



## **CORK FOYER ALLOCATIONS & REFERRALS POLICY**

### **1. PURPOSE**

The purpose of this procedure is to ensure that the Foyer is:

- 1.1 Adopting and adhering to a fair and consistent approach to the housing assessment process.
- 1.2 Promoting a transparent process to individual applicants, referring agencies and key stakeholders.
- 1.3 Accurately assessing the needs and suitability of individual applicants.
- 1.4 Attempting to meet the needs of individuals whilst maintaining a balanced community within the Project.

### **2. POLICY CONTEXT AND REFERENCES**

- 2.1 This document is based upon the principles contained within the following legislation:
  - Equality Acts 2000 -2004
  - Equal Status Act 2000 -2012
  - Housing Act 1988
  - Residential Tenancies 1996
  - Residential Tenancies (Amendment) Act 2004 -2012
  - Housing (Misc Provisions) Act 2009 - 2014
  - Human Rights Act 1999
  - Irish Human Rights & Equality Commission Act 2014
- 2.2 This policy should not be viewed or operated in isolation, but within the context of the Foyer ethos and objectives, existing policies and procedures and legal obligations.
- 2.3 This policy has operational linkages to:
  - The Foyer Housing Application & Referral form
  - Needs & Risk Assessment
  - Foyer Information Leaflet
  - Foyer Confidentiality Policy
  - Equal Opportunities Policy
  - Residents Charter
  - Foyer Youth Offer

### **3. PROJECT OBJECTIVES**

- 3.1 To provide a safe, friendly environment with a combination of affordable accommodation, support and access to training, education and employment opportunities for young people aged 18 -25 years old.
- 3.2 To support young people in meeting their achievable goals and targets outlined in their Personal Support Plan.
- 3.3 To inform young people of their rights under the Foyer Deal and support them to meet their responsibilities under the Foyer Deal
- 3.4 To equip young people with the skills to live independently.
- 3.5 To contribute to the achievement of sustainable communities.
- 3.6 To avoid creating tenancies which are unsustainable.
- 3.7 To provide equality of opportunity in the provision of its accommodation and support services and to take positive action against discrimination.

### **4. ACCOMMODATION & SUPPORT SERVICES**

- 4.1 The Foyer uses a holistic approach when supporting young people, through offering internal and external development opportunities, accessing specialist services and partnership working with organisations such as Cork ETB and the YMCA. Other accommodation and support services include:
  - Staff support with a range of personal support issues
  - Designated Support Worker
  - Assistance with accessing specialist services i.e. Counselling (subject to availability)
  - Advice and guidance, access to training, education and employment opportunities
  - Fully furnished computer suite/training room
  - Resident participation opportunities through organised events or via the Resident Committee
  - Furnished en-suite accommodation with shared kitchens
  - A safe and secure environment to live, which is staffed 24 hours a day, 365 days of the year
  - Assistance with move on accommodation

## 5. **ELIGIBILITY CRITERIA**

- 5.1 The young person **does not** qualify for either HAP or Rent Supplement at the time of application, but they are accessing a homeless service, or they are at imminent risk of becoming homeless
- 5.2 The young person **does** qualify for HAP or Rent Supplement at the time of application, but they cannot find accommodation and are currently using a homeless service, or they are at imminent risk of becoming homeless
- 5.3 **Subject to 5.1 or 5.2**, and at the time of application, the young person does not have the ability to maintain a tenancy and are currently using a homeless service, or they are at imminent risk of becoming homeless as a result
- 5.4 The young person is need of housing, lacks a safe or stable home, or is living in temporary unsecured or emergency accommodation
- 5.5 The young person must have a legal right to remain in Ireland and is in receipt welfare benefits i.e. unemployment benefit, disability benefit etc
- 5.6 Is single and between the ages of 18 and 25. Those successful and aged 25 will be offered a Licence Agreement for a maximum of 12 months
- 5.7 Is unemployed but motivated to seek/attend training, education or employment
- 5.8 Is willing to commit to the Foyer ethos and an agreed Personal Support Plan
- 5.9 Is willing to commit to their responsibilities under the Foyer Deal (Residents Charter)
- 5.10 Is able to live within the stipulations of the Foyer Licence/Support Agreement and Codes of Behaviour
- 5.11 Special circumstances will apply to expectant mothers i.e. level of agency support, agreed move on arrangements in place and duration of Licence Agreement
- 5.12 All proposed allocations will be presented to a Cork City Council Homeless Section Adjudicating Panel, who will clarify all successful applicants meet the above criteria. The Panel will require evidence that a young person cannot return home i.e. supporting documentation such as a barring order, protection order, supporting letter from a Social Worker, Probation Officer etc
- 5.13 The Cork Foyer is a state funded transitional homeless service which aims to support young people to live independently as soon as practicably possible. Successful applicants that are **deemed to be capable of independent living**, and who qualify for Housing Assistance Payments or Rent Supplement, will be expected to proactively work with the Foyer Support Team to secure suitable accommodation from the outset of their stay. Failure to do so will jeopardise their Licence Agreement to remain at the Foyer.

