

Lettings Policy (General Needs, sheltered, extra care Housing)

Author/s	Head of Housing Management
Ratified by forum and date	Tenant Committee January 2023
Ratified by forum & date	Operations Committee November 2022
Implementation date	February 2023
Review date	November 2025

1. Introduction

CHS GROUP (CHS) is a charitable Housing Association which has a duty to ensure its homes are allocated to people in housing need in ways which are fair, accountable and make the best use of CHS's housing stock. CHS also aims to provide high quality information to customers and to assist people with support needs in seeking housing. CHS's policy is guided by current legislation and by the Regulator for Social Housing's Regulatory Standards. This policy applies to CHS's general needs, sheltered and extra care housing stock.

2. Applying for Housing

CHS does not keep its own waiting lists for housing. As a member of the HomeLink Choice Based Lettings Scheme operating across the Cambridge sub-region, and the HomeOption Choice Based Lettings Scheme for Uttlesford, we let all general needs and sheltered homes by advertising them through these schemes, except in a small minority of cases.

CHS is committed to supporting its current customers who wish or need to move home, and is signed up to the Homelink cross-partner Access Strategy. We will advise all customers who seek information on housing options, and in particular support our current tenants who need help in making the best of their options.

3. The HomeLink Scheme

To use the HomeLink scheme customers apply directly to Home-Link via its website. The local authority dealing with the application will place it in one of four bands of housing need, depending on their circumstances. Uttlesford District Council's HomeOption scheme is very similar to HomeLink. CHS agrees to let its properties in accordance with the local authorities' lettings policies.

Available homes are clearly labelled to state who can be considered for them. To be considered for a home, customers must make a 'bid' via the internet. After the advertising period closes, a shortlist of eligible customers is produced. The shortlist identifies the order of customers based on who has been in the highest housing needs band for the longest time. Feedback on all lettings is available to customers who can use this information to make realistic choices on their housing options. In exceptional circumstances CHS may let a home directly to customers without being advertised through the scheme – these are known as direct lets (see section 6).

CHS will usually offer the tenancy to the bidder placed first on the shortlist, except in the circumstances set out below or if the property is clearly unsuitable (e.g. too large or too small, the customer is not in the age category required). As soon as the shortlist is available CHS makes contact with the top bidder to confirm their details, collect information needed to take up references and arrange a home visit or viewing. If there is any doubt that this will result in a letting we usually contact those placed second/third on the shortlist to avoid delay in re-letting.

4. Local Lettings Policies

In certain rural schemes there are legal agreements under section 106 of the Town and Country Planning Act 1990 (as amended) which mean that people having an existing connection with the immediate area have priority to be housed there. These are advertised with this requirement and the local connection of those on the shortlist is checked and if necessary discussed with the relevant Local Authority.

CHS may also operate a "Local Lettings Policy" to encourage sustainable communities. For example we let one group of studio flats to women only, and often aim to have a range of children's ages within a newly built scheme. CHS will ensure that this is clear in any HomeLink advertisement so that customers make the most appropriate bids. Such local policies may also permit letting some properties to smaller households than would usually occupy them, in order to prevent long re-let times. See paragraph 7 below for more detail on the approach to under-occupation.

5. Other Nomination Agreements

For some rural schemes nomination rights are held by Parish Councils (and occasionally independent charities) in addition to the local authority, to help meet local housing needs. CHS will agree with the parish council/charity how its nomination rights will be used – through the HomeLink system, or by direct nomination. Where parish councils hold their own waiting lists to be used for nomination, CHS asks them to promote this within the parish to ensure equality of access.

CHS reserves the right to reject a nominee if they would not otherwise have qualified under CHS's policy.

6. Who qualifies for Housing (General Needs and sheltered homes)

CHS applies the Allocations policies of the local authorities in which it operates. The local authorities assess housing applications and decide what housing needs band they should be placed in. The Bands for the Home-Link sub-regional scheme are:

Band A: Urgent Need (urgent medical, overcrowding, homeless, urgent multiple needs, under-occupying by two or more bedrooms)

Band B: High Need (high medical, harassment/violence/abuse, lacking *one* bedroom, homelessness prevention, under-occupancy by 1 bedroom)

Band C: Medium Need (medium medical, social reasons, shared facilities, homeless and not in priority need)

Band D: Low housing need / financially able to resolve housing need

Exceptionally CHS may carry out a 'direct let' if there is an urgent need, without advertising within the HomeLink system. Typical reasons for such a move may be harassment, a severe medical condition, severe overcrowding, domestic abuse or fire damage. This may also be due to under-occupation resulting in a reduction in housing benefit where the customer is struggling to meet the shortfall in housing benefit/Universal Credit.

