

Allocations Policy

10th November 2022

Purpose and Scope:

This Policy describes how Tai Calon will let empty homes, how we work in partnership with Blaenau Gwent County Borough Council and how we deal with other related issues.

Responsibility (Manager/Team):

Head of Housing / Housing and Letting Team

Chief Executive/Director Approval:



Board Approval Date:

2022

1.0 INTRODUCTION

- 1.1 Tai Calon works closely with Blaenau Gwent County Borough Council. Tai Calon does not maintain its own individual waiting list and is committed to supporting the local Common Housing Register and Common Allocation Policy.
- 1.2 Blaenau Gwent CBC operates a Common Housing Register which uses Blaenau Gwent County Borough Council's Policy. Applicants are selected from shortlists drawn from a waiting list. The Local Authority operates a banding based system to set housing need and priority for any applicant.
- 1.3 Allocations are made to the applicant in the highest housing need except for stated reasons as documented in the Common Allocation Policy.

2.0 LETTING PRINCIPLES

- 2.1 Access to housing is available to both applicants and existing tenants who wish to transfer to alternative accommodation.
- 2.2 In allocating empty homes Tai Calon work in partnership with the relevant statutory and voluntary agencies to assess, and manage, the risks associated with housing vulnerable or disadvantaged people to ensure wherever possible that adequate support is provided to enable an occupation contract to succeed.
- 2.3 Tai Calon will be fair in its approach to selecting new contract-holders and in doing so will seek to balance the individual needs of people on the waiting list against the needs of existing communities.
- 2.4 Tai Calon aims to make the most effective use of its housing stock by allocating homes that meet applicant's needs and preferences in terms of location, size and facilities, whilst giving appropriate priority to those who are in the greatest housing need.

- 2.5 Offers of accommodation can be refused or delayed for the following reasons (this is not an exhaustive list):
- Inappropriate support available.
 - Property condition, including unauthorised alterations.
 - Affordability issues – details of a household’s financial position might help us identify vulnerability and may delay an offer of accommodation so that we can arrange appropriate support.
 - Circumstances are different to those on the application form, which could affect priority status.
 - Where local letting policies are in place.
- 2.6 When making a decision to house an applicant the allocation will normally be to the applicants with the highest housing need. However, there may be occasions when this is not the case. For example, if there have been previous housing management problems, specific lettings criteria apply, the applicant fails to respond or if the property has been adapted for a specific need.

3.0 APPLICATIONS FROM BOARD MEMBERS, STAFF OR THEIR RELATIVES

- 3.1 Applicants who are or have in the past twelve months been a Board Member, Officer or Employee or a close relative of such a person in accordance with the terms of Schedule 1, Paragraph 2 of the Housing Act 1996 can only be offered an occupation contract in accordance with the permitted exceptions detailed in Welsh Government Circular RSL 005/10.
- 3.2 Any allocation made to someone in this category must be approved by the Board and reported to the Welsh Government. The Board or staff member in question must have no involvement or influence over the allocation.
- 3.3 Such cases are reported to each Board meeting and annual return is sent to Welsh Government.

4.0 TRANSFERING FROM AN EXISTING TAI CALON HOME

- 4.1 Secure contract -holders (whether the occupation contract was granted on or after 1 December or were converted to a secure occupation contract under Renting Homes (Wales) 2016 “the Act”) can register for a management transfer (as per the Act definition here. We will still have the flexibility to carry out ‘management transfers’ in house, in exceptional cases and in line with the common allocations Policy). The contract holder can also apply to transfer their occupation contract to another secure contract-holder. Our consent is required to any transfer under the Act.
- 4.2 If a transfer application for a management transfer is related to neighbour nuisance, the transfer will only be permitted if all proportionate methods to resolve matters have been exhausted.

5.0 SUPPORTED LIVING SCHEMES

- 5.1 The criteria to qualify for supported living is as follows:
- Be aged 55+, and or
 - Have a significant support need that qualifies a person for Personal Independence Payments (PIP) - at the enhanced rate. PIP is made up of 2 parts, the daily living component and the mobility component. Each component can be paid at one of 2 rates: either the standard rate or the enhanced rate. If under 55 a person would have to be in receipt of the enhanced rate for both components.
- 5.2 In addition Tai Calon will consider applications for our supported living schemes that have been designated as difficult to let homes from people:
- who do not have a current need for the support service but who are planning for retirement, or
 - have a support need that will deteriorate as they age, or

- 5.3 A needs assessment will be completed to establish that an applicant is eligible.

