

# **Allocations Agreement**

# **Chorley Council Extra Care**

Between

**Chorley Borough Council**

**&**

**Lancashire County Council**

## **1. INTRODUCTION**

The document confirms the joint working agreements between the following organisations:

- Chorley Council
- Lancashire County Council

The organisations are committed to:

- The overarching philosophy and ethos of Extra Care Housing.
- Working together to help support the residents living within the scheme to live as independently as possible in a safe and well managed environment.

## **2. Purpose of the policy and shared objectives**

2.1 The aim of the policy is to:

- promote independence and well-being.
- facilitate a balanced, vibrant and sustainable community for older people within the setting of extra care housing which will play a key role in preventing and avoiding admissions to residential care and hospitals, and contribute to alleviating delayed transfer of care

2.2 The procedures seek to ensure that:

- all necessary assessments have taken place and allocations are well-managed and carefully monitored so that void times for rented apartments are handled efficiently and effectively and best use is made of the resources available.
- decisions made in line with the Allocation Policy are fair, equitable, transparent and consistent and that organisations work collaboratively and seek to make decisions by consensus.

## **3. SERVICE MODEL**

3.1 Extra care housing is a type of supported housing which aims to be able to respond appropriately to the changing care and support needs of individuals who live there through:

3.1 The design of the accommodation which seeks to provide a home for life which enables independence for longer.

- 3.2 The provision of on-site care and support which is flexible and responsive to changing needs and is person-centred.
- 3.3 Opportunities for social interaction (both formally and informally), companionship, neighbour support and links to the wider community.

#### **4. ALLOCATIONS**

##### *Creating a Balanced and Sustainable Community*

- 4.1 The allocations policy and procedure will seek to facilitate the development of a balanced and sustainable community (mixture of individual with low, medium and high care needs with support).
- 4.2 Applicants at risk of being admitted to residential care, or who have been identified as having statutory care needs, will be given priority within the policy. The only exception to this would be where the scheme can no longer be safely managed, or the schemes objectives are significantly undermined because of the profile of customers at that time i.e. if the number of people with high care needs are having a negative impact on the operation of the service or the profile of residents is impacting on the ability to let properties.
- 4.3 The overall profile of people living in the scheme will be monitored and the prioritisation criteria will be reviewed if the proportion of people with high care needs is perceived to be having a negative impact on the operation and sustainability of the service. The JAP will be responsible for monitoring the profile of people living in the scheme and reviewing the prioritisation criteria.  
The allocation procedure will seek to ensure that:
- 4.4 All necessary assessments have taken place and allocations are well-managed and carefully monitored so that void times for rented apartments are handled efficiently and effectively and best use is made of the resources available.
- 4.5 Decisions made in line with the Allocations Policy are fair, equitable, transparent and consistent and that organisations work collaboratively and seek to make decisions by consensus.

#### **5. ELIGIBILITY FOR SOCIAL HOUSING**

- 5.1 Applicants must be eligible for social housing. Eligibility for social housing is set down nationally, including provisions regarding persons from abroad and those subject to immigration control and details will be included within the published Allocations Policy.

In essence, the following are eligible: -

- (1) British citizens
- (2) Certain Commonwealth citizens with a right of abode in the UK
- (3) Irish citizens, who are not subject to immigration control in the UK because the Republic of Ireland forms part of the Common Travel Area (see paragraph 3.11 (iii) below) with the UK which allows free movement
- (4) EEA nationals, and their family members, who have a right to reside in the UK that derives from EU law. Whether an EEA national (or family member) has

a particular right to reside in the UK (or another Member State) will depend on the circumstances, particularly their economic status (e.g. whether he or she is a worker, self-employed, a student, or economically inactive)

(5) Persons who are exempt from immigration control under the Immigration Acts, including diplomats and their family members based in the UK, and some military personnel.

