

1 Policy statement

- 1.1 Our Mission is to build Great Homes and support Successful Lives by being a Better Business. It is why we exist and guides everything we do.
- 1.2 This policy sets out our approach to allocating and letting our homes to support that mission.
- 1.3 We will, comply with all relevant legislation (statutory, regulatory and common law) including the Regulator of Social Housing's (the "Regulator") required outcomes for allocations and mutual exchanges:
- Let our homes in a fair, transparent and efficient way.
 - Take into account the housing needs and aspirations of our customers.
 - Demonstrate how our lettings:
 - a) make the best use of available housing.
 - b) are compatible with the purpose of the housing.
 - c) contribute to Local Authorities' strategic housing function and sustainable communities.
 - Have a clear application, decision-making and appeals process.
 - Enable our tenants to gain access to opportunities to exchange their tenancy with that of another tenant, by way of internet-based mutual exchange services, as an alternative way to help tenants to move more quickly to a suitable alternative home.
- 1.4 We have a range of other policies which should be read alongside this policy, including a Tenure Policy which gives details on the types of tenancy and licenses we provide and how these can be sustained and in what circumstances mutual exchanges can be arranged; and a Rent and Service Charge Setting & Management Policy which gives details on the types of rents and service charges associated with our homes. See Appendix A for a more extensive list.

2 Statutory and Regulatory context

- 2.1 This policy has been developed to take into account a range of relevant UK and English legislation and regulation including:
- Housing Acts 1985, 1988 and 1996
 - Town & County Planning Act 1990
 - Mental Capacity Act 2005
 - Equality Acts 2006 & 2010
 - Localism Act 2011
 - Modern Slavery Act, 2015
 - Welfare Reform and Work Act 2016
 - Immigration Acts 2014 & 2016
 - Homelessness Reduction Act, 2017
 - Data Protection Act 2018 and UK General Data Protection Regulation 2021

- Domestic Abuse Act 2021
- The Regulator for Social Housing's Standards and in particular the Tenancy Standard.
- Social Housing Allocations Guidance

Copies of the original and amended legislation can be found at www.legislation.gov.uk and copies of the Regulator of Social Housing's Standards can be found at www.gov.uk/government/organisations/regulator-of-social-housing

3 Policy Intent

- 3.1 We will, in accordance with the Regulator's specific expectations for allocations and mutual exchanges:
 - 3.1.1 Co-operate with local authorities' strategic housing function, and their duties to meet identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting obligations in nominations agreements.
 - 3.1.2 Develop and deliver services to address under occupation and overcrowding in our homes, within the resources available to us. These services will be focussed on the needs of our tenants and will offer choices to them.
 - 3.1.3 Publish policies to include how we make use of common registers, common allocations policies, choice-based lettings and local lettings policies.
 - 3.1.4 Clearly set out and be able to give reasons for the criteria we use for excluding actual and potential tenants from consideration for allocations, mobility or mutual exchange schemes.
 - 3.1.5 Develop and deliver allocations processes in a way which supports their effective use by the full range of existing and potential tenants, including those with support needs, those who do not speak English as a first language and others who have difficulties with written English.
 - 3.1.6 Minimise the time that properties are empty between each letting. When doing this, we shall take into account the circumstances of the tenants who have been offered the properties. Please see our separate Void Management policy.
 - 3.1.7 Record all lettings and sales as required by the Continuous Recording of Lettings (CORE) System.
 - 3.1.8 Provide tenants/licensees wishing to move with access to clear and relevant advice about their housing options.
 - 3.1.9 Subscribe to an internet based mutual exchange service, allowing:
 - a) a tenant to register an interest in arranging a mutual exchange through the mutual exchange service without payment of a fee
 - b) the tenant to enter their current property details and the tenants requirements for the mutual exchange property they hope to obtain
 - c) the tenant to be provided with the property details of those properties where a match occurs.
 - 3.1.10 Ensure the provider of the internet based mutual exchange service to which we subscribe is a signatory to an agreement, such as HomeSwap Direct, under which tenants can access matches across all (or the greatest practical number of) internet based mutual exchange services.
 - 3.1.11 Take reasonable steps to publicise the availability of any mutual exchange service(s) to which we subscribe, to our tenants.

- 3.1.12 Provide reasonable support in using the service to tenants who do not have access to the internet.

4 Routes into a Rooftop home

- 4.1 We use a variety of different ways to allocate our homes depending on the type of home and the persons(s) who are going to occupy it.

