

Guide to the Nominations Agreement



**Housing
Needs**



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Guide to the Nominations Agreement

This nominations agreement applies to all lettings activity for Registered Provider (previously known as Housing Association or Registered Social Landlord) properties within the Royal Borough of Kensington and Chelsea. This includes those inside the borough where development was funded by other sources. This agreement is applicable to general needs and sheltered housing but excludes supported housing which is subject to separate lettings arrangements.

The nomination agreement is:

▶ **First letting:**

100 per cent of new properties (new build or acquisition and refurb) unless there is a scheme specific agreement to vary this.

▶ **Relets:**

75 per cent of two bedroom and larger sizes
50 per cent of studio and one bedroom.

The calculation of the Council's entitlement to relets is based on the reason the property becomes vacant/void. Voids fall into two categories:

- ▶ **TRUE VOIDS** of which the Council receives 75 per cent of two bedrooms or larger and 50 per cent of bedsit and one bedroom properties (unless under the agreement for a specific scheme a different percentage has been negotiated).

For developments that received planning approval from June 2020, the nomination agreement is 100 per cent at first let and 100 per cent for re-lets.

- ▶ **NON-TRUE VOIDS** to which the Council has no entitlement.

Operating the agreement

The Registered Provider (RP) should look at the reason why the property became empty and, using the following definitions, decide whether it is a **TRUE** or **NON-TRUE VOID**.

True voids

If the property is a true void, the Council should receive three out of every four two- bedroom and larger properties and one out of every two studio or one-bedroom properties, ideally in strict sequence.

This is to ensure the Council receives its entitlement and a cross section of different dwelling types and sizes during each financial year. If a RP has a specific need for a true void which should go to the Council, they should consult with the Council before they allocate the property.

Definition of a true void

Voids created as a result of:

- ▶ a tenant moving to another landlord where no reciprocal commitment exists
- ▶ the death of a tenant where there is no statutory right of succession
- ▶ a tenant moving out to buy another property
- ▶ abandonment of tenancy
- ▶ eviction
- ▶ rehousing of permanent decant
- ▶ a temporary decant returning to their former home (permanent vacancy).

Non-true voids

If the property is a non-true void, the RP has no obligation to offer it to the Council, unless it is the subject of a separate agreement, for example reciprocal or audit debt.

Definition of a non-true void

Voids created by:

- ▶ a temporary move of the tenant
- ▶ tenant transfer within the RP's own stock
- ▶ reciprocal arrangements and moves via Housingmoves/Mutual Exchange.

Notifying us of a vacant property for letting

At the end of this booklet is an example of our Vacant Property Form. This form should be completed to notify us of a vacant property to which we can nominate a household. It should be completed with as much detail as possible about the property, rent and type of tenancy. In order to provide our applicants with as much information as possible when advertising and shortlisting, we require details about the area such as local amenities and transport and also about the accessibility of the property.

Types of accommodation and tenancies:

Accessible housing

Almost all social housing stock in the Royal Borough has been assessed to see how accessible it is. Properties have been awarded an Accessible Housing category, and this is stored on our housing management system. On the Vacant Property Form we ask additional questions to confirm the accessibility of a property. Households on our Housing Register who require accessible properties are awarded a preference for a property type. Access information will therefore enable us to make sure that accessible homes are let to those who need them.

Sheltered housing

Sheltered housing is made up of self-contained accommodation within schemes that may have a staff presence. In this borough, housing applicants are eligible for sheltered housing if they meet the minimum age criteria, 60 years or 55 if the person is disabled. If the accommodation is sheltered housing, please indicate this on the Vacant Property Form.

Older people's designated housing

Older people's designated housing is general needs housing that is ring-fenced for older residents. In contrast to sheltered housing, there is no staff presence on site. Eligibility is based on an age criteria, mostly for over 65s (though some will accept tenants aged 55 and over). If the accommodation is older person's designated, please indicate this on the Vacant Property Form.

Affordable Rent tenancies

On the Vacant Property Form we ask RPs to state if the property will be set at an Affordable Rent or a Target Rent (sometimes known as social rent). Please provide the rent level under the appropriate heading, again so we can advertise this correctly. If it is an Affordable Rent tenancy, RPs should complete what percentage of the market rent the rent level is, or say if it is the Local Housing Allowance cap rate.

