

Suspensions Policy and Procedure

1.0 Introduction and scope

1.1 This document covers our policy on Suspensions and should be read in conjunction with our Allocations Policy. It covers categories of suspensions, how to complete checks, and the duration of suspensions. The document sets out how we will meet our responsibilities as a landlord for ensuring that our Allocations Policy is inclusive and accessible for all, whilst recognising that there will be times when applicants do not meet the criteria for registering and applying for properties.

1.2 The scope of this policy covers:

Gentoo Group	X
Gentoo Homes	
Gentoo Developments Ltd	
Gentoo Genie	

It applies to:

General needs rented properties	X
Supported housing	X
Sheltered housing	X
Leasehold/shared ownership	
Rent to buy properties	
Market rented properties (domestic)	
Temporary accommodation	X
Stock owned but not managed by the Group	
Communal areas, including those relating to leasehold/shared ownership properties	
Commercial Property (offices, depots etc)	

Stock managed by Gentoo on behalf of a third party	
Garages and outbuildings	
Remote plant (district heating, electrical pumps etc)	
Curtilage	

2.0 Links to organisational goals

2.1 Our Vision and Values set the direction and culture of the Group. They ensure that the business is aligned around the desire to create sustainable homes and communities and to improve the lives of our customers. The Vision and Values ensure that all of our people understand Gentoo's ethos and are clear about what is expected of them and the contribution they can make.

Vision:

Great Homes - Strong Communities - Inspired People
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Values:

Do the right thing

Make a difference

Work together

Keep learning

Give all you've got

2.2 This Policy operates within our Vision and Values and links to our Gentoo Business Plan and our Allocations Policy and Procedures.

3.0 Definitions

3.1 In this policy, 'tenants' are those who have signed the tenancy agreement. They will usually be responsible for the actions of the occupants in their homes.

3.2 Where the terms 'residents' is used this refers to not only tenants and leaseholders, but also to all occupants of a tenant's household.

3.3 'Applicant' for the purpose of this documents refers to a person(s) applying to live in one of our properties.

- 3.4 'Suspensions' are when we defer an applicant(s) or application so they are unable to express interest in or be offered a Gentoo tenancy through our housing allocation scheme.

4.0 Regulation and legislation

- 4.1 The Executive Director (Operations) will ensure this policy has regard to all legislation, regulation and best practice.

5.0 Our policy statement

- 5.1 We recognise that the way our homes are allocated is a matter of real importance to people and this Suspensions Policy aims to ensure that our homes are allocated making the best possible use of housing stock while promoting the development of balanced and sustainable communities.
- 5.2 Gentoo is committed to ensuring that our Allocations Policy is inclusive and accessible for all, however there may be times when applicants do not meet the criteria for registering and applying for properties.
- 5.3 In these instances, each application is assessed on its individual merits against our Suspensions Policy.
- 5.4 If it is decided to suspend an application we will assist applicants, in conjunction with other agencies to seek alternative housing, and/or work towards eligibility for our housing register.
- 5.5 All housing applications will be dealt with sensitively and in line with the Data Protection Act 1998.
- 5.6 We are committed to the principles of diversity and inclusion throughout the organisation and aim to:
- Meet the needs and choice of people from all backgrounds
 - Ensure that our services are relevant, responsive and sensitive to the needs of our existing and future customers
 - Ensure that all sections of the community in which we work have equal access to our services.
- 5.7 Our suspensions policy will ensure that customers are treated as individuals with fairness and respect. An Equality Assessment has been completed on this policy.

- 5.8 Suspensions are when we defer an applicant(s) or application so they are unable to express interest in or be offered a Gentoo tenancy through our housing allocation scheme.
- 5.9 The length of the suspension will vary depending upon the reason why the applicant(s) did not meet the criteria. We can suspend any of the following;
- Gentoo tenants
 - Other social housing tenants
 - Private rented tenants
 - Owner occupiers
 - Applicants who live in with any of the above
 - Applicants of no fixed abode

A suspension may apply in the following circumstances:

1. Unacceptable behaviour, which would justify possession proceedings
2. A breach of tenancy agreement and covenant
3. If further information is required to process an application

- 5.10 If an applicant(s)/ application is suspended, the application will still appear on the register, but it will be made inactive until the deferred period or issue is resolved.

