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**Access to Housing Policy**

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| **Policy Name** | Access to Housing Policy |
| **Effective from**  *Month & year the policy runs from* | May 2025 |
| **Effective to**  *Month & year the policy runs to* | May 2027 |
| **Approved by**  *The group that gave final approval, e.g. Group Board / Risk & Compliance Group* | Customer Services Committee |
| **Date Approved**  *Date the above group gave approval* | 8 May 2025 |
| **Policy Owner/Department**  *The Director, department or team of YHG whose remit / responsibility covers the subject matter of the policy* | Alison Turner, Head of Housing |
| **Policy Author**  *The individual responsible for the development and writing of a policy* | Heidi Hewitt, Service Manager, Housing Operations |
| **Version Number** | V3 |

**Version Control**

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| **Version** | **Date** | **Changes**  *Provide details that make clear all changes made to this version* | **Reason for the changes**  *e.g. as a result of customer consultation, legislation etc.* | **Approver**  *The group that approved the changes* |
| V3 | May 2025 | To reflect legislative changes in October 2024 and earlier this year with the terminology in regard to a person’s immigration status, introduction of the eVisa to replace the Biometric Residence Card (BRC), introduction of the Windrush Scheme and use of the ‘Certificate of Application (CoA). These general principles and updated categories are listed within s6.4 ‘**Persons from Abroad’** - (p7) of the policy. | Updated to reflect current legislation and regulation. | Customer Services Committee |
| V3 | May 2025 | **Addition to definition of priority banding,** with s.189(1)(e) - a person who is homeless as a result of that person being a victim of domestic abuse. (*This was inserted by the Domestic Abuse Act 2021*)  **Amend Localism Bill – to Act.**  The updated Policy includes both of the above points | Advice from legal panel. | Customer Services Committee |
| V3 | May 2025 | s6.5 (p8) of the policy ‘**Legal Liability’**, references the introduction to YHG of new software for ID validation and Right to Rent checks, YHG are issued a ‘Positive Right to Rent Notice’ (PRRN), that is a positive confirmation of a person’s right to rent from the Landlord Checking Service (LCS) and that person is the rightful holder of the documents, providing specific levels of confidence, specified by government standards. | Updated to reflect current legislation and regulation. | Customer Services Committee |
| V3 | May 2025 | s10 (p18) ‘**Types of Tenure Offered’** a new introduction from the previous policy, to include details of the types of tenure we offer and in what circumstances to increase transparency and consistency between relevant policies, such as the Tenancy Management Policy. | To reflect good practice. | Customer Services Committee |
| V3 | May 2025 | s11 (p19) ‘**Appeals and Complaints**, has been updated following internal feedback with specific timescales for an applicant’s right to request a review of the decision with their application prior to exercising their right to submit a formal complaint. The differences with timescales and the internal approach taken for appeals from existing customers in regard to transfers has also been introduced during the policy review so customers are clear around the process and expected timescales. | Colleague feedback | Customer Services Committee |
| V3 | May 2025 | **Appendix 1** (p28/31)– **Customer Transfer Banding Criteria** - updated to provide specific details on our approach to management moves and customer-initiated transfers, how we apply priority banding, and the introduction of an internal Customer Transfer Panel for managing requests. | Feedback from legal panel and to reflect good practice. | Customer Services Committee |

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| **The YHG Plan**  *Please indicate where the policy aligns with the YHG Plan* | |
| Passionate people | Efficient business |
| Safe buildings | Viability |
| Safe environment | Advocating |
| Secure and connected | Working in Partnership |
| Growth |  |

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| --- | --- |
| **Relevant National Standards or Regulation** | * Governance and Financial Viability Standard * Tenancy Standard * Neighbourhood and Community Standard * Updated ID Validation and Right to Rent Checks * Clarity of types of tenure offered and in what circumstances * Clarity on timescales to request a review of the decision with their application prior to exercising their right to submit a formal complaint * Updated to provide specific details on our approach to management moves and customer-initiated transfers |

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| **Relevant Legislation** | This policy has referred to the following documents, whilst this list is not exhaustive.   * Data Protection Act 2018 * Housing Act 1985 * Housing Act 1988 * Housing Act 1996 * Housing Act 2004 * Human Rights Act 1998 * Housing and Regeneration Act 2008 * Localism Act 2011 * Equality Act 2010 * Welfare Reform Act 2012 * The Housing (Preservation of Right to Buy) Regulations 1993 * The Housing and Planning Act 2016 |

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| **Partner Responsibilities** | We co-operate with Local Authorities (LA’s) strategic housing functions and assist them to meet local housing need, homelessness duties and obligations through nomination agreements. |

1. **Purpose of the Policy**

This policy sets out how we allocate our homes, and the criteria used, the policy applies to all social and affordable rented accommodation owned by Your Housing Group (YHG).

We are required by the Regulator of Social Housing to let our homes in a fair, transparent, and efficient way that considers the housing needs and aspirations of customers and potential customers. Our lettings should:

* Make the best use of our available homes
* Be compatible with the purpose of the housing
* Contribute to local authorities’ strategic housing function and sustainable communities

The policy is aligned to YHG’s vision of ‘***through our passion for housing, more people will have a safe place to call home*’**.

1. **Scope of the Policy**

Access to housing is more than processing an application, it is about making sure the offer of a home meets the individual needs of the customer, and that our housing offer also reflects existing and future customers’ requirements.

We will continue to look for opportunities to improve our allocation and lettings service. This includes our digital offer and continually looking at ways we can make it easy for our customers to do business with us.

The policy refers to and is subject to the policies and procedures of individual Choice Based Lettings Schemes and local lettings agreements. Where YHG has signed up to those partnership agreements, the principles outlined within this policy supersede any local arrangements.

We will consider this policy when preparing our housing offer to those customers required to move as part of a redevelopment or regeneration programme, however the application of this policy does not apply in its entirety and is covered in other subsequent polices respectively for those circumstances.

This policy does not apply to our specialist-type accommodation, such as foyers, extra care housing for older people or supported housing schemes, where different arrangements exist for allocating accommodation in line with statutory regulations.

In some locations and for some types of home or schemes, there are separate allocations principles which need to be followed where we have contractual obligations. This is mainly in relation to contractual arrangements within Private Finance Initiative frameworks (PFI’s) and Section 106 agreements, and the principle of those agreements will be followed when allocating our homes.

