



Policy Outline

Choice Based Lettings Policy

Overall Purpose Of Policy

To allocate empty homes in a way that offers choice, meets people's needs, makes the best use of stock and promotes the development of sustainable and balanced communities.

To ensure that properties are let in line with legislation, WDH's Charitable Objectives and the regulatory standards.

How The Policy Will Be Implemented

WDH will make sure that this policy is implemented through a number of agreed performance monitoring measures and will achieve continuous improvement through the use of customer satisfaction surveys and questionnaires.

Performance Measures

- Tenants' satisfaction with the process for registering housing application forms.
- Tenants' satisfaction with the way properties are allocated through the Homesearch Scheme.
- Tenants' satisfaction with the tenancy process, from the time they were notified their expression of interest has been successful to the completion of the post tenancy visit.
- Tenants' satisfaction with the neighbourhood as a place to live.
- Tenants' satisfaction with the overall condition of their new home.

Targets

- 96% tenants' satisfaction with the process for registering housing application forms.
- 96% tenants' satisfaction with the way properties are allocated through the Homeseach Scheme.
- 96% tenants' satisfaction with the tenancy process, from the time they were notified their expression of interest has been successful to the completion of the post tenancy visit.
- 94% tenants' satisfaction with the neighbourhood as a place to live.
- 94% tenants' satisfaction with the overall condition of their new home.

Date Approved By Board: September 2006
Homeseach Policy Review Approved: September 2013
Date Due For Review: June 2017
Responsible Officer: Managing Director Operations

Policy – Choice Based Lettings

1 Statement of Intent

- 1.1 WDH will make sure that its housing stock is used effectively to meet the diverse needs of residents of all communities and that its Lettings Policy actively assists in the formation of stable, sustainable communities.
- 1.2 The aim of WDH's Homesearch Lettings Scheme (HLS) is to offer our customers choice in meeting their housing requirements across a range of landlords and types of tenure, while recognising that for some properties preference will be given to certain groups to ensure that best use is made of the social housing.
- 1.3 All applications will be dealt with sensitively and in line with the Data Protection Act 1998.
- 1.4 WDH will work with Wakefield Council in assisting them in discharging its statutory and contractual housing duties.
- 1.5 WDH will offer accommodation to those who it is appropriate for it to house as a charity. WDH's constitution allows for the provision of housing to:
 - persons in necessitous circumstances upon terms appropriate to their means; and
 - older, disabled or chronically sick persons in need of houses or hostels.

See Section 12.4 for further details

- 1.6 To minimise delays to prospective tenants and costs incurred by existing tenants all properties will be let as quickly and efficiently as possible.
- 1.7 WDH will only let properties to Board and Committee members, their relatives and WDH employees in line with the highest standards of probity and governance and in line with the Memorandum and Articles and the organisation's Schedule 1 Policy.
- 1.8 All applicants are required to disclose as part of the allocation process any relationship with a Board Member, Committee member or employee and any letting made to an applicant with any such relationship will be subject to independent scrutiny in order to verify its probity.

2 Outline of Service

The following policy sets out the framework by which WDH will let properties throughout the district to create sustainable, balanced and confident communities.

- 2.1 All customers must complete a membership form to join WDH's HLS. Assistance will be provided to those who may need help in completing the form or who have language or literacy difficulties. People with a disability or severe medical conditions will be offered a home visit where appropriate.

- 2.2 Other registered providers of social housing advertise their properties on the HLS. In view of this there may be occasions where under this policy applicants are not eligible or do not qualify for a WDH property but they may be allowed onto Homesearch so that they may express interest in properties advertised by other providers.

3 How Applicants Apply for Housing

- 3.1 Membership forms will be available to all applicants online through our website and at a network of outlets throughout the district. Applicants will also be able to obtain membership forms from our 24 hours a day, every day OneCALL service.

WDH's HLS will only offer membership to people who are:

- deemed to be eligible or qualifying persons as set out in Section 12;
- over the age of 16 and applying for family type accommodation;
- single people aged 17 and over; and
- single people aged 16 or over who are looked after or are owed a statutory duty by Wakefield Council.

Joint membership (and therefore a joint tenancy) will only be offered to couples, married or civil partners, siblings, or a disabled person and their confirmed resident carer.

- 3.2 The membership form will require the customer to supply information in respect of:

- household composition;
- details of family connection with employees, Board and Committee member;
- current accommodation;
- immigration status;
- housing history;
- offending history;
- housing needs or relevant support needs;
- bidding assistance requirements;
- equal opportunities monitoring; and
- financial circumstances.

The information supplied, coupled with appropriate additional enquiries and information, will be used to determine whether the applicant is eligible, a potential non-qualifier, or whether they may be bypassed on a property shortlist.

The multi-agency panel, outlined in Section 12, will make decisions in respect of qualification as a result of past behaviour and an appropriate review process is available to all applicants (see Section 15).

- 3.3 Members will be placed in a band, which is appropriate to their current circumstances and housing need, as set out in Appendix A. However, applicants / members who move from a WDH or other Assured Shorthold tenancy into lodgings, and in the opinion of WDH have worsened their circumstances to gain a higher priority on the scheme, will not be granted additional priority for a period up to 24 months at the Homesearch Manager's discretion. The applicant / member will be informed in writing that they will not be awarded additional priority immediately, and when their application will be reviewed. This will depend on the appropriate officer's decision on the time penalty. If a member has a legal interest in a property that they are not occupying this will be taken into account when deciding what band they are entitled to. A review process is available if a member feels they have been placed in the wrong band.

Members will be assessed as falling into particular type of family unit in order that they can express interest in appropriate property types, as set out in the Local Lettings Strategies (LLS). This decision will be based on the addresses and relationships of any other person(s) on the application form that the applicant wants to be rehoused with.

