



Red Kite Allocations Policy

Policy Owner:	Head of Commercial	Version:	3
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Approved by	Board	Policy reviewer:	Operations Partner
Review Period	Two years	Date of next review due	12th January 2020



1 Purpose

- 1.1 This policy sets out our approach to allocating our homes, both to new applicants and to current tenants wishing to transfer within our housing portfolio. Most of our Red Kite homes are let through Bucks Home Choice, the sub regional choice-based lettings scheme.

2 Definitions

- 2.1 *Bucks Home Choice*: the local choice-based lettings scheme through which the properties owned by registered providers within the Wycombe, Aylesbury Vale, Chiltern and South Bucks District Council areas are allocated. Housing applicants and existing tenants with a housing need and wishing to move to alternative accommodation register their details on this scheme. Applications are prioritised using a banding system and applicants express an interest in properties when they become available. Wycombe District Council Housing Options Team verifies and shortlists applicants for properties and identifies successful prospective new tenants using the banding criteria outlined in the Bucks Home Choice Allocations Policy.

3 Responsibilities

- 3.1 The Head of Commercial is responsible for reviewing this policy.
- 3.2 The Homes Agency Manager is responsible for ensuring this policy is implemented and monitoring its effectiveness.

4 Legal Framework

- 4.1 The main pieces of legislation are as follows:
- a. Housing Act 1985 <http://www.legislation.gov.uk/ukpga/1985/68/contents>
 - b. Housing Act 1996 (as amended by the Homelessness Act 2002) & Housing Act 1988
<http://www.legislation.gov.uk/ukpga/2002/7/contents>
 - c. Localism Act 2011
<http://www.legislation.gov.uk/ukpga/2011/20/part/7/chapter/1/enacted>
 - d. Data Protection Act 1998
<http://www.legislation.gov.uk/ukpga/1998/29/section/4>
 - e. The Equalities Act 2010 and associated guidance



5 Policy Statement

- 5.1 When letting Red Kite homes we will work in partnership with Wycombe District Council to house those in greatest need of housing.
- 5.2 When we let Red Kite homes in accordance with the nominations agreement we have with Wycombe District Council, we will mainly let them through Bucks Home Choice. This allocation scheme ensures “reasonable preference” is given to certain categories of applicant as set out in sub-section 166A(3) of the Housing Act 1996.
- 5.3 Where we have exhausted the Bucks Home Choice process as agreed in the nominations agreement and have been unable to let our Red Kite home, we will explore other options which may include using our direct allocation, or opening up the Red Kite home to another organisation that we partner with etc.
- 5.4 We will ensure that our approach to lettings is transparent, fair, non-discriminatory and effectively controlled and monitored. We will take into account the needs of individuals as well as equality and diversity issues.

Policy Details

We will let our homes in the following ways:

- 5.5 In accordance with the nominations agreement that we have with Wycombe District Council, we may directly allocate up to 25% of our empty Red Kite homes to people we select. This may be, but not exclusively:
 - a. in line with our Priority Moves Policy or Adaptations Policy
 - b. to facilitate a decant
 - c. through other nomination arrangements or partnerships
 - d. for a succession case
 - e. for a 'hard to let' property
 - f. for a 'short life' property or when there is development potential
 - g. where there are exceptional circumstances which will be considered on a case by case basis.

A Head of Service will give a final decision on all situations which sit outside the usual process.



- 5.6 We may choose to use alternative methods to advertise our empty homes outside of Bucks Home Choice, although Bucks Home Choice is currently our primary method of advertising.
- 5.7 We will implement 'local lettings policies' when appropriate, either for particular properties or in particular areas, in order to seek to deal with specific issues and achieve balanced and sustainable communities. Examples could be if there is a high amount of anti-social behaviour or large numbers of vulnerable people in a particular block, or if properties have development potential and therefore shorter term lettings are more appropriate. All local lettings policies will be advertised on our website and the Bucks Home Choice website.
- 5.8 Whilst we are committed to providing high quality affordable rented housing to as many people as possible, in certain circumstances we may exclude nominees from being housed by us. Applicants or tenants who have been excluded in this way have the right to appeal the decision. We reserve the right to exclude nominees in the following circumstances:
- a. They have previously used a property for illegal/fraudulent purposes
 - b. They owe rent or other charges or debts to us or another landlord
 - c. They have been evicted for rent arrears on a previous tenancy, either with a registered provider or private landlord, within the last five years
 - d. They caused or are causing a nuisance and/or annoyance to neighbours or visitors
 - e. They have demonstrated racist behaviour/hate crime
 - f. They committed criminal offences in or near the home and are posing a threat to neighbours or the community
 - g. They have been violent or abusive toward a partner or member of the household or their visitors or neighbours
 - h. They have demonstrated unacceptable behaviour such as being verbally or physically abusive towards a member of staff, contractor or anyone acting on the landlord's behalf
 - i. They have allowed the condition of their home and any associated areas e.g. garage, shed, garden, patio to deteriorate through neglect or damage
 - j. They have, or have attempted, to obtain a tenancy by deception, for example, by giving false or misleading information
 - k. They have paid money to illegally obtain a tenancy
 - l. They do not qualify for social housing e.g. applicants from abroad who have no recourse to public funds
 - m. They own or have a legal interest in another property



- n. They have lost accommodation provided in connection with employment due to their conduct
- o. They are unlikely to sustain a tenancy with us, as determined via our financial well-being assessment
- p. They would pose a safeguarding risk to other tenants, visitors, staff, contractors or the local community
- q. They would pose a health and safety risk to other tenants, visitors, staff, contractors or the local community e.g. a history of fires in a previous property or living in insanitary conditions.

