

# Neighbourhood Services Policies & Procedures



## Housing Panel Guidance Notes

<b>1.</b>	<b>Purpose</b>
1.1	The purpose of these Notes is to outline the circumstances in which Watford Community Housing ('WCH') may make a "direct offer" of accommodation to existing tenants i.e. other than by way of allocation via a local authority housing register.
1.2	The purpose of the panel is also to ensure that we review cases in a fair and consistent manner.
1.3	These Notes should be considered in conjunction with the Access to Housing Policy & Procedure and will therefore refer to this Policy & Procedure throughout.
<b>2.</b>	<b>Legislative &amp; regulatory requirements</b>
2.1	<u>Legislative</u> Please see section 2.1 of the Access to Housing Policy & Procedure.
2.2	<u>Regulatory</u> Please see section 2.2 of the Access to Housing Policy & Procedure.
<b>3.</b>	<b>Scope &amp; definitions</b>
3.1	<b>Scope</b>
3.1.1	These Notes act as a reference both for the WCH Housing Panel and any members of staff who submit cases to the Panel from time to time. It applies to Watford Community Housing Group, including its subsidiary and joint venture companies.
3.1.2	The Notes apply to all existing WCH general needs and Independent Living tenants (i.e. tenants on social or affordable rent) making an Internal Transfer or Managed Transfer (see definitions below) application. Most applications for accommodation referred to the WCH Housing Panel will be Managed Transfer applications as Internal Transfer applications are dealt with purely within the Choice Based Lettings system or referrals for Hard to Let Accommodation where the applicant does not meet the local authority's housing criteria.
3.1.3	Panel will also make impartial decisions where a move is not required for example giving authority to evict as part of the rent arrears process. Panel will also provide decisions on rightsizing customers who are under occupying and in rent arrears due to financial hardship, on discretionary tenancy applications, succession cases where required to downsize and reviewing customer appeals where notices are served on mandatory grounds.

	<p>The staff involved in any cases brought to the Housing Panel, and/or subsequent decision makers, must declare any personal interest such as being a relative, friend or neighbour of the applicant. In such cases the member of staff should withdraw from any further involvement.</p>
3.2	<p><b>Definitions</b></p>
3.2.1	<p><u>Choice Based Lettings (CBL)</u>: a scheme allowing a housing applicant to bid for a council or housing association property advertised as being available by a participating local authority. WCH is a partner in the 'Home Connections' scheme covering Hertfordshire. Further information is set out at section 3.2.1 of the Access to Housing Policy &amp; Procedure.</p>
3.2.2	<p><u>Internal Transfer</u>: a process by which existing WCH tenants bid for an alternative property through the Choice Based Lettings scheme which then allocates properties according to housing need.</p>
3.2.3	<p><u>Managed Transfer</u>: a process undertaken by WCH of offering and allocating an alternative home to an existing WCH property generally in exceptional circumstances where the tenant's priority for a move is not adequately catered for in the CBL system and warrants their transfer. Managed Transfers are generally approved by the WCH Housing Panel based on the considerations at section 5.2 below</p>
3.2.4	<p><u>Hard-to-let Accommodation</u>: WCH properties which have been advertised twice or more without success on Home Connections or which are less desirable (e.g. bedsits with shared facilities or one bedroom properties in less desirable areas).</p>
<b>4.</b>	<b>Internal Transfers</b>
4.1	<p>25% of WCH housing stock may be offered to eligible WCH applicants by way of Internal Transfer under the Choice Based Lettings (CBL) system. Applicants register an application on CBL and are then prioritised for a new home according to the relevant local authority's criteria. Existing WCH tenants may apply for a transfer if: -</p> <ul style="list-style-type: none"> <li>• They are not within their Starter Period;</li> <li>• They have maintained a clear rent account for the preceding 13 weeks, unless the panel is requesting a Rightsize due to financial hardship; and</li> <li>• They have not breached their tenancy conditions.</li> </ul>
4.2	<p>Existing tenants may generally only apply for properties appropriate to the size of their household as set out at Appendix 1 of the Access to Housing Policy &amp; Procedure. Please see section 9.4 of these Notes for the relevant application process.</p>
<b>5.</b>	<b>Managed Transfers</b>
5.1	<p>25% of WCH housing stock may also be offered to eligible WCH applicants by way of a Managed Transfer. This occurs through WCH, on occasion, identifying circumstances where a priority move warrants a direct allocation/let from this stock. Managed Transfers are generally approved by the WCH Housing Panel to ensure cases are approached consistently.</p>
5.2	<p><b>Appropriate Cases</b></p>
5.2.1	<p>Cases that would be appropriate to refer to panel are listed below: -</p> <ul style="list-style-type: none"> <li>• Domestic abuse.</li> <li>• Harassment or hate crime.</li> </ul>

