

# Access to Housing Policy

DESIGN HEADER TO INCLUDE POLICY NAME AND DATE RANGE

## INFORMATION

<b>Policy Name</b>	<b>Access to Housing Policy</b>
<b>Effective Date(s)</b>	<b>April 2023</b>
<b>Approved By</b>	<b>Customer Services Committee and Risk and Compliance Group</b>
<b>Approval Date</b>	<b>TBC</b>
<b>Policy Owner/Dept</b>	<b>Aaron Hammersley - Head of Housing</b>
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<b>Review Date</b>	<b>April 2025</b>
<b>Policy Framework Ref</b>	
<b>Version Number</b>	<b>V3</b>

## Version Control

Version	Date	Changes	Approver
V2	Nov 2022	Updated regulatory changes with right to rent Updated eligibility criteria Introduction of transfer offer and internal banding process Introduction right to review & refusal criteria Criteria for non-existing tenants living in our homes Reference to Mental Capacity and Tenancies to Minors Criterion for household members & shared parental arrangements	

Your Housing Group Strategic Priorities			
Safe	<input checked="" type="checkbox"/>	Viability	<input checked="" type="checkbox"/>
Landlord	<input checked="" type="checkbox"/>	Growth	<input checked="" type="checkbox"/>
People	<input checked="" type="checkbox"/>	Technology	<input checked="" type="checkbox"/>

<b>Relevant Standards Regulation</b>	<b>National or</b>	<b>Please State if the Policy aligns to any of the Regulators Standards:</b>
		<ul style="list-style-type: none"> <li>• The Homes and Communities Agency Regulatory Standards 2012</li> <li>• Governance and Financial Viability Standard</li> <li>• Home Standard</li> <li>• Tenancy Standard</li> <li>• Neighbourhood and Community Standard</li> <li>• Tenant Involvement and Empowerment Standard</li> </ul>

<b>Relevant Legislation</b>	<p>This policy has referred to the following documents, whilst this list is not exhaustive</p> <ul style="list-style-type: none"> <li>• Housing Act 1985</li> <li>• Housing Act 1996</li> <li>• Housing and Regeneration Act 2008</li> <li>• Equality Act 2010</li> <li>• Immigration Act 2014</li> <li>• General Data Protection Regulations 2018</li> <li>• Localism Act 2011</li> <li>• Welfare Reform Act 2012</li> <li>• Prevention of Social Housing Fraud Act 2013</li> <li>• Homeless Reduction Act 2017</li> </ul>
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## 1. Purpose of the Policy

This policy sets out how we allocate our homes and the criteria used, the policy applies to all social and affordable rented accommodation owned by Your Housing Group (YHG).

We are required by the Regulator of Social Housing to let our homes in a fair, transparent, and efficient way that considers the housing needs and aspirations of customers and potential customers. Our lettings should:

- Make the best use of our available homes
- Be compatible with the purpose of the housing
- Contribute to local authorities' strategic housing function and sustainable communities

The policy is aligned to YHG's vision to create homes for people to thrive, feel safe and live peacefully, we want to be recognised as a sector leading landlord that engages collaboratively with partners across all communities.

We also want to continue to build great affordable homes to play our part in solving the national housing crisis and continue to invest in diverse sustainable neighbourhoods where people want to live.

## 2. Scope of the Policy

Access to housing is more than processing an application, it is about making sure the offer of a home meets the individual needs of the customer, and that our housing offer also reflects existing and future customer's requirements.

YHG will continue to look for opportunities to improve our allocation and lettings service. This includes our digital offer and continually looking at ways we can make it easy for our customers to do business with us.

The policy refers to and is subject to the policies and procedures of individual Choice Based Lettings Schemes and local lettings agreements. Where YHG has signed up to those

partnership agreements, the principles outlined within this policy supersede any local arrangements.

We will consider this policy when preparing our housing offer to those customers required to move as part of a redevelopment or regeneration programme, however the application of this policy does not apply in its entirety and is covered in other subsequent policies respectively for those circumstances.

This policy does not apply to our specialist-type accommodation, such as foyers, extra care housing for older people or supported housing schemes, where different arrangements exist for allocating accommodation in line with statutory regulations.

In some locations and for some types of home or schemes, there are separate allocations principles which need to be followed where we have contractual obligations. This is mainly in relation to contractual arrangements within Private Finance Initiative frameworks (PFI's) and Section 106 agreements, and the principle of those agreements will be followed when allocating our homes.

### **3. Definitions**

A summary table of definitions are detailed in section 21 of this policy.

### **4. Consultation**

In achieving the aims and objectives of the Tenancy Standard (and any subsequent consumer standard to replace this), consultation on this Policy has taken place with:

- Key Internal stakeholder across Housing Management Operational Teams.
- Members of the Customer Connect Panel.
- YHG Legal Panel, Customer Focus Groups, Risk & Compliance Group.
- Key internal stakeholders including Income collection, Money Advice, Asset, Governance, and Risk & Assurance.
- Customer Services Committee.

### **5. Background and Context**

YHG have more than 29,000 homes across the Northwest, Yorkshire, and the Midlands, we have a large and diverse portfolio. Our homes range from general needs accommodation for social and affordable rent, through to retirement living developments and innovative private rental offers.

We are widely regarded for our expertise in regeneration, YHG prides itself on providing homes that help people to live independently and enabling people to get on and off the property ladder at different stages of their lives.

#### **We provide:**

- Affordable homes to rent.
- Homes for sale, both outright and through shared ownership.

- Private / Lifestyle rent solutions (PRS).
- Community regeneration, creating sustainable neighbourhoods.
- Specialist retirement solutions for older people.
- Hostels and foyers which support vulnerable people.

