



Allocations Policy

Revised April 2022

Review Date April 2025

Approved by:

Board:

Responsibility:

Housing Services Manager

1. Introduction

This document outlines the processes that will be followed when reletting properties.

Policy Objectives

- To maximise the opportunities for applicants to access our housing.
- To maximise the opportunity for tenants to transfer or exchange their properties
- To facilitate a straightforward application process that is accessible to those in housing need.
- To enable applicants to make informed choices through the provision of clear information and advice.
- To ensure that the Equality & Diversity Policy is implemented in allocations, transfers and exchanges

2. Legislation

Legislation	Relevance to Allocations & Lettings
Housing Act 1988	<ul style="list-style-type: none">• Details the circumstances on security of tenure and succession
Housing Act 1996	<ul style="list-style-type: none">• Details eligibility for allocations and homelessness
Localism Act 2011	<ul style="list-style-type: none">• Gives local authorities greater freedom to set their own policies ensuring those in most need are allocated housing.• Allows social landlords flexibility on length of tenure• Outlines provision of transfer of tenancies for secure & assured tenancies• Paves the way for a national home swap scheme
Immigration Act 2014	<ul style="list-style-type: none">• Legislation ensuring landlords check an applicants 'right to rent' in the UK
Immigration Act 2016	<ul style="list-style-type: none">• Introduced a criminal offence of knowingly letting to someone disqualified from renting a property• Sets out how a landlord can end a tenancy due to tenants immigration status
General Data Protection Regulations Act 2018	<ul style="list-style-type: none">• Storage of data and disclosure of information
Equalities Act 2010	<ul style="list-style-type: none">• Legislation seeking to ensure fairness in the provision of services
Home Office Code of Practice – July 2021	<ul style="list-style-type: none">• New procedures & documents for checking right to rent

We will ensure that the allocations policy meets all relevant legislation in regard to allocating accommodation.

3. Regulatory Framework

This policy operates within The Regulatory Framework for Social Housing in England from April 2021 The main relevant standard is outlined below:

Tenancy Standard

Allocations & mutual exchanges

- We work in partnership with Birmingham Choice.
- We provide opportunities for our tenants to access internet-based exchange services
- We clearly set out the criteria for considering transfer and exchange requests
- We let properties in a way that addresses housing need whilst making best use of housing stock, taking into consideration under-occupation and overcrowding.
- We will publish our Allocations Policy, including details of how to access the service, the criteria for exclusions and how we assess applications
- We will record all lettings using the CORE system to ensure accountability.

Tenure

- All tenants will be offered an Assured Shorthold (Starter) Tenancy for the first 12 months. If the starter tenancy has been conducted satisfactorily, at the end of the twelve months we will convert the tenancy to an assured tenancy. (see Tenancy Policy for further information).

4. Fairness

We will monitor our waiting list and allocations every year to ensure that this policy does not discriminate, intentionally or unintentionally, against any applicant on the grounds of their age, ethnic origin, disability, religion or belief, sex, gender reassignment, marital status, sexual orientation, pregnancy status or maternity/paternity.

Applicants will be invited to disclose information to support this monitoring. This information will be stored confidentially and will only be used for the purposes of monitoring and assessment of the fairness of our allocations. We will not disclose personal data.

We aim to ensure that all tenants' housing remains adequate and we will therefore support and assist those who wish to transfer or exchange due to changes of circumstances / housing need.

To ensure openness and transparency the Allocations Policy will be published on our website.

5. Eligibility

To be offered social housing, an applicant must be eligible to apply. Applications will be considered from applicants who:

- Are over 18 years of age (General Needs) or over 55 years old for the 55+ scheme
- Provide all necessary documents to demonstrate that they satisfy the requirements of the right-to-rent legislation
- Can demonstrate that they have the means to pay the rent for the property and that it is affordable for them.

We will consider an applicant to be ineligible to be offered SPSHA housing if they:

- Are home owners with sufficient capital to allow them to meet their housing need outside of the social housing sector.
- Are subject to immigration control, or are foreign nationals who have been deemed not eligible to rent
- Cannot demonstrate that they can afford the property
- Are in debt to us (or have any other housing-related debt) and there is no agreement in place to clear the debt, or where such an agreement has not been kept to for a period of at least six months.

