

L&Q Policy

Allocations

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1.0 Introduction

1.1 This document sets out the standards and guidance that we will apply in the selection of tenants and the allocation of properties across the Group's homes.

1.2 The Group is committed to providing people in need with good quality homes and services in a transparent, fair and accountable manner. This aim will be achieved by meeting the following objectives:

- Make the best use of available homes
- Keep void periods to a minimum
- Work in partnership with local authorities to enable them to fulfil their duties
- Promote mobility and provide existing tenants with opportunities to move under schemes such as MOVEUK and HOMES
- Produce plans to create sustainable and balanced communities
- Ensure that targets are set and performance is recorded and monitored to ensure the service is delivered effectively and improvements identified
- Ensure staff receive relevant training and information to enable them to provide services of the highest quality
- Publish clear and concise information about our service and the standards that can be expected
- Regularly report to Governing Board in order to inform future strategy

1.3 The aim of the policy is not to impose blanket bans on excluding groups of people from holding a tenancy with L&Q. The aim is to ensure that potential tenants are provided with the appropriate support to assist them in sustaining their tenancy. The L&Q Group will work closely with other agencies to identify and provide support where it is required.

1.4 Failure to comply with this policy and procedure could result in disciplinary action.

2.0 Scope

2.1 This policy is written for all staff involved in making decisions about who homes are allocated to and should be read in conjunction with the following documents:

- Allocations Procedure
- Sign-up Procedure
- Transfer Policy
- Local Lettings Procedure
- Aids & Adaptations Policy
- Data Protection Policy
- Decants Policy
- Customer Feedback Procedure/Complaints and Appeals Procedure
- Starter Tenancy Procedure
- Equal Opportunities Statement
- Void Standards

3.0 Regulatory Code and Guidance

3.1 This policy recognises L&Q Group's obligation to comply with the Housing Corporation Regulatory Code in particular to section 3 which provides guidance to ensure that homes are properly managed.

4.0 Legal Framework

4.1 Schedule 1 of the Housing Act 1996 prevents payments or benefits being given to committee members, staff members and their relatives. The legislation, which is designed to protect RSLs from unfair or discriminatory practices and scandal, regards the allocation of homes as a potential benefit.

4.2 Schedule 1 of the Housing Act 1996 also restricts applications from certain 'A8' Eastern European countries who are not able to support themselves.

4.3 The L&Q Group has a statutory duty to comply with legislation within the Data Protection Act 1998 with particular regard to personal data collected as part of the allocations process.

4.4 In carrying out allocations the L&Q Group will also consider its obligations, and comply with other relevant legislation including:

- Sex Discrimination Act 1975
- Race Relations Amendment Act 2000
- Disability Discrimination Act 1995, 2005

5.0 Equality & Diversity

5.1 L&Q is committed to Equal Opportunities. We aim to end discrimination and promote equal opportunities for everyone and positively value diversity within the Group. We expect everyone who works for us to support us in this.

5.2 The L&Q Group is committed to promoting equality and diversity in all our services and to giving equality of opportunity to our diverse customers. In line with guidance at 2.7 of the Regulatory Code the Group will monitor the ethnicity and gender of everyone we house or transfer to see how fairly the ethnic profiles of our tenants reflect the boroughs in which they live.

5.3 The L&Q Group aims to make its services accessible to everyone who wishes to use them by providing information in a range of formats including:

- Written translations of leaflets and key newsletters
- An interpretation service upon request
- Braille or large print versions of main documents and audio tape transfer
- Telephone interpreting
- Minicom and TypeTalk availability in all offices

5.4 The local authority has a duty to consider the needs of disabled applicants in ensuring that appropriate referrals are made for RSL specially adapted accommodation. The needs of existing residents requiring specially adapted properties will be addressed under the Transfer and Aids & Adaptations policies.

5.5 The Group is committed to working towards monitoring waiting lists for and allocations to disabled applicants and to improving information held on adapted properties.

6.0 Health & Safety

6.1 The L&Q Group will comply with the Health and Safety at Work etc. Act 1974 and ensure, so far as is reasonably practicable, the health, safety and welfare of its employees while they are at work and of others who may be affected by their undertakings. The level of risk to staff in complying with this policy and procedure is considered to be low.

7.0 Allocations

7.1 To meet the duty of assisting local authorities with housing people in need, the L&Q Group will allocate properties in line with its annual lettings plans and select households from the applicant sources identified in the plans. Properties will normally be allocated based on the Group's guidelines for bed space standards (below) and will not breach statutory standards for overcrowding.