The key aims and objectives of this policy, which underpin the approach to access housing within YHG, are, to ensure we:

- Meet our Homes England standards and? regulatory requirements.
- Ensure that the property is affordable and therefore sustainable.
- Ensure neighbourhoods are sustainable, safe, and commercially viable.
- Promote and achieve equality of opportunity.

**Our policy will make sure we will:**

***Aim to meet our Regulatory Requirements with regards to Homes England standards***

- Provide opportunities for collaborative approaches with our local authority partners in supporting strategic housing objectives, and their duties to meet local housing needs. This includes assistance with their homelessness duties and meeting obligations in nominations agreements and Choice Based Lettings Services (CBL).
- Comply with all legal, regulatory, and contractual requirements when allocating our homes.
- Only ask for necessary information for the purpose allocating the home and verification during the application process as part of an offer.
- In line with the General Data Protection Regulations, we will make sure we treat all information confidentially.

***Aim to ensure that the property is affordable and therefore sustainable***

- Carry out an affordability assessment with prospective customers before an offer of a home is made, we want to make sure its affordable and that we consider local authority caps on housing allowance where this is appropriate.
- Offer vacant adapted homes to customers needing adaptations where possible, to make the right choices when matching available homes to people with specific requirements.

***Ensure neighbourhoods are sustainable, safe, and commercially viable***

- Support and comply with contractual Management Agreements and Local Lettings Schemes such as Section 106 agreements and older persons accommodation.
- Co-operating with the Home Office or other government bodies to provide emergency or other accommodation.
- Promote and assist with opportunities for a home swap (mutual exchange) for customers through a variety of digital channels, and through our own offer to enhance opportunities for rehousing.
- Advertise available homes through local marketing initiatives or through a letting agent, our partners, or online lettings services when all other allocations routes have been exhausted.

### ***Promote and achieve equality of opportunity***

- Make sure our allocations services are easily accessible for existing and potential new customers.
- Have easy to understand customer friendly application, decision-making and appeals processes.
- Offer homes to people who fall within our charitable aims.
- Facilitate lettings through direct referral agreements with specialist agencies in locations where sufficient accommodation is not available for move on accommodation, this includes supported housing.
- Provide support and clear and relevant advice about customers' housing options to enable informed choices.
- Make sure our decisions are fair and transparent in our approach and response.
- Make decisions within the requirements of the Equality Act 2010. This means that we will not discriminate against customers on the grounds of their age, disability, gender reassignment, marriage or civil partnership status, pregnancy or maternity status, race, religion or belief, sex, or sexual orientation.

## **6. Policy Detail**

YHG will adhere to the aims and objectives set out in section 1 and 5 of this policy. These principles will be reflected in any subsequent procedures associated with allocations and lettings and in our operational service offer to our customers.

### **6.1 Access to Housing**

These are three main routes into a YHG home:

- Potential customers (tenants) will be nominated to us by the local authority (nomination agreement).
- Choice Based Letting schemes (CBL) / Local Authority Housing Register. Applicants register on the CBL system and "bid" for a vacant property that has been advertised.
- Allocating against local lettings plans where agreed and appropriate.

In addition, other allocation arrangements are also in place. These are:

- Arranging to move an existing customer in exceptional or urgent circumstances. This is known as a 'management move'.
- Transferring home – non urgent priority moves.

There are other letting criteria's such as local lettings arrangements which exist because of contractual or funding obligations or have been agreed to provide a solution to housing needs or mitigate risk. These include:

- Section 106 agreements in place as part of the funding agreement for new developments, which restrict lettings to individuals with links to the locality (local connection criteria).

- Private Finance Initiative (PFI) schemes which stipulate conditions or restrictions on lettings as part of the PFI agreement.
- Local lettings plan which YHG will develop where appropriate in consultation with local authorities. Local lettings plans will only be used after consultation with the local authority and to meet specific local issues within an area.
- Older Persons accommodation which are subject to an allocation panel who assess the care needs of the individual applicant.
- External third-party organisations as well as our own internal supported housing schemes, by offering referrals into our mainstream accommodation by way of formal nomination arrangements or one-off referrals.

## **6.2 Sensitive lettings**

We may class a vacant home, or more than one home, as requiring a sensitive letting if we need to set a lettings criterion. This may happen where there has been an eviction, ongoing anti-social behaviour or where we have received a request from our statutory partners not to house certain individuals at specific locations.

## **6.3 Eligibility**

General eligibility – applies to all housing applicants.

## **6.4 Persons from Abroad**

We consider applications from people from abroad who have the right to rent and fall into one of the following categories:

- Person with leave to enter or remain and have been awarded refugee, humanitarian protection or discretionary leave in the UK and is not subject to the condition that they cannot have recourse to public funds.
- Person who has leave to enter or remain in the UK i.e., has indefinite leave to enter or remain this applies if they are not subject to any limitation or control.
- They must be habitually resident in the UK, Channel Islands, the Isle of Man, or the Republic of Ireland; or:
- Person who has leave to enter or remain in the UK and is not subject to any limitation or control and who is habitually resident in the UK, Channel Islands, the Isle of Man, or the Republic of Ireland i.e., has indefinite leave to enter or remain.
- Person who has been granted humanitarian protection under the immigration rules.

We will consider applications from persons from the European Economic Area (EEA) if they are a:

- Student.
- Job seeker.
- Worker.
- Self-employed person.
- Family member of a worker.
- Economically self-sufficient person; or
- Person with a permanent right of residence in the UK

## **6.5 Tenancies to Minors**

We accept applications from anyone aged over 16 and under 18 years in age, provided they have the right to rent and are habitually resident in the UK, Channel Islands, the Isle of Man, or the Republic of Ireland, to align with duties placed on local authority Children Services under the Children Act 1998.

