulnerable people within specific blocks of flats or densely populated locations.
- Ensure that allocations decisions support residents to sustain their tenancies and in turn create sustainable neighbourhoods
- Ensure the Trust’s Allocations’ Policy is widely publicised and freely available to all applicants.
- Actively promote housing opportunities to black and minority ethnic groups by working with appropriate support and advice organisations, such as the Racial Equality Council and ‘Support Against Racist Incidents’ (SARI).
- Work closely with specialised support and housing agencies.
- Comprehensively monitor allocations through an annual Lettings Report, for consideration by the Trust’s Board.

5. Application

Eligibility

When allocating properties the Trust must fulfil its charitable objectives, ensuring that at least 80% of applicants housed fall into at least one of the following categories:

- People of retirement age (60+);
- Disabled people; i.e. those in receipt of disability living allowance;
- People whose financial situation debars them from accessing housing in the owner occupied sector.

Allocating Properties against Household Size

The Trust's allocation criteria for letting properties are shown in the table below. The criterion applies to all allocation types: CBL, direct waiting lists, referral agreements and internal transfers (separate policy applies).

In allocating tenancies through local authority Choice Based Lettings schemes the Trust will seek to match household size against properties according to the local authority criteria and will prioritise such applications when offering its properties.

* In cases where a property is identified as difficult to let then household type eligibility will be expanded to enable them to be considered for those property types marked by an asterisk.

Household type	Property Type
Single person	Bedsit One bedroom flat Two bedroom flat/maisonette* Two bedroom house* One bedroom bungalow (where eligible) Two bedroom bungalow (where eligible)*
Cohabiting couple	One bedroom flat Two bedroom flat/maisonette* One bedroom house Two bedroom house* One bedroom bungalow (where eligible)

	Two bedroom bungalow (where eligible)*
Non cohabiting couple or in circumstances where couples require separate bedrooms on proven health grounds.	Two bedroom flat / maisonette Two bedroom bungalow (where eligible)
Household with one child or pregnant	Two bedroom house Two bedroom ground floor flat Two bedroom ground / 1 st floor maisonette.
Household with one child under 8 and pregnant	Two bedroom house Two bedroom ground floor flat Two bedroom ground / 1 st floor maisonette. Three bedroom flat/maisonette above first floor*
Household with two children, eldest under 8	Two bedroom house Three bedroom house* Two bedroom ground floor flat/Maisonette Three bedroom ground floor flat/maisonette* Three bedroom flat/maisonette above first floor*.
Household with two children of the same sex, one of whom is over 8	Two bedroom house (subject to size of 2 nd bedroom) Three bedroom house* Three bedroom ground floor flat/maisonette Three bedroom house
Household with two children of different sex over 8	Three bedroom flat / maisonette Three bedroom house
Household with two children and pregnant with 3 rd child	Three bedroom flat / maisonette Three bedroom house
Household with three or more children	Three bedroom house Four bedroom house

* Designated households types are eligible to apply for the asterisked properties but priority will always be given to households with **main match** criteria.

Financial Status

The Trust will consider allocating tenancies to applicants who currently own and occupy their own homes, only if active measures are being taken to market and sell the properties. Applicants who currently let their homes in the private sector, or intend doing so, cannot be allocated a tenancy with Somer.

(This may be relaxed in respect to sheltered accommodation vacancies or other property designated for the elderly).

Schedule 1 – Housing Act 1996

The Trust is prohibited by law from awarding a tenancy to persons in the following categories:

- a) Board member or employee of the Trust;
- b) A person who has at any time within the preceding 12 months been a person within (a);
- c) A close relative of a person within (a) or (b);
- d) A business trading for profit of which a person falling within (a), (b) or (c) is a principal proprietor or in the management of which such a person is directly concerned.

When allocating a property the Trust must ascertain that the proposed tenant is not within any of the above prohibited categories.

(The Housing Corporation has published certain exemptions to the above rules that may apply from time to time, but only with the express authority of the Board. A full record of the Board decision will be kept for inspection purposes).

Applicant's History

In accommodating the housing needs of a diverse range of applicants the Trust has a duty of care to all of its staff, residents and local communities. As such the Trust must endeavour to establish the history and needs of potential tenants.

