



First Priority Housing Association Allocations & Lettings Policy

Scope	The policy applies to all of First Priority Housing Association's properties
Policy relates to	Tenancy Policy Equality & Diversity Policy
Version	3.0
Release Date	1 April 2024
Responsible Officer	Chief Executive Officer
Review Frequency	No more than 3 years
Review Date	1 April 2027

1. Purpose

1.1. The Allocations and Lettings Policy describes how First Priority Housing Association (FPHA) decides how it allocates its properties and lets them to new tenants. The policy describes how FPHA does this in a clear, consistent and transparent manner.

2. Introduction and Aims

2.1. First Priority Housing Association (FPHA) provides supported housing and intensive housing management services to tenants with complex needs. Tenants are referred to FPHA by care operators and local authorities with a package of housing and support needs.

2.2. FPHA does not operate an open waiting list. People making direct approaches for housing to FPHA will be signposted to their relevant local authority who may be able to make a referral on their behalf.

2.3. The policy is consistent with the Tenancy Standard published by the Regulator of Social Housing. The Housing Act 1996 (as amended) governs the allocation of local authority housing in England and the nomination by local authorities to housing associations where local authorities have nomination rights over the housing associations stock. FPHA do not hold any nominations arrangements with local authorities and the criteria of the Act do not apply to FPHA lettings.

2.4. FPHA works closely with local authority partners to provide specialist supported housing accommodation to a specific group of clients who might also be registered on the local authority housing register.

2.5. The policy aims to:

2.5.1. Make best use of FPHA's housing;

2.5.2. Help referred tenants access homes that meet their needs;

2.5.3. Ensure that eligibility criteria are fair and transparent and applied consistently;

2.5.4. Ensure allocations are fair, transparent and consistent;

2.5.5. Support local authorities and care operators to meet specialist housing needs.

3. Legislation and regulation

3.1. This Policy is written in accordance with the Regulator for Social Housing's Consumer Standards.

4. Allocations

4.1. FPHA receives tenant referrals from external organisations, typically care operators and local authority commissioners.

4.2. Prospective tenants referred to FPHA must be in need of care and support. Prospective tenants must have a care plan prepared in consultation with a care operator with whom the tenant is actively engaging.

4.3. FPHA will make local authorities and others aware of vacancies in its stock in order that a suitable candidate tenant may be referred. The engagement with the tenant's designated Social Worker helps to ensure that the property meets the needs of the tenant.

4.4. FPHA may source a new property to meet the specific needs of a prospective tenant and household where a referral is to be made by a care operator or a local authority commissioner and no suitable property is currently available.

4.5. A prospective tenant referred to FPHA will need to complete an application form which specifies their housing needs and gives their household and personal details. Tenants may have advocates and support workers who will help them with the application process.

4.6. A property will be allocated to a tenant referred either from a care operator or a local authority commissioner where the following conditions are met:

4.6.1. The referral is supported by signed confirmation from the care operator or local authority commissioner that the tenant is in housing need;

4.6.2. Evidence that the prospective tenant is eligible to hold a tenancy (see Section 4 below);

4.6.3. A suitable care plan and or support plan is in place which has been agreed between the care operator and the tenant and signed by both parties (or where a prospective tenant lacks the capacity, as identified by a capacity assessment, it may be signed on their behalf by appropriate adult, e.g. appointee with power of attorney, guardian, etc.);

4.6.4. Evidence that the prospective tenant is eligible for housing benefit or has sufficient income to meet rent payments;

4.6.5. The property meets the prospective tenant's needs in terms of accessibility or would do so if reasonable adjustments were made to the property;

4.6.6. The property meets the prospective tenant's needs in terms of property size and would not lead to over-crowding or under-occupation as defined by the relevant local authority housing register;

4.6.7. The prospective tenant must not present any compatibility issues with other tenants;

4.6.8. Any potential risks must be highlighted to FPHA. A risk assessment can then be undertaken, so that suitable steps can be taken by FPHA to minimise these where possible

4.6.9. There are no reasonable grounds for refusal (see section 5 below).

4.7. Referrals of prospective tenants who are related to members of staff or members of the Board are subject to additional scrutiny. A referral shall be sent in writing to the Chief Executive Officer and Chair of the Board who will meet and discuss the decision to ensure that the allocation is fair and appropriate having due regard to the Tenancy Standard. If either the Chief Executive Officer or the Chair are relatives of the tenant, they will be replaced by another member of the Board. The Chief Executive Officer will confirm the decision in writing.