This is on the provision that a trustee is in place, YHG will not act as a trustee, this is because minors are not allowed to hold a tenancy in law so they must have a trustee or guarantor. The relevant wrap around support would be expected to be place for as long as required to work towards a successful and sustainable tenancy.

## **6.6 Mental Capacity**

We will only accept housing applications from someone who at the time of the application does not have the mental capacity to make relevant decisions, if the application is for our supported or specialist accommodation and the applicant has a Lasting Power of Attorney (Property) in place, or a Court of Protection Deputy has been appointed.

## **6.7 Homeowners**

Except for our extra care or older persons accommodation we do not normally accept applications from homeowners. This applies irrespective of whether their home is in the UK or abroad. The exceptions are:

- The current home has little, or no value and they are unable to access housing in the private sector. For example, they are in negative equity.
- They cannot reside or gain access to their property due to an event which is about to occur. For example, the property is part of bankruptcy or legal proceedings.
- Have a medical condition or disability which requires substantial adaptations to their property which cannot be done in their current home or in the private sector and social housing is the only realistic option; or
- Have a specific care need or requires specialist support.

## **6.8 Non existing tenants living in our homes**

We will not offer accommodation to a person occupying one of our homes who has not accessed social housing via one of the routes detailed in this policy. Only in exceptional circumstances will we consider offering a tenancy.

We will only consider this type of allocation if the person is a family member of the tenant or a closely connected person, and:

- They have lived in the property on a permanent basis as their only home for 12 months and:
- They are eligible for social housing and:
- They are in priority need for social housing.

## **6.9 Probity Declarations: YHG employees, Board members and their relatives**

YHG will not normally accept direct applications from its employees, Board members and their relatives or any individual with a significant personal relationship with an employee or Board member. Any such application for social housing with YHG must be made through a local authority nomination scheme.

Exceptions to this are where a direct application is made for a low demand home via an external letting agent or internet-based lettings service.

These applications will be subject to a greater degree of scrutiny and approval and assessed in accordance with the Probity Escalation and Approval process that requires formal approval by YHG's Senior Leadership Team.

## **7. The Application Process**

All new and existing customers will be asked to complete an application form that helps us understand any individual housing need and if appropriate, any support requirements.

Our application forms are accessible on-line or in paper form if required. If the form is not suitable for the needs of the customer, we will provide the information in an appropriate format or language.

New and existing customer/s (applicant/s) will be asked to complete a financial assessment before an offer of accommodation is made. This serves four purposes:

- Ensure our charitable aims and criteria are met.
- Ensure our homes are allocated to people who cannot afford accommodation in the private sector.
- Assess any applicant's ability to pay the rent; and:  
Offer advice and assistance on the payment of rent.

New and existing customer/s (applicant/s) who are in employment will be required to pay the full first week's rental payment in advance.

New and existing customer/s (applicant/s) who are in receipt of welfare benefits as their sole income will be required to make an advanced payment of at least 50% of the weekly rent.

### **7.1 Household members**

YHG only takes the applicant's household members into account; a household member includes the main applicant's civil partner, partner, or spouse; children (including fostered, adopted or stepchildren); and close relatives including parent, sister, and brother.

We consider extended family members provided the applicant can provide evidence that they are permanent members of the household, however, we do not consider a lodger or a person sub-letting (or part sub-letting) as a member of the household.



## 7.2 Bedroom Standard - applies to all housing applicants

The size of accommodation we will offer is determined by the household composition:

Single person or couple	1 bed
Single person or couple with 1 child or confirmed pregnancy	2 beds
Single person or couple with 2 children	2 bed or 3 bed
Single person or couple with 3 children	3 bed or 4 bed
Single person or couple with 4 or more children	3 bed or 4 bed
Single person or couple with 5 or more children	5 bed or 6 bed

### We do expect that:

- Each married or cohabitating couple has a separate bedroom.
- Young person's 16 years and over has a separate bedroom.

### We can allow a bedroom to be shared by:

- Persons 10 years of age or over of the same sex.
- Children under the age of 10 years regardless of sex.

### We cannot allocate a home where:

- Children in the household are 10 years of age and over, of different sexes and would have to share a bedroom, we would however accept an application for housing and make an assessment based on individual circumstances and need.

We will consider the allocation of a two-bedroom home where a customer/applicant is pregnant and will include the unborn child in the application, this is provided there are no other children in the household and the home is affordable. In all other cases we will take account of the child when it is born. The calculation of the number of bedrooms required is based on the age and sex of each child.

We will not allocate a home where the household composition exceeds the English Housing Survey Bedroom standard. The exception to this is if we need to accommodate a large household. In these circumstances we may allocate a property provided the limits set out in s.325 and s.326 Housing Act 1985 are not exceeded.

### We will consider the need for an additional bedroom where:

- The customer (applicant/s) receives support from carers who do not reside with them but need to stay overnight:
- The customer/applicant is pregnant and expecting a child (but at what stage? It used to be at the Mat1B stage – 26 weeks I think as we sometimes get a case where baby is lost and offer withdrawn?)
- The customer (applicant/s) is a current or prospective foster carer or adoptive parent(s); or
- There are medical reasons requiring an additional bedroom.
- We will ask customers (applicant/s) to provide evidence of need for an additional bedroom.

### **7.3 Shared parenting arrangements**

Children are accepted as members of the household where formal shared child parenting arrangements are in place. A formal shared parenting arrangement includes a court order or written confirmation of the shared childcare arrangement from a mediator or solicitor.

