



## Allocations and Lettings Policy

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### Policy Checklist

<b>Is Customer engagement required?</b>	No
<b>Does this policy require input or validation from external or legal experts?</b>	No
<b>Is an Equality Impact Assessment (EIA) required?</b>	Yes
<b>Is a Data Protection Impact Assessment (DPIA) Required?</b>	No
<b>Is the Policy compliant with relevant legislation and regulatory requirements?</b>	Yes
<b>Has the Policy Development Guide been followed?</b>	Yes
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## Contents

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
1.1	Performance Monitoring	3
<b>2.0</b>	<b>Our commitments</b>	<b>4</b>
2.1	Additional Support	4
<b>3.0</b>	<b>Our approach</b>	<b>5</b>
3.1	Nominations and exchanges	5
3.2	Adapted Homes	5
3.3	Under occupation	6
3.4	Affordability	6
3.5	Tenancy type	6
3.6	Housing fraud	6
<b>4.0</b>	<b>Eligibility, criteria and household needs</b>	<b>6</b>
4.1	Criteria for becoming a tenant	7

### VERSION CONTROL NOTICE

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4.6	Authority to Reject a Nomination	9
4.7	Appeals by Rejected Applicants	9
4.8	Refusal by an Applicant	9
<b>5.0</b>	<b>Supporting tenants who wish to move</b>	<b>10</b>
5.1	Mutual Exchanges	10
<b>6.0</b>	<b>Urgent moves, Decants and Management Transfers</b>	<b>10</b>
6.2	Management Transfers	11
6.3	Suitable Accommodation	12
6.4	Lettings Panel	12
<b>7.0</b>	<b>Local Lettings Plan</b>	<b>12</b>
<b>8.0</b>	<b>Lettable Standard</b>	<b>12</b>
<b>9.0</b>	<b>Hard to let homes</b>	<b>13</b>
<b>10.0</b>	<b>Roles and Responsibilities</b>	<b>13</b>

11.0	Related Documents .....	14
12.0	Relevant Legislation and Guidance.....	15
13.0	Compliance with Regulatory Standards .....	16
14.0	Equality & Diversity .....	16

## 1.0 Introduction

This Allocations and Lettings Policy has been developed in line with Wandle’s values, which are:

- Think customer
- Build relationships
- Work together
- Aim high
- Own it

It will ensure that actions we undertake will be underpinned by our vision of:

*“Homes to be proud of and services you can trust”*

This Policy has been developed in line with Wandle’s corporate strategy, in particular the strategic themes; **Right Services, Right Homes and Right Support.**

### Purpose

This policy sets out Wandle’s approach to the allocation and letting of our rented homes.

Wandle is committed to providing well managed homes, which are allocated through the lettings service in a way that is transparent, fair and efficient whilst also ensuring the time they are empty is kept to a minimum.

We work in partnership and build relationships with our local authority partners. We help them meet their statutory obligations to people in housing need and providing choice and mobility for existing residents by making use of our stock and creating mixed and sustainable communities.

### Scope

This policy covers general needs homes, designated housing for older people and supported housing managed and owned by Wandle. We also manage and own a small number of intermediate rent homes where allocations and letting requirements are set out in Wandle's agreements with the relevant funder.

#### 1.1 Performance Monitoring

Performance on our allocations and lettings is mostly covered through our empty homes reporting, which covers our performance on relets and is reported to the Executive Team and Customer Experience Committee.

In addition to this we will report on the following measures in relation to our allocations and lettings process, to the Executive Team:

- Percentage of new customers that were previously homeless
- Tenancies sustained after 12 months
- Tenancies sustained after 24 months
- Property turnaround time
- Number of new lets.

## **2.0 Our commitments**

Wandle is committed to working with and supporting our local authority partners to help them meet local housing need. We are also committed to ensuring that the allocations and lettings process is one that supports all customers, as so far is possible, to find the right home for them.

We will:

- Ensure we allocate our homes in a fair and transparent way, which does not discriminate against any person or group.
- Let our homes in an efficient and timely manner, while being mindful of the needs of applicants.
- Relet homes in accordance with Wandle's Lettable Standard.
- Provide social housing for those who need it most, for as long as they need it.
- Offer additional support to customers to accommodate their individual needs as so far is possible.
- Provide residents with clear information on their rehousing options.
- Work with residents, applicants and local authority partners, to minimise potential financial hardship.
- Make the best use of our stock to house those in need of affordable housing.