4.2 Common Housing Registers, Common Allocation Policies & Choice Based Lettings (CBL)

- 4.2.1 We will normally allocate the majority of our homes in accordance with the relevant local authority housing allocations policy, which are frequently jointly agreed with neighbouring local authorities and other social landlords, who are working together to register housing need and allocate homes through a Choice-Based Lettings (CBL) Partnership.
- 4.2.2 CBL partnerships currently operate in all the local authority areas where we provide homes. [Housing for You](#) covers Worcestershire and [Homeseeker Plus](#) covers Gloucestershire. Here you will also find information on their allocation policies, which include who is eligible for housing, who is ineligible for housing and their rehousing priorities. Legislation determines who is not eligible to register.
- 4.2.3 Potential applicants can be people who are not already housed by Rooftop or be existing Rooftop tenants or licensees who need to move to suitable alternative homes.
- 4.2.4 Eligible applicants can register their housing need directly on the CBL partnership websites and can receive help from local housing authority staff to do this.
- 4.2.5 These CBL websites allow us to advertise our homes when they are available for letting and allow applicants on the CBL housing register to express their wish to be considered for the homes that best meet their needs.
- 4.2.6 The partnership's housing criteria are then applied to determine who has the highest priority for rehousing and should therefore be considered for the available home.
- 4.2.7 These priorities help local housing authorities to discharge their responsibilities to assist people to meet their housing needs including those that are homeless and in priority need; those that are living in unsuitable housing e.g. they are overcrowded; the home is not suitably adapted to meet their needs; or they need to move area for reasons such as employment or to provide care to, or receive care from, others.
- 4.2.8 We will assist by offering homes to applicants on the CBL register where we have assessed the application and confirm that the applicant also meets our eligibility and entry requirements (see section 5 below).
- 4.2.9 We will review the CBL partnership arrangements as circumstances such as legislation and regulation require this and to ensure it meets our customer and business requirements.
- 4.2.10 We will also aim to comply with any nomination agreements we have agreed with local authorities. These may affect the percentage of our vacancies that are offered through the CBL partnership website.
- #### **4.3 Restrictions on what Rooftop can offer**
- 4.3.1 **General needs bungalows.** These homes will normally be advertised as being available for people 55 years of age and over, or those in receipt of disability benefits. General needs bungalows with two or more bedrooms can be occupied by families with children where one applicant is in receipt of disability benefits. This is

to ensure older or disabled people are given priority for these types of accessible homes.

- 4.3.2 **Retirement Living Schemes.** These homes will normally be advertised as being available for those 55 years of age and over. This is to ensure older people are given priority for these types of accessible homes.
- 4.3.3 **Occupancy Criteria.** When allocating our homes, we will use the size criteria determined by the Government for the purpose of assessing housing benefit/universal credit. This is to avoid either overcrowding or under occupation of our homes. There may be circumstances when we permit under-occupation, for example as part of a Local Lettings Plan (LLP) or where a property is difficult to let. In these exceptional cases, we will ensure that the applicant has the financial capacity to sustain the tenancy and that that they understand the potential reduction in benefit/credit that may apply.
- 4.3.4 **Pets.** We recognise that an increasing number of our customers wish to keep pets and they can bring both physical and mental benefits. We will make it clear in our adverts whether the home is suitable for pets or not. The majority of our homes will be but may require our permission and may require customers to comply with certain requirements. Further information will be given in our tenancies and licenses.
- 4.3.5 **Local lettings plans (LLP).** These are sometimes agreed with the relevant Local Authority to help create sustainable communities. We will regularly review existing plans with the appropriate Local Authority to ensure we are meeting local need and addressing any challenges such as anti-social behaviour. Any such restrictions will be included in our adverts.
- 4.3.6 **Planning Restrictions.** Some of our new or existing homes are subject to planning conditions with letting restrictions (sometimes referred to as Section 106 agreements under the Town & Country Planning Act 1990). These conditions can restrict what types of homes are built and under what circumstances they can be let or sold and to whom. Any such restrictions will be included in our adverts.
- 4.3.7 **Vulnerable Young People and Adults.** We define vulnerable as “a person aged 16 or over whose ability to protect themselves from violence, abuse or neglect is significantly impaired because of their age, disability or illness,” and may include: those with additional support needs such as survivors of domestic abuse; a history of, or current issues with, drug and alcohol misuse; being in local authority care immediately prior to the allocation; mental ill-health; a physical or learning disability or a history of homelessness.
- a) **Vulnerable young people (16 or 17 years of age)** will be able to bid for or be nominated to our homes subject to the Local Authority having a legal duty to rehouse them, a trustee and guarantor is in place who can countersign their tenancy/licence agreement; and evidence that support is in place to enable the young person to sustain their tenancy/licence.
- b) **Vulnerable adults (18 years of age and over)** will be able to bid for and be nominated to our homes subject to the local authority having a legal duty to rehouse them, an appointee or a person with power of attorney; and guarantor is in place who can countersign their tenancy/licence agreement, if they lack the mental capacity to do so themselves; and support is in place to enable the vulnerable person to sustain their tenancy/licence. Please also see our Mental Capacity Policy.
- 4.3.8 We will work closely with guarantors, trustees, appointees and those with power of attorney, where applicable.