CHS will not normally make an offer to :

- (a) A person who is unable to sustain a tenancy without additional support and is unable to obtain a commitment from an outside body to provide that support.
- (b) A person who has outstanding housing debts to CHS, another Social Housing Provider or Local Authority or private landlord unless they have kept to an agreement to pay such debts for a reasonable period. An exception may be made for CHS customers experiencing domestic abuse or where housing benefit has been reduced as a result of under-occupation and they have been unable to keep up with rent payments as a result.
- (c) A person who within the two years before their application has seriously breached the terms

of their current or previous tenancy with CHS or another landlord (e.g. nuisance, anti- social behaviour, harassment, illegal use of property).

(d) A person who does not have a local connection with the village or parish, where that is required by formal agreements with local authorities. In these cases the customer with a lower priority on the shortlist but having the required local connection may be offered the property.

(e) A person who would be under-occupying the property under the definition of the Welfare Reform Act 2012 and who is likely to be dependent on housing benefit/Universal Credit to meet their rent payments.

7. Under-occupation

The Welfare Reform Act 2012 introduced a provision where occupiers claiming housing benefit/Universal Credit will have such benefit reduced if they are deemed to under-occupy the home. It is not CHS Group's policy to allocate properties that tenants will not be able to afford.

Where it is known that certain properties tend to generate low demand, CHS may allow applicants to 'bid' who would under-occupy the home, in order to avoid long re-let times. In considering such bids officers will discuss and assess the financial circumstances of the top shortlisted 'bidder' to ensure that they have adequate financial arrangements in place to pay rent and service charges.

All new tenants are contacted by CHS's Money Matters team to offer advice which may help with the costs of moving and settling in, and an overall financial healthcheck. Where the pre-tenancy contact by the Housing Officer raises concerns about affordability or resources (e.g. with furnishings) the Money Matters involvement will be brought forward to a date before the tenancy begins, in case assistance can be given to help with moving in e.g. an application for the Cambridgeshire Local Assistance Scheme.

Underoccupation by somebody reliant on housing benefit will be allowed in a number of limited scenarios, where that is known to be a temporary situation for up to six months in the knowledge that circumstances will change during that period to remove the penalty (e.g. a child is due to become 16 or the tenant will reach pension credit age).

Other Home-Link applicants who would not be reliant on housing benefit (and are at low risk of becoming reliant on it) may be offered accommodation that would be regarded as underoccupied (by one bedroom only).

Any new tenancy includes a condition that CHS may seek possession if the property is under-occupied by two or more bedrooms and that suitable alternative accommodation is available to the tenant. Where there is such under-occupation CHS will work closely with the tenant to find suitable alternative accommodation, however if the tenant declines to move CHS may seek possession to make the best use of housing stock. The tenant will have the right to request a review of such a decision within 14 days of receiving a Notice of Seeking Possession. This procedure presents an opportunity for the tenant to ask a CHS Director to review the reasonableness of the decision to begin possession proceedings.

8. Transfers

Existing tenants who wish to move should register with Home-Link (or Uttlesford District Council). The Banding system works in the same way as for other applicants. Our support for existing customers includes helping them to present supporting information to local authorities who manage waiting lists, helping customers to access Home-Link information and make bids, and helping customers to find suitable mutual exchanges.

CHS agrees with Local Authorities in whose areas it operates to take at least 50% of its new tenants of publicly funded homes as nominees from the Local Authorities' waiting lists. The proportion is usually much higher. Most of CHS's schemes have an agreed percentage of nomination rights (i.e. the proportion of lettings which will be made to nominees). By using the Home-Link scheme we ensure that we meet these obligations as all customers registered with HomeLink have the opportunity to express an interest in the homes we advertise. However where a local authority nomination would not be due, CHS may advertise a vacancy as being available only to customers who hold a tenancy with a member landlord and wish to transfer. This increases the opportunity for CHS's tenants to move, and may be a tool to improve tenancy sustainability in an identified scheme.

