



# FAIR ACCESS AND EXIT POLICY

Originator:	Policy and Strategy Team
Approval date:	12 <sup>th</sup> April 2022
Review date:	April 2025

1	Introduction
1.1	This Policy ensures that all applicants that apply for independent living housing owned and managed by Pine Court Housing Association (PCHA) receive a fair / transparent assessment of their needs and associated risks before offers of accommodation are made.
1.2	The Policy also sets out how PCHA will provide advice to customers who choose to have the service and signpost them to relevant agencies as required.
1.3	The application of this Policy ensures compliance with the outcomes of the Regulatory Framework for Social Housing in England as outlined below: <ul style="list-style-type: none"> <li>Registered providers shall offer tenancies or terms of occupation which are compatible with the purpose of the accommodation, the needs of individual households, the sustainability of the community, and the efficient use of their housing stock</li> </ul>
1.4	<b>Access and Communication</b>
1.4.1	PCHA is committed to ensuring that our services are accessible to everyone. PCHA will seek alternative methods of access and service delivery where barriers, perceived or real may exist, that may make it difficult for people to work for us or use our services.
1.4.2	Working with our customers we have established a Vulnerable Persons and Reasonable Adjustments Policy to ensure we make best use of every customer interaction to meet customers' needs in our service delivery and ensure this information is kept up to date.
1.5	<b>Equality, Diversity and Human Rights</b>
1.5.1	PCHA is committed to ensuring that no person or group of persons will be treated less favourably than another person or group of persons and will carry out its duty with positive regard for the following core strands of equality; Age, Disability, Gender, Race, Gender Identity

<p>1.5.2</p> <p>1.5.3</p> <p>1.6</p>	<p>/ Gender Expression, Sexual Orientation, Religion and/or Belief, Civil Partnership and Marriage, Pregnancy and Maternity.</p> <p>PCHA also recognise that some people experience disadvantage due to their socio-economic circumstances, employment status, class, appearance, responsibility for dependants, unrelated criminal activities, being HIV positive or with AIDS, or any other matter which causes a person to be treated with injustice.</p> <p>PCHA will also ensure that all services and actions are delivered within the context of current Human Rights legislation. Staff and others with whom PCHA works, will adhere to the central principles of the Human Rights Act (1998).</p> <p>This Policy should be read in conjunction with the:</p> <ul style="list-style-type: none"> <li>• PCHA Data Protection Policy</li> <li>• PCHA Complaints and Appeals Policy</li> <li>• PCHA Needs and Risk Assessment Policy</li> </ul>
<b>2</b>	<b>Statement of intent</b>
<p>2.1</p> <p>2.2</p> <p>2.3</p> <p>2.4</p> <p>2.5</p>	<p>PCHA will comply with all relevant legislation, regulation and contractual obligations in all areas of work in regard to assessing the needs and associated risk issues of individuals applying for the independent living housing.</p> <p>PCHA will take all reasonable and practical steps to protect vulnerable people from being offered or refused tenancies without an assessment of need and associated risk.</p> <p>PCHA will maintain confidentiality in all information relating to pre-tenancy needs and risk assessments and will only share information with partner or referring agencies according to:</p> <ul style="list-style-type: none"> <li>• Any joint working or information sharing protocols developed as part of effective assessment and support provision</li> <li>• When information comes to light that indicates the safety of individuals or communities may be at risk</li> <li>• In line with existing PCHA information sharing guidance.</li> </ul> <p>PCHA will respect the rights of individuals to make their own decisions and will factor this approach of empowerment and the creation of independence into decisions on the basis of need and risk assessments. In all situations there will be an assumption of capacity unless circumstances or information indicate otherwise, defined (by the Mental Capacity Act 2005) as being <i>unable to make a decision for him/herself because of an impairment of or a functioning of the mind or brain</i> when professional advice will be sought and an advocate used as appropriate.</p> <p>PCHA will consider the potential for safeguarding adults' issues to become apparent during assessment and in such cases will use its clearly understood and widely accessible procedures for reporting issues of concern including making referrals in accordance with the relevant Local Authority's Framework for Action.</p>

