



# Allocations Policy

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## **1. Scope**

- 1.1. This policy applies to Clarion Housing Association’s (Clarion) general needs homes and homes for older people. It does not apply to allocations to extra care and supported housing which are subject to their own agreements with our local authority and other external partners. It does not apply to market rent or intermediate rent products.
- 1.2. It sets out how we will allocate our homes and the eligibility and affordability criteria that apply to all tenants and applicants, including those nominated by local authorities. It explains our priorities and provides assurance to our partners and customers that where we directly allocate homes to tenants and applicants, we will do so fairly and transparently.

## **2. Policy Objectives**

- 2.1. This policy aims to:
  - Make the best use of Clarion’s available homes
  - Help tenants and applicants to access homes that meet their needs
  - Promote and sustain diverse and vibrant communities
  - Ensure that our eligibility criteria and allocations practice are fair and transparent for everyone who has an interest in how we allocate our homes
  - Contribute to our local authority partners’ strategic housing function and sustainable communities.

## **3. Policy Statement**

- 3.1. Clarion is a national housing association that provides homes to over 125,000 households across a large number of local authority areas in England, each with different nomination arrangements, allocations policies and varying levels of demand for properties. As a large, national association, we aim to deliver consistent services across a wide area to achieve efficiencies and realise cost savings. By doing this and protecting our income streams, we can invest in improving the quality of life for our residents and those in need of a home. We are committed to develop new, affordable homes to help tackle the housing shortage and help those in housing need.
- 3.2. We want to make our homes places that people want to live, and the make-up of our communities is crucial in achieving this. As a charitable organisation, we are committed to meeting housing needs and supporting vulnerable people, but we believe that we can support people best in mixed, vibrant communities. We will use housing allocations to help create sustainable, more economically active communities and ensure that the needs of existing residents are balanced with those of new applicants, reflecting the needs of the wider

community, not just those in most need. To this end our aim is to retain a percentage of our available homes to allocate to our existing tenants who need to move, and to those who apply directly to us.

- 3.3. We will continue to work with our local authority partners to assist them in fulfilling their statutory duties and allocations policies, but as a national organisation we are not always able to adapt our policy and practices to meet all of the requests and requirements of individual local authorities. Many of our homes will be let at an affordable rather than social rent so we need to ensure that those who apply or who are nominated to us can afford the rent and meet our affordability criteria as set out in this policy.
- 3.4. Clarion's policy aspiration is to retain 25% of allocation rights under its nomination agreements with local authorities where it is appropriate to do so.
- 3.5. Where we have a number of different nomination agreements in place in one local authority area, we will explore reaching a simpler, overall partnership agreement.
- 3.6. The type of tenancy we will offer when allocating housing will be in accordance with our *Tenancy Policy* and we will determine whether we advertise and let it with a social rent, an affordable rent or an intermediate market rent. How Clarion sets its rents can be found in our *Rent Setting Policy*.
- 3.7. We will only offer joint tenancies to two adults who are in a domestic relationship e.g. partners, spouses or civil partners. We will not issue a joint tenancy where this type of relationship is not present e.g. a parent moving with their child as this may create succession rights for other relatives that they would not otherwise be entitled to.
- 3.8. Unless the terms of a tenancy agreement state otherwise, we will only consider applications to move from existing Clarion tenants once they have held their existing tenancy for a minimum of 12 months.
- 3.9. The policy has been written following consultation with Clarion residents during March 2022.

## **4. Routes in to a Clarion Home**

There are 2 main routes into a Clarion general needs home:

- Be nominated by a local authority (nomination allocations)
- Apply to us directly if you are interested in a property that we are currently advertising and letting ourselves (retained allocations).

### **4.1. Local Authority Nominations**

4.1.1. As a registered provider of social housing we have a duty to assist local authorities in the areas we operate in by offering a percentage of our available homes to people nominated by the local authority. The percentage is agreed in a nomination agreement. In most areas this is usually 75% but the percentage can vary based on local authority or property type and size. In some areas this may be as high as 100%.

4.1.2. Once we receive a nomination we will check that:

- The nominee is eligible to become a Clarion tenant (see Section 6), and
- The nominee can afford the home they have been nominated for (see Section 9).