- 3.4 All new members to the scheme will receive a membership number, and will be advised of their membership start date. This information will allow all members to access the scheme's automated bid facilities including SMS (short messaging service), Homesearch Team, automated dialling system and the website.
- 3.5 Appropriate vacancies will be advertised by WDH.
- 3.6 Members will usually be allowed to bid (register an interest) for a maximum of three properties in any advertising cycle. Members will be required to rank their bids in order of preference, that is, 1, 2, 3.
- 3.7 Members who indicate at the application stage that they may experience difficulty in accessing the scheme on their own behalf will be offered support in participating in the bidding process in accordance with the scheme's Vulnerable Person Strategy by:
- an employee from the central Homesearch Team;
 - use of the schemes ICT assisted bid facility; and
 - help from other specialist agencies.
- 3.8 At the end of the advertising cycle WDH will prepare for each property a list of members who have made a bid for that property. Members will be ranked initially in band order and subsequently by membership start date. The order of the shortlist will then depend on the criteria set out in the appropriate LLS.

In exceptional circumstances WDH will give due regard to the social mix of the community where the property is located and the overall sustainability of that community and will not offer the vacancy to the highest ranked member where it is deemed inappropriate to do so. There may also be occasions when the property is required for urgent reasons and is offered subject to a Direct Let (which may not be to a member on the shortlist) or may be needed for use by WDH or our partners, as outlined in Section 11.

- 3.9 Before any offer of accommodation is made, members will be checked to make sure that they are still eligible, qualify for an offer, meet WDH's Charitable Objectives (see Section 12), and would not be bypassed on a property shortlist (see Section 14). Before any offer of a property is made a home visit may be carried out on the member and checks made about their current conduct in their present accommodation, housing history, financial circumstances and potential support requirements. Where home visits are not practical, references or further information will be requested if appropriate. The member may also be required to provide evidence of their identity, income, and any other relevant circumstances as outlined above and in Section 3.2.
- 3.10 Where a member is eligible for the offer of more than one property they will usually be offered the property they have placed in highest preference order.
- 3.11 When an offer of a property has been made to a member, they will not be eligible to bid for other properties that appear in subsequent advertising cycles, unless they refuse the offer and their membership is not suspended.

If a member refuses two reasonable offers within a 12 month period:

- their membership will be suspended for three months.

After the three months suspension, if the member refuses another two reasonable offers within any twelve month period:

- their membership will be suspended for six months.

An appeals process is available to members who have their membership suspended. Suspensions may also be lifted in exceptional circumstances.

- 3.12 If a property is refused:

- the property will be offered to the next ranked member in descending order until the list of bidders has been exhausted.

If no bids are received:

- where no bids are received an individual marketing plan will be devised for that property.

- 3.13 Where two members are both in receipt of a priority and are both eligible for a property, as a result of both being awarded the priority on the same day, the property will be offered to the member with the earliest scheme start date.

Where both members are not in receipt of a priority banding the property will be offered to the member with the earliest membership number.

3.14 All applicants for membership will be required to sign a declaration confirming that all information supplied on their membership form to Wakefield and District Homesearch is correct. The declaration will advise all applicants who knowingly or recklessly provide information that is incorrect or incomplete that this may lead to:

- their membership being cancelled;
- legal action to repossess any tenancy that has been provided; and
- criminal proceedings.

3.15 Where WDH requires use of a vacant property, as a result of an emergency, agreement with another organisation or other management reason, the property will not be advertised, or will be withdrawn from cycle and bids will not be invited.

3.16 Homesearch membership will also be required to enable consideration whether to allocate:

- a property occupied by a sole tenant, into joint names; and
- allocate a property to an occupier where no statutory or contractual succession right exists.

The factors WDH will consider when deciding whether to allocate a property in the circumstances above are set out in a different policy.

3.17 Homesearch membership may also be required to enable consideration whether to allocate properties that have been developed for use as shared ownership but are being let on an intermediate basis. The allocation of these properties is covered by a separate policy.

4 Supporting Vulnerable Applicants

4.1 WDH recognises that some applicants may experience difficulty in initially participating in the scheme and engaging in the scheme on a long-term basis until an appropriate outcome is reached.

4.2 To ensure we achieve this objective, partnership arrangements will be developed and maintained with statutory and non-statutory agencies that support, advise and advocate for this client group in the community.

We will supplement this with ICT systems, which identify members that may be encountering difficulties engaging with the system.

We will subsequently seek to devise individual support plans for these members.

For those members who have no support from other agencies, family or friends we will use the assisted bid facilities to make sure they can engage in the process.

5 Reflecting Housing Need

- 5.1 The banding system which will be used by WDH HLS, which is detailed in Appendix A, will take into account the reasonable and additional preference groups set out in the Housing Act 1996 (as amended) and associated statutory guidance.
- 5.2 WDH is committed to maximising the supply of family accommodation and reducing homelessness and will give additional priority to members who are WDH tenants, are under occupying accommodation and are applying to move to a property with fewer bedrooms. Tenants (who live in the district) of other registered providers of social housing (where the provider uses Homesearch) who are under-occupying accommodation will also receive additional priority where a reciprocal arrangement is in place. In order to assess under occupation or overcrowding WDH will in the first instance use the Government's Bedroom Standard. The Bedroom Standard is shown in Appendix B.

6 Homelessness

- 6.1 WDH is committed to assisting the local authority in meeting its statutory obligations in housing homeless households and in preventing homelessness within the district.
- 6.2 WDH will award additional priority to households where the local authority have established that a full housing duty is owed under the provisions of the homelessness legislation or a member is homeless or at risk of homelessness in certain other circumstances as described in Appendix A. The full duty priority (Band A) will be valid for one suitable offer of housing. These households are still subject to the same policies as other members/applicants. In cases where a full duty is owed by Wakefield Council but the applicant or applicants have been deemed as non qualifiers, access to the Homesearch scheme may be allowed in order to only allow expressions of interest on properties advertised by other registered providers.
- 6.3 Where additional priority has been awarded to a member, retention of the priority will be limited to a period not greater than three months. On expiry of this period if the member is still seeking accommodation WDH will seek the decision of Wakefield Council to determine whether:
 - the priority should be removed; or
 - the priority should be extended for a further three months.