	<ul style="list-style-type: none"> <li>• Serious anti-social behaviour.</li> <li>• Urgent medical need.</li> <li>• Other significant threat to a person's safety or wellbeing.</li> <li>• A permanent decant situation (in which case see also the Decant Policy &amp; Procedure).</li> <li>• Where a tenant in extreme housing difficulty would be considered statutorily homeless without alternative accommodation and suitable accommodation is available within WCH housing stock.</li> <li>• Where a customer is experiencing financial hardship due to under occupying</li> <li>• To obtain authority to evict as part of the rent arrears procedure</li> <li>• To put forward discretionary succession cases as part of the succession procedure</li> <li>• To review downsizing successor cases where the referring officer has a case for them to remain in their current property due to vulnerability or medical</li> </ul>
5.3	Please see section 10.3 of the Access to Housing Policy & Procedure for details of the Managed Transfer <b>process</b> .
<b>6</b>	<b>Role of WCH Housing Panel</b>
6.1	All eligible Housing panel cases must be authorised by the Housing Panel before a new tenancy can be granted or the case can be agreed. This is to ensure that cases are dealt with fairly and consistently, considering cost implications, whilst being in line with the Access to Housing Policy.
6.2	A Managed Transfer tenant's application for accommodation will generally be submitted by a <b>Housing Officer</b> or (in the case of Independent Living accommodation) a <b>Scheme Officer</b> ("the Presenting Officer").
6.3	Referrals for Hard to Let Accommodation will be considered by the Housing Panel.
<b>7.</b>	<b>Presenting the Case to Housing Panel</b>
7.1.	To start an application to the Housing Panel, the Presenting Officer should prepare a pack of relevant information consisting of a fully completed Housing Panel Summary Sheet (see Appendix 1). Apart from in cases where authority to evict is being granted in which case the presenting officer should use the Eviction authorisation Panel Form (Appendix 2) The presenting officer is responsible for collecting this information with the help of the customer and other external agencies.
7.2	The customer should be made aware of what information and specific evidence relating to the case is likely to be required from them by the Panel. The process of the Housing Panel should also be explained to the customer.
7.2	The Lettings team will update the 'Panel Cases Spreadsheet' with details of the case and monitor its progress on a weekly basis against any available properties.
7.3	<u>Completing the Summary Sheet</u>
7.3.1	The Presenting Officer should complete all sections of the Housing Panel Summary Sheet, in particular providing full information in relation to the 'Reason(s) for Special Consideration', with supporting evidence as required. The Reasons will need to cover the circumstances that are relevant to the application as set out at section 5.2.1 above.
7.4	Supporting evidence should consist of at least the following: -

	<ul style="list-style-type: none"> <li>- <u>Domestic abuse</u> - supporting statement(s) from the police and/or the Independent Domestic Violence Assessor (IDVA), Victim Support, the crime reference no.</li> <li>- <u>Harassment &amp; hate crime / ASB / threat to safety or wellbeing</u> - supporting evidence in the form of a police report and crime reference number; and</li> <li>- <u>Urgent medical need</u> - supporting evidence about medical need and priority from a qualified medical professional.</li> <li>- <u>Eviction Authorisation</u>- full details of actions taken and support provided to the customer. Details of any referrals made for example social services referrals.</li> <li>- Discretionary Tenancy request- Report from the presenting officer as to why discretionary tenancy should be granted with supporting evidence that the customer has been living at the property for 12 months and any supporting medical evidence</li> <li>- Downsizing successors (where presenting officer is requesting successor remains in the current property) - report from the Presenting Officer with their recommendations and supporting medical evidence.</li> </ul> <p>Further documentation should be provided as relevant to the application and individual's circumstances.</p>
7.5	The Presenting Officer's line manager should then review the application and if they are in agreement with the recommendation, approve the application. The line manager will then return the completed Summary Sheet by email to the Presenting Officer for onward referral to the Housing Panel. The Presenting Officer will upload the panel sheet and supporting evidence to the 'Housing Panel folder'.
7.6	The case will then be considered by the Housing Panel, which should consist of a minimum three WCH staff members (to enable a majority decision to be reached), of which two should be WCH Managers and one of whom should act as Chair. The Presenting Officer referring the application should not sit on the Panel.
7.7	The Housing Panel's decision and recommendation(s) should be recorded on the Housing Panel Summary Sheet by the Chair.
7.8	If the line manager does not agree with the Presenting Officer's recommendation the reason(s) for this should be recorded on the Summary Sheet.
7.9	The Summary Sheet, Appendix 1, should be returned to the Presenting Officer to communicate the decision back to the applicant via the appropriate letter and if relevant progress the transfer as necessary. Details of how to appeal are included rejection letter.
<b>8.</b>	<b>Assessing Housing Panel Cases</b>
8.1.	As the need for affordable accommodation far outweighs its supply, any decision to offer accommodation under an Internal or Managed Transfer should be balanced against the effect on other existing and future tenants and make the best use of WCH's housing stock. Offers should be like for like and suitable for the tenant's housing need.
8.2	The Housing Panel must be fair and consistent in its decision-making when making recommendations and be aware that their decisions may set a precedent. The Panel Officers must not treat applicants less favourably on account of their age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race (which includes colour, nationality and ethnic or national origins), religion or belief,