We would not normally take children into account where an informal shared parenting arrangement is in place.

YHG reserve the right to limit the number of bedrooms allocated to ensure that the best use is made of our homes. We may, subject to availability, offer bigger accommodation in areas of low housing demand provided the customer can meet the affordability criteria.

### **7.4 Offers of accommodation to customer (applicant/s) nominated by the local authority**

When we receive a nomination, we verify the nominee's information provided to us such as identity, housing history and current circumstances to ensure that they are entitled to, and suitable for, the home for which they have been nominated.

Where nominated applicants do not meet our criteria, or the local authority does not provide the relevant information required to enable us to make a full assessment we may refuse the nomination and will provide our reasons to the applicant and local authority.

We will make an offer of accommodation in line with local authorities' nominations and choice-based letting agreements, where they are in place.

Where the applicant is statutorily homeless, we will only make one reasonable offer of accommodation in line with the s.193 Housing Act 1996. Where there is a dispute, we will refer the applicant back to the nominating local authority.

## **8. Refusals**

We will not adopt a blanket ban when refusing or suspending a customer (applicant/s) application or nomination, but we will consider all applications individually based on the following:

- The seriousness, nature and age of the incident(s), breach of tenancy or debt.
- The applicant(s) individual and household circumstances, including any disabilities.
- The applicant(s) commitment to paying back the rent arrears or housing related debt where rent arrears or housing related debt is applicable.

We will also refer to the local authority's policy on suspensions from choice-based lettings schemes or other waiting lists.

## **9. Grounds for refusal**

We would normally refuse an application or nomination in the following circumstances:

### **9.1 Behaviour:**

- The customer (applicant/s) or a member of the household has been evicted or eviction proceedings have begun with YHG or another social housing provider for tenancy breaches.
- Legal proceedings for any other breach of tenancy have commenced against the applicant(s) or any member of the household by YHG or any other social housing provider.
- The applicant(s) or a member of the household has a serious criminal conviction, and it is reasonable to conclude that if housed in that home it would pose a serious or significant risk of harm to employees, residents, the public, or contractors:

If we are satisfied that the customer (applicant/s) or a member household is guilty of unacceptable serious behaviour enough to make them unsuitable to be a tenant, we consider the following:

- There is sufficient evidence that on the balance of probabilities, that the behaviour was serious enough to have entitled a social landlord to obtain a possession order and whether it is reasonable to refuse the application based on the information provided. YHG will consider the impact this allocation would have on the wider neighbourhood. For example, the person who caused the nuisance may no longer be a member of the household.
- If the customer (applicant/s) behaviour amounts to unacceptable customer conduct caused by excessive demands on our service. This includes, but is not limited to, verbal or physical abuse, using slanderous or libellous language, and unreasonably demanding behaviour.

### **9.2 Affordability, rent / debt, and contractual obligations**

- The customer (applicant/s) or the customer (applicant/s) spouse, civil partner or co-habiting partner has outstanding rent arrears or other outstanding housing related debts owed to YHG or any other social housing provider. We may however agree to move an existing customer who has been served a Notice Seeking Possession or is subject to a suspended or postponed possession order if the rent arrears and housing debts are paid in full.
- Where there is no reasonable prospect that the customer (applicant/s) will be able to afford to live in a specific home. The customer (applicant/s) may apply for alternative housing or reapply if their circumstances change.
- Where the allocation would not be in accordance with our charitable aims. This means that the gross income, savings, and assets exceeds the YHG financial threshold. In other words, the applicant(s) would be refused if they can afford accommodation in the private sector.

For existing customers their tenancy will not come to an end, but they will not be able to move to another YHG home.

- The customer (applicant/s) does not meet the eligibility criteria for a specific home, such as our older persons or extra care accommodation, or there is a local lettings or sensitive lettings plan in place. This does not mean that the customer (applicant/s) cannot be considered for another available home.
- If we cannot meet our obligations under planning agreements or requirements, covenants, or other legal restrictions, we will refuse the application. As above, this does not mean that the customer (applicant/s) cannot be considered for another available home.
- We may refuse to move an existing customer if they have not kept to the terms and conditions of their tenancy, including but not limited to:
  - Serious deterioration in the condition of the home.
  - Refusing access to enable us to conduct a gas safety inspection.
  - Non payment of rent, service charge and arrears

### **9.3 Appropriate Support**

- We would refuse an application where we identify that the customer (applicant/s) will find it difficult to sustain a tenancy and live independently in the home.
- We complete assessments of the customer (applicant/s) requirements to make sure that the home is suitable for individual housing need. We expect that customers are able to maintain their home and tenancy, and can manage their own conduct, especially in relation to antisocial behaviour.

### **9.4 Identity and fraud**

- The customer, (applicant(s)), are unable to provide information to satisfy YHG of their identity or their right to rent or they are unable to provide us with information to enable us to assess their application completely.
- The customer (applicant(s)) has made a false or fraudulent application either to us or to a local authority and/or has deliberately placed themselves in housing need or worsened their circumstances deliberately.

### **9.5 Violent, high risk serious offenders**

- Unless there is an unacceptable risk, YHG will not exclude high risk offenders from accessing housing, including people subject to a Multi-Agency Public Protection Arrangement (MAPPA).
- When we assess applications requiring additional risk assessments, our overriding priority is the protection of the public, our residents, employees, and contractors. We

will carry out a risk assessment and where appropriate and will work with other relevant agencies in assessing the risk. We will refuse an application where measures to mitigate the risk are not sufficient.