Fixed term tenancies

The Vacant Property Form should also be used to indicate the type of tenancy that will be given to the successful applicant. If this is to be set at a fixed term tenancy, it should also detail what term is expected to be offered.

Decanting tenants who need to move

Using true void properties for decanting tenants must be negotiated and agreed with the Council. If an RP needs to decant tenants either temporarily or permanently for regeneration or to carry out repairs, an agreement can be set up to temporarily suspend the nomination agreement. This allows for true voids to be used for these purposes, and once the decanting has taken place for any debt of properties to be given to the Council for letting over an agreed period of time.

The lettings process

Our Housing Allocation Scheme describes how we prioritise applicants for housing and how we will shortlist and let properties. We make direct offers to a very small portion of the properties and this is done at our discretion and in line with the policy. Direct offers or direct nominations cannot be requested by RPs.

The Council has **three** attempts to let a property before it is referred back to the RP. Where necessary, a direct let will be considered, particularly for properties that are available for specific groups or if a property has been advertised unsuccessfully for two bidding rounds.

Voids monitoring will focus on **general needs accommodation and sheltered housing** lets. Temporary decants should be recorded as part of the quarterly return (which is described later in this document), however, the details will be recorded for information only and will not figure in the performance calculation.

Advertising properties

Properties to be advertised should be notified to the Choice Based Lettings (CBL) and Allocations Team no later than 12 noon on the Friday preceding the week the property is to be advertised. Please complete a Vacant Property Form for each property that is available. These should always be sent by email to **housingnominations@rbkc.gov.uk**.

Properties received by the closing date will normally be advertised the following Monday or Tuesday with a closing date of midnight the following Sunday. If a property needs a 'sensitive' letting please discuss this with the Allocations Manager. Please call **020 7361 3008**.

Wherever possible, please give a viewing date for inclusion in the advert as this helps applicants plan ahead.

Sensitive Lets

In some instances an empty home will have to be let sensitively, to address/counter a neighbourhood or social problem, such as criminal activity or anti social-behaviour. As much suitable information as possible about the reasons should be recorded on the vacant property form.

The Landlord is also encouraged to contact The Allocations Manager, or the Team (**HousingNominations@rbkc.gov.uk** or **020 7361 3985**) where (s)he is absent to discuss the best way to allocate and let the home appropriately.

Shortlisting

Shortlisting will take place the week after the property has been advertised. Properties with viewing dates will be shortlisted first. The CBL and Allocations team will contact RPs with shortlists within this time-frame. The shortlist contains details of applicants in priority order. Some RPs prefer the CBL and Allocations Team to contact applicants to advise them of the viewing date and time while other RPs prefer to do this themselves.

All personal data is shared in strict accordance with GDPR.

If the property is not let or viewed within six weeks of a RP receiving the shortlist, the property will be re-advertised. This is to ensure that housing is allocated to those most in need of housing and the shortlist is up to date. Applicants may be rehoused within six weeks and therefore the original list no longer up to date.

Viewings

Before the viewings, we will provide a spreadsheet listing the names and contact details of shortlisted applicants. This document will also contain details of any known risks or support needs relevant to the viewing process.

At the viewing, applicants will confirm whether they would like the property or not. At this stage, the housing officer for the RP should complete the viewing results column on the shortlist and email back to the housing nominations inbox.

Under no circumstances should a housing officer make an offer to any applicant at the viewing. An offer should only be made once the RP has received confirmation details from the CBL and Allocations Team who work in strict preference group and priority order.

Verification process

Once the successful applicant has been confirmed, the CBL and Allocations Team will send the RP a **Verification of the Applicant Form**. This form contains personal information about the successful applicant together with details about any specific needs or known risks. Any additional information about the applicant will have to be collected by the RP and is the responsibility of the RP not the Council.

A Post Tenancy Verification Form will be sent to an RP who has failed to inform the CBL and Allocations Team of a letting before the start of the tenancy. The RP should confirm to the CBL and Allocations Team, as quickly as possible, whether the tenant has signed the tenancy and has a tenancy start date. The information should be sent to the team at **housingnominations@rbkc.gov.uk**.

If there is any delay in starting the tenancy please advise the team immediately. As many of our applicants are currently living in temporary accommodation it is essential that we are informed of their tenancy start date.