4.8. Staff and members of the Board are under a positive duty to highlight potential conflicts of interest regarding a potential allocations family and close friends, and must declare it as soon as they become aware.

5. Eligibility to hold a tenancy

5.1. To be eligible to hold a FPHA tenancy an applicant must:

5.1.1. be over 18 years of age, or over 16 and with an adult guarantor who will hold the tenancy in trust and guarantee the rent until the applicant turns 18;

5.1.2. be habitually resident in the UK and have the right to rent in the UK.

5.1.3. not be exempt from holding a tenancy by their immigration status. In general, this means that they should either hold an EU passport or have leave to remain in the UK.

5.1.4. not already hold a tenancy elsewhere, unless they are giving up that tenancy as part of being rehoused. This also applies to their spouse or partner.

5.1.5. not own or have a legal interest in a residential property in the UK, unless it is a home which is not suitable.

6. Grounds for refusing a referral

6.1. If any of the following apply to an applicant or a member of their household, or FPHA consider that the allocation of housing would be to the detriment of the neighbours or local community, FPHA may refuse to allocate a property:

6.1.1. a conviction or a caution in the past 3 years for an offence which makes them unsuitable to be a tenant. For example, assault, selling drugs, carrying offensive weapons, keeping dangerous dogs, causing damage to property, burglary, soliciting, keeping stolen goods etc. All unspent convictions must be declared on the application form (as defined by the Rehabilitation of Offenders Act 1974).

6.1.2. have been evicted or had a possession order (suspended or outright) or an injunction made against them in the past 5 years, for serious anti-social behaviour including harassment, intimidation or domestic violence and/or criminal or immoral behaviour while a tenant with their previous landlord.

6.1.3. the applicants, a member of their household or guests or visitors to their home have perpetrated antisocial behaviour, harassment, domestic violence, or other unacceptable behaviour including a history of causing serious nuisance or annoyance to neighbours and had tenancy enforcement action taken against them in the past 3 years.

6.1.4. a landlord, including FPHA, has commenced legal action for breach of tenancy within the past 3 years.

6.1.5. there is evidence of violence or threats of violence, harassment or intimidation towards a staff member or contractor of any other landlord in the past 5 years.

6.2. FPHA may make exceptions to the above criteria if it receives a recommendation from a current landlord or relevant support agency (e.g. probation officer) which demonstrates the applicants/nominees current suitability to hold a tenancy, and it is satisfied that there is a care and/or support plan in place that provides sufficient support to the applicant to maintain the terms and conditions of the tenancy. In these cases, a starter tenancy or probationary period will be used.

6.3. Nominations may be rejected if the local authority does not provide sufficient information required to fully assess an applicant for a particular property or failed to supply the nominations in time in line with the nomination agreement.

6.4. FPHA will not impose a blanket rejection of applications for referrals where one or more of the parts of section 5.1 apply. Where the local authority or statutory support agency makes a recommendation demonstrating the applicant's suitability to hold a tenancy FPHA will need to satisfy itself that a sufficient package of care and or support is in place.

6.5. Decisions by FPHA to decline a referral will be made available in writing within 7 days.

7. Appeals

7.1. Where FPHA declines to accept a referral, the tenant (or their support worker or advocate) may submit a written appeal to the Board of FPHA stating the reasons for the appeal. Appeals must be made within 14 days of the receipt of the written rejection of the application.

7.2. All appeals will be referred to the Chief Executive Officer who will review the details to ensure that the policy has been applied consistently and fairly. The Chief Executive Officer will write to the tenant within 7 days of receiving an appeal.

7.3. FPHA will make reasonable adjustments to ensure that people are able to appeal any decision to refuse a tenancy should they wish. This includes accepting appeals made by advocates on behalf of the applicant.

7.4. Guidance will be provided in accessible forms to support those people with additional needs in making an appeal. Referrals must be supported by a Care Provider or local authority, so additional support in appealing decisions and seeking alternative housing advice could be sought.

