

Allocations, Assessment and Lettings Policy

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Policy Author	Head of Governance and Assurance
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1. Introduction and Purpose

- 1.1 Our Policy sets out how Brighter Futures manages the referral and assessment processes for the allocation of its housing and accommodation. The policy applies to both Brighter Futures prospective applicants and current residents in need of housing and accommodation.
- 1.2 Brighter Futures accommodates individuals who would otherwise be at risk of homelessness, or are homeless, have a support need relating to their mental health, vulnerability and / or a learning disability and who are in need of and accepting of support in their transition to independent living or to maintain an ongoing level of independence.

2. Policy Statement

- 2.1 Brighter Futures believe that everyone has the right to a good quality home, and this is reflected in our organisational values and vision. We recognise that we provide homes to adults with a range of vulnerabilities including complex issues and needs. Brighter Futures will therefore provide a tenancy pathway which allows our diverse range of residents to move from a range of supported, semi-supported and independent settings.

3. Aims and Objectives of Policy

- 3.1 The purpose of this policy is to set the Referral, Assessment and Allocations Policy for letting Brighter Futures properties. Our aim in doing this is to offer a service which is accessible, fair, transparent and accountable. Where it is felt that we fall short of achieving these aims we will provide an individual with the right to appeal against our allocation decisions.
- 3.2 The aims of the Referral, Assessment and Allocations Policy are to:
- Ensure housing is allocated to people who meet the qualifying criteria, reflecting priority needs where appropriate.
 - Ensure that properties are let with due regard of legal and regulatory obligations.
 - Ensure properties are let quickly and efficiently and maximise occupancy.
 - Be non-discriminatory and promote equal opportunities and diversity in Brighter Futures housing and accommodation.
 - Provide reasonable opportunities for existing residents to transfer to other Brighter Futures properties.
 - Create balanced and sustainable communities.

4. Equal Opportunities and Diversity of Applicants

- 4.1 Subject to the age criteria, applications are welcomed from all in line with the Equality Act 2010. Brighter Futures is committed to providing accommodation and services to the whole community and will not discriminate against any applicant on the basis of their protected characteristics.
- 4.2 Brighter Futures' housing schemes that do not provide an appropriate support or care package on site are generally restricted to those with low needs and /or demonstrating a level of suitability for independent living. The exception to this is where an individual has in place specifically funded community-based support relating to care, health or offending. This will be identified and assessed through Brighter Futures risk assessment tools.

- 4.3 Applications from people who are deemed by a risk assessment as a significant risk to others may be refused for accommodation and/or support. In all instances this will be discussed with the applicant together with a resultant right of appeal.
- 4.4 People on release from a custodial environment, or subject to a Court Order, will be considered, subject to risk and needs assessment. This will be subject to periodic risk assessment to ensure that the risk remains manageable and that there isn't a breach of tenure.
- 4.5 Applicants who have a recent history of substance misuse and / or alcohol misuse will be considered subject to a risk and needs assessment. Where an offer of accommodation is made we will actively work with the person to address their substance misuse and this will be subject to periodic risk assessment to ensure that the risk remains manageable and that there isn't a breach of tenure.
- 4.6 People aged 16 or 17 cannot hold a legal tenancy in their own right, but may apply to be added to the Brighter Futures housing waiting list/s and may be considered for accommodation subject to having a suitable guarantor in place and meeting the criteria for the accommodation.
- 4.7 Reasonable aids and adaptations will be considered in line with our Aids and Adaptations Policy to support individuals in properties that do not have wheelchair access or other adaptations needed to support independent living and manage potential risks.
- 4.8 Applicants are asked to complete an equal opportunities monitoring form and this information is analysed to check that we are not discriminating against particular groups in the application and allocation process. We routinely monitor enquiries to check equality of access to our supported housing.
- 4.9 Brighter Futures recognises that there is a statutory definition of persons who are ineligible for an allocation of accommodation, in accordance with the provisions of the Housing Act (1996), as amended by the Homelessness Act (2002) and Localism Act (2011):
- (a) A person subject to immigration control, as decided by statute and regulation (see 4.10).
 - (b) A person from abroad other than a person subject to immigration control (see 4.10).
- 4.10 People who are subject to immigration control under the Asylum and Immigration Act (AIA) 1996 are ineligible for re-housing, unless specifically permitted under regulations published by the Secretary of State (as detailed in Sections 160A(3) and 160A(5) of the Housing Act (1996) as amended by the Homelessness Act (2002)). These include persons who have been granted refugee status, or exceptional or indefinite leave to remain, with no conditions or limitations attached. Applicants in this category will be expected to provide proof of their immigration status. This will be reviewed in line with any prevailing changes to legislation, including but not limited, to any temporary or permanent legal/ regulatory changes which materially impact upon the rehousing of individuals with no recourse to public funds.

