



PEAKS & PLAINS
Housing Trust



The Trust

ALLOCATIONS POLICY

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1. INTRODUCTION

- 1.1. Peaks and Plains (the Trust) is committed to creating sustainable communities. The Trust recognises the importance of aligning with the strategic aims of our local authority partners in the way we advertise and allocate our homes to prospective tenants. This Allocations Policy sets out how we will achieve this.
- 1.2. This policy sets out how the Trust will let our empty homes to customers whilst making the best use of our homes in places customers want to live and be proud of. This policy is aligned with the Regulatory Standards set by the Regulator of Social Housing (RSH) in particular to the consumer standards.
- 1.3. The aims of this policy, to meet the standards are:
 - To deliver a fair, transparent lettings service that's accessible for all our customers.
 - To make the best use of our homes and create balanced and sustainable communities. To comply with the regulatory framework and other relevant legislation including the Equality Act 2010.
 - Assist all our Local Authority (LA) providers to meet their statutory duty in relation to the allocation of homes.
 - To get people into their new homes as quickly as possible.

2. SCOPE

- 2.1. The Trust operates across a number of local authority areas and co-operates with local authority nominations requirements as set out in a nomination agreement, common allocations framework or choice-based lettings agreement (CBL) where they are in place.
- 2.2. The Trust may advertise some homes outside of the local authority scheme, for example, in cases of low demand or where the local authority scheme does not apply, e.g., low-cost home ownership options such as "rent to buy" and "shared ownership".
- 2.3. This policy does not apply to PRS tenancies, the letting of garages, shops or tenancies granted by assignment, succession, or mutual exchange. The Trust has separate policies to control these activities.
- 2.4. The Trust also has a Mutual Exchange Policy and a Transfer Policy which applies to Social and Affordable rent properties. We also have a Rent to Buy Policy.

3. LEGAL & REGULATORY REQUIREMENTS

- 3.1. The Regulator of Social Housing's framework includes the national Consumer Standards which Registered Providers must meet. This policy relates to the Tenancy Standard which requires housing providers to have a published policy statement on the way we allocate our homes.

3.2. This policy will be updated to reflect and comply with changes in relevant law and the Regulator of Social Housing regulatory framework.

3.2.1. Relevant Legislation and Regulation:

- Equality Act 2010
- Localism Act 2011
- General Data Protection Regulation 2018
- Data Protection Act 2018
- Housing Act 1988
- Housing Act 1985
- Housing Act 1996 (as amended by the 2002 Homelessness Act)
- Housing and Planning Act 2016
- Welfare Reform and Work Act 2016
- Homeless Reduction Act 2018
- RSH - Neighbourhood and Community Standard
- RSH – Tenancy Standard

4. DEFINITIONS

4.1. Allocation refers to how we decide the suitability of a property for an applicant.

4.2. Letting refers to the process whereby we let a property

4.3. Social housing refers to decent, secure housing let at a social or affordable rent.

4.4. Choice Based Lettings refers to the scheme that enables customers to express an interest in properties they are eligible for.

4.5. Social rent refers to a low cost rent set by a government formula.

4.6. Affordable rent is higher than social rent but is set at up to 80% of the market rent amount.

5. OUR POLICY

5.1. The Trust will be fair in our approach and let our homes responsibly. We don't hold our own Housing Register – most of our homes are let to people on Local Authority Housing Registers.

5.1.1. The Trust will direct prospective and current tenants who express interest in our homes for social or affordable rent to the prevailing allocation policy and Choice Based Lettings scheme for their local authority area. These are;

- Cheshire East – Home choice
- High Peak – Home Options
- West Cheshire – West Cheshire Homes

5.2. Customers can apply for housing through a local authority scheme. The local authority Allocations Policy will usually describe the types of properties eligible applicants can apply for, how eligible applicants will be prioritised, and the method of allocating homes. Where there are specific eligibility criteria, we will make this clear when advertising the home, for example a local connection to the rural area where the home is located.