### **2.1 Additional Support.**

Wandle is committed to supporting our new customers and ensuring that we give our them the best possible opportunity to sustain their new tenancies. As part of this process, we will look to ensure that we take steps to understand the needs of incoming customers during the sign-up process. This will allow us to set up the additional support required for our new customers, at the start of their tenancies. This may include, understanding our customers' previous circumstances and whether a customer may need support through our helping hand fund when moving into their new homes. It may also include ensuring that any accessibility needs or requests for adaptations to the home are processed at the earliest possible stage.

## 3.0 Our approach

### 3.1 Nominations and exchanges

Wandle operates in several local authority areas, each with different nomination arrangements and allocations policies. We allocate our homes in accordance with each local authority's nomination agreement and letting scheme, which for most is a choice based letting scheme.

Wandle does not operate its own transfer list or lettings scheme. However, Wandle residents whose home no longer meets their needs or wish to move to an alternative property or area can register on the appropriate local authority common housing register.

Agreements are in place between Wandle and its partner local authorities that govern and dictate which category and proportion of empty homes that Wandle is required to make available for local authority applicants, which include Wandle residents who wish to transfer home. In some instances, development agreements dictate the source of allocation to our homes.

As we do not manage an internal transfer list or a direct lettings scheme, we will offer 100% of our eligible homes which become available to let to the relevant local authority, subject to nomination agreements or letting restrictions. In most of our local authorities, we retain the right to use empty homes in limited circumstances, such as for urgent moves, management transfers and decants.

#### **Partnership working**

We work proactively with our local authority partners to ensure we are helping them deliver against their own allocations and lettings policies. We monitor time taken by local authorities to provide nominees following a nomination request and work with them to keep any delays in allocating housing to a minimum.

#### **Applying the rent and service charge**

When offering a property to a local authority we will send the rent and service charge information we have at the time the property is advertised. There will be times that the rent or service charges change between advertising and letting, usually if the property is advertised close to the end of the financial year and the relet date is in the new financial year. In such cases we will apply the new rent and/or service charge at sign up, which may be more or less than originally advertised. We will advise the applicants of any changes to rent levels or service charges at the time of viewing.

### 3.2 Adapted Homes

Households requiring specially adapted homes will be prioritised for homes which meet their needs. Local authorities will be notified of any existing adaptations in empty homes, and we expect them to tailor choice-based lettings or target the property to ensure it is nominated to a suitable applicant.

In some instances, we will work with the local authority to make adaptations prior to the new tenant moving in.

### 3.3 Under occupation

Where any Wandle household is under-occupying their present accommodation and wish to move to a smaller home, we will provide signposting support to help them in doing so. This could involve assisting with applying for downsizing via the local authority, applying for mutual exchanges or finding a lodger.

We will make best use of our properties by not knowingly allowing them to be let to a household that does not have the appropriate bedroom need. However, where local lettings policies are in place and there is a nomination from the local authority in this respect, we may decide to allow this. There may be other circumstances, such as in the case of mutual exchange or where there are statutory or contractual succession rights where under occupation may be allowed. In any such instance the agreed under occupation will be no more than one bedroom, unless legislation dictates, such as in the case of survivorship.

### 3.4 Affordability

Wandle will never reject a nomination from a local authority based on affordability assessments.

All relet rents are set in accordance with Wandle's rent policy. Applicants may be offered homes with either a 'Social' or an 'Affordable' rent. Both rents are below the local market rent and are intended for people who cannot afford to rent or buy on the open market. Affordable rent levels can be up to 80% of local market rents, whereas social rents are often around half of market rents.

### 3.5 Tenancy type

Wandle will ensure that new tenants are given the greatest form of security of tenure we are able to at the time of sign up. Tenancy agreements offered will be in accordance with Wandle's Tenure Policy, dependant on the type of property and the applicants' personal circumstances, including prior social renting history.

### 3.6 Housing fraud

Social housing fraud is a criminal offence, and anyone found to have deliberately lied, provided false information, or withheld information as part of an application will not be accepted as an eligible applicant.

If we discover this type of irregularity at the offer stage, we will withdraw the offer. If we discover this type of irregularity after the property is let, we will serve notice to end the tenancy. A tenancy obtained by deception will be repossessed and prosecution for social housing fraud will be considered.