7 Special Needs

- 7.1 Special needs housing includes housing that has been specially designed, built or adapted for older people or for people with a physical disability, and property ring fenced by Wakefield Council in consultation with WDH for homelessness prevention. This includes independent living housing, extra care housing, individual properties that have been modified or adapted, and schemes designated specifically to prevent homelessness.

7.2 WDH will award additional priority to applicants with a demonstrable need for alternative accommodation as a result of a physical disability, mental health or vulnerability will be awarded by either the Housing Needs Panel or the Special Needs Rehousing Panel. The decision of the two panels will also consider the need for adaptations, equipment or ongoing support.

7.3 Where additional priority has been awarded to a member, retention of the priority will be limited to a period not greater than twelve months. On expiry of this period, if the member is still seeking accommodation, WDH and / or Wakefield Council, in conjunction with appropriate agencies, determine whether:

- the priority should be removed; or
- the priority should be extended for a further six months.

Independent Living Housing

7.4 Independent living housing refers to a group of self-contained homes specially designed for older or vulnerable people and usually including facilities such as a community support service, an emergency alarm and communal facilities.

Independent living housing vacancies will be advertised through the HLS scheme in line with the LLS.

Extra Care Housing

7.5 Extra care housing provides self-contained accommodation specially designed for older people or for people with disabilities. Extra care housing usually offers meals and care as well as the security features and communal facilities found in independent living schemes. Extra care housing offers an alternative to residential care (for example, meals and 24 hour cover).

Extra care vacancies will not usually be advertised through the HLS scheme but will be let in line with a protocol agreed between Wakefield Council and WDH.

Properties for people with a disability

7.6 This section refers to properties that have been built, designed or had major adaptations to make them particularly suitable for use by someone with a disability.

These properties will be subject to either a direct let or advertised through the Homesearch scheme.

Homeless Prevention

7.7 WDH works closely with Wakefield Council to prevent homelessness and safeguard vulnerable people.

In some circumstances schemes may be devised where some properties may be designated for people who are in housing need, and may be faced with homelessness in the future, but who choose to take action to prevent that homelessness and are supported in this by Wakefield Council.

Homeless Prevention properties will not be advertised through the HLS scheme but will be let in line with a protocol agreed between Wakefield Council and WDH.

8 Choice

- 8.1 WDH believes that sustainable communities will only be created if the residents of those communities have made a positive, informed choice to live within them.
- 8.2 To assist members in making informed choices in respect of how they utilise their available bids WDH will publish, on a weekly basis, results from previous week's advertising cycles.
- 8.3 On a quarterly basis WDH will publish for all communities a summary of all lettings made within each estate for the previous three months.
- 8.4 To remove potential barriers in exercising genuine choice WDH will offer a variety of sources through which members are able to express an interest for properties. These may include:
 - service access points (SAPs);
 - Homesearch Team and One CALL through voice and automated contact;
 - Wakefield and District Homesearch website;
 - text messaging;
 - automated assisted bid facility; and
 - working with other agencies in contact with vulnerable members.

9 Membership Reviews

- 9.1 Where members have not made a bid for a continuous period of six months WDH will contact the member and ask them to confirm that they wish to retain their scheme membership.
- 9.2 If the member makes no contact in the three months following the request for confirmation their membership will be cancelled.

10 Local Lettings Strategies

- 10.1 WDH's area management teams have, in consultation with Wakefield Council, published LLS which set out:
 - the proportion of lettings they intend to make for each band within each community;
 - any other lettings criteria they intend to utilise when advertising properties, for example, age restrictions;

10.2 All LLS will:

- be fair, not unlawfully discriminate and meet the requirements of the appropriate regulatory body;
- not unduly disrupt the organisations ability to meet the housing needs of the district;
- be devised to take account of the differing types of accommodation available within each area;
- be devised to take account of WDH's charitable objectives; and
- make sure that best use is made of the housing stock.

10.3 LLS are subject to the governance process.

11 Direct Lettings

11.1 A direct let is when a property is not let through Homesearch. The reasons that a property may be let this way are as follows.

- Required for emergency accommodation.
- Required for transit/decant accommodation.
- Required for a WDH tenant who is in a property in a redevelopment / regeneration area.
- Required to assist Wakefield Council to meet its statutory duties and strategic objectives.
- Where, in the opinion of WDH, a specific type of accommodation is needed for a member.
- Where, in the opinion of WDH, a specific area is needed for a member.
- Is a disabled dwelling.
- To provide a remedy for any review or complaint (where appropriate).
- To allocate a property in the situations outlined in Section 3.16.

The Area Manager or New Tenancy Manager will make the decision as to whether a property is required for a direct let.

12 Eligibility, Qualification and Charitable Objectives

Eligibility

12.1 WDH will apply the criteria set out in the Housing Act 1996 (as amended) and any associated regulations or other relevant legislation in determining who is eligible for membership or allocation of accommodation. Once accepted as a member eligibility will be checked again at every shortlisting stage.

Qualification

12.2 Where an applicant has a history of:

- criminality; and/or
- antisocial behaviour; and/or
- eviction from a property of any registered provider of social housing for reasons other than rent arrears.

A qualification panel may decide that they do not qualify for membership of the scheme or an offer of accommodation. This includes WDH tenants. Once accepted as a member qualification will be checked again at every shortlisting stage. Antisocial behaviour or criminality of the applicant can include (where appropriate) any member of their household, persons on their application, or visitors. Each case will be decided on its merits and in the context of available evidence.

