

WISHAW AND DISTRICT HOUSING ASSOCIATION

ALLOCATIONS POLICY

As with all the Association's policies and procedures, this document, where required, can be translated into other community languages on request. For people with visual impairment, taped, large print or Braille versions can also be provided. Further information on the implementation of this policy is available at the office.

Wishaw and District Housing Association acknowledges that, under the Housing (Scotland) Act 2001, it is required to consult with residents on policies that directly affect the management of the properties. The consultation process on the Allocations Policy took place between mid-August and 29th September 2006.

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SECTION ONE – GENERAL PRINCIPALS OF THE POLICY

1.0 INTRODUCTION

Wishaw and District Housing Association is a non-profit making registered social landlord, established in 1978 with the primary remit of improving the housing provision within its area of operation. Initially this was achieved through the rehabilitation of the turn-of-the-century tenement flats which had a number of structural problems and were lacking in amenities. In recent years the Association has concentrated on building new housing, mainly for rent although a number of units are available on a Shared Ownership basis.

The Association operates within defined boundaries within Wishaw and surrounding areas and currently has housing stock in Central Wishaw, Netherton, Harthill, Shotts, Newmains, Coltness, Muirhouse, Craigneuk and Cambusnethan.

A key function of the Association is to ensure that available housing within its stock is allocated to those in most housing need and is done so in a fair and equitable manner and in line with legislation and good practice. To facilitate this and to give guidance and clarification to both staff and members of the public, the Association has an Allocations Policy which is 'needs based' in order to reflect the Association's statutory duty to identify and give reasonable preference to those categories of housing need specified in the Housing (Scotland) Act 2001. The policy in its entirety has been approved by the Association Board of Directors and evaluated by our independent regulator, Communities Scotland.

2.0 THE LEGAL FRAMEWORK

In all aspects of its Allocations process, the Association will conform and comply with all legislation, guidance and good practice that directly and indirectly affects the assessment of housing applications and the allocation of houses by Registered Social Landlords in Scotland. The list below is not exhaustive and the Association will endeavour to comply with all future legislation and amendments.

THE HOUSING (SCOTLAND) ACT 2001 which requires Housing Associations to have clear rules governing admission to the Association's waiting list and the Association's priority for allocating available houses. These rules must be circulated to Communities Scotland and the local authority.

Under this act the Association is also required to make these rules available, in full and in summary, to members of the public.

SECTION 63, Schedule 7, Part 1, HOUSING (SCOTLAND) ACT 2001 allows Housing Associations to grant a tenancy, a transfer of tenancy or a mutual exchange to an employee, former employee, committee member or former committee member only providing that the applicant fully meets the Association's allocations criteria and has no involvement in, or influence over, the process by which the Associations makes the allocation.

THE RACE RELATIONS ACT 1974, THE RACE RELATIONS (AMENDMENT) ACT 2000 AND THE RACE RELATIONS ACT 1976 (AMENDMENT) REGULATIONS 2003 make it unlawful for an Association to discriminate on the basis of colour, ethnic or national origin, race or nationality.

THE MATRIMONIAL HOMES (FAMILY PROTECTION) (SCOTLAND) ACT 1981 gives occupancy rights to the spouse or co-habitee of the tenant and protects both parties' rights to live in the family home.

THE SEX DISCRIMINATION ACT 1975 makes it unlawful for the Association to discriminate on the basis of sex.

THE DISABILITY DISCRIMINATION ACT 1995 as amended and extended by THE DISABILITY DISCRIMINATION ACT 2005 makes it unlawful for the Association to discriminate against disabled people by treating them less favourably than someone else.

THE DATA PROTECTION ACT 1998 imposes obligations on the Association not to disclose personal information held on computer or certain types of non-computerised data.

THE ACCESS TO PERSONAL FILES ACT 1987 gives applicants the right to have access to personal information about themselves in files held by the Association.

THE INDUSTRIAL AND PROVIDENT SOCIETIES ACT 1965 lays out the rules of membership by which Housing Associations operate.

THE IMMIGRATION AND ASYLUM ACT 1999 lays out the conditions under which asylum seekers and refugees are entitled to a tenancy.

THE CIVIL PARTNERSHIP ACT 2004 obliges the Association to ensure that civil partners are given the same rights as married couples.

THE PROTECTION FROM HARASSMENT ACT 1997 defines harassment as a criminal offence and lays out the remedies available to victims of harassment.

THE HOMELESS (SCOTLAND) ACT 2003 ensures that housing and support services are made available to all individuals who apply to the local authority as homeless.

RAISING STANDARDS IN HOUSING lays out the key principles and provides good practice guidelines relating to the allocation of rented houses by Housing Associations in Scotland.

PERFORMANCE STANDARDS FOR REGISTERED SOCIAL LANDLORDS, November 2001 sets the standards that Housing Associations are expected to achieve in all its activities, including allocations.

SUSPENDING APPLICANTS ON HOUSING REGISTERS – A GUIDE FOR HOUSING PROFESSIONALS sets out the good practice boundaries within which the Association will consider suspending applicants from the waiting list.

3.0 AIMS & OBJECTIVES OF THE POLICY

The primary aims of Wishaw and District Housing Association are to provide high quality housing for rent that is affordable to those people in most housing need, to assist in building strong and sustainable communities and to ensure that there is a good social and economic mix within its stock.

Arising from these overall aims of the Association, the key objectives of the Allocations Policy are;

- To allocate the available stock, generally, to those people in most housing need.
- To ensure that the Allocations process is open at all times to anyone who wishes to apply to the Association for housing.
- To ensure that the Allocations process is operated in a fair and equitable manner and that no one sector or individual within society is directly or indirectly discriminated against within the policy or by the implementation of the Allocations procedures.
- To make the best possible use of the available stock.
- To set practical boundaries within which the waiting list and allocations process can be managed.
- To use the allocations process to assist in building and maintaining balanced, stable communities.
- To provide clear guidance on who is eligible to apply for housing with the Association and how the available stock is allocated.
- To allocate accommodation which is suitable and appropriate to meet the applicant's housing needs.
- To create an allocations system that is transparent and easily understood by both staff and applicants
- To maximise applicants' choices in housing.
- To work in partnership with North Lanarkshire Council and other statutory organisations to address housing needs and demands as identified in the Council's Housing and Homelessness Strategy.
- To work in partnership with North Lanarkshire Council to promote the prevention of homelessness and to support and assist the Council to meet its legal responsibilities towards the homeless and to achieve the aims of its Homeless Strategy.

4.0 COMMON HOUSING REGISTER

The Association encourages applicants to maximise their housing options and is committed to working with partner organisations within the North Lanarkshire area to streamline the application process for individuals. As such the Association will actively participate in the development and implementation of a Common Housing Register which will allow a simplified, single application process for applicants seeking housing within the North Lanarkshire area.

5.0 NOMINATIONS AGREEMENT

As long as appropriate, the Association will operate a nominations agreement with North Lanarkshire Council whereby 50% of the Associations annual net lets will be offered to the Council for nomination.

6.0 SECTION 5 REFERRALS

In compliance with the provisions of Section 5 of the Housing (Scotland) Act 2001, the Association will seek to assist North Lanarkshire Council discharge its statutory duties in relation to the homeless people and will accept Section 5 Referrals in line with the agreed protocol.

7.0 BALANCED SUSTAINABLE COMMUNITIES

It is a stated objective of the Allocations Policy to work towards building strong, balanced and sustainable communities within its stock that accommodate and support a range of socially and economically diverse households. In particular the Association will seek to use the allocations process in a positive way to avoid an over-density of people with the same housing and/or support needs. In doing so the Association aims to create stable and mutually supportive communities that people will identify with and actively seek to stay in.

8.0 LOCAL LETTINGS PLANS

To support the Association's commitment to building sustainable, balanced and supportive communities the Association will develop local letting plans for areas and/or blocks where allocating properties in accordance with the normal allocations policy is likely to lead to;

- Management difficulties
- High turnover of tenancies
- Neighbour disputes
- Clashes of lifestyle
- An over concentration of household types and/or compositions within one area/block

All letting plans will take into consideration the needs of the residents, the wider community and the Association and will be approved by the Tenancy Services Committee.