## 4.0 Eligibility, criteria and household needs

We will review the details of all applicants supplied by local authorities or any other agency prior to making an offer of accommodation. We will satisfy ourselves that each nominated household is eligible and suitable for the home they have been nominated to

before finalising the offer. We will also require proof of identity as part of the tenancy sign-up.

#### 4.1 Criteria for becoming a tenant

We will assume the local authority has (or will carry out before signing up) all necessary checks to ensure eligibility for social housing /right to rent criteria are met and that they have nominated persons in accordance with their own allocations policies. Whilst these are different for each of the local authorities the non-negotiable criteria for Wandle are:

- Be over 18 years of age
  - However, in exceptional circumstances we may offer a tenancy to someone aged 16 or 17, and an adult guarantor will be required to hold the tenancy in trust
- Have capacity to hold a tenancy and be assessed as in housing need by the nominating Local Authority
- Be a British Citizen or have eligible immigration status.
- Not hold an interest in another property

#### Additional criteria

Nominations must also meet one of the following criteria:

- Have been nominated to Wandle by a local authority or other recognised nominating body under the terms of a nomination agreements and/or their Housing Allocations Policy
- Be an applicant of another housing association or local authority who is exchanging homes with a Wandle tenant e.g. mutual exchange.
- Referred by one of Wandle's agreed referral agencies and the provisions of the Right to Rent are met

#### Immigration Status

We will only house non-British Citizens who have leave to remain in the UK which allows recourse to public funds or settled status. All documents will be checked before any tenancy agreement is signed.

#### 4.2 Information required for allocations

Wandle will require the following information about local authority applicants and nominees in order to assess eligibility and suitability.

- Name, date of birth and national insurance numbers of the lead applicants
- Current address, tenancy type and the type of current accommodation and current household composition
- Details of any long-term illness, health problem or disability that may require specific specialist support, or any other care and support packages
- Relevant information about previous tenancies including maintaining conditions of their tenancies such as payments of rent and any history of anti-social behaviour, harassment, or domestic abuse perpetrated by any household members, visitors or guests to their property

### 4.3 Risk and needs assessments

Wandle will undertake a risk assessment for some customers before offering a tenancy. This is especially relevant for nominees to our supported homes. The risk assessment may include discussing the applicant's history with previous landlords, or agencies such as the police, mental health teams, primary care trusts, social services and alcohol or drug agencies. Our decision to undertake risk assessment will be based on whether there is potential for harm to other people or harm to the fabric of the building should we proceed with a tenancy, or where we have reasonable doubt about the prospective tenant's ability to sustain their tenancy.

We may carry out a home visit or ask that the applicant attends an appointment at Wandle's office. This approach is to ensure support needs for applicants are identified early and can be arranged as well as the duty to not place Wandle colleagues at risk in the course of their duties.

If the local authority fails to provide the information required to enable us to fully risk assess an applicant, we may reject the application.

On the rare occasion the prospective tenant fails the risk assessment we may reject their nomination. However, we may also consider the applicant for an alternative property that is more suitable should one be available.

Higher risk applicants will be considered on a case by case basis, provided an appropriate support package is in place to meet their needs.

### 4.4 Property Size and Household Composition

Demand for social housing is high and therefore we will always seek to make the best possible use of our stock and allocate homes accordingly.

We will generally allocate homes to nominated households based on the size needs of the household, as determined by the local authority.

Where we receive a local authority nomination, we will not normally consider unborn children or people joining the household at a later date when determining whether to accept it. However, we will consider an unborn child if it will make the household statutorily overcrowded.

For decants and management transfers we will refer to the suitable accommodation criteria set out in the Decant and Management Transfer procedures. Any exemptions or cases where we disagree with the allocation by the local authority should be considered by the Lettings Panel should the local authority challenge our rejection.

### 4.5 Overcrowding

Wandle will not knowingly let a property so that it would lead to overcrowding from the start of the tenancy. This includes where an applicant has advised the nominating agency, they are willing to accept a property smaller than their assessed housing need.

If it is felt a property is too small for the applicant, we will contact the nominating authority or landlord to seek clarification before rejecting the nomination or mutual exchange request.

#### **4.6 Authority to Reject a Nomination**

Any proposed rejection of a nomination is to be verified by the Housing Services and Quality Manager, Housing Customer Services Manager or Assistant Director of Customer Support.

In the case of a Mutual Exchange the decision will be made by the Housing Officer, in accordance with the guidelines in 4.4 and verified by the Neighbourhood Team leader.

