



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, our charitable objectives and the regulatory standards.

How the policy will be implemented

We will make sure 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, targets and triggers

- Tenants' satisfaction with the allocations process
- Tenants' satisfaction with the overall condition of their new home.
- The overall impact a new home has had on a new tenant's life.

Date Approved by CMB: 18 October 2022

Date Approved by Operational Committee 17 November 2022

Date Due for Review: 18 October 2025

Responsible Officer: New Tenancy Manager

Policy – Choice Based Lettings

1 Statement of intent

- 1.1 We will make sure our housing stock is used effectively to meet the diverse needs of residents of all communities and our Choice Based Lettings Policy actively assists in the formation of stable, sustainable communities.
- 1.2 The aim of our 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 best use is made of our housing stock.
- 1.3 All applications will be dealt with sensitively and in line with the Data Protection Act 2018.
- 1.4 We will work with Wakefield Council in assisting them in discharging their statutory and contractual housing duties. We will use this policy for our properties in the Wakefield district. Due to different nomination agreements outside of the Wakefield district, properties will be allocated according to the nomination arrangements with our other local authority partners. Where there are nomination rights with our other local authority partners parts of this policy may be used to consider nominations.
- 1.5 We will offer accommodation to those who it is appropriate for us to house as a charity. Our rules allow for the provision of housing to:
 - persons in necessitous circumstances upon terms appropriate to their means; and
 - aged, disabled (whether physically or mentally) or chronically sick people.

See Section 12.7 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 We will only let properties to Board and committee members, their relatives and our employees in line with the highest standards of probity and governance and in line with our Code of Conduct.
- 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 to verify its probity.

2 Outline of service

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

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- 2.2 All customers must complete a membership form to join our 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.
- 2.3 Other registered providers of social housing advertise their properties through our 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 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.

Our 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.
- 3.2 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.
- 3.3 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.
- 3.4 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.
- 3.5 The multi-agency panel, outlined in Section 12, will make decisions in respect of qualification as a result of past behaviour and a review process is available to all applicants (see Section 15).

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- 3.6 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 tenancy into lodgings, and in our opinion 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. The applicant / member will be informed in writing that they will not be awarded additional priority immediately, and when their application will be reassessed. This will depend on the appropriate officer's decision on the time penalty, following consultation with Wakefield Council. Members can request a review of any such decision as set out in section 15.
- 3.7 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.
- 3.8 Members will be assessed as falling into a 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.
- 3.9 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 bid facilities including, Homesearch Team, and the website.
- 3.10 Appropriate vacancies will be advertised by us, or by the appropriate local authority or by nominations for properties outside of Wakefield district.
- 3.11 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.
- 3.12 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; and
 - help from other specialist agencies.
- 3.13 At the end of the advertising cycle we 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 or advert. Some properties may be advertised on a first come first serve basis.

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- 3.14 In exceptional circumstances we 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 us or our partners, as outlined in Section 11.
- 3.15 Before any offer of accommodation is made, members will be checked to make sure they are still eligible, qualify for an offer, meet our 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 3.3.
- 3.16 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.
- 3.17 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.
- 3.18 If a member refuses two reasonable offers within a 12 month period:
- their membership will be suspended for three months.
- 3.19 After the three months suspension, if the member refuses another two reasonable offers within any 12 month period:
- their membership will be suspended for six months.
- 3.20 Suspensions may be lifted in exceptional circumstances.
- 3.21 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.
- 3.22 If no bids are received:
- where no bids are received an individual marketing plan will be devised for that property.
- 3.23 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.
- 3.24 Where both members are not in receipt of a priority banding the property will be offered to the member with the earliest membership number.

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- 3.25 All applicants for membership will be required to sign a declaration confirming all information supplied on their membership form to us 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.
- 3.26 Where we require 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.
- 3.27 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.
- 3.28 The factors we will consider when deciding whether to allocate a property in the circumstances above are set out in a different policy.
- 3.29 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 We recognise 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.
- 4.3 We will seek to devise individual support plans for these members.
- 4.4 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, 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 We are committed to maximising the supply of family accommodation and reducing homelessness and will give additional priority to members who are our tenants, or tenants of other registered providers that reside in the district, who are under occupying accommodation and are applying to move to a property with fewer bedrooms. In order to assess under occupation or overcrowding we will in the first instance use the Government's Bedroom Standard. The Bedroom Standard is shown in Appendix B.