## 6. **EXCLUSIONS FROM APPLYING**

6.1 A person who may be eligible to be considered for accommodation shall be excluded if he/she:

Has a drug dependency problem, or is currently attending a substance misuse treatment programme to overcome drugs or dependency problems. This would also include applicants currently using Opioid Substitution Treatment (Methadone), for which the low support environment of the Cork Foyer is not adequate to meet their needs.

Has an acute mental health issue

Has personal care support needs, e.g. bathing, dressing

6.2 Whilst the Foyer works very closely with the voluntary and statutory sector, the Foyer Manager or Director of Housing and Community Services reserves the right to refuse applications where the application, or needs/risk assessment indicates that the young person involved:

- Presents an unmanageable risk to the Foyer, its residents or staff
- Has needs that cannot be met by the Foyer's support services or accommodation
- Would create a potential conflict of interest for staff or the Management Committee Members
- Does not meet the entry criteria
- Has a recent history of anti social, violent or aggressive behaviour
- Is not entitled to welfare benefits

6.3 The Foyer is a multi occupancy project that accommodates up to 18 young people, many deemed as vulnerable. Therefore, it is highly unlikely that the Foyer would offer accommodation to any young person convicted or charged of an offence involving arson, recent violence, or serious incidents of a sexual nature.

6.4 **FORMER RESIDENTS** may reapply and re-enter the Foyer housing register. Former residents will be expected to undergo the current Foyer allocation and assessment process to ascertain their up to date circumstances and support needs. Former residents must have cleared their former Licence fee account of any arrears and meet the current eligibility criteria at the time of applying.

6.5 Former residents that have been evicted will not normally be considered or placed on the housing register for a period of 6 months after their eviction date and while they owe any Licence fee arrears. Former residents that have been evicted for substance misuse, criminal damage, violent or aggressive behaviour, serious anti social

behaviour or persistence breaches to the Foyer Codes of Behaviour/Licence Agreement will not normally be reconsidered for accommodation at any time in the future.

## **7. REFERRAL AND ALLOCATION PROCESS**

- 7.1 All applicants who apply to a Foyer must complete a Foyer Housing Application form. If the applicant has been referred via an agency, the Housing Application form must be accompanied with a Housing Referral form, completed by a representative from the referring agency. All applicants and referring agencies shall be issued with a project specific information leaflet.
- 7.2 On receipt of the Application form and / or Referral form, it shall be checked for accuracy and completeness. If there are any omissions or inaccuracies on the application documentation, these shall be checked with the referring agency or with the individual applicant concerned to clearly establish whether or not the eligibility criteria have been met. If the relevant information is not provided or the applicant is found to be ineligible by an allocation panel, the application should be rejected and the applicant/referring agency informed in writing. The letter should state the reason for rejection and include reference to the appeals process.
- 7.3 A maximum of 3 attempts will be made to contact the applicant to arrange an assessment. Should no contact be made with the applicant, they will be registered as uncontactable and will not be reinstated on the Foyer housing register until contact has been made.
- 7.4 Once an assessment date has been confirmed with the applicant, should the applicant fail to attend a housing assessment on two occasions, they will be removed from the Foyer housing register and asked to reapply.
- 7.5 Before conducting a housing assessment, the interview panel should familiarise themselves with the application and make the necessary arrangements to meet individual needs i.e. interpreters, wheel chair access. The allocation panel should encourage referring agencies or other appropriate professionals to attend housing assessments.
- 7.6 The assessment shall be conducted in a room where the discussion can remain confidential. The interviewers must take the necessary safety precautions i.e. have access to a panic alarm, conduct the interview in a room where they are visible to other staff and position themselves nearest the door.
- 7.7 The assessment panel must always consist of 2 members of staff, one being a Manager or a senior member of staff in their absence. To assist the allocations panel, an assessment checklist has been provided on the front of the needs assessment. All items on the checklist should have been implemented prior to offering a Licence.
- 7.8 The application/referral documents provide the framework for the assessment process. The information attained through the assessment process should feed into the final risk assessment table. All documents completed by the allocations panel should be eligible and accurate. The risk table should be presented in a typed format.

