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Allocations Policy

Title	Allocations Strategy / Policy
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Approver	Board of Management – Approved
Applies to	General Needs Social Tenanted

This policy applies only to general needs social rented accommodation owned by CDS. It does not apply to properties owned by clients, but client may choose to adopt this policy as their own.

1 Introduction

- 1.1 CDS aims to allocate and let properties in a fair, transparent and efficient way that achieves best use of housing stock and meets the needs of our customers, partners and the communities we serve.

2 Approach

- 2.1 CDS operates across 11 local authorities across London and the South East, each with its own nominations agreement, housing demand and other relevant issues.
- 2.2 We participate in choice-based lettings schemes and Homeswapper, a scheme that facilitates mutual exchanges between tenants living in social housing.
- 2.3 CDS is committed to
- Letting homes in a way that contributes to the local authorities' strategic housing function and sustainable communities, and
 - Giving residents reasonable choice in where they live.
- 2.3.1 CDS will actively promote methods for residents to find alternative housing options if they wish, such as mutual exchange, re-housing via the common housing register, private sector accommodation and other relevant options.
- 2.3.2 CDS will fulfil its obligations in nominations agreements and let all other properties via the common housing register, except in exceptional circumstance, where a property will be used for a reciprocal arrangement, local agency or scheme referral or a management transfer.

3 Applicants

3.1 Household

- 3.1.1 We will appraise household composition on a case-by-case basis, taking a common-sense approach to anyone reasonably needing to share accommodation with the tenant. We will primarily consider the household to be the individuals named as part of the household on the nomination from the local authority or referral agency.
- 3.1.2 CDS will grant a sole tenancy to one tenant or a joint tenancy to two tenants. We will not grant a joint tenancy to more than two tenants. Tenants will usually be those nominated by the local authority. We will avoid inter-generational tenancies and will only grant a joint tenancy to those that are married, in a civil partnership or those who can evidence an established relationship of 12 months or longer.
- 3.1.3 Where there is a reason to independently assess a household, CDS will generally consider a household to include individuals who are dependent, related or otherwise have a permanent relationship with the tenant. A permanent relationship includes someone who is caring for a member of the household or is being cared for by a member of the household.

3.2 Minors

- 3.2.1 CDS will not normally grant a tenancy for general needs accommodation to people under 18 years of age.
- 3.2.2 If, in exceptional circumstances, we do make an offer to a younger applicant, it will be subject to an *Equitable Tenancy Agreement*, and an adult, usually a parent or guardian, will be required to stand as guarantor.

3.3 Mobility units and adapted properties

- 3.3.1 CDS owns a small number of properties that are specifically designed or adapted to meet the needs of persons with limited mobility. As such properties are usually in short supply, it is our intention that they should be let, whenever possible, to those households which will significantly benefit from the facilities provided.
- 3.3.2 Where we struggle to find an appropriate applicant, we may seek partner nominations from alternate agencies or boroughs.
- 3.3.1 It is a condition of the tenancy agreement that adapted properties should be let to households only for as long as they need it. Should the adaptations no longer be required, we may ask the remaining members of the household to accept a transfer to a conventional property. CDS may apply to court to enforce the terms of the tenancy but will only exercise this right as a last resort.

3.4 Age-restricted properties

- 3.4.1 Where CDS owns schemes with a minimum-age restriction (e.g. 60+ communities), the lead tenant must meet the age requirement.
- 3.4.2 No member of the household should be under age 17.

3.5 Sensitive Lettings

- 3.5.1 While all allocations need to be managed with sensitivity, it is anticipated that some allocations will be extremely sensitive due to the behaviour of previous residents or the specific circumstances of the immediate neighbours.
- 3.5.2 CDS may occasionally need to introduce additional eligibility criteria for individual lets by designating a “sensitive let” or for a particular scheme or area by creating a “local lettings plan”.
- 3.5.3 Other factors may be taken into account where justifiable. For example, where due to the nature of the sensitivity, a letting should be made to a male or female applicant. Conversely, a neighbour of a property being let may have a history of behaviour which means it may be necessary to avoid letting the property to a person who is vulnerable to harassment or other behaviour.
- 3.5.4 The aim of these exceptions is to ensure future tenancies are sustainable and to tackle a specific and identified social concern, such as antisocial behaviour or to better balance the mix of residents in a given area.
- 3.5.5 When a property is identified as in need of a sensitive let then the reason for this will be clearly stated in the nomination request process.
- 3.5.6 CDS will refuse nominations that do not meet with our requirements and will work with local authorities to ensure the reasons for sensitivity are known and accepted.
- 3.5.7 We will ensure that sensitive lets and local lettings plans are necessary, equitable and proportionate, and will review local plans annually to assess effectiveness and continued need.

