



## **Thames Valley Charitable Housing Association**

### **Allocations Policy**

#### **Background**

As a registered provider of social housing Thames Valley Charitable Housing Association (TVCHA) supports Local Authorities (LA) with their strategic housing functions and their duties to meet identified local housing needs.

From year 2000 Local Authorities (LA) were expected to introduce choice-based lettings schemes by 2010. Housing Associations (HA) are expected to support these schemes, which should be fair, efficient and transparent. TVCHA has been fully committed to the idea of providing greater choice and to make best use of available housing in this way since 2004. The commitment was approved by the Board and Residents Consultative Group (RCG) during 2004.

Applications for TVCHA housing are made through a common register held by the LA for each borough. Current HA tenants wishing to transfer and applicants from other types of accommodation wanting access to affordable housing are included on these registers. TVCHA do not currently hold a separate waiting or transfer list. However, there is now potential for an HA to hold their own transfer lists following publication within 2010 of proposed housing reform.

Local or special lettings policies may be developed to address specific local circumstances and can also be used to support sustainable communities in large development schemes.

During 2010 there have been significant Government proposals to fundamentally reform social housing. As and when proposals take effect that affect TVCHA we will notify and/or consult our tenants accordingly. We will also notify any prospective tenants if appropriate.

Changes to Housing Benefit (HB) were published in June 2010. The proposed benefit changes from 2013 may restrict and reduce HB for working age tenants who are occupying a larger property than is required for their size of household. This is because the maximum 'cap' on benefit will be restricted to the size of property that it is considered they need. This has the potential to effectively end security of tenure for those who are unable to afford rent once the benefit level is reduced and could increase demands for a transfer. In addition to this latter change non dependant relative contributions towards rent are to be increased (Appendix 1). This means that the amount of HB may be decreased for those who have adult relatives living with them.

TVCHA aims to provide tenants wishing to move, access to clear and relevant advice about housing options. This is done by participating in mobility and mutual exchange schemes where available.

## **Objectives**

As a responsible social landlord the key objectives in the allocation of social rented housing by TVCHA can be summarized as:

- To actively promote and enable choice of accommodation for people who are in the greatest housing need with very limited housing options.
- Assist LA's in the delivery of their homeless and housing strategies.
- Support groups in housing need who are particularly disadvantaged in the allocation of rented housing, and to provide a source of housing to other organizations assisting those in housing need.
- Ensure that access into housing is fair and equitable and promotes equality.
- To actively encourage and support sustainable communities.
- Develop local lettings or special lettings plans that are scheme specific and promote scheme and local sustainability.
- To optimise the best use of TVCHA stock by the active encouragement and support of initiatives such as under-occupation or mutual exchange schemes.
- Minimise time properties are empty in between each letting.
- To support existing TVCHA tenants that need to move urgently (e.g. fire, flood or other emergency) across LA boundaries through our management transfer scheme.

## **Sustainable Communities and Local Lettings Plans (LLPS)**

TVCHA is committed to the concept of sustainability and this is reflected within its organizational culture. A sustainable community is ideally one that represents a broad spectrum of ages, ethnicity and need. It should not be heavily representative of any specific need or group. A sustainable tenancy is one that has the likelihood of continuing in the long term with or without support where identified.

In recent years, local lettings or special lettings plans for designated schemes to achieve a sustainable community have been implemented in partnership with various LA's.

These plans and agreements are not only used for new schemes but for existing areas in partnership with the LA to compliment a neighbourhood centered initiative to manage social circumstances such as crime, drugs or anti-social behavior. Any such agreements are developed with residents, the LA and other key stakeholders.

## **Allocation of homes**

TVCHA properties can be accessed via LA housing registers. Under local nomination agreements the LA has three opportunities to provide a suitable nomination for a void property. If, after three LA nominations, no suitable applicant has been provided, TVCHA will offer the property through reciprocal arrangements with other HA's or the following support groups:

- Kairos Community Trust
- ODAAT (One day at a time)
- Step by Step
- Veterans Nomination Scheme.

No preference will be given to any particular group. When a property is made available to the cascade an email will be sent to all on the cascade and will be dealt with on a 'first come, first served' basis.

TVCHA uses the following bedroom standard to allocate homes:

- An unborn child is counted as a person.
- A single adult tenant is counted as 2 persons unless the accommodation is a bed sit for 1 person only.
- Siblings of different sex or unrelated persons other than partners can share up to age 10 years.
- Same sex siblings can share a bedroom up to age 16.
- Adult siblings of same sex over 16 who consent to share, where the room is of a sufficient size can be considered

## **Assessment and eligibility of applications**

Nominated applicants are invited to be interviewed and view the property by a TVCHA Housing Officer. The purpose of the interview is to make sure that the accommodation meets the needs of the potential tenant and that of other residents. TVCHA's interview process is robust and does not guarantee an offer of accommodation. The decision to offer is ultimately made by a manager.

