



Access to Housing Policy

Reference	Access to Housing	Version	V1
Staff affected	All staff	Issue date	January 2022
Approved by	Board of Management	Review Date	January 2024
Lead Officer	Leah Montia		

1. Scope

- 1.1 This policy sets out the approach that we will take to the allocation of our properties. The policy is intended to give general guidance and must be viewed in the context of the need to maintain a flexible approach to the management and allocation of our properties.
- 1.2 We will develop and keep under review procedures to ensure the practical implementation of this policy. We will also have regard to the procedures and guidance for the operation of the choice based lettings arrangements in our partner local authority areas.

2. Policy Statement

- 2.1 This policy is the principle policy that is used to allocate our properties. This policy will have regard for other partnerships and commitments but overrides any other agreement in relation to accessing housing.
- 2.2 This policy does not cover the allocation of properties to applicants that require high levels of tenancy related support. Allocation of supported housing is administered by individual supported housing partners.
- 2.3 We are committed to responding to a wide range of housing needs by providing excellent quality affordable homes in Rotherham Sheffield, and North Derbyshire. We aim to have a positive impact on people's wellbeing by providing safe, secure, warm homes that meet their needs.
- 2.4 We aim to allocate our homes in a fair, transparent and efficient way and promote access and choice for applicants by participating in local and regional choice based lettings schemes where appropriate.
- 2.5 We will take account of the individual housing needs and aspirations of each applicant. However, applicants who do not satisfy the criteria set out in our charitable rules or fall within one of the excluded groups will be ineligible for housing with us.

Our charitable rules mean that applicants must satisfy one of the following criteria to be eligible to apply for housing:

- Are aged over 55 years
- Are in receipt of benefits as their sole income
- Are on a low income with limited savings
- Are either physically or mentally disabled
- Have serious health problems

- 2.6 We recognise that single people under the age of 35 and not in paid employment will increasingly find it difficult to access self-contained accommodation due to their financial circumstances. As such we are committed to exploring alternative housing options for this group including the provision of rooms within shared properties.
- 2.7 Where our tenants are overcrowded, we will encourage and if required support them to register for rehousing via the local authority choice based lettings register. We can also provide advice to tenants about their other housing options.
- 2.8 We will adopt a risk based approach to allocating our properties. Where following our pre-tenancy checks we feel that an applicant cannot meet the obligations of the tenancy, they will not be allocated a property.

3. Staff Responsibilities

Director of Operations

Overall responsibility for this policy and its implementation rests with the Director of Operations.

Head of Housing Services

The Head of Housing Services will ensure that staff receive the appropriate training and support to effectively achieve the objectives of this policy. The Head of Housing Services also has discretion to make decisions on re-housing where an applicant's housing needs are not covered by this policy or to waive this policy in exceptional circumstances.

Neighbourhood Manager

The Neighbourhood Manager is responsible for ensuring the implementation of this policy on a day to day basis.

The Neighbourhood Manager has discretion under this policy to authorise offers to applicants regardless of their priority, not to make an offer to an applicant where it would be incompatible with the objectives of this policy and to exclude or refuse applications.

Housing Operations Team Officers

The Housing Operations Team officers are responsible for the implementation of this policy on a day to day basis as set out in their job descriptions and instructed by the Neighbourhood Manager or Head of Housing Operations.

4. Consultation and partnership

- 4.1 We will periodically liaise and consult with our customers, local authorities and other key stakeholders to understand the housing needs of the communities in the neighbourhoods where we work. The results of this consultation will be used to shape our approach to allocations.
- 4.2 We will co-operate with and support our local authority partners to fulfil their duties in meeting housing need.

5. Choice Based Lettings

- 5.1 We will use a lettings system that allows choice, considers individual needs and ensures we treat everyone as fairly as possible. In Rotherham we are a partner in Key Choices. In Sheffield we are a partner in the Sheffield Property Shop. These are both choice based lettings schemes set up to make applying for housing in Rotherham and Sheffield easier for applicants.
- 5.2 When a vacancy arises it will usually be advertised through a choice based letting scheme. By registering with Key Choices and the Sheffield Property Shop an applicant who successfully bids for a vacancy advertised by ourselves will have their application considered by us.