9.0 LOCAL LETTINGS INITIATIVES

Where there is a recognised problem of low demand for one or more properties in an area or block, the Association will consider developing a local lettings initiative for that property, block or area. Low demand may be as a result of;

- A consistently high turnover of tenancies
- Little or no demand for the area, type of property etc
- An unacceptably high rate of refusals for the property/properties

Initiatives that will encourage potential residents to view offers of identified low demand properties in a positive manner will be identified and the most appropriate and cost effective for the Association considered. All initiatives will be approved by the Association's Tenancy Services Committee.

10.0 SCHEDULE 7 CONSENT

In order to ensure that the Association is able to comply with the requirements of Schedule 7 of the Housing (Scotland) Act 2001, all applicants will be asked to declare any relative status and/or relationship that may bring their application within the scope of the Schedule 7 provisions. Specifically applicants will be asked to declare any direct relationship with an employee or former employee of the Association and/or current Board members or former Board members.

Where such a relationship is declared, no offer of accommodation will be made until the allocation has been expressly approved by the Board or other Committee. Approved allocations will be recorded in the Association's Benefits Register.

11.0 CONFIDENTIALITY

The Association will treat all information provided in the application and/or during the course of processing the application with the strictest of confidence. Personal details may be disclosed to other recognised statutory agencies in line with legislation but only with the express permission of the applicant. Permission will be deemed to have been given on receipt of a signed mandate from the applicant.

Personal details provided in an individual's application will only be disclosed to Association members of staff on a 'need to know' basis as determined by the Housing Services Manager and in line with the Allocations Procedures.

Any case referred to the Tenancy Services Committee will be made anonymously, with no information that could identify the applicant being sought.

12.0 ACCESS TO INFORMATION

The Association maintains a computerised waiting list and information provided on the application form is held on computer records. In line with the Data Protection and Access to Information legislation, the Association will, therefore, respond to written requests by an applicant for access to any records stored pertaining to their application. Under normal circumstances there will be a fee of £10.00 made for requests for copies of information. This fee is to cover administration, stationery, postage and incidental expenses. However, the Association reserves the right to waive the fee where it is felt appropriate to do so.

In line with the Association's Equal Opportunities Policy, no charge will be made in respect of charges incurred by the Association in providing information in alternative formats, such as large print, Braille, languages other than English.

13.0 EQUAL OPPORTUNITIES

Wishaw and District Housing Association is committed to Equal Opportunities and will endeavour to ensure that all functions within the allocations process are carried out in an equal and undiscriminating manner in line with both the Allocations Policy and the Equal Opportunity Policy.

In particular, the Association will not discriminate on the grounds of race, colour, culture, age, gender, religious beliefs, sexual orientation, national or ethnic origin, political affiliations or beliefs, disability, marital status or social background and medical conditions (including those with AIDS or are HIV positive).

The allocations procedures and the actual allocation of properties will be monitored and reviewed on a regular basis to ensure that no one sector of society is being treated unfairly or in a discriminatory way within the allocations process.

To ensure that the Association's application process is accessible to all groups, translation and interpretation services will be made available where required and, where appropriate information will be made available in other formats including tape, Braille and large print. These services will be provided in line with the Association's Translating & Interpreting Policy.

14.0 THE RIGHT OF APPEAL

All applicants have the right to appeal any decision made by the Association regarding their application and will be advised of this right in writing where applicable. Applicants may also make a complaint if they feel aggrieved at the treatment they have received from staff during the allocations process.

Appeals and complaints will be dealt with in accordance with the Association's Complaints Procedures. In line with these procedures, applicants ultimately have the right to have their appeal or complaint referred to the Association's Complaints and Grievances Committee for consideration.

A copy of the Association's Complaints Procedures is available from the office on request.

15.0 ADVERTISING

In order to ensure that that the Association, its areas of operation and the services it provides are made known to as wide a market as possible, the Association will, as required, publicise itself and its services in appropriate locations, agencies and forms of media.

16.0 INFORMATION & ADVICE

Information on the Association's Allocation Policy and Procedures will be made available to advise and assist applicants with their application.

A copy of the complete policy will be made available on request and, where necessary, will be made available on tape or in Braille or will be translated into other languages as required.

17.0 DELEGATION OF RESPONSIBILITY

The practical implementation of the policy and the day-to-day operation of the allocations procedures will be undertaken by members of the Association's Tenancy Services staff. Normally the assessment of applications and the allocation of void properties will be the responsibility of a delegated member of staff but, in his/her absence, other members of the tenancy services team may carry out the allocations functions.

At least 50% of applications assessed will be countersigned by another member of the tenancy services team and 10% will be checked and countersigned by a senior member of the team. All allocations will be approved and countersigned by either the Head of Department or the Housing Operations Manager prior to a formal offer being made.

Any special cases or any need to deviate from the policy will be referred to the Tenancy Services Committee for approval.

18.0 MONITORING OF ALLOCATIONS

In order to ensure that the aims and objectives stated in the Allocations Policy are being achieved, data on the allocations process and outcomes will be collated and regularly monitored. Reports on the information collated will be provided to the Tenancy Services Committee as agreed by members.

Factors that will be routinely monitored will include;

- Equal Opportunities
- Sources of applications (e.g. nominations, referrals, general public etc)
- Number of applications not added to waiting list
- Number of applicants suspended from waiting list and reasons for suspension
- Time taken to process applications
- Source of allocation (e.g. waiting list, internal transfer, nomination etc)
- Number of offers refused and reasons for refusal

The Association will also provide information on allocations to the SCORE LETTINGS LOG.

19.0 POLICY REVIEW

The full Allocations Policy will be reviewed by the Association's Policy and Resources Committee every three years. However, the Tenancy Services Committee may refer elements of the policy to the Policy and Resources Committee within that timescale if required.

20.0 CONSULTATION

The Association will seek to carry out a consultation exercise prior to final approval being given for any proposed review and/or amendment to the Association's Allocations Policy and, where appropriate will seek comments and views from interested and affected parties including current waiting list applicants, tenants and other partners. All comments and views formally expressed and notified to the Association as part of the consultation exercise will be reported to the Association's Policy and Resources Committee for consideration prior to final approval.

However, in order to allow the Association to provide as high a standard of service as possible the proposed reviewed and/or amended policy may be implemented as an interim policy during the consultation period, pending final approval.

SECTION TWO – THE WAITING LIST

1.0 ACCESS TO THE WAITING LIST

Wishaw and District Housing Association will operate an open waiting list to allow people in housing need to have the opportunity at all times to apply to the Association for housing. Anyone aged 16 or over has the legal right to apply for housing with the Association and to be accepted onto the waiting or transfer list. There is no need for applicants to currently reside in the Association's area of operation and all applications will be assessed on the same basis by way of the needs-based points system.

Anybody over 16 years of age will be regarded as an independent household within their current place of residence and will be eligible to apply in their own right for housing by the Association.

Applications submitted to the Association will not be screened and all applications will be assessed in accordance with the Allocations Policy. This will allow applicants to have all their circumstances taken into consideration.

The Association will endeavour to assess housing applications as quickly as possible in order that applicants are fully aware of their housing options and are placed on the waiting list and therefore in a position to be considered for suitable properties, as soon as practical.

Within the allocations process the Association will, in general, avoid placing unreasonable or 'blanket' restrictions on access to the waiting list e.g.:-

- Applicants that are currently home owners and/or have previously exercised their right to buy will not automatically be disbarred from applying to the Association for rehousing.
- Applications will be accepted from applicants living outwith the Association's area of operation and no preference will be given within the allocation's process to applicants with local connections or those living in the area.
- Asylum seekers and refugees may submit an application for housing although assessment of their application and/or offers of housing may be delayed until their application for immigration status has been accepted and/or their rights to a tenancy have been clarified.

2.0 TIMESCALES FOR ASSESSING APPLICATIONS

Receipt of all application forms received at the office will be acknowledged within 2 working days.

The Association will endeavour to carry out an initial assessment of the application and advise the applicant of the outcome, in writing, within 10 working days of all the required information being received at the office. However, an assessment of the application may be delayed when, for example, the applicant is required to provide additional or supporting evidence or a medical certificate has been submitted by the applicant. Where this applies, the applicant will be informed in writing of the reason for the delay and the information required in order to progress with the assessment.

3.0 PROVISION OF INFORMATION

It is the responsibility of every individual applicant to provide all the information necessary to assess their application and, where applicable, to provide any supporting evidence required. Any cost incurred in obtaining this evidence will be the applicant's responsibility.

Where the applicant cannot or will not provide corroborating evidence, the Association has the right to either disregard the information in the assessment of the application or transfer the application onto the 'delayed list'.