We may also consider an applicant ineligible for access to SPSHA housing if they:

- have been evicted from their home by a housing association, local authority or other landlords because of anti-social behaviour, or have a history of serious ASB (meaning ASB which has warranted formal legal proceedings to protect staff and/or other residents). This includes former tenants of SPSHA who have been evicted, and who are deemed to have made themselves intentionally homeless.
- or any member of the household has an unspent criminal conviction which we believe continues to be a significant potential threat to anyone at SPSHA or in the locality. (We reserve the right specifically to exclude offenders if their offences are considered too high risk e.g. the offences are drug-related, and/or we assess there to be a significant risk of them re-offending.)
- fail to provide the necessary documents required to verify their identity and/or other circumstances
- require a significant level of support in order to sustain their tenancy, or if they require a type of property that SPSHA is unable to provide.

6. Applications and waiting list

The waiting list will be publicised as widely and as openly as possible.

Applicants can request an application form by either phone, in person at the office, or by downloading it from our website. A copy of the Allocations Policy will be included with each application form. Help and advice on completing the application form will be provided as requested.

The waiting list will open when the 1 bed properties list falls to a minimum of ten applicants and the 2 and 3 bed waiting list falls to a minimum of five applicants. It will close when a sufficient number of applications are returned and at the discretion of the Housing Services Manager.

The waiting list for the over 55 Scheme remains open throughout the year.

All applicants on the waiting list will be written to once every 6 months to assess whether their circumstances have changed and whether they wish (and are eligible) to remain on the waiting list. Those applicants who do not reply within 21 days indicating their wish to remain on the list will have their application automatically removed. Where there is a change of circumstances, the applicant's eligibility and housing priority will be re-assessed in line with the evidence provided.

We work in partnership with Birmingham City Council to allocate some of our vacant properties via their Choice Based Lettings Scheme. (Birmingham Choice). Further information can be found at www.birminghamchoice.org.uk.

Birmingham Choice is a system of allocation that allows applicants to bid for properties they are interested in. To use Birmingham Home Choice, applicants need to be registered with Birmingham City Council. Housing need will be assessed via an application form and points awarded to reflect need. Applicants are given Pin Numbers and are able to bid on properties they choose.

7. Assessment

We will look at "best use" when allocating properties. This will take account of factors such as support needs, requirements for an adapted property and the size of accommodation needed.

Whilst recognising the principle of 'choice' for applicants, the following criteria may be used in determining "best use" of different sizes of property.

The following require a bedroom:

- A single adult (aged 16 or over)
- A couple
- A carer if you or your partner need overnight care.

Two children of the same sex under the age of 16, and two children under the age of 10 regardless of their sex, will be expected to share a bedroom

7.1 Assessment criteria

We will assess applicants in line with a banding system and they will be placed on the relevant banding as follows:

Band 1	<ul style="list-style-type: none"> • Harassment, violence, abuse (domestic & non domestic) • Under occupancy / downsizing (efficient use of stock) • Extensive work to property that requires a move • Severe medical/mobility need • Homeless / No fixed abode • Armed Forces or bereaved spouses and partners
Band 2	<ul style="list-style-type: none"> • Overcrowding • Lacking facilities & sharing facilities with non-family members • To give or receive care • Victim of ASB • Urgent medical or mobility issues • People living in a flat with children who request a house • Condition of property poor
Band 3	<ul style="list-style-type: none"> • Existing tenant – no need assessed in band 1 or 2 • No housing need • Council nominations via Choice Based lettings, the Disabled Persons Housing Register, direct nominations

Applicants will be placed in the relevant Band in point and date order. Throughout the year, we aim to allocate 50% of lettings to applicants in band 1, 30% to those in band,2 and 20% to those in band 3

Applicants must notify us of any change in circumstances that may affect their housing need so that their application can be re-assessed. Applicants who do not do so may have any offer accommodation withdrawn.

Any applicant who obtains a flat by giving false information or withholding relevant information will be at risk of losing their home.

7.2 Interview / Selection process

All applications will be acknowledged in writing within one week of receipt.

All applicants will be interviewed to assess and verify their housing need and they will have the opportunity to visit the site within eight weeks of receipt of the completed application form. Where a potential risk and/or need has been identified from the application form, a risk / needs assessment will be completed to determine whether the applicant poses a risk to staff, other tenants, neighbours or themselves.

If further clarification of the applicant's housing need is required, a home visit to the applicant's address may be carried out. A reference from the applicant's current landlord (where appropriate) will be requested at this time.

If an applicant does not attend an interview without notifying the office, they will be removed from the process and will need to reapply when the list re-opens.

All applicants will be notified in writing of the outcome of their application within two weeks of their interview.

If their application is accepted, the applicant's acceptance letter will confirm which size of property they are eligible for and which band they are placed in.