Exclusions will be considered on a case by case basis according to the seriousness of the action. For example, we will take into account the timescales, the impact and any other circumstances when reaching our decision.

5.9 We will apply the bedroom size criteria in line with housing benefit regulations and the Bucks Home Choice Allocations Policy. This allows one bedroom for:

- a. Every adult couple
- b. Any other adult aged 16 or over
- c. Any two children of the same sex aged under 16
- d. Any two children regardless of sex aged under 10
- e. Any other child aged under 16
- f. A non-resident carer (where the applicant and/or their partner have a disability and need overnight care)

There may be exceptional circumstances when this size criteria is not met which will be considered on a case by case basis.

5.10 A bedsit or studio flat may be offered to a couple or single adult, however a pregnant woman will not be allocated a home without a separate bedroom.

5.11 All applicants must be aged 16 years or over and any that are 16 or 17 years of age may be required to have a guarantor if allocated a property.

5.12 Applicants for sheltered and Aged Persons Dwelling (APD) accommodation must be 60 years of age or above. Where there are joint applicants and one is below 60 years of age, we will only offer a sole tenancy to the older applicant. Where the applicants are existing Red Kite tenants or a successor, the same rule shall apply. This means that there may be times when a successor is required to move to alternative accommodation.



- 5.13 When an applicant is under 60, we will consider an offer of sheltered or APD accommodation (including where such property has been adapted) where an independent medical advisor has recommended that due to the nature of the customer's medical needs, this is the most appropriate option. In these cases, the property will continue to be exempt from the Right to Buy.
- 5.14 Where there has been a housing management issue at a specific home, block, estate or street, we may treat the letting of the home as a 'sensitive let' in order to minimise the risk of the issue re-occurring. A sensitive let may seek to protect vulnerable applicants where an appropriate letting is necessary to help them sustain a tenancy. A sensitive let may also help us to protect/reassure neighbours and the community where there have been serious issues due to the previous let.
- 5.15 When carrying out a sensitive let we will house the most appropriate, priority applicant. Details of the decision making for any sensitive let will be comprehensively recorded via our housing management systems and minutes of meetings where applicable. We will also liaise with Wycombe District Council to ensure transparency.
- 5.16 We require applicants to undergo a financial assessment alongside a 'needs and risk' assessment. Where an applicant is unlikely to be able to maintain the tenancy we may withdraw the offer of accommodation, unless we are satisfied that a suitable support plan is in place to mitigate the risk.
- 5.17 We reserve the right to withdraw an advert or offer of accommodation. The circumstances in which this may occur include but are not limited to:-
- a. Where an error has been made in the advertising criteria
 - b. When it has been established that the home needs extensive works which may include adaptations required for a particular applicant
 - c. Where it is identified that the home is unsuitable for the tenant and/or a member of their household
 - d. When the home has been advertised, but the existing tenant has withdrawn their notice
 - e. When the home has been advertised but withdrawn for a direct let for an urgent case
- 5.18 Although owner occupiers are not normally accepted, they may be considered for sheltered housing if they are assessed as suitable and certain conditions are



met. These will be tailored to the individual's circumstances but could include a requirement for their home to be sold within a specified period.

- 5.19 If an offer is withdrawn the applicant will have a right of appeal. Any appeal must be made to the Homes Agency Manager or another manager of a similar level or higher who has not been involved in the original decision within 1 day of the decision and will be heard within 3 working days.
- 5.20 All information relating to allocations will be managed in accordance with the provisions of the Data Protection Act.
- 5.21 This policy does not apply to lettings to homeless nominations under the temporary accommodation scheme.

6 References

- 6.1 The Homes and Communities Agency's *Regulatory Standards* sets out its expectations of registered providers. The standards relate to providers being viable, properly governed and properly managed.
- 6.2 This policy also makes reference to *Bucks Home Choice Allocations Policy*.

7 Related Strategies Policies & Procedures

This policy should be read in conjunction with the following Red Kite documents:

- Priority Moves Policy
- Adaptations Policy
- Tenancy Changes Policy
- Tenancy Policy
- Inclusion & Well-being Strategy
- Anti-Social Behaviour Policy
- Feedback Policy
- Allocations Procedures
- Decant Policy