It is also the responsibility of individual applicants to ensure that the information provided in the application form is a true and accurate record of their housing circumstances. Every applicant is required to sign a statement contained in the application form stating that the information provided is a true and accurate record of their current housing circumstances.

It is the applicant's responsibility to ensure that the Association is immediately informed of any changes in their circumstances that may be relative to their application or have a bearing on any offer of housing.

4.0 ASSESSING HOUSING NEED

It is recognised that there is a range of problems and circumstances which a household may face that places that household in some degree of housing need which could be alleviated by housing by the Association.

As a means of identifying applicants in the greatest housing need, the Association has identified categories of housing need. Points have been attributed to categories that reflect the perceived severity of housing need arising out of a set of circumstances. Applicants will be assessed in accordance with this points system.

Points will be awarded in recognition of the following elements of housing need:

4.1 Homelessness

It is recognised that there are a number of definitions and degrees of homelessness, with some situations being regarded as more serious than others which, therefore, place that household in greater housing need. As such, points will be awarded to each category of homelessness according to the level and severity of the housing need.

The categories of homelessness for which points will be awarded are;

- STATUTORY HOMELESS & IN PRIORITY NEED – i.e. the applicant has registered and has been accepted as being homeless with the local authority and is in a priority category for housing.
- INTENTIONALLY STATUTORY HOMELESS & IN PRIORITY NEED– i.e. the applicant has been accepted as homeless and is recognised as being in a priority category for housing but has been deemed intentionally homeless by the local authority.
- STATUTORY HOMELESS - i.e. applicant has registered, and has been accepted, as being homeless with the local authority but is not classed as being a priority for housing.

Applicants presenting themselves to the Association as homeless or potentially homeless will be referred to North Lanarkshire Council for assessment under the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001 and the Homeless (Scotland) Act 2003 and applicants will be required to provide evidence of their homeless status with the local authority.

N.B. The Local Authority still has the legal duty to assess homeless applications and to provide, or otherwise obtain, housing for statutory homeless households in priority housing need. However, the Association will assist the Council meets these obligations in line with the statutory duties placed on the Association as part of the Housing (Scotland) Act 2001.

- NO FIXED ABODE - i.e. the applicant has short-term, temporary accommodation in a number of places.

Applicants will be regarded as living with friends or relatives but will be advised to register as homeless with the appropriate Local Authority and advise the Association of the outcome of the application in order that they may be re-pointed accordingly.

- HOSTEL, HOMELESS UNITS OR BED & BREAKFAST ACCOMMODATION – applicants that have been placed in temporary accommodation such as hostels and bed & breakfast units by the local authority will be pointed in accordance with their homeless status as determined by the local authority.
- IMMINENT DANGER – i.e. the applicant or a member of their household runs the risk of violence if they remain living in their present accommodation. This risk may arise out of ongoing harassment, domestic abuse or sexual abuse and will be at a level where the applicant can no longer continue to reside safely in their current accommodation but cannot be assisted in a move by their present landlord.

Points under this category may also be awarded if the applicant and his/her household have moved into temporary accommodation but cannot return to their own home. Under such circumstances, the applicant would be assessed as still living in their original accommodation unless they have been accepted as statutory homeless in priority need by the local authority.

Supporting evidence may be required from the landlord confirming the applicant's circumstances and explaining why the household cannot be moved within the landlord's own stock. Letters of support may also be required from other external agencies such as the police or social work.

- OWNERS FACING REPOSSESSION/TENANTS FACING EVICTION FOR ARREARS - points will normally only be awarded when the applicant has been served with repossession or eviction notice and has a date for leaving the property. In order to maximise their points and therefore their chances of being housed by the Association, applicants will be advised to register as homeless with the appropriate Local Authority and to advise the Association of the outcome of the application in order that homeless points may be awarded accordingly.

4.2 No Security of Tenure

4.2.1 *Living "Care Of"*

- LIVING WITH FRIENDS OR RELATIONS - i.e. living on a permanent basis in the home of another person but paying no formally agreed rent and without any legal tenancy agreement
- LIVING WITH PARTNER FACING BREAKDOWN IN RELATIONSHIP – applicants will be regarded as a separate household living 'care of' and will be pointed accordingly.

4.2.2 *Private Tenancies*

- TENANTS OF PRIVATE LANDLORDS & SUB TENANTS – i.e. renting a self contained property from a landlord other than a registered social landlord. A copy of the tenancy agreement will be required in support of the application.
- LODGERS & TENANTS IN PRIVATELY RENTED PROPERTIES OF MULTIPLE OCCUPATION – i.e. renting a defined space from a landlord other than a registered social landlord. A copy of the occupancy agreement will be required in support of the application.

4.2.3 *Provided Accommodation*

- TIED ACCOMMODATION – i.e. when the applicant is required to vacate the property owing to the termination of tenancy, death, retiral etc. In order to maximise their points and therefore their chances of being housed with the Association, applicants will be advised to register as homeless with the appropriate Local Authority and to advise the Association of the outcome of that application in order that homeless points may be awarded accordingly.

N.B. Any offers of housing may be suspended until the applicant is in a position to accept an offer and move into a property within the expected timescales.

- PERSONNEL LEAVING HM FORCES – In order to maximise their points and therefore their chances of being housed by the Association, applicants will be advised to register as homeless with the appropriate Local Authority and to advise the Association of the outcome of the application in order that homeless points may be awarded accordingly.

N.B. Any offers of housing may be suspended until the applicant is in a position to accept an offer and move into a property within the expected timescales.

- INMATES LEAVING PRISON – In order to maximise their points and therefore their chances of being housed by the Association applicants will be advised to register as homeless with the appropriate Local Authority and to advise the Association of the outcome of the application in order that homeless points may be awarded accordingly.

N.B. Any offers of housing may be suspended until the applicant is in a position to accept an offer and move into a property within the expected timescales.

- PATIENTS LEAVING LONG TERM HOSPITAL OR RESIDENTIAL CARE – i.e. patients who are currently living in hospital, institutional or residential care as their only place of residency. A letter of support may be required from the hospital or social work department.

N.B. It is assumed that there is an existing medical condition and additional medical points will not therefore be awarded.

- YOUNG PEOPLE LEAVING LOCAL AUTHORITY CARE – i.e. applicants who are aged between 16 and 21 years of age and are about to leave local authority care. A letter of confirmation will be required from the local authority.

4.2.4 *Mobile Accommodation*

- LIVING IN CARAVAN/ MOBILE HOME – where the caravan/mobile home does not have internal, private toileting, bathing and washing facilities, the applicant will be assessed as sharing amenities.
- ITINERANT ACCOMMODATION – where the applicant lives in a caravan but has no fixed site and travels from place to place.

4.3 Demolition or Modernisation Works

The Association is committed to assisting local authorities and other registered social landlords adhere to their development and modernisation programmes. Points will therefore be awarded to residents who can provide evidence that their current accommodation has been identified and/or has been or is being purchased by the local authority or another Registered Social Landlord for;

- Clearance OR
- Demolition OR
- Extensive improvement or modernisation works that requires the property to be vacated for a minimum period of 4 months.

In awarding points, the intention is not to assist residents to get decant accommodation and any offer of rehousing will be made on the basis of a permanent tenancy.

4.4 Overcrowding

The degree of overcrowding being experienced by an applicant's household will be assessed according to the number of bedrooms exclusively available to that household within its present accommodation.

Points will be awarded for each bedroom required to adequately accommodate that household in accordance with the following criteria;

- 1 DOUBLE bedroom for the applicant/applicant and partner
- 1 DOUBLE bedroom for every 2 children under the age of 10 years of age
- 1 DOUBLE bedroom for every 2 children of the same sex between 10 and 16 years of age (where the children are of different gender they will be assessed as requiring a bedroom of their own)

- 1 SINGLE (minimum) for every household member over 16 years of age

The number of points awarded will be calculated on the basis of the number of bedrooms available within the present accommodation compared to the number of bedrooms required.

N.B: *Only the applicant's household's needs will be considered in assessing overcrowding.*

4.5 Under Occupancy

Points will be awarded for each bedroom within the property that is surplus to requirements to adequately accommodate the applicant's household on accordance with the above criteria.

The number of points awarded will be calculated on the basis of the number of bedrooms within the present accommodation compared to the number of bedrooms required.

