

## RWP Applying for Supported Living Policy

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**Service area:** Housing Operations

**Owner:** Director (Housing Operations, RWP)

Scope		Entity		Business Stream	
Customers	✓	Progress Housing Group Limited (Parent)	<input type="checkbox"/>	Progress Homes	<input type="checkbox"/>
Colleagues	✓	Progress Housing Association Limited (PHA)	✓	RWP	✓
Non-Executive Directors / Trustees	<input type="checkbox"/>	Reside Housing Association Limited (RHA)	✓	Progress Lifeline	<input type="checkbox"/>
Third parties*	✓	Key Unlocking Futures Limited (Key)	<input type="checkbox"/>	Progress Living	<input type="checkbox"/>
		Concert Living Limited	<input type="checkbox"/>		
*Other:					
Exclusions:					

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## **Section 1: Purpose and Policy Statement**

### **1. Purpose**

- 1.1 This policy sets out how RWP will manage applications for supported living to ensure that there is a fair and transparent approach to how homes are let and to make sure it meets all statutory and regulatory obligations.

### **2. Policy statement**

- 2.1 RWP will support applications from individuals who:
- have a learning disability
  - are an autistic adult
  - have a mental health illness
  - have physical disabilities
  - have complex health needs (which may include addiction and substance misuse)
  - have challenging behaviours (working with partners to ensure that the necessary support and care is in place)
  - are singles or couples (where both individuals have one of the above).
- 2.2 Individuals can be nominated for a vacancy by a support provider, local authority, or health commissioner in line with the nomination arrangements in place for each property (usually agreed at scheme onset).
- 2.3 Suitability of nominations will be assessed based on the criteria within this policy but will also consider any additional criteria in place within the management or nomination agreement between RWP and the relevant commissioning body, or support provider. Schemes may also have their own criteria based upon accommodating the individual needs of the tenants.
- 2.4 RWP will ensure that, where necessary, additional assessments are requested to manage any risks to the nominated individual, or existing tenants within the scheme. Any offers of accommodation will then be subject to the necessary support and risk assessments to maximise tenancy sustainability and reduce any potential harm to individuals.

## Section 2: Policy Guidance

### 3. Direction

#### Nominating someone for supported living

- 3.1 Nominations are usually made by a, a support provider, a local authority or health body.
- 3.2 A failure to disclose something significant in the housing application which leads to harm to the person/property, or a breach of the tenancy may result in legal action being taken by RWP.
- 3.3 RWP will consider out of area nominations from a neighbouring local authority where agreements allow and only after consultation with the local commissioner.

#### Eligibility criteria

- 3.4 Anyone aged 18 or over, who is a UK resident, has significant disability or complex needs, and has recourse to public funds such as housing benefit or equivalent e.g Universal Credit, is eligible to apply for housing with RWP. Applicants who are self-funding are also eligible to apply if referred by social services, local authorities or commissioners.
- 3.5 Applicants under the age of 18 may still be considered for housing with RWP subject to them being over 16 years of age, the appropriate nomination being made, and a guarantor being appointed. The guarantor will take responsibility for signing the tenancy agreement, paying rent on time, and covering any recharges for damage until the applicant reaches 18 years old. On their 18<sup>th</sup> birthday, the applicant will be expected to sign a new tenancy agreement in their own name and acquire all tenancy obligations.
- 3.6 Existing tenants wishing to transfer from one RWP property to another will be eligible, subject to meeting the same eligibility criteria, having a clear rent account, and no breaches of their existing tenancy. Transferring tenants will need to complete a new application and will be assessed in accordance with the usual procedure but will retain any existing tenancy rights.
- 3.7 Requests for a mutual exchange will be dealt with in respect of the statutory position and follow the same assessment process as a transfer request.
- 3.8 Priority may be given to existing RWP tenants who need to permanently leave their home due to major work being carried out to the property, or cases where RWP will no longer be the landlord of the existing property.

- 3.9 Exceptions may be made to the above in urgent cases at the discretion of RWP with decision-making fully documented.
- 3.10 All nominations are subject to verification checks and deliberately providing misleading information may lead to legal action being taken.