3.6 High risk’ allocations – Housing ex-Offenders (including sex offenders)

- 3.6.1 CDS aims to create safe, secure and sustainable communities, and will have regard to the best interests of our existing residents in that community when take a decision to house high risk offenders.
- 3.6.2 CDS will expect any nominating local authority to share all relevant recent medical or risk-related information in accordance with data sharing protocols, for the safeguarding of our staff and other residents.
- 3.6.2 High-risk offenders subject to a multi-agency public protection arrangement (MAPPA) have to register with the local police who will carry out a risk assessment. The nominating local authority must confirm that they have investigated the risks associated with re-housing the applicant and demonstrate that the property and area is suitable before a nomination is made.
- 3.6.3 In addition, the local authority will need to provide:

- A detailed risk assessment and details of a support and/or supervision package together with any monitoring arrangements
- Contact details of members of the inter-agency risk management panel including the police, for easy access should a problem arise during the tenancy

3.6.4 We reserve the right to refuse to re-house high-risk potential applicants where:

- All the relevant professional agencies involved do not support the allocation, or they failed to provide the required information
- We consider that the support needs make them unsuitable for the home being offered to them
- The property is not suitable due to locally specific circumstances

3.6.5 As a general guide, no shared access properties are considered suitable for sex offenders or dangerous offenders including property conversions where communal space exists.

3.6.6 The property offered must have its own front door.

3.6.7 This is a sensitive area, and we will balance the housing rights of the offender with public concerns and the safety of the local community.

4 Accommodation

4.1 CDS always seeks to provide suitable accommodation to applicants. An offer will be considered reasonable if the property offered meets the essential size and access needs of the household. The property must also be safe, secure and habitable before letting.

4.2 Occupancy standard

4.2.1 CDS advertises the number of bedrooms and bedspaces in each property available to let and relies on the local authority to nominate a household of appropriate size to that property. Where that happens, CDS will accept the evidence provided by the local authority as part of the nomination to confirm the number of bedrooms and bedspaces required for the household.

4.2.2 Where CDS determines the number of bedrooms for which a household is eligible, it will use the following criteria where one bedroom should be provided for each:

- Adult couple
- Single adult (16 +)
- Two children (under 16) of the same sex
- Two children (under 10) of any sex

4.2.2.1 If the property has a single- or box room, only one person will be allocated to that room.

4.2.2.2 Bedsits are typically intended only for single adults.

4.2.2.3 Additional bedrooms will be considered on a case-by-case basis when there is a medical or other proven need.

- 4.2.3 Where an existing household is known to be living at a higher density than the bedroom standard, their Housing Services Officer will actively support them to move to an appropriately-sized property via the Local Authority's common housing register or mutual exchange.
- 4.2.4 We will not allocate a property to a household which would cause statutory overcrowding, but may allocate one which has fewer rooms or bedspaces than the occupancy standard where we believe it provides a reasonable solution to unmet housing need or is acceptable to the applicant. Any allocation which would breach CDS's definition of overcrowding must be approved by the Head of Housing Services before an offer is made.
- 4.2.5 Mutual exchanges can be allowed a different occupancy standard in some circumstances. Refer to the Mutual Exchange Policy for details.

5 Allocations

5.1 CDS has a duty to assist local authorities to house those in need. We have nominations agreements with each local authority where we have properties. Local authorities are responsible for ensuring that their nominees are eligible and prioritised in accordance with their own allocation policies.

5.2 Housing Services Officers are responsible for keeping a record of the source of each new tenant in the Housing Management IT system.

5.3 Common housing register

5.3.1 By default, CDS will offer all vacant properties to the local authority for an applicant from the common housing register.

5.3.2 By accepting applicants from the common housing register, CDS can be assured that the allocation of homes is being prioritised in a way that ensures nominees are households with the greatest housing need in that region or local authority.

5.3.3 In certain circumstances, CDS may decide to reject a nominee of a local authority. However, nominees will only be rejected for one of a small number of specific reasons, described in detail in Section 10 of this policy.

5.3.3 The Housing Services Manager is responsible for ensuring CDS discharges its responsibilities under each nomination agreement. Where we do not hold copies of the nominations agreement, the Housing Services Manager will make every effort to obtain a copy from the local authority.