4.6 Sharing Amenities

Points will be awarded to applicants that are assessed as having to share a living room, bathroom/w.c. and/or kitchen with another, independent, household living within the same accommodation. However, the points awarded for most categories where this is applicable (e.g. Living Care of Friends/Relatives, Living with Partner Facing Breakdown in Relationship, Lodgers, Living in Properties of Multiple Occupation, Long Term Hospital/Residential Care etc) reflect these circumstances and, therefore, points for Sharing Amenities will only be awarded as separate category in circumstances not covered under the normal pointing system.

4.7 Lack of Amenities/below tolerable standards

A property will be assessed as lacking in basic amenities and/or below tolerable standards in line with the definitions outlined in the Housing (Scotland) Act 1987, Part IV, section 86.

Accommodation will therefore be classed as lacking basic amenities if it does not have;

- Satisfactory provision for natural and artificial lighting
- Adequate piped supply of water into the house
- A sink with a direct supply of hot and cold water
- Toilet and personal bathing facilities (i.e wash hand basin and bath or shower) within the house that are available for the exclusive use of the occupants
- Satisfactory facilities for cooking food

A property will be regarded as being below tolerable standards if it;

- Is not structurally stable
- Is not substantially free from rising or penetrating damp

- Does not have an effective system for the drainage and disposal of waste and water
- Does not have satisfactory access to all external doors and outbuildings

4.8 Family/Community Support

The Association understands that there are a number of reasons why people may require or seek practical care and support from family, friends and/or community services and that, for many, easy access to these is an essential part of their housing requirements.

Consideration will be given to awarding points to applicants who can show that the distance and/or travelling difficulties between their current place of residence and the source of the care and support, make it unreasonable for them to receive the level of care and support required. Conversely, consideration will be given to applicants who wish a move in order to provide these services to a friend or family member.

Points will also be considered where the applicant can demonstrate that a move to a property within the Association's area of operation would improve current medical, social and/or family difficulties, e.g.:

- Assistance with Household Duties
- Assistance with Personal Care
- Regular Childcare
- Special Needs Services

To reflect the varying types and levels of care and support that can be given, there will be 3 categories of points that can be awarded;

INTENSIVE LEVELS OF SUPPORT

- e.g. - daily visits to assist with personal care (for example toileting, washing, feeding etc)
- special needs schooling or care

MEDIUM LEVELS OF SUPPORT

- e.g. - daily childminding
- regular respite care

LOW LEVELS OF SUPPORT

- e.g. - assistance with household
- regular childminding

N.B. This is not an exhaustive list but is intended to guidelines as to the situations that will be considered under each category.

Evidence of the need to either give or receive care and support will be required. Evidence of the problems caused by the distance and/or travelling difficulties may also be required.

4.9 Travelling To Work

Points will awarded to applications where a member of the applicant's household works within the Association's area of operations and it can be shown that the distance and/or travelling difficulties between their current place of residence and their place of work is causing undue hardship.

Evidence of the problems caused by the distance and/or travelling difficulties may be required.

4.10 Families Living Apart

Point will be awarded where a family unit are unable to live as a household within the one property and, as a result, the family is split between two or more houses.

A family unit will be classed as;

- a married couple that have previously lived together
- civil partners that have previously lived together
- a previously co-habiting couple
- the parents of a child

Couples wanting to set up home together for the first time will NOT be regarded as 'families living apart' and will be assessed under other categories within the points system including overcrowding and leaving the parental home.

4.11 Harassment

Harassment should not be confused with neighbourhood problems, general nuisance, vandalism or other forms of anti-social disputes. Harassment goes beyond neighbour disputes and is ongoing violence, which may be verbal or physical, and which is aimed at a specific person or household purely on the basis of a personal factor such as the nationality, race, religion, colour, sex, sexual orientation, health problem or disabilities of that person or household.

Points will be awarded under this category where the applicant can demonstrate that their quality of life and/or their ability to peacefully and comfortably reside in the house is being seriously affected because of harassment of themselves or a member of their household.

Applicants may be asked to provide supporting evidence of the harassment, such as a letter of support from their current landlord, police reports etc.

N.B. *Harassment points will not be awarded for general problems experienced within the neighbourhood, such as drug dealing, vandalism, etc.*

4.12 Domestic Abuse

The Association believes that everyone should be able to live in their own home free from fear and abuse. Applicants that can demonstrate that their quality of life and/or their ability to live peacefully within their own home is being seriously affected because of domestic abuse (whether verbal or emotional) will be considered for points under this category.

Where the abuse is of a physical nature, the applicant will be regarded as being in Imminent Danger.

Applicants may be asked to provide supporting evidence from appropriate bodies such as the police, current landlord etc.

4.13 Social & Environmental Issues

It is recognised that there are some general social and environmental issues that can cause individuals such difficulty and/or distress that their ability to live peacefully and free from fear in their home is seriously compromised. Adverse environmental conditions can also effect the level of pleasure that households can derive from their living accommodation and/or the ability of members of the household to use the property to its full in safety.

4.13.1 *Anti Social Behaviour*

Points will normally only be awarded where it is accepted that the problems within the neighbourhood are causing the applicant a significantly greater degree of nuisance and/or distress than other residents in the area.

Points will be awarded to reflect the severity of the problem in the neighbourhood at large and the direct effect it is having on the applicant and/or the applicant's household;

- **HIGH** – Where there is evidence of serious and ongoing incidents of anti social behaviour and/or neighbour nuisance in the immediate vicinity of the applicant's home. Acceptable evidence will include written or verbal confirmation from statutory bodies such as the applicant's current landlord, the Police, Social Work and/or the Anti Social Task Force.
- **MEDIUM** – Where there is evidence of an ongoing neighbour dispute that is judged to be detrimentally affecting the household's ability to live peacefully in their own home. Points will not normally be awarded where it is judged that the applicant is the instigator and perpetrator of the disputes and is being unreasonable in their expectations or is unjustified in their accusations and complaints. Supporting evidence will be required from a statutory body such as the applicant's current landlord, the police, Social work and/or the Anti Social Task Force.

- **LOW** – Where there is evidence of an ongoing neighbour dispute that is viewed as minor in nature and judged to have arisen mainly as a result of differing lifestyles. Points will not normally be awarded where it is judged that the applicant is the instigator and perpetrator of the disputes and is being unreasonable in their expectations or is unjustified in their accusations and complaints. Supporting evidence will be required from a statutory body such as the applicant's current landlord, the police, Social work and/or the Anti Social Task Force.

Each application for points under this category will be judged on its individual merit and the awarding of points will be solely at the discretion of the Association.

4.13.2 *Height of Accommodation*

Points will be awarded where there is at least one child in the household under the age of 16 years old living in accommodation above the second floor of a building.

4.14 Medical & Health Needs

Having a medical or health condition does not automatically mean that medical points will be awarded. Points will only be given under this category where;

- Applicants can demonstrate that they, or a member of their household, have a medical or health condition that is being exacerbated or adversely affected by their current accommodation and/or the applicant's current housing is incompatible with their medical condition.

AND

- The Association is satisfied that rehousing will either ease the medical condition or will help improve the person's quality of life.

AND

- The Association has accommodation within its stock that is an improvement on the applicant's current accommodation in terms of its suitability for the applicant's medical condition.

N.B. *Points will not normally be awarded for;*

- Stress, anxiety or depression UNLESS the sufferer is receiving ongoing and long-term assistance from psychiatric services AND it can be clearly demonstrated that their current housing is aggravating the problem.

- The health or medical condition being exacerbated by environmental factors (such as general neighbourhood problems or neighbour disputes) UNLESS the applicant's existing landlord supports the application and explains why they are unable to remedy the problem or move the applicant within their own stock. (N.B. Where medical points are awarded on this basis, applicants will NOT also be awarded points under the category 4.12.1)

The category and number of medical points awarded will be dependent on the severity of the health or medical problems being experienced within the house and the extent to which rehousing would alleviate the problems or improve the sufferer's quality of life.

The five categories of medical points are;

VERY HIGH – Points will be awarded where it is clear that the current accommodation is;

- Rendering the applicant, or a member of the applicant's household, housebound.
- Making it impossible for the applicant, or a member of their household, to access essential facilities within the property.
- Totally incompatible with the person's disabilities.

Very high medical points will only be awarded where the applicant, or a member of their household, is effectively housebound and unable to leave the property, even with assistance.

Very high medical points will be awarded where the applicant or a member of their household is unable to be discharged from hospital and return to their home because the property is now unsuitable due to change in their medical condition.