8.3	sex or sexual orientation in accordance with the 2010 Equality Act and be able to justify their decision if challenged.  <b>Successful applicants will be made one reasonable offer of accommodation.</b>
8.4	WCH will, if necessary, seek the advice of others, such as a social worker or a qualified medical professional, before prioritising an application for accommodation based on medical need.
<b>9.</b>	<b>Risk Assessments</b>
9.1	In some cases, there may be inherent risks associated with the case e.g. the placing of a tenant with mental health difficulties known to be at risk within or from the community.
9.2	The Presenting Officer must identify these risks and record them on the Summary Sheet, making recommendations on options to minimise the risks arising.
<b>10.</b>	<b>Alternative Actions</b>
10.1	In some cases, the Housing Panel may need to make recommendations of alternative actions or other housing options. These could cover: <ul style="list-style-type: none"> <li>• The need for re-housing outside Watford and mechanisms to achieve this (e.g. reciprocal arrangements, referral through nominations schemes).</li> <li>• The need for repairs/improvements to be prioritised to improve living conditions if special circumstances justify this.</li> <li>• The need for more proactive management of any nuisance or harassment being experienced through Safer Communities and /or Neighbourhood Services/Housing Support Services.</li> <li>• The recommendation to pursue a proactive mutual exchange option.</li> <li>• Referral to other appropriate agencies such as the police, Environmental Health, Health and Community Services, Social Services.</li> <li>• The recommendation to proactively ensure that more “like for like” transfers are considered.</li> <li>• Work with a Housing Options Advisor to identify suitable accommodation; or Recommendation that Watford Borough Council increases the priority banding of the applicant.</li> </ul>
<b>11.</b>	<b>Housing Panel Outcomes</b>
11.1	The Housing Panel should notify the Housing Team and the Presenting Officer on the day the decision is made. The Presenting Officer should then notify the applicant of the outcome in writing within <b>5 working days</b> . All rejections should be put in writing, giving clear reasons for the rejection. The rejection letter, Appendix 3, will include details on how to appeal the decision.
11.2	The Presenting Officer is responsible for recording the details of the case and the outcomes on the data management system ensuring personal information is kept secure. The Chair of the panel is responsible for updating the Summary Sheet.
11.3	Where the Housing Panel does not recommend approving the application but there is a change in the tenant’s circumstances, the case may be resubmitted to the Panel at a later date.
11.4	If there are two similar cases competing for the same type of property, the property would normally be given to the applicant who was accepted at Panel first.

11.5	The Presenting Officer will write to the customer confirming clear reasons as to why this decision was made.
<b>12.</b>	<b>Monitoring Housing Panel Cases</b>
12.1	All outstanding cases are reviewed on a weekly basis as stated at section 7.2 above.
12.2	The Lettings Team will be responsible for reviewing the number of Internal and Managed Transfers made to ensure that we do not exceed the agreed quota in our Service Level Agreement with the relevant local authority and provide a return to the local authority accordingly.
<b>13.</b>	<b>Reviewing Housing Panel Decisions</b>
13.1	If an applicant disputes the Panel's decision, they can request a review within 20 working days of its notification to them. This review will be the equivalent to Stage 2 of the Customer Feedback Procedure.
13.2	A review would generally only be considered where the applicant can provide evidence that the Housing Panel did not follow the correct procedure or that their decision was manifestly unfair.
<b>14.</b>	<b>Related Documents</b>
	Access to Housing Policy & Procedure Needs and Risk Assessment Policy & Procedure Succession Policy & Procedure Decant Policy & Procedure
<b>15.</b>	<b>Appendices</b>
	Appendix 1 - Housing Panel Request Form Appendix 2- Eviction Authorisation Request Panel Form Appendix 3- Rejection Letter Appendix 4- Letter notifying case is approved Appendix 5- Letter notifying case is 'on hold'
<b>Approval</b>	
By: (senior manager)	Head of Housing Operations
Approval Date:	May 2023
Review date:	May 2026
Procedure 'owner'	Housing Operations Manager