4.4 **Exceptions to Choice-Based Lettings**

- 4.4.1 Some of our specialised homes may not be advertised on CBL websites and sometimes it will be necessary to step outside the normal choice-based lettings to deal with exceptional circumstances.
- 4.4.2 **Housing with Care.** Customers are normally selected via direct applications to either: the local housing authority, the local social services authority or direct to Rooftop. The applications are then reviewed and allocations are agreed at a multi-agency Allocations Panel chaired by Rooftop. The Panel will include the relevant housing authority, social services authority and care provider; and will consider the applicant's level of assessed need and risk. However, where demand is low, or where the Section 106 agreement requires it (see paragraph 4.3.6 above), we may decide to use CBL to advertise these homes.
- 4.4.3 **Homes for young people.** This is temporary accommodation managed by our Young Peoples Service. Potential applicants are identified by either the district housing authority or the county council's social services authority and then considered by the county council's 16+START meeting for onward referral to Rooftop, if appropriate. The referrals will be reviewed by our Young Peoples Service who will consider the level of assessed need and risk; and the suitability of the home for the young person, prior to making an allocation.
- 4.4.4 **Homes for homeless people.** We provide a number of homes which homeless people can use as temporary accommodation. We manage these homes in partnership with the relevant local authority. It is the district housing authority who decide which homeless applicants are allocated this type of temporary accommodation.
- 4.4.5 **Homes for survivors of domestic abuse.** These safehouses provide temporary accommodation and support from our Domestic Abuse Service for survivors of domestic abuse. Survivors are referred to us from either the district housing authority or from partner agencies providing specialist domestic abuse support.
- 4.4.6 **Homes with intensive support.** These homes include accommodation and support for people with complex and enduring mental ill-health; 'Housing First' (the provision of accommodation with intensive support built around the client); temporary accommodation for recovering addicts; and other temporary accommodation as agreed with the relevant local authority.
- 4.4.7 **Homes for Keyworkers.** These homes or rooms are allocated to health care workers in accordance with the agreement we have with the relevant NHS Trust.
- 4.4.8 **Homes offered at market rents** These homes are normally advertised and let through local letting or management agents.
- 4.4.9 **Homes which are difficult to let.** Where properties are difficult to let, for example, they have been offered and refused more than twice, we will advertise on social media, through external agencies and on our own website.
- 4.4.10 **Homes for people whose current homes are undergoing major repair or regeneration.** When a home requires major works, is due to be redeveloped or is part of a re-generation scheme, a customer may need to move to an alternative home, preferably to another one of our homes. If this is not possible, we will liaise with other housing providers to find suitable alternative homes. The homes may be temporary (known as a Decant) or permanent and we will liaise with the customer throughout the process. The move may include us paying for home loss, removal expenses and other associated costs, where applicable.

- 4.4.11 **Management Moves.** We recognise that there are occasions when a customer will need to move urgently, such as survivors of domestic abuse, unsuitable allocations into housing with care, racial harassment, credible urgent risk to life or significant health reasons. This is not intended to give existing customers an unfair advantage over other applicants but does acknowledge that there are occasions when we will need to act outside of any established prioritisation scheme. The circumstances of each case will be considered, and this may include rent arrears. Generally, we will not permit an internal transfer where any housing debt exists however, we would seek to agree a repayment plan to enable further review. Such moves will be assessed and determined by a specialist management moves panel and appropriately recorded.
- 4.4.12 **Sites for Gypsies and Travellers.** Where we are allocating pitches on one of our Gypsy and Travellers sites, these are normally allocated from nominations supplied by local authorities.
- 4.4.13 **Homes for our employees and close relatives.** Our Scheme of Delegation specifies that our Executive Director - Operations has delegated authority to approve decisions to allocate homes to rehouse or transfer employees (other than members of the Executive Team) and/or their close relatives in accordance with our Allocations and Lettings, Shared Ownership and Probity Policies.
- 4.4.14 **Homes for Refugee Resettlement.** To assist the Government and our local authority partners with resettling refugees, we do offer a small number of homes to refugees nominated by the Government and supported by our local authorities. They have been granted indefinite leave to remain in the UK and have been given the right to rent by the Government.
- 4.4.15 **Mutual Exchanges.** We are committed to promoting and supporting customer mobility and to address under-occupation and over-crowding. This will include providing information and advice to customers who wish to move to another home, including advice on seeking a mutual exchange with another customer, in our own homes, or homes managed by another housing provider. This is usually by way of assigning (or transferring) their current tenancy to the other tenant although in certain circumstances the law may require us or we may choose to take a surrender of the existing tenancy and offer a new tenancy. Further information on mutual exchanges, including any reasons for refusal, is given in our Tenure Policy. Our current internet based mutual exchange service provider is [Homeswapper](#) with whom we have a contract giving free access to this service for our tenants.
- 4.4.16 **Other assignments and successions.** In certain circumstances, tenants have the right or we have the discretion, to allow other members of the family to take over responsibility for their existing tenancy. This can be because of a court order or because other members of the family would have succeeded to (or inherited) the tenancy on the tenant's death. Further information on assignments and successions is given in our Tenure Policy.

