

Lettings Policy

Version Control						
Version	Date drafted	Date approved	Approved by	Date reviewed	Next review date	Owner
Final	27/08/2020	17/09/2020	Board	N/A	17/09/2023	Operations Director
2023 Review			Board	27/03/2023	27/03/2026	Operations Director
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1. Introduction

- 1.1 Westmoreland Supported Housing Limited (WSHL) provides Specialised Supported Housing. We work with Care Providers to deliver support for vulnerable adults with complex learning and physical disabilities and those with mental health needs enabling them to live independently often as an alternative to a care home.
- 1.2 This policy sets out our approach to letting our properties and how we decide who is eligible for them.

2. Legal and Regulatory Responsibilities

- 2.1 This Policy is designed to comply with our legal and regulatory responsibilities.
- 2.2 The Regulator for Social Housing Tenancy Standard requires that Registered Providers let their homes in a fair, transparent and efficient way. They shall take into account the housing needs and aspirations of customers and potential customers. They shall demonstrate how their lettings:
- make the best use of available housing;
 - are compatible with the purpose of the housing; and
 - contribute to local authorities' strategic housing function and sustainable communities
 - and there should be clear application, decision-making and appeals processes.
- 2.3 Legal requirements that apply to our lettings are outlined in:
- The Housing Act 1996
 - The Equality Act 2010
 - Allocation of Housing and Homelessness Regulations 2006, further amended in 2012
 - The Localism Act 2011
 - The Immigration Act 2014
 - The Immigration Act 2016
 - Data Protection Act 2018
- 2.4 Relevant legislation is all that legislation either by way of Common Law, Act of Parliament or Statutory Instrument which relates to this policy and is in force at the relevant date.

3. Scope

- 3.1. This policy applies to all our properties that we own or lease to meet the needs within a local authority area.

4. Principles

- 4.1. WSHL work with Care Providers to provide accommodation and support to adults or children aged 17-18 with an Appointee, with complex learning and physical disabilities and those with mental health needs to support them to live independently.
- 4.2. To assist the Local Housing Authorities and NHS ICB that we work with, including adult social services, to fulfil their duties towards supporting vulnerable people to live independently.
- 4.3. We will ensure all our decisions are fair and transparent and that when referrals are made customers or their advocates are aware of their options, have a choice and make their own decisions.
- 4.4. We will be accountable to our stakeholders, including the Local Authorities and statutory bodies and ensure that our support services are provided to people meeting the eligibility criteria for the service and who are in the greatest need.
- 4.5. We will make optimum use of the properties and minimise void losses.
- 4.6. WSHL's standard tenancy is an assured shorthold tenancy in line with the Housing Act 1996. In a small number of designated schemes, licence agreements will be used to meet the purpose of the scheme – or example homelessness or prison leavers. This will be agreed between the commissioner and, WSHL and the Care Provider.
- 4.7. If the care provider identifies that the service no longer meets the needs of a customer and another WSHL room or flat would better meet their needs, they may transfer and will generally be offered the first available vacancy.
- 4.8. Should a customer be moved into alternative accommodation during any redevelopment or other works, they will be issued with a tenancy with no less security of tenure on their return to settled accommodation.
- 4.9. WSHL is required to participate in the CORE scheme to provide statistical data to Central Government. WSHL has not participated previously and has applied for registration.

5. Applications For Our Homes

5.1. Our Care Providers work with Local Authorities and the NHS ICB to nominate new customers for our vacancies. This is in line with our Service Level Contracts that we hold with Care Providers. WSHL will review the referral with the Care Provider together to ensure that the applicant:

- Has a right to housing in the UK;
- Has a significant care need and will benefit from the housing and care provided on a long-term basis;
- Has a care package agreed with a Care Provider;
- Does not present a significant risk to other occupants and staff;
- The property is suitable to meet their needs;
- Can afford the rent and service charge either through Housing Benefit or as a self-funder.

5.2. Where a local authority and/or Care Provider do not have a referral, we may work with other referral partners to identify a suitable tenant for the vacancy or may use initiatives such as local open days.

5.3. Referrals will be refused if the person poses a significant risk to the safety and welfare of other occupants or staff. The risk may be of direct harm (e.g. the risk of violence or arson) or indirect (e.g. the risk of pulling others into criminal or seriously anti-social behaviour). Individuals who do not need the level of support offered by the placement will be refused.

5.4 All applicants will undergo a thorough needs assessment to determine the suitability of the accommodation and compatibility with other tenants. This assessment will be carried out by WSHL, in conjunction with a Care Provider, family or others as necessary. The tenancy will be granted on the understanding that the applicant has in place an appropriate support package to enable them to maintain their tenancy. The support package must be agreed with the applicant and written into a plan, which clearly defines the objectives of the support.

5.5 If the nominating Authority provides more than one applicant for a property for consideration, WSHL will work with the Care Provider to determine which has the greatest need. This will be assessed based on the professional opinion of all involved, which applicant would be at greatest risk of harm, hardship or risk by not being housed at the property. This will be documented on WSHL's application paperwork.

5.6. The following applicants will not normally be eligible for housing with WSHL.

- Anyone who does not have sufficient income, through benefits or otherwise, to pay the rent, services charges and other basic living expenses associated with living in the property;
- Anyone who does not have a legal right to rent a home due to their immigration status;
- Previous tenants of WSHL or another social landlord who have an existing outstanding debt and cannot demonstrate a successful payment arrangement;
- Anyone who has had a notice served for tenancy breaches including anti-social behaviour within the last 5 years or who may pose a risk to other customers of WSHL or the local community;

- Applicants who are found to have submitted a fraudulent housing application.

5.7. If an applicant is refused accommodation, we will put the reasons for our decision in writing and outline how they may appeal.

5.8. Where employees or their relatives are referred to one of our homes and they are eligible, authorisation will be required by the CEO or other Board member and an interest declared in line with our Probity Policy.

6. Making The Best Use Of Homes

6.1. In order to make the best use of our homes we:

- We will participate in local lettings plans with our partners for some of our homes. These may give preference to particular groups depending on the needs of that locality and are time-limited;
- Have bespoke lettings criteria for each of our sites in line with the need it has been commissioned for;
- Will aim to make use of bungalows and/or adapted homes by giving preference to customers/households whose health/mobility will benefit from these;
- We will work with local authorities to help move on customers who no longer need our support and are ready for more independent living;
- Any adaption of the property to suit individual needs will be identified during the needs assessment prior to the customer moving in. WSHL is under no obligation to carry out initial and future adaptations to properties unless agreements are in place regarding costs and suitability.

6.2. We allow one bedroom for each (single) person or couple living as a household.

7. Mutual Exchange

7.1. Our tenancies are Assured Shorthold tenancies with a fixed period of less than 2 years, therefore tenants cannot swap their tenancy by way of mutual exchange.

8. Right To Appeal

8.1. An applicant or their advocate may appeal against a decision to refuse their application by writing to WSHL within 14 days of the date of the rejection letter. The appeal will be heard by those not involved in the original decision that represent WSHL and the care provider. The applicant has the right to be accompanied by an advocate when the appeal is being considered.

9. Monitoring And Review

- 9.1 All lettings will be monitored to ensure efficient and effective services that do not discriminate against any protected groups.
- 9.2 We will provide an annual report on our lettings to our Board and customers. It is our aspiration in the future for this to include reasons for refusal, although we are not able to currently provide this.
- 9.3 This policy will be reviewed every three years.