- We understand that high risk offenders may themselves become a target of harassment and other crimes. We will make sure that the health and safety of high-risk offenders and their household are taken into consideration during the assessment process.
- We will make sure that sensitive information is managed securely and safeguard the rights of individuals regarding confidentiality and privacy. We will only share and disclose information when the law permits and in-line with the General Data Protection Regulations.

## **10. Existing Customers wishing to Transfer**

- The numbers of homes we can make available to offer to customers registered for a transfer will be based on the agreement we have with each local authority. In general, we aim to offer 10% of our available homes to customers wishing to transfer.
- Existing customers wishing to move to an area where the local authority agreement dictates 100% nominations rights, will be unable to register on our internal transfer list and will only be able to apply to move through that local authority choice-based lettings scheme or waiting list.

Specific lettings criteria on our homes may include legal restrictions, age restrictions for designated older person's accommodation or where we have introduced a local or sensitive letting policy. If the customer does not meet the necessary criteria, they will not be shortlisted.

### **10.1 Our Customer Transfer Offer**

- Currently, our transfer offer is managed through an internal transfer list, we are however, developing digital solutions to enhance our current transfer offer for customers and this policy will be amended accordingly to reflect such changes.
- Customers wishing to move to another YHG home will be asked to register and join the waiting list subject to meeting the criteria. Customers may, if the rules permit, also apply to move using a local authority's own allocations scheme to improve their chances of finding suitable accommodation via another social landlord.
- The date of registration will be used, alongside any priority awarded for housing need to determine the allocations shortlist when a home becomes vacant and available for offer.
- The customer with the highest priority registered the longest will be invited to view the home and will have first refusal.

- Due to the shortage of adapted homes available for people with disabilities, preference will be given to those with appropriate needs for adapted homes and advertisements will clearly state this.
- In exceptional circumstances we may not invite the customer with the highest priority to view the home. This could be because the customer has a very specific housing requirement, such as the need to install specialised disabled equipment and facilities.

## **10.2 Application and Prioritising**

- We will ask customers to supply evidence of housing need. We may also need to visit customers at their home to verify information provided in the application form.
- If evidence is not submitted or is insufficient for us to be able to award priority or if a home visit has been refused, we will, after 14 days, place the customer in the low or no housing need category. The exception to this is if the customer has a complex medical condition and more time is needed to assess the housing need.

## **10.3 Medical assessment**

- Customers who have a medical need to move will be asked to complete a medical self-assessment form. If the circumstances are not clear, or the medical condition is complex, we will ask customers for further information to support the application.
- Customers will need to be able to demonstrate that their current housing situation is having an adverse effect on their medical condition and that the condition would be substantially improved if they moved.
- We assess the evidence as a whole and grant the highest priority possible. Two or more categories of need within the same priority will not create a higher priority. For example, where the application indicates both overcrowding by one bedroom and a medium medical need, the customer will fall into the medium need category.
- Where there is evidence of more than one household member having a priority need, the application will be awarded the highest individual priority. For example, if person one is assessed as having a medium priority and person two is assessed as having a high priority then high priority will be awarded.
- Similarly, if more than one member of the household has a medical condition, the medical condition having the highest priority will be used when determining the level of priority for the application.

In exceptional and complex cases, we may consider an urgent management move. This will be reviewed on an individual case by case basis.

#### 10.4 Priority bands

- We will prioritise customers' transfer applications into priority bands based against a specific criterion, details of the banding criteria can be found in Appendix 1 of this Policy.
- In summary we will band customer applications in following way based on the information provided:

<b>High</b>	Customers with significant and serious housing need
<b>Medium</b>	Customers with moderate housing need
<b>Low</b>	Customer with no or low housing need

#### 11 Direct marketing

This is when we allocate a home when all other attempts to allocate through the usual processes have not resulted in a letting.

We will advertise a home through an internet or locally based lettings service direct to the public when:

- The local authority cannot nominate a customer (applicant/s) to us.
- The home cannot be let through a local authority choice-based lettings scheme; and we are unable to let the home to a YHG customer wanting to transfer.
- All direct customer (applicant/s) will be subject to the same eligibility and allocations criteria as set out in this policy.
- Existing YHG customers will be able to apply for housing via direct marketing and they will be prioritised according to housing need as set out in this policy.
- When there is more than one applicant interested in a home that have the same priority, we will offer accommodation based on the date the expression of interest was received.
- Where applicants have no housing need, we will offer accommodation on a first come first served basis.
- If a YHG customer applies for housing through the direct marketing route, we will prioritise them over non YHG customers.

#### 12 Right to review

YHG operate a review process for customers who wish to have a review of a decision, either around an offer of accommodation, or an allocations decision. Requests to review the allocation decision should be made within seven days of being notified of the decision.

A review will not be treated as a complaint but is in place to ensure that any decision made is reasonable and justified. The review will be conducted by a senior manager from Housing Services who was not involved in the original decision.

Where there is a dispute about an offer of accommodation, we will withdraw the offer and relet the home to ensure that rental loss is minimised.

We will make sure that alternative arrangements are made for customer/s (applicant/s) with impairments, learning difficulties or where English is not their first language. These customers (applicant/s) will not be prevented from making an appeal because of any such difficulties.

### **13. Responsibilities under this Policy**

- Any employees responsible for the decision and approval process relating to the allocation and lettings of YHG homes, such as Allocations and Lettings Officers, Assistant Regional Managers, Regional Managers, Service Managers, Head of Housing.
- Any request to deviate from the principles of this policy requires escalation for review and approval consideration to the Service Manager responsible for Allocations & Lettings and Head of Housing.

### **14. Risk Management**

- YHG are committed to ensuring the continued adherence and compliance with this policy, and any associated legislation and sub policies and procedures related to the allocation and letting of our homes.
- We will utilise management and audit controls to check quality and compliance of both application of the policy principles and application of the associated letting procedure throughout the financial year. External auditors will also support compliance and risk.