## **6 QUALIFICATION CRITERIA**

6.1 A housing authority can determine the qualification criteria for an allocation of housing and these are listed below: -

## **7 LOCAL CONNECTION**

Local connection to Lancashire districts within Lancashire County Council administrative area\* (see below for definition)

- with priority given to those with a local connection to Chorley (within same priority needs bands – see sections 14 and 15)

### **In order to have a local connection to Chorley:**

- The applicant must be able to demonstrate that they have lived for the past 3 years continuously in the Chorley Council area.
- The applicants must be able to demonstrate they have lived for the past 6 months or 3 out of the last 5 years in the Chorley Council area
- Applicants who have worked for the past 12 months in full time employment in the Chorley area, providing the work is of at least 16 hours per week
- The applicants must be able to demonstrate they have a close family member who reside in the Chorley area and have resided there for at least the last 5 years. Close family member for this criterion means adult children, siblings or parent.
- Any other long-standing connection accepted by Chorley Council. It is accepted that older people who have lived in Chorley almost all their lives, may not meet the above criteria, and that exceptions may be made on a case by case basis

## **8 AGE**

- Applicants must meet the minimum age criteria of 55 years.
- In the case of joint applications (spouse / partners) at least one of the applicants must meet the minimum age criteria of 55 years or older.

- Where two people wish to live together so that one person can provide care to the other (e.g. elderly parent with adult child with learning disabilities) then only one person would need to meet the minimum age criteria
- In exceptional circumstances, applicants who are below the minimum age and are disabled may be considered. An assessment would be undertaken to determine if Tatton Gardens would be an appropriate setting for the applicant.

## **9 HOUSING, CARE AND SUPPORT NEEDS**

- Applicants will normally require assistance with their daily living tasks and/or their personal care.
- Applicants may however be quite independent but would benefit from a safer and more supportive environment for a range of reasons including the following:
  - Present living situation may no longer be suitable because of layout or that care and other facilities cannot be readily, practically or economically be provided there.
  - The setting of extra care housing offers services which are not available in the applicant's current home, or available to the appropriate extent.
  - The provision of more intensive, closer-to-hand care and/or support / continually supportive environment is appropriate.
  - Assistance to move towards a more independent lifestyle is required.
  - Those who are vulnerable and at risk which would make access to housing support/care invaluable but whose current care package is small or non-existent; this may include those with anxiety, socially isolated, being abused or self-neglect.
  - Will have care and/or housing support needs because of frailty, long term illness or a range of physical difficulties or disabilities; this could include those whose needs may not be constant but would benefit from a supportive environment and access to support/care as and when needed e.g. those with Parkinson's Disease, prone to falling.
  - Have a degenerative condition where an early move could prolong independent living and maintain/improve quality of life e.g. those with rheumatoid arthritis or multiple sclerosis.
  - Have care / housing support needs because of dementia, mental health problems, and learning disabilities or exhibit some other sort of cognitive impairment.
  - Are isolated or suffering from depression or some other long-term illness which is managed through appropriate treatment/ support and are likely to derive psychological benefits from the setting of extra care housing.
  - Where two people wish to live together so that one person can provide care to the other (e.g. elderly parent with adult child with learning disabilities).

## **10. AFFORDABILITY**

- 10.1 All applicants will be provided with a financial assessment to ensure that they understand both the care and support and tenancy related costs associated with their tenancy at Tatton Gardens. Chorley Council reserves the right to disqualify an application based on affordability.

## **11. DISQUALIFICATION**

The following applicants may not qualify for an allocation at Tatton Gardens.

Each case will be evaluated on a case by case basis. The key issue will be the level of risk to the applicant, tenants, neighbours and the organisations. These risks could include safety, financial and reputational to any of the parties. The level of support available to reduce any risks identified will also be considered.

### **11.1 Unacceptable behaviour**

Certain behaviour and/or convictions of the applicant(s) or household member may result in them being disqualified. Examples include where the applicant or household member has:

Unspent criminal convictions that make them unsuitable to be a tenant due to the threat or risk they pose. This will be determined by the information provided by probation, police intelligence and evidence available.