4.1.3. We reserve the right to verify information concerning the nominees' 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 nominees do not meet our criteria, or the local authority does not provide the relevant information required to fully assess the nominee, we may refuse the nomination and explain our reasons for doing so to the local authority.

## **4.2. Applying Directly – Retained Allocations**

4.2.1. In areas where Clarion retains a percentage of our available homes within the nomination agreement, we will advertise this percentage outside of the local authority's system and register.

4.2.2. Existing Clarion tenants and customers not currently housed by Clarion will be able to express their interest in these properties. All applicants who apply directly for these properties will be assessed under the criteria contained in this policy.

4.2.3. Retained allocations will generally be advertised using property portals such as Rightmove and Moving Soon, in addition to being displayed on Clarion's website. In some instances we may allocate using an approved agency or scheme e.g. Veteran's Scheme.

4.2.4. Clarion will not hold a housing register in order to allocate its retained available homes but a record of existing Clarion tenants requiring urgent moves will be maintained in order to facilitate direct offers of accommodation.

## **4.3. Allocation to Clarion Employees, Board members and their relatives**

4.3.1. Clarion will not 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 application for social housing with Clarion Housing Group must be made through a local authority nomination scheme. It will be subject to a greater degree of scrutiny and approval and be let in accordance with Clarion Housing Group's Code of Conduct for employees and board members and the related procedure on the supply of housing to staff, board members and connected persons.

4.3.2. All applications will go through the Group Director of Compliance and Governance who will obtain the approval of a member of the Group Executive Team and a Group Chair.

## **5. How We Decide How to Allocate Our Homes**

### **5.1. Nomination Agreements**

5.1.1. Under the terms of the nomination agreements with our local authority partners we agree to allocate a percentage of Clarion available homes in their area to households that the local

council nominate to us. To calculate which properties to offer to the local council we only consider the homes that become available that create a genuine additional vacancy (or 'true void'). While there is some variation across all the nomination agreements, we aim to work to a single definition:

5.1.2. A Clarion property will be counted in calculations of the nomination agreement commitments if it becomes available due to a tenant moving out to another landlord or tenure, an eviction or death where there is no right to succession.

5.1.3. We will make sure that the correct percentage of available homes in an area is offered to the local authority for nominations. In areas where we hold our own housing register, when a home becomes available because a Clarion tenant is transferring to another Clarion property it will not be counted as it is not an additional vacancy, i.e. it is not a 'true void'.

## **5.2. Retained Lets**

5.2.1. In general, we aim to achieve a mix of lettings between direct applicants and existing Clarion tenants when using our retained percentage of available homes.

5.2.2. We reserve the right to adjust the balance between Clarion transfer applicants and direct applicants as necessary at any time.

## **5.3. Local Lettings Plans**

5.3.1. Local lettings plans are time-limited local plans agreed with local authority partners which set out additional agreements about who can be housed within a defined geographical area to meet specific local issues of that area.

5.3.2. Where local lettings plans are in operation these will take precedence over our Allocations Policy for that particular area or neighbourhood.

5.3.3. For new developments we may use local lettings plans to ensure a mixed community is achieved when the housing is first let, such as a mixture of different ages of children in family housing and a mixture of different needs where the local authority is making nominations. Wherever possible, all new developments will contain at least 25% of tenants in work or those making a significant community contribution.

5.3.4. Local lettings plans may also include specific initiatives or incentives to assist with letting available homes in areas where we have greater turnover of properties and less demand.

## **6. Eligibility for a Clarion tenancy**

6.1 All applicants for a Clarion tenancy, whether applying directly or nominated by a local authority, must be eligible under this policy. Clarion applies different eligibility criteria for customers that are nominated compared to those that apply to Clarion directly.

6.2 If applying for a joint tenancy, both applicants must be eligible. If an existing tenant applies for a transfer they must still be eligible.

6.3 A tenant who has a starter tenancy or who has a probationary period within their tenancy must still be eligible at the end of the starter tenancy or probationary period. A tenant who has a fixed term tenancy must still be eligible at the end of the fixed term for another tenancy to be offered.