6. Nomination Agreements

- 6.1 We will review our nominations agreements with local authorities regularly to ensure they support the objectives of both the business and the authority. We have nomination agreements with Rotherham Metropolitan Borough Council and Sheffield City Council. On the whole, the agreement is that 50% of available properties will be allocated to individuals nominated by the relevant local authority.
- 6.2 Subject to our charitable rules, we will adopt the criteria operated by our local authority partners to prioritise applicants and assess them for housing when the allocation is to be counted as a nomination. Where the property is not to be counted as a nomination then only our own access to housing policy will apply.
- 6.3 Even where we are allocating a property that is to be counted as a nomination we reserve the right to refuse none priority applicants where following our pre-tenancy assessment it is deemed that the tenancy cannot be sustained or when one of the exclusions as set out in section 9 of this policy applies.

A priority application is one which has been defined as such by the local authority. The main priority categories will include: -

- Health needs
- Welfare & support needs
- Property demolition
- Homelessness
- Foster carers
- Overcrowding

6.4 Priority nominations will only be refused on one of the following grounds:

- The applicant does not meet the specified standards on household size or services for specific groups, for example adapted accommodation, ethnic or gender specific accommodation, age restricted accommodation.
- The applicant has caused nuisance or had a previous failed tenancy on the same estate or nearby.
- The applicant or a member of their household has been abusive to a member of the prospective landlord's staff to the level where if they were a tenant we would have cause to issue civil proceedings to protect our staff.
- The applicant has previously been evicted or the applicant has left the property prior to an eviction that was likely to take place.
- Where the protocol appears to conflict with the mainstream policies of the landlord and where acceptance of an applicant would cause potential business difficulty. In such cases the landlord may ask the local authority to reconsider the nomination.
- There are other significant risks, for example a history of arson and there are other ways in which the local authority can meet its duties.
- When an individual has support needs which could be better met elsewhere, whilst accepting that some people have support needs which cannot be met.
- The applicant, or a member of their household, has caused serious ASB at a previous property which has, or could have, resulted in tenancy enforcement action.
- Where our pre tenancy checks determine that the applicant would be unable to sustain their tenancy without significant support, and there is insufficient evidence of an ongoing support plan.

- Applicants who do not have the means to pay their rent from the commencement of the tenancy, and there is insufficient evidence that this will change e.g. proof of eligibility for housing benefit or universal credit which will cover the rent.
- The scheme or neighbourhood has exceeded the level of priority applicants which we have risk assessed is sustainable.

6.5 Where we are intending to refuse a priority nomination on one of the grounds set out in section 6.4 of this policy we will always discuss the case with the relevant local authority. Where our pre tenancy checks indicate that an applicant would require ongoing support to sustain a tenancy we will request evidence of an ongoing support plan, which we will risk assess in line with this policy. Where support is in place, which is relevant to the applicant sustaining a tenancy, we may request evidence that the applicant is engaging with support and where this is not provided we may refuse the applicant under the grounds set out in section 6.4 of this policy.

7.0 Allocations outside choice based lettings

7.1 In certain circumstances we may not advertise a vacancy through a choice based lettings scheme. There are a number of circumstances where this may be considered appropriate including, where there are concerns about affordability or sustainability we may choose to advertise properties through a range of alternative sources such as, but not limited to:

- Right Move
- Zoopla
- Gumtree
- Homeswapper

In such cases we will only consider applicants who are in paid employment and are not fully reliant on either housing benefit or the housing element of Universal Credit. In all cases an affordability assessment and verification checks will be undertaken and will require one month's rent paid in advance of the tenancy start date

7.2 Management – Moves

Where an urgent need to move has been identified we may choose to directly offer a property to an existing tenant in the following circumstances:

- to provide accommodation either temporary or permanent for an existing tenant whose home is effected by an emergency or planned works.

- to provide urgent rehousing for witness protection or to respond to serious anti-social behaviour or domestic abuse where the resident is at serious risk by remaining in their current home and needs an immediate move
- to provide housing for a referral from a partner agency

Where a management move is sought it must be approved by the Head of Housing Operations, and one of the above criteria must be evidenced.

7.3 **Sensitive lettings**

Sensitive lettings are ones where restrictions on the criteria for the applicant type in response to significant management issues which relate to a particular area.

Areas with significant issues will be identified by the Housing operations staff. Where issues that affect sustainability have been identified, e.g high turnover and abandonments, high levels of ASB/criminal activity, high concentration of vulnerable customers and properties that are generally difficult to let. Arches reserve the right to allocate vacant properties to applicants whose tenancy is not likely to lead to a continuation of the identified issues.