Engaged in anti-social behaviour such that action has been taken or could have been taken against that person such as a Civil Injunction, Criminal Behaviour Order, Community Protection Notice, Demotion Order or Possession Order.

Previously been evicted by a Social Landlord and the reasons for the eviction whether behavioural or financial are still considered a risk to the scheme. The applicant/household member has the right to appeal this decision. Appeals will be considered by the Registered Provider that carried out the eviction. Any further appeals will not be considered within 12 months.

Been convicted of using or allowing current or former accommodation to be used for illegal and/or immoral purposes.

Been responsible for neglecting, damaging or abandoning a previous property.

Been responsible for providing false information in connection with making a housing application and or obtaining a tenancy.

Been responsible for tenancy fraud.

## 11.2 Financial circumstances

Certain levels of debt may result in applicants being disqualified. The term housing related debt is applied to such items as rent arrears, repairs recharges, leasehold service charges and/or sundry debts.

- If the applicant/household is a current tenant of any housing provider and has any outstanding or unaddressed former housing related debt over the sum of £1000.01 or more that can be proven by a social landlord will result in automatic dis-qualification.
- Applicants/household with proven housing related debts of below £1000 will qualify provided that they have made and maintained a repayment plan in accordance with the criteria below:
  - Housing related debt under £500, an agreed repayment plan must have been maintained for a minimum of 3 months before they can register.
  - Housing related debt between £500.01 and £1000 an agreed repayment plan must have been maintained for a minimum of 6 months and the debt must be reduce to under £500 before they can register.
  - Payments must be maintained under the plan before any offer of accommodation is made.

## 11.3 Other circumstances

Applicants may also meet the disqualification criteria if the:

- Applications cannot be properly verified due to lack of sufficient information.
- Applications from those whose level of physical or mental frailty exceeds that which can be reasonably met by the care provision within the scheme (or be predicted to develop within a short time of entry).

- Applications from those who require frequent nursing care beyond the level available from the Community Nursing Service.
- Applications from those with a requirement for specialist health services which cannot be met in a community setting etc.
- Applications from those who have a level of physical or mental frailty which is likely to either lead to violent or severely challenging behaviour or would be a serious risk or disruption to others for example, people who persistently wander or are physically aggressive.
- Applicants who lack the capacity to take on the responsibilities of a tenancy / are not able to make an informed choice about extra care housing as their preferred option and are not felt able to settle in and manage in the scheme and its community.

In considering someone's capacity, this must be done in line with the Mental Health Act 2005 and its associated Code of Practice, which assumes that each person has capacity to make a decision unless it is established otherwise and that they are supported to help make decisions which are in their “best interests”.

## **12. APPLICATIONS**

- 12.1 Potential applicants should be given an application form and information about extra care housing at the initial enquiry stage, so they have some understanding of what the service offers. A wide range of organisations will have information available or be able to download information about extra care to give to individuals.
- 12.2 Applications / referrals can be made from a variety of sources e.g. Social Services, relatives, carers, self-referral, GP, Health professionals, District Councils, landlords etc.
- 12.3 Any applications or enquiries will to be directed to Chorley Council, as per the procedure.
- 12.4 The Landlord and support provider will consider the application and ensure all the information is available for the JAP:
  - The landlord or care provider will contact representatives from other agencies which are involved with the applicant in order to obtain additional relevant information about the client's background, current circumstances, needs, and any risk issues etc. to assist the application process.
  - The Applicant will be required to make a referral for an assessment under the Care Act by Lancashire County Council for those applicants who may be in need of social care support. Information on how this can be done will be passed onto the applicant by the landlord or care provider
  - A specialist assessment will be required in addition to a care need assessment for those with specialist needs e.g. mental health, learning disability, dementia etc. Chorley Council or the care provider to request assessment where appropriate.
- 12.5 Applications will only be considered by the JAP once all information is available to enable informed decisions to be made.