#### **4.7 Appeals by Rejected Applicants**

If an applicant disagrees with our decision to refuse their nomination they can make an appeal.

##### **Rejected nomination appeals**

In the case of a nomination the appeal will be referred to the nominating local authority. However, this will not hold-up the allocations process for the property under dispute.

If the applicant is not satisfied with the outcome of the appeal and make contact with Wandle in respect of any decision, they will be signposted directly to the relevant local authority.

##### **Mutual Exchange appeals**

Any appeals in regard to rejected mutual exchanges should be directed to the landlord which rejected the exchange.

Where Wandle has rejected a mutual exchange, appeals can be made to us in writing within 10 working days of the decision and will be considered by the Wandle Lettings Panel.

If the rejection is upheld and the applicant is still not satisfied, they will be entitled to make a complaint through Wandle's formal Complaints Policy.

#### **4.8 Refusal by an Applicant**

The consequences of an applicant refusing an offer of accommodation made by Wandle will vary depending on the local authority's allocation policy.

Should a household refuse an offer, we will give advice to the applicant regarding the consequences of their refusal. We will take steps to try to understand the reason for refusal and consider whether our offer was indeed a reasonable one.

We will make it clear to the nominating authority why an applicant has refused an offer and it will be for them to make the final determination in respect of this. However, if we consider the reasons to be genuine, we will advise the local authority of this and suggest they make a reasonable offer to the applicant.

## 5.0 Supporting tenants who wish to move

Wandle does not undertake internal transfers, apart from for urgent moves such as decants and management transfers. Tenants who wish to move will be required to register on the appropriate local authority waiting list.

The majority of Wandle's local authority partners operate a choice-based lettings (CBL) scheme for the allocation of applicants. Wandle recognises that these schemes may be difficult to engage with for many people. Therefore, we will endeavour to actively support all residents wishing to move through this process and provide assistance with applications via our Resident Support Team.

General information on all our local authority partner housing allocation schemes as well as links to the various schemes can be found on Wandle's website and we will have information on the details of local authority local schemes. This information can be provided in a variety of languages and formats to ensure no one is excluded from applying to move home.

### 5.1 Mutual Exchanges

We encourage tenants who wish to move to sign up to online mutual exchange schemes to help them realise their housing needs.

Wandle is signed up to mutual exchange platforms, which means tenants are able to access this option free of charge. Wandle actively signpost such routes and provide support to residents wishing to take up these opportunities. Links to the schemes subscribed to are on the Wandle web site. Further details can be found in the Mutual Exchange procedure.

## 6.0 Urgent moves, Decants and Management Transfers

While Wandle allocates its eligible lettable empty homes via local authority nominations, there are some specific exceptions where we can allocate homes that become available to let to existing Wandle tenants who are in urgent need. This would be where a decant is required (see section 6.1) or we have assessed the tenant as in need of a management transfer (see section 6.2). For management transfer, the nominations agreement for the area where the property is located determines how an allocation of a new home is managed, this could be fully in Wandle's control or in conjunction with the local authority.

### Tenure and Rent type for internal moves

In the limited circumstance where we are permanently moving a resident from one Wandle home to another, we will move them with the same security of tenure and the relet rent will be charged. The rent type will depend on the rent type attached to the property they are moving into.

Where resident is moving from a property with an affordable rent to one with a social rent, the relevant social rent for that property will apply. This will usually mean a lower rent in the new home than the old one.

Where a resident with a social rent moves to a new build affordable rent property the affordable rent will be charged, as the rent provision of these homes will be fixed to contracts and funding agreements for that development. Secure tenants will be entitled to be charged a Fair Rent regardless of the rent type attached to a dwelling, in line with the Secure Tenancy Procedure.

For some permanent decant cases where the relet rent at the property being moved to is significantly more than the current rent, we may charge the resident the same or similar level as their current home. Any such decisions are made at Wandle's discretion with approval from the Executive Team. However, the dwelling will retain its original rent type classification and relet to any future tenants at the full designated rent rate.

### **6.1 Decant**

We may move tenants where repairs or major works are required, where it is unsafe to carry out works with the tenant in occupation or the condition of the home is affecting their health and safety . This is likely to be on a temporary basis however there may be circumstance where a permanent move is required.

Reasonable adjustments are always considered before any decant is offered.

### **6.2 Management Transfers**

Management Transfers are only for situations where a tenant or eligible members of the tenant's household<sup>1</sup> are at serious risk of harm from external factors only and as a result cannot reasonably continue to live there ..

