

Lettings Policy – Care and Supported Housing

1. Introduction

- 1.1 We intend to let our supported homes in a fair and transparent way which most effectively meets the housing and support needs of the most vulnerable and creates sustainable tenancies whilst minimising the time that properties remain empty between each letting.
- 1.2 This policy details the letting and referral arrangements for our supported homes, how we set eligibility criteria, how we set space standards, and other relevant information. It aims to ensure that we meet our statutory and regulatory responsibilities including how we will co-operate with local authorities and other service commissioners to meet local housing and support needs by taking nominations for our homes.
- 1.3 If there is any variance between this policy and individual occupancy agreements, then the occupancy agreement will take precedence.
- 1.4 This policy has links to some of our other policies, and we've thought about these links when reviewing the policy. This policy should be read in conjunction with the following:
 - Care and Support Lettings Procedure
 - Care and Support Appeals Policy
 - Housing Sex Offenders Policy
 - Tenancy Policy
 - Rehousing Policy.

2. Scope

- 2.1 This policy sets out our approach to managing access to specialist supported housing, including accommodation let under the Rough Sleeper Initiative, and housing for older people managed by Peabody.
- 2.2 This policy does not apply to general needs housing or to supported housing managed by another provider under the terms of a lease or management contract. Lettings to tenants of general needs housing and other tenures are covered by separate lettings policies.
- 2.3 In some circumstances the Care and Supported Housing Lettings Policy may vary by scheme or region. This will be because we have agreed this with local partners such as the local authority.

3. Key terms and definitions

- 3.1 A **Service Level Agreement (SLA)** is a documented agreement between Peabody and a third party support provider contracted to deliver support services to Peabody tenants and licensees, setting out responsibilities of the respective parties and joint working arrangements.

4. Our approach

How we let homes

- 4.1 Supported Housing is provided to people who have been assessed as needing care and support in addition to housing. Schemes and services vary significantly in terms of accommodation type, security of tenure and expected length of stay.
- 4.2 Principle client groups include:

Lettings Policy – Care and Supported Housing

- Single homeless people (including former rough sleepers and people with complex needs)
 - Homeless families
 - People with learning disabilities
 - People with mental health problems
 - Young people at risk or leaving care
 - Older people
- 4.3 Care and Supported Housing properties for rent are assigned to a particular scheme or service. Referral and letting arrangements are set out in the Care and Support Lettings Procedure and may be further detailed in an operational policy and procedure manual or an SLA for specific services. For services funded under a block contract, arrangement referrals are sourced either directly from the commissioning body, usually a local authority housing or social care department, or from a referral pathway approved by the commissioner.
- 4.4 Where these apply, service specific operational policy and procedure manuals and SLAs should set out the service objectives and an outline nomination agreement as agreed with commissioners, which should include:
- Specification of referral arrangements
 - Timescales for notifying referral agencies of vacancies
 - Timescales for submission of referrals or nominations by referral agencies
 - A specification for referral information about the applicant's circumstances and support needs that is appropriate to the service model
 - Arrangements for managing waiting lists where applicable
 - Target timescales for completion of needs assessments and property viewings by Peabody.
- 4.5 Where a commissioner of a support service wishes to exercise 100% control of nominations to a scheme or service, the nomination agreement should where possible include measures to ensure that either:
- Void costs incurred due to a failure to make reasonable referrals after a defined period from notification of the void has expired will be payable by the commissioning authority, or
 - On expiry of an agreed time period where no suitable referrals have been made, the commissioning authority will relinquish its nomination rights to the service and Peabody will be free to seek referrals with support needs requirements appropriate to the service from elsewhere.
- 4.6 Referral and lettings arrangements must take account of:
- Any pre-existing and valid nomination agreement for the properties with local authorities or other stakeholders
 - Any covenants contained in the property lease or a capital funding agreement for the property, including Section 106 agreements.
- 4.7 Where support is provided by an external support contractor, a lettings policy statement for the service and the respective responsibilities of Peabody and the external provider should be set out in an SLA.
- 4.8 Lettings are subject to verification of an applicant's circumstances and an affordability assessment and credit check will be carried out where necessary to ensure that the letting will be sustainable.