5. Allocations and Lettings Process

- 5.1 Brighter Futures works with other relevant agencies and groups to raise awareness of the Association and the types of housing and accommodation it provides. We accept applications directly from individuals and via referrals from other agencies. The

referral form is used to gather sufficient information to make a fair assessment of housing needs, and support needs where appropriate.

- 5.2 Brighter Futures will also carry out a pre-tenancy support assessment with you to help determine whether you are able to manage and sustain a tenancy. The assessment helps determine appropriate housing options and whether the applicant has additional support needs to help you maintain your tenancy. The assessment will include a review of:
- The applicant's ability to pay their rent now and in the future.
 - The applicant's ability to meet all obligations under the tenancy agreement.
 - Any support needs the applicant may have in order to meet their obligations.
 - Any tenancy training needs the applicant may have.
- 5.3 An application will not be fully processed and placed on the waiting list until the person-centred pre-tenancy support and risk assessment is completed.
- 5.4 Brighter Futures seeks to help applicants with the following:
- Maximising income and managing debt.
 - Arranging for appropriate support services to be put in place.
 - Providing life skills on how to manage a tenancy successfully.
 - Recommending appropriate housing options to meet need.
 - Setting up rent payment systems.
 - Providing support with budgeting.
 - Providing support to find employment.
- 5.5 There may be circumstances where applicant's support needs are such that we may restrict their bidding to a particular housing option, and in some cases we may not have an appropriate housing solution to meet your needs. If this is the case, we will offer advice and assistance on other services and agencies that may help you meet the applicant's needs.
- 5.6 In circumstances we may identify that an applicant does not have capacity to manage their own affairs. We will treat each case on its own merits and give consideration to the individual's personal circumstances, available support and risk, and ensure that the individual has the capacity to enter a legal agreement with Brighter Futures. Where doubt exists, we will seek external support and qualification to assess this.
- 5.7 We also use a risk assessment form to determine whether the applicant poses a risk to our staff, other residents, our neighbours or themselves. The risk assessment informs our assessment of the individual's housing and support needs. Our housing assessment and allocations process is designed to match individuals to the different types of housing and accommodation provided.
- 5.8 Brighter Futures maintains a waiting list for schemes and property where there are no Local Authority nomination rights, all lettings are made from the waiting list. Whilst this is the case, each relevant Local Authority and partner agencies will be contacted on a regular basis to ensure that housing stock occupancy is maximised and appropriate to housing and support needs and helps to support the Local Authority in meeting its statutory duties. The waiting list contains information on:
- New applicants who apply directly to Brighter Futures or are referred to Brighter Futures by an organisation providing the applicant with support.
 - Existing residents who wish to transfer to another Brighter Futures property.

5.9 Completed and processed applications are held within a single waiting list system. Applicants can register using the same application for a number of different Brighter Futures schemes and properties. This aims to ensure that any applicant can be considered for any vacant property that matches their housing needs.

5.10 The housing needs of each application will be assessed using the following criteria:

- homelessness/ risk of homelessness
- lack of permanent housing rights
- overcrowding or under-occupation
- unsatisfactory housing conditions
- disability, health and support
- social, economic and environmental factors.

5.11 The assessment of housing need will be used to designate one of four housing priority bands to each applicant. The four bands are:

Band A - Immediate and exceptional need or at risk of serious harm

- Emergency rehousing is required for medical reasons.
- Applicant is at risk of immediate and serious harm.
- Approved homeless cases in temporary accommodation where there is an urgent need to free up accommodation.
- Applicant's home is made uninhabitable due to fire flood or other such emergency.

Band B - Urgent need

- Applicant is a serving or former member of the armed forces or reserve forces who has an urgent need to move because of a serious injury, medical condition or disability as a result of your service.
- Applicant has a severe disability or health condition.
- Applicant is experiencing domestic violence or abuse including controlling, coercive or threatening behaviour.
- Applicant is experiencing harassment amounting to violence or threats of violence.
- Applicant is homeless and the council has a legal duty to house you.
- Applicant's home is subject to major building work or will be demolished as part of a regeneration scheme.
- Applicant occupying housing that is unsatisfactory because it is insanitary or statutorily overcrowded.
- Applicant would suffer hardship if you could not move to a particular area.