7.2 L&Q will work closely with local authorities to assist them with implementing their statutory housing obligations and Choice Based Lettings systems.

7.3 The Group will ensure that we comply with Housing Act 1996 restrictions on who we house (see items 3.1 and 3.2 above).

7.4 The policy permits under occupation in the following situations:

- to take account of child density levels
- to encourage a household under occupying a larger property to move to smaller accommodation
- to encourage a balanced and sustainable community

7.5 Approval for an under occupation allocation is at the discretion of the relevant Manager.

7.6 The Group will not normally provide general needs accommodation to people aged 16 or 17 years. Where it is agreed to provide accommodation to 16 or 17 year olds, they will be signed up on an Equitable Tenancy Agreement on the provision that they have a responsible adult who can act, on their behalf, as a guarantor or guardian.

7.7 The standards applied in this policy will be applied equally to families with adoptive children where confirmation is received from the Permanent Families Placement Officer.

- 7.8 Consideration for an additional room for a carer will be given upon request and will be considered on its own merits. Carers will not normally be included on a tenancy agreement and will not have the right to succeed, however in certain circumstances alternative accommodation may be offered.
- 7.9 Decisions on housing vulnerable tenants are based on eligibility criteria and must include a full needs and risk assessment which must be provided by the local authority of each applicant.
- 7.10 Whilst the Group reserves the right to allocate general needs homes where a degree of sensitivity is required, we will not accept applications from anyone with support needs unless there is a support package in place (please refer to lettings procedure on interviewing applicants).

8.0 Exclusions

- 8.1 The L&Q Group will normally offer accommodation to applicants who meet the criteria based on their applicant source, however there are a number of exclusions. The Group will not normally make offers of accommodation where the following exclusions apply:
- 8.2 Where allocations would conflict with our 'charitable objectives', for example:
- The applicant owns and/or has access to a suitable home of the appropriate size and type
 - The applicant has access to a suitable home of the appropriate size and type by virtue of a secure or assured tenancy agreement which they do not intend to relinquish
 - The applicant's income and level of savings are sufficient to purchase a property of an appropriate size
- 8.3 Where the applicant is to be considered for general needs accommodation and has breached the terms of a tenancy with the Group or another RSL, for example:
- In certain cases where rent arrears exist
 - In certain cases of anti-social behaviour
 - Acts of violence against staff
- 8.4 Asylum seekers will not be offered permanent accommodation unless:
- They have been granted exceptional leave to remain in the UK and they have access to public funds
 - They have been granted refugee status

9.0 Offers and Refusals

- 9.1 Where possible the L&Q Group will aim to satisfy applicants' preferences for accommodation; however, for an offer to be reasonable accommodation must meet the essential size and access needs of the household, and must be physically sound and fit for habitation.

- 9.2 The rules regarding offers and refusals depend on the referral source; for example there is a one offer policy governing move-on quota however this policy provides flexibility for transfers, under occupiers, decants and some of our waiting list applicants.

- 9.3 In the event that a reasonable offer is refused TSO/LO will be responsible for:
- Passing nomination or referral details back to the local authority or relevant agency
 - Removing Move-on referrals and HOMES nominations from the waiting list
- 9.4 Priority transfer applicants who refuse a reasonable offer will lose their priority status at the discretion of the relevant divisional manager.
- 9.5 Where false information is known to have been given by an applicant the Group will use its discretion and may refuse the application.

10.0 Schedule 1 Offenders

- 10.1 The decision to accept a nomination from a local authority for a Schedule 1 offender must be made by a Panel consisting of three Assistant Directors of Housing. A risk assessment must accompany the nomination details along with any other details from the Police or probation service.
- 10.2 The decision will depend on individual circumstances, the information received, the level of risk that the nominee presents and the location of the property. The decision will normally be made within 7 days of receipt of the nomination.

11.0 Appeals

- 11.1 L&Q aims to satisfy as many applicants as possible but recognises that any applicant has the right to complain about a decision, action or failure to take action by the Group. In the event that an applicant wishes to make a complaint it should, in the first instance, be directed to the Tenancy Services Officer or Lettings Officer who will discuss the reasons for the Group's decision. If the applicant remains dissatisfied they can appeal using the Group's Complaints Procedure. All appeals will be monitored using the Customer Feedback procedure.

12.0 Review of Policy & Consultation Process

- 12.1 This policy will be reviewed in consultation with staff and stakeholders every three years or as necessary in order to comply with changes in legislation.