1. **Definitions**

A summary table of definitions are detailed in page 24 of this policy.

1. **Consultation**

In achieving the aims and objectives of the Tenancy Standard (and any subsequent consumer standard to replace this), consultation on this Policy has taken place with:

* Key internal stakeholders across Housing Management Operational Teams.
* Members of the Customer Connect Panel.
* YHG Legal Panel, Customer Focus Groups, Risk & Compliance Group.
* Key internal stakeholders including Income collection, Money Advice, Asset, Governance, and Risk & Assurance.
* Customer Services Committee.

1. **Background and Context**

YHG have more than 29,000 homes across the Northwest, Yorkshire, and the Midlands, we have a large and diverse portfolio. Our homes range from general needs accommodation for social and affordable rent, through to retirement living developments and innovative private rental offers.

We are widely regarded for our expertise in regeneration, YHG prides itself on providing homes that help people to live independently and enabling people to get on and off the property ladder at different stages of their lives.

**We provide:**

* + - Affordable homes to rent.
    - Homes for sale, both outright and through shared ownership.
    - Private / Lifestyle rent solutions (PRS).
    - Community regeneration, creating sustainable neighbourhoods.
    - Specialist retirement solutions for older people.
    - Hostels and foyers which support vulnerable people.

The key aims and principles of this policy, which underpin the approach to access housing within YHG, are, to ensure we:

* Meet the requirements set out by the Regulator of Social Housing
* Meet particular requirements of the consumer Tenancy Standard
* Ensure that the property is affordable and therefore sustainable.
* Ensure neighbourhoods are sustainable, safe, and commercially viable.
* Promote and achieve equality of opportunity.

**Our policy will make sure we:**

***Meet our Regulatory Requirements with regard to the Consumer Standards***

* Provide opportunities for collaborative approaches with our local authority partners in supporting strategic housing objectives, and their duties to meet local housing needs. This includes assistance with their homelessness duties and meeting obligations in nominations agreements and Choice Based Lettings Services (CBL).
* Comply with all legal, regulatory, and contractual requirements when allocating our homes.
* Only ask for necessary information for the purpose of allocating the home and verification during the application process as part of an offer.
* In line with the General Data Protection Regulations, we will make sure we treat all information confidentially.

***Ensure that the offer and home is affordable and therefore sustainable***

* Complete affordability assessments with prospective customers before an offer of a home is made, we want to make sure its affordable and that we consider local authority caps on housing allowance where this is applicable.
* Offer vacant adapted homes to customers needing adaptations where possible, to make the right choices when matching available homes to people with specific requirements or needing specialist adaptations.

***Ensure neighbourhoods are sustainable, safe, and commercially viable***

* Support and comply with contractual Management Agreements and Local Lettings Schemes such as s.106 agreements and older persons accommodation.
* Co-operating with the Home Office or other government bodies to provide emergency or other accommodation.
* Promote and assist with opportunities for a home swap (mutual exchange) for customers through a variety of digital channels, and through our own offer to enhance opportunities for rehousing.
* Advertise available homes through local marketing initiatives or through a letting agent, our partners, or online lettings services when all other allocations routes have been exhausted.

***Promote and achieve equality of opportunity***

* Make sure our allocations services are easily accessible for existing and potential new customers and that we consider any reasonable adjustments.
* Have easy to understand customer friendly application, decision-making and appeals processes.
* Offer homes to people who fall within our charitable aims.
* Facilitate lettings through direct referral agreements with specialist agencies in locations where sufficient accommodation is not available for move on accommodation, this includes supported housing.
* Provide support and clear and relevant advice about customers’ housing options to enable informed choices.
* Make sure our decisions are fair and transparent in our approach and response.
* Make decisions within the requirements of the Equality Act 2010. This means that we will not discriminate against customers on the grounds of their age, disability, gender reassignment, marriage or civil partnership status, pregnancy or maternity status, race, religion or belief, sex, or sexual orientation.

1. **Policy Detail**

YHG will adhere to the principles set out in section 1 and 5 of this policy. These principles will be reflected in any subsequent procedures associated with allocations and lettings and in our operational service offer to our customers.

* 1. **Access to Housing**

These are three main routes into a YHG home:

* Potential customers (tenants) will be nominated to us by the local authority (nomination agreement).
* Choice Based Letting schemes (CBL) / Local Authority Housing Register. Applicants register on the CBL system and “bid” for a vacant property that has been advertised.
* Allocating against local lettings plans where agreed and appropriate that could include direct lettings.

In addition, other allocation arrangements are also in place. These are:

* arranging to move an existing customer in exceptional or urgent circumstances. This is known as a ‘Management Move.’
* transferring home – non urgent priority moves known as ‘customer initiated’requests
* home swap, known as ‘Mutual Exchange’(MEX).

There are other letting criteria’s such as local lettings arrangements which exist because of contractual or funding obligations or have been agreed to provide a solution to housing needs or mitigate risk. These include:

* s.106 agreements in place as part of the funding agreement for new developments, which restrict lettings to individuals with links to the locality (local connection criteria).
* Private Finance Initiative (PFI) schemes which stipulate conditions or restrictions on lettings as part of the PFI agreement.
* Local lettings plan which YHG will develop where appropriate in consultation with local authorities. Local lettings plans will only be used after consultation with the local authority and to meet specific local issues within an area.
* Older Persons accommodation which are subject to an allocation panel who assess the care needs of the individual applicant.
* External third-party organisations as well as our own internal supported housing schemes, by offering referrals into our mainstream accommodation by way of formal nomination arrangements or one-off referrals.
  1. **Sensitive lettings and Local Letting Plans**

We may class a vacant home, or more than one home, as requiring a sensitive letting if we need to set a lettings criterion. This may happen where there has been an eviction, ongoing anti-social behaviour or where we have received a request from our statutory partners not to house certain individuals at specific locations. These arrangements are not expected to be long term.

New developments will have an agreed local lettings plan (LLP) set out as agreed principles between the local authorities planning department and the developer as a s.106 agreement. In these instances, YHG have to allocate and let home in accordance with the LPP and principles of thes.106.

* 1. **Eligibility**

General eligibility – applies to all existing customer/s and housing applicant/s.