Band C - Medium housing need

- Applicant has been accepted as homeless but are not priority under the legislation.
- Applicant has been accepted by the council as homeless and priority, but you have been found to be intentionally homeless.
- Applicant is a young person leaving care.
- Applicant needs to move on from supported accommodation to help maintain a pathway to independence.
- Applicant has a disability or health condition and their current home is having some impact on this.
- Applicant shares facilities with another household.
- Applicant lacks basic facilities or applicant's home is in serious disrepair.
- Applicant needs to move due to a relationship breakdown.
- Applicant needs to move for employment, education or training reasons, such as return from service in the armed forces.

- Applicant has a welfare need because you provide or receive some care and support.
- Applicant's household is forced to live apart.
- Applicant lives in housing that is linked to their job and they have retired or been made redundant and their property is required for the new employee.
- Applicant suffering financial hardship and cannot meet the cost of providing their home.

Band D - Low housing need

- Applicant has no recognised housing need in Band A, B or C.
- Applicant has no local connection with the city or have applied to another partner through other lettings schemes.
- Applicant has accommodation available that meets their housing needs.

- 5.12 Where applicants are assessed as having the same level of need, priority will be given to those who are considered most vulnerable or who have been in need for the longest period. Allocations will be made to make best use of our housing stock in terms of type, size and specialist equipment already installed in a property. Consideration of risk will also include a decision to house individuals in properties with cctv and onsite security.
- 5.13 When a property becomes vacant the Housing or Scheme Manager will review the waiting list and identify suitable applicants, including making contact with the relevant Local Authority to help the Authority to meet its' statutory duties. Those applicants will then be contacted directly to determine whether they still wish to be housed by Brighter Futures A regular review of the waiting list will take place at least every 6 months to ensure that it is accurate and up to date.
- 5.14 Offers of accommodation will be reviewed and authorised by the Director of Housing, Property Services and Development. The Director of Housing, Property Services and Development. has the right to cancel the offer of accommodation for any scheme where the applicant's needs or behaviour pose a risk to other residents.
- 5.15 Brighter Futures will notify all decisions to the applicants/their advocates in writing, including rights of appeal against unsuccessful applications.

6. Ex-Offenders

- 6.1 Brighter Futures will accept applications for housing from ex-offenders subject to a risk assessment of the individual circumstances. Following this risk assessment, Brighter Futures reserves the right to exclude ex-offenders from housing if in the view of the Association, the applicant has been convicted of a 'serious offence' that has not been spent, and they may pose a threat/risk to Brighter Futures Housing Association, its tenants or the community. Examples of 'serious offences' include:
- Public order offences, nuisance, vandalism
 - Dealing, supplying or cultivating controlled drugs
 - Burglary, robbery, theft
 - Violence
 - Schedule 1 offences
 - Offences relating to hate crimes.
- 6.2 This is not an exhaustive list and each application will be considered on its individual circumstances. Brighter Futures reserves the right to put in place any relevant control measures following the risk assessment.

7. Disability provision

7.1 Where a property has been built or adapted to meet the needs of someone with a disability, the Panel will ensure that first priority is given to applicants who are able to make best use of this facility.

8. Ground floor priority

8.1 Priority for ground floor accommodation will be given to applicants who:

- Have poor mobility which could hinder their ability to access communal facilities, the scheme manager's office and other amenities.
- Have a phobia of lifts.
- Have severe visual impairment/blindness.
- There are risk issues with accommodation being offered above ground floor level.

9. Two-bedroom accommodation

9.1 Preference for two-bedroom accommodation will be given to those applicants who can provide a demonstrable need for two bedrooms. Examples include:

- Household size and or composition warrants two bedroom accommodation.
- Applicant with a medical or care need that warrants a need for an additional bedroom.

10. Transfers within schemes

10.1 Brighter Futures recognises that residents may wish to apply for a transfer from one property to another as a vacancy arises. The pathway from supported accommodation or hostels, via shared accommodation to single tenancies is encouraged and supported. Where applications for transfers are not in respect of move-on from more supported accommodation to more independent accommodation/ general needs, the application will be expected to meet other priority reasons and will be placed within the waiting list banding system accordingly to ensure that the potential transfer will benefit the applicant and other residents, and that the person has been treated fairly and in line with the company allocations/ lettings policy and procedure.