#### Applicants from abroad

- 3.11 The Asylum and Immigration Act 1996 defines a 'person subject to immigration control' as a person who under the Immigration Act 1971 requires leave to either enter or remain in the United Kingdom (whether or not such leave has been given).
- 3.12 RWP will allocate supported accommodation to those categories of eligible citizens from overseas who: either do not require leave to enter or remain in the UK according to the list below, or who have otherwise been granted indefinite leave to remain:
- British citizens
  - Certain Commonwealth citizens with a right of abode in the UK
  - Irish citizens, who are not subject to immigration control in the UK because the Republic of Ireland forms part of the Common Travel Area which allows free movement.
  - EEA nationals who have a right to reside in the UK
  - 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.
- 3.13 Any person not falling into the categories listed above will be a person subject to immigration control and therefore ineligible for RWP accommodation, unless they fall under Schedule 3 Rules (professional advice will be sought)
- 3.14 If there is any uncertainty of the applicant's immigration status, RWP will contact UKV1 (formerly the UK Border Agency) who will confirm the applicant's immigration status.

#### Employees, board members and their relatives

- 3.15 All applicants are asked to declare if they have a significant personal relationship with, are related to, or are an RWP board member or employee. RWP may provide accommodation to applicants in these circumstances providing they meet the eligibility criteria, and they are given exactly the same consideration as any other applicant following an impartial review and the approval of the Director (Housing Operations, RWP).

### Property size and type

- 3.16 RWP will make best use of available supported housing, being mindful of issues such as the size and designation of the property.
- 3.17 Property size and layout should allow for individual needs, for example wheelchair access, fire evacuation methods, medical equipment required. Where adaptations may be required for the applicant's needs, RWP will assess how feasible it is and how it will be funded as the expectation is that the property should be able to match to the applicant without significant change.
- 3.18 At the scheme onset, RWP will provide for overnight accommodation for care provision as necessary and will allow for the space to be used as a staff office where needed.
- 3.19 RWP will not normally allow for properties to be underoccupied or overcrowded, where a decision is taken to allow it the reasoning as to why and for how long will be documented and kept under review.

### Accessibility

- 3.20 RWP understand that some applicants may require assistance to apply for supported living. Requests can be made by contacting RWP and providing information about how the individual can best be supported. RWP is committed to making reasonable adjustments wherever needed throughout the application process and beyond.

### Reasons for refusing an application for housing

- 3.21 RWP will endeavour to match individuals to a property that is suitable and sustainable. RWP will take reasonable additional steps and make adjustments where possible to maximise the success of an application however there are sometimes reasons to refuse an application or allocation.
- 3.22 RWP may refuse an application for housing where the applicant does not meet the Eligibility Criteria.
- 3.23 RWP may refuse a placement where the applicant:
- may not meet the criteria set out in the Government's Policy Statement on Rents for Social Housing updated in 2022 and in line with RWP's SSH Assurance procedure.
  - May be put at risk of unnecessary harm – such as where they would be unable to be evacuated safely from a fire at a property, where the property is unsuitable for the individual needs and cannot reasonably be adapted, etc.

- May put other residents or neighbours at harm and risks cannot be reasonably controlled (RWP will seek guidance from professionals involved such as Police and Probation).
- May be put at financial hardship and unable to meet the minimum thresholds required to live within the property as their sole place of residence.
- May impact the ability of RWP to provide the appropriate level of cover through insurance due to their circumstances.

3.24 RWP will be transparent about the reasons for any refusals and clear about any action expected before any further nomination or application will be considered.

#### Appeals and complaints

3.25 Appeals concerning an unsuccessful application for housing can be raised with the Head of Housing Operations (RWP) and will be responded to in writing, or by the applicant's preferred method, within 21 days.

3.26 Complaints about the handling of the application, the policy, or anything that is not about the decision reached, can be raised through the Complaints, Feedback and Redress Policy.

## 4. Roles and responsibilities

#### Senior Leadership Team

4.1 The Directors of RWP are responsible for the implementation and review of this policy. They will ensure that the policy meets all legislative and regulatory requirements.

