

Selection and Allocation – rented housing

Housing Management Policy 4

Keniston

Purpose

The Association's selection and allocation policy sets out how we allocate properties that become available for letting.

Who this policy applies to

This policy applies to existing tenants and people applying for housing with Keniston.

Policy Statement

Due to a growing demand for social housing, efficient use of existing stock is very important. This policy enables us to respond to local needs and make best use of our stock. We aim to let our properties in a fair and transparent manner, create sustainable tenancies and create balanced and stable communities. The policy of the Association is to provide adequate and suitable housing for those in housing need.

There should be clear application, decision-making and appeals processes.

Legal and regulatory requirements

Localism Act 2011

Part 6 of the 1996 Housing Act

Homeless Act 2002

Equalities Act 2010

Homes and Communities Agency Tenancy Standard

Selection

Unless there are concerns about the accuracy and completeness of information provided, verification of the application will not be undertaken.

We generally accept the following applications or nominations as suitable without making an assessment of housing need. However, we will make an assessment of suitability to the property and make further investigations if necessary and may refuse a nomination. We will give reasons for refusing a nomination.

- Local Authority nominations
- National Mobility Schemes
- Voluntary Referral Agencies where the applicant is in accommodation run by an agreed voluntary agency.

In other cases, to assess an applicant's housing need we ask:

- How suitable are their present living conditions?
- Is the applicant homeless, or likely to be homeless soon?
- Is the family separated because they do not have a suitable home?
- Is the applicant's health affected by their housing conditions?
- How long has the applicant had to suffer homelessness or poor housing conditions?
- What alternative options are realistically available to the applicants?
- Does the applicant need to move for social reasons such as support for or from relatives?
- Other needs such as employment.

The Association will not consider the following categories unless there are unusual or exceptional circumstances.

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- Applicants who are able to purchase their own property.
- Existing owner-occupiers, with the exception of those who have a possession order against them because of mortgage default and have no other accommodation. Different rules apply to applicants for sheltered housing (see below 3.2.F)
- Nominees who are not statutorily homeless where we are aware that rent arrears are owed to a present/previous landlord. An exception may be made where the arrears are due to under-occupancy charge.
- Statutorily homeless nominees, where we are aware arrears are owed to a previous landlord, where the nominee has not been clearing those arrears for at least three months. An exception may be made where the arrears are due to under-occupancy charge
- Nominees who are not statutorily homeless and have had legal action against themselves or a member of their family for anti-social behaviour/harassment will not be re-housed unless there has been no anti-social behaviour/harassment for at least 2 years.
- Applicants who have been assessed as vulnerable without appropriate support package.
- Applicants who have provided false or misleading information in support of their application.
- The Association will not house applicants who have threatened staff or the Association's representatives.

Exceptional cases will be considered at the Complaints and Resolutions meetings.

Keniston will adhere to our staff code of conduct in the letting of its properties to employees or their relatives. The Association would only rarely house an employee, or his/her relative. In such cases Board approval must be given for accommodation to be offered.

Source Groups

A Local Authorities

In areas where the Association has property, there is normally an agreement with the local authority which gives that authority the right to nominate for at least 50% of vacancies becoming available. Local Authorities will normally have 100% nomination rights to the first let of newly built properties.

Borough	Agreement
Bexley	50% of 1 bed voids and 75% of 2 bed + voids
Bromley	50% of studio/1 bedroom voids and 75% of family sized voids.
Crawley	75% of all voids
Croydon	75% of family sized voids.
Islington	50% of studio/1 bedroom voids and 75% of 2 bed + voids.
Lambeth	75% of 2 bed + voids.

Southwark	<ul style="list-style-type: none">- 50% of 1 bed voids- 75% of 2 bed + voids <p>Excepting only that the council should exercise some flexibility depending on the stock composition of the Association concerned in negotiating annual targets.</p>
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Keniston has agreed the nomination rights of the relevant Local Authorities as outlined above in order to play its role in responding to housing need.