These are the factors (not exhaustive) that will be considered as part of this process.

- All issues surrounding the behaviour of the applicant, including their personal circumstances, at the time of any incident(s).
- At the time of application can the applicant demonstrate that their behaviour has improved to the point where it is no longer appropriate to regard them as a non qualifier?
- Is the behaviour directly attributable to physical, mental health or learning difficulty and has support or treatment removed or greatly diminished the risk of repeat behaviour?
- The needs of the victims (where known) and the local community

Cases will be considered at a multi-agency panel, which will invariably include representatives from the Probation Service, Wakefield Council and other specialist registered provider of social housing such as Foundation Housing.

12.3 If it is decided that an applicant can become a member of the scheme the following additional restrictions may be imposed.

- The membership may only be valid for properties of other social landlords.
- The member may be required to accept a Starter Tenancy and / or Fixed Term tenancy.
- The member may be excluded from being offered a particular area or property type.

If it is decided that an applicant is a non qualifier they have the right to reapply for fresh reconsideration and/or ask for a review of the decision.

Charitable objectives

- 12.4 As set out in Section 1.5 WDH can normally only offer housing to particular groups. Because circumstances can change over time and other (non charitable providers use the scheme), the test as to whether WDH can offer a member a property based on our charitable objectives, will be conducted at the point that the member has been reached on a shortlist for an advertised WDH property.

In exceptional circumstances WDH may offer accommodation to members who do not meet our charitable objectives, where this does not prejudice our status as a charity.

13 Debt owed to WDH

- 13.1 Protocol for recovery of outstanding debts will be:

- 1 Where a current tenant has arrears outstanding they will not be offered a transfer until the debt has been discharged in full unless there are exceptional circumstances.
- 2 Where a member owes other debts to the company, that is, former tenant arrears or rechargeable repairs, WDH will not ordinarily offer the member a property until the debt has been discharged in full. In exceptional circumstances, including where the local authority owes a statutory duty to house a person, an appropriate agreement to discharge the debt may be allowed at the time of application and a payment plan adhered to.
- 3 A special tenancy condition will be attached to any new tenancy agreement for debts outstanding at the point of letting. This will not be applicable to debts from other landlords.

14 Suspensions and bypass

- 14.1 Members will not be allowed to bid for properties - that is suspended when:

- investigations are being carried out around their eligibility or qualification to join or remain a member of the scheme; or
- there has been a relevant change in circumstances; or
- they have refused two reasonable offers as outlined in Section 3.11.

- 14.2 Where a member has been suspended for any reason their application will be reviewed on a periodic basis. The review period will be determined by the circumstances surrounding the decision to suspend.

14.3 Members will be bypassed on a property shortlist if:

- The member is a WDH tenant and is the subject of action for breach of tenancy on management grounds.
- The member is or was a WDH tenant and owes debt to WDH as outlined in Section 13.
- A pre-tenancy visit has been carried out or a reference or information has been received, which indicates that the member is or was in breach of the conditions of a current or former tenancy and that this has been satisfactorily proven, and did not occur as a result of exceptional circumstances.
- Following consultation with the local authority, or other support provider, in relation to the support needs of the applicant there is evidence to support that the applicant has unmet or unresolved support needs that would render the applicant unable to sustain a tenancy. When a bypass is being considered in these circumstances WDH will explore appropriate support arrangements with relevant agencies including the local authority to address the lack of support before bypassing the applicant.
- Following consultation with relevant agencies including the local authority, and a duly completed assessment of capacity, WDH are of the opinion they do not have the mental capacity to enter into a tenancy and no power of attorney or court of protection arrangements are in place. When a bypass is being considered in these circumstances WDH will explore an appropriate mechanism with relevant agencies including the local authority to address the lack of capacity before bypassing the applicant.
- They do not have an appropriate income level to sustain a tenancy.
- They are under 18 and have no suitable guarantor or trustee.
- They do not meet WDH's Charitable Objectives.
- They are not eligible as defined in section 12.1.
- They have made an expression of interest on a property but do not meet the preferencing or minimum criteria set out in the property advert or LLS (including Bedroom Standard).
- They have refused to engage in or failed any pre-tenancy training or tasks.
- Their membership has been suspended or cancelled as outlined in sections 14.1 and 16.3.
- Their banding or circumstances have changed;
- They are a joint WDH tenant and have not applied for membership with the other joint tenant or they have not submitted a signed assignment request.
- they are under offer for another WDH property.
- They have been given a band or allowed membership on the basis that they need or only qualify for a particular type, size, or location of accommodation and they bid on a property that does not meet those requirements.
- They are not suitable to be offered the property as outlined in Section 3.8.
- They have not provided, or WDH has been unable to obtain, information as outlined in Sections 3.2 and 3.9, in a given timescale.

In exceptional circumstances or in the interests of best use of stock WDH may elect not to bypass a member.

15 Applicant's right to information and review

15.1 An applicant has the right to ask WDH to provide him / her with such general information that will allow him / her to assess:

- how his application is likely to be treated under the scheme; and
- whether housing appropriate to his or her needs is likely to be made available to him or her, and if so how long it is likely to be before such accommodation may be offered

15.2 An applicant has a right, on request, to be informed of any decision about the facts of their case which has been, or is likely to be, taken into account in considering whether to make an allocation to them.

15.3 Applicants or members have the right to ask for a review of any notified decision, including to:

- make them ineligible to join the scheme;
- make them a non-qualifier to join the scheme or enact a restriction;
- place them in a particular band;
- not allow a person(s) to be included as part of their membership;
- suspend their membership;
- bypass them;
- cancel their membership; and
- not allocate them a tenancy as set out in Section 3.16

15.4 Applicants also have the right to ask for a review of any decision about the facts of their case which has been or is likely to be taken into account in considering whether to make an allocation to them.