6 Homelessness

- 6.1 We are committed to assisting the local authority in meeting its statutory obligations in housing homeless households and in preventing homelessness within the district.
- 6.2 We will award additional priority to households where Wakefield Council have established that a housing duty is or would be 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. These bands will be valid for one suitable offer of housing.
- 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 we 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 us 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 We will award additional priority to applicants with a demonstrable need for alternative accommodation as a result of a physical disability, learning disability, mental health or vulnerability, and move on from Supported Housing. This priority can be awarded by either the Housing Needs Panel or the Health and Medical 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 12 months. On expiry of this period, if the member is still seeking accommodation, we and / or Wakefield Council, in conjunction with appropriate agencies, will determine whether:
- the priority should be removed; or
 - the priority should be extended for a further 12 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 in line with the LLS. Members whose application is considered not to be suitable for independent living accommodation will be bypassed for independent living properties.

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).
- 7.6 Members whose application is considered not to be suitable for extra care accommodation will be bypassed for extra care properties.

Properties for people with a disability

- 7.7 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.
- 7.8 These properties will be subject to either a direct let or advertised through the Homesearch scheme.

Homeless prevention

- 7.9 We work closely with Wakefield Council to prevent homelessness and safeguard vulnerable people.
- 7.10 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.
- 7.11 Applicants residing in the designated schemes can be awarded additional priority to allow them to move from the scheme so accommodation can be made available to prevent other households from becoming homeless.

8 Choice

- 8.1 We believe 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 we will publish, on a weekly basis, results from previous week's advertising cycles.

- 8.3 On a quarterly basis we 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 we will offer a variety of sources through which members are able to express an interest for properties. These may include:

- service access points (SAPs) or hubs;
- Homesearch Team and OneCALL ;
- Wakefield and District Homesearch website; 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 we 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 We have, in consultation with Wakefield Council, published LLS which may set out:
- the proportion of lettings we intend to make for each band within each community;
 - any other lettings criteria we intend to utilise when advertising properties, for example, age restrictions and preferences;
- 10.2 All LLS will:
- be fair, not unlawfully discriminate and meet the requirements of the appropriate regulatory body;
 - not unduly disrupt the organisation's 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 our 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 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 our opinion, a specific type of accommodation is needed for a member.
 - Where, in our opinion, 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.
- 11.2 The Regional Estate Services 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 We will apply the criteria set out in the Housing Act 1996 (as amended), the Immigration Act 2014 (where applicable), 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.
- 12.3 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.

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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.

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

12.5 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.

12.6 If it is decided 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

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

12.8 In exceptional circumstances we 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:

13.1.1 Where a member (or their partner) are current tenants with arrears outstanding they will not be offered a transfer until the debt has been discharged in full unless there are exceptional circumstances.

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13.1.2 Where a member (or their partner) owes other debts to the company, that is, former tenant arrears or rechargeable repairs, we 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.

13.1.3 A special tenancy condition can 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 (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 reassessed on a periodic basis. The reassessment 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 or anyone on their application is a WDH tenant and is the subject of action for breach of tenancy on management grounds.
- The member or their partner is or was a WDH tenant and owes debt to us as outlined in Section 13.
- A pre-tenancy visit has been carried out or a reference or information has been received, which indicates the member or anyone on their application is or was in breach of the conditions of a current or former tenancy and 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 we 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, we 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 we will explore an appropriate mechanism with relevant agencies including the local authority to address the lack of capacity before bypassing the applicant.

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- 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 our 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 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 3.14.
- They have not provided, or we have been unable to obtain, information as outlined in Sections 3.2-3.4 and 3.15, in a given timescale.
- We have proof they would be in immediate breach of the conditions of a WDH tenancy agreement.
- We reasonably consider the property would not be suitable for the household's needs.

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

14.5 We can impose conditions that must be met for the bypass to be lifted for future properties.

14.6 If a member is bypassed, we will write to them outlining all bypass reasons and providing them with a right to request a review of the decision taken.

14.7 A written notification will not be sent when a member has been 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 us 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, LLS or in a priority award letter.

15 Applicant's right to information and review

- 15.1 An applicant has the right to ask us to provide them with such general information that will allow them to assess:
- how their application is likely to be treated under the scheme; and
 - whether housing appropriate to their needs is likely to be made available to them, and if so how long it is likely to be before such accommodation may be offered.
- 15.2 An applicant / member has a right to request us to inform them of any decision about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to them.
- 15.3 Applicants or members have the right to ask for a review of:
- a decision about the facts of their case which is likely to be, or has been, taken into account in considering whether to allocate housing accommodation to them;
 - a decision to make them ineligible to be a member of the scheme;
 - a decision to make them a non-qualifier to join the scheme;
 - a decision to suspend or cancel their application;
 - a decision to place or not place them in a particular Band; and
 - a decision to bypass them as set out in 14.3.
- 15.4 When any of the decisions in 15.3 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 us having notified the applicant or member). Exceptions are set out in 14.7.
- 15.5 Written notifications will outline what decision has been made and why and inform the applicant or member 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 us within 21 days of the notification being issued. Review requests received outside this timescale may be accepted, in exceptional circumstances, and the onus is on the member / applicant to state why the request was late and why it should be accepted out of time.
- 15.6 Applicants / members can designate a representative to deal with the review on their behalf.
- 15.7 It is recommended that applicants / members / representatives outline what decision they wish to be reviewed, why, and provide any supporting information.