The local authorities have been consulted about the review of this Policy are sent a copy of the Association's selection and allocation policy and procedures. They would normally nominate applicants whose circumstances meet the Association's assessment of housing need and the Association will ensure, by regular liaison, that those in housing need are housed. Where we have reason to believe the tenancy is not likely to be sustained, the application may be refused.

In situations where there are properties where there are a number nearby anti-social behaviour cases being dealt with, we have the discretion to bypass any source groups that include vulnerable tenants with support, to enable us to offer one bedroom or studio key workers or direct applicants on low incomes.

B Existing Tenants

The Association is aware that the needs of existing tenants often change. See the Association's Transfer Policy later in this document.

C Referral Agencies

These are organisations, often voluntary, which provide advice and assistance for people in housing need. The clients of Referral Agencies may be vulnerable, which make it more difficult for them to find suitable accommodation for themselves.

The Association regularly reviews the referral agencies that are used, and the arrangements with existing referral agencies, to ensure that new or changing needs can be met. It is important to ensure that Referral Agencies meet the Association's selection and allocation and equality and diversity policies.

See Appendix A for list of referral agencies.

D

E Direct applicants for general needs housing

The Association may operate a limited waiting list for direct applicants which is generally for 1 bed and studio flats. Keniston will consider direct applicants who are in housing need and do not exceed the stated income as follows:

Single People: £28,517 (to be increased by inflation each year after 2016)

Couples: £38,617 (to be increased by inflation each year after 2016)

Priorities for housing direct applicants will be as follows:

- (a) High priority – e.g. fleeing violence, harassment cases, severe defects to property, statutory overcrowding and serious medical grounds.
- (b) Medium Priority – e.g. overcrowding, medical grounds, to be near sick or disabled relatives, to receive support from relatives or need to move because of job.

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(c) Low Priority – other social reasons.

F Sheltered Accommodation

Applicants who are 62 and over will be accepted for sheltered housing, with the ability for us to review and amend a specific scheme's threshold if particular local circumstances require us to do so. Disabled applicants under 62 will also be accepted for sheltered housing. Eligibility criteria for these applicants will be as above, and can also include People who own accommodation in the following circumstances:

- there is evidence that the property has been sold or is in the process of being sold, in which case an assured shorthold tenancy will be offered which will normally be converted to an assured tenancy following the sale;
- where the profits of the property being sold is at the most £38,939 (increases by R.P.I. inflation annually) above the value of the price of a property similar to the sheltered flat being offered.

The Housing Services Manager may decide to close the waiting list from time to time, when the number of applicants exceeds the average number of voids per year.

G Other Housing Organisations

The Association will give consideration to applicants from tenants from other social housing organisations, generally providing their own landlord is willing to offer a reciprocal arrangement.

Advice to Enquirers

The Association regularly receives requests for housing advice, information or assistance from the general public. We respond to such requests by giving general housing advice and, where appropriate, by referring the enquirers to local authorities and organisations which may be able to help, including referral agencies.

Allocations

Allocations will be made within the following criteria:-

- Two adults living as a couple will be allocated one double bedroom
- Adults over 18 years to have their own bedroom
- Children of same sex will be expected to share a bedroom except where the eldest is over 16 years of age
- Children of different sexes will be expected to share a bedroom except where the eldest is over 10 years of age
- If relevant medical factors exist, a separate bedroom can be allocated to them or their carer.
- An estranged partner will only be provided with accommodation providing bedrooms for dependants under 16 where legal access or custody arrangements confirm that the partner has responsibility for most of the week and is in receipt of child benefit for that child.

Allocations will not exceed the legal permitted number of occupants allowed by legislation for that type/size of dwelling.

All new tenants to the Association will be granted a 12-month starter tenancy.

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Regular liaison with Local Authorities allocations sections, Social Services, Referral Agencies, and other voluntary organisations, is essential to ensure that those in housing need are being allocated accommodation.