6.0 LOCAL LETTINGS POLICIES

- 6.1 The introduction of a Local Lettings Policy may be considered based upon the needs of a particular area in order to make best use of our homes and contribute towards the creation of a balanced and sustainable community.
- 6.2 Such policies will be developed in consultation with BGCBC. They will be for a defined geographical area and will be time limited.
- 6.3 Local lettings plans will override normal allocation arrangements and as such will be approved individually in consultation with Blaenau Gwent County Borough Council.
- 6.4 Tai Calon will consider introducing a local lettings plan for homes or neighbourhoods where one or more of the following occur:
- Units of low demand, for example bedsits.
 - An area is unpopular, as demonstrated by turnover of tenancies, the number of refusals and a difficulty in finding applicants to consider the area.
 - Disproportionate number of a certain age group or type of household in the area which is contributing to on-going problems or issues.
 - The area is subject to a regeneration programme.

7.0 SENSITIVE LETS

- 7.1 Sensitive lets are often short-term solutions to a particular issue with a home or previous contract-holder's behaviour.
- 7.2 They should not be confused with the local letting plan, which is a medium to long term solution to address imbalances in the community.

- 7.3 When undertaking a sensitive let Tai Calon will notify the Council by submitting a relevant report seeking permission to proceed with the allocation.

8.0 DIRECT LETS

- 8.1 Direct lets will override normal allocation arrangements and as such will be approved individually in consultation with Blaenau Gwent County Borough Council.

- 8.2 Tai Calon can make direct offers of accommodation in the following type of situation:

- If a contract-holder's health and / or safety is at risk in the immediate future if they remain in their home.
- To assist with letting homes which are difficult to let.
- To make best use of our properties, for example:
 - a) if someone has succeeded to an occupation contract but the property is unsuitable for their needs or,
 - b) if a reserve successor the accommodation is more extensive than is reasonably required by them, or
 - c) if we have been unable to identify a suitable applicant through Blaenau Gwent County Borough Council's Common Housing Register and we are aware of a suitable household within our existing stock, or
 - d) through occupational therapists in the area e.g. to let an adapted property.
- In exceptional circumstances where there has been approval from the Director of Communities and Housing.
- When an occupation is going to end leaving a household at the address that would otherwise be eligible for that type of property and there is an element of vulnerability within the household.

9.0 APPLICANTS UNDER 18

- 9.1 A person under the age of 18 cannot be a contract-holder under an occupation contract. Where applicable, we will grant a licence to the

minor which will convert to an occupation contract when they reach the age of 18.

- 9.2 Before we grant a licence agreement of one of our properties to someone under the age of 18, we will usually require an appropriate person to be a guarantor for the prospective licensee, and to sign a 'Guarantor Agreement' for the rent and general compliance of the Licence Agreement.
- 9.3 In addition Tai Calon will also need to be satisfied that the young person has the skills or a support plan in place to maintain a tenancy, and where possible Tai Calon will request a suitable trustee.
- 9.4 If we allocate a dwelling to two or more people jointly one of whom is at least 18 years of age, then we will grant an occupation contract.

10.0 UNACCEPTABLE BEHAVIOUR – HOUSING DEBT AND ANTI SOCIAL BEHAVIOUR

- 10.1 Tai Calon will not generally consider any applicant if they owe a housing debt to us, or another RSL, for an existing or former, tenancy, lease, or occupation contract.
- 10.2 Any housing debt should be cleared at the point of pre-occupation contract interview to be considered for the vacancy or a pattern of payment proven in order to clear the debt. Tai Calon will actively encourage applicants to enter into agreements to re-pay such debt. Where the debt is owed to us we will include a term in the occupation contract to pay back the money by suitable instalments.
- 10.3 If an existing contract-holder or leaseholder owes any arrears and little or no efforts have been made to clear a housing debt, Tai Calon will recommend they are ineligible to be housed until the debt has been cleared or a regular payment history has been established.
- 10.4 If there are exceptional circumstances each case will be considered on its merits and can be referred for permission to waive this policy.