HIGH – Points will be awarded where it is demonstrated that the current accommodation is;

- Greatly exacerbating the medical condition or health problem.
- Severely restricting the person's access to essential facilities within the property.
- Severely restricting the person's daily activities.

High medical points will only be awarded where there is clearly an urgent need for rehousing in order to improve the sufferer's quality of life and/or improve the medical condition.

MEDIUM – Points will be awarded where it is shown that the current accommodation is;

- aggravating the medical condition or health problem
- restricting the applicant's mobility within the property
- making it difficult for the sufferer to enter and leave the property independently

LOW – Low medical points will be awarded to applicants that demonstrate that their current accommodation is;

- having a detrimental effect on a recognised and proven medical condition or health problem
- making it difficult for the sufferer to move freely about the house
- causing the person mental and/or emotional problems to such a severe degree that continued and long-term assistance is required from psychiatric service

VERY LOW – Points will be awarded where;

- A member of the household is finding it difficult to access normal external facilities such as shops, public transport etc
- Factors within the living environment are causing the person mental and/or emotional problems that require medical attention

N.B. This is not an exhaustive list of the medical conditions that will be considered under each category and is intended to give guidance only.

Assessing Applications for Medical Points

The Association aims to ensure that all applications for medical points are assessed in a fair and consistent manner and requires to have all relevant information made available to enable assessment.

Applicants wishing to have a medical condition considered are, therefore, required to complete a comprehensive medical self assessment form. The form will ask for verification of the health problem and an explanation of how the current accommodation is adversely affecting the sufferer.

All completed forms will be assessed by a senior member of staff and the staff member responsible for allocations and reference will be made to the HMSO publication “The Disability Handbook” and any other relevant publications.

A health professional familiar with the applicant’s case will be consulted where necessary for verification purposes and/or for further relevant information.

The assessment and the category of points awarded will be based on 3 criteria i.e. the severity of the problems being experienced within the current accommodation, the extent to which housing by the Association would alleviate these problems and ability of the Association to actually provide suitable housing. Consideration will also be given to the type and floor level of accommodation required and, where appropriate, the applicant will be placed on the list for Ground Floor housing.

4.15 Current Sharing Owners of the Association

Points will be awarded to current sharing owners of the Association who apply directly to the Association for rented accommodation. These points are given in recognition of the contractual relationship between the Association and sharing owners and as a demonstration of the Association's commitment to meeting the housing needs of its own residents.

In order to ensure consistency with the assessment of applications from current tenants of the Association, these points will only be awarded where there is a recognised element of housing need as defined by the Allocation Policy.

4.16 Exceptional Circumstances

Points may be awarded under this category in very exceptional circumstances where the Association accepts that housing is the only means of resolving a problem which is not otherwise taken account of in any of the other points categories (e.g. the applicant has been a victim of serious crime within the house)

Where applicable, awarding of these points will only be considered once corroborative evidence has been provided by the applicant. This would include incident reports from the police, the applicant's existing landlord and other statutory and/or voluntary organisations such as Victim Support and the Anti Social Task Force.

In order to maintain the integrity of awarding points for exceptional circumstances, it is intended that these points will only be awarded on very rare occasions. Each case will be judged on its merit and the awarding of points and the level of points awarded will be solely at the Association's discretion. Exceptional Circumstances points will only be awarded with the approval of the Housing Operations Manager.

5.0 REMOVAL OF PRIORITY POINTS

Points are awarded under certain categories only when the Association is satisfied that the problems being experienced are so severe that the only means of resolving the situation is urgent rehousing. These categories included;

- STATUTORY HOMELESS IN PRIORITY NEED
- INTENTIONALLY HOMELESS AND IN PRIORITY NEED
- STATUTORY HOMELESS
- HOSTEL OR HOMELESS UNIT
- IMMINENT DANGER
- HARASSMENT
- DOMESTIC ABUSE
- VERY HIGH MEDICAL & HEALTH NEEDS
- HIGH MEDICAL & HEALTH NEEDS
- EXCEPTIONAL CIRCUMSTANCES

Where these points are awarded, the emphasis is on the need to house the applicant as quickly as possible and the housing aspirations of the applicant are of secondary importance. Refusals of suitable re-housing will, therefore, result in a review of the applicant's eligibility for the priority points and unless the reason for refusal is directly linked to the reason for awarding the points may result in these points being removed. The applicant will not be considered for priority points for a period of 12 months. Thereafter, the applicant will be reconsidered for points under these categories on provision that the situation is ongoing.

Priority points may also be removed if the cause of the problem that led to the points being awarded has been resolved by other means and/or no incidents have occurred in the previous 12 months.

6.0 WAITING LISTS HELD

Applicants will be placed onto the waiting list that best reflects their housing needs, taking into consideration;

1 The HOUSE SIZE required to accommodate the applicant's household.

A separate waiting list for each property size will be held;

- i.e. 2 apartment - 1 bedroom
- 3 apartment - 2 bedrooms
- 4 apartment - 3 bedrooms
- 5 apartment - 4 bedrooms
- 6 apartment - 5 bedrooms

N.B. *No distinction is made within the waiting list between flats and houses.*

2 The type of property required and the need for any special amenities;

GENERAL HOUSING – applicants with no medical or social need for a specific type or level of housing.

GROUND FLOOR HOUSING – Applicants with a recognised medical condition that requires ground floor housing on the one level OR housing with specific amenities.

N.B. Applicants with a medical certificate that states that ground floor housing is required will not normally be considered for first floor accommodation or housing with internal stairs. Exceptions to this will only be considered where there is a limited number of suitably sized ground floor flats or bungalows available within the Association's stock and specifically, where the applicant needs larger family sized accommodation i.e. 4+ apartment properties. Exceptions will be at the Association's discretion and with the approval of the Housing Operations Manager.

MEDICALLY ADAPTED HOUSING – applicants with severe mobility problems that require housing specifically adapted for wheelchair access OR with medical conditions that require specific adaptations to the property (e.g. showers).

7.0 SIZE OF ACCOMMODATION

When assessing the size of accommodation required to adequately house the applicant's household, the household will be assessed according to following criteria;

- 1 DOUBLE bedroom for the applicant/applicant and partner
- 1 DOUBLE bedroom for every 2 children under the age of 10 years of age
- 1 DOUBLE bedroom for every 2 children of the same sex between 10 and 16 years of age (where the children are of different gender they will be assessed as requiring a bedroom of their own)
- 1 SINGLE bedroom (minimum) for every household member over 16 years of age

Although the above criteria will be used to determine the size of accommodation the applicant's household requires, it is recognised that there is a shortage of larger family accommodation available within the Association's stock and within the Association's area of operation in general. In strictly applying the above criteria, some applicants will be placed on a list for larger accommodation that they have little chance of getting. The Association will, therefore allow applicants determined as needing larger accommodation to be placed on the list for a smaller property on the following conditions;

- The household would not be illegally overcrowding in terms of the number of bed spaces within the property
- The smaller property still represents an improvement on the applicant's current living conditions, especially in relation to addressing the issues of overcrowding, medical conditions etc.

Normally, only the permanent members of the applicant's household and those that will be using the accommodation as their principal home will be taken into consideration in determining the waiting list the application will be placed on.

Single persons will only qualify for a 2 apartment house, regardless of the size of accommodation they currently reside in.

Couples will be taken to share a bedroom unless a medical certificate is submitted showing that there is a medical condition that requires each to have a separate room. Similarly, a medical certificate will be required for any child under the age of 10 years old that requires a separate bedroom due to a medical condition.

Where the applicant or a member of their household is pregnant, the baby will be taken as part of the household from 20 weeks from the Expected Date of Delivery (proof of EDD will be required). From this date, the baby will also be taken into consideration in assessing any overcrowding in the present accommodation.

Applicants that can provide evidence of overnight access to dependent children (i.e. under 16 years of age or disabled children) that do not currently or permanently live with them OR can provide evidence of an application for overnight access will be viewed as requiring one more bedroom, regardless of the number of children involved. Overnight access must be for the equivalent of a minimum of one night per week.

Where an applicant can provide official evidence that they have been accepted to provide fostering services, the household will be viewed as requiring one more bedroom.

Applicants that provide evidence of official approval for adoption will be placed on the appropriate list for the size of accommodation required for the new household.