Provision for Carers

The Association will offer an additional single bedroom where the person looking after the tenant is a Carer who is defined as:

- someone in receipt of Carer's Allowance for the tenant they are looking after
- someone who is the principal carer and needs to be in permanent accommodation
- someone where the tenant they care for is in receipt of higher rate Disability Living Allowance.

Carers will not be added to the tenancy

Allocations Panel

The Allocations Panel makes the decision about whether to accept direct applicants where an assessment of housing need is required by the Association.

The Allocations Panel will consist of at least two Housing Officers. The Housing Services Manager or in his/ her absence, a member of the Management Team will join the Panel if there are not two Housing Officers or if there is not a consensus view on a case. If an officer knows the applicant personally that knowledge must be declared and the officer must not be part of the panel. Where a nomination is rejected the Housing Services Manager must approve the Allocations Panel's decision.

The decisions of the Panel will be recorded with reasons.

Choice Based Lettings/Common Housing Registers

Keniston will co-operate with Local Authority choice based lettings and Common Housing Register schemes.

Immigration Status

Any citizen who has the right to stay in the UK for an unlimited length of time is eligible to apply for permanent housing from the Association. Those who have short term immigration status or whose terms of stay do not include a recourse to public funds are not eligible for housing.

Equality and Diversity

The Association is committed to achieving equal opportunities in every area of its work, including selection of tenants and allocation of properties. The intention is that everyone is treated fairly. For the Association equal opportunity means that the Association will not discriminate against any person on the grounds of race, religion and belief, gender, marital status, sexual orientation, disability, gender reassignment, pregnancy and maternity or age and will do all it can to ensure indirect discrimination does not occur.

The relevant legislation includes the Race Relations Act 1976, Sex Discrimination Act 1975, the Housing Act 1988 and Equalities Act 2010. Keniston's policy is to deal with all equalities issues with confidence and especially issues to do with race equality; the Association is therefore committed to the Race Equality Code of Practice published by the Race and Housing Inquiry (2001).

In order that equal opportunities takes place and is seen to take place, the Association ensures that there are systems for review and monitoring. Where necessary, targeting of certain groups may be undertaken to ensure that as far as possible equal opportunity is achieved overall.

The Association will only work with Voluntary Referral Agencies and Local Authorities who have an Equal Opportunities Policy.

Information

We aim to keep applicants fully informed at all times. Copies of the Selection and Allocation Policy will be made available to applicants on request.

Applicants are entitled to know that information they have supplied has been correctly recorded and that any notes made truly reflect their actual circumstances. Any applicant who so wishes may, by appointment, inspect all papers in connection with his or her application and record any comment alongside such papers in line with Keniston's Confidentiality Policy.

The Annual Review of the Association each year includes statistical information about lettings in the previous year.

Appeals Procedure

Applicants who are refused an offer of housing may request that their case be reconsidered by the Complaints and Resolutions Meeting of the Association which will review the basis on which the decision has been made. An offer will not be held open while an appeal is being dealt with. If an applicant has a complaint about the way in which their case has been handled, the Association has a complaints procedure available on request.

Any decisions made at the Complaints and Resolutions meeting which are outside of the policy will be reported to the board.

Transfers

Transfer Policy

The Association accepts its responsibility to meet, as far as possible, the changed housing needs of existing tenants.

Keniston will maintain a transfer list and all tenants of the Association may apply for a transfer after 2 years and if approved, the Association will attempt to transfer tenants wishing to move to another Keniston property. Keniston will assist tenants to apply for a transfer to another landlord in exceptional cases. We will continue to signpost tenants towards local authority letting schemes and mutual exchange in order to help them achieve a move.

