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HOUSING ALLOCATIONS POLICY

Minor Re-Draft as presented to HMMSC October 2016

Languages and Formats

This policy is available in a range of languages and formats.

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यह दस्तावेज़ यदि आपको किसी अन्य भाषा या अन्य रूप में चाहिये, या आपको आनुवाद-सेवाओं की आवश्यकता हो तो हमसे संपर्क करें

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SECTION 1: INTRODUCTION

1.1 Background

This policy is the allocation policy for Clydebank Housing Association. The policy describes how we let houses to applicants and transfer tenants from our housing waiting list.

1.2 Key Principles

Addressing Housing Need

We aim to provide good quality, affordable housing, which meets the changing needs of our customers. This policy aims to make the best use of all available housing and prioritise those in greatest housing need whilst assisting in the promotion of sustainable communities. We will work with partner agencies to ensure vulnerable tenants are adequately supported in order to maximise tenancy sustainment. Where properties have been adapted they will be allocated, wherever possible, to applicants whose housing needs best match these properties.

Choice

This policy aims to assist applicants to make an informed choice about the housing options available to them from Clydebank Housing Association (CHA). The Policy will be delivered in line with Scottish National Standards. In addition to this, we will work in partnership with external agencies to ensure that all applicants receive a comprehensive service, which in turn will maximise their choice.

Equality of Opportunity

We will not discriminate on the grounds of Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, and Sexual Orientation. We aim to ensure that this policy gives an outcome that is as equal as possible for every applicant. This policy will seek to be flexible enough to respond to complex individual needs and circumstances and will embody a fair appeal process. We operate in line with the 2010 Equalities Act.

Flexibility and Responsiveness

The policy aims to be responsive to complex individual needs and circumstances. We will review this policy every three years (sooner if legislation changes dictate) and adapt accordingly in view of local demands and any changes to legislation and best practice guidance.

Accountability

We aim to provide an allocation service which is not only accountable, but is also transparent in outlining our decision making processes. We will be open in our communication with applicants at the different stages of the allocation process and observe confidentiality at all times. We will ensure that all allocations are carefully checked and that the household being offered a property are entitled to it. Clear audit trails will be maintained which will demonstrate that we have followed all proper procedures in selecting applicants for an offer of housing with due regard to data protection. Audit trails will be made available for inspection by any regulatory body or appeals process.

1.3 The Role of our Management Committee

On a day to day basis, the application, assessment and allocation process will be managed by housing staff. Our Management Committee will only be involved in the process in the following situations:

- As part of any appeals process, after this has been considered informally by the Housing Manager/Senior Staff member (if the individual so wishes);
- Where an allocation is being made to a current or former employee of the Housing Association, a Committee Member, or a close family member. Management Committee permission will be sought in all cases. Any report will be confidential and not mention the person(s) by name. Declaration of interest will be required if the applicant is a Management Committee member, or a member of staff present at the meeting where the report is presented.
- Letting and waiting list statistics are reported to our Management Committee on a monthly basis.
- Agreeing annual quotas or targets for each housing group and reviewing these during the year via informed reports from the Housing Manager

SECTION 2: POLICY STATEMENT

This section describes the aims or objectives of the allocation policy; it also highlights in more detail the regulatory standards that we meet.

2.1. Policy aims

Our policy aims relate to our key principles as described in section 1.

- meeting all relevant legal and good practice standards, for example, addressing the specific housing needs of groups specified in law
- avoid discrimination on grounds such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation
- promoting equal opportunities through positive measures, for example, developing accessible services in consultation with disabled people
- basing allocation practice on a comprehensive assessment of local housing needs and demand; this includes taking account of applicant preferences
- making best use of the housing stock through promoting tenants' rights such as the right to exchange homes
- forming partnerships with other housing providers to address housing need
- maximising income by letting empty houses quickly in line with timescales
- offering applicants comprehensive advice and information concerning their housing options
- processing personal information confidentially to meet relevant legal obligations
- providing comprehensive staff training so that policy is implemented effectively and quality services are delivered
- dealing with appeals and complaints fairly in line with timescales
- assessing if policy aims are met through our audit and performance management system, including informing tenants of progress
- reviewing the policy every **three** years; policy review is carried out in consultation with tenants and other service users in line with our tenant participation strategy

2.2. Compliance with Legislative and Regulatory standards

This policy complies with best practice information produced by the Scottish Housing Regulator, the Scottish Federation of Housing Associations and the Chartered Institute of Housing.

We meet the regulatory standards specified by The Scottish Housing Regulator in respect of allocation practice; these cover access to the housing list and also allocation practice. These are:

Access to housing

"We ensure that people have fair and open access to our housing list and assessment process. We work with others to maximise and simplify access routes into our housing"

Lettings

"We let houses in a way that gives reasonable preference to those in greatest housing need; makes best use of available stock; maximises choice; and helps to sustain communities"

A full list of legislation that we comply with is attached at Appendix 1 on page 30

SECTION 3: ALLOCATION LAW

We will ensure that the allocation policy satisfies legal provisions. The purpose of this section is to explain the legal provisions for housing applicants.

There is a range of housing legislation that is used within this Policy, these are referred to throughout the document and are listed in Appendix 1 on page 30.

The legislation covers the following matters:

- access to the housing list
- groups that are to be given reasonable preference when letting houses
- factors that must be disregarded when letting houses
- information
- publicity
- access to personal information.

3.1. Access to the housing list

Any person who is **sixteen** years or older may apply to us for housing. This is not, however, an automatic right to receive an offer of housing. Section 5 explains how we prioritise applications in line with law and good practice.

We provide application forms at our housing office and on our website. Forms are also available at a number of partner agencies throughout West Dunbartonshire. In line with our equality commitments, this form can be made available in different languages and in other formats such as large print. We also offer interpreting services, if required. We can assist applicants to complete their application form on request.

