**General Needs Lettings Policy**

|  |  |
| --- | --- |
| Version  | *3* |
| Prepared by | *Jane Eyles* |
| Approved by | *Board/Committee/Directors Group* |
| Approved date | *July 2021* |
| Date of last review | *July 2018* |
| Document Owner | *Director of Housing*  |
| Date of Next Review | *July 2024* |
| Lines of Defence/how is the document audited? | 1. *Approval by DG/Board/*
2. *Manager will audit regularly – Band A reviewed monthly*
3. *On Internal Audit programme*
 |

1. **Aims and Scope of the policy**
	1. This policy covers Hexagon’s approach to letting its general needs homes both through direct allocation of internal transfers and through its local authority partners. Hexagon does not operate a waiting list and will not consider direct applications from individuals seeking rehousing unless for urgent internal transfers.
	2. The aim of the policy is to provide homes to people in housing need in South-East London.
	3. This policy meets the requirements of the Regulator of Social Housing’s Tenancy Standard [Tenancy Standard - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/tenancy-standard)
2. **Equality and Diversity**
	1. An equality and diversity impact assessment has been carried out. This Policy will be implemented in accordance with Hexagon’s responsibilities and duties under relevant legislation, including the Equalities Act 2010.
	2. The policy looks to place checks and balances on the process that should ensure that allocations are fair and transparent and ensure that residents/applicants are treated as individuals and with fairness and respect.
	3. Hexagon is committed to ensuring that in terms of both access to homes and in lettings decisions, no one will be treated less favourably because of race, sexual orientation, gender, marital status, disability, class, caring responsibilities, religion or HIV status. Monitoring will allow Hexagon to demonstrate that the process is working correctly and does not favour or discriminate against a particular group.
3. **Consultation**
	1. The Hexagon Resident Advisory Group and Neighbourhood Services staff have been consulted on this policy and their comments have been taken into consideration.
4. **Policy Statement**
	1. Hexagon is committed to operating a high quality and fair letting service. The principles are set out in this policy to achieve this.
	2. Hexagon will work in partnership with local authorities, other housing providers and schemes such as the Pan London Reciprocal Scheme, which offers for those fleeing violence to meet housing needs. This includes addressing homelessness and allocating adapted homes.
	3. Hexagon will only offer internal transfers in circumstances which meet specific criteria detailed below and will do this in a consistent and fair manner.
	4. Hexagon will not consider applications for transfers from residents outside of the specified criteria below (currently bands B-D). However, additional resources will be put in to encourage and help these residents to mutually exchange, apply through the local authority and promote exchange events.
	5. Hexagon’s lettings will reflect as closely as possible the ethnic profile of those in housing need in the areas in which it operates and this will be monitored and reported to the Board.
	6. Hexagon understands there are occasions when the ordinary lettings procedure is not appropriate and will develop special lettings procedures.
	7. Hexagon will retain specific allocations policies for specially designated schemes and wheelchair standard homes.
5. **Principles of the Lettings Service**
	1. Hexagon will obtain full, reliable and comparable information about an applicant’s housing situation and needs, from the applicant themselves, and from the nominating or referring organisation, before making an offer of housing. All information provided to Hexagon will be kept confidential though it may be shared with partner local authorities and other registered landlords. This will be held in and used in line with the Data Protection Act 2018 and UK-GDPR.
	2. Medical needs are assessed by an independent advisor.
	3. Standard forms are used at all stages to ensure that applicants are assessed on the same basis.
	4. All decisions on lettings are made by more than one person.
	5. Details of all lettings are recorded using the government’s National Core System.
	6. Properties are allocated according to the following criteria:
* Hexagon’s overall priorities on letting property.
* Hexagon’s policy on household size/ property ratios.
* We will transfer those who meet our emergency or urgent criteria.
* To optimise the use of homes we will occasionally accept referrals from agreed referral agencies
	1. Hexagon will work with other social landlords and statutory agencies to detect tenancy fraud.
	2. Any applications from staff or their relatives will need to be approved by a Director. Senior staff and board members or their relatives will need to be approved at Director’s Group.
1. **Working with Local Authorities**
	1. In all of the Local Authority areas in which Hexagon operates the Local Authority has an allocations policy which is used to nominate housing applicants for a proportion of available homes. Applications for these homes should be made according to the Local Authority’s allocations policies.
	2. Hexagon will work with local authorities at a strategic level and will ensure that local authorities receive their full entitlement under agreed nominations agreements.
	3. All wheelchair standard homes will be allocated via the local authority nominations route or through relevant specialist agencies (see section 24).
	4. Hexagon broadly supports and will actively participate in working towards the setting up of common or regional housing registers, allocations policies and allocations agencies provided that:
* Hexagon’s independence is maintained.
* Hexagon’s charitable aims are followed
* There is a full commitment to equal opportunities.
* The benefits of any particular scheme have been established.
1. **Homelessness**
	1. Hexagon contributes to tackling homelessness by:
* Working closely with local authority partners via nomination agreements.
* Matching local authority housing priorities where possible.
1. **Transfers for Hexagon Residents**
	1. Hexagon offers transfers to those in urgent need of a move, or whose current housing that is deemed inappropriate. Those moved urgently will only be offered homes sized as a like for like match to their current home, unless their current housing is too big for their needs. The transfer criteria are as follows:
* Urgent domestic abuse (where there is high risk of serious personal injury or the victim has had to leave home).
* Harassment/hate crime (where it is agreed no other options are available).
* Urgent decant – where someone needs to move so we can carry out extensive repairs.
* Urgent transfer approved by the Neighbourhood Services Manager.
* Urgent medical – where the current home is severely affecting the health or condition of the applicant, as assessed by Hexagon’s medical assessor.
* Under-occupying household releasing one or more bedrooms.
* No longer need an adapted home (if adaptation was done since occupying or is purpose built) or need an adapted home.
	1. Hexagon also wishes to release general needs under-occupied properties which are needed. Downsizing through the transfer list will be financially incentivised (subject to budgetary constraints).