4.5 **Exclusion/refusal of applicants**

- 4.5.1 We will consider each case on an individual basis and make every effort to resolve any possible ineligibility.
- 4.5.2 The reason an application may be declined or deferred whilst a recovery plan is put in place, may include, but are not limited to the applicant:
- being subject to immigration control and who are not eligible for housing

- having no recourse to public funds and who do not have the financial means to sustain a tenancy
- or a member of their household has had action taken against them for anti-social behaviour.
- having been evicted for any breach of tenancy in the last three years.
- owing money to a former landlord unless they have an agreement to clear the debt. Existing Rooftop customers are usually required to have a clear rent account before they can move.
- Being convicted of a serious criminal offence where due to the nature of the offence and the risk assessment, it is not safe to house them (this does not apply to those convictions that are legally spent or are covered by the Rehabilitation of Offenders Act 1974).
- Having given false information in relation to their housing application. It is a criminal offence if an applicant withholds or provides false information in relation to their housing application. For further information please read our Tenancy Fraud Policy.
- Being deemed unlikely to be able to sustain a tenancy or licence, following a financial assessment. In such circumstances, the applicant will be encouraged to engage with relevant support services.
- having care needs which are incompatible with the service available in their chosen accommodation.

5 Tenancy / Licence sustainment

5.1 Tenancy / Licence sustainment refers to a customer's ability to successfully manage a tenancy or licence independently or with support. We will do all we reasonably can to help tenants and licensees to sustain their tenancies and licenses.

5.2 Pre-tenancy / licence assessment

- 5.2.1 All applicants will be required to undergo a thorough assessment process to determine their suitability for the home they are being considered for, including:
- the applicant's right to rent if a local authority check has not been completed.
 - the applicant's economic/financial status (including any benefit restrictions that may be in place),
 - the applicant's support needs, in particular, for all our types of supported housing
 - any other factors which may determine how easy it is to sustain their tenancy/licence.
 - references from landlords for all former tenancies/licences held by the applicant for the previous five years.
 - permission may be sought from the applicant to carry out a credit check. Applicants will be required to pay one month's rent in advance. (A degree of discretion may be applied according to individual circumstances).
 - the applicant's ability to make future rent payments via direct debit and to build up a credit of at least one month's rent / licence fee over time, regardless of their income. Arrangements will be discussed at offer stage with payment taken at sign-up. A small amount each week can be added to any Direct Debit arrangements to build up this credit.
 - verifying the applicant's identification documents. We will require two forms of identification, one of which must include a photograph. This will also help us to ensure that we comply with our Anti-Slavery and Human Trafficking Policy.

