

Golden Lane Housing



Allocation Policy

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1. What is the purpose of this Policy?

This policy sets out Golden Lane Housing's (GLH) rules that govern how vacant properties are allocated to tenants. The policy aligns with the requirements of the Regulator of Social Housing's Tenancy Standard and ensures GLH delivers fair allocation and letting of properties.

The scope of this policy covers all supported housing but does not apply to the following properties:

- Properties managed on behalf of other Registered Providers
- Golden Lane Housing registered care homes

2. Policy Details

GLH provides specialised supported housing for people with a learning disability or autistic people.

2.1 The Allocation Policy Objectives are:

- Make the best use of GLH's homes, ensuring the customers' needs are matched with appropriate properties.
- Ensure compliance with GLH's statutory and regulatory obligations
- Ensure GLH works with local and health authority partners to enable them to meet their duty to assist people with a learning disability who are in housing need.
- Ensure GLH's properties are allocated in a fair and transparent way, which is not discriminatory to any person or group, delivering sustainable tenancies by offering customers choice as far as possible.
- Ensure GLH's homes are let in an efficient and timely manner to the required lettable standard.
- Ensure GLH makes the best use of its housing stock to contribute to creation of strong, sustainable communities
- Ensure GLH works with applicants and local and health authority partners to minimise potential financial hardship from under-occupation.

2.2 Referrals and Nominations

GLH will accept referrals and nominations for vacancies where the local or health authority has agreed a funded package of support from:

- Local or health authority partners in accordance with any nomination agreement in place.
- Local or health authority, statutory agencies or a support provider.
- Direct applications from applicants or their family members. Applicants who apply directly to GLH will be assessed under the terms of this policy and the housing exclusion and eligibility criteria set out within this document.

2.3 Allocating Properties

When a property becomes vacant it may be allocated to an applicant from the following list:

- A local and health authority nominee both within the nomination agreement and outside the nomination agreement as appropriate
- A decanting GLH tenant or a GLH tenant seeking a permanent move
- A direct applicant from a person with a learning disability or autistic people
- 3rd party nominations i.e. from the support provider, an individual's family or their advocate

In all cases the applicant will have a funded care plan in place.

2.4 Eligibility Criteria

When a nomination or referral is received, GLH will check that the applicant is eligible to hold a social housing tenancy and fulfil the following eligibility criteria:

- Has the right to rent a property in the UK
- Is able to afford the home they have been nominated / applied for
- The applicant has an assessed learning disability and / or autism diagnosis
- The applicant needs support to help them maintain a tenancy
- The applicant has appropriate funding and personal support provision for a minimum of 25 hours per week
- Can be supported to effectively maintain a tenancy and, where there is potential risk identified, satisfy itself that there are plans in place to mitigate those risks
- The applicant is not suitable for alternative general needs housing
- The applicant is over 18 years of age or is a local or health authority care leaver aged 16 and over.

GLH will verify the details of all applicants prior to making any offer of accommodation. We will request relevant information for all applicants to enable a risk assessment to be undertaken as part of an application assessment. The information requested will include personal information such as name and nationality through to care and support needs and capacity to sign a tenancy. This information is gathered to assist GLH in identifying any support needs and the level of potential risk posed by the nomination / applicant. Applications may be rejected by GLH should the required information not be received that allows us to fully risk assess an applicant. However, a refusal based on lack of information or none disclosure does not discount the applicants from applying again in the future.

2.5 Application and nomination Process

Nominations and referrals from local and health authorities and other referring agents may involve agreements relating to GLH's obligations during the application and post allocation of property. All staff working in the allocation of properties will be aware of and understand these responsibilities. Staff will also follow GLH's allocation procedures.

The submission and assessment of an application does not guarantee an offer of accommodation or a tenancy being granted. Where an offer cannot be made GLH will explain the reasons for this.

