

Selection and Allocation – rented housing

Housing Management Policy 4

Keniston

1. Purpose

The Association's selection and allocation policy sets out how we allocate properties that become available for letting. Existing tenants who wish to transfer to other Keniston properties will be assessed under the terms of this policy.

2. Who this policy applies to

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

3. 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. We want to provide good advice to applicants about their housing options, and to manage expectations.

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

4. 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

Immigration Act 2014

5. Allocations Panel

The Allocations Panel will consist of at least two Housing Officers. The operations director 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 operations director must approve the Allocations Panel's decision.

The decisions of the Panel will be recorded with reasons.

6. Selection

Unless there are concerns about the accuracy and completeness of information provided, verification of the application will not usually be undertaken. However, we will ensure that they can afford the home they have been nominated for.

We generally accept the following applications or nominations as suitable without assessing housing need. However, we will assess 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
- Voluntary Referral Agencies where the applicant is in accommodation run by an agreed voluntary agency.

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

- Applicants who can purchase their own property.
- Existing owner-occupiers, except for 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)
- Nominees 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 or can show that they have been clearing those arrears for at least 6 months.
- Nominees who have had legal action against themselves or a member of their family for anti-social behaviour/harassment or other unacceptable behaviour will not be re-housed unless there has been no anti-social behaviour/harassment for at least 2 years. Unacceptable behaviour may also include serious damage or neglect of a property.
- 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 and contractors.
- Be under 18 years of age
- If an applicant fails to provide information within set timeframes that may reasonably be needed to assess the application the application can be rejected or withdrawn.

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.

7. Source Groups

A Local Authorities

In areas where the Association has property, there is 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 general needs studio/1-bedroom voids and 75% of family sized voids. 50% of sheltered studio/1-bedroom voids Except Robert Whyte House where we will advertise outside of the nomination agreement and choice-based lettings system as there is no demand on the housing register.

Crawley	75% of all voids
Croydon	90% of all units
Islington	50% of studio/1-bedroom voids and 75% of 2 bed + voids.
Lambeth	75% of 2 bed + voids.
Southwark	- 50% of 1 bed voids - 75% of 2 bed + voids Excepting only that the council should exercise some flexibility depending on the stock composition of the Association concerned in negotiating annual targets.

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.

Where we have reason to believe the tenancy is not likely to be sustained, the application may be refused.

Once we have met the above quota, we will allocate any further lettings to the following groups we prioritise. In situations where there are properties and there are several 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/studio to direct applicants on low incomes.

B Existing Tenants (Transfers)

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 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 on a low income and do not exceed the stated income as follows:

Single People: £30,818 (to be increased by inflation each year after 2019)

Couples: £41,734 (to be increased by inflation each year after 2019)

E Sheltered Accommodation

Applicants who are 62 age and over will be accepted for sheltered housing. 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:

- if 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 £42,081.00 (increases by R.P.I. inflation annually) above the value of the price of a property like the sheltered flat being offered.

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

F Other Housing Organisations

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

8. 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.

9. Chain Lettings

A chain letting is where we can create a set of moves that facilitate a number of tenants to move without any reduction in the number of voids available to the local authority to house applicants.

10. 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
- Pairs of children of same sex will be expected to share a bedroom except where the eldest is over 16 years of age
- Pairs of 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 unless they have previously held an assured tenancy in which case we will grant the same as no-one should hold a less secure tenancy than the previous one.

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.

11. 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 the enhanced daily living rate of PIP

Carers will not be added to the tenancy

12. Viewings

Where a telephone interview and an affordability check has been carried out and authorised by the operations director, we will invite short listed applicants to view the property as soon as possible. We will expect them to decide in a short time, usually within 24 hours. We may carry out multiple viewings where we invite several applicants from near the top of the list to view. We will offer the home to the highest placed applicant who is interested.

If an applicant needs a support worker, they should tell us at application stage or as soon as possible, so we can allow time for the key worker to attend the viewing.

Choice Based Lettings/Common Housing Registers

Keniston will co-operate with local authority choice-based lettings and common housing register schemes.

13. Immigration Status and Right to Rent

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. This does not apply to a letting made directly by the local authority. If nominated in this way, and the applicant whose leave to enter or remain in the UK is subject to any limitation or condition will be offered a fixed term tenancy for the duration of the limitation.

We will conduct initial right to rent checks before authorising an application, conduct follow-up checks at the appropriate date if initial checks indicate that an occupier has a time-limited right

to rent and make a report to the Home Office if follow-up checks indicate that an occupier no longer has the right to rent.