3.2. Reasonable preference groups

The law requires us to give reasonable preference to certain groups when letting houses. We use the word “house” in this policy in reference to all housing types. The groups to which we must give reasonable preference when letting houses are:

(a) homeless people and those threatened with homelessness

(b) people living in:

- housing below the tolerable standard
- overcrowded houses or large families
- unsatisfactory housing conditions (including medical needs)

We acknowledge that people may be in housing need for other reasons than those covered in law. Section 5 details the range of housing needs that we address.

3.3. Factors not taken into account

The following factors **will not** be taken into account in the allocation of housing:

- whether the applicant resides in the area/ the length of time which the applicant has resided in the area;
- any non tenancy related debts;
- tenancy related debts – rent or service arrears, rechargeable repairs – which are less than one months rent, or which are no longer outstanding, or where a reasonable

repayment plan has been arranged and kept by the applicant for at least the last three months continuously;

- The income of the applicant and their family (including benefits). The only exception to this is where we receive an application for a shared ownership scheme such as New Supply Shared Equity (NSSE) or other semi-private initiative, e.g. Mid Market Rent, National Housing Trust;
- The value of any property or properties owned by the applicant or applicant's family. Again, with the exceptions above;
- The age of the applicant, provided the applicant is aged 16 or over, except in the allocation of houses which have been designed or substantially adapted for occupation by persons of a particular age group, or the allocation of houses to people who are in receipt of housing support services for persons of a particular age group. **Please note: We generally do not let our Multi Storey Flats to applicants with family members residing with them or with whom they have access to who are under 12 years of age.**

3.4. Information

We supply applicants with a summary of this policy in their housing application form. Applicants may also obtain a full copy on request. The summary and the full policy are provided free of charge.

3.5 Promotion and publicity

We will ensure that our Allocation Policy is promoted throughout West Dunbartonshire and beyond. A summary of the policy will be made available to all applicants at the point of application. Both the summary and full copy of the policy is available to download on our website.

We will promote our policy to local community groups particularly vulnerable and minority groups, such as minority ethnic communities, people with disabilities, young people and older people so that we are raising awareness of our policy particularly in West Dunbartonshire. We will also promote our policy to other external partners especially housing information and advice providers.

We will make this policy available in other formats such as different languages and Braille on request, and advise applicants of this service.

Every applicant will be given the opportunity to be consulted on the quality of service provided by Clydebank Housing Association and future reviews of our allocations policy. We will maintain a consultation register for this purpose.

3.6. Mutual exchanges

Scottish secure tenants have a legal right to exchange their homes with other Scottish secure tenants. Landlords can only refuse permission if it is reasonable to do so.

We operate our own Mutual Exchange list which is available at our office or on our website for interested parties to view. Website: www.clydebank-ha.org.uk

We have a separate policy that sets out the requirements that apply to tenants wanting to exchange their homes with other tenants. This policy is available on request.

We are also a part of the Homeswapper scheme that assists tenants looking to mutually exchange with other tenant's outwith their area. Full details can be found on the website www.homeswapper.co.uk

3.7 Confidentiality and use of information

The confidentiality of information gathered as part of the allocations process is recognised, and all applicants will be informed clearly of the way in which the information provided will be used. Applicant information will be used for the assessment of housing need, including the request for tenancy references from current and/or previous landlords. All applicants will be made aware of this at the point of application and asked to sign their consent to this.

Data will only be used for the purposes as listed above and will only be shared in line with our registration on the Public Register of Data Controllers, in accordance with the Data Protection Act 1998 and associated legislation. All information will be used in accordance with registration on this Register and in accordance with our legal obligations. We will not share your data without asking you first and you have the right to say no.

Data will be held by Clydebank Housing Association during the course of the application and allocation process in accordance with our legal obligations.

Applicants will be informed of their right to inspect any record kept by CHA which contains information provided by the applicant in connection with his or her housing application and will be advised how to obtain access to these records. All requests for personal information will be dealt with within 20 days. Applicants will be entitled to have incorrect or inaccurate personal data corrected or erased. We may charge a nominal fee for this service to cover administrative costs.

SECTION 4: DEALING WITH APPLICATIONS

This section explains the stages of the allocation process. Our staff procedures cover all of these stages in more detail. These procedures contain audit trails to ensure that policy objectives are met.

4.1. Admission to the housing list

In order to be admitted to the housing list, we ask applicants to complete an application form.

This can be obtained by contacting our housing office

- in person
- by phone
- by post
- by email
- via our website

Within one working day of submitting their form, all applicants will receive an acknowledgement of their application. This will either be in the form of an email or a postcard. The acknowledgement will contain a statement advising what happens next. Our target for assessing completed application forms is currently **15** calendar days from the date we receive them. Following assessment, applicants are sent written confirmation of their housing application details, including their award of points and which group they have been placed on as well as a request for any further information required.

Applications with insufficient information may be subject to delay. This means that applications may not be fully processed until the relevant information is received; or applications may be processed but not given the full points entitlement until the information is received.

Applicants may contact housing staff during office hours to discuss application details. For example, applicants may want to discuss their re-housing prospects in particular areas.

We also provide support services if required including an interpretation service for people who do not speak English and a hearing loop system in our office for the hard of hearing. This is in line with our policy commitment to make services accessible to service users.

We can also carry out home visits to assist infirm, housebound or disabled applicants to complete their forms within a reasonable proximity, on request.

4.2 Verifying applicant circumstances

To ensure that we are correctly assessing the housing needs of applicants, we generally require applicants to provide information to verify their circumstances. All applicants will be required to provide their national insurance number which will be used as an identifier. All applications will be initially assessed and further verification/corroboration will be sought thereafter. The table on the next page outlines some of the proof we may ask for. Please note the table is not definitive or complete and we may ask for other relevant information or documentation in order to satisfy our needs assessment.