7.4 **Local lettings policies**

In some areas where we have properties we may choose to apply local lettings policies. If we adopt a local lettings policy, specific rules will apply to those homes covered by this arrangement. We will provide applicants with information on the rules which apply and will consult with our customers and partners before a local lettings policy is agreed.

In order to deliver a balanced and sustainable business model and as properties and neighbourhoods where people are proud to live, we may consider from time to time applying a local lettings policy to a neighbourhood or asset group.

All local lettings plans are subject to periodic reviews and will require approval from the Director of Housing Operations.

8. **Transfers & Mutual Exchanges**

- 8.1 As the circumstances of existing tenants change, we recognise that they may wish to transfer to more suitable accommodation with ourselves. As such we will maintain an internal transfer list.

- 8.2 When we consider an allocation to an existing tenant, priority will be awarded on the basis of the bandings set out in **Appendix B**. Where more than one applicant has the same priority banding, we will give preference to the applicant who has been waiting the longest.
- 8.3 A maximum 10% of lettings in any 12-month period will be allocated to existing tenants.
- 8.4 Subject to the exclusions set out in section 9 of this policy, for an existing tenant to be eligible for an internal transfer they need to be: -
- Registered on an existing choice based lettings scheme
 - Registered with Homeswapper
 - Have been a tenant for at least 2 years (unless there are exceptional circumstances)
 - Have no rent arrears, court costs or other sums owing to Arches such as recharges for repairs
 - Have no outstanding repairs that they are responsible for
 - Have no unresolved breaches of their tenancy
 - Have no significant tenancy breaches which have been resolved but required formal action, including warning letters, occurred in the last 12 months
- 8.5 Only one reasonable offer of alternative accommodation shall normally be made to a transfer applicant. If a reasonable offer is refused, a transfer applicant will normally not be eligible to re-apply for a period of two years.
- 8.6 If a transfer applicant is provisionally offered accommodation by us, a home visit will take place. If during this home visit breaches of tenancy are identified, the offer will be withdrawn with immediate effect.
- 8.7 Every two years a full review of the transfer list will take place. As part of this review all current live applicants will be required to confirm that they wish to remain on the list.
- 8.8 We will support our tenants to gain access to opportunities to exchange their tenancies through the national mutual exchange scheme; Homeswapper. A mutual exchange is a home swap with another social housing tenant. A tenant may swap homes with any council tenant or Housing Association tenant provided that they have the right to mutual exchange and both parties wish to swap.

9. Exclusions and Refusals for non-priority nominations

9.1 To create successful and sustainable communities and to ensure that we continue to be a strong financially viable business, there will be times when we need to exclude or refuse an applicant for housing or reject a Local Authority non priority nomination. Applicants will be excluded or refused in the following circumstances.

9.2 Applicants who cannot sustain a tenancy

Examples of the circumstances where this may occur include: -

- Applicants who do not have the means to pay their rent from the commencement of the tenancy.
- Applicants who as a result of the introduction of various welfare reforms will be unable to guarantee their on-going long term obligation to pay their rent.
- Applicants who do not pass an affordability assessment.
- Applicants with high level support needs will be referred to one of our supported housing partner agencies to ensure that they are considered for appropriate housing and tenancy related support.

9.3 Applicants subject to immigration control

Arches will not allocate a home where an applicant is subject to immigration control or excluded from entitlement to public funds as a result of their immigration status or those applicants who are unable to evidence that they have the 'right to rent'.

9.4 Applicants with arrears or other debts

Where an applicant owes money to ourselves or another landlord we will refuse their application. Applicants in these circumstances will only be considered if there are exceptional circumstances. When we determine whether to refuse an application we will consider the following:

- Age and circumstances of the debt
- Existing repayment arrangements
- Continuous payments to reduce the debt
- Amount outstanding
- Whether there is a current court order in place
- If the applicant has been previously evicted for rent arrears

9.5 Applicants with a history of unacceptable behaviour

We will refuse applicants where we consider that their previous or current behaviour or the behaviour of members of their household is unacceptable, and is serious enough to make them unsuitable as a tenant.

