



Key Worker Housing Policy

March 2022

1. Introduction

- 1.1 Spelthorne Borough Council is dedicated to providing affordable housing locally to key workers who are critical in keeping local public services going. As such, a proportion of lettings at upcoming Council developments, through its wholly owned housing company Knowle Green Estates Ltd. will be prioritised for key workers.
- 1.2 The definition of 'key worker' has varied significantly since the concept was developed in the early 2000s. No formal definition exists in relation to affordable housing, although several definitions exist for other reasons, such as the Government's criteria for critical workers to access school placements during the Coronavirus pandemic.
- 1.3 It is in the Council's gift to define key worker locally, based on local requirements and the local housing context. In preparation for these lettings, the Council commissioned a piece of research regarding the likely demand for accommodation amongst key workers, and the sectors in which those key workers are employed. This research provided valuable insight into the demand particularly for key workers in education, health and social care, and public safety and national security. As a result, these sectors will initially be prioritised as part of this.

2. Policy objectives

- 2.1 This policy has been designed to ensure that affordable housing, designated as priority for key workers, is allocated fairly and transparently.

3. Definition of a Key Worker

- 3.1 Based on the research undertaken in 2020, to qualify as a key worker under this policy, an individual must be in one of the following roles:
 - (a) **Health and social care:** Doctors, nurses, midwives, paramedics, social workers, care workers; and other staff employed within this sector who are critical to service delivery
 - (b) **Education and childcare:** Childcare, teaching staff, specialist education professionals [including FE teachers and Early Years/nursery teachers; Local Authority Therapists, including Occupational Therapists and Speech and Language Therapists; and Local Authority Educational Psychologists].
 - (c) **Public safety and national security:** Police personnel; Armed forces personnel; Fire and rescue service employees; Prison and probation staff.
 - (d) **Public sector and charity workers:** Staff of any organisation run and funded by tax-payers' or paid staff of any registered charity
 - (e) **Other specialised services in exceptional circumstance can be assessed on merit, as agreed by Group Head of Service of Community Wellbeing**

4. Eligibility criteria for a Key Worker home

- 4.1 A key worker as defined by this policy will qualify for a key worker home in Spelthorne provided they meet the following criteria:
 - (a) Must have the Right to Rent as defined by the Immigration Act 2014

- (b) Must have a Local Connection to Spelthorne as defined by the Housing Allocations Policy.
- (c) Annual household income of less than £60,000
- (d) Savings of less than £30,000
- (e) Do not own or part own a property
- (f) Be employed as a key worker on:
 - i) a permanent contract of at least at least 16 hrs. a week for a single person, or 24 hrs for a couple, or
 - ii) an existing fixed term contract of 12 months or more of at least 16 hrs. a week for a single person, or 24 hrs for a couple, or
 - iii) a zero hours contract, where the applicant can demonstrate that they have worked more than at least 16 hrs. a week for a single person, or 24 hrs for a couple on average over 12 months. This will be considered on a case by case basis.

4.2 Key workers will be eligible for a home which meets their household needs, as defined by the Housing Allocations Policy applicable at the time. For clarification, currently property sizes are defined as follows:

Household	Bedroom Need
Adult person – single	Bedsit / One Bedroom
Adult couple	One bedroom
An overnight carer	One bedroom
Two persons / children of the same sex with less than a ten year age gap	One bedroom
Two persons / children of different sex both under 10 years of age	One bedroom
Two persons / children of the same sex with more than a ten year age gap where both are under 16	One bedroom
Two persons / children of different sex, of whom at least one is over 10 years of age	Two bedrooms
Two persons of the same sex with more than a ten year age gap and where at least one is 16 or over	Two bedrooms

5. Application process

5.1 Applications will be assessed and agreed as per Spelthorne Borough Council's Housing Allocations Policy in use at the time, and prioritised based upon housing need.

6. Tenancy type and management

6.1 It is a requirement of the scheme that at least one eligible key worker must remain on the tenancy at all times.

6.2 The tenancy offered to key workers will be an Assured Shorthold Tenancy.

6.3 It is important to note that the tenancy offered to key workers is not a secure tenancy, and no secure rights of tenure or the right to buy are offered.

6.4 Key workers will not be allowed to sub-let any part of their home.

Tenancy review

- 6.5 Two months prior to the end of the fixed term, tenancies will be reviewed, primarily to ensure that at least one tenant remains eligible under this policy. At this stage consideration will also be had to the conduct of the tenant and their household. Provided at least one tenant continues to be eligible under this policy, and that no steps to commence legal action have been taken in relation to non-payment of rent or other tenancy breach, then the tenancy will ordinarily be renewed.
- 6.6 If nobody in the household is eligible as a key worker at the point of review then possession action will commence in line with the established legislative framework for recovering possession. This will either be through:
- (a) Section 21 Housing Act 1988, otherwise known as 'no fault eviction'. Provided the notice is served correctly, then a Court has no discretion to not agree to the eviction.
 - (b) Schedule 2, Ground 12 of the Housing Act 1988 ("a breach of tenancy condition"). This ground requires that a Court is satisfied that the ground is made out and reasonable in all of the circumstances of the case.
- 6.7 Housing Providers and the Council's Housing Options service will work together to prevent and relieve homelessness amongst households whose tenancies are not being renewed.
- 6.8 If the key worker's household composition has changed since the last review which would otherwise make the household ineligible for the size of home they occupy, then they may be required to transfer to a smaller or larger property.

7. Rent levels

- 7.1 Key worker housing in Spelthorne is offered at up to 80% of the market rent for an equivalent property, capped at the relevant Local Housing Allowance for the relevant size of property. The key worker will be charged the lower of either the 80% of market rent, or the relevant Local Housing Allowance.
- 7.2 Rents must be paid to Housing Provider in line with the tenancy agreement.
- 7.3 When properties are vacant, the rents will be 'rebased' in line with the above criteria.

8. Void management

- 8.1 Where an empty key worker home is not let within 14 days of notification that a vacancy is due, then Spelthorne Borough Council and Housing Providers will work together to fill the vacancy with an applicant from the Housing Register who is in employment as defined by the Housing Allocations Policy.

9. Equality and diversity implications

- 9.1 An Equalities Impact Screening has been completed which has not identified any negative impact which needs addressing. This will be reviewed once this policy is reviewed at the end of the first twelve months.

10. Monitoring and reviewing

- 10.1 This policy is owned by the Strategic Housing Group, who is responsible for its monitoring and review. The policy will be reviewed every 5 years and presented to the Community Wellbeing and Housing committee for approval.