15.5 When any of the decisions in 15.3 or a response to a request under 15.2 are made the applicant or member will be sent a written notification to the last provided correspondence address, or where no address is provided the letter will be available for collection at a WDH office (this will be classed as WDH having notified the applicant or member). A written notification will not be sent when a member has been correctly bypassed:

- for the same reason and have already been written to and advised of a bypass, including where they are advised that the onus is on the member to provide information or notify WDH of the completion of a required task, or
- for being under offer for another WDH property, or
- for a reason that was set out in the property advert or LLS.

Written notifications will outline what decision has been made and why and inform the applicant or member that they have a right to review. The review request must be made in writing to the address in the notification, and must be received by WDH within 21 days of the notification being issued. Review requests received outside this timescale may be accepted, in exceptional circumstances.

Applicants can designate a representative to deal with the review on their behalf.

It is recommended that applicants/members/representatives outline what decision they wish to be reviewed, why, and provide any supporting information.

15.6 Upon receipt of the review the applicant/member will be written to and notified:

- that he or she, or someone acting on his or her behalf, may make representations in writing to WDH in connection with the review;
- of the procedure to be followed in connection with the review; and
- the timescales in which a decision will be provided. WDH aim to complete a review within eight weeks of receiving the request.

The reviewing officer may request the applicant or member to provide further information to enable a decision to be made.

15.7 The review will be decided by an officer who was not involved in the decision being reviewed and is senior to the officer who made the original decision, except for reviews/appeals on decisions by WDH relating to medical bands as these have a separate procedure. The review will result in a written notification explaining the outcome of the review, and if the original decision is upheld, the reasons for it

15.8 In the case of reviews against bypassing the property will not be left un-let pending the outcome of the review. If the review finds that a member was incorrectly bypassed they may be offered a direct let of a suitable property or offered a priority banding, as deemed appropriate by WDH.

15.9 If a decision is upheld on review applicants or members have the right to engage Stage 2, and then Stage 3 of WDH's Complaints and Compensation Policy, providing WDH class the issue as a complaint as defined in the Complaints and Compensation Policy.

15.10 Applicants and members also have the opportunity to complain about the service provided by WDH but not to seek outcomes specifically catered for by the review process, except as outlined in 15.9. Further information on complaints can be found in WDH's Complaints and Compensation Policy.

16 Changes in Circumstances and cancellations

16.1 Where a member moves into a priority banding as a result of a change in their circumstances the new band start date will become the date the priority was awarded.

16.2 Where a member moves out of a priority band their membership start date will return to their original start date.

16.3 A member's application will be cancelled if:

- in the opinion of WDH they have been found to have made false statements or omit relevant information about their circumstances;
- they have been rehoused into (non temporary) accommodation by a registered provider of social housing (including WDH);
- their membership has been suspended and they have not provided the required information or taken the required action in the given timescales;
- they make a request for cancellation; and
- a sole member dies.

17 Offering Accommodation

17.1 Unless the member has indicated that they are not interested in a property WDH will make a formal offer of accommodation.

17.2 When customers sign their tenancy agreement they will be required to provide or complete:

- bank details where available for the purposes of completing a Direct Debit mandate in favour of WDH for collection of rent;
- payment for one week's rental debit for their new home;
- an application form for Housing Benefit if required;
- confirmation of identity; and
- for the protection of our customers we will photograph all new tenants.

17.3 WDH will make sure that all customers are provided with a Housing Information Pack, which contains advice and information about WDH services, contact details and other helpful information about their new home and the community where it is located.

18 Viewing and Services

18.1 Prospective customers will be offered the opportunity to view their new home with an appropriate employee who will be able to advise them on all aspects of the service, provide local information about the neighbourhood with details of local initiatives where appropriate, for example, Neighbourhood Watch, tenants and residents associations.

19 Type of tenancy offered

19.1 The type of tenancy offered will be decided by any Starter Tenancy Policy and/or Tenure Policy.

20 Partnership Working

20.1 WDH will:

- provide and share information with Wakefield Council and other agencies to enable Wakefield Council to fulfil its strategic housing role and statutory duties;
- co-operate with Wakefield Council in helping fulfil their statutory housing duties, including those relating to homelessness, homelessness prevention and priorities relating to protecting and safeguarding vulnerable people;
- assist Wakefield Council, where reasonable and having regard to local circumstances, in meeting the accommodation needs of care leavers and vulnerable young people;
- endeavour to ensure that priority in lettings is given to those in greatest housing need in accordance with current legislation and regulatory guidance;
- enter into contracts or agreements and work in partnership with other registered provider of social housing for the provision of residential and floating support in order to build balanced, sustainable communities;
- participate in any suitable scheme which promotes inter regional mobility;
- provide basic housing advice and information to customers with housing problems, inform them where more detailed advice can be obtained from, for example, Wakefield Council's Vulnerable Adult's Service, and other advice and support providers;
- work with other agencies to provide support in order to ensure that customers who require tenancy support can access the service quickly and easily; and
- where appropriate, enter into partnership arrangements with a variety of external agencies to ensure that vulnerable customers engage and actively participate in the Wakefield and District Homeseach Scheme (Age UK, Signpost, Scope or similar).

21 Equal Opportunities

21.1 WDH is committed to equality, diversity and inclusion and to the provision of inclusive services, processes and procedures. We recognise the characteristics protected by the Equality Act 2010: race, gender, gender reassignment, disability, sexual orientation, religion or belief and age, pregnancy and maternity and marriage and civil partnerships. WDH seeks to reflect the community it serves and fulfil its legal and regulatory obligations as a minimum.

Further information on our commitment to equality, diversity and inclusion is available in our Diversity and Inclusion Policy.

