



Allocation and Lettings Policy

Derive
Salford

1.0 Introduction:

- 1.1 This policy is designed to support Dérive's outcomes and policy wishes as an ethical landlord and provider of genuinely affordable homes. The policy will ensure that our housing stock is allocated to applicants from Salford's housing register (in line with the councils Allocations Policy) who have a housing need, and can reasonably be expected to afford and sustain a tenancy with us.
- 1.2 Dérive" is a term which includes any agent operating on behalf of Dérive who will follow this policy. In certain contexts the specific agent roles are mentioned to assist in implementation. Appropriate operational and performance monitoring procedures to deliver the policy are attached in the annex.

2.0 Aim/Purpose of the Policy:

- 2.1 The aims and objectives of this policy are:
- To make full and effective use of our housing stock
 - To ensure the widest possible access by offering people a choice of affordable accommodation
 - To promote equal opportunities of access for all eligible applicants
 - To ensure Dérive does not discriminate on the grounds of race, gender, age, disability, religion, sexual orientation, pregnancy and maternity, gender reassignment or marriage & civil partnership
 - To ensure responsible lets through sensitive affordability assessments
 - To set out clear standards of service and performance
 - To ensure Dérive complies with appropriate legislation, local policies and best practice
 - To aid in the prevention of homelessness
 - To achieve sustainable tenure blind homes and communities where people choose to live

3.0 Policy:

- 3.1 Dérive works in partnership with Salford Council who have 100% nominations on all Dérive's properties which are advertised via Salford Home Search - the Choice Based Lettings system (CBL). CBL allows applicants who are registered on Salford Home Search to express an interest in properties available to rent. These are primarily homes owned by Registered Providers, although a small number of private landlords also advertise properties via Salford Home Search.
- 3.2 Dérive will keep the process as straightforward and as easy to understand as possible and provide information and advice so that applicants can make informed choices. Dérive are aware of the potential impact of Welfare Reform on our tenants and this policy also aims to enable existing customers to use the CBL system to identify the most appropriate accommodation that meets their housing needs.

4.0 Method of Allocating Homes:

- 4.1 All allocations of Dérive's properties will be made through Salford Home Search – Salford's choice based lettings scheme.
- 4.2 Salford's Allocations Policy adheres to the legal requirements of Part 6 of the Housing Act 1996 (as amended), in addition to a range of other Acts, regulations and government guidance. Therefore the Policy meets all statutory requirements relating to eligibility and qualification for housing. Local Authority policies are framed to provide Reasonable Preference (i.e. a head-start) to those with housing need, and Dérive's participation with the Local Authority scheme therefore ensures that those with housing need have priority access to Dérive's homes.
- 4.3 Salford's Allocations Policy describes the types of properties eligible applicants can apply for, how eligible applicants will be prioritised, and the method of allocating homes. The Local Authority uses a web-based choice based lettings system where customers can express interest in available homes.
- 4.4 Managed by Salford City Council, Salford Home Search aims to give new and current tenants greater housing choice.
- 4.5 For more information about who can register for a home via Salford Home Search, along with: eligibility and qualifying criteria, how applications are prioritised, how special/extenuating circumstances are taken into consideration, how unacceptable behaviour may result in an applicant being disqualified from applying, appeals and bidding processes, please refer to Salford's Allocations Policy at:

<https://www.salfordhomesearch.co.uk/AllocationSchemeSummary.aspx>

- 4.6 Applicants can express an interest in a property either online, by text, on the telephone or in person at the Housing Options Service offices at 7 Wesley Street, Swinton, M27 6AD.
- 4.7 Only at the close of the bidding period, are applicants prioritised (in line with the Allocations Policy) for a particular property that they have expressed an interest in/bid on. All applicants will be able to see their final position in their expression of interest history on the Home Search website. Successful applicants will be contacted and given the chance to view the property prior to being made an offer of accommodation, subject to successful references.
- 4.8 If the tenant has an existing pet(s) or wished to have a pet, the tenant will need to notify Dérive of this. Occasionally it may be appropriate to refuse the offer of accommodation, for example if an applicant has several large dogs and property is a small flat above ground floor.

