

ALLOCATION AND LETTING POLICY

1. INTRODUCTION

This policy applies to:

- The allocation and letting of new general needs properties including older people schemes and their subsequent re-letting.
- The allocation and letting of supported housing subject to the specific qualifying requirements laid down by the Local authority or the Government for each scheme.

2. AIMS

The aim of this policy is to ensure that ISHA allocates and lets its properties in a fair and equitable way whilst complying with legislation, regulation and nomination agreements with Local Authority Partners.

The key objectives of this policy are to:

- Allocate accommodation to those in greatest housing need.
- Achieve sustainable tenancies and the creation of stable and balanced communities.
- Relet homes as quickly as possible.
- Work with local authorities to help them fulfil their duties to the homeless and those in priority housing need.
- Work within agreed Sub-Regional and local authority nomination agreements.
- Make effective use of the Association's housing stock.
- Treat all nominees in a fair and non-discriminatory way, in accordance with ISHA's equal opportunities/diversity policy.
- Comply with all statutory and regulatory requirements.

3. DETAILS

Partnership working

ISHA will work in full cooperation with its LA partners to help identify and meet housing need in the boroughs in which we operate.

We will work in partnership to alleviate homelessness and to tackle both overcrowding and under occupation. This includes:

- Attendance at LA and sub-regional meetings to discuss and progress schemes and action plans to reduce overcrowding and under occupation and to work towards a common approach to these issues.
- Provide feedback on local authority policy reviews.

To facilitate partnership working in these areas, we will make full use of protocols for the exchange of data between us and our LA partners.

Homelessness strategy

ISHA will work in close cooperation with its LA partners to help alleviate homelessness. To achieve this we will:

- Ensure we have appropriate Nominations Agreements in place with our LA partners.
- Ensure lettings are appropriate including checking that Affordable lettings are financially viable for nominees.
- Develop accommodation that meets our LA partners' requirements.
- Make appropriate referrals to sustain tenancies where additional support is required.

Overcrowding & under occupation

ISHA will provide advice and assistance for any tenants who are experiencing overcrowding. This may include signposting to the LA for registration on the Housing register, advice on how tenants can make the best use of space in their homes and assistance in registering for a Mutual Exchange. We are not able to offer transfers for overcrowding except for serious statutory overcrowding.

ISHA wants to make the best use of their housing stock. Therefore, tenants who are under-occupying who want to move will be considered for a management transfer and will receive a financial incentive to move to a smaller home and be reimbursed for the cost if moving home

LA & sub-regional nominations

Local Authorities are entitled to an agreed percentage of 'true voids' (See appendix 1). Generally, this is 100% of all new or 1st let properties; 75% of all relets to all 2+ bed homes and 50% relets to all 1-bed and bed-sit properties.

Rejections

In accordance with agreed arrangements for data exchange and information sharing, ISHA requires full details of all nominees for housing. This includes the disclosure of any arrears, criminal convictions and other "relevant" data.

ISHA reserves the right to refuse nominations as follows:

- where the property does not meet the needs of the applicant
- where there has been a serious breach of their tenancy in the previous 3 years
- if the nominee has a criminal conviction for arson, terrorism, rape or sexual offences.
- where a nominee has been convicted of Social Housing fraud in a former tenancy
- where a nominee for a property has a clear support or care need that could not be met in the property for which they have been nominated. In these instances ISHA may ask for a sustainable support package to be put in place before a tenancy is granted but where this is not possible the nominee may be refused on these grounds
- nominations who own or jointly own or part-own a property which it is reasonable for them to occupy
- where someone has been nominated by a local authority or applied for a mutual exchange and they have failed the affordability assessment.

All nominations to ISHA's ISHA's properties will be subject to an affordability test. The purpose of the affordability test is to establish whether the tenant can afford to make the weekly rent payments due. If the property has an Affordable rent and the nomination is in receipt of benefits, then depending on their circumstances there may be a cap on the amount of benefits that they can receive. Where the property has a social rent and a nomination is not in receipt of benefits or are receiving partial housing benefit or universal credit, we will take into consideration any existing debts they may have when assessing their affordability See **Appendix 2** for affordability assessment criteria

Generally, ISHA will accept the LA's assessment of the tenant's priority but will require all successful nominees to complete a housing application form and provide other proof of identity including photographs. Failure to comply with these requirements may result in the rejection of a nominee for housing by ISHA.