5.2.1. The Trust may advertise some homes outside of the local authority scheme, for example, in cases of low demand or where the local authority scheme does not apply, e.g., low-cost home ownership options such as “rent to buy” and “shared ownership”. For social and affordable rent properties, if a home cannot be let to a suitable applicant via the Local Authority we will look for direct applications and may use alternative methods of advertising.

5.3. **Refusals and withdrawal**

The Trust will not usually accept applications from customers where there is evidence of previous unacceptable behaviour by the applicant or a member of their household. Unacceptable behaviour includes:

- a) Anti-social, violent, threatening and/or criminal behaviour which would constitute a breach of the Trust’s Tenancy Agreement and there is no evidence that the behaviour has improved.
- b) Giving false information or withholding information on the current application or to get a previous social housing tenancy.
- c) Having breached the terms of a current or previous tenancy including, but not limited to, unacceptable property or garden condition, anti-social behaviour, rent arrears, noise nuisance and/or property damage or neglect.
- d) Failing to engage with support services which would help them to sustain a tenancy.

In making our decision we will:

- Consider each case on its own merit and consider all relevant information provided by key partner agencies and support workers.
- Assess the applicant to see if they can sustain their tenancy.
- Provide advice and guidance to customers who we don’t accept. If they are an existing customer, we will work closely with them to help them to improve their situation, so they can move in the future.

On occasion a property which has been advertised may become unavailable for letting. This may be due to a customer retracting their notice, the property requiring works which cannot be completed within a reasonable amount of time, or the use of the property being reconsidered. We will aim to let the applicant know if their application has been refused as soon as possible but this may only happen when information is obtained.

5.4. **Rent debt**

The Trust will not normally consider applicants where there is evidence of tenancy related debt. This could include:

- Current or former tenancy rent arrears.
- Outstanding re-chargeable repairs.
- Current and former housing related service charge arrears.
- Any court costs associated with any of the above debts.

In considering a case with housing related debt, the Trust will take account of the level of debt, the efforts made by the customer to repay and the customers financial means, as well as their housing need and any mitigating factors.

5.5. Armed Forces

Local authorities have specific provision in their allocation policies (as per statute) regarding Armed Forces personnel. We will take into consideration any exceptional circumstances when we are assessing suitability for the applicant or their families where they have an Armed Forces connection.

5.6. Property size

We aim to maximise the occupation of our homes. We will assess the applicants affordability taking into consideration the restrictions within the welfare benefit system, for example bedroom cap and Local Housing Allowance.

Where a property is difficult to let, and the Local Authority are unable to nominate we may under-occupy a property by one bedroom, however affordability criteria will still apply. On occasion we will allow over occupancy of our properties, this is at the discretion of the Neighbourhood Manager. This could be considered in offers of temporary accommodation to relieve homelessness or where a family’s needs cannot be met within our stock but could improve their current situation; i.e. a family require a 5-bedroom property and are currently occupying a 3- bedroom property, we would consider them occupying a 4-bedroom property.

5.7. Houses will be prioritised to households with children under 18 and bedrooms allocated as a minimum to the criteria below:

Household	Bedroom Need
Single Applicant	Studio/One bedroom
Couple	One bedroom
Person aged 21 or over	One bedroom
Single child from birth	One bedroom
Two children, both under 10 years old	One bedroom
Two children of the same sex, aged 10-20	One bedroom
Two children of opposite sex, one or both over 10 years old	Two bedrooms

To evidence child occupants in a property child benefit eligibility will be used as a measure.

5.7.1. Transfers for existing customers

Our existing customers can apply to move to a different home. In most cases this will be through the Local Authority waiting lists and in accordance with their Allocation Policy. A property inspection would need to take place and recharges may apply for any damages – the Transfer Policy explains further. Mutual Exchange should also be considered. Further information can be found in the Mutual Exchange Policy.

5.7.2. **Management transfers**

If a customer needs an urgent move to alternative permanent accommodation, we will consider a request in accordance with our Exceptional Lets Procedure and our Transfer Policy. Management moves are entirely at our discretion and will meet housing needs rather than desires. We will usually withdraw a management move offer if the customer does not engage appropriately with us during the process and/or refuses to accept a reasonable offer of alternative accommodation.