#### Heads of Service

4.2 The Head of Housing Operations (RWP) is responsible for overall management of empty homes and vacancies which includes ensuring the policy is implemented and followed in practice, coordinating any necessary training, and actioning legal advice where needed. They will ensure that performance and customer satisfaction is monitored and reported upon.

#### Manager responsibilities

4.3 Line managers are responsible for ensuring that they, and their teams, follow the policy and supporting procedures while providing advice on any complex cases or concerns. Line managers will make sure that training needs are met and any documents or guidance that support the policy are kept updated. Housing Managers may make a final decision on an

allocation where there are any concerns, they should ensure that all options and decision-making is fully documented and transparent.

#### Colleague responsibilities

- 4.4 Housing Officers are responsible for assessing housing applications and ensuring any vacancies are allocated correctly. They have responsibility for making sure all steps of the process are recorded on core systems, all actions are followed up on and escalating any concerns about suitability to the Housing Manager. They will support applicants and third parties through the process and make decisions about suitability using this policy.
- 4.5 Housing Assistants are responsible for supporting the administration of housing applications and allocations as well as making sure any documents are saved to core systems and data updated.

#### Customer responsibilities

- 4.6 Customers are responsible for ensuring any information provided is accurate and up to date. Any misleading information may lead to legal action being taken by RWP.

#### Stakeholder responsibilities

- 4.7 Third parties completing the application for housing applicants are responsible for ensuring that any information provided on the applicant's behalf is accurate and up to date.
- 4.8 Support providers or commissioners are responsible for advising RWP of any vacancies within their schemes and supporting the identification of new tenants.

## 5. Training

- 5.1 Line managers are responsible for ensuring that the training needs of their teams are identified and met through a variety of methods to support delivery of the policy.
- 5.2 The policy will be published on the intranet and websites for the attention of responsible people.

## Section 3: Legal and regulatory

### 6. Legislation

#### England

- Housing Act 1988
- Housing Act 1996 (as amended by the Homelessness Act 2002)
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006
- Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016
- Asylum and Immigration Act 1996
- Immigration Act 2016
- Equality Act 2010
- Localism Act 2011
- Welfare Reform Act 2012
- Universal Credit (Consequential Provisions) Regulations 2013
- Health and Social Care Act 2012
- Human Rights Act 1998
- Care Act (2014)
- Government's Policy Statement on Rents for Social Housing (updated in 2022)

#### Wales

- Housing (Wales) Act 2014
- Social Services & Wellbeing (Wales) Act 2014

### 7. References

[Tenancy Standard - GOV.UK](#)

[Assessment framework for local authority assurance - Care Quality Commission](#)

[Checking your tenant's right to rent: Who you have to check - GOV.UK](#)

### 8. Definitions

RWP	The brand name the Group uses when referencing supported living homes
Nomination	Referral made by someone else for an individual believed to be a suitable applicant for supported living
Support Provider	Nominated third party agency who are accredited by the Care Quality Commission and

	provide care, support, and supervision in RWP homes.
EEA	European Economic Area
UKV1	UK Visas and Immigration

## 9. Associated policies and procedures

Document reference	Name of document
GRPOLRWP1EIA	Equality impact assessment
GRPOLRWP1DPIA	Data Protection Impact Assessment
GRSTRWP01	RWP Voids Strategy
GRPOLDP03	Data Protection Policy
GRPOLDHR05	Equality, Diversity and Inclusion Policy
GRPOLHM30	Reasonable Adjustments Policy
GRPOLHM28	Complaints Feedback and Redress Policy
GRPRORWP10	RWP Decant Procedure

## 10. Equality impact assessment

- 10.1 An Equality Impact Assessment has been undertaken and the outcome deemed to be of low risk to individuals within protected characteristic groups.

## 11. Data protection

- 11.1 A data protection impact assessment has been completed, and no further action is required.

## 12. Customer Voice and influence

- 12.1 This policy focuses on legal and regulatory requirements. The Customer Voice is considered in reviewing the supporting processes to ensure that RWP manages empty homes effectively.

## 13. Monitoring and review

- 13.1 This policy will be reviewed every 3 years unless an earlier review is prompted by an external or internal change.