* 1. **Persons from Abroad**

A person is not permitted to occupy residential accommodation if they require permission to be in the UK and do not have it and do not have an outstanding application with the Home Office. This means they do not have the right to rent.

We consider applications from people from abroad who have the right to rent and fall into one of the following categories:

* Person with leave to enter or remain and have been awarded refugee, humanitarian protection or discretionary leave in the UK and is not subject to the condition that they cannot have recourse to public funds.
* Person who has leave to enter or remain in the UK and is not subject to any limitation or control and who is habitually resident in the UK, Channel Islands, the Isle of Man, or the Republic of Ireland i.e., has indefinite leave to enter or remain.
* Person issued a ‘Certificate of Application’ (CoA) is a digital, or ’non-digital’, document to demonstrate their eligibility to rent, work and access to benefits and services issued when a valid application is made to the EU Settlement Scheme.
* Person in possession of an ‘eVisa’ that is an online record provided by the Home Office of a person’s immigration status and the conditions of their permission to enter or stay in the UK.
* Person granted ‘Immigration permission’ (also known as ‘leave’) that should be read as ‘*Permission to Enter*/ *Leave to Enter or Permission to Stay* / *Leave to Remain*.
* Person granted ‘Permission to rent’ meaning a person who is disqualified from renting by virtue of their immigration status but to whom the Secretary of State has granted permission to occupy premises.
* Person granted ‘Permission to Enter’ also known as ‘Leave to Enter’ meaning the person has permission from the Home Office to enter in the UK.
* ‘Permission to Stay’ known as ‘Leave to Remain’ meaning the person has permission from the Home Office to be in the UK.
* Person granted ‘Pre-settled status (PSS) meaning limited leave to enter or remain issued under the EU Settlement Scheme, initially given for five years and extended unless the person no longer meets the requirements for it.
* Person of ‘Relevant national’ meaning a British citizen or an Irish citizen, or a person with settled status or pre-settled status granted under the EUSS.
* Person holding a ‘Valid application’ meaning they comply with the validation requirement of an application process, including the enrolment of biometrics, if required, and the provision of evidence of nationality and identity.
* Person settled in the UK with no proof but has evidence of a live application to the ‘Windrush Scheme’.
* Person granted 3C leave’ (Section 3C of the Immigration Act 1971) that extends existing immigration permission and any associated conditions to a person who makes an ‘in-time’ application to extend their stay in the UK.

We will consider applications from persons from the European Economic Area (EEA) if they are a:

* Student.
* Job seeker.
* Worker.
* Self-employed person.
* Family member of a worker.
* Economically self-sufficient person; or
* Person with a permanent right of residence in the UK

The European Union (EU) is an economic and political union of 27 countries: [Countries in the EU and EEA - GOV.UK](https://www.gov.uk/eu-eea#:~:text=The%20EEA%20includes%20EU%20countries,UK%20as%20other%20EEA%20nationals.)

**6.5 Legal Liability**

YHG use Trust ID an online identity service provider (IDSP) to prove a person’s right to rent, and verification of the ID documents associated to that person. Applicants are provided a link to self-serve uploading of current documents and their ID directly onto the Trust ID portal, rather than providing us, the landlord.

YHG are issued a ‘Positive Right to Rent Notice’ (PRRN), that is a positive confirmation of a person’s right to rent from the Landlord Checking Service (LCS) and that person is the rightful holder of the documents, providing specific levels of confidence, specified by government standards.

The Negative Right to Rent Notice’ (NRRN) is a negative confirmation that a person does not have the right to rent from the Landlord Checking Service (LCS), as such, we will not enter into a tenancy agreement with that person.

**6.6 Tenancies to Minors**

We accept applications from anyone aged over 16 and under 18 years in age, provided they have the right to rent and are habitually resident in the UK, Channel Islands, the Isle of Man, or the Republic of Ireland, to align with duties placed on local authority Children Services under the Children Act 1998.

This is on the provision that a trustee is in place, YHG will not act as a trustee, this is because minors are not allowed to hold a tenancy in law so they must have a trustee or guarantor. The relevant wrap around support would be expected to be place for as long as required to work towards a successful and sustainable tenancy.

* 1. **Mental Capacity**

We will only accept housing applications from someone who at the time of the application does not have the mental capacity to make relevant decisions, if the application is for our supported or specialist accommodation and the applicant has a Lasting Power of Attorney (Property) in place, or a Court of Protection Deputy has been appointed.

**6.8** **Homeowners**

Except for our extra care or older persons accommodation we do not normally accept applications from homeowners. This applies irrespective of whether their home is in the UK or abroad. The exceptions are:

* The current home has little, or no value and they are unable to access housing in the private sector. For example, they are in negative equity.
* They cannot reside or gain access to their property due to an event which is about to occur. For example, the property is part of bankruptcy or legal proceedings.
* Have a medical condition or disability which requires substantial adaptations to their property which cannot be done in their current home or in the private sector and social housing is the only realistic option; or
* Have a specific care need or requires specialist support.
* There is evidence of arrangements or legal proceeding to sell or dispose of the home.

**6.9 Non existing tenants living in our homes**

We will not offer accommodation to a person occupying one of our homes who has not accessed social housing via one of the routes detailed in this policy. Only in exceptional circumstances will we consider offering a tenancy.

We will only consider this type of allocation if the person is a family member of the tenant or a closely connected person, and:

* They have lived in the property on a permanent basis as their only home for 12 months and:
* They are eligible for social housing and:
* They are in priority need for social housing.

**6.10 Probity Declarations: YHG employees, Board members and their relatives**

YHG will not normally accept direct applications from its employees, Board members and their relatives or any individual with a significant personal relationship with an employee or Board member. Any such application for social housing with YHG must be made through a local authority nomination scheme.

Exceptions to this are where a direct application and match is made for a low demand home via an external letting agent or internet-based lettings service.

These applications will be subject to a greater degree of scrutiny and approval and assessed in accordance with the Probity Escalation and Approval process that requires final and formal approval by YHG’s Senior Leadership Team.

**6.11 Age Restricted Accommodation**

YHG have specific accommodation, some of these homes are bungalows that are designated as general needs homes for older people and ringfenced to applicants aged 55+ who require affordable housing to enable them to live independently.

We may however, in the circumstances where we are unable to allocate to a suitable applicant, consider applicants who do not meet the age criteria but have significant medical needs requiring this type of accommodation and so demonstrating a specific housing need.