14. Type of Tenancy to be offered

Most new tenants will be offered a starter tenancy for 12 months unless the applicant has held a more secure tenancy prior to being accepted by Keniston.

15. Type of rent to be charged

How we set our rents is set out in our Rent Setting Policy.

16. Affordability Assessments

Rent income officers will carry out an affordability assessment on applicants. It is important to note that this exercise is likely to be carried out to discover ways in which we can help the tenant to sustain their tenancy.

Most of our properties are let at social rent, and an affordability assessment is not required if receiving housing benefit, except to maximise income by carrying out a benefit check and calculating housing benefit entitlement if appropriate. Advice and guidance will be given at this stage.

For affordable rent tenancies, rent income officers will carry out an affordability assessment to consider a household's income and outgoings. Where a home is unaffordable (if their outgoings are more than 45% of their income) we may refuse the application or nomination. Where tenants propose to swap properties in a mutual exchange, we request that they discuss affordability with us, so we can provide advice prior to the exchange taking place. We cannot refuse a secure tenant a mutual exchange on the grounds of affordability, but we do want to avoid tenants putting their tenancy at risk if they cannot afford the rent.

Applicants are asked to pay one weeks rent at the start of the tenancy. If unable to do so, they will be asked to enter a payment plan to pay by instalments.

17. 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 take 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.

18. Information

We always aim to keep applicants fully informed. 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.

19. Appeals Procedure

We can reject an application at any stage if the applicant has failed to provide the evidence we require; where the property would be unaffordable; where the applicant requests a property in a location that we do not have properties, or features that our properties do not have (as in a transfer case); where the applicant has not complied with the time limits and actions set out in our procedure; where the property would be under occupied or overcrowded.

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.

20. 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. We will continue to signpost tenants towards local authority letting schemes and mutual exchange in order to help them achieve a move.

21. 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)

- The property is under occupied (we will permit a tenant with rent arrears and not subject to a court order, to move to a smaller property if an agreement is made to clear the arrears over a period of time). If a tenant is subject to a court order, they can take advantage of the downsizing scheme, if the incentive offered clears the arrears. 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 and which is seriously affecting the tenant's health or ability to continue normal living.
- Where we need to decant permanently to permit major repairs or redevelopment. If we cannot find suitable housing in the right location, we will work with the relevant local authority to help our tenants move.
- 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
- Ready to begin fostering or adoption but need a larger home to do so. We will require confirmation from the local authority children's services team that the applicant has been approved as a foster carer / adoptive parent and that a placement is due.

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 considered when an application is made to move to larger accommodation. Other relatives or friends of the tenant will not be considered. 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 Housing Officer would report to the Operations Director 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.

21. Additional Considerations at the point of making the offer

When considering individual cases, the Association will consider 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 priorities).

22. 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 or domestic abuse and who we are supporting to move to a new area, harassment cases, severe defects to property. This includes those tenants we need to decant permanently from their current home to permit redevelopment; statutory overcrowding, under-occupation or living in an adapted property who no longer need the adaptation and serious medical grounds. Tenants who we are supporting to move for housing management reasons.
- 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.
 - Where a tenant or household member can take up or remain in work, reducing travel time and costs.

23. Medical priority

Tenants who have a medical need or disability, which means that their home is unsuitable for them or a member of their household, can apply on medical grounds. This may mean that a tenant or family member cannot leave the home without help or cannot access washing or cooking facilities and where the applicant's current housing is having a significant detrimental effect on their condition.

We will require confirmation from a hospital consultant, GP or Occupational Therapist, and will require an assessment by Keniston's independent medical assessor.

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Each application will be placed in the appropriate band. If the household has more than one identified housing need it will be recorded with the housing need that attracts the highest level of points.

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 10 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.

24. Means of achieving a transfer

The Association will meet the requirements of any approved transfer application by an offer of another Keniston property.

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.

Housing Officers will provide advice on other housing options such as mutual exchange.

25. 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 operations director.

We will consider appeals against our decisions. Applicants who want us to review a decision must contact us in writing within 28 days of the decision, with their reasons. The appeal will be heard by the complaints and resolutions panel.

26. 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.

27. CORE (NHF Continuous Recording).

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

28. 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.

Permission may only be refused on certain legal grounds 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.

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

All existing tenants retain the security of tenure enjoyed under their original tenancy before exchange

29. 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 Management Team Meeting 30th September 2019

APPENDIX A

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