10.2 If the Housing Manager or Scheme Managers become aware of a vacancy and believe that the transfer would benefit an existing resident who has not applied for a transfer, they may approach the resident/their advocate. This situation may arise if an adapted property becomes available which may meet the needs of a resident who is living in a property without adaptation. Also, the Housing and Scheme Managers may feel that the resident is able to support a more independent tenancy. The resident will agree to move and the decision to transfer will be authorised by the Panel.

10.3 Transfer applications may be suspended if:

- The resident has outstanding rent arrears or there are tenancy management issues such as ASB or other breaches of tenancy.
- The transfer will result in significant additional costs to be borne by Brighter Futures, for example where the tenant has carried out unauthorised alterations or caused significant damage to their existing property.

11. Special circumstances and cases

11.1 The Allocations and Lettings Policy seeks to meet the greatest housing need. In some cases, tenancy support and / or care may be needed to enable the applicant to sustain the tenancy. Brighter Futures will take this into account in making an allocation decision, together with the impact of the allocation in creating or maintaining a sustainable community.

- 11.2 While properties will normally be offered to the person with the highest level of need eligible for that property size and type, Brighter Futures reserve the right to give priority to an applicant with a lower assessed need where:
- It helps to achieve a balance of support/ care needs and/ or manage risk within the accommodation / scheme.
 - The allocation would allow a person to access greater support or care.
- 11.3 It may also be necessary to allocate a property to a tenant in response to an emergency situation. These situations can result in a temporary, planned or permanent move.
- 11.4 Instances where an applicant at the top of the list is not made an offer will be recorded along with the reason for the decision. These cases will be approved by the Director of Housing, Property Services and Development.
- 11.5 Brighter Futures recognises that a housing needs assessment system cannot encompass every specific housing need situation. The Director of Housing, Property Services and Development is therefore authorised to make an assessment based on 'exceptional circumstances' of extreme need that are not included in the scope of the generic system. Use of this authority will be subsequently reported to the Executive Leadership Team (ELT) and the Customer Services Committee. The detailed consideration of the circumstances will be fully documented to enable subsequent amendment of the housing needs assessment process if necessary.
- 11.6 Brighter Futures will not use transfers as a way of addressing minor tenancy disputes. However, where there is evidence of harassment or violence (or other exceptional circumstances), the Director of Housing, Property Services and Development has authority to approve a transfer, having given detailed consideration to the circumstances and documentary evidence. ELT and the Customer Services Committee will monitor the number and nature of these cases.
- 11.7 If a property has been difficult to let or where there is a history of low demand for that property type, size and location. Brighter Futures may make a direct let to an applicant with few points to avoid the cost of keeping the property empty.

12. Identification and Other Information Required at Sign Up

- 12.1 Following a successful bid by an applicant and the offer of accommodation, an applicant will be expected to provide the following information at sign up:
- Acceptable identification for all individuals aged over 18 who will be living in the property as their principal residence. Acceptable identification is set out in the Government's Right to rent toolkit at <https://eforms.homeoffice.gov.uk/outreach/lcs-application.ofml>
 - Income and expenditure information (for example benefits and/or salary details and budgeting information) to assess affordability.
 - Any other details that are required to support the applicants move (e.g. doctor's letters, details of support package etc).
- 12.2 Should the required information not be provided, Brighter Futures reserves the right to withdraw the offer of accommodation and defer the applicant until such time as documents can be provided.

13. Removal from the housing waiting list

- 13.1 We will remove an applicant from the housing waiting list in the following circumstances:
- The applicant requests to be removed.

- The applicant accepts an offer of housing.
 - The applicant does not reply to requests for further information for a period of 28 days or more.
 - The applicant is deceased.
 - The applicant or a member of their household who is to be re-housed with you become ineligible or disqualified in line with this policy.
 - We find false information on the application form or in any supporting information.
 - The applicant refuses or do not respond to 3 suitable offers of a property in any rolling 12-month period.
- 13.2 The decision to remove an applicant from the waiting list is only on the basis of known facts. We will inform the applicant in writing of our intention to remove them from the waiting list, the reason/s why and also that there is a right to appeal. If no response is received the applicant will be removed after 28 days. We will tell you the outcome of any appeal against removal from the waiting list in writing.

14. Appeals

- 14.1 Any tenant, resident, customer, or other stakeholder who is dissatisfied with how we have considered or handled their request for housing or their application on the waiting list is able to submit an appeal, which should be within 5 working days from the date of the dissatisfaction and addressed to the Director of Housing, Property Services & Development.