This would only be in exceptional circumstances and on a case-by-case basis with approval sought by the Service Manager and Group lead for Allocations and Lettings.

1. **The Application Process**

All new and existing customers will be asked to complete an application form that helps us understand any individual housing need and if appropriate, any support requirements.

Our application forms are accessible on-line or in paper form if required. If the form is not suitable for the needs of the customer, we will provide the information in an appropriate format or language and aim to support any reasonable adjustment requested.

New and existing customer/s (applicant/s) will be asked to complete a financial assessment before an offer of accommodation is made.

This serves four purposes:

* Ensure our charitable aims and criteria are met.
* Ensure our homes are allocated to people who cannot afford accommodation in the private sector.
* Assess any applicant’s ability to pay the rent; and:
* Offer advice and assistance on the payment of rent.

New customer/s (applicant/s) who are in employment will be required to pay the first week’s rental payment in advance.

New customer/s (applicant/s) who are in receipt of welfare benefits as their sole income will be required to make an advanced payment of at least 50% of the weekly rental charge. In exceptional circumstances this payment can be bypassed with manager approval.

* 1. **Household members**

YHG only takes the applicant’s household members into account; a household member includes the main applicant’s civil partner, partner, or spouse; children (including fostered, adopted or stepchildren); and close relatives including parent, sister, and brother.

We consider extended family members provided the applicant can provide evidence that they are permanent members of the household, however, we do not consider a lodger or a person sub-letting (or part sub-letting) as a member of the household.

* 1. **Bedroom Standard - applies to all housing applicants**

The size of accommodation we will offer is determined by the household composition:

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| **Single person or couple** | 1 bed |
| **Single person or couple with 1 child or confirmed pregnancy** | 2 beds |
| **Single person or couple with 2 children** | 2 bed or 3 bed |
| **Single person or couple with 3 children** | 3 bed or 4 bed |
| **Single person or couple with 4 or more children** | 3 bed or 4 bed |
| **Single person or couple with 5 or more children** | 5 bed or 6 bed |

**We do expect that:**

* Each married or cohabitating couple has a separate bedroom to that of any children.
* Young persons 16 years and over has a separate bedroom.

**We can allow a bedroom to be shared by:**

* Persons 10 years of age or over of the same sex.
* Children under the age of 10 years regardless of sex

**We cannot allocate a home where:**

* Children in the household are 10 years of age and over, of different sexes and would have to share a bedroom, we would however accept an application for housing and make an assessment based on individual circumstances and need.

We will consider the allocation of a two-bedroom home where a customer/applicant is pregnant and will include the unborn child in the application, this is provided there are no other children in the household and the home is affordable. In all other cases we will take account of the child when it is born. The calculation of the number of bedrooms required is based on the age and sex of each child.

We will not allocate a home where the household composition exceeds the English Housing Survey Bedroom standard. The exception to this is if we need to accommodate a large household. In these circumstances we may allocate a property provided the limits set out in s.325 and s.326 Housing Act 1985 are not exceeded.

**We will consider the need for an additional bedroom where:**

* The customer (applicant/s) receives support from carers who do not reside with them but need to stay overnight:
* The customer/applicant is pregnant and expecting a child and provides a Mat1B certificate showing that they are 26 weeks or above in their pregnancy.
* The customer (applicant/s) is a current or prospective foster carer or adoptive parent(s); or
* There are medical reasons requiring an additional bedroom.
* We will ask customers (applicant/s) to provide evidence of need for an additional bedroom.
  1. **Shared parenting arrangements**

Children are accepted as members of the household where formal shared child parenting arrangements are in place. A formal shared parenting arrangement includes a court order or written confirmation of the shared childcare arrangement from a mediator or solicitor.

We would not normally take children into account where an informal shared parenting arrangement is in place.

YHG reserve the right to limit the number of bedrooms allocated to ensure that the best use is made of our homes. We may, subject to availability, offer larger accommodation in areas of low housing demand provided the customer can meet the affordability criteria.

* 1. **Offers of accommodation nominated by the local authority**

When we receive a nomination, we verify the nominee’s information provided to us such as identity, housing history and current circumstances to ensure that they are entitled to, and suitable for, the home for which they have been nominated.

Where nominated applicants do not meet our criteria, or the local authority does not provide the relevant information required to enable us to make a full assessment we may refuse the nomination and will provide our reasons to the applicant and local authority.

We will make an offer of accommodation in line with local authorities’ nominations and choice-based letting agreements, where they are in place.

Where the applicant is statutorily homeless, we will only make one reasonable offer of accommodation in line with the s.193 Housing Act 1996. Where there is a dispute, we will refer the applicant back to the nominating local authority.

* 1. **Refusals**

We will not adopt a blanket ban when refusing or suspending a customer (applicant/s) application or nomination, but we will consider all applications individually based on the following:

* The seriousness, nature and age of the incident(s), breach of tenancy or debt.
  + The applicant(s) individual and household circumstances, including any disabilities.
  + The applicant(s) commitment to paying back the rent arrears or housing related debt where rent arrears or housing related debt is applicable.

We will also refer to the local authority’s policy on suspensions from choice-based lettings schemes or other waiting lists.

1. **Grounds for refusal**

We would normally refuse an application or nomination in the following circumstances:

**8.1 Behaviour:**

* The customer (applicant/s) or a member of the household has been evicted or eviction proceedings have begun with YHG or another social housing provider for tenancy breaches.
* Legal proceedings for any other breach of tenancy have commenced against the applicant(s) or any member of the household by YHG or any other social housing provider.
  + The applicant(s) or a member of the household has a serious criminal conviction, and it is reasonable to conclude that if housed in that home it would pose a serious or significant risk of harm to employees, residents, the public, or contractors:

If we are satisfied that the customer (applicant/s) or a member household is guilty of unacceptable serious behaviour enough to make them unsuitable to be a tenant, we consider the following:

* There is sufficient evidence that on the balance of probabilities, that the behaviour was serious enough to have entitled a social landlord to obtain a possession order and whether it is reasonable to refuse the application based on the information provided.
* YHG will consider the impact this allocation would have on the wider neighbourhood. For example, the person who caused the nuisance may no longer be a member of the household.
* If the customer (applicant/s) behaviour amounts to unacceptable customer conduct caused by excessive demands on our service. This includes, but is not limited to, verbal or physical abuse, using slanderous or libellous language, and unreasonably demanding behaviour.