## 6.1. Eligibility Criteria – Nomination Allocations

To be eligible for a Clarion tenancy, an applicant nominated by the local authority must:

- Be over 18 years of age, or be aged between 16 and 18 years of age with an adult guarantor who will hold the tenancy in trust and guarantee the rent until the applicant turns 18.
- Be habitually resident in the UK.
- Not be exempt from holding a tenancy by their immigration status. All adult household members will be required to prove their right to rent in the UK.
- Not already hold a tenancy elsewhere, unless they are being rehoused because they are required to give up that tenancy. This also applies to their spouse or partner.
- Not own or have a legal interest in a residential property in the UK, unless it is a home which is not suitable, in which case we will satisfy ourselves that the applicant is actively selling such a property. If an applicant is not actively selling a property we will satisfy ourselves that the intention is to sell the property. This also applies to their spouse or partner.
- Have less than £80,000 equity to be eligible if an applicant owns a legal interest in a residential property that they are actively selling or intend to sell. Discretion may be applied if the applicant requires supported accommodation.
- Not have a household income in excess of £60,000p.a. (including contributions to the weekly household budget made by non-dependents).

## 6.2. Grounds for Refusing a Nomination

6.2.1. If any of the following apply to a nominated applicant or a member of their household, and/or we consider that the allocation of housing would be to the detriment of the neighbours or local community, Clarion may refuse the nomination:

- They have had a conviction or a caution in the past 3 years for an offence which makes them unsuitable to be a tenant. For example, assault, selling drugs, carrying offensive weapons, keeping dangerous dogs, causing damage to property, burglary, soliciting, keeping stolen goods etc. All unspent convictions must be declared on the housing application form (as defined by the Rehabilitation of Offenders Act 1974).
- They have been evicted or had a possession order (suspended or outright) or an injunction made against them in the past 5 years, for serious antisocial behaviour including harassment, intimidation or domestic violence and/or criminal or immoral behaviour while a tenant with their previous landlord.
- The applicants, a member of their household or guests or visitors to their home have perpetrated antisocial behaviour, harassment, domestic violence, or other unacceptable

behaviour including a history of causing serious nuisance or annoyance to neighbours and had tenancy enforcement action taken against them in the past 3 years.

- Clarion or another landlord has commenced legal action for breach of tenancy within the past 3 years.
- There are current or former arrears of rent or service charges, or other housing debt owed to Clarion or any other landlord. Exceptions to this are where we have given approval to move to a smaller property because a reduction in welfare benefits has made the current home unaffordable. Current tenants must have had a clear rent account for at least 3 months at the time of application and are expected to clear any debt accrued since registering their application prior to any offer of rehousing. Former tenant arrears older than 6 years will not be considered.
- There is evidence of violence or threats of violence, harassment or intimidation towards a staff member or contractor of Clarion or any other social landlord in the past 5 years.

6.2.2. We may make exceptions to the above criteria if we receive a recommendation from a current landlord or relevant support agency (e.g. probation officer) which demonstrates the applicants/nominees current suitability to hold a tenancy and we are satisfied that there is a care and/or support plan in place that provide sufficient support to them to maintain the terms and conditions of the tenancy. In these cases, a starter tenancy or probationary period will be used.

6.2.3. Nominations may be rejected if the local authority does not provide sufficient information required to fully assess an applicant for a particular property, failed to confirm that the right to rent checks have been completed, or failed to supply the nominations in time in line with the nominations agreement.

### **6.3. Housing Ex-Offenders (including Sex Offenders)**

6.3.1. Clarion aims to create safe, secure and sustainable communities and will have regard to the best interests of our existing residents in that community when taking such a decision. We reserve the right to restrict offers of housing that are considered to be inappropriate in relation to any information obtained via a risk assessment or support needs assessment process.

6.3.2. Where high risk offenders that are subject to a multi-agency public protection arrangement (MAPPA) are being nominated by a local authority, then the 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. In addition, the local authority will need to provide:

- A detailed risk assessment and details of a care package together with any monitoring arrangements
- Contact details of members of the inter-agency risk management panel, including the police, for easy access to the property should a problem arise during the life of the tenancy.

6.3.3. We reserve the right to reject nominations if we consider that their support needs make them unsuitable for the home being offered to them.

## 6.4. References

6.4.1. Clarion values tenants who pay their rent on time, look after their home and are not a nuisance to their neighbours.

6.4.2. Clarion will adopt a risk-based approach when assessing risk posed by the customer based on the information disclosed in their application form. Additional reference / information requests will be made should a risk indicator be triggered.