We will also refuse those applicants that we consider pose a threat to the community or our employees, and those who have persistently breached their conditions of tenancy with us or another landlord. This will include those applicants who during the offer process engage in abusive or threatening behaviour.

9.6 Applicants who have not looked after their property

We will refuse applicants who have caused damage or failed to maintain their current or previous home in a reasonable condition. A home visit may be undertaken to assess this.

Where we refuse an application from a current tenant we will make it clear what needs to be done before we will reconsider the applicant.

9.7 Applicants who provide inadequate or false information

We will refuse applicants who are unable to provide two satisfactory forms of proof of identification and income. We will also refuse applicants who do not respond to requests for further information or fail to provide the information that we have requested.

We will refuse applications where the information supplied by an applicant is incomplete, false, deliberately withheld, misrepresents the applicants housing circumstances or is insufficient to allow us to verify entitlement to housing related benefits.

We will also exclude applicants who have deliberately altered their circumstances in order to improve their prospects of being allocated a home or applicants where we believe that they have secure and suitable accommodation elsewhere available for their use.

9.8 Applicants who will under occupy the property

We will normally only consider applicants where they will not under occupy the property based on the DWP property size guidance.

In exceptional circumstances we will consider allocating properties to applicants who will under-occupy the property

9.9 Applicants under the age of 18

Applicants under the age of 18 will not be considered by us for re-housing in general needs housing.

10. Viewings

- 10.1 We will arrange for applicants to view the vacant property and will require a decision within 24 hours after the viewing. Applicants are expected to keep their contact details up to date. Multiple applicants may be invited to a joint viewing. Where an applicant fails to attend a viewing without good cause, or without notifying us beforehand with a valid reason, we may choose to let the property to an alternative applicant.

11. Offers

- 11.1 We will make a formal offer subject to contract and verification. Where we establish a need, we will also request a risk assessment and support plan as additional verification. For tenants moving internally the verification process will include that there are no rent arrears, ASB and all property related repairs, that are tenant responsibility, have been carried out before an offer of an alternative tenancy is made. Tenants will be liable for rent on both properties until the tenancy is formally ended by tenant. In the formal offer Arches will advise of the tenancy type, rent and service charge amount, and anticipated start date.

12. Signups

- 12.1 We will keep applicants updated throughout the letting process and give an indication of when the property will be available. The applicant will need to be available for a short notice signup and be expected to pay advance rent at signup. Applicants need to pay a minimum one week's rent at signup, and within the first year to build a rent credit on account equivalent to their payment frequency. Where possible a tenant will be expected to pay a full month's rent in advance. Internally transferring tenants will need to ensure they return keys to their former property and will remain liable for rent on both properties until tenancy is terminated officially.

13. Complaints & Appeals

- 13.1 Arches will seek to resolve any complaint from customers over the operation of this policy at the first point of contact. If this cannot be done complaints from applicants will be dealt with through our formal complaints procedure.
- 13.2 Appeals about a re-housing decision will be considered by an officer who was not involved in the original decision.

14. Review

- 14.1 This Policy shall be reviewed and updated every two years or if there are any significant changes to current legislation, regulations or codes of practice or guidance.

15. Governance and Assurance

- 15.1 Monitoring of the implementation of this policy will be the responsibility of Board of Management.

- 15.2 We will set annual performance targets to measure the success of our allocations service. Progress against these targets will be reported to the Board annually at the end of the first quarter.

These will include:

- % of Nominations accepted from Local Authorities
- % of overall lettings made to priority applicants
- % of lettings advertised through choice based lettings

16. Equality and Diversity

- 16.1 All involved will recognise their ethical and legal duty to advance equality of opportunity and prevent discrimination on the grounds of; age, sex, sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

17. Publicising this Policy

- 17.1 This policy will be publicised on the Arches Website.

Appendix A - Direct Let Allocation Banding

Band A: This band includes existing tenants who fall within one of the following categories	
A1	Decant – temporary
A2	Decant – permanent
A3	Management Transfer
A4	Statutory overcrowding
Band B: This band consists of existing tenants who fall within one of the following categories	
B1	Under occupation by 2 bedrooms or more – financial hardship
B2	Under occupation by 1 bedrooms or more – financial hardship
B3	Under occupation – releasing a larger home
Band C: This band includes all other existing tenants who do not fall within either Band A or Band B and all applicants outside a choice based lettings scheme who are not an existing tenant	