22 Specific Needs

- 22.1 WDH will take into account the specific needs that customers may have as a result of a protected characteristic.

23 Consultation

- 23.1 WDH will seek the views of tenants on this policy in a variety of ways.
- 23.2 WDH will seek the views of a variety of statutory and non statutory agencies on this policy.

24 Implementation

- 24.1 The Board and Chief Executive of WDH are responsible for ensuring that the policy is implemented.
- 24.2 WDH will let properties in line with the highest standards of probity and governance and in line with the Memorandum and Articles of the organisation.
- 24.3 Under the delegated authority contained within the Standing Orders of WDH it is the responsibility of all employees to ensure that their work is carried out in line with this policy and procedures relating to it.
- 24.4 WDH is committed to the highest standards of customer care and will apply this policy in accordance with the standards published in the Customer Charter Standards and Customer Care Policy.

25 Monitoring

- 25.1 Monitoring reports will be provided to all Board members on at least a quarterly basis. These reports will consist of performance information as required by the regulatory body and any other reports that the Board feel may improve the service.
- 25.2 WDH will:
- record and monitor details of all lettings to ensure fair treatment of all applicants regardless of race, gender, age or disability in line with the COntinuous REcording of the lettings system (CORE);
 - undertake research to monitor the success of its lettings by carrying out post commencement visits on all new customers, during which satisfaction information on the allocations process and other services will be gathered;
 - carry out exit interviews and surveys where possible with customers who have indicated that they wish to terminate their tenancy;
 - conduct surveys on active and none active members to gather their views on the lettings process;
 - undertake continual demand analysis to inform the Development / Asset Management Strategies;

- provide periodic performance information to the regulatory body (where required) and Wakefield Council, which will also be accessible to Neighbourhood Panels;
- publish service standards and performance targets in our Customer Charter Standards;
- Monitor lettings to people by protected characteristic; and
- Where relevant information is available WDH will benchmark its performance against other organisations to make sure the highest standards of service delivery.

26 Policy Review

- 26.1 The Board or Operational Committee of WDH (or an authorised appointee of the former and latter) will be responsible for making sure that reviews and / or amendments of this policy are carried out and that the policy contributes to and complements the strategic objectives of the organisation.
- 26.2 WDH will undertake a review of this policy whenever there are any relevant changes to legislation, case law or good practice that would impact on this policy or in the light of any required service improvements identified through our Complaints and Compensation Policy.
- 26.3 This policy will be reviewed and updated if appropriate in response to Wakefield Council's Housing Strategy, Homeless Strategy, and other key strategic drivers and any information obtained will be shared with Wakefield Council.
- 26.4 The policy will be reviewed in response to any changes that occur in local market conditions or in response to operational imperatives.
- 26.5 The policy will be analysed for its equality impacts at any policy review.

27 Risk

- 27.1 All risks that fall within the scope of this policy and its service areas have been identified and contained within WDH's Risk Map and Management Plan with controls in place to ensure that the risks are managed effectively.
- 27.2 When reviews of this policy are undertaken, checks will be made against WDH's Risk Map and Management Plan to ensure that the policy takes account of and addresses any relevant risks. Where the policy review identifies a material risk that is not contained within the Risk Map and Management Plan the risk will be notified to the Risk and Audit Manager and appropriate controls put in place.

For further information please refer to our Risk Map and Management Plan.

28 Legislation and Other Documents

- 28.1 The Board of WDH will make sure that this policy has due regard to all relevant contemporary legislation, regulations and best practice:

Homelessness Act 2002

The Charities Acts

Data Protection Act 1998

Housing Act 1996

Antisocial Behaviour Act 2003

NHS and Community Care Act 1990

Children's Act 1989

Children Leaving Care Act 2000

Equality Act 2010

Homes and Communities Agency Regulations / Regulatory Framework

Statutory code of practice on racial equality in housing - England

WDH Diversity and Inclusion Policy

WDH Hate Incident Policy

WDH Voids Management Policy

WDH Schedule 1 Policy

Wakefield and District Homesearch Bandings

Band A

- **Statutory Homeless**

Awarded to members who are owed a full statutory homeless housing duty as nominated by Wakefield Council.

If the member is still statutorily homeless and owed a duty by the local authority seeking accommodation three months after the priority is awarded a review will take place. WDH will seek the decision of Wakefield Council to determine whether the priority should be removed or extended for a further three months.

- **Key Worker Status**

Awarded to members who reside outside the Wakefield Council district, who have obtained permanent employment, which is considered as conferring key worker status.

Examples of key workers are:

- nurses and other NHS employees;
- teachers in schools, further education and sixth form colleges;
- police officers and some civilian employees;
- social workers, educational psychologists, occupational therapists and speech and language therapists employed by the local authority; and
- prison service and probation employees.

If the member is still seeking accommodation three months after the priority is awarded a review will take place. WDH will seek the decision of the local authority to determine whether the priority should be removed or extended for a further three months.

- **Urgent Social Need**

The awarding of the Urgent Social Need priority is intended to assist those applicants who are in 'genuine urgent need' as quickly as possible.

This priority can be awarded in accordance with the scheme of delegation in two ways.

- To resolve local lettings issues.
- To resolve urgent housing needs – by an appropriate WDH employee or Wakefield Council's Housing Needs Panel.

Local Lettings Issues

This priority may be utilised to resolve local lettings issues in the following ways.

- To release a specially adapted property or accommodation designated for special needs lettings, for direct allocation to an applicant requiring such provision.
- To effect a transfer of a tenant from family to non-family stock.
- To resolve 'lifestyle' clashes between neighbours within the management boundary of the area management office.
- To allocate a tenancy under the extended successions policy.
- To provide 'supported tenancies' for internal or external agencies participating in specific care programmes in the management area.
- To re-allocate a joint tenancy into a sole name where the tenancy has been terminated by agreement with the Area Manager following an incident of domestic violence or in the event of desertion where the other joint tenant cannot be traced.
- To offer bungalow accommodation where there is an identified need and it is deemed to meet the needs of the local community and make best use of available properties.