6.4.3. Our criteria for requesting additional reference / information are provided below:

Low Risk	Applicants that do not have a support worker or ex-offences/history of antisocial behaviour. These applicants will be approved without reference information unless their housing history suggests a reference is required (see medium risk criteria).
Medium Risk	<p>If an applicant provides details of a support worker then Clarion will request a support plan prior to approving the applicant.</p> <p>Applicants will be required to provide their address history covering their previous 2 years. A tenancy reference will be requested if one or more of the following is disclosed:</p> <ul style="list-style-type: none"><li>• An eviction from a former address</li><li>• A risk indicator e.g. abandonment or squatting</li><li>• 4 or more addresses within the 2 year period</li><li>• A support plan specifically relates to behavioural issues at a previous address or related to tenancy matters.</li></ul>
High Risk	<p>If an applicant discloses an ex-offence or a history of antisocial behaviour then Clarion will obtain a probation risk assessment prior to approving the applicant. If the offence was committed at a previous address or related to tenancy matters then tenancy references will also be requested.</p> <p>If the applicant also provides details of a support worker then Clarion will also request a support plan prior to approving the applicant.</p>

6.4.4. Clarion retains the right to approve an applicant in the event that we do not receive a completed tenancy reference or support plan following our request. This decision will be at the Available Homes Manager's discretion and will take into consideration the known level of risk posed by the applicant based on the information that Clarion has available at that time.

6.4.5. Clarion will not proceed with offers of accommodation to applicants with a known offending history if a completed probation risk assessment form is not provided within the required timescale by the applicant's probation officer.

## 6.5. Eligibility Criteria – Retained Allocations



6.5.1 To be eligible for a Clarion tenancy, a customer applying directly for a property being let as a retained allocation must:

- Be 18 years of age or older.
- Be habitually resident in the UK.
- Not be exempt from holding a tenancy by their immigration status. All adult household members will be required to prove their right to rent in the UK.
- Not already hold a tenancy elsewhere, unless they are giving up that tenancy as part of being rehoused. This also applies to their spouse or partner.
- Not own or have a legal interest in a residential property in the UK, unless it is a home which is not suitable, in which case we will satisfy ourselves that the applicant is actively selling such a property. If an applicant is not actively selling a property we will satisfy ourselves that the intention is to sell the property. This also applies to their spouse or partner.
- Have less than £80,000 equity to be eligible if an applicant owns a legal interest in a residential property that they are actively selling or intend to sell. Discretion may be applied if the applicant requires supported accommodation.
- Not have a household income in excess of £60,000p.a. (including contributions to the weekly household budget made by non-dependents).
- If the applicant has a current tenancy (not with Clarion) their current rent charge must equate to more than 40% of their gross household income in order to be eligible.

6.5.2 Customers applying directly for retained allocations will not be considered if they have a history of ex-offences or antisocial behaviour as outlined in s.6.2 and s.6.3 of this policy.

6.5.3 Customers applying directly for retained allocations will be subject to referencing criteria as outlined in s.6.4.

## **6.6. Housing Fraud**

6.6.1. Social housing fraud is a criminal offence, and anyone found to have deliberately lied, provided false information, or withheld information as part of an application will not be accepted as an eligible applicant by us. If we discover this type of irregularity at the offer stage, we will withdraw the offer. This applies to both nominations and retained allocations. If we discover this type of irregularity after the property is let we will serve notice to end the tenancy. A tenancy obtained by deception will be repossessed and prosecution for social housing fraud will be considered.

## **7. Appropriate Property Size and Type**

For social housing, we will allocate the size of property the household needs although for very large households (needing a home of four beds or larger) may allow the household to over-occupy by one room (i.e. to move into a house that is smaller than they need – but larger than where they are now).

We may let properties in Priority Letting Areas where supply is greater to applicants with one bedroom more than they are assessed to need, providing they are employed and our affordability check shows that they can afford to pay the rent on a long term basis. The full criteria on who is eligible to apply for these specific properties will be set out in our property adverts.

For housing that is designated for older people we will allow a single person or couple to be considered for a 2 bedroom property if it is affordable for them. Applicants with a 2 bedroom need will always be considered first.