Criteria for a transfer

An application for transfer to another Keniston property will normally be approved if one or more of the following criteria are fulfilled:

- The property is overcrowded (See Selection and Allocation Policy – Allocations 1.4
- The property is under occupied (we will permit a tenant with rent arrears to move to a smaller property if an agreement is made to clear the arrears over a period of time). Tenants disadvantaged by the under occupancy charge will take priority over those under occupiers who are not. However, all under-occupiers will get 2 offers rather than the 1 offer normally given to those in high priority.
- The property is unfit e.g. structural problems or water penetration which cannot be remedied in a reasonable period of time and which is seriously affecting the tenant's health or ability to continue normal living.
- The tenant, or a member of the tenant's family, is suffering serious harassment, whether racial or of any other kind – where no other resolution is immediately apparent.
- Domestic violence has taken place and the victim needs a transfer for their own personal protection.
- The tenant or any member of the tenant's family suffers from a medical condition which requires them to be housed in alternative accommodation and where this is verified by the Association's independent medical advisor.
- A change of employment makes travelling to work from their present accommodation unduly difficult.
- An elderly or disabled relative, living elsewhere, requires close family support.
- Tenant with primary school aged children wishes to move to a property with a garden
- Current accommodation is maintained to a good standard

A transfer application would not normally be approved if the tenant was in contravention of their tenancy conditions e.g. arrears of rent or Notice of Seeking possession had been served for anti-social behaviour or there was an outstanding debt for something other than rent. A clear rent account for 6 months is required prior to a transfer application being accepted. Tenants where Housing Benefit is paid direct in arrears are not prevented from going on the Transfer list due to Housing Benefit being paid in arrears. Approval would also not be normally granted if works were required to the property that were the responsibility of the tenant until they were put right. E.g. Tenant had tampered with electrics.

Only the people who were initially rehoused plus subsequent dependent children of the tenant will be taken into account when an application is made to move to larger accommodation. Other relatives or friends of the tenant will not be taken into account. In cases of partners moving in with tenant they will be considered as part of the household in respect of eligibility for a transfer to larger accommodation when they have been in occupation for 12 months. Approval may be given in appropriate cases for tenants in contravention of tenancy conditions to transfer to another property e.g. if presently seriously overcrowded. In such cases, the allocations panel would report to the Complaints & Resolutions meeting who would make the decision. Conditions for the transfer may be applied.

Keniston would not normally rehouse someone who is suffering Anti-social behaviour, except in cases of harassment where a transfer to another scheme would be beneficial. In exceptional circumstances in order to deal with the transfer effectively, the Complaints & Resolutions meeting may approve a transfer of one of the parties involved.

If a tenant on the transfer list then contravenes their tenancy conditions, the transfer will be cancelled.

Management transfers will be considered by the Complaints & Resolutions Panel. A management transfer is a priority transfer given to exceptional cases if it does not meet our criteria and resolves a particular housing management problem.

Additional Considerations at the point of making the offer

When considering individual cases the Association will take into account factors additional to the housing needs of the applicant. These factors will include such matters as a possibility of setting up a chain of transfers between different sized units to help more people or the possible use of vacated premises for special needs, such as adaptations for disabled people. However, we would not move people to a similar sized property on social grounds except in particular circumstances (see 5.1.3 priorities).

Priorities

When tenants are approved for a transfer, their application will be given a priority, which reflects the need to move.

- a) High priority e.g. fleeing violence, harassment cases, severe defects to property, statutory overcrowding, under-occupation and serious medical grounds.
- b) Medium priority e.g. overcrowding, medical grounds, to be nearer sick relatives, to receive support from relatives or need to move because of job.
- c) Low priority. This category would be for the following situations:
 - to allow tenants with children of primary school age who do not have a garden to transfer to a similar sized property with a garden
 - to allow Joint tenants who wish to move from a studio to 1 bedroom flat after 1 year's tenancy. Single tenants would not be eligible.