**8.2 Affordability, rent / debt, and contractual obligations**

* The customer (applicant/s) or the customer (applicant/s) spouse, civil partner or co-habiting partner has outstanding rent arrears or other outstanding housing related debts owed to YHG or any other social housing provider.
* We may, however, agree to move an existing customer who has been served a Notice Seeking Possession or is subject to a suspended or postponed possession order if the rent arrears and housing debts are paid in full or there is a formal agreement in place and the debt is being repaid in accordance with the agreement.
* Where there is no reasonable prospect that the customer (applicant/s) will be able to afford to live in a specific home. The customer (applicant/s) may apply for alternative housing or reapply if their circumstances change.
* Where the allocation would not be in accordance with our charitable aims. This means that the gross income, savings, and assets exceeds the YHG financial threshold of an annual household income of £60,000 (joint) for £30,000 (sole). In other words, the applicant/s would be refused if they can afford accommodation in the private rented sector. For existing customers their tenancy will not come to an end, but they will not be able to move to another YHG home.
* Any applicant/s that has a legal interest in a home either in the UK or abroad, unless the home is being sold as it is not suitable, or in a legal dispute, and they are in negative equity.
* The customer (applicant/s) does not meet the eligibility criteria for a specific home, such as our older persons or extra care accommodation, or there is a local lettings or sensitive lettings plan in place. This does not mean that the customer (applicant/s) cannot be considered for another available home.
* If we cannot meet our obligations under planning agreements or requirements, covenants, or other legal restrictions, we will refuse the application. As above, this does not mean that the customer (applicant/s) cannot be considered for another available home.
* We may refuse to move an existing customer if they have not kept to the terms and conditions of their tenancy, including but not limited to:
* Serious deterioration in the condition of the home.
* Refusing access to enable us to conduct an inspection of the property such as a gas or electrical safety inspection.
* Nonpayment of rent, service charge and arrears

**8.3 Appropriate Support**

* We would refuse an application where we identify that the customer (applicant/s) will find it difficult to sustain a tenancy and live independently in the home.
* We complete assessments of the customer (applicant/s) requirements to make sure that the home is suitable for individual housing need. We expect that customers are able to maintain their home and tenancy, and can manage their own conduct, especially in relation to antisocial behaviour.

**8.4 Identity and fraud**

* The customer, (applicant(s), are unable to provide information to satisfy YHG of their identity or their right to rent or they are unable to provide us with information to enable us to assess their application completely.
* The customer (applicant(s) has made a false or fraudulent application either to us or to a local authority and/or has deliberately placed themselves in housing need or worsened their circumstances deliberately.

**8.5 Violent, high risk serious offenders**

* Unless there is an unacceptable risk, YHG will not exclude high risk offenders from accessing housing, including people subject to a Multi-Agency Public Protection Arrangement (MAPPA).
* When we assess applications requiring additional risk assessments, our overriding priority is the protection of the public, our residents, employees, and contractors. We will carry out a risk assessment and where appropriate will work with other relevant agencies in assessing the risk. We will refuse an application where measures to mitigate the risk are not sufficient.
* We understand that high risk offenders may themselves become a target of harassment and other crimes. We will make sure that the health and safety of high-risk offenders and their household are taken into consideration during the assessment process.
* We will make sure that sensitive information is managed securely and safeguard the rights of individuals regarding confidentiality and privacy. We will only share and disclose information when the law permits and in-line with the General Data Protection Regulations.

1. **Existing customers wishing to transfer**

We aim to offer 10% of our available homes to customers wishing to transfer on an annual basis across all areas where we have homes, subject to demand and availability. However, this arrangement will also be subject the specific agreement we have with each local authority.

For example, existing customers wishing to move to an area where the local authority agreement dictates 100% nominations rights, will be unable to register on our internal transfer list and will only be able to apply to move through that local authority choice-based lettings scheme or waiting list. Customers will then receive a “Banding” or “Priority” within the local authority’s allocation policy reflective of their housing circumstances.

YHG operate two internal transfer waiting lists for supporting and managing customer transfer requests:

1. transfer requests known as **Management Moves** for customers having an urgent housing need that is posing a serious and detrimental risk to the customer or someone living in the household.
2. transfer requests known as **‘customer initiated’** requests to move and are deemed as non-urgent.

Customers may apply to transfer to alternative accommodation once they have lived in their home for twelve months or more. Exceptions to this approach are in cases of an urgent need to move based on risk and will be considered on a case-by-case basis but entirely at the discretion of the Group.

To manage demand for our homes, the Group reserves the right to refuse non-essential “like for like” transfers where there is no demonstrable housing need, and where customers are adequately housed and there is high demand for housing in that location.

In these instances, we will sign post the customer to pursue a Mutual Exchange or to register for rehousing with their local authority, if the rules permit.

The Group will consider each request for transfer on its merits and will endeavour to meet customers’ needs and preferences where possible, also reserving the right to make the best use of its homes and allocate properties in a fair and equitable manner.

As such, we may refuse ‘customer initiated’ requests for transfer if any or a combination of the following circumstances apply:

* the customer has rent arrears or owes other debts to YHG such as rechargeable repairs.
* there has been a breach of tenancy conditions, or a tenancy obligation has not been met.
* a notice seeking possession has been served, a possession order granted, or possession proceedings have commenced.
* an injunction, Undertaking or Criminal Behaviour Order has been served or is pending for customer(s) or any other members of the household that is residing at the home.
* the customer is proposing to move to is larger home than is required the customer is proposing to move to a home that is inadequate to meet their needs, and this will lead to overcrowding.
* the home is in tied accommodation (let as a condition of the customers employment).
* the proposed letting would conflict in any way with YHG’s objectives as a housing provider with charitable status.
* the home has been adapted and the incoming customer(s) or household members would not require the adaptations.
* the proposed home for transfer is of a specialist nature or has an age restriction, and/or is designed for those with additional housing needs or those that meet the age criteria (and the transferring customer does not meet the criterion).
* Specific lettings criterions on our homes may include legal restrictions, or where we have introduced a local or sensitive letting policy. If the customer does not meet the necessary criteria, they will not be shortlisted.