<u>Circumstance</u>	<u>Proof Required</u>	<u>When Required</u>	<u>Points Affected</u>
Proof of Identity	Photographic ID (where possible)	At point of Allocation	If can't provide, must be able to provide 2 forms of proof as below
Proof of identity/Current Address	Bank/Building Society statement Utility Bill Missive of let DWP benefit confirmation letter Council Tax Annual Statement Or similar	At point of Allocation	Cannot proceed with offer if not provided
Homeless or threatened with homelessness	Confirmation of unintentional homelessness from local authority	At point of Application / as and when circumstances change	No points awarded without this
Asked to leave secure accommodation	Copy of valid notice to quit/letter from landlord; certificate of discharge; employers notice letter	At point of Application/On request from CHA	No points awarded without this
In need of rehousing as health affected by current housing circumstances	Medical Assessment Form plus any supporting documentation	At point of Application/On request from CHA	No medical assessment/points if not completed
Access arrangements	Letter from child's other parent and/or lawyer confirming access	At point of Application/On request from CHA	No extra bedroom or points can be awarded
Household member temporarily living away from home	Letter from individual confirming position and/or letter from institution, place of work etc	At point of Application/On request from CHA	Circumstances will not be taken into account
Pregnancy	Mat B1 Form / Pregnancy confirmation document	At point of Application/On request from CHA	Circumstances will not be taken into account
Foster Carers	Letter from Social Work	At point of Application/On request from CHA	Circumstances will not be taken into account
Property Below Tolerable Standard	Certificate from Environmental Health / Confirmation from Rented Social landlord/Council	At point of Application/On request from CHA	Circumstances will not be taken into account
Care provision to/from a friend or relative	Confirmation from Social Work, Medical body or similar confirming the level of care and proximity required for care provision.	At point of Application/On request from CHA	Circumstances will not be taken into account

4.3 Health and Housing Need Assessment (Medical Needs Assessment)

In cases where an applicant's health is made worse by their current housing circumstances, they will be asked to complete a separate Medical Assessment Form. Applicants will receive information and advice regarding whether they should complete this form. This form will be assessed and a decision made regarding whether the applicant should receive priority for rehousing due to their current housing making their health condition worse. Medical assessments will be carried out within 15 calendar days from date of receipt. Assessment may take longer if supplemental information is required to enable a decision.

It is important to note that priority will not be given based on the medical condition of the applicant and their household, but based on their current accommodation and whether a move could alleviate the health problems.

4.4 Tenancy references

We will require contact details for current and previous social landlords (if appropriate) in the past five years. Social Landlords will be contacted and asked to complete a tenancy reference form. If this reference identifies rent arrears, anti-social behaviour or breach of tenancy agreement, applicants may be suspended according to this policy. Failure to disclose previous tenancies may result in suspension.

4.5 Applying for joint tenancies

Applicants, including existing tenants, may apply to have a joint tenancy with someone who is staying (or intending to stay) with them (subject to our separate Joint Tenancy Policy).

We encourage joint applicants – of the same or opposite sex - to apply for joint tenancies to ensure that they have similar legal rights.

4.6 Provision of information by Applicant

The provision of accurate, up to date information on the applicant's circumstances is vital to the assessment and allocation procedure. We will monitor any such applications to minimise the length of time any application is suspended. We will not ask an applicant to provide information to us, which has significant financial implications for the applicant. To avoid suspension, we may revert the application to a 'zero points' stage to allow the applicant an opportunity to provide required information. In these circumstances the applicant would remain on the list but no points would be awarded as they have been unable to prove their circumstances. All points due would be returned on receipt of the required information.

Applicants must advise of any change in circumstances relating to a housing application, or if they wish to change their areas or house type previously selected. Changes in circumstances may have an impact on the number of points received, and any change in points awarded will take effect from the date that we are informed of these changes. This will ensure the applicants are appropriately placed on the housing list.

If we believe that an applicant has intentionally changed their circumstances in order to secure a higher position on the housing list, we may assess this application as if this change in circumstances had not occurred and if appropriate suspend the application.

4.7 Suspensions

We may suspend offers to applicants in certain circumstances, for example:

- Significant, outstanding and unresolved arrears of housing debt
- Anti Social Behaviour
- Provision of False or Misleading Information
- Violence or abuse towards Staff
- Evicted Tenants, abandoned tenancies
- Other Tenancy Breaches

We will not unreasonably suspend any applicant, nor will we keep an applicant suspended for any longer than is appropriate. To this end, all suspensions will be monitored on at least a three monthly basis and all suspended applicants will be given ample opportunities to rectify the circumstances causing their suspension. We will suspend as follows:

Housing Debt:

Applicants who owe housing debt greater than or equal to one month's rent and where the debt has occurred in the last five years will be suspended unless:

- 1) The debt reduces below one month and/or
- 2) A reasonable payment agreement has been in place and adhered to for at least three continuous months or more without being broken

Anti-Social Behaviour (ASB):

Applicants who have a warning for serious ASB or live legal notice or ongoing legal action against them for ASB will remain suspended until:

- 1) The notice expires and is not renewed and
- 2) Their landlord confirms in writing that they have improved their behaviour sufficiently not to merit further action or legal action

Where an Anti-Social Behaviour Order linked to a tenancy has been awarded against an applicant or family member a suspension of one year will be applied unless the order itself specifies a longer ban

Provision of false or misleading information:

Applicants found guilty of the above, as confirmed through a tenancy reference, or through investigation by Clydebank Housing Association (CHA), will be suspended for a period of 6 months from the date the reference is received, or the date the applicant is notified of the suspension in writing by CHA.

Violence or verbal abuse towards Clydebank Housing Association staff:

Applicants found guilty of the above will be suspended for a period of one year. We will also contact the Police and seek to prosecute in all cases.

Evicted tenants and/or abandoned tenancies

An applicant who has been evicted from a tenancy or abandoned a tenancy in the last five years will be suspended from the list for a period of one year, or up to the equivalent of five years if less than a year remains of the five year timescale.