Any rejection of a nomination will be authorised by the Head of Housing Management or the Head of Asset & Repairs. Any rejected nominee will be advised of the decision and the reasons for the rejection and will be referred back to the LA or referral agency.

Any nominee who is rejected for any of the reasons above may appeal that decision with the Director of Housing & Neighbourhoods. Appeals must be made within 2 working days of the rejection. If they are not satisfied with the final decision, then they can complain to the Housing Ombudsman Service.

Choice based lettings

ISHA fully cooperates with its LA partners who operate Choice-Based Lettings Schemes (CBL). All ISHA properties to which the LA is entitled to nomination rights are advertised in accordance with the LA's usual CBL cycle. The Association requests that multiple nominees are put forward by all LAs.

ISHA will comply with existing nomination agreements and where a Local Authority fails to make a nomination in line with the agreement ISHA may offer it to one of its tenants on the transfer list or to another housing provider.

Allocation reviews and tenancy strategies

We will work with our Local Authority partners when they review their own allocation policies and tenancy strategies.

Form of tenure - ISHA's tenancy strategy

ISHA will offer the most suitable and appropriate form of tenancy commensurate with the person(s) to be housed and the type of accommodation offered. This will usually be an Assured Tenancy, but in certain circumstances this may be a Secure Tenancy.

ISHA reserves the right to issue Assured Shorthold Tenancies (AST) in place of Assured Tenancies where appropriate. ISHA does not issue Probationary or Starter Tenancies, nor does it issue Fixed Term Tenancies. All tenancies, regardless of rent regime will be granted as "lifetime" assured or "lifetime" secure tenancies, or an assured short hold tenancy.

Local lettings policies

ISHA operates local lettings policies in the following blocks:

| Block | Local authority | Allocation criteria |
|--|-----------------|--|
| Shoreditch Court | Hackney | Over 40s |
| Newcombe House Faithful House Cynthia House Beaver House | Islington | Over 40s |
| Weymouth Terrace 11-21 Mintern Street | Hackney | Over 55s |
| Spring Villa | Islington | Over 55s |
| 1-7 Heathcroft Gardens | Waltham Forest | Extra support needs as designated by the local authority commissioning arrangements. |
| 3, 8, 10, 15-17 & 27-30 Mildmay Avenue 5-8 & 24-27 Vivian Comma Close | Islington | Extra support needs as designated by the local authority commissioning arrangements. |
| 29 Penn Street Liz McKeon House | Hackney | Housing with Care – Nominations for homes within these blocks will only be accepted from Hackney Housing with Care Panel and are subject to a joint assessment from the panel and ISHA. |
| Flats 2-15, 48 Grenville Road, N19 21-32 St Mary's House, N1 | Islington | Rough Sleeper Initiative (RSI) funded. Nominations for these are for persons with a history of rough sleeping. Broadway St Mungo's Clearing House has 100% nomination rights and tenants are supported by their Tenancy sustainment Team who provide floating support for up to 2 years. |

Blocks with lift access

ISHA will not accept nominations for homes above the ground floor with less than two lifts serving it, where the applicant or a member of their household has a long term disability which prevents them from climbing stairs.

Reciprocal arrangements

ISHA may enter into and accept reciprocal arrangements for housing with its LA, NRA, sub-regional partners and other housing providers.

Internal transfers

Because of the limited number of vacancies in ISHA's stock, only tenants in Priority Need can register for an internal transfer. All other tenants who want to move will be referred to Homeswapper, or their local authority. Support and advice with registering and identifying suitable properties will be provided to all applicants.

More information about criteria for a transfer can be found in ISHA’s transfer policy.

Lettings to employees and board members

Any lettings to ISHA employees or Board Members must be approved by the Director of Housing & Neighbourhoods.