2.6	PCHA will ensure that support is offered so that the exits of those who leave the service will be appropriate, supported, and transparent.
<b>3</b>	<b>Policy</b>
3.1	<b>Fair Access</b>
3.1.1	PCHA will only make a formal offer for its Independent Living service once a pre-tenancy needs and risk assessment has been carried out and an appropriate level of need and risk identified. This is regardless of the way in which an individual attempts to access the service e.g. bidding through regional Choice Based Lettings schemes, or internal / external referral.
3.1.2	If an applicant is unsuccessful in a bid for any reason, even though he or she may have been assessed as having an appropriate level of need, the assessment will be considered current for six months. This is subject to any changes in circumstance being notified if a further bid is made within that time period.
3.1.3	After a period of six months a new assessment must be undertaken should any further bids or referrals for the service be made.
3.1.4	If the assessment indicates the service would meet the needs of the applicant and risks are manageable, the applicant will be informed. If the service is suitable but the property is unsuitable in line with the Property Pool Plus (Choice-Based Lettings Scheme) allocation criteria, then the property will not be offered irrespective of the suitability of the service.
3.1.5	Any concerns over the issues raised in the assessment will be forwarded to an Independent Living Team Leader or in their absence the Independent Living Manager prior to a final decision being made.
3.1.6	Where an assessment indicates needs are too high to be met by the service, the applicant will be informed in writing by the Independent Living Officer undertaking the assessment (including reasons for refusal) and signposting advice will be provided to other services that may be more suitable.
3.1.7	A copy of the letter will be provided to any referring agencies unless the applicant has requested that this is not done.
3.1.8	Where needs are assessed as being too high, The Independent Living Team Leaders or in their absence the Independent Living Team Manager will consider offering a service if a written guarantee of additional support services with other agencies is received and is deemed to be sufficient to maintain independent living.
3.1.9	This written guarantee will form part of the Housing Action Plan and a multi-agency approach to support will be taken with reference to (or development of) joint-working and information sharing protocols as appropriate.
3.1.10	For all refusals to offer the Independent Living Service, the applicant will have the right to appeal using PCHA's appeals process. It should be noted that the property the applicant has applied for will not be held vacant whilst the appeals process takes place.

<p>3.2</p> <p>3.2.1</p> <p>3.2.2</p> <p>3.2.3</p> <p>3.3</p> <p>3.3.1</p> <p>3.3.2</p> <p>3.3.3</p> <p>3.3.4</p> <p>3.3.5</p> <p>3.3.6</p> <p>3.3.7</p>	<p><b>Review of suitability for service</b></p> <p>An assessment of the suitability of the service will take place on the annual review of the Housing Action Plan, when circumstances change or if the customers behaviour indicates the tenancy may be at risk.</p> <p>If the customer refuses to engage, a review will take place in their absence and be approved by the Team Leader to ensure fairness and consistency. The review may include a representative of the Neighbourhood Housing and / or Community Safety teams.</p> <p>Where it is appropriate, other support providers including family or carers will be given the opportunity to be involved in the review of the Housing Action Plan.</p> <p><b>Move On / Exit</b></p> <p>In Retirement Housing Schemes, it is anticipated that the service will continue for the length of the tenancy. Where customers move-on because of changed circumstances or increasing / decreasing need, support will be provided to them to help them find alternative accommodation and an exit survey will be completed.</p> <p>Where the level of need becomes too great that people cannot safely remain in their accommodation or where behaviour such as anti-social behaviour means that individuals are in breach of tenancy, a case conference will take place with all key support agencies and services invited to ensure issues are addressed.</p> <p>Support will be provided to the individual to ensure they are able to understand the implications of their behaviour including an assessment of capacity by an appropriate medical practitioner, where required. Where possible Housing Action Plans will identify additional support services that may enable the tenancy to be maintained.</p> <p>Where it becomes apparent that an Independent Living customer is in danger of losing their tenancy for any reason (including where additional support is provided by outside agencies) the Independent Living Manager will be advised and liaise with the relevant PCHA Managers to ensure support is provided.</p> <p>Advice will be given immediately the tenancy is known to be at risk about independent advocacy. The Housing Action Plan will clearly record any advice and support given to access external services.</p> <p>Where a tenancy is ended in such circumstances a review of lessons learned will be undertaken by the Independent Living Manager clearly identifying the steps taken, support provided and any service improvements that need to be made as a result.</p> <p>An audit of access to and exits from the service will be undertaken every quarter to ensure fairness and transparency and promote service improvements.</p>
<p><b>4</b></p>	<p><b>Implementation</b></p>
<p>4.1</p>	<p>In relation to the operation of this Policy, the following responsibilities will apply:</p> <ul style="list-style-type: none"> <li>• Independent Living Officers</li> </ul>