5.4 Reciprocal arrangements

5.4.1 Reciprocal arrangements are exceptional in nature and will only be considered where there are no other viable options to resolve a specific issue.

5.4.2 CDS may enter into a reciprocal arrangement with a local authority or another social landlord whereby that landlord houses one of our tenants and we house one of theirs.

5.4.3 Reciprocal arrangements may also be considered if CDS is having significant difficulty letting a particular property (e.g. an adapted property) and another landlord has identified one of their residents who is in need and would benefit from that property.

5.5 Other partner nominations

5.5.1 In some cases, we may make additional agreements with local referral agencies or join schemes to provide a small number of homes to specific groups of people in housing need.

5.5.2 Any agency seeking to make referrals to CDS must meet certain criteria:

- Be recognised by or registered with, or otherwise regulated by, the local authority or a central government agency.
- Provide services to groups of people who are vulnerable or underserved and are also likely to be in significant housing need.
- Make its services available on an equal basis to member of the local community and will refer people to CDS in a non-discriminatory manner.
- Does not offer preferential access to any group on the grounds of race, ethnicity, gender, religion or sexual orientation (excepting agencies that specialise in providing services in a matter so as to be exempt from this provision).

5.6 Internal transfers

5.6.1 With dispersed housing stock, relatively few properties and restrictive nominations agreements in most boroughs, we recognise that CDS residents wanting to move to other social housing will be able to do so quicker and with more options if they move using the common housing register or a mutual exchange, as opposed to waiting for an internal transfer to another available CDS property.

5.6.2 CDS will not accept applicants for an internal transfer or maintain a transfer waiting list.

5.6.3 Where CDS staff become aware that a resident wants or needs to move to another property, they will provide information to the resident about their options to move, including transferring via the local authority and via mutual exchange. This information will also be available on the CDS website.

5.7 Management transfers

5.7.1 In rare cases, it may be necessary or desirable for a tenant of CDS to move to an alternative accommodation for safety or other management reasons. This may include, but is not limited to, the following reasons:

- Where the current property is not habitable due to fire or flood.
- Where there are urgent remedial works required on the current property that cannot be carried out whilst the residents remain in residence.
- As a result of a multi-agency panel assessment and suitable availability within our stock

- Where the Senior Management Team consider there is significant added value to overall business efficiency in doing so.

5.7.2 In general, management transfers will not be considered in cases where it is likely that the local authority will be able to rehouse the tenant sooner or more appropriately.

5.7.3 Where a management transfer is agreed in principle, the tenant will be given one direct offer of alternative accommodation. The accommodation offered will usually be the first available property that meets the requirements of the household, as assessed by CDS.

5.7.4 Requests for a management transfer will be assessed by the Head of Housing Services and the Operations Director upon consideration of supporting information and are offered strictly at the discretion of CDS.

5.7.5 The number and reasons for approved management transfers will be reported to the Services Committee annually.

5.8 Discretionary tenancies

5.8.1 Discretionary tenancies are tenancies granted outside of the usual confines of this policy but in accordance with other relevant policies, and always due to exceptional circumstances.

5.8.2 Discretionary tenancies are only ever granted to an individual with whom we have an existing landlord relationship, either as a tenant or a household member.

5.8.3 Discretionary tenancies can be granted for the following reasons:

- Discretionary succession, whereby a new tenancy is granted to a third-party upon the death of a tenant where the third-party does not have the right to succeed but it is deemed appropriate to allow succession on a discretionary basis (see succession policy).
- Whereby an existing tenant agrees – at CDS’s request – to surrender their own tenancy and vacate their home in exchange for a new tenancy (see antisocial behaviour policy)
- Whereby a new tenancy is granted to achieve a joint-to-sole or sole-to-joint tenancy conversion, or other fundamental change to an existing tenancy (see tenancy changes policy).

5.8.4 Decisions to offer discretionary tenancies will be assessed by the Head of Housing Services and the Operations Director upon consideration of supporting information and are offered strictly at the discretion of CDS.

5.8.5 The number and reasons for granting discretionary tenancies will be reported to the Services Committee annually.

6 Security of Tenure

6.1 CDS believes in building sustainable communities. We, therefore, aim to let our homes on a long-term basis and aim to offer our tenant the most secure type of tenancy available. As a result, CDS does not offer introductory tenancies and, except in a limited number of situations, does not let homes on assured short-hold tenancies.

- 6.2 All new tenancies will be assured (except where the tenant is entitled to a secure tenancy) All new lets will be let on a “social rent or other appropriate rent approved by law and under the regulatory system”.
- 6.3 CDS “does not currently intend to offer fixed-term tenancies” .