5.0 Eligibility for a Dérive Property:

- 5.1 Dérive's allocations are made in line with Salford's Allocations Policy. The Allocations Policy provides more details about eligibility for an allocation of social housing and these principals apply to all Dérive's allocations – interested applicants therefore should have reference to Salford's Allocations Policy for more information, available at:

<https://www.salfordhomesearch.co.uk/AllocationSchemeSummary.aspx>

- 5.2 In summary, the same criteria for being eligible to join Salford City Council's housing register are applied to Dérive's properties. Therefore, eligible households are currently those who:

- Have no restrictions on their right to enter and/or remain in the UK and
- Who are also habitually resident in the Common Travel Area.

- 5.3 To be eligible for housing, EEA nationals must have a legal 'right to reside' in the UK.
- 5.4 Citizens of countries from outside the EEA are generally subject to immigration control and need permission to enter or remain in the UK and only some people subject to immigration control are eligible: Refugees, people with discretionary leave, humanitarian protection or exceptional leave following an application for asylum, and people brought to the UK on the special settlement programme for Afghan interpreters are eligible provided their leave does not include a public funds restriction.
- 5.5 People with indefinite leave to remain are eligible (with some exceptions) but have to pass the 'habitual residence' test.
- 5.6 Generally, people with other forms of limited leave to remain are not eligible.
- 5.7 Applicants for housing who have applied through and been accepted by the Local Authority scheme will usually already have been confirmed as being eligible for social housing. There may be occasions where the Local Authority requires Dérive to undertake checks prior to allocation to verify eligibility.
- 5.8 There will be no restrictions placed upon any Dérive's properties based on age or any other defined characteristics. Dérive will complete all pre-allocation checks including seeking appropriate references, to determine if the applicant is still eligible and qualifying. If so a provisional offer of accommodation will be made.

6.0 Management Moves:

- 6.1 Dérive will consider rehousing customers outside of the CBL system subject to council approval, in exceptional circumstances. Circumstances which may be considered for approval include:
- Down-sizing: To support customers (who claim housing benefit) to downsize when they are under-occupying a property under the housing benefit regulations and where they are struggling to meet their rent obligations as a result of the spare room subsidy.
 - Victims of very serious harassment and/or victimisation – including Anti Social Behaviour (ASB).
 - When there is an urgent need to move due to serious health issues and disabilities, where remaining in the existing home may cause serious hardship.
 - Cases of serious Domestic Violence
 - Where there are Safeguarding Issues and concerns
 - Emergency Health and Safety Issues i.e. Fire/Flood
 - Where work is required on a home that requires the tenant to move out

- 6.2 All requests for a management move will be assessed by and be made at the discretion of designated managers employed by Dérive's managing agents (in consultation with relevant multi-disciplinary teams i.e. Police, Health and Social Care services) on merit and should be supported by appropriate evidence such as police reports or medical evidence.
- 6.3 Customers granted a management move will be made one direct offer of suitable accommodation.
- 6.4 Depending on the reason why the management move was agreed, the designated managers may insist that the applicant moves outside of the locality where a risk has been identified.
- 6.5 Customers seeking to transfer to another Dérive property who are not eligible for a management mover transfer may still apply for housing through the Local Authority scheme.
- 6.6 Where Dérive is seeking to rehouse customers as a permanent decant Dérive will work with the customer to identify a suitable alternative property to be offered directly, either within Dérive's or another landlord's stock where possible. Customers may also be advised to register with the Local Authority allocations scheme. Transfer applicants will be prioritised for available homes over permanent decants due to the urgent nature of the need for rehousing.

7.0 Affordability Assessments:

- 7.1 Dérive is committed to ensuring that they do not contribute towards placing people in financial hardship and indebtedness. Therefore, as a responsible landlord Dérive will only let properties to people who are able to demonstrate that they can afford them. In turn this will help to develop sustainable tenancies and communities.
- 7.2 The affordability assessments are designed to ensure that any new lets made by Dérive are sustainable and in the best interest of the applicant. To ensure that sustainable communities are created Dérive will:
- Conduct an affordability assessments based on disposable income only and not on employment status.
 - Only allow an applicant to under occupy a Dérive property if they have been in work for 6 months or longer and can demonstrate that they can afford to do so.
 - Ensure any applicants who are economically active must have a disposable income of £30 or more per week after all essential outgoings have been taken into consideration.
 - Complete an assessment with all tenants who have seen a reduction in their income due to the benefits cap or other welfare reforms.

8.0 Property Type Eligibility:

- 8.1 Dérive will use the same property size eligibility criteria used by Salford Home Search (equivalent to that are used to assess benefit eligibility for assistance with housing costs). Using these rules a separate bedroom is required for;
- a couple (aged 16 or over) who live together as partners

- a single adult
- two children under 10 who are part of the same family
- two children of the same sex under 21 who are part of the same family
- any remaining children who cannot be paired according to the rules above.