Other tenancy breaches

Applicants who are current tenants and have a live legal notice or ongoing legal action against them for any other breach of tenancy will be suspended and remain suspended until

- 1) The notice expires and is not renewed and
- 2) Their landlord confirms in writing that they have improved their behaviour sufficiently not to merit further legal action (current tenants)

4.8 Deferred Applicants

Applicants who wish their name on the housing list, but who do not wish to have their applications considered for housing for any reason can choose to have their application deferred. Applicants will remain deferred until they contact the Association and confirm that they wish to be considered for offers of housing again. Only the applicant can authorise this.

4.9 Low Demand

We will, as required, devise specific strategies to address areas of low demand. Such strategies must take account of law and good practice.

4.10 Economic Migrants and Persons Subject to Immigration Control

We have established separate procedures that cover the rights of asylum seekers and immigrants, including the rights of other European Union citizens. These procedures cover access to the housing list and the rules concerning the rights of such individuals.

4.11 Gypsy Travellers

Applications from gypsy travellers or other applicants living in a caravan are placed in the appropriate group bases on their present housing conditions and are awarded points based on their actual housing conditions. Applications from gypsy travellers who have nowhere to pitch their caravan would be referred to the Council's Homeless Service.

West Dunbartonshire Council manages a Travelling Persons Site. Applications for bays or pitches on the site can be made directly to the Council.

4.12 High Risk Offenders

On receiving applications from High Risk Offenders, these will be referred to West Dunbartonshire Council in accordance with the current High Risk Offenders procedure.

4.13 Domestic Abuse

We believe that all individuals have a right to a life free from violence and abuse and are committed to enabling those experiencing this type of difficulty to address this through suitable housing. Abuse can take many forms and we aim to deal with each case sensitively and on an individual basis. In all cases, we will approach a situation from a position of belief, and will adopt sensitivity in dealing with applicants.

In recognition that the victim of abuse should not be penalised because of their situation, all applicants experiencing violence or abuse are made aware of their right to either stay in their own home safely or to seek alternative accommodation. Where applicants elect to stay in their own homes, they will be referred (with consent) to the relevant organisation for assistance and support.

Where people are experiencing abuse (whether they are female or male) within the home we recognise that this presents an immediate housing need. Applicants affected by domestic abuse will be referred to West Dunbartonshire Council's Homeless Service. The safety of the applicant will be the first priority, with confidentiality of information provided being particularly important in these cases.

Applicants who are victims of domestic abuse will in no way be penalised for repeat applications, as we recognise the difficulty involved in leaving the home. Applicants will be signposted to relevant support agencies such as Women's Aid who are able to provide assistance and support.

4.14 Harassment

Harassment at or near the home is a serious problem and includes not only physical attacks and damage to property, but also verbal abuse and other behaviour which deprives people of the enjoyment of their homes on the grounds of a personal attribute such as gender, racial origin, sexuality, age, disability etc. As with domestic abuse, the safety of the applicant is paramount and to ensure appropriate advice and assistance all applicants suffering harassment will be referred to West Dunbartonshire Council's Homeless Service. We aim to counter all harassment and, in addition to attempting to re-house victims where this is their wish, victims of harassment will also be signposted to other relevant sources of support and advice that may be able to assist, such as the police and voluntary and community organisations.

4.15 Relationship breakdown

If a relationship breakdown has occurred in a tenancy, we will firstly advise both parties to seek legal advice on the entitlement to the tenancy. We recognise that a relationship is wider than that between married/civil/joint partners and this could also mean a relationship between parent and child or siblings.

Either person in the relationship breakdown would be advised to approach West Dunbartonshire Council's Homeless Team who will award priority to separating spouses/partners regardless of age or household composition. We recognise however that not every situation will result in a homeless referral and that following the normal allocation route may be preferable.

4.16 Reviewing applications

We review applications on an annual basis through a rolling monthly review programme. The date of review is based on date of registration. This is important to maintain accurate information about applicants so that appropriate offers are made. We request applicants to advise us within **14** calendar days if they wish to remain on the housing list. We use a standard review letter to gather this information.

If no response is received, we then issue a reminder letter giving applicants another **7** calendar days to advise us. If no response is received, we remove applications from the housing list. All applicants who contact us within **3** months of their application being cancelled will have their original application form re-instated. The date of registration will be based on their original application. Applicants may be required to complete a new application form if circumstances have changed or they do not contact us within three months following removal, in such cases where the original form is reinstated the date of application will change to the reinstatement date.

4.17 Removal of applications

There are only three ways in which an application can be removed from the Association's housing list:

- where the applicant has died
- where the applicant has requested removal from the list – if this request is made verbally and not in writing, the organisation will then confirm the request by letter.
- where the applicant fails to respond to the periodic review of the housing list or clear request for information. Applicants will be clearly informed of the implications of not responding and following removal will be informed of this in writing. In these cases, applications will be reinstated once the applicant has provided the information required within 3 months.

4.18 Applicant choice

Our allocation system (section 5 of this policy) ensures that applicant choice is taken into account. Applicants can state their preferences from a number of factors including:

- area and streets preferred
- house types
- floor level
- amenities, e.g. a garden
- heating types

Applicants may also state what they don't want in respect of these factors.

An applicant's choice of housing may be affected by legal orders and relevant guidance that we are required to follow.

An antisocial behaviour order may prohibit an applicant from accessing particular areas. This will, in effect, prevent us from making the applicant offers in these areas as long as the order is in force. This might also apply in the case of other legal orders such as matrimonial interdicts and exclusion orders.

In the case of registered sex offenders, the re-housing of applicants who qualify for housing is based on legal provisions, as well as guidance from the Scottish Government.

Finally, applicants' choices are determined often by availability of housing. Therefore, although applicants can request housing in any area, prospects of re-housing will vary from area to area based on actual numbers of houses available for let.