A panel of regional and lettings managers will meet regularly to consider and make decisions on **customer-initiated** transfer requests and any applying the appropriate priority banding to transfer.

**This will be subject to the following principles: -**

* Customers requesting a transfer will be provided clear and relevant advice about their housing options and available support to assist with maintaining their tenancy.

When we are considering rejecting a transfer request, we will provide the customer an opportunity to comment on the reasons for refusal, prior to finalising decision in writing. We will inform the customers of the right to request a review when adverse decisions about rehousing are made against them, as summarised below:

* Why a request for a transfer or mutual exchange might be accepted or rejected.
* How transfer requests will be prioritised, with those that have an urgent need to move (such as customers who are at risk of domestic abuse) being prioritised over others of whom their needs are less urgent.
* Provide information on the availability of homes in specific locations and areas of choice, and alternative areas and other landlords to consider

These policy principles will be reflected throughout any subsequent procedures associated with managing allocations and lettings, and customer transfers. **Appendix 1.** on page 28/31of this document outlines our transfer banding criteria.

# Types of Tenure Offered

We will offer **Periodic Assured Tenancies** (“Lifetime Tenancies”) to existing YHG customers who already hold an Assured Tenancy when they move to another YHG home. This includes new tenancies created by a Mutual Exchange.

In the circumstances were a customer moves into a YHG home from another landlord, and previously held a **Secure Tenancy** with their previous landlord, they will lose the Secure Tenancy when entering a contract with YHG and will be offered an Assured Tenancy.

Preserved Right to Buy (**PRTB**) is only granted to previous council tenants of local authorities’ councils who were part of a stock transfer to YHG as their new landlord.

**PRTB** is indefinite and a personal right of the tenant, it does not matter how many times a customer moves as long as they remain with the same landlord and there is no gap in the tenancy.

There is an exception to this if a move is pursuant to a court order. In most circumstances should the customer move to another landlord they will lose the **PRTB**.

* 1. **Direct marketing**

This is when we allocate a home when all other attempts to allocate through the usual processes have not resulted in a letting.

We will advertise a home through an internet or locally based lettings service direct to the public when:

* The local authority cannot nominate a customer (applicant/s) to us.
* The home cannot be let through a local authority choice-based lettings scheme; and we are unable to let the home to a YHG customer wanting to transfer.
* All direct customer (applicant/s) will be subject to the same eligibility and allocations criteria as set out in this policy.
* Existing YHG customers will be able to apply for housing via direct marketing and they will be prioritised according to housing need as set out in this policy.
* When there is more than one applicant interested in a home that have the same priority, we will offer accommodation based on the date the expression of interest was received.
* Where applicants have no housing need, we will offer accommodation on a first come first served basis.
* If a YHG customer applies for housing through the direct marketing route, we will prioritise them over non YHG customers.

1. **Appeals and Complaints**

Whereas an appeal does not interfere with an individual’s right to make a complaint to the Independent Housing Ombudsman or to request an agency or organisation to make the appeal on their behalf, YHG operate a review process for customers who wish to request a review of a decision, either around an offer of accommodation, or an allocations decision before submitting a formal complaint.

Requests to review should be made within **7 days** of being notified of the decision.

A request to review will not be treated as a formal complaint at this stage and is in place to ensure that decisions that have been made are reasonable and justified.

The review will be conducted by a senior manager from Housing Services who was not involved in the original decision and will respond within **10 working days** from the date of the request.

Disputes over the applicants banding defined by the applicable local authority’s allocation policy, may need to be heard through an appeal panel through the local authorities’ formal appeals process.

**Transfers and appeals**

Existing customers may request a review or an appeal against any decision made in relation to their application for a transfer, priority banding, reasonableness of the offer or refusal of rehousing in accordance with this policy.

The aim of an appeal is to review a decision made by another person in relation to the banding scheme. An appeal is not a complaint. There are limited grounds on which an applicant may make an appeal:

**i.** A banding decision

**ii.** A decision regarding dates e.g. received, registration or banding dates

**iii.** Closed application

**iv.** Suspended or deferred application

**v.** The number of bedrooms awarded e.g. child sharing arrangements, foster

carer

**vi.** The assessment of multiple needs

**vii.** Where an application has been deferred or closed due to the offers of

accommodation being unreasonably refused.

The request is to be made in writing within 10 days from the date the applicant was notified of a decision. An extension may be granted if it is reasonable to do so.

We will accept a verbal request if it is difficult for the applicant to write to us or they may ask a third party to act on their behalf.

The appeal will be referred to the Service Manager and Group lead for Allocations and Lettings who was not part of the original application reviewing the evidence who will review the customer’s request.

The appeal will ensure that all the information and evidence has been considered that the assessment was completed correctly, and that the correct dates have been applied.

We will notify the customer of the decision within four weeks of the request being made and provide reasons for the decision. There is no further right to request an unless the applicant’s circumstances have changed.

The outcomes of an appeal are:

•Appeal accepted

•Appeal partially accepted

•Appeal not accepted.

We do not normally allow customers to transfer to another YHG home if they are subject to any of the grounds for refusal set out in this policy, unless there is evidence that the customer or a member of their household is at immediate risk of serious harm.

Where there is a dispute about an offer of accommodation, we may withdraw the offer and relet the home to ensure that rental loss is minimised.

Once the appropriate appeals process in relation to a transfer application or request to review a decision concerning an allocation has been exhausted internally, and the customer remains dissatisfied and disputes the decision, the customer has a right to request that their complaint is escalated and dealt with through our formal complaints feedback policy and procedure.

We will make sure that alternative arrangements and reasonable adjustments are made for customer/s (applicant/s) with impairments, learning difficulties or where English is not their first language to ensure the review, and that our complaints process is accessible for everyone.

1. **Responsibilities under this Policy**

Any employees responsible for the decision and approval process relating to the allocation and lettings of YHG homes, such as Allocations and Lettings Officers, Assistant Regional Managers, Regional Managers, Service Managers, Tenancy Management Officers, and Head of Housing.

Any request to deviate from the principles of this policy requires escalation for review and approval consideration to the Service Manager responsible for Allocations & Lettings and Head of Housing.

1. **Risk Management**

YHG are committed to ensuring the continued adherence and compliance with this policy, and any associated legislation and sub policies and procedures related to the allocation and letting of our homes.