2.5.1 The process will ensure:

- All applicants will be treated fairly and with respect.
- All applicants have their needs assessed by an appropriate person and have received confirmation that their needs can be met prior to taking a tenancy with GLH.
- All applicants have completed or have completed on their behalf a GLH application form.
- All applications have been risk assessed to ensure that any tenancy offer is viable, sustainable and that any risk can be managed and mitigated effectively.
- The Applicant or their advocate is involved in the allocation process and must be encouraged to visit the property to assess the suitability of the accommodation being applied for.
- Applicants are invited to visit the property before the tenancy start date to ensure compatibility in shared homes.
- That the tenancy or contract (for individuals living in Wales) is issued and signed correctly either by the tenant or their Deputy and the appropriate advice and level of support is given regarding their rights and responsibilities including, but not limited to, advice on paying rent and applying for Housing Benefit.
- Where an applicant is unable to sign a tenancy agreement and there is no appointed Deputy or no person has the legal authority to enter into an agreement on the person's behalf, GLH will seek assurance from the local authority that a procedure has begun to enable a tenancy agreement to be signed in the future by an appointed Deputy.

2.5.2 Local and health authority Nominees and Direct Applicants

GLH will work with local and health authorities to ensure that we meet our obligations under any existing nomination agreements. All applicants nominated by the local or health authority will be subject to the same requirements outlined in this policy regarding qualification and exclusion.

To ensure the best use of our properties, vacant properties may be let outside of local or health authority nomination agreements, where the authority has failed to identify a nomination and in line with any nomination agreement obligations or after 6 months of the vacancy arising.

2.5.3 Decanting Golden Lane Housing Tenant

Vacant properties may be let to decanting tenants who are being re-housed because they have had to move from their homes to enable GLH to carry out major repairs, improvement or redevelopment work, or because the property is to be disposed of or is no longer made available to GLH.

2.5.4 Transferring Tenant

GLH tenants whose homes are no longer suitable for their needs and who need or wish to move to an alternative property or area must submit a new application form when a new property has been identified. GLH may re-provide for a tenant where a new referral and housing application has been submitted to meet changing needs; this referral and application will undergo the full application and assessment procedure as detailed within this policy. Whilst GLH will endeavour to provide alternative accommodation, it is not guaranteed that GLH will be able to re-provide for tenants and the ultimate responsibility for identifying suitable housing with support will sit with the appropriate local or health authority.

2.5.5 Mutual Exchange

GLH does not currently operate a mutual exchange or participate in a national mobility scheme.

2.6 Rejection of an Applicant

GLH may reject an applicant where it has been evidenced they have failed to meet the eligibility criteria outlined in this Policy or where it has been identified that they are in breach of one or more of the grounds for exclusion. An application may also be rejected where the risk assessment deems the risk too high for the applicant to be supported safely or where, in our view, the tenant does not have the ability to manage and sustain a tenancy effectively.

In all cases, the applicant's housing needs and circumstances will be judged on an individual, case-by-case basis. Reasonable attempts will be made to resolve or mitigate any factors that could lead to ineligibility before the decision is taken to not proceed with an application.

It may not be possible to hold the property applied for whilst any factors are being resolved.

If a decision is made to reject an applicant, we will notify the nominating local or health authority (or other agency) by email, stating the reasons for the rejection.

If it is discovered that an offer of accommodation has been given based on inaccurate, fraudulent or incomplete information, that offer may be withdrawn and the nominating local or health authority (or other agency) notified in writing.

2.7 Appealing against a decision

In instances where GLH are unable to offer a tenancy and reject an application GLH will explain the reasons for rejecting the application in writing and provide details of the appeals process. GLH will continue to actively promote alternative housing solutions for people with a learning disability and autism where GLH cannot provide a tenancy.

If GLH refuse an application, the applicant or referring agency has the right to ask for a review of that decision. This request must be received in writing within 21 days of the decision being made. The written request must detail why the decision is being appealed and state on what grounds on which the decision to be reviewed.

The review will then be dealt with by a manager within GLH and the decision will be reviewed by the Head of Housing. The outcome of that review will be confirmed in writing within 28 days and is not eligible for further review.

2.8 Affordability

GLH will carry out an affordability assessment on all applicants including checking their eligibility for Housing Benefit. Where an applicant does not qualify for Housing Benefit we aim to meet the objective that no household should pay in excess of 50% of their net household income on housing costs.