4.19 Offers

We make offers based on the applicant's housing needs and preferences after confirming details on their application form. This is good practice as it aims to reduce inappropriate offers.

Reasonable offers are those that reflect, as far as possible, an applicant's stated choice. For example, we will not offer an applicant house types that she/he expressly states that she/he will not consider.

We counsel applicants, however, on the question of realistic options as demand far outstrips supply of housing in certain areas.

4.20 Tenancies

We offer applicants, who qualify for housing, Scottish Secure Tenancies (SST), in line with our legal obligations. In a limited number of situations, we may offer applicants a short Scottish Secure Tenancy (SSST). This has limited security of tenure.

Examples of when a short Scottish secure tenancy might be granted are if:

- An applicant has been evicted for antisocial behaviour within the last five years; or
- A tenant (or a member of their family) is subject to an antisocial behaviour order.
- The accommodation is let on a temporary basis for certain reasons

4.21 House size

Applicants can only apply/qualify for a property of an appropriate size for their family composition. Details of how this is calculated are shown below.

<u>Household Size</u>	<u>Accommodation Size</u>
Single person	1 bedroom property or 2 bedroom Multistorey Flat*
Couple	1 bedroom property or 2 bedroom Multistorey Flat*
Single parent or couple with one child over 12 years old	2 bedroom property or 2 bedroom Multistorey Flat*
Single parent or couple with one child under 12 years old	2 bedroom property
Expectant Mother	2 bedroom property
Single parent or couple with two or more children	<p>The following age/sharing criteria dictates the number of bedrooms awarded for children (C):</p> <p>All (C) aged 16 and over = own room Two (C) under 16 of same sex = share a room Two (C) under 10 = share a room Two (C) 10 – 16 of different sex = own room</p> <p>No more than two children can share a room irrespective of age.</p> <p>Each couple or adult single person will be entitled to their own room. For marital or relationship breakdowns both persons will be counted as a single adult for bedroom calculation purposes.</p>
Access Arrangements	In accordance with Household Size above (proof of at least 50% access/custody required for extra rooms)

* Where a single person or couple are offered a Multistorey flat property this will result in one extra bedroom in the property. Applicants should be aware that if claiming housing benefit under this scenario an occupancy charge deduction equivalent to 14% of the rent will be made from any benefit awarded. This will mean having more rent to pay than if only a one bedroom property is chosen. Please note the underoccupancy charge does not apply to applicants over the Pension Credit age.

The size of house that we let to parents with shared access is based on the specific access arrangement and our shared access procedures. All access must be confirmed in writing from the main parent (in receipt of child benefit) and/or a solicitor.

SECTION 5: OUR ALLOCATIONS SYSTEM

This section explains the type of allocation system that we have adopted to ensure that we meet our policy objectives effectively. This section covers the following issues:

- housing need
- groups plus points system
- how our system operates

5.1 Assessment of housing need

Following the submission of an application and the gathering of all relevant supporting documentation and information, each application is assessed according to this allocations policy. We operate a system whereby each application is assessed and allocated a number of points according to our 'Points Schedule' and slotted into the most appropriate Group. The aim of this is to give highest priority to those applicants in the greatest housing need. The exception to this is where medical points are awarded and a specific adaptation is required, in these circumstances the applicant who is most in need of the adaptation will be allocated the property.

5.2 Reasonable preference

In the allocation of properties, reasonable preference is given to the following households:

- homeless households who have been accepted by West Dunbartonshire Council with a priority need for housing. These applicants will either be placed on WDC Homeless List or come through as a Section 5 homeless referral from WDC.
- those who are occupying houses which do not meet the tolerable standard – the tolerable standard for housing is defined by the Housing (Scotland) Act 1987 as amended by the 2001 Act. The tolerable standard requires that houses meet certain standards in terms of physical condition and availability of facilities, for example properties must be structurally stable, free of rising damp and have an indoor toilet and supply of hot and cold water. These criteria, among others defined in the tolerable standard, are taken into account when assessing housing need.
- those who are living under unsatisfactory housing conditions – properties which meet the tolerable standard can often be unsuitable for a number of other reasons, for example the applicant may have health reasons for requiring certain types of housing and/or support, may need to move for social or economic reasons such as providing or receiving care, or may be unsafe in their property due to harassment or violence. These criteria are taken into account when assessing housing need.
- those who are occupying overcrowded houses or have large families – where families are occupying properties which are too small than they would be entitled to under this allocation policy, this is classified for the purposes of this policy as overcrowding. This will be taken into account when assessing housing need. Eligibility criteria will apply as per section 5.7

5.3. Groups plus points system

The groups plus points system establishes groups with individual applications placed into the appropriate group. Applicants in the group are then awarded points for any related housing needs that they have. Points are weighted towards the priority housing needs as outlined in the Housing (Scotland) Act 2001 listed on the previous page. This ensures that those with the most housing need obtain the most points and therefore receive the greatest number of offers. If applicants share the same points within the same group, applications will be prioritised based on their date of application. Therefore, if two applicants have the same points, the applicant who registers first will be given greater priority.

5.4. Our Application Groups (How the system operates)

We have established a total of **3** groups:

Group 1: Homeless Referrals - Homeless / WDC nominations (40% target of lets)

Group 2: General List - Overcrowded, Medical, Unsuitable Housing, General needs, Underoccupancy. (45% of lets)

Group 3: Transfers – Overcrowded, Medical, Support Needs, Underoccupancy, Aspirational needs. (15% of lets)

As group 1 is a priority needs group it is always visited first. If no applicants are in group one or the quota is full, groups two and three are then visited until their quotas are full. Each group has an annual lettings target as agreed by our Management Committee. We aim to match the lettings targets as closely as possible by the year end.

Details on each group and its points are listed below. A quick reference points summary table is also available on page 25.