This is so we can cancel their previous accommodation to ensure that if the applicant is claiming housing benefit, it will be for the new property. The CBL and Allocations Team will send the verification form to RPs within one working day of confirmation of the successful applicant so this information is available at the tenancy sign up.

Housing for older people

As with general needs accommodation, the **Vacant Property Form** should identify the void property as being either a sheltered housing or older people's designated property so that the CBL and Allocations Team can shortlist applicants according to the relevant age criteria.

Where an applicant has complex access needs, a housing occupational therapist (OT) will attend the viewing with the applicant.

Assistance to move

If the tenancy is accepted, and where the housing applicant may need assistance to move or resettle, a referral to the Homeless Intervention Team may be made by either a member of Council staff or the RP.

Tenancy floating support

The aim of the floating support service is to help people to maintain independent living and sustain tenancies. Floating support is available to people aged 55 and over living in Kensington and Chelsea with low to medium support requirements. To qualify for the free support service, residents must be in receipt of Housing Benefit. Charges may apply for those who are not.

The floating support service offers support with:

- ▶ correspondence, filling in forms and advocating on behalf of the older person
- ▶ understanding housing options
- ▶ income maximisation
- ▶ finding out which services are available locally and helping people to connect with their local community
- ▶ accessing social care and voluntary services.

Residents are assessed and allocated a named worker. The worker will agree a support plan with the resident to help them to achieve their goals and monitor progress. Referrals can be made by Council officers, RP staff or directly by applicants. Further information and referral forms are available from the Council's Social Inclusion Team at SIT@rbkc.gov.uk.

Monitoring the agreement

RPs must complete **Quarterly Void Monitoring Returns** to reflect all lettings activity relevant to the Royal Borough of Kensington and Chelsea. If there is no activity during a particular quarter, a "NIL" return notification is requested for audit purposes.

The NIL return is acceptable in the form of a brief email. It is essential that void returns are submitted to the Council on a regular basis at the end of each quarter.

West London nominations and out-of-borough housing

RP properties located outside the borough are also subject to the agreement if their purchase/development was historically Royal Borough of Kensington and Chelsea or Housing Corporation/Homes and Communities Agency funded or more recently a West London sub-region scheme to which the Royal Borough has a share of nominations.

The West London sub-region comprises the London boroughs of Brent, Ealing, Hammersmith and Fulham, Harrow, Hillingdon, Hounslow and the Royal Borough of Kensington and Chelsea. Under a West London units distribution formula, agreed by the seven authorities, the Royal Borough may be allocated units in other boroughs. Where this occurs, the host borough will advise the RP and agree the specific units for Royal Borough of Kensington and Chelsea nominations. Thereafter, the RP should liaise directly with the Royal Borough and adhere to the same lettings process detailed earlier. It is important that RPs record the Royal Borough's ongoing interest in these units to ensure that future relets are correctly offered.

What happens to the information provided to the Council from the forms requested?

- ▶ Property becomes void or tenant gives notice
- ▶ RP completes Vacant Property Form



- ▶ Advert created and details uploaded to Home Connections website
- ▶ Shortlist compiled and sent to RP



- ▶ Applicants view property and viewing results are added to the shortlist and emailed back to Council



- ▶ Verification completed by Council and sent to RP before start of tenancy



- ▶ RP sends confirmation of tenancy sign up to Housing Nominations Inbox
- ▶ Quarterly void return form completed and returned by RP



- ▶ Council systems updated with information
- ▶ Lettings performance information reported at RP liaison meetings
- ▶ Annual lettings information published
- ▶ Performance against nominations agreement discussed with senior housing officers annually

Vacant Property Form

Landlord name:

Completed by:

Contact tel no:

Date:

Property:

Viewing date and time:

Transport information:

Other useful information/ local amenities: eg. schools, health centres.

General needs/sheltered:

Void date:

Reason for void:

Affordable rent?:

Total rent:

Basic:

Service charge:

Other charges:

Heating/hot water

Supported People

Tenancy type

(fixed, lifetime etc):

Sensitive let:

If yes, please advise why:

Property type:

On sstate:

Floor level:

Bed size:

Person size:

Type of heating:

Lift:

Balcony:

Garden:

No. steps to front entrance:

No. stairs to flat door:

Any further useful information:

When completed please return to: **housingnominations@rbkc.gov.uk**