7.9 The needs and risk assessment includes a points banding system to assist the allocation panel in ascertaining the applicants support level (Appendix 2). This tool is not used as a stand alone document, but in conjunction with other information provided throughout the assessment process. Points are awarded against:

- Age
- Housing
- Training attendance
- Family support
- Agency support
- Mental health issues
- Personal care needs
- Drug issues
- Alcohol issues
- Medical history
- Behaviour/offending

7.10 Applicants point bands are:

350 – 550	Maintaining
600 – 850	Action
900 -1500	Preparing

7.11 The above point bands of Maintaining, Action and Preparing are based on the Cycle of Change Theory with the allocated points reflecting where applicants are currently on the Cycle of Change.

**Maintaining** – Applicant is showing sustained change with new behaviours replacing old.

**Action** – The applicant is showing active modification of behaviour

**Preparing** – Applicant is intent on taking action to address problems

7.12 At the end of the interview, the next stage of the process should be clearly explained to the applicant/referring agency and contact details of all concerned affirmed.

7.13 In order to verify information provided on the assessment documentation and during the assessment interview, references will be sought from specified referees and agencies/organisations to which the applicant has had contact, which involves a verification check with the Gardaí. The application/assessment documentation will provide the applicants authority to conduct such checks.

## 8. **OUTCOME OF THE INTERVIEW/ASSESSMENT**

8.1 This section of the needs assessment should always be completed by both allocation panel members. If it is clear from the assessment that the applicant meets the eligibility criteria and the applicant is offered a Licence, a letter of offer must be given to the successful applicant/referring agency. The letter must provide the applicant with a proposed move in date and contact name.

8.2 If doubt exists as to whether the applicants should be offered a Licence or if references are awaited, an allocation panel member must retain the file and see the process through to completion.

- 8.3 If the applicant does not meet the eligibility criteria or has not been successful in his/her application, the applicant must be informed in writing. The letter must offer the opportunity to appeal against the assessment decision.
- 8.4 All exclusions & allocations must be recorded on the central log (Appendix 1). All applicants who have been unsuccessful or excluded, will be given a date when they may reapply. This date is usually 6 months after the last assessment date.

## 9. **APPEALS PROCEDURE**

### 9.1 **Stage 1 – Submit Appeal**

If the applicant is dissatisfied with the outcome of the assessment panel, the applicant or their advocate can appeal to the Foyer Manager in writing within 28 days of notification. The letter of appeal should specifically outline the applicant's grievance. **The Foyer Manager will acknowledge receipt of the appeal letter within 5 working days and may invite the applicant to meet with them to explain the situation in person.**

### 9.2 **Stage 2 - Foyer Manager Appeal Review**

#### **The Foyer Manager shall:**

- Consider whether the information provided was detailed and accurate enough to make a valid assessment
- Consider whether the outcome of the assessment was based on factual information
- Consider whether the applicant was declined in accordance with the Foyer Allocations Policy
- Consider whether correct procedure was adhered to

**The Foyer Manager shall respond to the letter of appeal within 14 days of receipt.**

Applicants who clearly do not meet the Foyer eligibility criteria will be informed in writing. However, if the applicant is still dissatisfied with the action taken by the Foyer Manager or feels the assessment has been mishandled, the applicant shall be informed that they have the right to use the Foyer complaints procedure commencing at **stage 3**.

If an element of doubt exists surrounding a Foyer Housing Application or the assessment process, the Foyer Manager shall arrange for the applicant to attend a second assessment interview in which whole or part of the assessment process may be conducted again. When possible, the assessment interview should be conducted by different members of the Foyer staff team and a second decision given to the applicant within **14 days of the interview**. If the applicant is dissatisfied with the 2<sup>nd</sup> assessment panel's decision or feels that the second assessment has been mishandled, the applicant shall be informed that they have the right to have their appeal put forward to the Chair of the Management Committee. The applicant may also wish to write to the Chair of the Management Committee to ensure their position is fully understood.

### 9.3 **Stage 3 – Management Committee Appeal Review**

The Chair of the Foyer Management Committee shall elect a sub group existing of 2 or more members of the Management Committee to review the applicants appeal and present their recommendations at the next Management Committee meeting for formal approval on their decision. The applicant or members of the assessment panel may be invited to meet with the sub group to present their position in person. If the applicant is still dissatisfied with the action taken by the Foyer Management Committee sub group or feels the review has been mishandled, the applicant shall be informed that they have the right to use the Foyer complaints procedure at **stage 4**.