If an applicant does not meet an affordability assessment, we may reject the application.

Where an applicant qualifies for Housing Benefit, we will support the applicant to make a claim and provide any supporting documentation Housing Benefit require from GLH as the landlord.

2.9 Applicants under 18 years of age

Applicants under 18 years old are unable to hold a legal interest in land and are therefore not able to hold a tenancy. Applicants under 18 years old can hold an equitable tenancy which should be in the name of a legal guarantor up until the age of 18.

GLH will only grant an equitable tenancy to an applicant under 18 years old if they are aged 16 or 17, are a known care leaver and have been nominated by a local or health authority and have a suitable legal guarantor and support plan in place.

2.10 Sex offenders and High Risk Offenders

GLH will consider nominations of ex-offenders who have committed sex offences or high risk offenders who have been assessed by the local multi agency public protection arrangements (MAPPA) panel. GLH reserve the right to reject nominations if it considers that an applicant's support needs make them unsuitable for the property being offered to them. It is the policy of GLH to make housing allocations that increase community safety rather than threaten it.

A minority of specialist schemes may have effectively trained staff and support in place to accommodate sex offenders or high risk offenders appropriately. In such cases the Head of Housing will make an assessment based on the individual circumstances.

To establish an environment which safeguards existing and future residents, GLH will:

- Ensure staff dealing with issues relating to housing of known or alleged offenders considered or known to be high risk sex and/ or violent ex-offenders receive training and support to fulfil their responsibilities.
- Ensure staff allocating a property to incoming applicants are aware of their responsibilities should someone disclose an offence at any stage of the process.
- Develop and maintain a culture of co-operation with local and health authority partners and other relevant agencies, with a clear information sharing protocol which sets out processes, roles and responsibilities of staff internally and externally.
- Ensure when a person with a conviction which suggests they may be high risk is nominated for housing by a local authority, a multi-agency risk assessment is carried out. It is the role of the Police, Probation service, Prison service and Adult Services to undertake this risk assessment and we will work with the local and health authority to ensure that the nomination is to a suitable property. Risk assessments for Level 2 and Level 3 offenders (the categories used by MAPPA) must be approved by the Head of Housing.
- Ensure information on residents who are ex-offenders shared internally is on a 'need to know' basis in line with our Data Protection Policy.
- We reserve the right to refuse a nomination where a suitable allocation cannot be made. We expect applicants and those supporting them, to provide accurate information on their application forms and a failure to do so may result in the offer of accommodation being withdrawn.
- We will balance the housing rights of the applicant with public concerns and the safety of the local community.

2.11 Exclusions

In exceptional circumstances we will reject an application for housing. In doing so, we will be fair and transparent and we will undertake a risk assessment as part of our decision making process. We will clearly demonstrate our reasons for rejecting an applicant. Grounds for rejection include (but are not limited to):

- Convicted Arsonist
- Sectioned under the mental capacity act (at the time or application submitted)
- Inadequate or refusal of support proportionate to assessed needs
- Significant high risk to self or others (Not manageable under support provision)
- Registered Sex Offenders (Risk not manageable or not part of MAPPA)
- Is not eligible to claim Housing Benefit and has no other means to pay rent
- Does not have a legal right to reside in the UK
- If the applicant or a member of their household poses a threat to the community. GLH may take advice from other agencies, such as the Police, probation or social services.

2.11.1 Legal Eligibility for Housing

If a person is subject to immigration control or is a person from abroad, unless they meet the criteria of the 'habitual residence test' as defined in s.161 of the Housing Act 1996 and the allocation of housing regulations 1996(s1 1996 no:2753) as amended by the Homeless Act 2002. It is the local authority's responsibility to ensure a nominated applicant is eligible for rehousing.

2.11.2 Evicted Tenants

GLH reserve the right to refuse housing to any applicant who was previously evicted from either a GLH property or that of another social or private landlord. GLH will review each applicant on a case-by-case basis to establish whether the factors that led to the previous eviction remain an issue.