TVCHA has a specialist tenancy sustainment officer to carry out assessments where necessary and assist more vulnerable residents to move in and retain their tenancies. This may involve establishing a support package with a specialist support provider who has access to additional funding as a prerequisite to an offer of housing.

In accordance with national Multi Agency Public Protection Arrangements (MAPPA) TVCHA will provide reasonable assistance to LA's by providing appropriate housing for ex-offenders. Any nominations will be subject to close consultation with LA, police, probation service and any other relevant agencies to confirm that the applicant would not present a high risk in a particular location. Evidence of care and support plans in place will need to be verified prior to an offer being made.

In accordance with the Housing Corporation Regulatory Circular 07/04, TVCHA does not have automatic barriers to access into its affordable rented stock. If clarification of information received either during or after the interview is necessary additional enquiries into the circumstances of households or individuals would be carried out.

In the following cases we would carry out additional research into the circumstances of households / individuals in conjunction with the LA where:

- Applicants have been evicted for a serious breach of terms of tenancy such as anti-social behaviour (ASB) or racial harassment (within 2 years of the eviction date). Consideration will only be given where a tenancy has been conducted satisfactorily after this date.
- Applicants have been evicted by TVCHA for rent arrears or where it is known that rent arrears are outstanding to another RSL. Assessments will be made as to whether applicant/s have made reasonable efforts to remedy this and appropriate arrangements for repayment of debts are in place and can be demonstrated.
- Existing care packages cannot be guaranteed at the new address or where there is an acute vulnerability and no history of ongoing and sustained engagement with support services.

- Where potential nominees have misrepresented personal or household circumstances or staff become aware before the tenancy starts that information pertinent to their housing application has been withheld or is false.
- Accommodation for older people will not be offered where the New Homes Manager is of the opinion that the needs of the applicant cannot be met at the scheme. This may be due to the level of infirmity and level of care that needs to be provided but cannot reasonably be undertaken (by consultation with relevant services and agencies).
- The potential nominee/s have been convicted of an offence or have been cautioned (whether it has been spent or not) and it is believed that the nature of the offence would not be conducive with the sustainability of a specific tenancy in a particular or general location.
- The nature and extent of adaptations is such that adaptation is not feasible or there is no guarantee that funding will be given and/or there is no guarantee that works will be within a reasonable timescale that will put the HA at a financial loss.

The above list is not exhaustive and all cases are treated on individual merits and not part of a 'blanket' policy.

## **Types of Tenancies**

TVCHA offers probationary tenancies to new tenants. The tenancy is a 12 month Assured Shorthold (AST) that is reviewed to determine if all tenancy clauses have been met. If the tenancy has been held in good order it may be converted to an assured tenancy at end of the term. Tenants in shared or keyworker accommodation properties will be offered standard Assured Shorthold tenancies.

Only once a tenancy has been converted to an Assured Tenancy can consideration be given to an exchange of tenancy (see next section ).

Tenants who are less than 18 years of age at date of the sign up will be given an Equitable Tenancy. This will convert to a probationary tenancy once they reach 18. In some circumstances, a guarantor may be required to underwrite a tenancy.

For further information on tenancies please refer to the TVHA Tenure Policy.

## **Exchange of Tenancies (mutual exchanges)**

TVCHA has taken a corporate subscription to HomeSwapper mutual exchange scheme (<http://www.homeswapper.co.uk/>). This provides

free access to the scheme for TVCHA tenants. Exchange will generally be subject to a clear rent account, a good payment record and no instances of anti-social that have resulted in notices being served.

## **Successions**

Current legislation allows relatives or partners who have lived with a tenant at the time of the tenant/s death to sometimes 'succeed' or take over the tenancy. It may be dependent on the length of time having lived there with the tenant. A tenancy can only have one succession. Access to another property may be offered to the succeeding tenant to consider if the original TVCHA property is assessed by TVCHA to be unsuitable on grounds of size, type or location.

## **Joint tenancies**

Generally speaking all tenancies where there are joint adult applicants (living as partners) should be offered a joint tenancy unless otherwise directed by the LA. A sole tenant or applicant can, however, subsequently request that a partner or relative be granted a joint tenancy with them. Consideration will only be given to such a request on individual case by case basis and will take into account possible impact on tenancy if one of the tenants were to leave whilst the other remains in the property.

