



Sussex Housing & Care

## Allocations and Transfers: Policy

<b>Approved by:</b>	<b>Board</b>
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<b>Type of SHC housing this applies to:</b>	<ul style="list-style-type: none"><li>• <b>Sheltered housing</b></li><li>• <b>Independent Living Accommodation</b></li></ul>
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<b>Next revision due:</b>	<b>March 2020 (subject to annual check)</b>
<b>Cross references:</b>	<ul style="list-style-type: none"><li>• <b>Allocations and Transfers Procedure</b></li><li>• <b>Mutual Exchange Policy and Procedure</b></li><li>• <b>Unacceptable behaviour Policy and Procedure</b></li><li>• <b>Probity Policy</b></li><li>• <b>Code of Conduct</b></li></ul>

**Change control details:**

Record any changes to this document in the table below to provide a documentation audit trail.

<b>Date</b>	<b>Version</b>	<b>Reason for changes</b>
<b>Jan 18</b>	<b>V2</b>	<ul style="list-style-type: none"><li>• Updated transfer section to put in criteria for accepting transfer requests and putting them into 3 bands</li><li>• Updated to include General Data Protection Regulation which comes into force May 2018</li><li>• Conditions for qualifying for Local Connection included</li><li>• Eligibility criteria now includes unacceptable behaviour</li><li>• Clarity on the process for allocating homes to staff and Board members; linked clearly to the Probity Policy</li></ul>
<b>April 18</b>	<b>V2</b>	<b>Local Connection:</b> Please note after Board approval at Para 3.6 the number of years that family members need to have lived continuously in the area has been altered from 5 to 2 years.
<b>June 18</b>	<b>V2</b>	Removed reference to 'on social rents' after Independent Living Accommodation on p1 table and paras 2.1, 3.6 and 6.1.
<b>June 19</b>	<b>V2</b>	To refer to Housing Officer rather than Allocation and Sales Officer

**The SHC Allocations and Transfers: Policy and Procedure complies with current legislative and regulatory requirements including, but not limited to, the following:**

- Housing Act 1996 (as amended by the Homelessness Act 2002)
- Homes England (formerly HCA) Regulatory Framework, particularly:
- Tenancy standard
- Immigration Act 2014
- Equality Act 2010
- Localism Act 2011
- Welfare Reform Act 2012

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## Allocations and transfers: Policy

### 1. Purpose of policy

- 1.1 Sussex Housing & Care (SHC) is a Registered Provider of social housing as defined by Homes England. SHC was established in 1946 to provide housing for older people in Sussex. A key goal for SHC is to minimise the number of homes which are not occupied at any time. This is in order to maximise our income which enables us to continue delivering and improving our services.
- 1.2 The mission statement of SHC is *‘to help people live their later lives to the full’*. It aims to keep its promises regarding standards of service and to be *‘...open and honest in all our activity’* and to *‘treat everyone with fairness, dignity, kindness and respect’*.
- 1.3 The purpose of this policy is to ensure that when SHC lets a home to new applicant or enables an existing tenant to transfer, that our lettings are made in a fair, transparent and efficient way to:
  - Make the best use of available housing
  - Give reasonable priority to those in most housing need
  - Let our homes in a timely manner
  - Be compatible with the purpose of SHC
  - Contribute to strategic housing function of the local authorities we work with as well as building sustainable communities
  - Meet legislative, regulatory and contractual requirements.
- 1.4 SHC will have clear application, decision-making and appeals processes for allocations and transfers.

### 2. Scope

- 2.1 This policy (and the SHC **Allocations and Transfers Procedure**) applies to the letting of our sheltered housing and independent living accommodation (ILA). It also covers transfers within this housing. SHC encourages our tenants to also use mutual exchanges to meet their housing needs, which is covered in our **Mutual Exchange Policy and Procedure**.
- 2.2 This policy does not apply to properties owned by SHC that are let at market rent nor does it apply to care homes or leasehold properties. This policy will refer to ‘tenants’ throughout.

2.3 **The Allocations and Transfers Procedure** will then take SHC staff through both these processes, including:

- Who is eligible to apply for SHC housing or a transfer?
- What is a Choice Based Lettings scheme?
- How will SHC assess the need of an applicant for housing or an existing tenant wishing for a transfer?
- What priority band will new applicants and transfer requests be placed in?
- What is counted as a local connection?
- What is a reasonable offer? What size of accommodation will they be offered?
- How can applicants and people seeking a transfer make a complaint or appeal against a decision?
- How will SHC ensure that the data they collect from applicants and tenants requesting a transfer complies with data protection legislation?

### 3. Eligibility for SHC Housing

3.1 A vital role of this **Allocations & Transfers Policy** (as well as the Procedure) is to set out clearly who will be considered to be eligible for our sheltered housing or ILA, either from our own waiting list or through the Choice Based Letting schemes across Sussex. The SHC application form will include a set of questions designed to enable the Housing Officer (HO) to assess whether applicant(s) are eligible.

#### Who is eligible?

3.2 To be eligible to apply for housing with SHC, an applicant must have leave to remain in the UK with recourse to public funds and not be subject to immigration control (except in specific circumstances e.g. refugee status).

3.3 To be eligible, an applicant will also need to be:

- 55 years of age for independent living accommodation (ILA)
- 60 years of age and over in all other accommodation
- Younger than these ages stipulated above if registered disabled, and assessed as being able to benefit from the sheltered housing environment. This will only be in exceptional circumstances, following an assessment by the HO.