* 1. Priority within the urgent transfer list will be decided by the urgency of the resident’s need, the suitability to the property and the time they have spent on the waiting list. Medical priority will only apply to properties that match the medical assessment of the resident’s needs.
	2. When considering re-housing requirements, please see the Lettings Procedure for occupation levels for property sizes. However, in exceptional circumstances this can be changed.
	3. Only one offer of a suitable property will be made to residents on the transfer waiting list.
1. **Exclusions and Suspensions**
	1. Hexagon will undertake to work with applicants to assess their needs and offer support to sustain their tenancy.
	2. Local authority nominees will generally not be accepted in the following circumstances:
		1. Serious arrears
		2. Property owners, including owner-occupiers, other than in exceptional circumstances.
		3. Fraudulent applications.
		4. Perpetrators of anti-social behaviour, where a Notice of Seeking Possession is in force.
		5. Those with support needs that are considered by Hexagon staff unsuitable for general needs housing.
		6. Sex or arson offenders who do not satisfy the Hexagon risk assessment – a risk assessment based on the property in question and the support package in place will be undertaken.
	3. Discussions regarding the situation with the relevant local authority will always be held before rejecting any nomination.
	4. Hexagon waiting list applicants will be generally excluded under the following circumstances (see procedure for more details):
		1. Perpetrators of anti-social behaviour under legal action
		2. Any resident who has caused a high level of damage
		3. Applicants with rent arrears unless their circumstances fit the criteria of the “Transfer of Residents in Arrears” policy will not be able to be transferred.
		4. Convicted or registered sex offenders and those convicted of arson who do not satisfy our risk assessment (a risk assessment based on the property in question and the support package in place will be undertaken).
		5. Residents cannot apply for rehousing if they plan to leave other members of the household in occupation after they move. This includes relationship breakdown.
	5. However, Hexagon will assess each individual application.
	6. Social housing fraud is a criminal offence, and anyone found to have deliberately lied, provided false information, or withheld information as part of an application will not be accepted as an eligible applicant by us. A tenancy obtained by deception will be repossessed. If this type of irregularity is discovered at the offer stage, the offer will be withdrawn.
2. **Starter Tenancies**
	1. A starter tenancy will be offer to all new residents, except in the following circumstances:
		1. Transferring residents (unless the acceptance of a Starter Tenancy is a condition of the offer of a transfer).
		2. Existing residents of other social landlords with an assured or secure tenancy, and where there is no history of tenancy problems.
		3. Tenancies being created by way of assignment such as mutual exchange.
		4. Where prohibited by Regulator of Social Housing
		5. Residents who are being offered an Assured Shorthold Tenancy due to the specific nature of the housing accommodation, or for other reasons.
3. **Complaints**
	1. Any resident or applicant wishing to complain about any part of the allocations process should follow Hexagon’s complaints procedure.
	2. Local authority nominees do not have the right of appeal to Hexagon against an offer but may be able to appeal to the nominating local authority. Hexagon will not normally hold a property empty pending such an appeal – The local authority will usually require the nominee to accept the tenancy and appeal after moving in.
4. **Decants**
	1. Decants are where a Hexagon property is urgently required by the landlord, usually to complete major works. These will be dealt with under the Decant (Moving home) Policy.

**Young People**

11.2 Applicants or residents who are 16-17 years old will not be excluded based on their age, but rent must be guaranteed by another adult or organisation. Before re-housing, an assessment will be made as to the support requirements of the young person and how they will be met.

1. **Difficult to let homes:**
	1. It is recognised that some homes may be prove difficult to let – this is defined as more than five refusals, or no interest from transfer applicants.
	2. In these properties Hexagon will relax occupancy standards and offer applicants larger properties than they would normally be entitled under this policy. This will not apply if they will be affected by the bedroom tax.
2. **Applicants subject to immigration controls:**
	1. Applicants who are eligible but do not have indefinite leave to remain in the United Kingdom will be offered an Assured Shorthold Tenancy rather than a Starter Tenancy Agreement.
	2. This tenancy will be converted into an assured tenancy (following the introductory period) if and when the resident receives indefinite leave to remain in the UK. Evidence must be provided to Hexagon.
3. **Specially Designated Schemes and Wheelchair Homes**
	1. Hexagon has a small number of schemes specially designated to particular sections of the community.
	2. Children may be born into existing households within these schemes; they will be encouraged to move.
	3. Hexagon will maintain a number of homes specially built to wheelchair standards.
	4. Wheelchair homes will be allocated via local authority nomination. This is because local authorities have specialist skills and resources to assess applicants’ needs in this respect. However, if they are unable to source a nomination, Hexagon will approach a specialist agency.
	5. Any Hexagon resident who requires a wheelchair standard home (but is not currently in one) will be supported and encouraged to join the local authority register for wheelchair standard housing. This allows a full assessment and allocation within borough-wide wheelchair housing.
4. **Relevant Legislation and Guidance**

* [Tenancy Standard - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/tenancy-standard)
* Localism Act 2011
* Homelessness Act 2002
* Immigration Act 2014
* Housing Act 1996
1. **Related Hexagon Policies and procedures**
* Transfer of residents in arrears
* Rent Arrears policy
* Complaints policy
* Decant Policy