We are committed to supporting victims and survivors of domestic abuse and understand the impact this can have on their housing. We will work with Local Authority partners to facilitate moves through management transfers and reciprocal moves. We will provide support to victims and survivors prior to lettings to offer support and additional security. We may also signpost or refer to other agencies to offer support.

5.8. **Properties in need of major repair or disposal**

Where we have identified that major works are required, or a property is being considered for disposal or demolition, customers will be advised and provided with reasonable, alternative temporary or permanent accommodation. Temporary accommodation will be provided in line with our Decant Procedure. Homeloss and or disturbance payments may be applicable in line with The Home Loss Payments (Prescribed Amounts) (England) Regulations 2022.

5.9. **Specialist accommodation**

Some of our properties are designated for particular groups such as customers who are over 55 years old or those who have additional support needs, including those who require disability adaptations. We will work with our Local Authority partners to ensure that these homes are let to people who need these adaptations where possible. We will ensure a property is suitable for an applicant's physical needs before making an offer. Should an applicant apply for a property that does not meet their physical health needs or where it is identified that major adaptations are required to make the property suitable, we reserve the right to withdraw the offer.

5.10. **Sensitive Lettings**

A sensitive let is when special consideration is given so that the letting doesn't lead to management issues and supports the best outcome for a customer. We may identify a home as requiring a sensitive let if we need to balance the lettings within a specific group of homes for example, following an eviction, ongoing anti-social behaviour (ASB) or where it's inappropriate to home a customer at a specific location.

5.11. **Local Lettings Plans**

Local letting plans are agreed plans for allocating and letting homes within an agreed community, location or for a type of home. We may introduce local lettings arrangements in certain areas or for types of accommodation to ensure community sustainability or to deal with a specific housing issue. The housing issue may include managing a health and safety risk or to manage a specific business risk. These may also be developed as part of the planning consent for new developments. Please see the Local Lettings Policy for further information.

5.12. **Market Rent and Shared Ownership**

Market rent homes are advertised and let on a “first come first served” basis. These homes are let by the Home Ownership Team and customers must be able to pass a credit reference check and pay a deposit.

The Trust offers homes on a part buy part rent scheme called Shared Ownership. To be able to buy a shared ownership home customers must be able to meet the criteria set for shared ownership. The properties are advertised by the Home Ownership Team. The Trust has a Shared Ownership Sales Policy.

More information on shared ownership can be found here [Shared ownership homes: buying, improving and selling: How shared ownership works - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/shared-ownership-homes-buying-improving-and-selling-how-shared-ownership-works)

5.13. **Rent to Buy**

Rent to buy is a scheme for customers who want to buy a home but are struggling to save for a deposit. The rent of these homes is set at 80% of the market rent to help customers save towards a deposit to get a mortgage.

More information can be found in the Trusts Rent to Buy Policy.

Customers must meet the following criteria to have a rent to buy home:

- You must be aged 18 or over.
- Not own a property.
- Have no rent arrears or in breach of their tenancy agreement.
- Must not have been declared bankrupt, have any County Court Judgements or have defaulted on a loan.
- Must be in permanent employment or on a fixed term contract of more than six months.

An Affordability Assessment will also be completed to make sure the customers income is enough to meet the monthly rent and service charges.

5.14. **Pre-tenancy checks**

Before we offer a tenancy, applicants will complete our assessment form with a member of staff. We will discuss their circumstances with them to ensure that they meet our lettings criteria as detailed in our letting's procedure. We will also undertake a full personal and financial assessment including identification and credit checks where applicable. Where we have received a nomination or applicant directly we will carry out ID checks in line with Right to Rent (Government legislation ensuring landlords check that tenants have the right to rent in the UK). This will help us make sure that the property is affordable and identify any support needs. We will also request references.