## **Under-occupation**

To optimize the use of social housing stock most LA's and HA's have incentive schemes to encourage tenants (that may be in larger accommodation than they need) to decide to move to smaller more manageable accommodation. TVHA runs an under-occupation scheme. Initial contact about the scheme can be made via our Customer Services Centre. Approval for any moves under the scheme will generally be subject to clear rent accounts and/or good payment records as well as an acceptable tenancy history. Active assistance with identifying a suitable property may also be given in certain circumstances by TVCHA staff.

## **Management Transfers**

It is sometimes necessary to move and re-house a tenant and household quickly. To assist them to be settled as quickly and suitably we have a management transfer policy. This is achieved by having the option of using up to 10% of our stock that would otherwise go direct to the relevant LA. Offers of alternative accommodation using a

management transfer are made on a like for like basis. Only one reasonable offer is made.

## **Hard to let properties**

Thames Valley Housing (TVH) has a duty as a responsible social landlord to make good use of rented housing stock. Sometimes a property may become hard to let (HTL) resulting in failure to let the property via the normal routes of nomination from the Local authority (LA). The cascade policy aims for minimum void loss without undue adverse effect on potential suitable applicants with housing need.

## **Transfers**

When a property has failed to be let via the LA in the first instance it should be advertised to TVH tenants on the transfer list through HomeKey.

## **Nominations from approved referral agencies**

If the transfer list does not result in the property being let, it is permissible to use other approved referral agencies.

Formal requests for nominations via approved referral agencies should be made simultaneously by email and an invitation to view the property in question should be made to the first response and subsequently in date of receipt order. A copy of the email sent to all agencies is to be retained on ECMS.

If a referral agency does not respond within 5 working days, a request must go to TVH Marketing shared ownership waiting list. If this request is unsuccessful within 5 working days the letting as a last resort can be advertised via our own website (Homebuy) or an estate agent.

An invitation to the nominee to view and be interviewed will be carried out in accordance with TVH allocation policy using the same UH systems and processes as per a nomination from an LA.

Any refusal by TVH of nomination will allow the nominee to follow the same appeal process as any other applicant in accordance with TVH Allocation Policy.

## **Approved Referral agencies**

TVH currently use the following:-

**Kairos Community Trust** was set up in 1991 in London to provide accommodation, help and support for homeless people with substance misuse related problems. Kairos Community Trust operates a five stage process of therapy and support:

**ODAAT** (One Day At A Time) Residential drug & alcohol recovery programme, for men only, ODAAT offers a modified 12 step recovery programme centred on group work & one to one counselling. This is enhanced by a comprehensive life skills programme, key work sessions, anger management work, complimentary therapies and social activities.

**Veterans Nomination Scheme** – The scheme supports ex-Service personnel who are ready to move on from temporary accommodation following a period of homelessness, or for those living in unsuitable accommodation. N.B The Royal British Legion will consider an application for a rent guarantee bond where there is a history of poor financial management by the client.

**Step by Step** – aims to empower homeless people and those facing adversity to achieve their full potential.

Works with young people aged 16 to 25, (in some cases older than this), through a structured combination of accommodation, support, education and training.

Each agency above has been selected by TVH as being suitable as they are known to be responsible support providers for vulnerable people in housing need. In each instance the criteria for nomination is that every nominee will have had support/rehabilitation for more than 1 year and will be provided continuing support via the relevant agency once re-housed..

Each agency above with exception of the Veterans Nomination Scheme (VNS) has a service level agreement in place with TVH located at [I:\USERS\CSP\CSP\New\\_Homes\\_Team\SLA\\_s\\_for\\_referral\\_agencies](I:\USERS\CSP\CSP\New_Homes_Team\SLA_s_for_referral_agencies). The VNS has no SLA whilst it continues to be a recognised government sponsored initiative. No preference will be given to any individual group and no blanket refusal policy will be applied whilst the service level agreement is in place.

## **Review of SLAs**

Reviews should be carried out as and when it is considered that the SLA has been breached as well as annually on anniversary of signature

of agreement by both parties by the designated Area Neighbourhoods Manager.