5.5. Group 1: Section 5 Homeless Referrals & Nominations (annual target of 40% of lets)

This group allows us to meet our requirements in assisting West Dunbartonshire Council in discharge its homeless obligations. Standard nominations (not homeless) are part of this quota but receive only points based on circumstances, i.e. overcrowding, sharing amenities etc. as laid out in section 5.6 for general needs. Standard nominations must attract points to be accepted. The 50% maximum letting target reflects district wide agreement between the Council and local Housing Associations.

Points awarded: 60 (One off award to homeless referrals only)

Points awarded: As per housing needs (WDC Nominations)
--

5.6. Group 2: General list (annual target of 45% of lets)

In this group we will give reasonable preference when letting houses to households that are overcrowded, or people with large families, persons living in sub-standard accommodation, applicants with medical needs. Associated points are awarded.

A household is defined in this policy as any person(s) wanting to live separately, for example, a family member no longer wanting to reside with her/his parents.

We also award points for defined general housing needs in this group such as sharing amenities, care and support of/from relatives, insecure tenancies and exceptional circumstances.

Points are weighted and combined to ensure those in the most overall housing need are given a preference. The points exceptions to this are exceptional circumstances, homeless and management transfer points, which are one off points awards involving no other defined housing need.

The sections below detail in full the different points awarded to the general list and how applicants can qualify for these points.

Overcrowding Points

When awarding points to applicants who are overcrowded, we use our occupancy standard as outlined in section 4.1 on page 16. This standard is used to calculate if overcrowding exists based on how many bedrooms the household applying require. This is then compared with the number of bedrooms available in the applicant's current accommodation. If you have less bedrooms than required you are classed as being overcrowded. Overcrowding points are awarded for each bedroom you are short. An example on bedroom qualification is shown below.

Bedroom Qualification Example:

A family comprising of a couple, a girl aged 6, a boy aged 8 and a boy aged 16 would qualify for a 3 bedroom property

1 bedroom for the couple

1 bedroom for the boy aged 16

1 bedroom for the girl aged 6 and the boy aged 8 (they must share)

The boy aged 8 would only qualify for his own room when he turns 10 as two children of different sexes cannot share if one of them is aged 10 or older.

Our allocation policy standard excludes the living room, kitchen and bathrooms when measuring overcrowding.

Bed-sit accommodation is considered suitable only for single people. Couples living in bed-sit accommodation would be regarded as being overcrowded by one bedroom.

Applicants may also choose to move to accommodation that does not reduce overcrowding. But no points for overcrowding would be awarded in such cases.

Although we would not normally let houses to applicants where this would create overcrowding, we may occasionally let to applicants where the allocation would provide them with more bedrooms than they currently have, but not enough to fully alleviate their overcrowding. This would normally apply to large families in areas with a shortage of larger properties.

In the case of medical needs, an extra room may be required for a condition or equipment. This would qualify as overcrowding.

Overcrowding assessments include people who normally live in the house but who are temporarily absent. This could include family members working away from home for a short period, members of the Armed Forces and students. Written confirmation of missing residents is required from an appropriate source e.g. College or University, the Army or similar.

In the case of households that are living apart in separate houses but want to live together, overcrowding points will not be awarded where sufficient room exists in one of the homes whereby the two applicants moving in together would alleviate any overcrowding in the other home.

Points awarded: 10 (for each extra room needed based on the above)

Underoccupancy Points

Reducing under-occupation helps landlords make the best use of housing stock. Applicants may wish to move to smaller houses as their present home is too large.

As changes to Welfare Benefits are implemented, tenants may find themselves in financial hardship and wish to move to a smaller property.

Applicants will only be awarded under-occupation points only if under-occupation is reduced. Underoccupation points, in keeping with the 2014 Housing (Scotland) Act, are only available to social housing tenants and not owner occupiers

Points awarded: 5 (for each room under-occupied based on our occupancy standard)
--

Unsatisfactory Housing Points

We must give reasonable preference, when letting houses, to applicants living in sub-standard accommodation.

Housing falls below the Tolerable Standard if it does not meet one of the criteria legally defined by the Scottish Government. For example, a house must be substantially free from rising or penetrating damp and must have a sink that has a supply of both hot and cold water. This applies to houses of all tenures.

Points will be awarded when the applicant presents a statutory notice from their Council's Environmental Health Section, or in the case of a tenant of an RSL or Council a letter from their landlord confirming the issues and that these will not be remedied by repairs or other initiatives would also be acceptable. Private tenants unable to obtain an Environmental Health notice must obtain from their landlord a confirmation letter from an approved contractor or similar.

Please note that these points are only awarded to applicants who are confirmed tenants of Councils, RSL's. Points do not apply to owner occupiers as they are themselves responsible for the maintenance and improvement of their homes.

Points awarded for Lack of Amenities/House Condition

Rising or penetrating damp	15 points
No inside WC	15 points
No piped supply of hot or cold water	15 points
No bath or shower	15 points
No kitchen facilities	15 points
Structurally unstable	15 points

Medical points

Where the applicant or a member of their household suffers from any medical condition where rehousing would alleviate the medical problem, points may be awarded in recognition of this situation. The applicant will be required to complete a Medical Assessment Form which will enable a decision to be made on the suitability for rehousing. Medical assessments are carried out by trained housing staff whose remit is to look solely at how the applicant's current accommodation affects their medical condition and whether a move to another home would significantly alleviate the condition. Staff will not assess medical conditions or provide medical advice to applicants. It is essential that applicants provide all information at their disposal to support their medical application.

It is important to note that only one person will be awarded medical points, this will be the person with the most severe medical need in the household, who is part of the application form. Priority will be based on whether a move could alleviate the health problems experienced.