9. Mutual Exchanges

Existing Assured/Secure general needs tenants of CHS have the right to exchange homes with another tenant, whose landlord may be another Registered Social Landlord or a local Authority. Both landlords must give permission for the exchange, which can only be refused for certain reasons (e.g. property size, or there is a s.106 agreement that requires the incoming tenant to have a local connection). This is a particularly useful option for tenants who do not qualify as a high priority for a transfer. CHS subscribes to the national "HOMESWAPPER" scheme for mutual exchanges so that it is free for our customers to use. HomeLink also has its own free mutual exchange matching service that offers help finding exchanges across the country. There is a separate policy on managing mutual exchanges.

10. Extra care schemes Allocations

Extra Care schemes allocations are not managed through the Homelink scheme. All prospective tenants must apply via the Cambridgeshire Extra Care Allocations Panel using CHS Group's Extra Care Housing Application Form. Information about their care and housing need is collected from the prospective tenant via the CHS Extra Care Application Form.

The Allocation Panel is organised and managed by the City & South Cambs Locality Team and includes landlords and care providers of all Extra Care schemes in Cambs, Adult Social Care representatives and local authority Housing representatives.

CHS Group attends in both capacities as social landlord and care provider for Richard Newcombe Court, Dunstan Court and Moorlands Court. All applicants must have both a care and a housing need, evidenced by a care grid from their local social services team. All applicants must have a local connection to the City or South Cambs or will be considered low priority. All applicants who fulfil these criteria will be considered for extra care housing in Cambridgeshire.

If there are multiple applications for a CHS flat the Extra Care Services Manager for CHS will consider the dependency of the prospective tenant (for example need for ground floor, or hoist/double-up care) and assess whether the individual's needs can be met by the care team.

Unsuccessful applicants are contacted by the Locality Team and may be offered a placement at an alternative Extra Care scheme. CHS will keep a record of the reason for not offering a tenancy.

11. False Information

If a customer is found to have given false information to raise their position on a shortlist, their application will be bypassed and the local authority will be informed. If the customer has already been housed after giving false information CHS may seek to evict them using the ground for possession introduced in section 102 of the Housing Act 1996.

12. Pets

Where a bidder is being considered and tells us they have pets that would require CHS's consent to keep at their new home (see criteria set out in CHS's Housing Management Policy), officers will discuss whether such permission is likely to be given – an offer may not be made if consent would not be given (e.g. flats with no external access) and the bidder indicates they would not give up their pet.

13. Equality and Diversity

CHS is intent on fairness and transparency when considering housing applications and allocating housing. CHS sets targets for lettings to BAME (Black, Asian and Minority Ethnic) households and reviews these annually in line with the percentage of BAME applications to Homelink. Where an applicant or existing tenant has a need for adaptations to make the property suitable, CHS will act positively within available resources to meet that need and seek grants from other sources. CHS will provide interpreting/translation facilities for those who need it, and will provide documents in other formats or languages as required, to make our services fully accessible to the full range of actual and potential tenants. CHS also supports its existing customers to apply online to Homelink who have difficulty gaining access online, e.g. by visiting at home to complete the online application, providing supporting information to the local authority, and if the customer wishes, placing bids on their behalf.

14. Monitoring

CHS's Operations Committee receives an annual report on lettings in the first meeting following the end of its financial year. Monthly monitoring also takes place on the satisfaction of customers with the lettings process, and on BAME lettings against target.

15. Appeals

If a customer is dissatisfied with a decision taken by CHS in respect of their application for housing, they may appeal to the Head of Housing Management within 7 days of being informed of the decision (or to the Operations Director if the Head of Service was involved in the original decision) It may not be possible to delay re-letting a property while an appeal is being considered however the outcome of the appeal may help to inform a future allocation decision for the applicant.

13. "CORE"

CHS participates fully in the CORE (COntinuous REcording) system for monitoring the characteristics of new tenants e.g. age, income, employment status, reason for re-housing. The data provides central government with statistical data on trends in social lettings over time. Although any information sent to the CORE system is entirely anonymous, the data is covered by the General Data Protection Regulations (GDPR) and once submitted digitally to CORE the paper

record completed with the new tenant is destroyed.

14. Access to Information

All customers have the right to see information held about them by CHS or provided about them or by a third party (e.g. GP, Social Worker, previous landlord), if the third party agrees. CHS also ensures it meets the requirements of the General Data Protection Data regulation (GDPR) and signposts all customers including those applying for housing to its privacy notices.

15. Lettings to Staff/Committee Members/their relatives

CHS may offer accommodation to its employees, former employees, or their relatives, or Board or Committee members or their relatives. However such a person would receive exactly the same consideration as any other customer and would be given no priority because of their connection with CHS. They would also have no involvement or influence over the decision-making process.