Within each category, cases would be dealt with in date order except in cases where there are children of different sexes needing alternative accommodation. In such cases the family will receive priority when the older child reaches 11 years of age. The lack of availability of accommodation means that the priority given may not have a direct bearing on how long the transfer applicant waits. However, as far as possible a realistic time scale will be given for the length of time a transfer applicant wanting to move to another Keniston property would have to wait. Where this is not possible, the applicant will be informed and the reason why a time scale is not being given.

The degree of priority as above will be reviewed at annual intervals.

Means of achieving a transfer

The Association will normally meet the requirements of any approved transfer application by an offer of another property owned or managed by the Association.

As part of the transfer process we will encourage tenants to register on the Local Authority housing register which will enable them to be considered for available properties to which the Local Authority has nomination rights.

External transfers

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Some tenants are approved for a high priority transfer for personal safety or harassment reasons where they need to move to non-Keniston alternative accommodation.

In these situations it is recognised that Keniston is relying on other organisations to provide the accommodation. However, Keniston will write once to housing organisations in the area seeking appropriate accommodation on a reciprocal basis.

Additionally urgent priority applicants will be advised to apply to the Local Authority for alternative accommodation.

Cancellations of transfers

If an offer of the right size/type of accommodation is made in the area required to an applicant in the high priority band and is unreasonably refused by the applicant or if an applicant does not respond in the stated timescale the transfer application will be cancelled and the applicant cannot reapply for 1 year. For all others, 2 offers will be made before the application is cancelled. A transfer request will only be reinstated in that period if there is a relevant change of circumstances. The applicant will have a Right to Appeal to the Complaints and Resolutions meeting. The original offer will not be held open.

A transfer can only be cancelled with the approval of the Housing Services Manager

Keeping people informed

Applicants for a transfer will be informed of the following:

- Whether their application has been successful
- If a transfer application is not accepted, we will write and say why.
- The transfer applicant will be informed of reasons where it is not possible to give a time scale for rehousing.
- At annual reviews, transfer applicants will be informed of the status of their application and the reason for any changes. If there are rent arrears (except for Housing Benefit or Supporting People paid in arrears) or a NOSP has been served for any other breach of tenancy the transfer will be cancelled.
- The reason for cancelling a transfer application will be given to the transfer applicant.

CORE (NHF Continuous Recording).

Keniston will take part in CORE for monitoring new tenants lettings.

Mutual Exchanges

Tenants have the right to exchange their homes with a tenant of Keniston or another housing association or local authority tenant, subject to receiving the written consent of both landlords. Keniston will provide information and advice in order to assist tenants in achieving such a move.

For secure tenants, permission may only be refused on certain legal grounds outlined in the Tenants' Handbook and any refusal must be in writing and state on which ground(s) refusal is based. Any reasonable conditions may be attached to the consent relating to the payment of outstanding rent or the remedying issues regarding condition of property.

Where there is a contractual right of exchange, such as an assured tenancy, we reserve the right to disallow the mutual exchange if the incoming tenant is affected by the benefit rules. If

there a shortfall in benefit against covering the full rent and there is no convincing way the tenant can pay the shortfall and sustain the tenancy, then the mutual exchange may be refused .

However, Mutual exchanges can be agreed where there will be under-occupation of no more than one bedroom. If relevant medical factors exist, an extra bedroom can be considered in addition to under-occupying by one bedroom. The applicant would be subject to an affordability check as above.

Mutual exchanges will not be agreed where the design occupancy number of the property would be exceeded.

Void Properties

The Association fully accepts its responsibility to ensure that vacated properties do not stand empty. Every effort will be made to ensure that properties are relet as soon as they are available. This will include agreeing clear deadlines for receiving nominations from Local Authorities and Referral Agencies.

Approved at the Board meeting held on 21 January 2016

Referral Agencies

Name of Organisation	Main Category of Nominees	Main Boroughs in which nominees provided (this is a guide)
Women's Aid	Victims of violence with or without children	Bexley/Bromley/ Crawley/ Islington/Southwark
Latch project	Homeless 16-25 year olds	Bromley