To minimise risk applications **may** be refused for the following reasons:

- Anti-social behaviour caused by the applicant or a member of their household which has resulted in formal action to address the anti-social behaviour, this may include: commencement of possession proceedings including the serving of a notice seeking possession; a possession order; an injunction; an anti social behaviour order and/or a conviction relating to anti social behaviour.
- On going anti-social behaviour which is being investigated by the Trust or another organisation.
- Where a property has been identified for a sensitive let and the applicants circumstance do not meet the requirements of the sensitive let. The property would be identified for a sensitive let where the previous tenant of the property failed to manage their tenancy due to anti social behaviour and/or other serious tenancy management issues.

- Serious Arrears which, if they had been tenants of the Trust, would have resulted in the courts granting an Order for Possession, and any subsequent failure to clear / reduce the debt by agreed instalments;
- Any other significant breach of tenancy which, had they been tenants of the Trust, would have resulted in the courts granting an Order for Possession;
- Rent arrears or other debt owed to the Trust. (This may be relaxed for debts up to £250.00 if there is an agreement in place to clear the outstanding debt by regular instalments, if the agreement has been in force for at least three months and if the agreement is being maintained.) Manager's approval must be sought for any debt in excess of £250, and (Assistant) Director's approval for any debt in excess of £500.
- Damage caused deliberately or through neglect to a property, requiring extensive repair.
- Acts of physical violence or verbal abuse to staff or other residents..
- A criminal conviction that incurred a prison sentence of two years or more within the last five years and where there would still be a significant risk to other residents.

Applicants will have the right to lodge a written appeal against refusal within one week of the decision. Appeals will be considered by a Manager not involved in the original decision. If the appeal is upheld, Somer will work with the local authority to ensure that the applicant is offered the next similar property which becomes available within the same location. If the applicant successfully moves to a new home with another RSL, Local Authority or becomes an owner occupier, before Somer have been able to offer a property, no direct offer of a tenancy will be made as the household's housing needs have been met. Vacant properties will not be held back for the applicant during the appeal process.

A record of refused applicants will be maintained which will include:

- Applicant details
- Reason for refusal
- Outcome of appeal
- Diversity monitoring and equalities data

Applicants who are refused for any reason will be referred back to the local authority's housing options team where appropriate. Housing advice on alternative housing options will also be given in instances where such referrals are not appropriate.

Vulnerable Applicants

The Trust will only offer tenancies where identified support needs of applicants can be met and providing that the applicant is committed to accepting the necessary support.

In allocating a tenancy to an applicant with significant support needs a comprehensive support / care plan is required, detailing named support workers, contact telephone numbers and e-mail addresses, the type of support to be given, how and when it will be delivered and review mechanisms. If a support/care plan is not available at the time of offer, the applicant will be offered the next similar property following confirmation that the plan is in place. Vacant properties will not be held back for the applicant whilst a plan is being prepared.

If a 'Starter Tenancy' has been granted the support and outcomes will be closely monitored for its duration. Only if the tenancy is likely to be sustained will it subsequently convert to a full assured tenancy.

Where the risk is substantial the application may be refused subject to consultation with the relevant local authority and care provider.

Older Persons

The Trust owns and manages Sheltered Housing schemes throughout its geographical area of operation. Applicants wishing to access Sheltered Housing must meet the following criteria:

- i) Aged 55 plus.
- ii) Have a support need

The Trust may consider applicants aged between 50 and 55 for schemes designated as 'difficult to let' who meet the following criteria:

- Currently in receipt of the middle or high rate of the care and/or mobility component of Disability Living Allowance, **and**
- Have a specific need for Sheltered Housing; i.e. if the required support services cannot be delivered to an equivalent standard in general needs accommodation.

Applicants under the age of 50 could only be considered under exceptional circumstances, must be in receipt of high mobility component of Disability Living Allowance and only with the express approval of the Director of Customer Services (Housing and Support).

All tenants of Sheltered Housing are expected to engage with the Sheltered Housing Service and are required to assist the Sheltered Housing Officer in completing Support Plans with regular reviews.

Joint applications for Sheltered Housing may be made so long as one applicant qualifies under the above criteria. In the event of death, although the other joint tenant(s) may be eligible for succession they may not qualify for Sheltered Housing. In this instance the Trust would expect the remaining tenant to relocate to general needs accommodation, failing which it may serve

Notice of Seeking Possession under Ground 9 of the 1988 Housing Act, although discretion will be considered on a case by case basis.

In the event of the tenant moving to a care home or similar, the remaining occupant(s) will have no automatic statutory right to the assignment of tenancy. In such circumstances the Trust will apply the same criteria had they had the right to succession.