### **15. Data Protection, Record Storage and Retention**

- YHG understands that confidentiality is important to customers and will treat all information relevant to each customer in the strictest confidence.
- We approach the protection of personal data in a comprehensive manner in line with the Data Protection Principles of the UK General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018 (DPA) (collectively referred to as the Data Protection Legislation).
- YHG's Data Protection Policy will also be adhered to in following this policy during our allocations and lettings activities. We will collect, store and process personal information of our existing and potential new customers, (applicant/s) and recognise that the correct and lawful treatment of this data is necessary to provide for the continuance of successful business operations and maintain confidence in YHG. Need gap between lines
- Customer data will be retained in our secure internal system documentative in line with the principles of GDPR and YHG's Document Retention Policy.



## **16. Equality and Diversity**

- This policy meets the requirements of the equality impact assessment and is compliant with the requirements of the Equality Act 2010.
- This means that we will not discriminate against customers on the grounds of their age, disability, gender reassignment, marriage or civil partnership status, pregnancy or maternity status, race, religion or belief, sex, or sexual orientation
- Your Housing Group will only participate in allocations schemes that are compliant with the Equality Act 2010 and which offer fair access to housing for all applicants. We assess our policies and provision of services to make sure all decisions are in accordance with the requirements of the Equality Act 2010.
- Choice Based Lettings schemes of whom we are partners also have their own provisions for ensuring equality impact assessments are in place, and individual / internal policies are aligned with these requirements.
- We will on request, provide translations of any documents, policies and procedures in different languages and other formats to suit requirements and support reasonable adjustments for easy access to our service.

## **17. Communication**

- This policy will be available to all YHG employees on our internal intranet and will be communicated to all teams involved in the allocations and lettings process. This will further be supported by a policy briefing across the organisation.
- The policy will also be made available on our external website for easy access for customers and our partners.

## **18. Learning and Development**

- YHG will provide awareness training of the policy to all employees and wider teams involved in the allocation and letting process. YHG will make sure appropriate service standards and procedures are available to supplement the policy and provide sufficient clarity regarding how to implement this policy in operational practice.
- Training will be made available as part of our new employee induction, as any required refresher training, and in addition YHG will be developing a webinar bespoke to our allocations and letting service for housing operational teams.

## 19. Performance Management of this Policy

- We will use the following non-exhaustive list to measure and monitor our performance with a continued focus on service improvement:
  - Regulatory Statistical lettings data return – CORE.
  - Provision of KPI measures linked to the allocation letting operational performance transparent in our reporting portal.
  - Monitoring our performance and compliance with our allocation of available homes against local authority nomination agreements.
  - Number of complaints relating to our lettings offer and service and applying any learning or service improvements from customer feedback.
  - Customer satisfaction measures with our lettings service and service style
  - Monitoring of compliance through operations management controls such as compliance check list and audit samples of allocations made.

## 20. Review of this Policy

- YHG will review the Access to Housing Policy every 2 years or sooner if required to do so driven by statutory, regulatory, or best practice requirements; and/or the need to update following reviews of other Group wide policies.
- The Head of Housing will be responsible for reviewing and updating this policy.

## 21. Definitions

Term	Description
<b>Affordable rent</b>	Introduced in 2011 and set at up to 80% of the Market Rent for the home, so usually higher than Social Rent. Registered Providers like YHG can let homes at an Affordable Rent when they enter into a new housing supply delivery agreement with the Homes and Communities Agency (HCA).
<b>Allocation</b>	The way of apportioning and prioritising available homes to let.
<b>Applicants</b>	New or existing customers applying for housing through the local authority or directly to YHG.
<b>Asylum seeker</b>	A person claiming asylum and the claim is under review. Asylum seekers are not entitled to social housing.
<b>Charitable aims</b>	Reference to YHG as a charitable community benefit society whose aims include the provision of housing to people on low incomes.
<b>Choice Based Lettings scheme (CBL)</b>	Used by local authorities to describe a digital way to let homes available homes advertised online through a bidding process. This is not a waiting list.
<b>Decanting</b>	When customers need to move from their homes on a permanent or temporary basis.
<b>English Housing Survey bedroom standard</b>	A standard number of bedrooms is allocated to each household in accordance with its age/sex/marital status composition and the relationship of the members to one another. A separate bedroom is allocated to each married or

	cohabiting couple, any other person aged 21 or over, each pair of adolescents aged 10-20 of the same sex, and each pair of children under 10. Any unpaired person aged 10-20 is paired, if possible, with a child under 10 of the same sex, or, if that is not possible, he or she is given a separate bedroom, as is any unpaired child under 10.
<b>Family member</b>	Civil partners, partners, spouses, children of the applicant or tenant which include fostered or adopted, stepchildren; and close relatives including parent, sister and brother, grandchildren, grandparents. It may also include extended family members such as cousins.
<b>Housing Need</b>	An indicator of lack of housing in any geographical area, or lack of bedroom space or housing to support a household's medical condition. In this policy 'housing' need also refers to need for appropriately sized accommodation or the need to move for a specific reason, such as work or care.
<b>Reasonable Preference</b>	Categories of housing need that must be considered when developing allocation schemes to ensure that people who are homeless or in priority need are given preference.
<b>Legal proceedings</b>	For the purposes of this policy legal proceedings are commenced when we serve on you or anyone else living at your home: <ul style="list-style-type: none"> <li>• A Notice Requiring Possession</li> <li>• A Notice of Seeking Possession</li> <li>• A Notice to Quit; or</li> <li>• An Application for an Injunction</li> </ul>
<b>Local Lettings Schemes / Plan</b>	We may class a property, or properties, as requiring a sensitive letting if we need to set a lettings criterion for a property or a specific group of properties. This may occur where there has been an eviction, ongoing anti-social behaviour or where we have received a request from our statutory partners not to house certain individuals at specific locations. This also includes s106s that form part of a funding arrangement when we develop homes, and we have specific allocation arrangements.
<b>Mental capacity</b>	Mental capacity is the ability to make a decision. If a person lacks capacity, they have an impairment or disturbance that leaves them unable to make a decision.
<b>Priority need</b>	As set out in s.189 Housing Act 1996 <ul style="list-style-type: none"> <li>• A pregnant woman or a person with whom she resides</li> <li>• A person with dependent children</li> <li>• A person who is vulnerable as a result of old age, mental illness or handicap or physical disability or other special reasons</li> <li>• A person who is homeless or threatened with homelessness because of an emergency such a flood, fire, or other disaster</li> </ul>
<b>Probity Declarations</b>	Applications for housing YHG Board / Staff members or person who is closely connected to YHG Board or current employee, as defined in YHG's Probity Policy.