In the event that a decision is upheld and the tenant has not been accepted, we will continue to engage with the Care Provider and local authority to support the tenant where we can.

8. Shared accommodation

Within our portfolio, we provide a mixture of shared accommodation, with bedspaces available for individual tenants and single occupancy dwellings. This is common for Specialist Supported Housing providers who support some of the most vulnerable tenants who are in receipt of high levels of care and support.

As such, First Priority Housing Association does not share the same role and responsibility for under occupation as allocations are made on a case-by-case basis, taking into account the needs of all tenants involved within any one particular scheme.

All decisions are carefully assessed and informed by discussions with key counterparties such as the support provider, Social Workers and Housing Benefit departments. On occasions there will be

grounds for under-occupation as it will be protecting the best interests and wellbeing of all tenants involved.

9. Equality, Diversity, and Inclusion

- 9.1. The primary purpose of Specialised Supported Housing is to assist people who might not otherwise be able to obtain and/ or successfully manage accommodation by providing housing and related care and support services suitable to their needs.
- 9.2. Our Specialised Supported Housing services operate and are tailored to meet the complex needs of people with support needs and/ or disabilities (both mental and physical). FPHA primarily specialise in providing accommodation to people with learning disabilities and complex mental health conditions.
- 9.3. FPHA assess each individual tenant's needs working in partnership with the designated Care Provider and other advocates in the tenant's wider support network to deliver an effective Intensive Housing Management service to them. We will work with new applicants to develop and deliver the Intensive Housing Management service in a way to meet their individual needs and wants.
- 9.4. Where practical, FPHA will endeavour to make property adaptations to meet the physical and wellbeing needs of new applicants. This is often done with the engagement of the respective local authority or Care Provider who are best placed to undertake this assessment with us during the referrals process.
- 9.5. All requirements for allocations and lettings are managed in accordance with this policy, which has been designed to provide assistance and support to vulnerable people. Any allegation that an application for housing has been treated unfairly on the basis that the applicant is a member of a protected group (defined by the Equalities Act 2010) will be investigated, with the Board addressing any matters upheld from that investigation.

10. Monitoring and Reporting

- 10.1. The Board shall receive a report at least four times per year, stating the properties let and unlet at the end of each reporting period, where the properties are located, the change during each reporting period, any exceptional matters arising in respect to this policy, and progress regarding allocations that are awaiting a resolution. These measures are all reported regularly within our wider Performance Reporting Framework.
- 10.2. FPHA will also carry out regular meetings with Care Providers and other relevant agencies to ensure that the aims of this Policy are being met.
- 10.3. Any rejections applied under this Policy will also be reported on through this process.

11. Equality and diversity

Protected characteristic		Explanation (if required)	Controls
Is it likely that the policy could have a positive or negative impact on minority ethnic groups? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact due to gender (including pregnancy and maternity)? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact due to disability? What evidence (either presumed or otherwise) do you have for this?	Y	<p>A high proportion of our tenants have a learning disability and or complex mental health issue that effects them everyday.</p> <p>In ordinary circumstances, this could act as a significant barrier to them being able to successfully ascertain a tenancy.</p>	<p>All allocations and lettings are completed in partnership with Care and Support Providers and Local Authority Commissioners and Social Workers.</p> <p>There is a rigorous referrals process that requires the support of all parties for someone to become a FPHA tenant. This includes an assessment of compatibility both with the property and any other tenants already tenancing the property (where applicable).</p> <p>The accommodation we provide is specifically designed and designated for our client group to provide them with the best opportunity to find a long term place to call home and sustain their tenancy.</p>
Is it likely that the policy could have a positive or negative impact on people due to sexual orientation? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact on people due to their age? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact on people due to their religious belief (or none)?	N		

What evidence (either presumed or otherwise) do you have for this?			
Is it likely that the policy could have a positive or negative impact on people with dependants/caring responsibilities? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact on people due to them being transgender or transsexual? What evidence (either presumed or otherwise) do you have for this?	N		
Is it likely that the policy could have a positive or negative impact on people due to their marital or civil partnership status? What evidence (either presumed or otherwise) do you have for this?	N		