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- 15.8 On receipt of the review the applicant / member will be written to and notified:
- that they, or someone acting on their behalf, may make representations in writing to us 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. We aim to complete a review within eight weeks of receiving the request.
- 15.9 The reviewing officer may request the applicant or member to provide further information to enable a decision to be made.
- 15.10 The review will be decided by an officer who is senior to the officer who made the original decision, except for reviews / appeals on decisions by us relating to medical bands or recommendations 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.
- 15.11 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 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 us..
- 15.12 Where an applicant or member is dissatisfied with the outcome of a review, they should seek independent advice. We are unable to consider complaints about the outcome of a reviewable decision, in line with Section 2.6 of our Complaints Policy.
- 15.13 Applicants and members can however, complain about the services provided by us. Further information can be found in our Complaints Policy.

16 Changes in circumstances and cancellations

- 16.1 Where a member moves into a priority banding because 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 our opinion 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 they are not interested in a property we will make a formal offer of accommodation. We can make offers subject to certain conditions being fulfilled, as catered for in this policy and any associated procedures. We can withdraw an offer and in these cases the member will be notified why.
- 17.2 When customers sign their tenancy agreement they may be required to provide or complete:
- bank details, where available, for the purposes of completing a Direct Debit mandate to us for collection of rent;
 - payment for one week's rental debit for their new home;
 - an application form for Housing Benefit if required; and
 - confirmation of identity.
- 17.3 For the protection of our customers we will photograph all new tenants.
- 17.4 We will make sure all customers are provided with or have access to a Housing Information Pack.

18 Viewing and services

- 18.1 Prospective customers will be offered the opportunity to view their new home .

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 We 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 as is reasonable in the circumstances 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 line with current legislation and regulatory guidance;

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- enter into contracts or agreements and work in partnership with other registered providers 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 Housing Needs Service, and other advice and support providers;
- work with other agencies to provide support 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 vulnerable customers engage and actively participate in the Wakefield and District Homeseach Scheme (Age UK, Signpost, Scope or similar).

21 Equal opportunities

- 21.1 We are 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, sex, gender reassignment, disability, sexual orientation, religion or belief and age, pregnancy and maternity and marriage and civil partnerships. We seek to reflect the community it serves and fulfil its legal and regulatory obligations as a minimum.
- 21.2 Further information on our commitment to equality, diversity and inclusion is available in our Equality, Diversity and Inclusion Policy.

22 Specific needs

- 22.1 We will take into account the specific needs of all employees, customers and other stakeholders which may arise in line with this policy. These needs relate to taking account of all differences, whatever they maybe. We will particularly promote equality and inclusiveness, in line with our Equality, Diversity and Inclusion Policy, based on the nine protected characteristics. During the review and development of this policy an equality assessment has been completed to consider those with protected characteristic and mitigate any impact on them from delivery of this policy.

23 Consultation

Internal

- 23.1 Internal consultation has taken place with the relevant areas of the business.

External

- 23.2 Consultation has taken place with Wakefield Council.

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23.3 We will seek the views of tenants and / or applicants on this policy in a variety of ways.

23.4 We will seek the views of a variety of statutory and non-statutory agencies on this policy.

24 Responsibility of implementation

24.1 Our Board and Chief Executive are responsible for ensuring the policy is implemented.

24.2 We will let properties in line with the highest standards of probity and governance and in line with our Code of Conduct.

24.3 Under the delegated authority contained within our Standing Orders it is the responsibility of all employees to ensure their work is carried out in line with this policy and procedures relating to it.

24.4 We are committed to the highest standards of customer care and will apply this policy in accordance with our Customer Charter Standards.

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 We will or may:

- 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 interviews on 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 non-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

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- Where relevant information is available we will benchmark our performance against other organisations to make sure the highest standards of service delivery.