2.11.3 Inadequate or Incorrect Information

If a local or health authority or direct applicant has not supplied sufficient information to allow GLH to fully assess and risk assess the applicant, no offer of accommodation can be made and we will reject the application / nomination.

If the applicant or local or health authority has not provided requested information or evidence within a defined period, we may reject the nomination / application.

If information provided by the applicant in respect of their application is deemed to be inaccurate, fraudulent or incomplete, we will reject the nomination / application.

2.12 Sustainability

GLH may decline to offer accommodation where there is evidence to suggest that the tenant would not be able to sustain the tenancy. Examples of where this may occur include, but not limited to the following:

- The applicant has significant support needs or other health issues and there is no or an insufficient support plan in place prior to the tenancy commencing and the lack of such provision would, in our view, negatively affect the applicants' ability to sustain the tenancy or move into the property at the commencement date
- The applicant has support needs and has refused, or failed to engage with, help from external agencies and the lack of such provision would, in our view, negatively affect the applicants' ability to sustain the tenancy or move into the property at the commencement date
- The applicant has specific requirements (current or anticipated) that cannot be met. For example, a disabled adaptation or adjustment that cannot be practicably implemented at the property in a reasonable period of time or at a reasonable

cost or a property that is otherwise unsuitable in the view of a healthcare or social services professional.

- If after carrying out an assessment of an applicant's circumstances, GLH feels that the tenancy would be unsustainable due to the applicant's inability to afford the property. Such a decision would only be made after a full assessment of the applicant's financial circumstances, including a benefit calculation.

2.13 Homeowners

GLH will not normally house applicants who own their own home although exceptions can be made depending on the circumstances of the individual involved. It should be noted that in most instances the homeowner applying for social housing should be taking steps to remove their interest in the property (disposing or sale of the property). The circumstances where GLH will consider housing a homeowner include (but are not limited to):

- Where a property has become unsuitable due to a disability on the part of the homeowner and the homeowner is unable to make the necessary changes to their property.
- Where the homeowner is unable to sustain their home due to a change in circumstances (including relationship breakdown, illness or loss of job) and is in the process of selling their home.
- Where the applicant is a joint homeowner who has been left unable to sustain their home due to the disappearance of their co-homeowner and who is unable to do anything because of an insistence by a mortgage lender of needing two signatures.

2.14 Tenancy Start Date

GLH will grant weekly Assured Shorthold Tenancies in most instances which will commence on a Monday and end on a Sunday. In Wales, GLH will grant an Occupation Contract. We will provide applicants with a projected start date at the earliest opportunity. However, this date may change if, for example, further works are required to bring the property up to the minimum lettable standard or the required documentation is not received.

GLH expect applicants to take up their tenancy/contract on the proposed tenancy start date. It may be possible for new tenants to delay moving into their new home for a short period, but rent will be payable from the start of tenancy date irrespective of whether or not the tenant has moved in. Housing and Council Tax Benefit cannot normally be claimed prior to moving in however an intention to claim can be made.

2.15 Recording and Data protection

GLH will record all allocations and sales as required by the Continuous Recording of Lettings (CORE) system. All information provided to GLH will be kept confidential though we may share information with partner local authorities and other registered landlords. Information is only used in accordance with the Data Protection Act 2018.

2.16 Fair Access

GLH believes in valuing diversity, promoting inclusion and ensuring fair access to its services. GLH is committed to ensuring that no person or group of persons are treated

less favourably than another person or group of persons and will carry out our duty with positive regard for The Equality Act 2010.

3. Golden Lane Housing's Goals

- Tenant Satisfaction - Improving services and communication, increasing tenant satisfaction we will set clear service standard.
- Investing in Homes - We want all our tenants to live in good quality, safe, environmentally friendly homes. Our voids when let will meet the empty homes policy.
- Housing More People – we aim to reduce the number of empty properties and increase opportunities for independent living by working with commissioners and support provide providers to move people into these homes.
- Strong Finances – We will work with others to do our best not to have empty homes.
- Working Together - Involving our tenants to improve our service and processes.

4. Reference

This policy should be read in conjunction with the following documents

- Empty Homes Policy
- Modern Homes Standard

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