Property size and type to be allocated

We will only normally accept nominations from Local Authorities that meets the known needs of the household. However, there may be occasions where this is not possible and ISHA reserves the right to allocate a property that may not meet the “ideal” size outlined below. The ideal property size/household ratios that we aim to achieve are given in the table below:

| Household size | Standard property size |
|------------------------------------|---------------------------------|
| Single person | Bedsit or 1 bed 1 person |
| Couple (no children) | 1 bed 2 person |
| 2 adults not living as a couple | 2 bed 2 person |
| 1 or 2 adults + 1 child | 2 bed 3 person |
| 1 or 2 adults + 2 children | 2 bed 4 person & 3 bed 4 person |
| 1 or 2 adults + 3 children | 3 bed 5 person |
| 1 or 2 adults +4 children | 3 bed 6 person |
| 1 or 2 adults + 5 children or more | 4 bedroom 7 person or above |

We will also aim to apply the following principles in allocating property:

1. The main tenant must be at least 18 years of age.
2. An unborn child will not be counted as a member of the household.
3. A bedroom of less than 10 sq. metres is a one-person room.
4. Children of different sex, where the eldest is over 10 years, should not have to share a room.
5. Children of the same sex are expected to share a room. Where there is an age gap of more than 10 years or where the eldest is over 18 years, ISHA will consider the family for the next size of accommodation, if available.

Housing for older people, sheltered and supported

We accept referrals from LB Islington’s sheltered housing register for our sheltered housing schemes in Islington.

Referrals for Housing with Care schemes in LB Hackney come via the Hackney Placement Team. Referrals are jointly assessed at the scheme by ISHA’s Specialist Housing Officer and LB Hackney Scheme Manager.

Consideration is given to scheme dynamics and risks when assessing referrals and nominations.

Under-occupation incentive

Tenants who transfer to a smaller property will be entitled to a payment of an under-occupation incentive. This will be £750 for the first bedroom relinquished and £500 for each additional bedroom. We will also pay up to £1200 towards moving costs and cover any reasonable costs of the reconnection or disconnection of appliances and white goods.

If the tenant is aged 65 or over or have a long-term disability we will arrange and cover the costs of a packing and removal service.

This payment is payable to mutual exchange applicants (ISHA tenant only) who downsize and exchange within ISHA or to another Registered Provider or Local Authority tenancy.

Where a tenant qualifies for under-occupation incentive but has rent arrears in their current home any entitlement to under-occupation incentive will be used to clear the arrears and the balance paid to the tenant.

Core

Within 5 working days of the tenancy start date we will submit a Continuous Recording of Lettings (CORE) log for all properties which we let at www.social-housing-data.communities.gov.uk.

4. COMPLAINTS AND APPEALS

Any nominee who has a complaint about any part of the nomination process (initial contact, viewing appointment, sign up etc.) can speak directly to the Lettings Officer or the Housing Manager regarding their complaint. If they are dissatisfied with ISHA's decision after this, they can appeal to The Director of Housing & Neighbourhoods. All appeals will be investigated and a decision made within 2 working days, and during this time any properties offered will not be reallocated.

5. HEALTH AND SAFETY

At all times staff will adhere to the organisation's lone working policy where site visits or visits to residents' homes are required or when dealing with new applicants under this policy.

6. EQUALITY AND DIVERSITY

ISHA will demonstrate its commitment to equality and diversity within the allocations and lettings process by aiming to ensure that no nominee will receive less favourable treatment on the grounds of age, disability, gender reassignment, pregnancy & maternity, race, religion or belief, sex or sexual orientation.

We also aim to ensure that the diversity of our tenants reflects the communities where we work across North and East London. The monitoring of lettings (via CORE) according to ethnicity is a key component of our approach. Where nominations from LAs consistently result in lettings to any particular group or where any group is significantly underrepresented ISHA will use the appropriate Liaison Meetings to raise any concerns.

Furthermore, we will ensure, wherever possible, that the information we provide such as offer letters, the contents of sign up packs and tenancy agreements etc. is in easily readable forms for people who may not have English as a first language and for people who experience difficulties with reading. This includes a pictorial “interpretation” of the tenancy agreement for people with learning difficulties.

7. TRAINING

ISHA will ensure that all staff involved in allocation and letting of our homes are sufficiently trained and/or have the relevant experience and understanding of the rights of tenants and our obligations under this policy.