7 Viewing

- 7.1 All applicants will be given the following information and the opportunity to view the property they have been offered and before being asked to make a decision:
- The amount of the rent and service charge
 - The conditions of the tenancy
 - Details of any repairs works to be carried out after occupation if applicable
 - The amount of decorations allowance allocated for the property, if any
- 7.2 It is important that vacant properties are let quickly. To achieve this, most communication between CDS and an applicant receiving an offer will be by telephone or email rather than by conventional mail.
- 7.3 All applicants receiving an offer of accommodation will be given the opportunity to view the property before being asked to make a decision as to whether to accept the offer.
- 7.4 We may invite multiple applicants to a joint or successive viewing.
- 7.5 The applicant with highest priority awarded by the local authority will be offered the property first. If they refuse it, it will be offered to the nominee with the second highest priority and so forth.
- 7.6 Ideally, viewings will be conducted after any repair works have been completed. Where a property is not yet ready for occupation, we will explain the remaining works.
- 7.7 A CDS representative must be present for any viewings. Staff must not hand over keys or allow the applicant to view the property alone.
- 7.8 Unless there are exceptional circumstances, applicants will be expected to view the property within two days of receiving the invitation.

8 Offer

- 8.1 Applicants are expected to confirm to CDS their acceptance or rejection of an offer at the time of the viewing, but may be given up to twenty-four hours to confirm by telephone, in person or by email.
- 8.2 We will ask nominees to give their reason for refusal in writing.

- 8.3 Provisional offers will usually be made verbally pending approval of required documentation. Upon approval, usually at sign-up, a formal offer will be provided in writing to the applicant.

9 Sign-up

- 9.1 Successful applicants (including management transfers) will be invited to a sign-up meeting once they have confirmed acceptance of a provisional offer of accommodation. Applicants may confirm their acceptance of a provisional offer verbally or in writing.
- 9.2 We will keep successful applicants updated throughout the letting process. We will provide an indication of when the property should be available and will require the applicant to be available for sign-up at short notice, recognising the value of a social home.
- 9.3 “Signing up” is the process by which a member of CDS staff (usually the Housing Services Officer for that property) signs the tenancy agreement with the new tenant, hands over the keys and provides the tenant with relevant information and documentation relating to the property, such as the gas safety certificate and information about asbestos).
- 9.4 We expect applicants to pay one month’s rent at or before sign-up, but recognise that some applicants will not be able to afford the full amount. We will consider financial circumstances and affordability when enforcing this expectation and may agree an alternative amount, where appropriate. All tenants are expected to have built up credit on their account within a year so that their rent account never falls into arrears, regardless of when in the month payments or benefits are received.

10 Refusals

- 10.1 CDS relies on the local authority or local referral agency to verify the eligibility of applicants prior to nomination. However, we still carry out identity and income checks and recognise that in rare circumstances, we may find a reason to refuse an applicant.
- 10.2 We reserve the right to withdraw a provisional offer of accommodation at any stage during the re-let process if there are any concerns about the prospective tenant’s ability to successfully maintain a tenancy, or their requirements are found to be different to those indicated by their application.
- 10.3 We will exercise our right to refuse nominees only in exceptional circumstances, including:
- **Eligibility** – No Right to Rent, No Indefinite Leave to Remain or failure to provide identification documents within a reasonable time.
 - **Suitability** – No need for adaptations in property or applicant owns another property in the UK, the property is unsuitable to the applicant’s needs and by offering the property would cause overcrowding.
 - **Arrears** – Previous tenant of CDS or other social landlord with outstanding debt and hasn’t maintained a payment plan.
 - **Behaviour** – Serious antisocial behaviour of any household member, prior tenancy fraud, erroneous/false information provided as part of current housing application, subletting or damage/neglect of previous property.

- **Vulnerability** – Household member has vulnerabilities or traits which would likely pose a risk to themselves, their household, neighbours or the wider community and there is no proper support package in place (e.g. serious mental health condition and unable to live independently or sex offender nominated to a property near someone vulnerable without support in place).
- The property is a sensitive let, high risk let or part of a local lettings plan and the nominee does not meet the specific criteria required for that property/area.
- The property may not be offered to the highest bidder depending on any local agreement in place.
- Where it has been identified that false or misleading information has been provided and the offer has been made based on the false or misleading information.
- Where a tenancy has already been granted and it then comes to CDS' attention that the applicant had knowingly provided false information or withheld relevant information then CDS will take action to recover possession of the property.