8.0 PLACE ON THE WAITING LIST

Although the Association is continuing to expand, it is still a relatively small landlord within the North Lanarkshire area. Furthermore, the Association has a low turnover of housing. As a result, the Association has a limited supply of available housing and it is accepted that the majority of people that apply to the Association are extremely unlikely to be made an offer of housing.

Although every applicant will be entitled to be placed on a waiting list for housing according to the size of house required, the Association believes it is unfair to give applicants unreasonable expectations about their housing opportunities. All applicants will be provided with information on the Association's stock profile, the turnover of stock in the previous years, the average waiting time applicants have waited to be made an offer.

All applicants will be provided with information to allow them to assess their own chances of being made an offer of housing and the likely timescales involved. As much information as reasonably possible will be given to provide applicants with an indication of;

- The size and type of properties owned by the Association within each area
- The number of properties that become available for let within each area in a year
- The number of points that applicants require before they are likely to be made an offer of housing
- The average time applicants have been on the Association's waiting list before being made a suitable offer

Wherever practical and appropriate applicants will be encouraged to discuss their housing opportunities with the Association in order that they are able to make informed decisions regarding their housing choices.

SECTION THREE – THE ALLOCATIONS PROCESS

1.0 CATEGORIES OF PRIORITY

1.1 Section 5 Referrals

Under the terms of Section 5 of the Housing (Scotland) Act 2001, the Association is legally obliged to assist the local authority discharge its statutory duty to the homeless by accepting referrals of homeless households from the council and, wherever possible making an offer of suitable accommodation.

In order to meet its obligations under Section 5 of the Act, first consideration for offers of available properties will be given to referrals from by North Lanarkshire Council made in line with the agreed Section 5 protocol.

1.2 Existing Tenants Of The Association

1.2.1 *As part of a Development Programme*

To ensure the smooth progress of any future development programme of the Association, next priority for any vacant property will be given to existing tenants of the Association that are currently residing within property which is due for rehabilitation works, development or demolition by the Association. Properties vacated by existing tenants housed to facilitate development programmes will not be re-let until the development programme is complete.

1.2.2 *Due to Housing Need*

In recognition of the Association's responsibility to its existing tenants and its commitment to building sustainable communities, internal transfer applicants with an element of housing need will, generally, be the next category to be considered for any suitable house that becomes vacant within the Association's stock. The degree of housing need will be assessed in line with the Association's Internal Transfer Policy and will be placed on a separate list from general waiting list applicants.

In new build sites a maximum of 25% of lets will be made to internal transfer applicants.

The Association recognises that, by the nature of the internal transfer process, another property becomes available thereby providing the Association with the opportunity to meet wider housing need. The Association will monitor the allocations process and in particular allocations made to current tenants to ensure that it is addressing a wide range of housing need both from within its current residents and from external applicants.

1.3 Referrals From Other Landlords And/Or Other Statutory Agencies

Consideration will be given to referrals received from other landlords and registered housing and support agencies. Referrals must be made in line with procedures and must be accompanied by all required supporting evidence.

Where the void property has been specifically adapted with funding from Communities Scotland and/or the Health Board for special needs such as learning difficulties, the Association will, in the first instance, seek referrals from Social Work. An allocation will only be offered where a suitable, tailor made support package is approved and funded.

Where the Association has an existing relationship with another organisation such as a partnership initiative, a lease agreement or formal working arrangement with another housing organisation or support agency, the Association will accept a maximum of 2 referrals in any one calendar year.

The Association will also consider referrals from neighbouring Registered Social Landlords with which it has a reciprocal arrangement to facilitate moves in emergency or very urgent circumstances.

With the exception of referrals from Social Work for specially adapted properties, approval of all referrals will be at the discretion of the Tenancy Services Committee.

1.4 MOVE UK

The Association is a member of MOVE UK and applications received through the scheme will be a priority for consideration.

MOVE UK applicants will be assessed in line with the Association's Allocations Policy.

A maximum of 2 allocations per year will be made to applicants through the HOMES Scheme.

1.5 Nominations From North Lanarkshire Council

The Association has a nomination agreement with North Lanarkshire Council and, in accordance with the agreement currently in place, will offer 50% of the remaining void properties to the council for nomination.

All nominations must be made in line with the agreement. Where the Council fail to adhere to the terms of the agreement, the let may revert back to the Association for allocation but will count as a nomination for monitoring purposes.

1.6 General Waiting List Applicants

Where all of the above categories have been considered and/or satisfied, applicants on the appropriate waiting list will be considered.

2.0 FACTORS CONSIDERED IN MAKING AN ALLOCATION

In recognition of the Association's commitment to housing those in most housing need, a void property will, generally, be offered to the person on the relevant list that has the most points.

However, one of the stated objectives of the Allocations Policy is to assist in building and maintaining balanced, stable communities and seeks to avoid an excessive number of vulnerable households in one area or a concentration of age range and/or lifestyles in one site. At the same time consideration must also be given to potential problems caused by possible clash of lifestyles, the most obvious example being the allocation of a house to a young family in a block where, historically, there is a large proportion of elderly households.

As such, the Association is required to consider the needs of the existing tenants in an area as well as the needs of the local community before making a specific allocation to an applicant.

The Association, therefore, must be able to exercise an element of flexibility and use of discretion when making individual allocations. In line with good practice the Association will therefore retain the right to bypass applicants for a particular property where it is felt that to make the offer to that applicant would be inappropriate, inadvisable or against the greater good of the applicant, the Association or the immediate community.

Either the Housing Services Manager or the Housing Operations Manager must approve the bypassing of any applicant on discretionary grounds and the Tenancy Services Committee will be advised of the reasons for the decision as part of the allocations report. The applicant(s) bypassed will remain at the top of the waiting list and will be considered for the next suitably sized house that becomes available.

Applicants at the top of a waiting list may also be bypassed where they do not meet the specific criteria laid out in any applicable local letting plans.

3.0 APPLICANTS WITH SPECIAL NEEDS

As the Association operates an open waiting list, individuals with special needs such as support needs, physical disabilities etc may apply directly to the Association for housing. Where appropriate, the Association will seek the applicant's permission to contact relevant support and/or specialist agencies for advice on meeting an individual applicant's housing needs.

Where specific adaptations are required to a property to meet an individual's needs, the Association's ability to offer suitable housing may be dependent on the availability of funding.

4.0 SEX OFFENDERS

Where the Association is advised by the applicant and/or by an official source such as North Lanarkshire Council Housing Department, the Police, the Social Work Department or the Prison Service, that an applicant or member of their household is a registered sex offender, the Association will require a risk assessment to be carried out by the local authority in order to identify suitable housing. It is expected that the risk assessment will be carried out by a suitable qualified officer and will take into account the needs of all parties including the applicant, the Association and the local community.

No offer of housing will be made until a full risk assessment has been carried out and made available to the Association.

5.0 ASYLUM SEEKERS & REFUGEES

Applications will be accepted from asylum seekers and refugees but applicants will be required to provide evidence that their applications for immigration status has been accepted by the Immigration Office before any offer of housing can be made.

6.0 LETS TO STAFF OR BOARD MEMBERS OR MEMBERS OF THEIR FAMILIES

Under Section 63, Schedule 7, Part 1 of the Housing (Scotland) Act 2001, the staff and Board Members of the Association are prevented by law from obtaining any benefit as a result of their connection with the Association. As such all applications from staff members, members of the Board of Management, any former staff members or Board of Management members or members of their families, must be treated in strict accordance with the Association's Allocations policy and any let made strictly on the basis of housing need.

Any let made to a staff member, a member of the Board of Management, a former staff member or Board Member or members of their families will be reported to the Board of Management and details of the let entered into a Schedule 7 Register. This register is available for external inspection by the regulator and the Association's internal auditor who will satisfy themselves that the allocation was made correctly.

7.0 CONFIRMATION OF INFORMATION

The Association will take all reasonable steps to verify the information provided in the application form at the stage of assessment and checks will be made with other statutory bodies such as Housing Benefit & Council Tax, Benefits Agencies etc. to confirm current address, household details etc.

Normally the applicant's current place of residence will be taken as the address their mail is sent to and/or from which they claim benefits. The applicant must also be registered as part of the household at that address with the Council Tax and Housing Benefits office.

Before an offer of housing is made, a staff member from the Association will normally carry out a home visit to confirm that the applicant's housing circumstances remain unchanged. A home visit will only not be carried out where either it is not practical due to the distance involved or where to carry out the home visit may put the applicant at risk (e.g. in cases of domestic abuse). On rare occasions the Association may agree to the applicant attending a meeting at the office to confirm their details rather than a home visit.