<b>Refugee</b>	A person who has made a claim for asylum which has been accepted and they have subsequently been awarded limited leave to remain in the UK.
<b>Right to rent</b>	A legal requirement for landlords to check that new tenants have the right to be in the UK before renting out their homes.
<b>Serious criminal conviction</b>	For the purposes of this policy a serious criminal conviction is one which is not insignificant. It usually means an unlawful offence. For example, <ul style="list-style-type: none"> <li>• Offences against the Person Act (threats to kill, grievous bodily harm, actual bodily harm)</li> <li>• Sexual Offences</li> <li>• Theft (robbery, burglary)</li> <li>• Criminal damage (Threat or actual destruction or damage of property, arson)</li> </ul> Offences not considered serious are, for example, <ul style="list-style-type: none"> <li>• Common assault</li> <li>• Driving offences</li> <li>• Low value criminal damage</li> </ul>
<b>Specialist accommodation &amp; Extra Care</b>	YHG's supported, extra care and move-one accommodation or other types of homes where we rehouse people needing a specific accommodation. Allocations in these instances are usually agreed through a specialist panel arrangement made up of statutory agencies.
<b>Starter tenancy</b>	This describes the first year of an assured periodic tenancy and is where the holds an assured shorthold tenancy. This means that the customer has less security of tenure during the first year. We are required to prove grounds in order to bring the tenancy to an end during the starter period. A starter tenancy may be extended for a further six months but no more than a total of eighteen months.
<b>S106</b>	Section 106 agreements are funding agreements for new developments that provides priority preference to people with links to the locality (local connection or priority preference).
<b>Tenant</b>	This is a legal term for a YHG customer who lives in a rented home and has signed a YHG tenancy agreement.
<b>The English Housing Survey</b>	This is a method of deciding what size property is suitable for a household. Under this standard a separate bedroom is allocated to each married or cohabiting couple, any other person aged 21 or over, each pair of adolescents aged 10-20 of the same sex, and each pair of children under 10. Any unpaired person aged 10-20 is paired, if possible, with a child under 10 of the same sex, or, if that is not possible, he or she is given a separate bedroom, as is any unpaired child under 10.
<b>Trustee</b>	This is a person who has been appointed to act on behalf of a person under the age of eighteen years old. They have a legal duty to act in the best interests of that person, but they are not required to act as a guarantor.
<b>Traditional waiting list</b>	Housing registers, where applicants are placed on a list for properties that become available according to their eligibility for that property type and the area.

<b>Reasonable Preference</b>	Categories of housing need taken into account when developing allocation that people who are homeless or in housing need are given preference in any allocation scheme.
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## 22. Related Documents

Document Type	Name
<b>Connected Policies and Procedures</b>	Equality, Diversity, and Inclusion Policy Data Protection Policy Data Privacy Notices Lettings Procedure Management Move Procedure Neighbourhood Management Policy Domestic Abuse Policy Safeguarding Policy Adaptations Policy Voids Standard / Lettable Home standard Repairs Policy
<b>Forms and Letters</b>	Housing Application Form
<b>Leaflets/Publicity Material</b>	Allocations and Lettings Service Standard
<b>Training Materials Available</b>	Associated guidance notes to supplement the letting procedure will be made available for all operational teams.
<b>Intranet/ Website Page</b>	Youggle will be updated as a policy brief.  The policy will be accessible via YHG's Intranet and Website for colleagues, customers and external stakeholders.

## 23. Checklist

*(To be completed as far as possible by the Policy Author before submission for quality checking by Research and Policy Manager prior to Risk and Compliance Group)*

<b>Policy Name: Access to Housing</b>	
<b>Version No: V2</b>	<b>Effective Date: TBC</b>
<b>Status: Partial Review</b>	
<b>Previous Policy Name (where appropriate)</b>	
<b>Access to Housing</b>	
<b>Internal Consultation Groups:</b> Research and Policy Manager Governance Team Housing Operational Teams Income Teams Money Advice Teams Tenancy Support Teams OPS	<b>Customer Consultation:</b> <input checked="" type="checkbox"/>
	<b>Date of Customer Consultation:</b>
	<b>Customer Consultation Brief Details:</b> Service Users Focus Group Customer Connect Panels Customer Services Committee

