



# ALLOCATION AND LETTINGS POLICY – GENERAL NEEDS, INTERMEDIATE RENTED, SHELTERED AND EXTRA CARE HOUSING

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## Quick Reference Guide

### Policy

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## 1.0 POLICY STATEMENT

### 1.1 Purpose of Policy

The purpose of this policy is to ensure that the allocation and letting of Gwalia's general needs, intermediate market rented [IMR]; sheltered and extra care accommodation is carried out in a fair and consistent manner in accordance with the regulatory requirements of the Welsh Government.

'We ensure that access to our homes is fair and open, and we work with others to ensure routes into our housing are well publicised, easy to understand and simple to use. We give reasonable preference to those in greatest housing need or are homeless, maximising choice and sustaining communities.'

The policy sets out how applications for housing will be dealt with and prioritised. In drawing up this guidance we have had regard to:

- the legal framework in which we operate
- the requirement to balance the housing needs of the individual against the need to maintain sustainable tenancies and communities
- the need to let our properties with the minimum of delay
- the need to have a process which is fair, transparent and accountable
- the needs of our partner agencies.

### 1.2 Informing Applicants about our policy

Applicants are informed in the following ways:

- A summary of the policy is available on the website

- A summary of the policy is available as a document
- Guidance on reasonable offers is available on the website
- Guidance on reasonable offers is available as a document, which is provided with the offer letter.

## **2.0 Other Relevant Policies and Procedures**

Other Policies and Procedures which should be read in conjunction with this policy are: -

Joint Tenancy Policy & Procedure

Anti-Social Behaviour Policy

Single Offer Policy

Sustainable tenancy Guidelines

Starter Tenancy Policy & Procedure

Pets Policy

Racial Harassment Policy & Procedure

Rent Arrears Policy & Procedure

Data Protection Policy

## **3.0 Application of Policy**

### **3.1 Who Can apply for housing.**

Any person one aged 16 or over is entitled to apply unless they are subject to immigration controls. However, we will only **register** an application subject to the conditions outlined below:

- Applicants can only apply for areas which are 'open' at the time of application.
- Applicants must be able to demonstrate a level of current housing need sufficient to qualify for one of the eligibility bands B, C, D & E. If an applicant has sufficient funds to provide for their housing needs through the purchase of a property, they will not be registered.
- Applicants must be in a position to take up an offer of accommodation and move in, if an offer of housing is made.

- We would need to have a realistic chance of meeting the applicant's housing needs through our current stock and anticipated turnover. We will not register an applicant if they require a type of property or an area that we cannot fulfil either now or in the foreseeable future.
- Registration is subject to an initial assessment interview.
- Applicants who are registered will then be required to provide documents in support of their application within a specific timescale, and a signed declaration permitting us to make any necessary inquiries and verifying the truth of the information they have provided. Failure to provide the documents will result in the application being cancelled.

### **3.2 How we assess housing need**

With effect from April 2012, housing benefit for social housing properties is payable in accordance with the 'local housing allowance' [LHA]. There is very little flexibility for special household needs, and residents will be penalised financially if they are 'over-occupied' according to these criteria. Our policy for bedroom size eligibility is consistent with the LHA. See bedroom size eligibility section of Allocations procedure.

### **3.3 Offering housing choice**

Applicants may choose up to three areas from the list of areas which are currently open at the time of their application.

Applicants may change their area preference to other open areas.

Shortlisted applicants will receive ONE offer of housing which meets their essential housing needs.

### **3.4 How we prioritise applicants for social housing**

There are 5 different categories of applicant, depending upon the level of housing need they will need to demonstrate in order to be accepted onto the register.

People in categories A, B, C & D will be considered equally for any suitable properties which become available.

- **Category A**

Bedroom tax transfers, management transfers, decants, witness protection.

- **Category B**

General needs, over 55s & sheltered housing applicants – urgent housing need.

- **Category C**

General needs, over 55s and sheltered housing applicants

- **Category D**

Transfers

- **Category E**

Readily Available

### **3.5 Appeals**

Applicants have the right to appeal against the following decisions:

- The area/type/size of property for which they are eligible
- The priority they have been awarded
- The decision to suspend as a result of an STA
- The decision to suspend as a result of a refusal
- The decision not to register the application
- The decision to cancel the application

### **3.6 Local Lettings Policies and Sensitive Lets**

Local Lettings Policies and Sensitive lets may apply from time to time in order to manage specific situations in a locality: for example -

- In order to reduce or increase child density in an area
- In order to encourage specific groups such as working households, ex-service personnel, ethnic minorities or key workers to an area
- To encourage applications from friends and family to support community cohesion
- To address anti-social behaviour
- To redress social balance in an area which has experienced problems such as high crime or anti-social behaviour.