8.2 In order to make the best use of stock Dérive will always seek to maximise the occupancy of a property according to these rules.

8.3 Where a property is adapted Dérive will seek to identify a household that requires the adaptations installed. Those with a need of ground floor accommodation as a result of mobility issues will be prioritised for ground floor flats and bungalows.

8.4 Decant allocations will be made on a housing need basis i.e. the right sized home based on the households needs, rather than on a like for like basis where for example a resident may be under occupying.

9.0 Ineligibility:

9.1 Dérive may consider applicants ineligible for an allocation of housing for a number of reasons in line with Salford's Allocations Policy which should be referenced for more details, but these include:

- Applicants who provide false or misleading information including having committed an act of fraud, withheld, falsified or misrepresented any information pertaining to access to public funds and/or services including obtaining a tenancy by deception..
- Applicants who do not provide evidence of their identity and residency status
- Some applicants with limited leave to remain in the UK; or they have applied for an extension of their leave to remain if it has expired
- Applicants who own or have a legal interest in a property anywhere in the UK or abroad
- Have unspent criminal convictions which the council considers makes the applicant or a member of their household unsuitable to be a tenant due to the threat they would pose to neighbours and/or the community, including perpetrators of domestic abuse or hate crime who are subject to a non-molestation order, an injunction order, an occupation order or a restraining order.
- Applicants who have a conviction for using accommodation or allowing it to be used for immoral or illegal purposes such as drug dealing.
- Applicants who have current or former tenant arrears with Dérive. Dérive may make exceptions if the applicant is needing to downsize because of a reduction in welfare benefits which means their home is no longer affordable (any arrears will be written into the new tenancy agreement)
- Applicants who have current or former tenant arrears with another Landlord of more than £7501 and who are not able to demonstrate engagement with a

¹ Arrears of up to £750 will not be a bar provided that applicants have a repayment plan and have been repaying for the previous 19 weeks.

Arrears of up to £500 the same but have been repaying for the previous 13 weeks.

repayment plan. Dérive may make exceptions if the applicant has been given a statutory duty by the local authority – please refer to Salford Council's Allocation Policy for details

- Applicants who are subject to legal action by Dérive or another Landlord on the grounds of a serious breach of tenancy, such as anti-social behaviour or action under the environmental protection act, including when a member of the household is subject to an ASB, injunction or other legal proceedings (i.e. being awarded an order made in a civic court linked to a property or a property location)
- Applicants who do not provide evidence to confirm they have the means to pay the weekly rent charge.
- Applicants who fail an affordability assessment due to insufficient funds available to pay the weekly rent.
- Applicants with support needs which Dérive are unable to meet internally or through an external support agency.
- Applicants who are Dérive customers who have not resided in their current property for a minimum of 12 months (this may not apply to management moves or decants).
- Serious neglect, damage or abandonment of a previous property.
- Allowing furniture, fittings and other installations provided by the landlord to deteriorate due to ill treatment.
- Abusive or threatening behaviour towards members of staff at the council or any partner providing accommodation under this policy.
- Having lost previous accommodation provided in connection with employment due to misconduct that meant the applicant could no longer live there.
- Having been evicted for any other breach of tenancy conditions, regardless of tenure including: sub-letting some or the whole of the property without permission, failure to report repairs, failing to allow contractors to enter the property to carry out maintenance and running a business from the property.

9.2 Dérive will reject or suspend a Salford Home Search application where an applicant is deemed ineligible using the above criteria.

9.3 Dérive further reserves the right, in exceptional circumstances, to restrict offers of accommodation that are considered to be inappropriate in relation to any information obtained via a risk assessment or support needs assessment.

9.4 Dérive will only consider high risk offenders where appropriate and robust support and risk assessment plans are in place and will continue after re housing has occurred. Dérive will need to be satisfied that such an allocation complements its approach to safe, secure and sustainable communities.

9.5 Dérive will take action against any customer: attempting to fraudulently obtain accommodation, found to have deliberately lied, provided Dérive with false information, or withheld information as part of the application process. Housing fraud is a criminal offence and Dérive will take action against tenancy fraud. A property obtained by deception will be repossessed. If Dérive discover this type of irregularity at the offer stage, Dérive will withdraw the offer.