Where the applicant refuses to co-operate with the Association in arranging a home visit any offer of housing will normally be delayed unless the applicant can provide reasonable grounds for their refusal to co-operate. Grounds for non co-operation will only be deemed reasonable with the approval of the Housing Operations Manager.

A reference will also be requested from the applicant's current or any previous landlord regarding, in particular, the conduct of the tenancy and the rent account.

In very exceptional circumstances where serious anti-social or criminal activity by the applicant (or a member of the household to be housed) is made known to the Association reports from official sources (e.g. police, social work, probation officers, other RSLs, out reach workers, official carers) may also be requested and considered.

8.0 OFFERS OF HOUSING

8.1 Properties Offered

The Association accepts that individuals may have aspirations as to they type of housing they live in and/or legitimate reasons for not wishing to live in certain areas. As such the Association will endeavour to give applicants an element of choice in the area and type of housing they apply for. Applicants will therefore be able to select the general geographical areas and the type of housing they wish to be considered for. Applicants will not normally be considered for housing in areas not specified in their applications.

The Association currently has stock in the following areas;

CENTRAL WISHAW	CAMBUSNETHAN
SHOTTS	CRAIGNEUK
HARTHILL	NETHERTON
COLTNESS	NEWMAINS
MOTHERWELL	

8.2 Viewing the Property

Applicants will normally have up to 5 working days from the date of the letter of offer to view the property. An applicant may be allowed to extend this period of time in very exceptional circumstances such as work commitments or where the applicant has informed the Association of holidays. Granting of an extension of time will solely be at the Association's discretion.

8.3 Acceptance Of Offers

After viewing of the property being offered, applicants will have a maximum of 2 working days to accept or refuse the offer. An extension to this may be granted in exceptional circumstances at the Association's discretion. Failure to advise the Association of a decision within the two days (or agreed timescale) will, normally, result in the offer being withdrawn and the property being offered to another applicant. Failure to accept the offer within the timescale will be classed as a refusal.

8.4 Date of Entry

The date of entry will normally be no more than 1 week from the date of formal acceptance of the offer. The keys for the property will not normally be handed over until that date of entry.

The Association may consider allowing the tenant a longer period of time to arrange the move but this would normally only be granted on the grounds of infirmity, old age, disability or the need for family support. The extended period allowed will normally be no more than a further 7 days.

8.5 Number Of Offers Made

As the Association is always likely to have an overwhelming demand for any houses that become available, applicants will be made a maximum of two offers of suitable housing. Unreasonable refusal of both offers will result in the application being suspended from the active waiting list for a period of six months.

Where an application is suspended due to the unreasonable refusal of two offers, the applicant will be informed, in writing, of the action taken.

8.6 Refusal Of Offers

A refusal of an offer will be considered to be unreasonable unless;

- the property is shown to be unsuitable for the medical or physical needs of the applicant or a member of their household

OR

- the reason for refusal is directly linked to a factor of housing need as stated in the application form (e.g. the house is in close proximity to a perpetrator of harassment against the applicant).

The reasonableness of refusals will be at the discretion of the Housing Operations Manager. Where a refusal is deemed reasonable, the offer will not be counted. All refusals of offers will be reported to the Tenancy Services Committee as part of the allocations report.

9.0 OFFERS OF A TENANCY

Applicants accepting an offer of housing from the Association will be offered a Scottish Secure Tenancy (SST) Agreement in line with the Housing (Scotland) Act 2001. The tenancy agreement will be a contractual agreement based on the SFHA model.

Offers of a Short Scottish Secure Tenancy Agreement will only be made in accordance with the criteria set out in the Housing (Scotland) Act 2001 and in line with the Association's policy on The Use of Short SSTs, Leases and Protocols.

SECTION FOUR – INACTIVE LISTS (i.e cancelled, deferred, delayed and suspended applications)

1.0 EXCLUSIONS

In line with the Housing (Scotland) Act 2001, no person over 16 years of age making an application to the Association will be refused access to the Association's waiting list.

2.0 CANCELLING AN APPLICATION

An application will only be cancelled in very specific circumstances, namely;

- Where the applicant requests their application to be cancelled. The Association will confirm in writing that the application has been cancelled and the cancellation date.
- Upon notification of the applicant's death.
- Where the applicant has failed to respond to a review of the Association's waiting list. An application will only be cancelled after the applicant has failed to respond to two review letters.

An application that has been cancelled at the applicant's request or due to the applicant's failure to respond to a review will be re-instated at any time at the applicant's request.

3.0 DEFERRING AN APPLICATION

An application will be deferred where the applicant is not currently seeking housing. The applicant may advise the Association verbally or in writing that they wish their application to be deferred or the Association may defer an application where the applicant fails to respond to a written offer of housing.

An application that has been deferred at the applicant's request or due to the applicant's failure to respond to an offer of housing will be re-instated on the active waiting list at any time at the applicant's request.

An application will also be deferred where the applicant will not be able to take up immediate occupancy of a property and to use it as their only or principal home, for instance where the applicant is currently in prison, in the armed force or in tied accommodation. The application will be re-instated onto the active waiting list on the date of the applicant's date of release from prison, discharge from the forces or the termination date of the applicant's right of occupancy to tied accommodation.

While an application is deferred the applicant will not be considered for any properties that become available for let.

4.0 DELAYING AN APPLICATION

Applications will be delayed where;

- The Association is awaiting information from the applicant to allow a full assessment of their application.
- The applicant refuses to provide a signed mandate allowing the Association to confirm information
- The applicant refuses to co-operate with the Association in the allocations process (e.g. does not allow a home visit, refuses to attend an interview, will not provide confirmation of circumstances)
- The Association is awaiting a risk assessment out be carried out on a registered sex offender in order to identify suitable housing
- The Association is awaiting clarification of the applicants immigration status and/or their rights to a tenancy.

Before an application is categorised as delayed as a result of the applicant's failure to co-operate with the Association, the applicant will be informed in writing of the consequences of their continued non co-operation.

While an application is delayed, the applicant will not be considered for any properties that become available for let. However, the application will be re-instated on the active waiting list immediately upon the provision of the information required and/or the applicant's co-operation to allow the progression of the allocations process.

5.0 SUSPENDING AN APPLICATION

Although the Association will treat and assess all applications on their individual merit, there are certain standards and basic expectations that applicants are expected to adhere to both when applying to the Association and before any offer of housing would be made. These standards and expectations relate to the information provided in the application form, the applicant's conduct when dealing with Association staff and their conduct in previous tenancies or places of residence.

Where an applicant fails to meet the standards expected in any of the circumstances noted in Section 4, Clause 5.1 of the Allocations Policy, the Association may, as appropriate;

- Suspend the application for a stated period of time
- Suspend the application until the applicant meets the standards expected
- Suspend any offer of housing for a stated period of time
- Suspend any offer of housing until the applicant meets the standards expected
- Withdraw any offer of housing made

The Tenancy Services Committee will be informed of any application or offer of housing suspended and, where required, will determine the period of suspension.

Where an offer of housing has already been made the Housing Operations Manager may authorise the offer to be withdrawn. Where a tenancy has been awarded the Tenancy Services Committee may authorise legal action for the recovery of the property to be instigated.

5.1 Grounds for Suspending an Application

5.1.1 *Outstanding Rent Arrears & Other Tenancy Related Debts*

Consideration will be given to suspending an application where the applicant has an outstanding rent arrear with their current or previous landlord that is the equivalent or more than one month's full rent charge or where the applicant owes other monies relating to the tenancy.

In considering suspending an application on the grounds of outstanding debt the Association will take into account a number of factors;

- **How old the debt is** – The debt will only be considered if it is currently owed. Any debt older than five years will, in line with guidance from the Scottish Executive, generally be disregarded.
- **How much the debt is** – Only arrears that are equivalent or greater than one month's rent and service charge will be taken into consideration. Where the debt is rent arrears and the applicant is on part housing benefit, the entire rent and service charge will be used as the basis for determining if the level of arrears is applicable.
- **How the debt arose** - Rent arrears that have arisen during a period when housing benefit should have been available towards the rent costs will be disregarded where;
 - The non-payment of housing benefit was as a result of the applicant's justifiable failure to return the necessary forms and documentation (e.g. in hospital)
 - There is a backdated housing benefit payment due.

An arrear may also be disregarded where it is a result of an overpayment in housing benefit but only where the Association is satisfied that the overpayment was made as a result of either an administrative error or due to a genuine mistake made by the applicant.

- **Any arrangement the applicant has in place for clearing the debt** - An application will not be suspended on the grounds of outstanding debt where the applicant has made an arrangement to pay off the debt and has adhered to that arrangement for three months or more.

The Association will also consider cases where the applicant has made regular payments towards clearing the debt even if these payments have not been for the full, agreed amount. Each case will be considered on its own merit, taking into account the amount of the payments and how realistic these are when compared to the applicant's income.

- **Who is liable for the debt** – In accordance with legislation, an application will only be suspended on the grounds of outstanding debt where the applicant is liable for the debt as the tenant or joint tenant.
- **What the debt is for** – Only debts directly related to a current or former tenancy held by the applicant will be taken into account by the Association when considering suspending an application on the grounds of outstanding debt. Tenancy related debts will include arrears of rent, service charges, rechargeable repairs, property management charges and costs for clearing and/or cleaning abandoned properties and for storing furniture.

The Housing Operations Manager will approve the suspension of an application on the grounds of outstanding debt.

Where an application is suspended on the grounds of outstanding debt, the applicant will be given the opportunity to;

- Clear the debt
- Reduce the debt to less than the applicable amount (i.e. the equivalent of one month's rent)
- Make a suitable repayment arrangement and adhere to that arrangement for at least three months

The suspension will be lifted and the application reactivated by the Association on receipt of confirmation that the debt has been cleared or has reduced to less than the applicable amount or that the applicant has adhered to a repayment arrangement for at least three months.

5.1.2 *Anti-Social Behaviour*

Consideration will be given to suspending an application where there is evidence that the applicant and/or a member of the household to be housed with the applicant, has been guilty of anti-social behaviour. Anti-social behaviour will be taken to include;

- Conducting criminal activities from the current or previous tenancy
- Harassment, threatening behaviour or violence to neighbours
- Threatening or violent behaviour towards staff of the Association
- Severe damage to the landlord's property during the period of a current or previous tenancy
- Continuous and serious misconduct that affects residents in the neighbourhood

This list is not exhaustive and other extreme forms of anti-social behaviour may also be deemed as grounds for consideration of suspending an application.

The suspension of an application on the grounds of anti-social behaviour will only be considered where there is clear evidence such as;

- An eviction from a previous tenancy for anti-social behaviour
- An eviction decree against the applicant for anti-social behaviour
- An Anti Social Behaviour Order against the applicant or a member of the applicant's household
- A criminal conviction for activities conducted from the tenancy
- Reports from other agencies such as the Police, Social Work etc
- A Notice of Proceedings served on the applicant but only where there is supporting evidence of anti-social activities
- Substantiated reports from staff of the Association of violence and/or threatening behaviour towards them by the applicant or a member of the applicant's household.

However, it is recognised that an assessment of anti-social behaviour can be very subjective and the Association will therefore also consider the reasonableness of suspending an application where there is evidence of anti-social behaviour. In considering whether it would be reasonable to suspend an application a number of factors will be taken into account including;

- **The nature of the behaviour** – The anti-social activities must be deemed to be severe and to have had a serious detrimental effect on other people and/or have caused substantial damage to the property of either the landlord or other residents.

- **The frequency and duration of the behaviour** – Isolated incidences of anti-social behaviour will not be considered as grounds for suspending an application unless they have continued over a prolonged period of time.
- **The perpetrator of the behaviour** – Where the anti-social behaviour was conducted by a member of the applicant's household and that person is not being housed with the applicant, the application will not normally be suspended. Account will also be taken of the extent to which the conduct is the consequence of acts or omissions of people other than members of the applicant's household (e.g. visitors to the property).
- **When the incidents of anti-social behaviour occurred** – An eviction, an Anti Social Behaviour Order or criminal conviction granted more than two years earlier will not be taken into account when considering the suspension of an application on the proviso that there has been no further incidents of anti social behaviour.

The Housing Operation Manager will approve the suspension of an application on the grounds of anti-social behaviour.

The suspension will be lifted and the application reactivated by the Association where the applicant can provide evidence that there has been a change in the circumstances and/or behaviour of the perpetrator. Evidence of changes in circumstances and/or behaviour will include;

- **The passage of time** – Where there has been no incidence of anti-social behaviour for at least six months, consideration will be given to lifting the suspension. Where the suspension was imposed because of a previous eviction or granting of an Anti Social Behaviour Order, the Association will lift the suspension and reactivate the application once a two year period has elapsed since the granting of the decree or ASBO on the proviso that there has no further incidents of anti-social behaviour.
- **Evidence from a third party** – The Association will consider evidence submitted by a third party who has direct professional dealings with the applicant and/or the applicant's household, for example the police, a probation officer, social worker, registered social landlord, support worker etc. The Association will not normally consider representations from such agencies without supporting evidence.

The Housing Operations Manager will approve the lifting of the suspension where evidence of a change in circumstances and/or behaviour is presented from a third party.

- **Submission from the applicant** – The Association will consider submissions from the applicant that can demonstrate that there has been a change in either circumstances and/or behaviour that render the decision to suspend invalid. A submission from the applicant will only be considered where the applicant can provide supporting evidence.

The Housing Operations Manager will approve the lifting of the suspension where evidence of a change in circumstances and/or behaviour is submitted by the applicant.

5.1.3 *Condition of the Property*

In very extreme circumstances consideration may be given to suspending an application where the applicant's current accommodation is severely damaged, vandalised or neglected as a result of the actions of the applicant or a member of his/her household. An application will not normally be suspended where the property is simply of a low standard of cleanliness and/or decoration.

The Housing Operation Manager will approve the suspension of an application on the basis of the condition of the property.

Approval from the Housing Operations Manager to lift the suspension may be given where the applicant can demonstrate that the damage, vandalism or neglect to the property has been repaired. Where the damage, vandalism or neglect is being rectified as a rechargeable repair, consideration of suspending the application will be covered by the provisions on outstanding debt contained within Section 4, Clause 5.1.1 of this policy.

5.1.4 *Refusal of Offers*

In accordance with Section 3, Clause 8.5 of this policy, applicants will be made two offers of suitable housing that meets their housing needs and stated preferences in terms of area and house type. Unreasonable refusal of both offers will normally result in the applicant being suspended for a period of 6 months.

The assessment of the reasonableness of the refusal will be in line with Section 3 Clause 8.6 of this policy. The Housing Operation Manager will approve the suspension of an applicant due to the unreasonable refusal of two suitable offers.

At the end of the suspension period the original application will be reactivated and the applicant advised in writing.

5.1.5 *Local Connection*

Applications will not be suspended on the basis of the applicant having no local connection to the Association's area of operation.

5.1.6 *Fraudulent, False or Misleading Information*

Applicants found to have deliberately provided fraudulent, false or misleading information on the application form OR to have withheld information relevant to the application with the purpose of artificially enhancing their chances of being made an offer of housing, will be suspended for a maximum period of 12 months unless;

- The falsification has little or no material effect on the assessment of the application
- The full twelve months period of suspension is deemed excessive in relation to the degree of falsification and/or the housing needs of the applicant.

The Housing Operations Manager will approve the suspension of an application due to the provision of fraudulent, false or misleading information and, where the formal twelve month period is deemed excessive, will approve a shorter period of suspension.

At the end of the suspension period applicants will be advised in writing that their application has been reactivated. However the applicant will be awarded zero points until a true and accurate application form is submitted to the Association.

6.0 NOTIFICATION

Applicants will be informed in writing of any change in the status of their application and, where appropriate, will be advised of;

- The period of suspension
- The actions they require to take to have their application transferred back onto the active waiting list
- The consequences of being transferred onto an inactive list
- Their right to appeal against the decision to transfer their application onto an inactive list

Where applicable applicants will also be advised when their application has been re-activated or re-instated onto the active waiting list.

Policy History

First Adopted by Management Committee	-	28 September 1989
First Revision by Management Committee	-	5 September 1991
Second Revision by Management Committee	-	19 November 1992
Third Revision by Management Committee	-	11 July 1998
Fourth Revision by Management Committee	-	24 October 2000
Fifth Revision by Board of Management	-	5 February 2002
Sixth Revision by Board of Directors	-	4 July 2006

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Written by EL