15. Types of Tenancies Offered by Brighter Futures

- 15.1 Brighter Futures offers two types of tenancies. Residents living in our hostels or shared flats are given licences. The residents have their own bedroom but may share a kitchen, bathroom and other communal space. The licence gives the licensee the right to stay in the room or property under specific circumstances. The license allows Brighter Futures staff to access the property and reallocate properties to make sure that our properties are used to support people in the most effective way.
- 15.2 All other residents are given Assured Shorthold tenancies. These residents have exclusive possession of their homes and must use it for their sole or main residence. Assured Shorthold tenancies can be granted for a six or 12 month continuous term. The tenancy can continue after that time on the same terms as before or can be renewed for another fixed term. Brighter Futures does not permit mutual exchange for Assured Shorthold Tenants.

16. Legal and regulatory requirements

- 16.1 The legislation listed in this policy is not intended to cover all legislation applicable to this policy. Brighter Futures will take reasonable measures to ensure compliance with all applicable legislation by reviewing policies and procedures and amending them as appropriate. The legislation listed within this policy was considered at the time of the development of this policy, but subsequent primary and secondary legislation, case law and regulatory or other requirements will be considered and the policy reviewed and adopted in accordance with the requirements set out therein, even should such subsequent legislation not be explicitly listed within this policy. Any queries relating to the applicable legislation should be directed to the policy author.
- 16.2 We will meet our legal obligations under the following (this is not an exhaustive list):
- Housing Acts 1985, 1988 and 1996
 - Data Protection Act 2018
 - Equality Act 2010

- Human Rights Act 1998
- Regulator of Social Housing's Tenancy Standard
- Homelessness Act 2002
- Care Act 2014.
- Mental Capacity Act, 2005
- Homelessness Reduction Act, 2018.

17. Associated Policies

17.1 This Policy and associated procedures should be read in conjunction with the following:

- Allocations Procedure
- Referrals Procedure including Housing Referral Form and Risk Assessment Form
- Data Protection Policy
- Equality and Diversity Policy
- Safeguarding Policy and Procedure
- Antisocial Behaviour Policy
- Empty Dwelling Procedure.

18. Data Protection and Information Sharing

18.1 We will ensure that we have signed information sharing protocols so that information about applications and referrals for housing and accommodation may be shared with other agencies. We will also always obtain the applicant's consent to share their data.

18.2 Section 115 of the Crime and Disorder Act 1998 and Schedule 2 Part 1 Paragraph 2 of the Data Protection Act 2018 enable agencies to disclose information for the detection and prevention of crime and anti-social behaviour. The sharing of information for these purposes does not require the data subject's consent.

19. Roles and Responsibilities

19.1 The Board, through its Customer Services Committee, will:

- Review and approve the Allocations and Lettings Policy
- Monitor its effectiveness.

19.2 The Chief Executive and Executive Leadership Team will:

- Ensure the Brighter Futures Allocations and Lettings Policy reflects best practice and changes in legislations and regulation.
- Ensure managers and staff are aware of the policy and receive appropriate training.

19.3 All Staff will:

- All staff within Brighter Futures have a responsibility to uphold the commitments in this policy.
- Housing and support staff must comply with the specific requirements if the policy.

20. Communication, implementation, and training

20.1 This policy will be communicated to our staff through our standard induction and training programme, and will be regularly highlighted through our colleague bulletin, notices regarding changes to policies and procedures, meetings and other activity to maintain constant awareness of the ethical standards we expect all staff to adhere to.

20.2 Staff will receive training in this policy via the Brighter Futures Training Academy.

21. Equality and Diversity

- 1.1 We will apply this policy consistently and fairly and will not discriminate against anyone based on any relevant characteristics, including those set out in the Equality Act 2010.

22. Monitoring and Review

- 22.1 The Director of Housing, Property Services and Development provides reports of:
- applicants on waiting list/s and the length of time people remain on the waiting list/s
 - Resident and customer satisfaction with the lettings process
 - Staff consultation.
- 22.2 The Director of Housing, Property Services and Development will report to the Customer Services Committee, Tenant and Customer Engagement Group and ELT on the performance of the policy with recommendations for improvement if required. The information provided to Committee will include performance against targets sets in Key Performance Indicators and equal opportunities data collected from all applicants which may be used to inform strategies for increasing access to the housing list and addressing unmet needs through business development.
- 22.3 The Board/Committee/ELT will review the policy on a triennial basis. The review will ensure that this policy continues to meet current legislative requirements, adopts emerging best practice, and continues to be effective and relevant to the wider business.