We will utilise management and audit controls to check quality and compliance of both application of the policy principles and application of the associated letting procedure throughout the financial year. External auditors will also support compliance and risk.

1. **Data Protection, Record Storage and Retention**

YHG understands that confidentiality is important to customers and will treat all information relevant to each customer in the strictest confidence.

We approach the protection of personal data in a comprehensive manner in line with the Data Protection Principles of the UK General Data Protection Regulations (UK GDPR) and the Data Protection Act 2018 (DPA) (collectively referred to as the Data Protection Legislation).

YHG’s Data Protection Policy will also be adhered to in following this policy during our allocations and lettings and tenancy management activities.

We will collect, store and process personal information of our existing and potential new customers, (applicant/s) and recognise that the correct and lawful treatment of this data is necessary to provide for the continuance of successful business operations and maintain confidence in YHG.

Customer data will be retained in our secure internal system in line with the principles of GDPR and YHG’s Document Retention Policy.

1. **Equality and Diversity**

This policy meets the requirements of the equality impact assessment and is compliant with the requirements of the Equality Act 2010.

This means that we will not discriminate against customers on the grounds of their age, disability, gender reassignment, marriage or civil partnership status, pregnancy or maternity status, race, religion or belief, sex, or sexual orientation

Your Housing Group will only participate in allocations schemes that are compliant with the Equality Act 2010 and which offer fair access to housing for all applicants. We assess our policies and provision of services to make sure all decisions are in accordance with the requirements of the Equality Act 2010.

Choice Based Lettings schemes of whom we are partners also have their own provisions for ensuring equality impact assessments are in place, and individual / internal policies are aligned with these requirements.

We will on request, provide translations of any documents, policies and procedures in different languages and other formats to suit requirements and support reasonable adjustments for easy access to our service.

1. **Communication**

This policy will be available to all YHG employees on our internal intranet and will be communicated to all teams involved in the allocations and lettings process. This will further be supported by a policy briefing across the organisation.

The policy will also be made available on our external website for easy access for customers and our partners.

1. **Learning and Development**

YHG will provide awareness training of the policy to all employees and wider teams involved in the allocation and letting process.

YHG will make sure appropriate service standards and procedures are available to supplement the policy and provide sufficient clarity regarding how to implement this policy in operational practice.

Training will be made available as part of our new employee induction, as any required refresher training, and in addition YHG will be developing a webinar bespoke to our allocations and letting service for housing operational teams.

1. **Performance Management of this Policy**

We will use the following non-exhaustive list to measure and monitor our performance with a continued focus on service improvement:

* Regulatory Statistical lettings data return – CORE.
* Provision of KPI measures linked to the allocation letting operational performance transparent in our reporting portal.
* Monitoring our performance and compliance with our allocation of available homes against local authority nomination agreements.
* Number of complaints relating to our lettings offer and service and applying any learning or service improvements from customer feedback.
* Customer satisfaction measures with our lettings service and service style
* Monitoring of compliance through operations management controls such as compliance check list and audit samples of allocations made.

1. **Review of this Policy**

YHG will review the Access to Housing Policy every 2 years or sooner if required to do so driven by statutory, regulatory, or best practice requirements; and/or the need to update following reviews of other Group wide policies.

The Head of Housing and Service Manager and Group Lead for Allocations and Lettings will be responsible for reviewing and updating this policy.

1. **Definitions**

|  |  |
| --- | --- |
| **Term** | **Description** |
| **Affordable rent** | Introduced in 2011 and set at up to 80% of the Market Rent for the home, so usually higher than Social Rent. Registered Providers like YHG can let homes at an Affordable Rent when they enter into a new housing supply delivery agreement with the Homes and Communities Agency (HCA). |
| **Allocation** | The way of apportioning and prioritising available homes to let. |
| **Applicants** | New or existing customers applying for housing through the local authority or directly to YHG. |
| **Asylum seeker** | A person claiming asylum and the claim is under review. Asylum seekers are not entitled to social housing. |
| **Charitable aims** | Reference to YHG as a charitable community benefit society whose aims include the provision of housing to people on low incomes. |
| **Choice Based Lettings scheme**  **(CBL)** | Known as CBL are used by local authorities to describe a digital way to let homes available homes advertised online through a bidding process. This is not a waiting list. |
| **Decanting** | When customers need to move from their homes on a permanent or temporary basis. |
| **English Housing Survey bedroom standard** | A standard number of bedrooms is allocated to each household in accordance with its age/sex/marital status composition and the relationship of the members to one another.  A separate bedroom is allocated to each married or cohabiting couple, any other person aged **21** or over, each pair of adolescents aged **10-20** of the same sex, and each pair of children under **10**. Any unpaired person aged **10-20** is paired, if possible, with a child under **10** of the same sex, or, if that is not possible, he or she is given a separate bedroom, as is any unpaired child under **10**. |
| **Family member** | Civil partners, partners, spouses, children of the applicant or tenant which include fostered or adopted, stepchildren; and close relatives including parent, sister and brother, grandchildren, grandparents. It may also include extended family members such as cousins. |
| **Housing Need** | An indicator of lack of housing in any geographical area, or lack of bedroom space or housing to support a household’s medical condition. In this policy ‘housing’ need also refers to need for appropriately sized accommodation or the need to move for a specific reason, such as work or care. |
| **Reasonable Preference** | Categories of housing need that must be considered when developing allocation schemes to ensure that people who are homeless or in priority need are given preference. |
| **Legal proceedings** | For the purposes of this policy legal proceedings are commenced when we serve on you or anyone else living at your home:  • **A Notice Requiring Possession**  **• A Notice of Seeking Possession**  **• A Notice to Quit; or**  **• An Application for an Injunction** |
| **Local Lettings Schemes / Plan** | We may class a property, or properties, as requiring a sensitive letting if we need to set a lettings criterion for a property or a specific group of properties. This may occur where there has been an eviction, ongoing anti-social behaviour or where we have received a request from our statutory partners not to house certain individuals at specific locations. This also includes s106s that form part of a funding arrangement when we develop homes, and we have specific allocation arrangements. |
| **Mental capacity** | Mental capacity is the ability to make a decision. If a person lacks capacity, they have an impairment or disturbance that leaves them unable to make a decision. |
| **Priority need** | As set out in s.189 Housing Act 1996  • A pregnant woman or a person with whom she resides  • A person with dependent children  • A person who is vulnerable as a result of old age, mental illness or handicap or physical disability or other special reasons  • A person who is homeless or threatened with homelessness because of an emergency such a flood, fire, or other disaster   * s.189(1)(e) - a person who is homeless as a result of that person being a victim of domestic abuse. (This was inserted by the Domestic Abuse Act 2021) |
| **Probity Declarations** | Applications for housing YHG Board / Staff members or person who is closely connected to YHG Board or current employee, as defined in YHG’s Probity Policy. |
| **Refugee** | A person who has made a claim for asylum which has been accepted and they have subsequently been awarded limited leave to remain in the UK. |
| **Right to rent** | A legal requirement for landlords to check that new tenants have the right to be in the UK before renting out their homes. |
| **Serious criminal conviction** | For the purposes of this policy a serious criminal conviction is one which is not insignificant. It usually means an unlawful offence. For example,  • Offences against the Person Act (threats to kill, grievous bodily harm, actual bodily harm)  • Sexual Offences  • Theft (robbery, burglary)  • Criminal damage (Threat or actual destruction or damage of property, arson)  **Offences not considered serious are, for example,**  • Common assault  • Driving offences  • Low value criminal damage |
| **Specialist accommodation & Extra Care** | YHG’s supported, extra care and move-one accommodation or other types of homes where we rehouse people needing a specific accommodation. Allocations in these instances are usually agreed through a specialist panel arrangement made up of statutory agencies. |
| **Starter tenancy** | This describes the first year of an assured periodic tenancy and is where the holds an assured shorthold tenancy. This means that the customer has less security of tenure during the first year. We are required to prove grounds in order to bring the tenancy to an end during the starter period. A starter tenancy may be extended for a further six months but no more than a total of eighteen months. |
| **S106** | Section 106 agreements are funding agreements for new developments that provides priority preference to people with links to the locality (local connection or priority preference). |
| **Tenant** | This is a legal term for a YHG customer who lives in a rented home and has signed a YHG tenancy agreement. |
| **The English Housing Survey** | This is a method of deciding what size property is suitable for a household. Under this standard a separate bedroom is allocated to each married or cohabiting couple, any other person aged 21 or over, each pair of adolescents aged 10-20 of the same sex, and each pair of children under 10. Any unpaired person aged 10-20 is paired, if possible, with a child under 10 of the same sex, or, if that is not possible, he or she is given a separate bedroom, as is any unpaired child under 10. |
| **Trustee** | This is a person who has been appointed to act on behalf of a person under the age of eighteen years old. They have a legal duty to act in the best interests of that person, but they are not required to act as a guarantor. |
| **Traditional waiting list** | Housing registers, where applicants are placed on a list for properties that become available according to their eligibility for that property type and the area. |
| **Reasonable Preference** | Categories of housing need are taken into account when developing allocation that people who are homeless or in housing need are given preference in any allocation scheme. |
| **Customer Initiated Transfer** | A customer request to transfer home in non-urgent circumstances |
| **Management Move** | A customer needing to move due to urgent circumstances posing of a high risk of harm |