## Not eligible

- 3.4 One of the reasons an applicant will not be considered eligible for one of our homes is if (s)he (or a member of their household) has demonstrated unacceptable behaviour which is serious enough to make them unsuitable for housing with SHC, such as anti-social behaviour. See SHC's **Unacceptable Behaviour Policy** for more information about this.
- 3.5 SHC may also refuse to allow an applicant to join our housing waiting list if (s)he (or a member of their household) for the following reasons:
- They have been evicted from housing for arrears, anti-social behaviour or any other breach of tenancy.
  - We believe they will not be able to sustain a tenancy without specific support and a suitable support package is not in place and/or their support needs are too high and other types of accommodation would better meet your needs.
  - They would pose a significant risk of harm to the health, safety and/or wellbeing of staff, contractors, other residents, the community or the general public. Criminal convictions will not automatically be a reason for refusal but will be considered on the same basis when assessing the risk.
- 3.6 An applicant (or household) will also not qualify for the waiting lists for either sheltered housing, or ILAs, if:
- They have a significant amount of savings or capital (no more than £60,000 in total) that would enable them to secure suitable accommodation to meet their housing needs
  - They own a property or have an interest in a property, either in the UK or abroad, and that property reasonably meets their housing needs or there is sufficient equity to be able to sell the property and buy or rent suitable alternative accommodation to meet their needs.
  - They do not have a **Local Connection**. Applicant(s) needed to have lived in the Local Authority area for 3 out of the past 5 years or has a family member (parents; adult children or brothers or sisters including corresponding step relationships) who has resided in the area for the past 2 continuous years. Consideration will be given in exceptional circumstances where the Local Connection criteria is not met but failure to reside in the area would cause hardship to the applicant or their immediate family (parents; adult children or brothers or sisters including corresponding step relationships).

3.7 Please see the **Allocations and Transfer Procedure** for a full breakdown of the eligibility criteria for our housing.

## 4. Allocating housing to staff and board members

### Housing SHC Staff

4.1 This issue is addressed clearly in SHC's **Probity Policy**:

*'Any decision to allocate properties, re-house or transfer members of the senior management team and/or their close relatives must be approved by the board, and the interest of that relevant person must be disclosed.'*

*'Any decision to allocate properties, re-house or transfer employees (other than members of the senior management team) and/or their close relatives must be approved by the chief executive and the interest of that relevant person must be disclosed.'*

### Housing Board Members

4.2 Any decision to allocate properties, re-house or transfer members of the SHC board and/or their close relatives must be approved by the board, and the interest of that relevant person must be disclosed. Any affected board member must not be involved in the decision.

## 5. Declaring an interest in an application for housing

5.1 SHC's **Probity Policy** also states that:

*'Any employee or officer with an interest in; or who has a close personal relationship with a person whose application is being considered will declare that interest and discontinue any involvement they might have in that person's application.'*

## 6. Priority banding

### *The SHC Banding Structure - How Are Applications Banded?*

6.1 There are three priority bands for SHC's waiting list for sheltered housing and ILA:

- **Band A** (highest need) e.g. *Medical Priority A: where the housing conditions are having a life threatening or significantly adverse*

*effect on the medical condition of the applicant or member of the household to be re-housed with them, so as to warrant emergency priority;*

- **Band B** e.g. *Applicants who have received a valid notice to quit their private sector accommodation;*
- **Band C** e.g. *Applicants who meet the eligibility criteria but whose circumstances would not mean they qualify for either priority bands A or B.*

6.2 SHC has a comparable set of three priority bands for our transfer requests. The HO will be responsible for determining which band an application should be placed in. This will enable applicants to see the priority they have and their likely prospects of rehousing

6.3 Please see the **Allocations and Transfer Procedure** for the full breakdown of the priority categories for new applicants and transfer requests.

## 7. Sensitive lettings

7.1 Where there has been a housing management issue at a specific property SHC may decide to treat the letting of that property as a sensitive let in order to minimise the risk of the issue reoccurring. A sensitive let may also seek to protect vulnerable applicants where an appropriate letting is necessary to help them sustain a tenancy.

## 8. Management lettings

8.1 There are certain circumstances where an empty property can be let outside the normal allocations system, such as:

- To ensure community cohesion
- Protect the safety of a tenant or
- Let a very hard-to-let property.

8.2 The Housing Officer will prepare a report on the reasons for the management letting e.g. domestic violence or a severe neighbour dispute and present this to the Housing Operations Manager who in conjunction with the Regional Manager will recommend to the Director of Housing & Care if it is appropriate in the circumstances to authorise a management letting.

## 9. Recording and monitoring

- 9.1 SHC records all lettings as required by the Continuous Recording of Lettings (CORE) system.

## 10. Equality and Diversity

- 10.1 SHC's **Equality and Diversity Policy** states its commitment to ensuring that:

*'SHC takes positive and effective action to provide access to our housing for people who may feel disadvantaged because of their age, disability, race, religion or belief, gender, sexual orientation, gender re-assignment, marriage or civil partnership.'*

SHC is committed to ensuring our homes attract a diverse range of applicants from across the whole community.

- 10.2 An Equalities Impact Assessment has been carried out to assess the impact of this policy and procedure. This identified a range of needs to address including:

- Ensuring that information we provide about allocations and transfers is accessible to those who do not speak English as a first language or have difficulties with written English or are visually impaired
- Allocating properties which are suitable for those with a disability or enabling tenants with a disability to transfer to more suitable accommodation.