8. DATA PROTECTION CONSIDERATIONS

It is sometimes necessary to share sensitive, private and special category data to facilitate the delivery of this policy. We will ensure that the processing of this data is in accordance with the principles of the Data Protection Act 2018 and our Data Protection Policy.

We will only share a person’s data where they have given us permission to do so unless:

- information sharing is necessary for the protection of children or a vulnerable person.
- information sharing is required for the prevention or detection of crime
- ISHA is required by law to share the information.

We may release information on tenants who are at risk of homelessness to local authority homelessness team as part of our duty to prevent homelessness. The type of information and the purposes for which it can be used will be governed by the individual protocols that we have in place with each local authority.

Where possible we will seek to establish data sharing protocols with relevant external agencies such as The Police and Social Services.

9. STATUTORY AND REGULATORY FRAMEWORK

This policy will be delivered in accordance with all relevant legislation which include:

- Protection from Eviction Act 1977
- Housing Act 1985 (as amended by the Housing Act 1966)
- Housing Act 1988 (as amended by the Housing Act 1996)
- Housing Benefit Act 2010
- Housing benefit regulation 2022
- The Homelessness Reduction Act 2018
- Data Protection Act 2018
- Welfare Reform Act
- Equality and Diversity Act 2018
- The Landlord and Tenant Acts 1985 and 1987

10. MONITORING

CORE provides valuable information about new social housing lettings and tenants across England. As a housing provider we are required to collect this information for every letting and upload it onto the CORE website on a monthly basis.

11. REVIEW

This policy will be reviewed every three years or sooner if there are any changes in legislation, or local authority allocation policies.

12. ASSOCIATED DOCUMENTS

- Complaint policy
- Health & safety policy
- Lone working policy
- Privacy statement
- Equality & diversity policy
- Data protection policy

APPENDIX 1: DEFINITION OF A TRUE VOID

A true void is generally described as:

- Voids within new build, newly completed or newly completed major repair schemes (including properties originally vacated through Home Moves).
- Voids created through urgent transfer to another borough (if the association cannot demonstrate reciprocity).
- Voids created through tenant moves to another landlord where no reciprocal arrangements exist.
- Voids created by the death of a tenant where there is no statutory right to succession.
- Voids created by tenants buying their own property in the private sector.
- Voids created by eviction or abandonment of property.

APPENDIX 2: AFFORDABILITY ASSESSMENT

1. The benefit cap is £442.31 for couple and £296.35 per week for a single person.
2. If the total weekly income is more than £442.31 for a couple or single parent, or £296.35 per week for a single person, your Housing Benefit will be reduced by the difference.
3. Tenant must supply details of all benefits they are getting, such as ESA, UC, HB, DLA, PIP

Hackney average income needs

| Number of bedroom | Current weekly rent | Monthly rent equivalent | Average income needs |
|-------------------|---------------------|-------------------------|---|
| One | £260.08 | £1,127.01 | Tenant(s) on full HB, Full Housing Allowance on UC, Tenants on PIP because HB will be paid. Tenant(s) partial HB or Partial UC Housing Allowance but with ability to pay 100% to cover the rent shortfall. Working tenants must be able to cover the full rents and have at least £800 - £1000 left to cover over monthly outgoings. |
| Two | £260.96 | £1,130.83 | |
| Three | £278.14 | £1,205.27 | |

Waltham Forest average income needs

| Number of bedroom | Current weekly rent | Monthly rent equivalent | Average income needs |
|-------------------|---------------------|-------------------------|---|
| One | £221.54 | £960.01 | Tenant(s) on full HB, Full Housing Allowance on UC, Tenants on PIP because HB will be paid. Tenant(s) partial HB or Partial UC Housing Allowance but with ability to pay 100% to cover the rent shortfall. Working tenants must be able to cover the full rents and have at least £800 - £1000 left to cover over monthly outgoings. |
| Two | £226.54 | £1,155.01 | |
| Three | £249.31 | £1,080.34 | |

| Reference | Version | Created | Author | Review | Board approved |
|-------------------------------|---------|------------|---------------|------------|----------------|
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