There are 3 possible medical gradings, some examples of which are detailed over the page:

Medical Grade A

- An applicant is unable to access their current accommodation
- An applicant is unable to return home or continue living in their current home as they are at risk when trying to access essential facilities.
- Not practical to adapt current home
- Ambulant disabled cases in unsuitable housing
- Kidney Patients on Home Dialysis

Medical Grade B

- An applicant unable to access their current accommodation without considerable difficulty or assistance
- An applicant is less able to get out of the house unaided
- An applicant with a condition that restricts ability to live in the property and/or environment

Medical Grade C

- Mobility problems due to the location of an applicant's home
- Where an applicant is becoming less able to gain access to essential facilities unaided

The above is not a complete list of examples. Points will be awarded as follows:

Medical Grade	Points Awarded
A	20
B	10
C	5

Our separate medical policy outlines in full the medical awards and grading criteria.

Sharing amenities points

These points are awarded to applicants who are not currently a tenant (private, social or other), but who stay with family, friends or relatives and share facilities such as kitchen, living space or bathroom. Owners will only receive sharing points where a relationship breakdown has taken place and a joint owner will remain in the owner occupied property.

Points awarded: 5

Family Support

Points will be awarded to applicants who can provide documentary evidence which shows that they need to give or receive support to/from a family member within Clydebank. Discretion by the Housing Manager will be used in relation to the location of applicants and support providers and to the reasons for the move. Generally if an applicant lives in a different Council Ward to the person requiring / giving support, this will be considered appropriate particularly if there are poor transport links however individual circumstances will be taken into account.

Support needs will take account of physical or mental health problems or age of the person requiring support. Extreme circumstances outwith these criteria will also be considered on an individual basis.

Points awarded: 14

Insecure Tenancies

Points will be awarded to those with insecure tenancies. This category covers the following:

Homeless* (unless referred to us as a Section 5 referral)

Living in tied accommodation & the employment will end within 6 months**

Armed Forces personnel with a confirmed discharge date within 6 months**

Short assured tenant who has been issued with a Notice to Quit (NTQ)**

* Need to have been assessed by a Council as unintentionally homeless and up to date confirmation of this received

** Documents confirming discharge or NTQ required

Applicants who are homeless or threatened with homelessness can apply for housing through the council's homelessness policy which includes advice and assistance. The applicant will be referred to the Homeless Service two months before the tenant/owner is required to leave the property.

Points awarded: 12

Exceptional Circumstances

Points will be awarded where extreme circumstances apply to a particular case which is not covered by the Allocations Policy. The Housing Management & Maintenance Sub-Committee must agree all exceptional circumstances before points can be awarded. An example could be where a person qualified for succession of tenancy but the house is too large for them, in such a case it may be prudent to make an alternative offer of housing to free up the larger property etc.

The Housing Manager will submit these to the Housing Management Sub-Committee for consideration. Due to the exceptional circumstances, an offer should be made within 3 months. Where this is not possible, the case will no longer be considered as a special case. As these circumstances will require urgent housing all applicants will also be referred to the Council as they have a nomination agreement with all local landlords. This should maximise the likelihood of the applicant being housed.

Points awarded: 40

No Housing Need

Application Forms received that have no housing need or do not fall into any of the above categories will also be placed in this group. It is unlikely that these applicants will ever be in a position to be offered a house and this will be communicated to them at the point of acknowledging their application.

Points awarded: 0

5.7. Group 3: Transfers

Transfers are current tenants who want to move to another CHA house. Tenants who do not have housing needs which are recognised within the first two groups will have their application placed in Group 3. A separate transfer list is important to meet policy objectives for the following reasons:

- It promotes households to move to other accommodation, in turn releasing stock for other applicants.
- It addresses underoccupation and helps alleviate the often associated financial implications on tenants with properties which are too big for their families, for example the occupancy charge.
- Meeting the needs and changing needs of tenants is important to establish communities that are popular and therefore sustainable.

Transfer Points

This is a one off award applicable to all transfer applications received in recognition that if re-housed their current tenancy will become available for re-let and will assist in re-housing another waiting list applicant.

Points awarded: 5

Children in Multi-Storey Flat Points

We recognise that multi-storey flats are generally considered by tenants with young children as being less suitable for their needs.

"Multi-storey building" means a building comprising or including five or more storeys, ground floor is also regarded as a 'storey'.

If CHA tenants with children under age 12 wish to move out of multi story accommodation, points will be awarded to assist them to do this.

Points awarded: 10

Underoccupancy Points

Reducing under-occupation helps us to make for best use of our housing. Our tenants may wish to move to smaller houses as their present home is too large. Releasing houses for let through transfers may benefit other applicants.

As changes to Welfare Benefits are implemented, tenants may find themselves in financial hardship and wish to move to a smaller property.

Applicants will only be awarded under-occupation points where under-occupation is reduced.

Points awarded: 10 (for each room under-occupied based on our occupancy standard)

Overcrowding Points

Points awarded: 10 (for each extra room as per criteria on page 20)

Medical Points

Points awarded: 0 – 20 Points as per page 22

Family Support Points

Points awarded: 14 Criteria as per page 22

5.8 Summary Points Table

<u>Criteria</u>	<u>Group</u>	<u>Number of points</u>
Section 5 Homeless Referral	1	60
WDC Nomination	1	As per General group points (Group 2 points)
Overcrowding	2&3	10 (per bedroom required for all applicants)
Unsatisfactory Housing	2&3	15 (per lack of amenity as described)
Medical	2&3	20, 10 or 5 (Grade dependant)
Sharing Amenities	2	5 (awarded to non-householders only)
Family Support	2&3	14
Insecure Tenancies	2	12
No housing need	2	0
Transfer Points	3	5 (one off award transfer list only)
Children in MSF	3	10 (transfer list only)
Underoccupancy	2&3	5 (per extra bedroom group 2), 10 (per extra bedroom, group 3)

SECTION 6: TRAINING

Training is an important element in ensuring that the allocation policy is implemented effectively. We, therefore, provide ongoing training for staff.

We monitor training provision through our training plans, annual staff appraisals and development programmes which link training to job and personal development needs.

This ensures that training contributes to our allocation policy objective of providing quality services.