1. **Related Documents**

|  |  |
| --- | --- |
| **Document Type** | **Name** |
| **Connected Policies and Procedures** | Access to Housing Policy  Succession Procedure  Ending Tenancy on Death Procedure  Equality, Diversity, and Inclusion Policy  Data Protection Policy  Data Privacy Notices  Allocations & Lettings Procedure  Neighbourhood Management Policy  Domestic Abuse Policy  Safeguarding Policy  Adaptations Policy  Lettable Home standard  Repairs Policy  Rent Policy |
| **Forms and Letters** | Housing Application Form |
| **Leaflets/Publicity Material** | Allocations and Lettings Service Standard |
| **Training Materials Available** | Associated guidance notes to supplement the letting procedure will be made available for all operational teams. |
| **Intranet/ Website Page** | Youggle will be updated as a policy brief.  The policy will be accessible via YHG’s Intranet and Website for colleagues, customers and external stakeholders. |

**22. Checklist***(To be completed as far as possible by the Policy Author before submission for quality checking by Policy and Research Lead prior to Risk and Compliance Group)*

|  |  |  |  |
| --- | --- | --- | --- |
| **Policy Name:** Access to Housing Policy | | | |
| **Version No:** V3 | **Effective Date:** May 2025 | | |
| **Status:** Partial Review | | | |
| **Previous Policy Name (where appropriate)** | | | |
| **Brief Summary of Changes from Previous Version:** | | | |
| **Internal Consultation Groups:**  Research and Policy Manager  Governance Team  Housing Operational Teams  Income Teams  Money Advice Teams  Tenancy Support Teams  OPS  Supported Housing | **Customer Consultation:** | | |
| **Date of Customer Consultation: March 2025** | | |
| **Customer Consultation Brief Details:**  Service Users Focus Group  Customer Connect Panel | | |
| **Link to Consultation Document(s):** | | | |
| **Date Initial Equality Impact Assessment Undertaken:** 13.3. 25 | **Equality Impact Assessor name(s):**  Dave Lovatt | | |
| **Reason for Decision:** Policy reviewed in line with the cycle | | | |
| **Date Full Equality Impact Assessment Undertaken:** 13.3.25 | | | |
| **Brief Outline of any Changes Recommended from EIA:** N/A | | | |
| **Data Protection/UK GDPR Implications:** | | | |
| **Brief Outline of Data Protection/UK GDPR Implications:** The policy will compliment & strengthen compliance to GDPR and Data Protection requirements. | | | |
| **Legal Panel Consulted:** | **Date:** 25.3.25 | | |
| **Legal Implications considered and addressed:** | **Date:** 25.3.25 | | |
| **Risks and operational issues considered and addressed:** | | | |
| **How will communication on this Policy take place: (delete as appropriate)**  Intranet/ YHG Website/ E-Learning/ Email/ Face to Face Training | | | |
| **Policy Owner (Department):** Head of Housing – Customer Services | | **Policy Author:** Service Manager – Housing Operations | |
| **Policy signed off (by service manager or sponsor)** | | | **Date**: 24 March 2025 |
| **Policy quality checked by Policy & Research Lead** | | | **Date:** May 2025 |
| **Policy approved by Risk and Compliance Group** | | | **Date:** April 2025 |
| **Policy approved by CSC** | | | **Date:** May 2025 |