

Restricted Access to Housing Policy

1.0 SCOPE

Purpose

- 1.1. This Policy details the principles to be adopted by whg when restricting access to the housing register. It supplements the Allocations Policy as there are occasions when it is reasonable for whg to restrict access to its housing.

Legal and regulatory framework

- 1.2. The Housing Act 1996 allows for applicants to be disqualified from a housing register in certain circumstances; for example if applicants are disqualified on the grounds of anti social behaviour.
- 1.3. The Regulator of Social Housing's Tenancy Standard states that registered providers shall clearly set out, and be able to give reasons for, the criteria they use for excluding actual and potential tenants from consideration for allocations, mobility or mutual exchange schemes.

2.0 POLICY STATEMENT

Principles

- 2.1. The Group's Allocations Policy aims to:
 - Allocate homes fairly to meet priority housing needs whilst creating sustainable communities where people can live in safety and have quiet enjoyment of their homes;
 - Ensure our homes are accessible to all eligible people in the communities in which we work.
- 2.2. This Policy supplements the Allocations Policy in order to support and not undermine its aims, as there are occasions when it is reasonable for whg to restrict access to its housing. In particular this Policy should be read in conjunction with the reduced preference section of the Allocations Policy.
- 2.3. It recognises that a decision to restrict access must have sound reasons and be

undertaken in a fair and equitable manner. This Policy therefore specifies the situations in which applicants' access to our homes may be restricted.

- 2.4. Every case must be judged on its merits and efforts made to resolve any possible ineligibility through positive interventions. Restricting access will be used only where reasonably necessary.
- 2.5. whg would normally restrict access to its housing register where the applications are subject to the following:
 - Applicants (including former tenants) where there is evidence that they, identified members of their household, or their visitors, have acted anti-socially such that they would have been in breach of the whg tenancy agreement; or
 - Applicants where they, members of the applicants' household or visitors to their home are included in, or party to legal proceedings that are affecting a tenancy. At the time of writing these include:
 - i. A Possession Order – arising from their own actions or a tenancy breach;
 - ii. An Anti-Social Behaviour Order or similar;
 - iii. An Injunction; or
 - Applicants where they, members of their household or their visitors are persons whom the Police, Social Services or Probation Services formally advise us should not be allowed access to whg properties. This could be in order to protect the community or to prevent or reduce crime and disorder in the area; or
 - Applicants who have demonstrated or threatened violence towards whg colleagues (including verbal abuse); or
 - Applicants who have knowingly or recklessly failed to provide accurate information or have knowingly withheld relevant information from their application form or in interviews with whg colleagues; or
 - Applicants where there is clear evidence that they or members of their household, or visitors to their home have been involved in housing related criminal acts and there is a risk of that behaviour continuing. (including for example, crimes against the person/property in the neighbourhood); or
 - Applicants with an existing and relevant Notice of Seeking Possession; or
 - Applicants, tenants or former tenants who have a debt with whg or another Registered Provider. Access to the waiting list should not be restricted for applicants with a debt if the following circumstances apply:
 - i. Where the applicant has been awarded reasonable preference for re-housing and the circumstances are such that the debt may be overlooked;
 - ii. Where the applicant has entered into an acceptable agreement and is making regular payments in accordance with that agreement. This may include under-occupation;
 - iii. Where the debt has been fully discharged by agreement;

Walsall Council has a duty towards applicants who have been found to be statutorily homeless but whg may refuse to accept a nomination if the applicant falls within the categories for restriction listed above.

2.6. whg will always consider each case on its merits, support applicants to resolve any possible restriction, and would retain evidence on the reasons for restriction at the time the application assessment is made. When access is restricted, the applicant will be informed in writing of:

- The reason for the restriction;
- The date by which the restriction would be reviewed;
- How to appeal through whg’s normal complaints procedure.

2.7. Applications will be restricted for a maximum of two years and will be reviewed at the end of the period of restriction.

3.0 PERFORMANCE MEASURES

3.1. Key performance indicators (KPI’s) are in place linked to our Allocations Policy.

4.0 MONITOR AND REVIEW

4.1. This Policy will be monitored by the Director of Housing and reviewed every three years by the Policy Group and the Customer Experience Committee.

5.0 ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES

5.1. Documents, policies and procedures associated with this policy are:

- Allocations Policy
- Anti-social Behaviour Policy
- Reduced Preference protocol

Document author	Robert Hughes, Housing Services Manager
Document owner	Gary Brookes, Director of Housing
Legal advice	Richard Dewsbury has reviewed and amended as appropriate.
Consultation	Colleagues across relevant teams
Approved by	Customer Experience Committee July 2019
Review Date	February 2023
Corporate Plan aim	<ul style="list-style-type: none"> • Deliver high quality homes and services to our customers
Equality analysis	To be completed 05.07.19
Key changes made	Formatted to the latest policy template.