Urgent Housing Needs

To resolve urgent housing needs. This would relate to circumstances including:

- hate incidents;
- major incidences of violent or non-violent harassment necessitating the urgent allocation of victim or perpetrator;
- cases where there is complex or composite need;
- access to a 'supported tenancy' to fulfil a statutory obligation under the Children Act 1989;
- the award of a priority agreed by way of the Housing Needs Panel including to facilitate move on accommodation; and
- offering bungalow accommodation to meet an identified need.

Local connection to the district will be taken into account.

If the member is still seeking accommodation three months after the priority is awarded a review will take place to determine whether the priority should be removed or extended for a further three months.

- **Under Occupation**

This priority will be awarded to WDH tenants who, when the bedroom standard is applied, are under occupying a house and are requesting to move to a property which has at least two fewer bedrooms, and would be providing vacant possession.

Where tenants of other registered provider of social housing (who reside in the district) meet this criterion, the priority will only be awarded where a reciprocal arrangement is in place.

- **Welfare and Medical Needs**

To recognise urgent medical need awarded by the Housing Needs Panel or the in-house Special Needs Panel; to:

- members who have a local connection as defined in this policy (or WDH tenants), with disabilities whose current home is not suitable or not able to be adapted to meet their needs; or it is inappropriate to do so and is resulting in extreme personal hardship for the disabled member; **or**
- serving or former members of the regular armed or reserve forces who need to move because of a serious injury, illness or disability which is attributable (wholly or partly) to their service, who have a local connection as defined in this policy.

- **Armed Forces**

This priority will be awarded to members as follows:

- HM forces personnel in service quarters that are 12 weeks or less before their date of discharge as shown in their cessation documents; **or**
- former members of the regular Armed Forces who also meet the qualifying criteria for any of the following Band Bs:; temporary accommodation, medical, rough sleeper, statutory unfit properties, homeless prevention; **or**
- bereaved spouses and civil partners of members of the regular armed forces who are leaving or have recently left Services Family Accommodation following the death of their spouse or partner, whose death is attributable wholly or partly to that service.

All of the above must also satisfy the following criteria:

- they or their immediate family resided in this district immediately prior to joining the forces; **or**
- they have a local connection to this district as defined in this policy.

Band B

- **Medical Priority**

This priority is awarded by Wakefield Council's Housing Needs Panel or by an in-house Special Needs Panel to members with a local connection to the district (or WDH tenants). The panel meets regularly and determines medical applications using the following general criteria.

- Medical condition.
- Present accommodation.
- Benefits of rehousing.
- Property type requested.
- Area requested.
- Possibility of alternative solution.

or

- Awarded to serving or former members of the regular armed or reserve forces who do not have a local connection, who need to move because of a serious injury, illness or disability which is attributable (wholly or partly) to their service

If the member is still seeking accommodation six months after the priority is awarded a review will take place.

For cases where priority has been awarded by the Housing Needs Panel, WDH will seek the decision of the Housing Needs Panel to determine whether the priority should be removed or extended for a further six months.

For cases where priority has been awarded by the Special Needs Panel the panel will determine whether the priority should be removed or extended for a further six months.

- **Redevelopment or Regeneration**

Awarded once the Board of WDH has agreed to a renewal or redevelopment scheme in a district, which requires the tenants to move out into permanent accommodation to facilitate the work. If the member is still seeking accommodation three months after the priority is awarded a review will take place to determine whether the priority should be removed or extended for a further three months.

- **Homeless Prevention**

This priority may be awarded following a nomination from Wakefield Council to members:

- who are tenants and subject to possession proceedings¹; **or**
- who are owner occupiers and are subject to possession proceedings²; **or**
- in temporary accommodation arranged by Wakefield Council under the provisions of the homeless legislation; **or**
- are living in an agreed move on scheme arranged by Wakefield Council; **or**
- Patients (with a local connection to the district) who have been or are expected to be an inpatient in hospital for more than 28 days and it has been identified by the hospital and verified by Wakefield Council that they will be homeless upon discharge; **or**
- who are tenants and due to financial hardship are in receipt of discretionary housing payment; **or**
- Who are owner occupiers and due to financial hardship are in receipt of discretionary council tax relief to assist them to pay their council tax liability and arrears exist on their mortgage

If after three months the member has not been successful in securing an offer WDH will seek the decision of Wakefield Council to determine whether the priority should be removed or extended for a further three months.

- **Lodgers / Rough Sleepers**

Lodgers

This priority will be awarded to members with a local connection who are sharing someone else's home. Members who fit these criteria and can be classified as lodgers are as follows:

- families with or without the use of a bedroom; **or**
- women who are pregnant and are 12 weeks before their due date

Rough Sleepers

This priority will be awarded following a nomination by Wakefield Council. If the member is still seeking accommodation three months after the priority is awarded a review will take place. WDH will seek the decision of the Council for rough sleepers to determine whether the priority should be removed or extended for a further three months.

¹ The following criteria will be applied as being subject to possession proceedings:

- A valid S21 notice has been served, which is due to expire within 2 months and the landlord intends to act on the notice, or
- A possession order has been made against the tenant and the landlord intends to act on the order.

² The following criteria will be applied as being subject to possession proceedings:

- A possession order has been made and there is no agreement in place for the order to be suspended on the grounds of reducing the arrears.

- **Overcrowding / Unfit properties**

Overcrowding

This priority may be awarded to the following members who have a local connection (or are WDH tenants):

- statutory overcrowding - those who are statutorily overcrowded in accordance with the Housing Act 1985; **or**
- where the applicant is either a tenant or owner and the number of people being re-housed in the family unit exceeds the Bedroom Standard.