Supported Housing			
<b>Link to Consultation Document(s):</b>			
<b>Date Initial Equality Impact Assessment Undertaken: 16/03/2023</b>		<b>Equality Impact Assessor name(s): Sharon Wheeler</b>	
<b>Reason for Decision: • impact on People with care or support needs.</b> Minor recommendations made during the development of this policy were incorporated from the equality impact assessment,			
<b>Date Full Equality Impact Assessment Undertaken: TBC</b>			
<b>Brief Outline of any Changes Recommended from EIA: tbc</b> summarised as follows: - <b>Recommendation – Section 6.6</b> – Wording amended to reflect that Mental Capacity is decision and time specific and the previous phase of “without mental capacity” could appear to discriminate against customers who may be able to make some decisions but not others. We expect that customers are able to maintain their home and tenancy, be able to look after their personal care and can manage their own conduct, especially in relation to antisocial behaviour. The wording ‘care and support’ was removed as it could be deemed as linking the need for <b>care and support</b> with a tendency towards anti-social behaviour which could also be seen as discriminatory.			
<b>Data Protection/ GDPR Implications: <input checked="" type="checkbox"/></b>			
<b>Brief Outline of Data Protection/GDPR Implications:</b> The policy will compliment & strengthen compliance to GDPR and Data Protection requirements.			
<b>Legal Implications:</b> <input type="checkbox"/>	<b>Legal Panel Consulted:</b> <input type="checkbox"/>	<b>Date:</b>	
<b>Risk Implications:</b> <input type="checkbox"/>	<b>Risk Logged on Datix:</b> <input type="checkbox"/>	<b>Date:</b>	
<b>Resource Implications</b>	<b>People:</b> <input checked="" type="checkbox"/>	<b>Finance:</b> <input type="checkbox"/>	<b>Asset:</b> <input type="checkbox"/> <b>Other:</b> <input type="checkbox"/>
<b>Brief Summary of how Resource Implications have been addressed:</b> There is no expected impact on resources and training of the policy can be scheduled in such a way that operational services will be marginally impacted during the transition period.			
<b>How will communication on this Policy take place:</b> Intranet/ YHG Website/ E-Learning/ Email/ Face to Face Training			
<b>Policy Owner: (Department) Head of Housing – Customer Services</b>		<b>Policy Author: Service Manager – Housing Operations</b>	
<b>Policy Signed Off by: (service manager or sponsor):</b>			<b>Date: 01/03/2023</b>
<b>Policy Quality Checked by Research and Policy Manager:</b>			<b>Date: 08/03/2023</b>
<b>Policy Approved by Risk and Compliance Group:</b>			<b>Date:</b>
<b>Policy Approved by <i>insert committee/Board here</i>:</b>			<b>Date:</b>

## Appendix 1 – Customer Transfer Banding Criteria

### 1. High Priority Band Criteria

To be placed in the high priority band one of the following will need to be met:

- The customer needs to move urgently because there is evidence of significant safeguarding or threats to life associated with the occupation of their current home.

- The customer or a member of their household would be at imminent risk of harm i.e., because of violence or a threat of violence if they remained at their current home.
- The current housing conditions are having a major adverse effect on the medical condition of the applicant or a member of the household and will be substantially improved by the move.
- The customer is overcrowded by two bedrooms. Overcrowding will be measured against The English Housing Survey Bedroom standard.
- The customer is under occupying their current home and wants to downsize by two or more bedrooms. The number of bedrooms being released will be decided by the tenant. They will be permitted to move to a smaller property even if they will be under occupying their new home.

## **2. Medium Priority Band Criteria**

To be placed in the medium priority band one of the following will need to be met:

- The current housing situation is having an adverse effect on the medical condition of the customer or a member of the household and will be substantially improved by the move.
- The customer is overcrowded by one bedroom. Overcrowding will be measured against the English Housing Survey Bedroom standard.
- The customer is under occupying and wants to downsize by one bedroom. The number of bedrooms being released will be determined by the customer. They can move to a smaller property and still under occupy their new home.
- The property has been significantly adapted for use by a disabled person and the adaptation is no longer needed. For example, there is a wheelchair standard lift at the property or low-level cupboards.
- Welfare and work are applied when an existing customer needs to move to be close to work (full-time or part-time) or to give or receive care on a permanent basis (this includes childcare or caring for an elderly family member).

## **3. Low Priority Band 3. Criteria**

- All other customers not meeting the higher banding criteria, will be placed in the no or low housing need band. If the customers circumstances change and supporting evidence is provided, they may be reassessed and placed in a higher priority band.

## **4. Urgent Management Moves**

In exceptional circumstances, we may agree to move an existing customer to another home, this is called a 'management move' and it is intended to be used when:

- A customer needs to move urgently due to the threat of or actual violence or harm. This applies when there is an imminent risk to them or a member of their household if they remain at that property or:

- A customer needs to move in exceptional circumstances. There must be evidence of a significant and insurmountable problem associated with the tenant's occupation of their current home.

We will make two reasonable offers of accommodation. If these offers are refused, we will assist the customer and appropriate support with rehousing options will be provided via the local authority or other housing providers.

A customer would normally remain on the 'management move' waiting list for sixteen weeks. However, we may extend this period if, for example:

- We agree that a suitable home has not become available.
- We have received a recommendation from a statutory body the police, social services or other.
- Domestic abuse is involved, and the customer is seeking a managed move from their home.

Customers awarded a management move will be offered property on a like-for-like basis, this means a home of the same size and type. The exception to this is if to do so would result in:

- overcrowding or perpetuate overcrowding.
- the property continuing to have an adverse effect on the customer's medical condition.

## **5. Refusals**

We do not normally allow customers to move to another YHG home if they are subject to any of the grounds for refusal set out in this policy. In exceptional circumstances we may allow the move if there is clear supporting evidence that the customer or a member of their household is at immediate risk of serious harm.