### **3.7 Working with partner agencies**

- 3.7.1 We work with the Local Authorities within whose area we own and manage properties, in order to contribute towards their local housing strategies, the prevention and alleviation of homelessness, and the rehousing of people from supported temporary accommodation.
- 3.7.2 We provide properties to partner agencies for use as supported housing schemes. Requests for move-on rehousing in Swansea & Neath Port Talbot are dealt with through the Move-on strategy.
- 3.7.3 We engage in nomination agreements with City & County of Swansea and Neath Port Talbot. In Carmarthenshire we are partners in the Carmarthenshire Housing Choice Register.

We allocate our vacant property resources as follows:

City & County of Swansea:

- 15% Gwalia transfers
- 10 % move-on
- Of the remainder:
- 50% to local authority nominations
- 50% from our own housing register

Neath Port Talbot:

- 50% of all vacancies to NPT
- The remainder are divided between transfers, move-on and the housing register.

#### **4.0 Applications from staff/board members or their relatives**

Applications from staff / committee members or their households will be dealt with in the same way as for all other applications, with provisions to ensure fairness, sensitivity & accountability.

#### **5.0 Objectives of Policy**

We aim to balance the requirement to let properties with the minimum of delay with the applicant's reasonable expectation to exercise some choice about where they live. The applicant's choice must be reasonable in the context of the properties which are available, the supply and demand in different areas, and their assessed housing need. We aim to meet applicants' essential housing needs, but cannot guarantee to meet their preferences.

## 6.0 Legal Framework

**The Equality Act 2010** provides protection from discrimination on the basis of certain protected characteristics including: age, race, disability, religion or belief, sexual orientation, gender reassignment, gender, pregnancy & maternity, as well as marriage and civil partnership.

Additionally, the Act places a duty on organisations which exercise public functions to actively promote equality in carrying out their work.

**Part 1V of the Housing Act 1996, as amended by the Housing Act 2002 & the Housing Act (Wales) 2014** regulates how Local Authorities allocate their housing stock. While this does not regulate the allocation schemes of housing associations, it applies where we work in partnership with a Local Authority or on behalf of a Local Authority, for example through the operation of a common housing register local or nomination agreement.

Part VI of the Act requires under section 170 that:

*“where a local housing authority so request, a private registered provider shall co-operate to such an extent as is reasonable in the circumstances in offering accommodation to people with priority under the authority’s allocation scheme.”*

Section 95 of the Housing Act 2014, places a duty to ‘co-operate’ on registered social landlords with Local Authorities to prevent homelessness and discharge it’s duties under this part.

We must operate within the **Regulatory Framework for Housing Associations Registered in Wales.**

Welsh Government policy on allocations is contained in the document **‘Lettings for a Social Market 2002’** which states that letting should:

- Reflect approaches which aim to maximise social inclusion and create sustainable communities
- Ensure those in priority need are catered for
- Offer a choice of home or enable an expression of preference regarding an allocated property
- Reflect a balance between needs and preferences of applicants and between the wellbeing of existing tenants and the community as a whole.

## **Asylum and Immigration Act 1996**

Applicants who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996 will not normally be eligible for housing, except for the following categories of person:

- Those who have been granted refugee status
- Those who have been granted exceptional leave to remain, humanitarian protection or discretionary leave, provided it is not subject to a 'no recourse to public funds' condition
- Those who have unconditional leave to remain[ settled status ] and who are habitually resident in the Common Travel Area unless their leave was conditional upon another individual sponsoring their maintenance and accommodation
- Some categories of asylum seekers

4.2 applicants who have been granted limited leave to remain will be assessed according to their individual circumstances, including permitted length of stay and ability to fund themselves.

4.3 Family members: Where an applicant for housing is eligible for an allocation they will qualify for housing of a size appropriate for the whole household, even if other family members are not themselves eligible. A joint tenancy however cannot be allocated to an eligible applicant and an ineligible spouse, partner or family member: it would have to be a sole tenancy in the name of the eligible applicant.