The condition of the home, including those that affect any medical need and or healthand safety needs do not fall within this criterion and the need to move home for reasons such as this are managed within the decant process ( see section 6.1)

All requests for a management transfer must be approved by the Lettings Panel and clear records must be kept of all requests and decisions, including the reasons. An allocation following a management transfer award will be subject to criteria within the nomination's agreements held with local authority partners.

### **Criteria for consideration of a management transfer**

- Survivors or victims of domestic abuse.
- Victim of racial, gender or sexual orientation-based crime, or other harassment, where police are investigating/ taking action and support a move.
- Witness to a crime, who needs to move for their own protection, as requested by police, on a temporary basis (pending legal action), or as a permanent move.

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<sup>1</sup> Household members accepted will be determined in line with guidance within the Housing Act 1996 (Part V section 1).

- Households who need to move urgently at the request of social services, for child protection reasons.
- Other circumstances which are as serious as the examples above, at the discretion of the Lettings Panel.

### **6.3 Suitable Accommodation**

Suitable accommodation will be arranged for all management transfers and decants and will be allocated according to the tenant's circumstances. The specific requirements of suitable accommodation are laid out in our relevant Management Transfer and Decant Procedures.

### **6.4 Lettings Panel**

The Lettings Panel will be formed of:

1. Assistant Director of Customer Support
2. Housing Services and Quality Manager

Should either of the panel members named above not be available then the Neighbourhood Manager will take their place as a core panel member.

If an urgent panel is required and only one core panel members is available, the Income Team Manager or a Neighbourhood Team Leader can act as a second panel member.

The final decision will fall with the Assistant Director of Customer Support or otherwise the most senior colleague if not available.

The Lettings Panel will convene periodically to review the pending Decant and Management Transfer list to ensure tenants requiring urgent moves are not left on the list in perpetuity.

## **7.0 Local Lettings Plan**

To achieve balanced and sustainable communities we will work in partnership with local authorities and contribute to local lettings plans, where requested. New developments will always be built in accordance with local authority planning conditions, which take local letting plans into consideration.

## **8.0 Lettable Standard**

We will relet homes in accordance with Wandle's lettable standard. We reserve the right to complete non-urgent repairs with the new tenant in situ and will agree a plan for the completion of repairs with the new tenant when they take on their tenancy.

The Wandle Lettable Standard does not apply to mutual exchanges. A pre-exchange inspection is carried out before any exchange is agreed and any repairs identified at this

inspection by Wandle will be carried by Wandle, either before the exchange partners moves in or after, with agreement.

## 9.0 Hard to let homes

An options appraisal may be carried out by Wandle's Asset Management Team, for homes that meet the relevant criteria. This determines whether it is suitable for reletting. If a property is assessed for relet it should not be 'hard to let' by nature, however, there still may be cases where we are unable to let the property.

If there are no nominations from the local authority or if three nominees have refused a property, we will look at other options for letting it such as advertise it on a certified national housing mobility scheme.

Should we still not be able to let the property this will trigger another options appraisal by the Asset Management Team. In such cases we may:

- Enhance the specification of works
- Increase the value of the decoration allowance
- Classify the property as long term void for disposal
- Consider conversion for another use

Any decision to dispose of a property will be made in line with our Sales and Property Asset Disposal Policy.

## 10.0 Roles and Responsibilities

### **Assistant Director of Customer Support**

Owns this Policy and is responsible for ensuring that colleagues involved in allocations and lettings follow policy and procedure effectively.

Has final decision over any allocations and lettings matters, including as part of the Lettings Panel.

### **Housing Services and Quality Manager**

Oversees the day to day delivery of this policy and associated procedures. Leads in respect of strategic relationships and protocols with local authority partners and in respect of complex case management.

They will also be a core member of the lettings panel.

### **Allocations and Lettings Officer**

Responsible for day-to-day delivery of this policy and liaising with local authority partners to ensure effective allocation and letting of Wandle homes.

In some cases, they may also carry-out sign-ups and provide advice to prospective tenants.

### **Housing Officers**

Support the effective allocation and letting of Wandle homes, by carrying-out tenancy sign-ups and giving advice as and when required to residents who wish to move.