- 9.4 All excluded applicants have the right of appeal. The complaints and appeals system operated by the Foyer does not preclude an applicant from using other external offices to handle their appeal/complaint e.g. Threshold, Office of Ombudsman, An Bord Pleanala. The Foyer shall fully encourage applicants to use an advocate throughout the appeal or complaint process.

## 10. **FOYER HOUSING REGISTER (WAITING LIST)**

- 10.1 Once an applicant has been successfully interviewed, his or her details will be logged on the Foyer Housing Register in order of the date upon which the application was registered. The earliest application registered will therefore always be the first to appear on the Foyer Housing Register and the most recent will appear last.
- 10.2 The Foyer Housing Register will be reviewed fully at least every 3 months to check whether applicants still require Foyer accommodation and whether their circumstances still make them eligible. If there has been no contact from the applicant for a period of 3 months the applicant will be removed from the housing register and they will need to reapply to be added onto the Foyer Housing Register again.

## 11. **WAITING TIMES**

- 11.1 The Foyer will always endeavour to keep waiting times to a minimum for applicants on the Foyer Housing Register, preferring that no applicant should have to wait for longer than 3 months, before receiving an offer of suitable accommodation. However, waiting times are dictated by the level of vacancies which become available which is outside the Foyer's control.
- 11.2 There may be occasions when demand and the number of applicants already registered is so great as to make waiting times very lengthy. On such occasions, the Foyer reserves the right to close the Foyer Housing Register for a temporary period. As soon as waiting times become shorter, the Foyer Housing Register will reopen. Closure of the Foyer Housing Register will be the exception rather than the rule.
- 11.3 All successful applicants are expected to have registered for Cork City Council Housing prior to a unit being allocated at the Foyer.

## 12. **ALLOCATION CRITERIA**

- 12.1 In the absence of either of the two overriding considerations (as set out below) the selection of an applicant from the Foyer Housing Register, to whom an accommodation vacancy will be offered, is based on the length of time his or her



application has been registered. This system is normally described as “date order” and is a transparent and fair basis on which to select applicants.

- 12.2 There are two further considerations set out below which are relevant to allocating vacancies and in appropriate circumstances they override the “date order” system.

### **12.3 MAINTAINING A BALANCED COMMUNITY**

Foyers can only succeed in their broader social and training objectives by maintaining a balanced community amongst their residents. In practice this is translated into a series of target percentages for the mix of residents in a Foyer.

- Support level target                      50% Maintaining                      25% Action                      25% Preparing
- Gender    50% Female    50% Male
- Age    50% 18-20                      50% 21 - 25
- Disability    Utilise the 3 specially adapted rooms
- Ethnicity    To be allocated in line with available local population statistics

- 12.4 The above targets need to be continually reviewed against staff resources and support from external bodies. In addition to the suitability of other applicants available on the housing register.

- 12.5 The rooms specially adapted for wheel chair users will be let to able bodied young people. However, a successful applicant who requires the specially adapted room will have preference and the existing tenant will be reallocated the next available room in line with their Licence Agreement

### **12.6 ACUTE NEED GIVING RISE TO HARDSHIP**

- 12.7 In order to be eligible for Foyer accommodation, an applicant must be in a housing need. By definition, therefore, all applicants will be experiencing some hardship or inconvenience as a result of their housing circumstances. However, it is recognised that, occasionally, there will be an acute degree of need experienced by individuals, which causes severe hardship to the applicant, and this is likely to arise as a result of a combination of factors relating to both health and welfare within his or her present situation.

- 12.8 When a vacancy arises in the Foyer, assuming there is no applicant in the ‘acute need’ category, the Foyer staff will check for fulfilment of the balanced community and referral targets. If they are being achieved at the time the vacancy is available, then the basic allocation criteria of “date order” is applied. If one or more of the targets is not being achieved then applicants from target groups will be considered first in order to redress the balance. In the event that there is more than one applicant from the

appropriate target group, the decision as to which applicant receives the offer will be based on “date order.”

- 12.9 Selection decisions and subsequent offers will only involve applicants who have been assessed and **under no circumstances will the Foyer accept direct access referrals.**
- 12.10 This option will be used very sparingly by the Foyer so as to avoid it being viewed as undermining the date order allocation principle.