26 Review

- 26.1 We will undertake a review of this policy whenever there are any relevant changes to legislation, regulatory requirements, case law or good practice that would impact on this policy or in the light of any required service improvements identified through internal audits, service reviews, learning from complaints or regulatory judgements. Considerations will also be made where performance against the policy's measures and targets meet or are forecasted to hit the triggers identified.
- 26.2 We will regularly review service provision and will undertake reviews, when appropriate, to ensure continuous improvements and value for money in the delivery of our services.
- 26.3 Our Board and / or the Corporate Management Board will be responsible for ensuring that reviews of this policy are carried out and that the policy contributes to, and complements, our strategic objectives.
- 26.4 In carrying out any such review account will be taken of our commitment to equality, diversity and inclusion. For further information please refer to our Equality, Diversity and Inclusion Policy.
- 26.5 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.
- 26.6 The policy will be reviewed in response to any changes that occur in local market conditions or in response to operational imperatives.

27 Risk

- 27.1 Any potential risks relating to this policy will be identified and managed in accordance with our Risk Management Policy.

28 Legislation and other documents

- 28.1 We will ensure that this policy complies with all relevant legislation and takes account of current best practice.
- 28.2 Our Board will ensure this policy has due regard to all relevant contemporary legislation, regulations and best practice including but not limited to the following.
- Homelessness Act 2002.
 - Homeless Reduction Act 2017.
 - Wakefield Council Homelessness Strategy.
 - The Charities Acts.
 - Data Protection Act 2018.
 - Housing Act 1996.

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- 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 Equality, Diversity and Inclusion Policy.
- WDH Hate Incident Policy.
- WDH Voids Management Policy.
- WDH Tenure Policy.
- Immigration Act 2014 and 2016.



Wakefield and District Homesearch Bandings

Band A

Statutory homeless duties

- This priority will be awarded to the following household types where Wakefield Council has triggered a Prevention Duty under the Housing Act 1996, Section 195.
- Families with dependent children.
- Women who are pregnant.
- Care leavers - a person under 21 who was looked after, accommodated or fostered between the ages of 16 and 18 on behalf of Wakefield Council (except a person who is a 'relevant student') as set out in section 24 (2) of the Children Act 1989.
- 16/17 year olds.

Before awarding this priority, Council will be satisfied, following investigations into the household's circumstances, that the household has not deliberately worsened their housing situation or circumstances.

- This priority will be awarded where Wakefield Council has triggered a **Relief Duty** under the Housing Act 1996 section 189B and Priority Need status has been confirmed.

Before awarding this priority, the Council will be satisfied, following statutory investigations into the household's circumstances, that the household has not deliberately worsened their housing situation or circumstances.

- This priority will be award where a **main or full housing duty** under the Housing Act 1996 section 193(2) is owed by Wakefield Council.

If the member is still owed a statutory homeless duty and 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.

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;

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- 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 reassessment will take place. We 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 used 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 Regional Estate Services 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;

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- major incidences of violent or non-violent harassment necessitating the urgent allocation of the victim;
- 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 reassessment 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, or social housing tenants who reside in the district, 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.

Welfare and medical needs

To recognise urgent medical need awarded by the Housing Needs Panel or the in-house Health and Medical Rehousing 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.

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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 Health and Medical 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 12 months after the priority is awarded a reassessment will take place.

For cases where priority has been awarded by the Housing Needs Panel, we will seek the decision of the Housing Needs Panel to determine whether the priority should be removed or extended for a further 12 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 12 months.

Redevelopment or regeneration

Awarded once our Board 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 reassessment will take place to determine whether the priority should be removed or extended for a further three months.

Rent (Agriculture) Act 1976 Cases

This priority is awarded to members who have a home in the district but the Council has accepted that it has a statutory duty to re-house them under the Rent (Agriculture) Act 1976.

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

Statutory homeless duties and prevention

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

- members where Wakefield Council have triggered a:
 - **prevention duty** and the applicant's household do not fall into one of the household category outlined in statutory homeless duties band A; **or**
 - **relief duty** but the applicant is not in priority need.
- homeless households who are owed an intentionally homeless duty;
- Homeless households who are in temporary accommodation accommodated under a statutory homeless duty;
- 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 the applicant will be homeless upon discharge;
- tenants who receive discretionary housing payments due to financial hardship; **and**
- owner occupiers who have been assessed as being unable to sustain their mortgage payments due to financial hardship and where there is little or no equity once the mortgage obligation and any charges have been discharged.

If after three months the member has not been successful in securing an offer we 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 reassessment will take place. We 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.

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 Wakefield 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 reassessment will take place. We 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**

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- 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, or social housing tenants who reside in the district, 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.

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 reassessment 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, or social housing tenants who reside in the district, 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.

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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 we consider establishes 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 (subject to section 14.4).

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?