All staff involved in the operation of this policy have received appropriate training.

SECTION 7: AUDITING AND MONITORING PERFORMANCE

7.1. Auditing performance

We ensure that proper mechanisms are in place to allow individual allocations to be audited. All allocations are checked by at least two members of staff with a visible audit trail. The policy is subject to internal and external audit as required.

7.2. Monitoring performance

Monitoring the implementation of the allocation policy is an important part of quality assurance. It is also essential to ensure that allocation practices are subject to continuous improvement.

Staff are authorised to monitor performance, in the following areas:

- admission to the housing list
- the groups in which applications are placed
- offers
- houses let
- appeals and complaints

Information on allocation trends is presented to our Management Committee on a regular basis, as required.

General information on allocation performance is published for all tenants and service users through our newsletters and annual reports.

7.3. Admission to the housing list, including groups in which applications are placed

We monitor the following issues concerning admission to the common housing register.

- the number of new applications, including whether or not they are processed within target timescales
- applications reviewed and deleted as part of the review process
- the groups in which applicants are placed
- household type and equality information concerning applications by reference to factors including age, disability, ethnicity and gender.

7.4. Offers

We monitor the following:

- the total number of offers made including whether accepted or refused
- offers refused by reason including the type of house and area
- household type and equality information concerning offers by reference to factors including age, disability, ethnicity and gender.

7.5. Houses let

We monitor the following:

- lets to applicants and groups, including type of house and area
- household type and equality information concerning offers by reference to factors including age, disability, ethnicity and gender.

7.6. Appeals and complaints

We monitor the following:

- number of appeals made including outcomes
- number of complaints made including outcomes

7.7. Quality of information

We monitor the following issues using a variety of methods

- allocation policy documentation to meet agreed standards of plain language
- quality of advice provided to applicants, for example, accuracy of leaflets and correspondence sent to applicants

SECTION 8: APPEALS AND COMPLAINTS

This section describes briefly our appeals and complaints system; details of these procedures are made available to all applicants.

8.1. Appeals

Applicants may appeal decisions concerning this policy. For example, an applicant may appeal if they consider that points are not awarded accurately. There are **two** stages to this appeal process as follows:

Stage 1

Appeal can be made either in writing, or verbally, to the Housing Manager

Stage 2

If the applicant remains dissatisfied with the decision, a written appeal can then be lodged with the Chair of The Housing Management & Maintenance Sub-Committee.

8.2. Complaints

If an applicant is dissatisfied with the level of service provided, the complaint will be dealt with through our complaints handling procedure. Details of the complaints policies and procedures are available on request.

We also provide information to applicants about the Scottish Public Services Ombudsman; this is the public office that deals with complaints involving maladministration.

Maladministration is a general term that concerns inadequate or inappropriate practice.

Applicants must always use our internal complaints system before contacting the Ombudsman.

SECTION 9: TENANT PARTICIPATION AND POLICY REVIEW

9.1. General

We review the allocation policy every three years, or as required. For instance, review of the allocation policy may be necessary to address legal changes.

We discuss changes to policy with tenants, applicants and other service users through our tenant participation strategies.

We use our performance indicators to discuss improvements to service delivery.

9.2. Methods of Review

We use a range of methods as detailed in our tenant participation strategies when reviewing allocation policy.

We also carry out regular surveys of service users to gather their views concerning allocation services.

9.3. Other Agencies

We consult with a wide range of local organisations when developing our allocation policy. This includes consultation with:

- tenants' groups
- other housing associations
- other council departments such as social services

APPENDIX 1: LAW AND GOOD PRACTICE

Law

Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001

This policy also adheres to the legal requirements contained within:

- The Housing (Scotland) Act 1988
- The Homelessness etc (Scotland) Act 2003
- The Matrimonial Homes (Family Protection) (Scotland) Act 1981
- The Race Relations Act 1976
- The Race Relations (Amendment) Act 2000
- The Disability Discrimination Act 1995
- The Sex Discrimination Act 1975
- The Data Protection Act 1998
- The Access to Personal Information (Housing) (Scotland) Regulations 1993
- The Human Rights Act 1998
- Freedom of Information (Scotland) Act 2002
- The Anti Social Behaviour Etc. (Scotland) Act 2004
- The Local Government in Scotland Act 2003
- The Children (Scotland) Act 1995
- The Immigration and Asylum Act 1999
- The Scottish Social Housing Charter

The key Legislative requirements are discussed in more detail in Section 3.

(a) Below the Tolerable Standard

This standard is specified in the Housing (Scotland) Act 1987 and is available on request

(b) Overcrowding Standard

This standard is specified in the Housing (Scotland) Act 1987, Sections 135 to 137. A copy of this standard is available, on request.

There are a wide range of laws that affect allocation practice such as laws covering equality matters and human rights, as well as data protection. Our allocation practices embed the range of legal duties in respect of these laws.

Good Practice

This Policy also takes into consideration good practice and the following documents:

- SEDD Circular 1/2002: Housing (Scotland) Act 2001, Housing lists and Allocations, Scottish Executive
- Performance Standards for social landlords and homelessness functions, COSLA/ The Scottish Housing Regulator/ SFHA, 2006.
- Chartered Institute of Housing: Housing Standards.
- SFHA/The Scottish Housing Regulator: Raising Standards.

- Housing Sex Offenders: Implementing the Scottish Executive's National Accommodation Strategy for Sex Offenders, CIH Scotland, September 2007
- National Standards for Information and Advice in Scotland

APPENDIX 2: LIST OF OTHER POLICIES

Below are listed other key policies and procedures that we operate and that are relevant to the allocation policy.

- assignation of tenancy
- equal opportunities
- mutual exchanges
- short Scottish secure tenancies
- subletting
- succession to tenancy
- taking in lodgers
- void management (empty house policy)
- homelessness (Section 5 agreement with West Dunbartonshire Council)