They are responsible for processing mutual exchange applications and submitting management transfer requests to the lettings panel, and associated actions that may follow in accordance with procedures

**Community Safety Team**

May process and submit management transfers in some instances, usually where serious anti-social behaviour or gang related violence is the contributory factor

**Resident Support Team**

Will provide guidance and support in reference to moving home in instances where a vulnerable resident requires more support than the housing officer is able to provide, for example assisting with registering with the local authority

**Asset Management Team**

Carry out options appraisal to agree appropriate action for hard to let homes.

**11.0 Related Documents**

<b>Policies</b>	Complaints Disposal Tenancy Management Anti-Money Laundering Rent Sales and Property Asset Disposal Policy.
<b>Procedures</b>	Management Transfer Decant Empty Homes Procedure New Build Development Procedure Secure tenancy management procedure IMR procedure Mutual Exchange procedure
<b>Other</b>	Lettable Standard

## 12.0 Relevant Legislation and Guidance

Legislation /Guidance	Main powers and relevance to the policy subject	How we use or comply with legislation/guidance
<p>Housing Act 1996 (as amended)</p>	<p>Part 6 of the Act governs the allocation of housing by local authorities in England.</p> <p>Local authorities must have an allocation scheme and policy for determining how they allocate their social housing properties.</p> <p>They must ensure that they only allocate to “eligible persons” and “qualifying persons” as defined in the Act. This also applies to nominations by local authorities to properties owned by housing associations, where the local authority has nomination rights.</p>	<p>This policy outlines how we will comply with local authority nominations agreements</p> <p>While local authorities are required to ensure housing they allocate is to eligible persons, we will satisfy ourselves that each nominated household is eligible and suitable for the home they have been nominated to before finalising the offer.</p>
<p>Immigration Acts 2014 and 2016</p>	<p>This Act requires landlords to establish that the applicant and all adults in the household have the right to rent property in the UK.</p>	<p>We will only house applicants who have permanent leave to remain in the UK.</p> <p>We will require adequate documentation to be shown by nominations with permanent leave to remain before offering them a property.</p>
<p>The Money Laundering, Terrorist Financing and Transfer of Funds Regulations 2017 (as amended 2020)</p>	<p>Outlines the measures that certain businesses, including social housing providers that undertake estate agency services, must put in place to reduce the risk of money laundering.</p>	<p>While Wandle does not currently fall under this specific legislation, as a matter of good practice we take steps to reduce the risk of money laundering. This includes checking the identity of potential new tenants, as required under this policy.</p>

Legislation /Guidance	Main powers and relevance to the policy subject	How we use or comply with legislation/guidance
Equality Act 2010	The Act prohibits discrimination of people with protected characteristics and imposes a duty on public bodies (including RPs) to promote equality and eliminate discrimination (the public sector equality duty)	See section 13.0 below
Home Office – Public Funds Guide for Home Office staff 5 October 2023	Sets out guidance around immigration status and recourse to public funds for caseworkers	Wandle may refer to this guide where a query around recourse to public funds requires clarity, in lieu of seeking legal advice.

## 13.0 Compliance with Regulatory Standards

Allocations and lettings are covered as part of the Tenancy Standard.

Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants and prospective tenants into account:

This Policy contributes to our compliance with the Standard by setting out Wandle’s approach to letting out our homes, through out nominations process.

Ther Tenancy Standard also dictates that we must have a clear application, decision-making and appeals processes and this is achieved through the [Appeals by Rejected Applicants](#) section of this Policy.

## 14.0 Equality & Diversity

Equality & Diversity is central to our business; promoting fairness and opportunity for customers and staff; helping provide the best services shaped by and for customers; and right for recruiting and developing our staff.

We are committed to celebrating diversity. To ensure equal access to our services is available, Wandle will comply with the Equality Act 2010 and all other legislative requirements relating to equality. We will work to avoid exclusions or restrictions that are not appropriate to the housing and support needs of our tenants and that may lead to discrimination. We will endeavour to ensure that all tenants receive a consistent level of quality service.

### Equality Consideration

Under the *Equality Act 2010* Wandle must consider whether our policies adversely affect our customers and/or staff.

The following table identifies whether this policy disproportionately impacts upon any individuals in regard to the key protected characteristics, as identified in the Act:

Special Characteristic	Any impact? (Yes or No)
age	Yes
disability	Yes
gender reassignment	No
marriage and civil partnership	No
pregnancy and maternity	Yes
race	No
religion or belief	No
sex	No
sexual orientation	No

We consider this policy has the potential to disproportionately impact individuals in regard to these characteristics and therefore an Equality Impact Assessment has been completed,