- the applicant's access to furniture and household items. Advice will be given on our Emergency Assistance Fund and other sources of financial help, where required.
 - the applicant's understanding of their housing rights and responsibilities.
- 5.2.2 Failure to provide all the required information/documentation or providing false information, will lead to their application being rejected.
- 5.2.3 Existing Tenants/licensees – all existing tenants/licensees who are considered for a move internally, will be subject to additional checks to confirm that they have fully adhered to the terms of their existing tenancy/licence and will be required to give the required notice on their existing tenancy/licence as per their tenancy/licence agreement. Additional checks will include the following:
- An assessment of the condition of their existing home. Failure to meet Rooftop's standards will result in any application to transfer being declined until such time as works have been undertaken to bring the property up to the required standard.
 - An assessment of whether there has been a breach of any other tenancy/licence condition. Failure to meet the obligations set out in our tenancy/licence agreements will result in any application to transfer being declined until such time as the breaches have been rectified.
- 5.2.4 Where we decline the applicant, the reasons for the decision will be explained and where this leaves the applicant at risk of being made homeless, we will work with the local housing authority to help prevent homelessness.
- 5.2.5 We will also provide details of our appeals and complaints procedure and signpost failed applicants to housing advice services.
- 5.3 Ongoing support after letting**
- 5.3.1 All new customers will receive planned visits in their first year of tenancy/licence. Where a customer has been identified as vulnerable, we will continue to monitor how well they are coping with sustaining their tenancy and offer help and advice where appropriate.
- 5.3.2 We will do all we reasonably can to help customers sustain their tenancy or licence in order to prevent unnecessary evictions.
- 5.3.3 After the first year, at least one contact is made with existing customers every two years to ensure that we know who our customers are and to keep customer information up to date. All frontline staff carry out regular visits in the course of their day-to-day duties.
- 5.3.4 In addition, we have a programme of Tenancy/Licence Visits where we focus on those customers that we know to be vulnerable and/or where no recent contact has been received.
- 5.3.5 Customers in retirement living schemes and bungalows will receive annual visits to assess the suitability of their homes and to plan for their future housing needs.
- 5.3.6 Customers in specialist housing schemes e.g. housing with care, temporary housing for the homeless including those fleeing domestic violence, leaving local authority care etc. will receive more intensive ongoing support, as necessary.
- 6 Recording and Monitoring**
- 6.1 After letting our homes, we will record the letting on the Government's Continuous Recording of Lettings (CORE) System.

- 6.2 We will regularly monitor the letting of our homes to ensure that our allocation and letting policies are being implemented and that we are complying with any allocation/nomination agreements we have in place with partners such as local housing, planning and social services authorities.

7 Review of decisions

- 7.1 Any applicant who is unhappy with the decision can ask for a service request. To enable reviews to be made swiftly, the appeal will be considered by the Head of Housing.
- 7.2 If the applicant is still unhappy with the decision, they can make a complaint. Please refer to our Complaints Policy.

8 Equality and diversity

- 8.1 We will ensure that this policy is applied fairly and consistently to all our customers and applicants.
- 8.2 We will not directly or indirectly discriminate against any person or group of people because of their race, religion/fait, gender, disability, age, sexual orientation or any other grounds set out in our Equalities, Diversity and Inclusion Policy or legally protected characteristic.
- 8.3 Our aim is to ensure that policies and supporting procedures do not knowingly create an unfair disadvantage for anyone, directly or indirectly.
- 8.4 We are committed to developing an equal and diverse culture where people are valued from all sections of society. We therefore oppose any form of discrimination in service delivery and employment practice. We aim to treat all customers fairly and we will look to tailor our policies, procedures and services to meet the needs of all our customers.
- 8.5 Where we identify a customer who is vulnerable by reason of age, disability or illness, we will look to make reasonable adjustments to our services accordingly to meet the needs of those individuals. This may include altering the way we communicate with a customer or adjusting the service we offer to that person. Each case will be judged on its individual merits to avoid a one size fits all approach.
- 8.6 We will monitor our services regularly to ensure we are meeting all our customers' needs and make any adjustments required to improve and enhance the service we deliver.

9 Data protection

- 9.1 As the 'controllers' of any 'personal data' we hold about applicants and customers we are committed to data protection and upholding applicant's rights over their data by complying with all relevant data protection laws including the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR) 2021.

10 Review

- 10.1 This policy will be reviewed after 3 years or when any changes related to relevant government consultation papers, legislation or regulation, best practice etc. take place, to ensure that the policy is achieving its stated aims.

11 Consultation

11.1 Leadership Team

11.2 Executive Team

May 2022

11.3 Other – Resident Excellence Panel TBA

12 Responsibilities

Responsible body

12.1	Formulation, amendment and approval of policy	Executive Team
	Monitoring of policy	Leadership Team
	Operational management of policy/policy author	Head of Housing
12.2	Date of formulation of policy	April 2013
12.3	Dates of policy reviews	April 2016
		May 2017
		November 2018
		November 2019
		November 2020
		May 2022
12.4	Date of next review	May 2025

Associated documents

Internal – Rooftop policies, procedures and processes

- Tenure Policy
- Rent and Service Charge Setting and Management Policy
- Capacity Policy
- Equality, Diversity and Inclusion Policy
- Probity Policy
- Complaints Policy
- Anti-Slavery and Human Trafficking Policy Statement
- Allocations and Lettings Procedures for general needs and supported housing
- Allocations and Lettings Process
- Housing Management System Manuals covering allocation, letting and assignments (including mutual exchanges)
- Equality Impact Assessment