- 12.6 A list of all current applications will be held by the Assets Manager (Accommodation), Chorley Council.

### **13. OPERATION OF JOINT ALLOCATIONS PANELS**

- 13.1 Allocation decisions will be made by the JAP for the scheme which will comprise representatives from the following organisations:

- Chorley Borough Council
- Care Provider
- Adult Social Care

- 13.2 The Panel will meet on a monthly basis, or earlier if necessary, as determined by voids, thus ensuring the void period is kept to a minimum. This may mean at times meeting at short notice or communicating via telephone or email.

- 13.3 The purpose of the meetings is to regularly review and agree the order of priority of applicants on the register by:

- assessing new applications and accepting onto the register, or rejecting
- monitoring and updating applications already on the register
- monitoring overall profile of the scheme

- 13.4 Applications can only be considered by the JAP if all information is available and up-to date (care assessments, specialist assessments and verification of housing and housing support needs).

- Assessments under the Care Act and housing/care provider assessment will be required to be awarded Priority 1 or Priority 2
- housing and care/support assessments undertaken by the landlord and on-site care provider required to be awarded Priority 3.

- 13.5 Information to be circulated normally at least 3 days prior to the meeting of the JAP.

Information should also be gathered on the actual or potential care and housing support needs of any partner or co-tenant/family member.

### **14 PRIORITISATION**

- 14.1 Priority for accommodation will be awarded in accordance with the following criteria.

**Banding.** The scheme operates 3 bands Priority 1 to Priority 3. 1 is the highest band and 3 the lowest.

**Effective date.** An effective date will be used to determine an applicant's position within the band after local connection has been taken into account. For a new applicant the effective date will be the date the application was received by Chorley Council

Care and Housing Need Priority Listing

Priority 1	People who have an urgent need for re-housing and high care needs, who would otherwise move into a residential care setting. This includes people who are unable to return home following a period in hospital or rehabilitation
Priority 2	People who have had a social care assessment (including reablement) that indicates that their current housing is no longer suitable and extra care accommodation would meet or reduce any ongoing statutory care needs, and would promote wellbeing as defined in the Care Act
Priority 3	People who have no statutory care needs who indicate that their current housing is no longer suitable and their independence and well-being would be promoted through living in an extra care scheme, thereby preventing or slowing down the need for care in the future

14.2 Where it is necessary to prioritise applicants who fall within the same category/band, the provider will take all relevant factors into account which includes but is not limited to:

- appropriateness of service
- level of urgency in relation to both their housing circumstances and care needs
- level of vulnerability/need of the individual in relation to both their housing circumstances and care needs

14.3

The vision for extra care is to provide a balanced community that promotes independence. Consequently, priority will be given to people who fall into the above bands providing that a balanced community is maintained.

14.4 Where individuals within the same band appear to have similar levels of need for the accommodation the length of time that the applicant has been on the scheme waiting list will also be taken into account.

14.5 The balance of the scheme will be kept under continuous review, and if there appears to be an over representation of people with high needs then the prioritisation policy will be reviewed.

14.6 It also needs to be recognised that the care needs of individuals moving into schemes may reduce as a result of living in an extra care environment.

## 15. LOCAL CONNECTION

15.1 Priority Listing

As extra care is a specialist resource, it is important that flats are allocated to those people who are in greatest need of the service irrespective of where they are currently living in other districts within Lancashire County Council administrative area\* (see below for definition)

However, Chorley Council will seek to ensure that people who live in Chorley, or can demonstrate a connection with Chorley, and whose social care needs can be met in extra care will be able to access the service as outlined in the table below.