If an applicant is not accepted onto the waiting list they will be notified in writing of the reasons why, and signposted to other services.

Waiting list applicants will be contacted via telephone every 6 months to review their application and current circumstances. Where applicants have been adequately housed or fail to respond to the review, they will be removed from the waiting list and will have to make a new application.

8. Invitations to view and offer of properties

Upon a property becoming vacant, an applicant will be selected from the relevant waiting list using the priority set out above and an invitation to view will be made (subject to agency and background checks). This will include checking:

- Whether the applicant or household is in arrears or owes any monies to SPSHA or their current landlord
- Whether the applicant or household has been involved in any anti-social behaviour, and
- Whether the applicant or household has complied with the terms of their current or former tenancy.

Applicants will be asked to provide proof of a clear rent account. If there are arrears from a previous tenancy, we may not make an offer of re-housing.

Invitations to view a property and a viewing date will be made via the telephone and followed up in writing giving details of the property, the rent payable, viewing arrangements, and proposed tenancy start date. Applicants will be required to respond to the offer letter within three working days, otherwise the offer will be withdrawn and the property offered to the next applicant on the relevant waiting list.

A formal offer will only be made once the property has been viewed and may still be subject to a satisfactory landlord reference. Offers may be withdrawn if an unsatisfactory reference is received or other information comes to light that affects eligibility.

All new tenants will be asked to pay one week's rent in advance and proof of payment must be received before the tenancy agreement can be signed.

Applicants will only be made two offers of properties. If both offers are refused without a reasonable explanation, the applicant will be removed from the waiting list.

9. Transfer and exchanges

Transfer applications will be considered for the following reasons:

- There is a medical need, supported by an appropriately qualified medical professional, for the tenant to move to a different property
- The tenant's (and/or a member of their household's) health and safety requires them to move to a different property
- The current property is overcrowded or under-occupied.
- The tenant is experiencing harassment that can only be relieved by a move to an alternative property

Where appropriate, transfer applicants will be asked to provide evidence to support their application.

Tenants wishing to apply for a transfer to another SPSHA property must have lived in their existing property for at least twelve months. Those tenants still occupying their property under a starter tenancy do not have the right to transfer or exchange.

In the case of either transfers or exchanges, the tenants must meet the following criteria:

- The property they are moving from must be in a lettable condition
- They must have a clear rent account (no rent arrears) and no other debts to SPSHA e.g. rechargeable repairs
- They must not have breached any tenancy conditions in the previous 12 months (ASB)
- They must leave their current property clear of all unwanted items and rubbish.

Exceptions to the above requirements may only be made in extreme circumstances e.g.:

- Where the tenant is experiencing domestic violence and/or harassment etc.
- Where the tenant's rent arrears have been caused by the spare room subsidy and they are seeking to move to a smaller property

Tenants wishing to apply for an exchange or transfer who do not meet the above criteria must send their request in writing marked 'Confidential' to the Housing Services Manager to assist with the request if necessary.

If we are unable to assist tenants with alternative accommodation within the community, nomination and referral methods will be considered.

Transfer

A tenant wishing to transfer to another property must complete a transfer form and a home visit will be carried out to discuss the application.

A property inspection will be carried out and applicants informed of work needed before a possible transfer.

Transfer requests meeting the criteria will be assessed as per the waiting list.

Transfer applicants will be notified in writing whether or not their application has been accepted.

If a suitable offer is made to a tenant and this is refused without reason, the tenant will be removed from the transfer list for a period of 12 months.

In the event of more than one applicant being suitable and applying at the same time priority will be given to the applicant in the most housing need.

Mutual Exchanges (within St Peter's)

As well as complying with the criteria for transfers (e.g. no rent or rechargeable repairs arrears and property in lettable condition), tenants' applications for an exchange will only be considered if the property they are moving to is suited to their needs.

Mutual Exchanges (with other Housing Associations)

Tenants wishing to complete a mutual exchange with a tenant from another housing association must comply with the criteria for transfers (e.g. no rent or rechargeable repair arrears and property in lettable condition).

Tenants requesting an exchange will be required to complete an Exchange form identifying the person they wish to exchange with.

10. Appeals

All tenants and applicants have the right to appeal against any decision made. Appeals should be made in accordance with our Complaints Policy which will be made available on request.

11. Confidentiality & Information Sharing

We will store data in accordance with our data security and document retention policies.

We will only share applicant information in order to verify an applicant's eligibility for housing.

11. Monitoring and Reporting

We will keep records of all application and allocation decisions. We will monitor these and report to the Board annually.