6.0 Suspension checks

- 6.1 Gentoo will carry out certain checks on all housing applications to establish whether the applicant or members of their household are eligible for registration.
- 6.2 These checks will include:
- Former Tenant Arrears
 - History of ASB / tenancy breach
 - Criminal convictions (a police check can only be requested at this stage if criminality has been disclosed or is known)
- 6.3 Gentoo reserve the right to suspend an application right up until the offer stage. Any member of staff can apply for a suspension but the

suspension must be approved by a Neighbourhood Operations Manager (and above).

7.0 Categories of suspension

7.1 We may apply a suspension for a number of reasons. The following circumstances may warrant a suspension:

- Unacceptable behaviour, which would justify possession proceedings
- A breach of tenancy agreement and covenant
- If further information is required to process an application

7.2 Where an applicant is suspended, Gentoo will write to the customer informing them of the suspension, reasons for our decision, and how they may resolve the situation. The customer has the right to request a review of the decision.

8.0 Grounds for suspension

8.1 There is no single approach as to when applicant(s) can be suspended from the housing register. Each application is assessed on its individual merit. There are a number of grounds that can be used to suspend an applicant and/or members of their household:

- Unacceptable behaviour
- Breach of tenancy or covenant
- Breach of tenancy (specifically housing debt)
- Awaiting further information

9.0 Police checks

9.1 Gentoo reserve the right to carry out police checks where there is reason to believe that an applicant or a member of their household has been involved in criminal activity. We will also carry out police checks where there are gaps in housing history and where a person has admitted criminal convictions.

9.2 Gentoo have information exchange protocols in place with the Police and other agencies. The information exchange protocols set out the

system to be used in all cases where information is passed between the Police and housing organisations.

10.0 Safer estates agreement

10.1 Gentoo may legally request information and/or Police checks via the Section 17 Safer Estates meetings which we attend. This can be done in extenuating circumstances or in the absence of an authorised declaration.

11.0 Policy outcomes

11.1 Our policy aims to achieve the following outcomes;

- Create sustainable communities by minimising the risk of anti-social behaviour and criminality within our communities
- Enhance sustainability of tenancies by assisting existing and prospective customers to reduce housing related debt and maximise their income
- Reduce breaches of tenancies by giving applicants the opportunity to address any unacceptable behaviour from the outset
- Improve our understanding of customer needs to ensure we are able to support them in sustaining a tenancy

12.0 Roles and responsibilities

12.1 As a housing association, we have a statutory responsibility to comply with all relevant regulation and legislation in relation to suspensions.

12.2 Our Regulator, sets out the Tenancy Standard which we must meet. Failure to properly discharge these responsibilities could lead to a RSH serious detriment judgement.

12.3 The Executive Director (Operations) is accountable for ensuring this policy has regard to all legislation, regulation and best practice and for ensuring implementation of this policy effectively.

12.4 The Director (Neighbourhoods) is accountable for adequate resourcing and having effective processes in place to implement this policy.

12.5 The Heads of Operations are responsible for the day to day delivery of this policy.

13.0 Escalation

13.1 Where a Board has concerns about significant issues in any area of compliance with suspensions they must escalate these concerns to the Executive Director (Operations).

13.2 Where a member of staff has concerns about significant issues in any area of compliance with suspensions, they must escalate these concerns through their line management structure, ultimately to Group Executive Team.

13.3 Where a member of staff continues to have concerns about significant issues in any area of compliance with suspensions, they should refer to the Group Whistleblowing Policy and Toolkit for further guidance.

14.0 Records

14.1 A suspension file will be kept for each suspension case and each file will include a copy of the housing application, suspension request form, suspension checklist, a copy of the notification letter and any supporting documentation.

14.2 All sensitive information will be stored securely by the Neighbourhood Operations Manager and will not be stored on the suspension file.

14.3 Due to Data Protection Legislation, detailed information about the reasons for suspension will not be included on any ICT system.

15.0 Monitoring and review

15.1 This policy will be reviewed every 3 years or in line with business needs.

15.2 This policy may be subject to an audit in line with the internal audit plan.

16.0 Applicant's right to a review (appeal)

16.1 A suspended applicant has the right to have the decision to suspend reviewed and they must do so within 21 days of receiving their initial

notification letter. The review process must be completed within 8 weeks. The review will be carried out by a panel of staff who were not involved in the original suspension decision and will be senior to the member of staff who granted the suspension.