- Carrying out initial pre-tenancy needs and risk assessments for applicants for the PCHA Independent Living Service
- Informing applicants of decisions to offer or refuse access to the service (including reasons for refusal, where this applies)
- Working with external support agencies where additional support is to be put in place that would mean an offer of service can be made or where it is refused providing appropriate sign-posting services
- Ensuring customers accepted for service are working towards goals outlined in their Housing Action Plans during regular contacts and keeping all records up to date (including co-operating with external support agencies, where applicable)
- Carrying out the annual review of the Housing Action Plan (including assessment of suitability for service) or at any point if necessitated by change in circumstances or customer behaviours. This may include involvement in case conferences, as required
- Bringing to the attention of the Team Leader / Manager any issue which endangers the sustainment of the tenancy and making the customer aware of independent advocacy services
- Providing evidence in any appeals process associated with the service
- Providing support to the customer upon move-on / exit from the service

- **Independent Living Team Leaders**

- Liaising with PCHA Neighbourhood Services when support is required to sustain an Independent Living tenancy
- Providing advice to Independent Living Officers on any issue or concern regarding assessment for service
- Assessing and making decisions on all applications for service where additional support is to be provided by external agencies (see 3.1.8)
- Reviewing all cases where customers that have been accepted for service refuse to engage and determining appropriate courses of action
- Assessing Stage 1 appeals – as per PCHA Appeals Process
- Providing collated performance report information

- **Independent Living Team Manager**

- Liaising with PCHA Neighbourhood Services when support is required to sustain an Independent Living tenancy
- Reviewing lessons learnt when exists from service occur to drive service improvements (where needs have been assessed as being too high, no longer needed or due to customer behaviours)
- Assessing Stage 2 appeals - as per PCHA Appeals Process
- Approving and submitting performance report information

**5**

**Performance**

5.1

Good performance will reduce likelihood of turnover of properties and ASB resulting from unmanaged support needs. The Policy does not contribute directly to any established performance measures.

<b>6</b>	<b>Consultation</b>	
6.1	All staff have been consulted about the development of this Policy.	
6.2	The Customer Empowerment Panel was also consulted in developing this Policy on 29 <sup>th</sup> March 2022.	
<b>7</b>	<b>Review</b>	
7.1	The Policy and all supporting procedures will be reviewed every three years (from the date of approval). The review process will ensure continuing suitability, adequacy and effectiveness of the Policy and may be prompted by the introduction of new legislation or regulation or in the light of findings from the continual risk assessments of service users' circumstances.	
<b>8</b>	<b>Equality Impact Assessment</b>	
8.1	Was a full Equality Impact Assessment (EIA) required?	Yes
8.2	When was EIA conducted and by who?	The Policy and Strategy Manager and Policy Writer in January 2022
8.3	Results of EIA	<ul style="list-style-type: none"> <li>• Policy to be shared with appropriate agencies.</li> <li>• External agencies to review impact of Policy and provide feedback.</li> <li>• Training sessions on fair access and other new/revised policies to be provided to PCHA staff</li> <li>• Ensure maximisation of income and service outcomes. Monitor and audit access and exits to identify need for change. Highlight levels of need and inform strategic partners.</li> </ul>
<b>9</b>	<b>Scheme of delegation</b>	
9.1	Responsible committee for approving and monitoring implementation of the Policy and any amendments to it	PCHA DMT
9.2	Responsible officer for formulating Policy and reporting to committee on its effective implementation	Operations Director-PCHA
9.3	Responsible officer for formulating, reviewing and monitoring implementation of procedures	Operations Director-PCHA

Date of revision:	Reason for revision:	Consultation record:	Record of amendments:
This is the first version of the Policy for PCHA	Not applicable	See Section 6	Not applicable
26 February 2019	In Line with Review Schedule	See section 6 above	<ul style="list-style-type: none"> <li>• Change at 4.1.6: the section has been reworded for clarity</li> <li>• The Policy has been divided into two sections i.e. 'Fair Access' and 'Move On/Exit'</li> <li>• The whole Policy has been amended in line with current PCHA business practices</li> </ul>
26 February 2019	In Line with Review Schedule	See section 6 above	<ul style="list-style-type: none"> <li>• Change at 1.3 – streamlined compliance with Regulatory Framework</li> <li>• Change at 1.6 – Inclusion of reference to PCHA Needs and Risk Assessment Policy</li> <li>• Change of wording throughout 3.1, 3.2, 3.3 Section 4 – Implementation changed throughout to give clearer detail of management responsibilities</li> </ul>
12 <sup>th</sup> April 2022	In Line with Review Schedule	See section 6 above	<ul style="list-style-type: none"> <li>• Change at 1.3 – streamlined compliance with Regulatory Framework</li> <li>• Change at 1.6 – Inclusion of reference to PCHA Needs and Risk Assessment Policy</li> <li>• Change of wording throughout 3.1, 3.2, 3.3</li> <li>• Section 4 – Implementation changed throughout to give clearer detail of management responsibilities</li> </ul>