Referrals for extra-care schemes fall outside this Policy

Difficult to Let Properties

While there is generally a high demand for Trust properties there are pockets of housing which are difficult to let, examples of which might include:

- Bedsits
- Family designated properties above first floor
- Sheltered Housing in rural locations

One or all of the following characteristics would mean that a property falls within Somer's definition of difficult to let:

- Has a re-let time of over 4 weeks
- Has attracted 3 or more refusals
- No or very few bids under the local authorities' Choice Based Lettings schemes, following one advertising cycle.
- An individual property that demonstrates a history of previous letting difficulty
- A property type that demonstrates a sustained history of previous letting difficulty

The Lettings Services Manager will endorse 'Difficult to Let' status on a case by case basis. The property will then be allocated using one of the following mechanisms:

- Use of the Trust's own waiting list, maintained in chronological order from receipt of application.
- Asking the relevant Local Authority and neighbouring Authorities to advertise directly to applicants.
- Marketing and advertising the property at local, regional and national level; using appropriate media outlets, local poster advertisements, use of internet facilities, public meetings and open days.
- Considering a possible change of use /alteration to the eligibility criteria

Local Lettings Plans

Local Lettings Plans will be considered in consultation with local authorities in response to specific community sustainment issues, as follow:

- In recognition of difficulties facing rural communities (declining employment opportunities and housing options, particularly for younger people). In such circumstances the Trust will seek to operate the same criteria as local authorities within their Housing Strategies.
In allocating tenancies through local authority Choice Based Lettings schemes where a rural connection applies, the Trust will seek to match households against properties according to the local authority criteria and will prioritise such applications when offering its properties. In rural areas where lack of demand can be evidenced then local connection eligibility will cease to apply and properties will be offered to households with no local connection.
- In combating an over-preponderance of socially and economically vulnerable people within specific blocks of flats or densely populated locations, particularly in areas of high levels of anti-social behaviour.
In these circumstances the Trust, working with the Local Authority, may apply specific criteria when advertising through Choice Based Lettings schemes; e.g. age restrictions or banding / grouping restrictions.

Referral Agreements

The Trust is committed to establishing referral agreements with specialised support and housing agencies, identifying specific numbers of appropriate 'move-on' properties to meet the needs of clients. Move-on accommodation will only be provided on condition that the applicants have demonstrated their capacity to sustain a tenancy and will continue to engage with 'floating support' as required.

Local Authority Agreements

The Trust will seek to allocate 75% of its properties through local authority Choice Based Lettings schemes; the remaining 25% being through Referral Agreements, Direct Lets, Decants or existing tenant transfers.

5. Monitoring and Reporting

- 5.1 The performance of the Lettings Services team in achieving efficient re-let times, will be closely monitored against each relevant target within the re-let process and any issues should be reported to the Director of Customer Services (Housing & Support).
- 5.2 Overall performance of the Lettings Service will be monitored monthly by the Trust Management Team and will be reported quarterly to the

Somer Residents' Committee and the Trust's Board of Management. Monitoring will include:

- average time to relet a general needs property
- average time to relet a sheltered property
- number of lettings
- % total homes vacant
- % general needs properties vacant & available to let
- % general needs properties vacant & unavailable to let
- % sheltered properties vacant & available to let
- % sheltered properties vacant & unavailable to let
- % Voids loss
- % customer satisfaction with lettings service.

5.3 Performance will be measured against defined targets. Targets will be set annually by:

- reviewing the performance of the previous year
- benchmarking performance against other RSLs through Housemark
- taking into account any external factors e.g. a lower demand for particular properties.

Procedures

A comprehensive set of procedures accompany this policy; these detail the processes that the housing management staff need to follow in implementing the policy.

Equal Opportunities Assessment	No individual or group of individuals are knowingly disadvantaged by the adoption of this policy.
Legal/Regulatory Framework	Housing Act 1988, Housing Act 1996, Homelessness Act 2002, Tenant Services Standards
Performance & Quality Framework	Allocations and Lettings KLOE 7
Associated Policies & Procedures	Starter Tenancy Policy, Anti- Social Behaviour Policy Framework, Transferring Existing Tenants Policy, Assignment and Mutual Exchange Policy
Policy Category	Housing Management
Responsibility	Director Customer Services (Housing & Support)
Consultation	B&NES Housing Director Somer/B&NES Liaison Committee