## **7.1. Calculating Property Requirements**

7.1.1. We will consider a property to be an appropriate size by allowing one bedroom for each of the following:

- The applicant and their spouse or partner
- Each person in their household aged 16 or older (adult children, grandparents and others, but not lodgers)
- Every pair of children under 16 of the same sex
- Every pair of children less than 10 years old regardless of their sex
- Any other child aged under 16. Babies will only be taken in to account once they are born.
- A resident or non-resident carer, if they need care overnight and this can be confirmed by a social care assessment.

7.1.2. This means that a single parent or couple with two daughters (or two sons) aged under 16 is entitled to a 2 bedroom home, but a family with one son and one daughter is eligible for a 3 bed home once the eldest child is ten years old.

7.1.3. Where parents live separately and have shared care of children, the children will be counted as part of the household that provides their main home. If a child spend equal amounts of time in both parental households or there is a question about who they normally live with, they will be treated as living with the person who is receiving child benefit for them. If neither parent is in receipt of child benefit we will request proof of residency to determine which parent provides their principal home.

7.1.4. We may make exceptions and allow an extra bedroom in specific circumstances. For example, we may consider allowing an extra room on medical or disability grounds, for example for a disabled person who has large equipment, or who needs care in the night and cannot therefore share a bedroom. We will assess these cases in line with the current Government Housing Benefit Guidance and require medical evidence. The affordability of the spare bedroom will be taken in consideration in the decision making.

7.1.5. In assessing the number of bedrooms in a house, a living room can be counted as a (downstairs) bedroom if there are two separate living rooms for the purposes of letting. Clarion will determine the number of bedrooms in a property as part of the allocations process and this will be indicated on the tenancy agreement.

## **7.2. Adapted Properties**

7.2.1. We will try to let our properties that have been purpose built or specially adapted for wheelchair users to those customers, including any household members.

7.2.2. Where we advertise through local authority choice based letting schemes and nominations from the local authority we will clearly stipulate that priority will be given to applicants who are wheelchair users or who have the relevant mobility needs.

7.2.3. We may also advertise such properties with adult social care services and relevant voluntary sector or charitable organisations.

7.2.4. Purpose built properties can be offered to nominees and applicants without mobility needs only where other avenues for potential applicants have been exhausted and will be on the basis that the adaptations remain in place throughout the duration of their tenancy.

### **7.3. Older People's Housing**

7.3.1. For Clarion general needs properties and sheltered housing schemes that are designated for older people we will only accept nominations and applications from people over a specified age. The age requirement is usually 55 years of age or over but may vary between schemes and will be stated in the property advert. All household members have to meet the specified age requirement.

## **8. Who We Give Priority To For Housing**

8.1 As a charity, our prime purpose is to help people who have a housing need that they cannot meet in the private market. For local authority nominations, the priority given to each nominee will be decided by the local authority in accordance with their own allocations policies.

8.2 For retained allocations, Clarion aims to assist those with a housing need, especially essential workers, including those who are its existing tenants. Clarion will prioritise:

- Existing Clarion tenants and direct applicants who need to move to more suitable accommodation due to an ongoing medical need
- Clarion tenants whose current property is too large or too small for their household size
- Direct applicants who are classed as essential workers in accordance with this policy

8.3 Clarion will also allow applications from Clarion tenants who wish to move but do not have a high priority need in accordance with this policy, or direct applicants that are not essential workers. These groups will be placed in the low priority band.

8.4 For retained allocations, applicants will be required to express an interest on advertised homes by completing and submitting a Clarion online application form. Properties will be advertised for 7 days before applicants are shortlisted, however, if 10 applications are received for a property before 7 days then new applications will not be accepted and applicants will be shortlisted sooner. Clarion will continue to capture expressions of interest on the advert and in order to notify these customers should the original shortlisting not result in the successful letting of the property.

8.5 We award priority using a banding system which places each application in the appropriate band based on the applicant's information. Applicants in the same priority band will be prioritised based on the date and time that they submitted their application, with the earliest submission being placed in the highest position.

8.6 Clarion will make provision for customers that require assistance with completing application forms or with applying for properties. This may include providing forms and communications in a range of accessible formats, completing applications over the phone and providing an assisted bidding service.