Priority order for Allocations		Local Connection
1	1a	People living in Chorley
	1b	People living in another area with a local connection to Chorley
	1c	People living in other Lancashire districts within Lancashire County Council administrative area*
2	2a	People living in Chorley
	2b	People living in another area with a local connection to Chorley
	2c	People living in other Lancashire districts within Lancashire County Council administrative area*
3	3a	People living in Chorley
	3b	People living in another area with a local connection to Chorley
	3c	People living in other Lancashire districts within Lancashire County Council administrative area*

\* Lancashire County Council administrative area covers the 12 district council areas. This excludes the area covered by the two unitary authorities – Blackpool Council and Blackburn with Darwen Borough Council.

## 16. DECISION MAKING

- 16.1 The JAP will be chaired by Chorley Council who will also manage and maintain a register of applications.
- 16.2 The JAP will seek to reach a decision through consensus.
- 16.3 Where the JAP cannot agree, then the decision should be escalated to nominated senior officers within the participating organisations within a 3-day period with a view to reaching a decision through consensus.
- 16.4 Where, following the escalation, there is still no agreement, between the participating organisations, the landlord will have the right to make the final decision

## **17. OFFER**

- 17.1 Chorley Council will contact the applicant identified by the JAP with an official offer of accommodation within 3 days of meeting.
- 17.2 The applicant must decide whether to accept the offer within a maximum of 3 days.
- 17.3 If the offer is refused, the next reserve applicant will be made an offer. The landlord will update all applications on the register at all key stages
- 17.4 If the offer is accepted, the tenancy will commence in accordance with the landlord's allocations procedure.

## **18. VOIDS**

- 18.1 The landlord will have systems in place to ensure that once an existing tenant serves notice action will immediately be taken to identify a tenant.
- 18.2 It is essential that void loss is kept to a minimum. Therefore, if no suitable applicant is found within 4 weeks (or less, if JAP confirm they are willing to waive that requirement) then a more relaxed criteria can be applied but still retaining the principle of prioritising local connection.
- 18.3 Where LCC confirm that there will be no applicants requiring the accommodation at the commencement of the four week period and the JAP agree to waive the 4 week period, or any part of that 4 weeks then Chorley Council can allocate the property from their waiting lists at the earliest period.
- 18.4 The landlord would be responsible for any rental loss arising during the period that the property is vacant. The support provider will be responsible for any loss of income in relation to the provision of care and support during any period that the property is vacant.

## **19. REFUSAL OF APPLICATIONS**

- 19.1 Chorley Council will write to the applicant and the referrer, on behalf of the JAP, informing them of the reasons for the decision and advising them of their right to appeal. This will include details of how to appeal against the decision and details of how to reapply if circumstances alter.

## **20. APPEALS**

- 20.1 Any appeals will be considered jointly by a more senior officer from both Chorley Council and Lancashire County Council and the care provider, none of whom can have been involved in the original decision of the JAP.

## **21. TENANTS CARE NEEDS ARE TOO HIGH**

- 21.1 Whilst extra care housing aims to provide a home for life for those who live there, this is not a guarantee and the boundaries of the service must be fully explained to applicants and their relatives or advocates as well as to other professionals.
- 21.2 The basis of the service is to be flexible and responsive to increasing needs of the occupiers and thus enabled ageing in place. However, if an occupier's needs change to the point that they cannot be met by a combination of personal budget supports and community-based services or safe guarding issues have been identified, then key agencies will need to review the situation with the occupier and, if appropriate their relatives. Identification of alternative accommodation/residential care will only be approved with the agreement of the occupier and others involved including other professionals and relatives, if necessary. All Agencies will commit to work closely together to seek a mutually acceptable solution, adhering to internal procedures and legislation.

## **22. REVIEW**

- 22.1 A review of the Allocations Policy and its associated will be undertaken at least annually, by the Joint Allocations Panel, led by Chorley Council.

### **Signed:**

For Chorley Council

Name –

Position – Assets Manager (Accommodation)

Signed –

Date

For Care Provider

Name –

Position – Service Lead

Signed –

Date

For Lancashire County Council

Name –

Position – Team Manager Adult Social Care

Signed –

Date

### **Appendix 1 – Joint Allocations Panel Members**

Name:

Title:

Email:

Telephone: