



## ***"Offering our community more than a home"***

### Allocations policy – Minor Review April 2023

MC submission:	25 April 2023
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#### **CHA Objectives:**

- To provide quality, affordable housing that meets the changing needs of our customers and to ensure fair access to housing within our area.
- To manage the houses provided, in a professional and cost-effective manner, for the benefit of our local community and the environment.
- To provide a first-class maintenance service which offers value for money and ensures the comfort and safety of our residents while achieving high levels of satisfaction

#### **Regulatory Standards:**

- The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.
- The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these objectives.
- The RSL manages its resources to ensure its financial well-being and economic effectiveness.
- The governing body bases its decision on good quality information and advice and identifies and mitigates risks to the organisation's purpose.

***This policy can be made available on request in a variety of different formats, such as on tape, in large print and translated into other languages.***



# **HOUSING ALLOCATIONS POLICY**

**(Incorporating Mutual Exchange, Succession, Assignment, Sub-Let  
and Joint Tenancy policies)**

**As presented to Management Committee 6 December 2022**

## Languages and Formats

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

Jezeli chcieliby Państwo otrzymaO ten dokument w innym języku lub w innym formacie albo jeżeli potrzebna jest pomoc Uumacza, to prosimy o kontakt z nami.

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Ma tha sibh ag iarraidh an sgrìobhainn seo ann an cànan no riochd eile, no ma tha sibh a' feumachdainn seirbheis eadar, feuch gun leig sibh fios thugainn.

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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یہ دستاویز اگر آپ کو کسی دیگر زبان یا دیگر شکل میں درکار ہو، یا اگر آپ کو ترجمان کی خدمات چاہئیں تو برائے مہربانی ہم سے رابطہ کیجئے۔

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## **SECTION 1: INTRODUCTION**

### **1.1 Background**

This is the allocation policy for Clydebank Housing Association. The policy describes how we let our houses to applicants. The allocation of properties has a crucial part to play in promoting sustainable communities, in which people will want to live and work. We aim for our allocations to be fair, transparent and in keeping with the law.

Clydebank Housing Association has almost 1200 general needs houses and flats for let in and around the Clydebank area, specifically in Linnvale, Central Clydebank, Radnor Park, Whitecrook and Drumry.

Our housing stock comprises of mainly 1, 2, 3 & 4 bedroom properties, although we do have a small number of larger properties as well. Through our development programme we continue to try and diversify the size and type of housing we are able to offer.

Property types available include flats, multi-storey flats, four in a block, amenity flats and houses.

On average, around 90 of our properties become available for re-let each year. We also have a mutual exchange register, and our tenants are able to subscribe to the Homeswapper scheme.

### **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 most housing need, whilst assisting in the promotion of sustainable communities. We 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 the adaptations.

#### **Choice**

This policy aims to assist applicants to make an informed choice about the housing options available to them. In addition to this, we will work in partnership with external agencies, e.g. support services etc. to ensure that all applicants receive a comprehensive service, which in turn will maximise their choice based on their individual needs. Applicants can request an appointment to discuss their needs or application at any time.

#### **Equal Opportunity**

Access to our housing and waiting list is available to everyone aged 16 or over. Accepting an application for housing does not however guarantee that an offer of housing will be made.

In accordance with the Equality Act 2010, Clydebank Housing Association will ensure that no individual is adversely discriminated against on the grounds of sexual or marriage status, on racial grounds, disability, age, sexual orientation, transgender, language or social origin, faith or religion, or political opinion. This allocations policy is designed to allocate houses on a needs basis but recognises that need outstrips supply. The policy has been equality impact assessed; the assessment can be found on pages 36,37 & 38.

## **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 all stages of the process and observe confidentiality at all times. We will ensure that all allocations are carefully checked and that the applicants being offered properties are entitled to them. 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 the most up to date data protection legislation. Audit trails will be made available for inspection by any audit, regulatory body or appeals process.

## **Use of data**

All information submitted by housing applicants or related to their housing application form or any subsequent allocation of a tenancy will be managed by Clydebank Housing Association in line with the most up to date data protection legislation, incorporating General Data Processing Regulations (GDPR). All housing applicants and new tenants will receive full details of this along with their application form or tenancy.

### **1.3 The Role of our Management Committee**

On a day to day basis, the application, assessment, and allocation processes 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 initially by the Head of Housing Services/Senior Staff member and the customer remains dissatisfied.
- Where an allocation is being made to a current or former employee of the Housing Association, a Committee Member, or a close family member. In these instances Management Committee permission will be sought in all cases. Any report will be confidential and not mention anyone 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 monitored monthly and reported to our Management Committee on a regular basis.
- Where necessary, agreeing any changes to targets for each housing group and reviewing these during the year via informed reports from the Head of Housing Services/Senior Officer.

## **SECTION 2: LEGISLATION, THE LAW AND LEGAL REQUIREMENTS**

### Housing (Scotland) Act

The allocation of social housing in Scotland is governed by the provisions within the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001 and again by the Housing (Scotland) Act 2014. The legislation sets out the principles that should guide the practice of social landlords in relation to holding and managing a housing list, the extent to which circumstances and needs should be assessed and the applicant characteristics that should be prioritised in the assessment of housing need. This policy abides by this act and the relevant legislation contained in the associated legal acts below:

- Human Rights Act 1998;
- Data Protection Act (Incorporating GDPR) 2018;
- Matrimonial Homes (Family Protection) (Scotland) Act 1981;
- Children Scotland Act 1995;
- Civil Partnership Act 2004;
- Immigration & Asylum Act 1999;
- Protection from Harassment Act 1997;
- Domestic Abuse (Scotland) 2011;
- Management of Offenders etc. (Scotland) Act 2005;
- Equality Act 2010; and
- Adult Support & Protection (Scotland) Act 2007

## SECTION 3: POLICY STATEMENT

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

### 3.1. Policy aims

Our policy aims relate to our key principles as described in section 1. We also aim to:

- Meet all relevant legal and good practice standards, for example, addressing the specific housing needs of groups as specified in law – homeless persons, persons under occupying and those living in unsuitable accommodation.
- Base our allocation practice on a comprehensive assessment of local housing needs and demand; this includes taking account of applicant preferences and the Council's Local Housing Strategy.
- Make the best use of the housing stock through promoting tenants' rights such as the right to exchange homes (mutual exchange).
- Form partnerships with other housing providers to address housing need
- Maximise income by letting empty houses quickly in line with agreed timescales
- Offer applicants comprehensive advice and information concerning their housing options.
- Process all personal information confidentially to meet relevant legal obligations
- Provide comprehensive staff training so that policy is implemented effectively and quality services are delivered.
- Deal with appeals and complaints timeously and fairly in line with timescales
- Assess if policy aims are being met through ongoing reporting and our audit and performance management system, including informing our tenants of outcomes
- Reviewing the policy at least once every **three** years; and in consultation with tenants and other service users in line with our tenant participation strategy where any proposed changes require this.

### 3.2. Access to the housing list

Any person who is **sixteen** years or older may apply to us for housing, however accepting an application does not guarantee that an offer of housing will be made.

We provide housing application forms at our office and online through our website. Forms are also available at a number of partner agencies throughout West Dunbartonshire. In line with our equality commitments, the form can be made available in different languages and in other formats such as large print. We also offer interpreting services, if required. If any prospective applicant has a medical condition or disability which inhibits them from completing the application, we can assist to complete the form on request. Such requests will be dealt with sensitively and in line with data protection legislation.

### 3.3. 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 to when letting houses are:

- (a) Homeless persons and people threatened with homelessness with unmet housing needs;
- (b) People living in unsatisfactory housing conditions with unmet housing needs, e.g.:
  - Housing below the tolerable standard
  - Overcrowded houses or large families
  - Where the house is medically unsuitable
- (c) Tenants of houses which are held by a social landlord and we consider them to be under-occupied as defined in this policy

We would consider that a person has unmet housing needs if they have a need which is not capable of being met by their current housing circumstances.

In practice, we will explore housing options on request with all applicants so that they can make informed decisions regarding their housing preferences.

### 3.4. 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 or 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 month’s rent, or which are no longer outstanding, or where a reasonable repayment plan as assessed by us 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.
- 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.**

### 3.5. Information

We supply applicants with a summary of this policy along with their housing application form. Applicants may also obtain a full copy on request. The summary and the full policy are provided free of charge and can be downloaded from our website [www.clydebank-ha.org.uk](http://www.clydebank-ha.org.uk)

### **3.6. Promotion and publicity**

We will ensure that our Allocation Policy is promoted throughout West Dunbartonshire and beyond.

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 this policy where substantial or high impact changes are made. We will maintain a consultation register for this purpose.

### **3.7. Mutual exchanges**

A tenant that is looking to swap their Scottish Secure Tenancy with another tenant within the Housing Association, West Dunbartonshire Council or any of the Local Housing Associations within West Dunbartonshire can register with Homeswapper to exchange their property. Homeswapper is an online service that holds details of mutual exchanges within WDC and elsewhere.

As well as Homeswapper, we hold our own exchange list, which can be accessed by anyone at our office. Our own list only displays Clydebank Housing Association properties. Tenants wishing to advertise can obtain a form from our office.

Application for mutual exchange should be made by direct application to our office. Application forms are available on request.

Reasonable grounds for refusing a mutual exchange can include:

- The property is subject to a proceedings of recovery;
- The exchange would mean that a property designed or adapted for occupation by someone with special needs was no longer occupied by a person with these needs;
- The mutual exchange would lead to overcrowding, under occupation or one household living in a property that is not suitable to their needs;
- Failure by the tenant to adhere to existing tenancy terms such as anti-social behaviour;
- Having rent arrears or any other housing related debt where there is no arrangement in place to repay the debt;
- The condition of the property is unacceptable;
- Failure by all joint tenants to apply for an exchange; and
- The property is a tied house that has been provided by the landlord for employment purposes.
- Where required repairs have been identified, but the tenant has failed to make good the repairs within an agreed timescale.
- The received application is incomplete or contains any false or misleading information.

The above list is not a definitive list and each case will be considered and other reasons may exist for refusing exchange applications. The tenant will have to have been in the tenancy they wish to consider swapping for a year before they will be granted a mutual exchange. We will aim to give you a response on a decision no longer than one month after the application is received.

References from other landlords will be requested in all cases.

All exchanges will only be approved on the understanding that CHA is only responsible for planned major or reactive repairs as detailed in the tenancy agreement and in line with the timescales in our repairs and maintenance policies. We will not carry out any repairs to any other parts of the tenancy, e.g.:

- Decoration
- Non-standard fixtures or fittings, e.g. showers, lighting or similar additions fitted by the outgoing tenant, with or without permission.
- Alterations to the property including any medical adaptations as carried out by the previous tenant, irrespective of permission given.

Mutual exchange lettings information will be reported to our Housing Services Sub-Committee on a regular basis.

### **3.8 Subletting**

Existing Clydebank H.A. tenants may apply to sublet their property. However, before a tenant can sublet their home they must apply in writing to the Association and get written consent. Tenants must also notify the Association of any proposed rent charge they will be making. Any rent charged must be approved by the Association. References from other landlords will be requested in all cases where applicable.

The 2014 Act states the following:

- The tenant must have had the tenancy for the past 12 months immediately before they apply for permission to sublet; and
- If they were not the tenant throughout that period their only or principle home during those 12 months, and the Association must have been informed by the tenant at the time that the person who is now the tenant was living there, e.g. the tenant has succeeded the tenancy and now wishes to sublet.

A request to sublet can be made for a variety of reasons and each application will be considered on merit. Examples include, but are not limited to:

- Moving away temporarily away for work purposes
- Moving away temporarily away to care for a sick relative
- Moving away temporarily to alleviate financial issues

Any sub-let granted will be for an initial period of 6 months only, with an extension to no more than 12 months only possible in exceptional circumstances. Any extension must be applied for no later than month 5.

### **3.8.1 Grounds for Refusing a Sublet**

The Association will only refuse an application to sublet if it has reasonable grounds for doing so.

Each application must be considered on its own merits to determine whether it is reasonable to grant the request. Some specific reasons where it may be reasonable to refuse consent are listed below.

- A Notice of Proceedings has been served that specifies any of grounds 1 to 7 in Schedule 2 of the Housing (Scotland) Act 2001;
- An order for recovery of possession has been made against the tenant;
- The rent proposed is not deemed to be reasonable by Clydebank Housing Association, i.e. no profit should be made or attempt to be made by the tenant
- The deposit proposed is not deemed to be reasonable, or is designed for profit
- The subletting would cause statutory overcrowding;
- Proposed works by the landlord that would affect the accommodation to be used by the subtenant, or other person living in the house as a result of the transaction;
- Where the tenant is leaving for an indefinite period and is unable to specify when they will return;
- Where another person's occupancy rights are likely to be adversely affected if permission is granted;
- Where the sublet would lead to under occupation;
- Where the subtenant is unable to understand the terms of the sublet;
- Where the sub tenancy is likely to be problematic, due to previous or current anti-social behaviour of the proposed subtenant or current tenant;
- Where the proposed subtenant has an unsatisfactory reference for any former tenancies, both Clydebank HA & Non Clydebank HA;
- Where the property would not be deemed suitable for the subtenant for medical reasons;
- Where any application contains false or misleading information;

Following any permission being granted, the Association has the right to withdraw permission if there are complaints of anti-social behaviour as a result of the property being sublet or where rent arrears or other housing debt accrues and is unaddressed.

### **3.9 Assignment of tenancy**

Before a tenant can assign their home to someone else, they must apply in writing to the Association. Once a tenant assigns their interest in the tenancy, they no longer have a contractual relationship with the Association. The tenancy is transferred to the assignee and they take on all the responsibilities and liabilities of the tenancy, including any debt.

Section 12(2) of the 2014 Housing (Scotland) Act added the following:

- The house must have been the tenants only or principle home during the 12 months immediately prior to the tenant applying for written permission to pass their tenancy on to someone else;
- The person the tenant wishes to pass their tenancy on to (assignee) must have lived at the property as their only or principle home for the 12 months prior to the application; and

- The tenant, joint tenant or person the tenant wished to assign the tenancy to must have notified the Association that they are living in the house that they wish to take the tenancy over. The 12 month period does not start unless the landlord has been told that the person is living in the property as their only or principle home.

As well as the above, the Association can refuse permission to assign a tenancy if it is reasonable to do so, each case will be assessed individually and consent will not be withheld unreasonably. Specific grounds where it is reasonable to withhold consent are as follows:

- Where the house has been adapted and the person wishing to take over the tenancy does not require these adaptations.
- A notice of proceedings has been served on the tenant under the Housing (Scotland) Act 2002;
- An order of possession of the property has been made under section 16(2) of the Housing (Scotland) Act;
- The assignation would lead to statutory overcrowding;
- The Association proposes to carry out work to the building that would affect the accommodation to be occupied by the assignee;
- Where the assignee would not be given reasonable preference under the Allocations Policy;
- Where the assignation would result in the property being under occupied;
- Where the proposed assignee(s) have arrears / former tenancy arrears or other housing related debt and an arrangement to pay has not been kept to in accordance with the Allocations Policy;
- Where the existing tenant(s) have arrears (and no Notice / Court order is in place) and an arrangement to pay has not been kept to in accordance with the Allocation Policy;
- Where the proposed assignee(s) have an unsatisfactory tenancy reference;
- Non consent of a spouse with occupancy rights;
- Other legal orders in force, for example an anti-social behaviour order which does not permit the proposed new tenant to be in the area

### **3.10 Joint Tenancies**

All tenants may apply to have a joint tenancy with someone who is staying with them or intending to stay with them. Applications should be made in writing to the Association. The person the tenant wishes to add as joint tenant must have lived at the property as their only or principle home for the 12 months prior to the tenant applying for them to become a joint tenant. The Association must also have been notified that the person wishing to apply for a joint tenancy has been living in the house. The 12 month period does not start unless the Association has been told that the person has been living there as their only or principle home. An existing joint tenant can terminate their interest in the tenancy by providing the Association and the other joint tenants with 4 weeks written notice.

The Association must consent to an application for a joint tenancy unless there are reasonable grounds for refusing. Possible grounds for refusal would be:

- Where agreeing to the joint tenancy would lead to the household being overcrowded;
- Where the proposed joint tenant would not be granted a tenancy under the Allocations Policy for reasons such as anti-social behaviour or housing related debt; and

- Where the existing tenant had rent arrears and no suitable arrangement was in place for repayment.

### **3.11 Succession of Tenancy**

The Housing (Scotland) Act 2014 introduces a 12 month qualifying period and notification requirement before qualifying persons have the right to succeed to a Scottish Secure Tenancy on the death of the tenant. A succession can only take place where a tenant dies and there is a relevant qualifying person who wishes to succeed to the tenancy. Two rounds of succession can take place, on the death of a Scottish Secure Tenant, the tenancy passes to the qualifying person. On the death of a qualifying person who succeeded to the tenancy after the first death, the tenancy then passes to another qualifying person; this would be the second succession.

There is no qualifying period under the new rules for the tenants spouse, civil partner or joint tenant provided that the house in question was that persons only or principle home at the time of the tenant's death.

The new rules apply to the following 'qualifying persons' where the house has been their only or principle home throughout the 12 months prior to the tenants death:

- Partners (cohabitants of either sex, including same sex cohabitants);
- Members of the tenants family aged 16 and over; and
- Carers aged 16 or over who have given up a previous or principle home.

Under the new Act the 'qualifying person' must also have notified the Association that they are living in the property as their only or principle home. The qualifying period does not start until the Association has received this notification.

#### Succession and adapted properties

If the property has been adapted for the needs of the tenant who has deceased, and these adaptations are not required by the person wishing to succeed to the tenancy, an alternative property without adaptations and in keeping with the required size for the household will be sought. This will allow the property with adaptations to be reallocated to persons who have a medical need for them.

Persons in these circumstances will be awarded exceptional circumstances points as detailed on page 29 of this policy in order to facilitate an alternative offer of housing. Where required, a Short Scottish Secure Tenancy Agreement (SSST) will also be granted (subject to Committee approval) to enable the successor to remain in the tenancy until such times as a reasonable offer of housing can be made in keeping with the exceptional circumstances criteria. All succession of tenancy applications will be dealt with fairly taking into account all reasonable circumstances.

#### Succession and larger properties

Where a succession application is received from someone living in a house too large for their needs an alternative offer of housing will be made to the applicant, subject to the conditions laid out in the exceptional circumstances criteria as shown on page 29. In these circumstances, unlike adapted properties, it will be up to the applicant themselves to decide whether or not they want to stay or move. Housing staff will provide advice and assistance to the applicant to help them decide, taking into account affordability and outlining the requirements of managing the tenancy.

## **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, applicants must complete an application form. This can be obtained by contacting our housing office either:

- 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 **10** 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, except in exceptional circumstances and authorised by a senior member of staff
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 (physical or mental) 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 10 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 significantly alleviate the health problems.

Applicants will be encouraged and will be given every opportunity to provide as much supporting information and details/evidence of circumstances as is possible in order that a full and fair decision can be made.

### **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 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.

### **4.6 Owners**

Applications from owner occupiers will not be refused, however only owners falling under the following criteria (subject to proof being received) will be deemed to have a housing need:

- Where the property has not been let but the owner cannot access it due to repossession action and no means exists to stop the action
- Where the property is jointly owned and occupying the property could lead to abuse

- Where occupying the property could affect health and sale of the property to enable a move to suitable accommodation is not financially viable.

Situations where the property has not been let but the applicant cannot obtain access to it. Examples of this could be:

- where the property is in such a poor condition that it cannot be lived in; such as a burst pipe or flooding and or the owner occupier is unable to afford the required repairs or to resolve via sale of the property (proof required)
- a matrimonial breakdown where one party cannot return to the joint property
- someone has bail conditions which mean they cannot return to their property on a permanent basis

Situations where living in the property could lead to abuse. This could be from someone still living in the property or from someone who used to live there. In such cases evidence from the Police and solicitor regarding safety and relationship breakdown will be required. Evidence that the situation cannot be resolved via sale will also be required.

Situations where living in the property could endanger the health of the applicant or someone living with them and there are no reasonable steps that can be taken by the applicant to prevent this.

In all cases, owner occupiers will only be offered housing where they are unable to sell their home and use the proceeds to rectify their housing needs. Financial proof of this or otherwise must be provided on the submission of the housing application form.

#### **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
- Where three reasonable offers of housing in accordance with applicant choices have been made and refused

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 in line with Clydebank HA's assessment/criteria 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 received a warning for serious ASB or where a live legal notice or ongoing legal action against them for ASB exists, will remain suspended until:

- 1) The notice/warning 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 where we are notified by the landlord of a significant breach of their tenancy agreement, a live legal notice, or an 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/or
- 2) Their landlord confirms in writing that they have improved their behaviour sufficiently not to merit further action (current tenants)

**Refusal of three reasonable offers of housing within a 12 month period**

The number of reasonable offers of housing an applicant can receive before their application is suspended from receiving further offers of housing has been limited to three. If a tenant refuses three reasonable offers within a 12 month period, which have been made in accordance with their application choices, their application will be suspended for a period of 6 months. On the refusal of one or more offers of housing the applicant should be contacted to review their preferences in terms of area choice and house type, to ensure they are up to date.

**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 temporarily 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**

Only applicants residing in the UK with a permanent leave to remain will have their application form accepted. Applicants with no leave to remain will be signposted to West Dunbartonshire Council.

#### **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 notified to the West Dunbartonshire Council SOLO 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. As well as accepting their housing application form, 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.

As well as the above referral and advice/assistance, points equivalent to insecurity of tenure points will be awarded on receipt of confirmation from the Police, Women's Aid or recognised official agency, e.g. social services. No offer of housing in the same or nearby area will be made without written confirmation from the Police, Women's Aid, Social Services etc that this would be safe.

#### **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, as well as accepting their housing application form, 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.

As well as the above referral and advice/assistance, points equivalent to insecurity of tenure points will be awarded on receipt of confirmation from the Police or recognised official agency, e.g. social services of current and ongoing harassment within the applicants current home.

#### **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.

As well as accepting their housing application form, 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 an applicant has died
- Where an 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 an applicant fails to respond to the 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
- specific factors as detailed by the applicant, e.g. a view, back and front door etc.

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

All applicant requests will be respected, and no offer will be made where the property does not match the criteria requested. All applicants are responsible for keeping us up to date with their requirements, which can be done by contacting us at any time. They are also given one chance per year to update us through review.

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 and popularity of the area etc.

#### **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. Following assessment, we may counsel applicants on realistic options as demand far outstrips supply of housing in certain areas.

Applicants may be suspended if they refuse 3 reasonable offers in a 12 month period.

#### **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
- Where a successor requires to remain in an adapted or unsuitable tenancy or similar whilst alternative housing is secured

#### 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.

<b><u>Household Size</u></b>	<b><u>Accommodation Size</u></b>
<b>Single person</b>	1 bedroom property or 2 bedroom Multistorey Flat*
<b>Couple</b>	1 bedroom property or 2 bedroom Multistorey Flat*
<b>Single parent or couple with one child over 12 years old</b>	2 bedroom property or 2 bedroom Multistorey Flat*
<b>Single parent or couple with one child under 12 years old</b>	2 bedroom property
<b>Expectant Mother</b>	2 bedroom property
<b>Single parent or couple with two or more children</b>	<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            Two (C) with &gt;5 years age gap = 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>
<b>Access Arrangements</b>	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.

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.

#### **4.22 Adapted or ground floor properties suitable for mobility needs**

These properties will, in the first instance, be allocated to applicants with medical points and a demonstrated medical condition which could be significantly alleviated by a move to such a property or where a requirement for specific adaptation exists.

### **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**

Reasonable preference will be given to applicants as outlined on page 9.

#### **5.3. Groups plus points system**

The groups plus points system establishes three 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 2014 listed page 9. 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 & nominations - Homeless / WDC nominations (50% of lets)
- Group 2: General List - Underoccupancy, Unsuitable Housing, General Needs (45% of lets)
- Group 3: Transfers – Underoccupancy, Unsuitable Housing, General Needs (5% 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 in line with targets. Each group has an agreed lettings target. We aim to match the lettings targets as closely as possible by the year end. Lettings targets may only be amended with the agreement of the Committee.

Details on each group and its points are listed on the next page. A quick reference points summary table is also available on page 31.

### **5.5. Group 1: Section 5 Homeless Referrals & Other Nominations (50% 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)
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Points awarded Other Nominations: As per group 2 (General List) points
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### **5.6. Group 2: General list (45% of lets)**

In this group we will give reasonable preference when letting houses to households that are overcrowded, people with large families, persons living in sub-standard accommodation or 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 can be combined to ensure those in the most overall housing need are given a preference. The exceptions to this are exceptional circumstances and homeless points which are one off 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 4.21 on page 23. 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:

<p><b>Bedroom Qualification Example:</b> 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</p> <p>1 bedroom for the couple</p>
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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 only considered suitable 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 overcrowding would be created, 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.

Overcrowding points only take into consideration the applicants family members who are moving with them as a family unit. No account of other persons residing but not moving will be considered for overcrowding points, i.e. the number of bedrooms required and any overcrowding points awarded is for the applicants circumstances only.

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. Underoccupancy points, in keeping with the 2014 Housing (Scotland) Act, are only available to social housing tenants and not owner occupiers or private rented tenants.

Points awarded: 10 (for each room under-occupied)
---

## **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 (physical or mental health 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 and every opportunity will be given to applicants to do so.

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
- Where an aspect of the house is causing difficulty for the applicant either physically or mentally and it is clear that a move would significantly alleviate these circumstances. Clear medical evidence of this also exists

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

<b>Medical Grade</b>	<b>Points Awarded</b>
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 Head of Housing Services/Senior Staff member/Authorised Officer 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:

- 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)\*

Young persons leaving care with support in place\*

\* Documents confirming discharge, support in place or NTQ required

Points awarded: 20

**Homeless Applicants (excluding Homeless referrals from West Dunbartonshire Council)**

Where an applicant stating that they are homeless can provide a recent letter from their local authority (dated within the last 6 months), points will be awarded in recognition of this status. Confirmation of homelessness will be required at the point of any offer made.

This excludes applicants who have been referred under the Homeless Protocol agreement with West Dunbartonshire Council, these applicants will be assessed under group 1 of this policy.

Points awarded: 15

**Exceptional Circumstances**

Points will be awarded where extreme circumstances apply to a particular case which is not covered elsewhere in the Allocations Policy. Committee must agree all exceptional circumstances before points can be awarded. An example could be where a person qualifies for succession of tenancy but the house is too large for them or has adaptations not required by the applicant. In such a case it may be prudent to make an alternative offer of housing to free up the larger or adapted property etc.

The Head of Housing Services, a senior member of staff or a designated officer will submit a report to the next available Committee meeting for consideration. In urgent circumstances an email poll may be conducted to enable a quick decision to be made, with a retrospective report presented at the next available Committee meeting.

Due to the exceptional circumstances, where possible, an offer should be made within 3 months. Any offer should be reasonable and take into account, as far as possible, the applicants housing preferences. Applicants will only qualify for properties of an appropriate size for their family composition as outlined in this policy. To facilitate this, a meeting between the Housing Applicant and Housing Staff will take place at an early stage to ensure that area and house choices offer a reasonable chance of an offer being possible within the timeframe. An offer to refer the applicant to the Council's homeless department will also be made if no suitable housing is available within CHA's housing stock or if the applicant wishes this.

Where no offer is possible within the timeframe, a reassessment will be carried out after three months, at which point the applicant will be counselled further on area, house choices and a homeless referral. This should maximise the likelihood of the applicant being housed.

If, following a further three months it becomes clear that the applicants area and housing choices are severely restricting the likelihood of an offer being made and where the applicant refuses to widen these, exceptional points may be withdrawn and a referral may made to the Council's Homeless Department.

In these circumstances all possible assistance will be given to the applicant to find alternative suitable housing within a reasonable timeframe and avoid any need for recovery of tenancy options having to be explored.

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
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### **5.7. Group 3: Transfers**

Transfers are current tenants who want to move to another CHA house. A separate transfer list is important to meet policy objectives for the following reasons:

- By enabling existing tenants to move to other accommodation, this in turn releases housing 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 needs.
- Meeting the needs and changing needs of tenants is important to establish communities that are popular and therefore sustainable.

### **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: 20
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### **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)
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### **Overcrowding Points**

Points awarded: 10 (for each extra room as per criteria on page 25)

### Medical Points

Points awarded: 0 – 20 Points as per page 27 & 28

### Family Support Points

Points awarded: 14 Criteria as per page 28

## 5.8 Summary Points Table

<u>Criteria</u>	<u>Group</u>	<u>Number of points</u>
Section 5 Homeless Referral	1	60
WDC Other Nomination	1	As per Group 2 points
Overcrowding	2&3	10 (per bedroom short)
Unsatisfactory Housing	2&3	15 (per lack of amenity)
Medical	2&3	20, 10 or 5 (Grade dependant)
Sharing Amenities	2	5 (non-householders only)
Family Support	2&3	14
Insecure Tenancies	2	20
Homeless	2	15
No housing need	2&3	0
Children in MSF	3	20
Underoccupancy	2&3	10 (per bedroom extra)

## 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 housing list.

- 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 Head of Housing Services

#### **Stage 2**

If the applicant remains dissatisfied with the decision, a written appeal can then be lodged with the Chairperson of the Housing Services 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 and consultation**

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.

This policy was reviewed in conjunction with a specially convened focus group. Full details of the contribution of the focus group are detailed in a separate report detailing in full the consultation and policy review process. We would like to thank all participants of the focus group for their valued time and contributions.

The consultation process involved:

- Articles in Chit Chat magazine
- Individual correspondence with all housing applicants with comments and questions afforded
- Individual correspondence with all tenants with comments and questions afforded
- Consultation page on the CHA website, including comments ability
- Two office based drop in sessions
- Consultation with local tenants and residents groups
- Consultation with local partner agencies, including other RSL's and West Dunbartonshire Council

## Clydebank Housing Association Equality Impact Assessment Tool

Name of the <b>policy / proposal</b> to be assessed	Allocations policy	Is this a <b>new policy / proposal or a revision?</b>	Revision
Person(s) responsible for the assessment	Joe Farrell, Head of Housing Services		
<b>1. Briefly describe the aims, objectives and purpose</b> of the policy / proposal	To have an open and transparent system of letting property To eradicate overt and hidden discrimination against applicants who are eligible for housing		
<b>2. Who is intended to benefit</b> from the policy / proposal? <i>(e.g. applicants, tenants, staff, contractors)</i>	All applicants will benefit from a policy and procedure that is equitable and fair for all. It is anticipated that changes to the policy and procedure which result from this Equality Impact Assessment will lead to increased customer satisfaction.		
<b>3. What outcomes are wanted</b> from this policy / proposal ? <i>(e.g. the benefits to customers)</i>	Identify any potential or real inequalities that result from the application of the allocations policy & procedure To amend the service to mitigate these inequalities		

4. Which **protected characteristics** could be **affected** by the proposal? (*tick all that apply*)

- Minority Ethnic    
  Gender    
  Disability    
  Sexual Orientation    
  Age    
  Religion    
  Transgender /Transsexual    
  Marriage /Civil Partnership    
  Pregnancy /Maternity

5. If the policy / proposal is not relevant to any of the **protected characteristics** listed in part 4, state why and end the process here.

	Positive impact(s)	Negative impact(s)
<p>6. Describe the <b>likely positive or negative impact(s)</b> the policy / proposal could have on the groups identified in part 4</p>	<p><b>Disability</b> Disabled applicants with medical points may receive offers of housing for suitably adapted properties over and above other applicants with more points who do not require such adaptations. This is necessary to ensure best use of the housing stock and ensure that adaptation funding is appropriately managed.</p> <p><b>Pregnancy/maternity</b> Applicants who provide confirmation of pregnancy will have this taken into account in overcrowded circumstances, this may result in a pregnant applicant receiving an offer of housing before their baby is born over and above a household where a child is already living there.</p>	<p><b>Minority Ethnic</b> There may be negative impact on those for whom English is a second language who may find it more difficult to understand &amp; navigate the process and fulfil the requirements.</p> <p><b>Age</b> Amenity housing built specifically for those aged 60 and over, will be allocated to that age group in the first instance. This is in order to ensure correct use of this housing stock.</p> <p>Multi storey flat accommodation at Radnor Park will not generally be offered to applicants with children under the age of 12. This is based on Clydebank Housing Association's stance that MSF's do not offer a suitable environment for young children.</p>

<p><b>7. What actions are required to address the impacts arising from this assessment? (This might include; collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).</b></p>	<p><b>Minority Ethnic</b> Systems are in place to ensure that prospective tenants are aware of the availability of allocations assistance in a variety of formats including happy to translate. The Housing application form clearly displays different formats and language options. The policy has a language and formats statement in several languages. We monitor ethnicity of applicants and report regularly on this to our management committee.</p> <p><b>Disability</b> Clydebank Housing Association will clearly state this position within its allocations policy and ensure that all allocations are clearly documented to show full details. We monitor ethnicity of applicants and report regularly on this to our management committee.</p> <p><b>Pregnancy/maternity</b> Clydebank Housing Association will clearly state this position within its allocations policy. Details of pregnancy are asked for within the housing form.</p> <p><b>Age</b> Clydebank Housing Association will clearly state any allocations age criteria in both its housing application form and policy. Points are awarded to tenants living at Radnor Park with children under 12 years of age to enable them to apply for a move if they so wish. Age details are asked for within the housing form.</p>
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Signed: Joe Farrell (Job title): Head of Housing Services

Date the Equality Impact Assessment was completed: 17 November 2022

## For office use Only – Actions

Customer Consultation Required/Arranged	Yes/Yes
Intranet Update	Yes
F Drive Update	Yes
Website Update	Yes
Leaflet change required?	Yes
Newsletter Promotion?	Yes
Other information updated, e.g. posters, automatic email responses, post cards, answering machine messages, etc.	No