5.15. **Paying rent**

Applicants will be required to pay rent and any service charges due in advance in line with their tenancy agreement. This payment will be required irrespective of the applicants' entitlement to Housing Benefit or the Housing Element of Universal Credit. If the initial payment requested is not made before the tenancy is due to be signed, then we will be unable to complete the process and the tenancy will not be granted. In exceptional circumstances where a tenancy has been granted at short notice due to an urgent housing need, we may grant a tenancy without payment before tenancy sign up providing a repayment plan has been put in place.

5.16. **Tenancy**

We offer different types of tenancy, and the details about these can be found in our Tenancy Policy. We will explain the details of the tenancy as part of our process. If the Local Authority is not responsible for checking your right to rent, we will carry out the relevant checks.

5.17. **CORE**

CORE is the Continuous Recording of Lettings in Social Housing. Information about the tenancy, the tenants and the property is submitted by social housing providers to the Ministry of Housing, Communities and Local Government using CORE log forms each time there is a new letting of a social housing property.

We will provide customers with a CORE privacy notice prior to requesting personal information for the purpose of CORE. We are committed to supplying lettings information to CORE to support other organisations to make decisions on funding, regulation and other policy decisions relating to social housing activity and contribute to the wider housing policy debate on a national level.

5.18. **Sign up Appointment**

We will explain the rights, responsibilities, and obligations on the part of the landlord and tenant before we ask customers to sign the tenancy agreement. We will ensure they have received all relevant safety documents including gas safety certificate (where applicable), electrical safety certificate and EPC (Energy Performance Certificate). We will ask for rent in advance before we will give customers the keys to their home. We will offer access to the customer on-line Account and provide guidance on how to find further information via our website and communication channels.

5.19. **Complaints and Appeals**

Applicants, who have applied via Choice Based Letting who feel they have been treated unfairly or are dissatisfied with a decision about an offer of tenancy and/or support for a move, should refer to the appeals procedure of the relevant Choice Based Lettings Scheme. However, decisions taken solely by the Trust through this policy may be appealed through the Trust's complaints policy.

6. EQUALITY DIVERSITY & INCLUSION

6.1. It is the Trusts intention to provide a fair approach to the letting of homes, ensuring that no customer experiences discrimination relating to the protected characteristics defined in the Equalities Act 2010.

6.2. The Trust strives to meet the needs of all customers and is committed to reducing inequality, eliminating discrimination and promoting good relations between people of different groups. We will be sensitive to the specific needs of all new applicants and customers and will actively seek to identify those needs and ensure that those needs are met.

6.3. An Equality Impact Assessment has been completed.

7. RESPONSIBILITIES

- 7.1. The Executive Management Team is responsible for approving this policy.
- 7.2. The Head of Neighbourhoods is responsible for ensuring this policy complies with legislative requirements.
- 7.3. The Neighbourhood Manager is responsible for ensuring day to day compliance of this policy and procedure.
- 7.4. Managers and colleagues who deal with the allocation of properties are responsible for implementing this policy.

8. MONITORING AND REPORTING

- 8.1. Performance data for lettings and voids will be produced each month and is presented to the Performance Management Group.
- 8.2. The Board will receive a report annually which will include information regarding allocations.

9. CONSULTATION

- 9.1. This policy and the equality impact assessment has been through a thorough consultation process, which has included our Challenge Group; Managers and Senior Managers and the Executive Management Team.

10. REVIEW

- 10.1. This Policy will be reviewed every three years, or sooner if there is any significant change to legislation.

11. ASSOCIATED DOCUMENTS

- 11.1.
 - Cheshire Home Choice - Common Allocation policy
 - Cheshire West - Common Allocations policy
 - High Peak – Common Allocations policy
 - Rent setting and Service Charges policy
 - Local Lettings Policy
 - Tenancy Policy
 - Transfer Policy
 - Mutual Exchange, Assignment and Succession Policy
 - Allocations Procedure
 - Decant Procedure
 - Complaints Policy
 - Reasonable Adjustments Policy
 - Vulnerable Customers Policy

- Rent to Buy Policy
- Shared Ownership Sales Policy
- Equality and Diversity Policy

POLICY INFORMATION

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