- 10.5 In regard to anti-social behaviour (ASB) Tai Calon will follow Blaenau Gwent's County Borough Councils Common Allocation Policy.
- 10.6 The Policy states that an individual is not eligible for housing if:
- a. They have failed to adhere to the terms of any current or previous social housing or private rented sector tenancy agreement. This includes failing to maintain any previous social rented or private sector rented property within the terms of their occupation contract or committing acts causing, or likely to cause nuisance or annoyance to neighbours or others in the locality of where they live, or where they previously have lived. It includes serious breaches of a social or private sector tenancies or occupation contracts – for example operating a business from the premises, having an unreasonable number of pets at the property despite being warned of the breach of tenancy.
 - b. Conduct has been demonstrated that is likely to cause nuisance or annoyance – this is conduct or behaviour that does not only relate to a previous social housing or private rented sector tenancy agreement or occupation contract. This includes where an applicant or a member of their current or prospective household is the subject of actions being taken by the Council (or some other competent body) on grounds of alleged ASB. It includes criminal behaviour that was relevant to the tenancy/occupation contract and/or locality, for example being in possession of illegal drugs or acts of public disorder. This also includes behaving in a threatening, abusive or obstructive manner towards staff of the Council, and or their contractors.
- 10.7 A decision that the applicant is not eligible for an allocation of a new home will normally apply until the applicant (or a member of their prospective household) has demonstrated, to the satisfaction of the Council and Tai Calon, that circumstances have changed such that the

previous conduct is unlikely to reoccur. In many cases this could include demonstrating cooperation with support agencies leading to a substantial improvement in behaviour.

11.0 MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS

- 11.1 All Multi Agency Public Protection Arrangements (MAPPA) cases must be brought to the attention of the Head of Housing before an offer is made.
- 11.2 Prior to an offer being made Tai Calon will seek an assessment of the risk involved. This assessment must be carried out through a Multi-Agency Public Protection Panel, including all relevant agencies, such as the police and social services and it must link the risk to the property being considered.
- 11.3 The risk assessment should identify the perceived risk attached to re-housing the applicant and, where appropriate, advice and guidance to assist Tai Calon in making any decision about re-housing, location and support packages.
- 11.4 Tai Calon is committed to a multi-agency approach in dealing with offenders who pose a risk in order that the need to rehabilitate is balanced with the maintenance of long-term community safety.
- 11.5 Any information disclosed must be done so on a ‘need to know’ basis, providing it does not conflict with GDPR legislation or MAPPA requirements on non-disclosure.

12.0 RECIPROCAL HOUSING AGREEMENTS (RHA)

- 12.1 Tai Calon has the ability to use a reciprocal housing agreement should the case meet the criteria, be applicable and is the most appropriate form of action.

13.0 EQUALITY AND DIVERSITY

- 13.1 Tai Calon is committed to the promotion of equal opportunities. Any action taken under this policy will comply with current equalities legislation.
- 13.2 Tai Calon operates a single equalities scheme and will always seek to address any specific needs which may arise in respect of equality and diversity.
- 13.3 Tai Calon will be fair in its approach to selecting new tenants and in doing so will seek to balance the individual needs of people on the waiting list against the needs of existing communities.
- 13.4 Tai Calon aims to make the most effective use of its housing stock by allocating homes that meet applicant's needs and preferences in terms of location, size and facilities, whilst giving appropriate priority to those who are in the greatest housing need.
- 13.5 Applicants can apply for housing using a range of methods. In addition to this interpretation services such as language line, availability of large print information or Braille and printed information in ethnic minority languages will be available when requested.

14.0 Relevant legislation and regulatory compliance

- 14.1 We will comply with all relevant legislation and statutory requirements, including the following:
- Protection from Eviction Act 1977
 - Housing Act 1985
 - Housing Act 1988
 - The Human Rights Act 1998
 - Equality Act 2010
 - Housing Act 1988
 - Civil Partnership Act 2004
 - Equality Act 2010

- The Marriage (Same Sex Couples) Act 2013
- Renting Homes (Wales) Act 2016