## 8.1 Priority Band 1 (High Priority)

8.1.1 Applicants will be placed in this band if they:

- Require level access accommodation due to medical needs regardless of their employment status. In order to be awarded this priority a customer will be required to provide evidence of their medical need e.g. by submitting a supporting doctor's letter or by providing evidence of recent medical appointments. ***NB:*** *This only applies for accessible ground floor or wheelchair accessible units. For these unit types, customers requiring accessible accommodation will receive priority over other Priority Band 1 applicants.*
- Are existing Clarion tenants who are overcrowded or under-occupied in their current home in accordance with s.7.1 of this policy.
- Direct applicants that are essential workers and can demonstrate they are in housing need – see *Appendix 1* for details. Customers will be required to provide proof of their employment (this could include a payslip or letter from their employer).

## 8.2 Priority Band 2 (Low Priority)

8.2.1 Applicants will be placed in this band if they are:

- Existing Clarion tenants who are not overcrowded or under-occupying in their current home in accordance with s.7.1 of this policy.
- Direct applicants that are not essential workers (employment not required).

## 9. Affordability

9.1. Applicants may be offered properties with either a 'Social' or an 'Affordable' rent. Both rents are below the local market rent and are intended for people who cannot afford to rent or buy on the open market. Affordable rent levels can be up to 80% of local market rents, whereas social rents are often around half of market rents.

9.2. We may carry out an affordability assessment on applicants, including transferring tenants, direct applicants and those nominated by local authorities. Where a home is unaffordable (which we define as where the rent and service charges will be more than 40% of the household income) we may have to refuse the application or nomination.

## 9.1 Social Rents

9.2.1. For most social rent properties we will conduct an initial assessment of income (including benefits), and in some circumstances where there are indicators that the home could be unaffordable we will carry out an affordability assessment. For example, where:

- The applicant/nominee is being considered for a home which is too large and may not be eligible for full housing benefit. This may affect foster carers who do not have children resident at all times
- The size of the applicant's household means they are affected by overall benefit caps (for Universal Credit). We will work with local authorities to provide advice and assistance
- The applicant's age means that they may not qualify for housing costs entitlement.

## 9.2 Affordable Rents

9.2.2. For affordable rent properties, we will use our affordability calculator to look at the applicant's monthly income against the monthly rent of the property. If the rent and service charges are more than 40% of the household income we deem the property is not affordable.

9.2.3. If an applicant fails our affordability test, we may agree to grant a tenancy if they can demonstrate that moving to our home would reduce their housing costs.

## 10. Management Transfers

10.1. Occasionally there are exceptional circumstances that result in a Clarion tenant needing to move urgently and so we may agree to give the applicant priority. These types of transfers are called management transfers.

10.2. Clarion's Management Transfer Policy & Procedure sets out what circumstances warrant the use of a management transfer and sets out eligibility criteria for these types of allocations.

10.3. Clarion may utilise management transfers where a customer is required to move urgently due to a leak, condensation, damp or mould (LCDM) having a serious detrimental effect on their health resulting in them being unable to remain in the property. Customers affected by LCDM but not requiring urgent moves may seek alternative accommodation using the priority criteria contained within this policy.

10.4. We can only try to assist tenants who are willing to move to an area where Clarion is able to allocate properties directly. In other areas where the local authority has 100% nomination rights we will refer the tenant to their local Council's Homeless Persons Unit for assistance.

## 11. Appeals against Clarion Decisions

11.1. If a tenant or applicant believes that they have not been given the correct level of priority and banding as set out in this Policy, or if their application or nomination is refused, they can ask for the decision to be reviewed. The request must be in made by email at

[customerservices@clarionhq.com](mailto:customerservices@clarionhq.com) or by letter, and must reach Clarion within 14 days of the decision and must clearly state the reason for the review.

11.2. All appeals will be decided within 14 days but **properties will not be held while the appeal is being considered**. The review will be conducted by an Available Homes Manager.

11.3. We will consider requests to review decisions to:

- Place an application in a lower band
- Refuse an application or offer of housing on affordability grounds
- Refuse an application or offer of housing on bedroom entitlement grounds
- Refuse, suspend or cancel an application because of a tenancy breach
- Not award priority, or grant a management transfer
- Withdraw management transfer status because the tenant has refused a reasonable offer or where a case is reassessed after a period of time and the justification and need for a management transfer has gone.