- 9.6 Before any offer of accommodation is made, all applicants will be required to provide Dérive with references from their current landlord where they have one. Where the applicant does not have a current landlord, alternative references will be sought.

10.0 Lettings to Dérive / Agent Employees:

- 10.1 Dérive / agent employees are invited to apply for homes in the same way as any applicant not working for the organisation. However, employees are required to discuss their intentions with their manager before applying for or expressing interest in a Dérive property. This will enable managers to advise and support the employee and manage their expectations.
- 10.2 By utilising Salford's Allocations Policy and Salford Home Search to allocate all homes Dérive seeks to ensure that allocations are fair, transparent and appropriate.
- 10.3 Employees applying for accommodation will be subject to the same refusals criteria as any other applicant. Dérive reserves the absolute right to refuse an offer of accommodation to an employee outside of the standard refusals criteria if the offer is deemed to be inappropriate.
- 10.4 If an offer for housing is refused the reason for the refusal will be explained to the applicant.

11.0 Tenancy Duration and Re-letting:

- 11.1 All new Dérive tenants will initially be awarded a 12 month starter tenancy at sign up stage.
- 11.2 At the end of the 12 month starter tenancy the tenant may be offered a further 5 year fixed term tenancy. 3 months prior to the end of the initial 12 month starter tenancy a review will be conducted. As long as the tenant is able to demonstrate a good tenancy history (described in point 11.5) during the initial 9 months then Dérive would be minded to grant a 5 year fixed tenancy.
- 11.3 6 months prior to the end of the 5 year tenancy a further review will be undertaken again to consider the client's change in circumstances and their tenancy history. Dependent upon any changes in circumstances and a good tenancy history in the preceding 5 years Dérive will be minded to offer another 5 year tenancy to the tenant.
- 11.4 Changes in circumstances might include (but this list is not exhaustive):
- Residency status within the UK so that the applicant no longer has a legal right to social housing (as described in Salford's Allocations Policy)
 - Ability to afford the property
 - Development of support needs which could not be met within the tenancy
 - Change in household composition

11.5 Consideration of the tenancy history might include (but this list is not exhaustive):

- All three tenancy review contacts have been made and had a satisfactory outcome
- Good compliance with rent payments, or if there are arrears an agreement is in place and is being maintained and the income team are satisfied that a reduction in the arrears will continue.
- Reports of ASB
- Unspent criminal convictions including being subject to a non-molestation order, an injunction order, an occupation order or a restraining order.
- Reports of the accommodation being used for immoral or illegal purposes such as drug dealing.
- Neglect, damage or abandonment of the property including allowing furniture, fittings and other installations to deteriorate due to ill treatment.
- Behaviour which could be considered to be a serious fire risk
- Abusive or threatening behaviour towards members of staff

11.6 Dérive reserves the right to not renew the tenancy agreement at the end of the initial 12 months and then at the end of each 5 year tenancy period if the review evidences that the tenant has had a change in circumstances or a tenancy history which indicates that they are no longer suitable to be a tenant of Dérive. A decision on the review will be made by designated managers employed by Dérive's managing agents.

11.7 A change in household composition which results in the home being under or over occupied may not result in refusal to offer a further 5 year tenancy. However (dependent upon individual circumstances), the tenant may be required to move to a smaller / larger property more appropriate to their new household composition.

11.8 If a decision is made that the property will not be re-let to the tenant, the tenant will have a right to review of that decision. The request for a review should be submitted in writing to the decision maker within 21 days of the decision date. The review request should explain the reasons why the tenant disagrees with the decision made and additional evidence to support the request review should be submitted by the tenant.

12.0 Review:

12.1 If a customer is unhappy with a decision made in relation to this policy, a customer may seek a review of an allocation's decision. This request needs to be submitted to Dérive. On receipt of the request the Agents Manager will send an acknowledgement letter as soon as possible. The receiving Manager will then appoint and instruct a Review Panel consisting of two senior managers who have not been involved in the original. A minute taker will be assigned.

12.2 The Review Panel will consider if the allocation has been made in accordance of the Policy and procedures. Unless the Review Panel finds against the original decision, then no corrective action will be identified. The customer will be sent a letter detailing the Review Panel's decision and appropriate next steps.

13.0 Monitoring and Review:

- 13.1 An annual allocations profiling report will be produced and shared with senior leadership and the Dérive Board. The report will highlight the demographic of former and current tenants and their households and will identify any emerging trends.



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|---------------------------|--|
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