Statutory Unfit Properties

This priority will be awarded following a nomination from Wakefield Council where a member who is a tenant occupying a property in the district where the Council finds a Category 1 hazard, in accordance with the Housing Health and Safety Rating System, and the tenant is assisting them with enforcement action against an uncooperative landlord.

If the member is still seeking accommodation three months after the priority is awarded a review will take place. WDH will seek the decision of the local authority to determine whether the priority should be removed or extended for a further three months.

- **Service Tenants and Armed Forces**

This priority will be awarded to Service tenants who reside in the area and are

- 12 weeks before their date of retirement or leaving date as shown in their termination of employment letter; **and**
- have at least three years continuous service and must leave their present address when employment ends.

This priority will also be awarded to members who do not have a local connection with the district but are:

- former members of the regular armed forces who would also meet the qualifying criteria for any of the following Band Bs: temporary accommodation, rough sleeper, statutory unfit properties, homeless prevention; **or**
- bereaved spouses and civil partners of members of the regular armed forces leaving or who have recently left Services Family Accommodation following the death of their spouse or partner, whose death is attributable wholly or partly to that service

Armed Forces Definitions

The regular armed forces are defined as: the Royal Navy, Royal Marines, HM regular army, or the Royal Air Force.

The reserve forces are defined as: the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marines Reserve, the Army Reserve, the Territorial Army, the Royal Air Force Reserve or the Royal Auxiliary Air Force.

- **Under Occupation**

This priority will be awarded to WDH tenants who when the bedroom standard is applied are under occupying a house and are requesting to move to a property with one fewer bedroom, and would be providing vacant possession.

Where tenants of other registered providers of social housing (who reside in the district) meet this criterion, the priority will only be awarded where a reciprocal arrangement is in place.

- **Social Need**

The awarding of the Social Need priority is intended to assist those applicants who are in 'genuine need' as quickly as possible.

This priority can be awarded in accordance with the scheme of delegation to resolve housing needs by an appropriate WDH employee or the Housing Needs Panel.

This would relate to circumstances that are not deemed as urgent as those set out in A Band Urgent Social Housing Need, including:

- the award of a priority agreed by way of the Housing Needs Panel including to facilitate move on accommodation from supported accommodation; and
- Foster carers who the local authority confirms need a larger property to enable a placement to take place.

Local connection to the district will be taken into account.

If the member is still seeking accommodation three months after the priority is awarded a review will take place to determine whether the priority should be removed or extended for a further three months.

Band C

- **Under Occupation**

This priority will be awarded to WDH tenants who when the bedroom standard is applied are under occupying a property other than a house and are requesting to move to a property with fewer bedrooms, and would be providing vacant possession.

Where tenants of other registered providers of social housing (who reside in the district) meet this criterion, the priority will only be awarded where a reciprocal arrangement is in place.

- **All members who do not meet any of the criteria set out in Bands A, B and D**

Band D

- **No local connection**

This priority will be awarded to members who have no local connection with the Wakefield district (and do not meet any of the above Bands)

- **Social housing tenants with no housing need**

This priority will be awarded to members who are an existing tenant of a registered provider of social housing and do not meet any of the specific criteria set out in Bands A, B, or C.

- **Local connection**

Local connection is defined as those who have a connection to the Wakefield district by any of the following.

- (i) The member(s) is, or in the past was, normally resident in the district and the residence was of his own choice. The definition of 'normal residence' is residence for at least six months in the area during the previous 12 months, or for not less than three years during the previous five year period, at the point the assessment is being made. People in prison or asylum placement in the district would not count as their own choice.
- (ii) The member(s) is at present employed in the district, and the employment is paid and not of a casual nature.
- (iii) The member(s) has family associations in the district. Family associations arise where a member has parents, adult children or brothers or sisters who have been resident in the district for a period of at least five years at the date of the assessment. Only in exceptional circumstances would the residence of relatives other than those listed above be taken to establish a local connection. The residence of dependent children in a different district from their parents is not residence of their own choice and therefore does not establish a local connection with the district.
- (iv) There are special circumstances which WDH considers establish a local connection with the district.

Bedroom Standard

When assessing a property to see if it is a suitable size for a member of Homesearch the Bedroom Standard will initially be applied. No offers of accommodation will be made where the family size exceeds the Bedroom Standard when applied to a property.

The Bedroom Standard is based on the ages and composition of the family to be rehoused. A notional number of bedrooms are allocated to each household in accordance with its composition by age, sex and marital status and relationships of the family members. A separate bedroom is allocated to each of the following.

- Married or cohabiting couple.
- Adult aged 21 years or more.
- Pair of adolescents aged 10 to 20 years of the same sex.
- Pair of children aged under 10 years regardless of sex

Any unpaired person aged 10 to 20 years is paired, if possible, with a child aged under 10 years of the same sex or, if that is not possible given a separate bedroom. The same applies to any unpaired child age 10 years.

This standard is then compared with the number of bedrooms available for the sole use of the household

Definition of a bedroom

For the purpose of measuring overcrowding it is important that the following definition of bedroom is used.

- Any room that, when built, was intended to be a bedroom is included even if it is not used as such at present and even if it does not have a bed in it. It must have a window. Bedrooms converted to other uses are included unless it has been converted for medical equipment/care; bedrooms not in use are included unless they are uninhabitable.
- There must be at least one bedroom. Bedsitters, box rooms and attic bedrooms are included.
- Living or parlour rooms or other areas of the house or flat that are used for sleeping, are not included unless they have been adapted to be used as a bedroom and comply with gas safety regulations.
- A simple check is, if the accommodation were put up for sale, how many bedrooms would the owner claim it had?