11.4. If the customer is not satisfied with the outcome of the review, they can make a further appeal against the decision. The appeal must be in writing within 10 working days of being informed about the outcome, stating clearly why they think the decision should be changed. A regional Head of Housing or Head of Operations will consider all of the documentation relating to the original review. They will only consider whether the decision has been made in accordance with this policy. They will do this within 10 working days. If they find the initial review decision is in keeping with the policy it will be upheld. If it is found not to be consistent with this policy they may choose to revise the decision. Their decision is final and the customer has no further recourse to the complaints procedure on the same grounds. The customer can complain to the Housing Ombudsman if they remain dissatisfied with the outcome.

11.5. Where we offer tenants the right to appeal, if the tenant is dissatisfied with the outcome of the appeal, Clarion will then not accept the same issue as a complaint. The tenant still have recourse to the Housing Ombudsman service following the appeal outcome as they would with complaints.

## 12. Key Legislation

Housing Act 1996 (as amended) - Part 6 of the Act governs the allocation of local authority housing in England; it was substantially amended by the Homelessness Act 2002 and the Localism Act 2011. Local authorities must have an allocation scheme for determining priorities between applicants for housing which sets out the procedure to be followed when allocating housing accommodation. They must ensure that they only allocate to “eligible persons” and “qualifying persons as defined in the 1996 Act. This also applies to nominations by local authorities for any allocations to properties owned by housing associations where the local authority has nomination rights.

Immigration Act 2014 – requires landlords to establish that the applicant and all adults in the household have the right to rent property in the UK. Clarion will comply with the governments Code of Practice ([www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice](http://www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice))

[practice](#)) which requires landlords to conduct initial right to rent checks before letting a property; conduct follow-up checks at the appropriate date if initial checks indicate that an occupier has a time-limited right to rent, and make a report to the Home Office if follow-up checks indicate that an occupier no longer has the right to rent.

## 13. Compliance

13.1. To ensure compliance with this policy we will undertake an internal audit of the allocations at least every three years and we will routinely monitor and analyse:

- The number of homes becoming available in each local authority area, and the percentage offered to the local authority, to transfer applicants and to direct external applicants by property size.
- The allocation of homes by priority band, the successful applicants position on a nomination or shortlist, the tenants' previous housing and employment status and the profile of tenants by ethnicity, age, gender, disability, religion and nationality to consider the impact of the policy on different communities, and to check that it is not creating unfair disadvantage for any particular groups of people.

13.2. This policy complies with the requirements of the Regulator of Social Housing's Tenancy Standard by setting out how we will:

- Let our available homes in a fair, transparent and efficient way.
- Take into account the housing needs and aspirations of tenants and potential tenants.
- Make the best use of available housing for those in housing need.
- Ensure our lettings are compatible with the purpose of the housing by for example ensuring disabled people are prioritised for adapted properties.
- Contribute to local authority's strategic housing function and assist in fulfilling their homelessness duties and our obligations in nominations agreements.
- Try to create sustainable communities, including local lettings plans, and address under-occupation and over-crowding through our allocation system.
- Make allocation decisions and criteria for excluding applicants from consideration for allocations.
- Consider appeals from customers against our decisions relating to their application.

13.3. Clarion will participate in the Continuous Recording of Lettings (CORE) scheme for social housing allocations which captures information on the characteristics of the household and property each time a social or affordable property is let. This information is submitted to the Department for Levelling Up, Housing & Communities (DLUHC).

### Associated Documents:

- Tenancy Policy
- Starter Tenancy Reviews Policy
- End of Fixed term Tenancy Policy

- Rent Setting Policy
  - Antisocial Behaviour Policy
  - Management Transfer Policy
  - Data Protection Policy
  - Decant Policy
  - Tenancy Fraud Policy
  - Code of Conduct
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## Appendix 1 – Essential Workers

Clarion will award priority to applicants working or needing to take up employment in the following services:

Service Type	Additional Comments
NHS Workers	Nurses, auxiliary nurses, health assistants, ward housekeepers, domestic staff, health records staff, other frontline health staff and volunteers
Education	Teachers and teaching support staff in public schools, and those who manage and maintain the school premises such as receptionists, caretakers and cleaners
Police	Constables and Safer Neighbourhood Team Officers
Firefighters	Firefighting staff below station manager grade
Social Care	Care homes workers and social case support workers
Social Services	Social workers, youth workers and community development officers (public and charity sectors)
Probation Officers	
Postal Delivery Workers	
Local Authority Refuse Collectors	
Public Sector Drivers	
Supermarket Workers	Below manager grade

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