Lettings Policy – Care and Supported Housing

Ineligible applicants

4.9 Service specific exclusions should be set out in an operational policy and procedure manual or SLA for each service. The following default principles apply across all services unless specifically addressed in the relevant service policy document:

- We reserve the right to decline an applicant where the nominating partner is unable to provide timely, thorough and accurate background information about vulnerability, support needs or safeguarding
- We may refuse a nomination where the applicant has provided false or misleading information about their circumstances
- We may refuse an applicant whose assessed support needs or risk profile could not reasonably be accommodated in the property under consideration
- Former Peabody residents who were subject to a notice or possession order for breach of tenancy while with Peabody or another landlord are not automatically excluded from a new supported housing letting but we reserve the right to exclude them, for example where the service they are being considered for is not deemed to have the capacity to meet their needs
- We may refuse applicants who cannot provide evidence to confirm they have the means to pay the rent and service charge at the point of letting, except where a third party or agency has agreed to guarantee or underwrite the rent liability
- We may refuse an applicant from lettings in supported housing where they are excluded from occupation under the government's right to rent scheme.
- Applications from or on behalf of someone who is deemed not to have sufficient mental capacity to enter into a lettings contract will be refused where there is no court approved Guardian or Deputy with authority to sign a tenancy on their behalf and/or there are inadequate arrangements in train to establish new guardianship arrangements with the Court of Protection.

Support needs and risk assessments

4.10 With the exception of direct access accommodation for homeless people, a support needs and risk assessment of supported housing applicants and referrals should be undertaken and the outcome of the assessment will inform the letting decision.

4.11 Support needs and risk assessments may be undertaken by or jointly with an external support service provider, in which case responsibilities and timescales should be set out in the applicable SLA. In all cases lettings control resides with Peabody.

Room and space standards

4.12 We will define bedroom sizes for properties in accordance with the bedroom and space standard contained in relevant legislation, taking account of any enhancements agreed with support service commissioners.

4.13 Where homes have been built or adapted to be accessible to people with disabilities, we will allocate these to people with similar needs wherever possible to make best use of these homes. (See 4.15)

4.14 In specialist and short term accommodation, and where tenure terms allow, we may require residents occupying adapted homes, or homes that are larger than their needs, to move within the property in order to accommodate the specific needs of new applicants.

Sensitive lets

4.15 We may consider a 'sensitive let' is required in certain circumstances where there are restrictions on who can move into a property. This may be because of ongoing anti-social

Lettings Policy – Care and Supported Housing

behaviour, the vulnerability of the potential tenant, or where the new or current resident could pose a risk to their neighbours (see also the Housing Sex Offenders Policy).

- 4.16 In letting short term shared accommodation, and where tenure terms allow, we may require residents to relocate to another bed-space within the property to facilitate sensitive letting arrangements.

Refusing applicants

- 4.17 We will inform applicants of timescales for acceptance of offers of accommodation and will consider an applicant to have refused an offer sent to them through their preferred means of communication where they do not respond to the offer within the defined timescale, unless a valid reason is given.
- 4.18 We will cancel a transfer application where an internal applicant refuses their final offer of accommodation. More detail can be found in the Rehousing Policy.

Appeals

- 4.19 Rights of appeal for applicants who are refused accommodation by Peabody should be set at service level with timescales for submission of appeals set out in a service policy and procedure manual or SLA. See also the Care and Support Appeals Policy.

Building safety and fire safety

- 4.20 In line with the Building Safety Act 2022 and The Fire Safety (England) Regulations 2022, we will provide all new customers with the prescribed and required information related to building safety and fire safety, including information about the right to be consulted on matters related to the safety of their building. More information can be found in the Care and Support Lettings Procedure.

5. Equality, Diversity and Inclusion

- 5.1 We will actively consider equality, diversity and inclusion in the delivery of this policy, including the provision of reasonable adjustments and support to a particular group or groups.
- 5.2 The principle purpose of supported housing is to assist people who might not otherwise be able to obtain and/or successfully manage accommodation by providing housing and related care and support services suitable to their needs.
- Most supported housing services operate as specialist services tailored to address the needs of people with similar support needs or disabilities.
 - Peabody will continue to provide a range of services for different client groups, working where appropriate with specialist care and support providers.
 - Within resource and contractual constraints we will work with new applicants to develop and deliver support service objectives tailored to their individual needs and wants.
 - Where practical we will endeavour to make property adaptations to meet the physical and mobility needs of new applicants.
- 5.3 The Equality impact Assessment undertaken for this policy has identified no adverse impact on any person from a protected group as defined within the Equality Act 2010. It has also been identified that the application of this policy will have a positive impact for people from a protected group such as those with learning disabilities, people with mental health problems, young people at risk or leaving care and older people.

Lettings Policy – Care and Supported Housing

6. Legislation and Regulation

6.1 The following legislation and regulation applies to this policy:

- Regulator of Social Housing's regulatory framework and standards
- Housing Act 1985
- Localism Act 2011
- Equality Act 2010
- Immigration Act 2014
- Building Safety Act 2022
- The Fire Safety (England) Regulations 2022

7. Responsibilities

7.1 The Director of Care and Support Housing has overall responsibility for the maintenance, operation of and compliance with this policy

7.2 Heads of Service and Area Managers are responsible for the operation of and compliance with this policy in their areas, and for the appropriate training of staff.

Approval

Version number	1
Effective from	3 April 2023
Policy owner	Director Care and Support Housing, Iain Shaw