10.4 We will be fair, consistent and transparent in our decision. We will share our reasons and offer a right of appeal.

11 Appeals

11.1 CDS will allow nominees from the local authority or a local referral agency to appeal a decision to refuse their application or to offer a certain tenancy type.

11.2 Appeals can only be made on the basis that the decision was either inequitable or wrong in policy, undertaking or law, and we will require the applicant to explain their reasoning.

11.3 A request for an appeal must be received within seven calendar days of refusal or offer and can be made verbally or in writing.

11.4 CDS does not have a specific lettings appeal process. Rather, all dissatisfaction will be routed through the complaints process and dealt with as a formal complaint.

11.5 We will not hold a property vacant or keep an offer open during the appeals process, but will identify an appropriate and just remedy wherever appropriate.

12 New Tenant Visits

12.1 Housing Services Officers aim to visit all new tenants within six weeks of the start of their tenancy with CDS.

12.2 Where the tenant misses an appointment, the Housing Services Officer may carry out the visit via telephone, if it is not practical to attempt a second visit in person.

12.3 During a new tenant visit, the Housing Services Officer will:

- Discuss paying rent and signpost to Arrears Officer or Welfare Benefits Officer if there are problems or the tenant needs support applying for benefits.

- Raise a request to resolve any outstanding maintenance issues.
- Ensure the tenant knows where to find meters and the stopcock and understand other key property information.
- Encourage participation in resident involvement activities, where applicable.
- Complete a New Tenant Visit Form.

13 Management Discretion

13.1 CDS may exercise discretion, as appropriate, where application of this policy would lead to an inequitable outcome.

14 Equality and Diversity

14.1 CDS will ensure that this policy is applied fairly and consistently and will not directly or indirectly discriminate against any person or group in line with equality laws and principles.

14.2 We will act sensitively toward the diverse needs of individuals and communities and will take positive action or make reasonable adjustments, where appropriate.

15 Monitoring and Compliance

15.1 CDS is required to report all new lettings to the Ministry of Housing, Communities and Local Government using the CORE recording system. Housing Services Officers are responsible for completing the CORE record for each letting of a property where CDS is responsible for lettings administration. The Housing Administrator will check the CORE form for completion and submit it using the online system.

15.2 Each year, CDS completes the Regulator of Social Housing's Regulatory and Statistical Return (RSR). Part G of the RSR includes a range of information relating to lettings. It is the responsibility of the Corporate Services Director to provide the Regulator of Social Housing and other regulators with the relevant statutory information.

15.3 Each month, the Head of Housing Services will report certain key performance indicators to the Senior Management Team. The key performance indicators for lettings are:

- Number of properties let
- Number of mutual exchanges
- Average number of days to re-let properties
- Number of new tenant visits carried out and proportion completed with the target period

15.3.1 The CDS Board of Management receives a dashboard of monthly key performance indicators at each meeting, which includes information about voids and lettings.

15.3.2 The Services Committee of the Board of Management receives commentary to accompany the monthly performance dashboard which provides analysis and proposes actions to improve performance on a variety of housing management areas, including voids and lettings.

15.4 The Services Committee will receive a report annually on the number of management transfers and discretionary tenancies granted and the reason they were approved.

16 Confidentiality

16.1 CDS will collect and process data in line with our current Data Protection Policy.

16.2 We rely on the consent applicants give to local authorities or local referral agencies for the purposes of finding accommodation in order to process applicant's data.

16.3 Once a property is allocated, we will process data as part of our contractual obligation.

17 Legislation and Regulation

This policy meets the legal requirements set out in the following Act and complies with the Regulatory Framework and guidance from The Regulator of Social Housing:

- Housing Act 1985
- Housing Act 1996
- Equality & Diversity Act 2010
- Localism Act 2011
- Revised Housing Allocations Code of Guidance (DCLG)

18 Associated Policies and Procedures

The following procedures are associated with this policy:

- Lettings procedure
- Nominations procedure
- Management transfer procedure
- Viewings procedure
- Sign-up procedure
- New tenant visit procedure
- Decanting procedure

This policy is supported by:

- Data protection policy
- Succession policy
- Antisocial behaviour policy
- Tenancy changes policy
- Mutual exchange policy
- Complaints policy
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Version control

Date	Amendment	Version control
February 2019	<i>Created following a review of CDS Lettings processes</i>	v.1.1
16 th May 2022	<i>Updated and approved by Board</i>	v.1.2