### **Selection of additional referral agencies**

If and when this is considered necessary three agencies of a similar type and in area of need should be considered. If this is not possible reasons must be given for this not being the case. When deciding on a preference the following must be in place:-

- the support agency is registered as a charity
- the support agency is recognised by the LA in which it is located as a responsible referral agency for re-housing
- there are no known court or criminal actions taking place against it
- it is not in process of administration
- there are support systems in place prior to and following re-housing of nominees

### **Management transfers**

Thames Valley responds to requests for a management transfer by offering a direct let to tenants who have been accepted as having an urgent need to move or having grounds for a move under welfare needs. These requests will be agreed by the Regional Neighbourhoods Manager and ultimately the New Homes Manager. Only one reasonable offer will be made. Please see the Management Transfer Policy for further details.

### **Monitoring and Reporting**

- SLA's will be reviewed annually by the designated Area Manager Neighbourhoods on anniversary of signature and outcome reported by Regional Neighbourhoods Manager to HSMT and Board.
- HTL lettings to referral agencies will be/are included in our quarterly reports to LAs to include which and why the agencies were used with % of lettings.
- Any recommendation that a new referral agency be agreed and accepted for cascade purposes should be submitted by report to Assistant Director of Housing by Regional Neighbourhoods Manager and the subsequent decision reported to HSMT and Board. If Assistant Director of Housing agrees a signed SLA should accompany the report to HSMT and Board for acknowledgement. If any referral agencies are to be withdrawn by TVH a report should be submitted to the Assistant

Director of Housing by Regional Neighbourhoods Manager for decision and subsequent decision notified to HSMT and Board with reasons.

## **Information Sharing**

All applications are subject to Data Protection Act 1998. All applicants at point of interview are asked to sign a S171 declaration within the terms of the 1996 Housing Act. This declaration warns that it is an offence to knowingly withhold or provide false information (Appendix 3). In addition applicants are made aware that information can be shared with other housing providers or relevant agencies. This can include an information sharing protocol with the police. In some circumstances, for a new development, all nominations will be screened for current or previous criminal activity. Where specific permissions are required to make enquiries with individual support workers, the applicants are required to sign a declaration giving their permission. Identification markers on our computer databases are also used with tenant's permission to denote vulnerability or for regard to be given to special needs. In some circumstances, where it is considered that staff, contractors or residents may be at risk, permission will not be sought but a marker placed at manager's discretion.

## **Appeals Procedure**

Applicants may make an appeal with regard to TVCHA's refusal to accept their nomination. They should include any additional information they have in support of their appeal. This will then be considered by the Assistant Director of Housing.

The appeal should be in writing or dictated over phone to a TVCHA officer and a deadline needs to be set 5 working days (weekdays not including public holidays) from date of refusal. Applicants to be advised initially by telephone wherever possible of adverse decision with reasons and deadline for appeal followed by letter sent by recorded delivery.

The Assistant Director of Housing will investigate the reasonableness of the refusal and will advise the applicant in writing of the decision. This process will be concluded in 14 calendar days (not including public holidays) unless a mutually agreed alternative timescale is agreed.

If the applicant disputes this decision there is a second right of appeal to the Housing Director. This must be made within 5 working days (not including public holidays) of the initial appeal outcome and will include the reasons for the appeal.

The Housing Director will give a written response based on a review of the initial appeal decision within 14 calendar days not including public holidays. The decision of the Housing Director will be final.

This appeal procedure does not interfere with an individual's right to make a complaint to the Independent Housing Ombudsman or to request an agency or organization to make the appeal on their behalf.

The property in question will remain available for letting to the original applicant until the outcome of any appeal.

## **Annual Lettings Feedback**

Each year feedback on allocations completed within an LA area is provided for our LA partners including analysis of refusals, outcomes from BME (Black and Minority Ethnic) analysis and comparators. This information is also available to all on our website as well as being published within our annual report.

## **Review**

This policy is due to be reviewed in September 2012.

## **APPENDIX 1**

The non dependant relative deduction levels from April 2011 have been set as below. It is anticipated that by 2014 they will be between 50% to 90% higher than their current levels.

<b>2010 rates</b>	<b>2011 rates</b>
<b>£7.40</b>	<b>£9.40</b>
<b>£17.00</b>	<b>£21.55</b>
<b>£23.35</b>	<b>£29.60</b>
<b>£38.20</b>	<b>£48.45</b>
<b>£43.50</b>	<b>£55.20</b>
<b>£47.75</b>	<b>£60.60</b>

## **APPENDIX 3**

Under section 171 of the Housing Act 1996 it is an offence when in order to obtain housing the applicant:

- Knowingly or recklessly gives false information or;
- Knowingly withholds information

Thames Valley Housing Association takes these offences extremely seriously and may consider taking the following actions:

- Instituting criminal proceedings (fraud or obtaining property by deception or;
- Seeking possession of the property through the court system