

# KINGDOM HOUSING ASSOCIATION LIMITED

## ALLOCATION POLICY

<b>Item</b>	<b>Contents</b>
1	Statement of Intent
2	Objectives
3	Access to Housing
4	Housing List
4.1	General/Mainstream List
4.2	Social and Medical Needs
4.3	Housing with Support
5	How the Housing List Operates
5.1	General
5.2	Current/Previous Tenancies
5.3	Applicants with a history of Anti-Social Behaviour
5.4	Applications from Committee Members, Staff or their relatives
5.5	Applicants giving false information
5.6	Enquiries into application details
5.7	Offers of Housing
5.8	Refusals of Offers of Housing
6.0	Assessment
6.1	General and Social & Medical Applicants
6.2	Housing with Support Applicants
6.3	Applicants with Equal Points
7.0	Applications to Other Agencies
8.0	Confidentiality
9.0	Equality and Diversity
10.0	Changes in Circumstances
11.0	Housing List Review
12.0	Mobility within Kingdom Housing Association Stock
13.0	Homelessness within Kingdom Housing Association Stock
14.0	Low Demand Properties
15.0	Wider Action Projects
16.0	Nominations
17.0	Suspension from the Housing List
18.0	Removal from the Housing List
19.0	Appeals Procedure
20.0	Copies of this Policy
21.0	Monitoring and Review
	Glossary
	<b>Appendices</b>
1.0	Common Assessment of Need – The Pointing Scheme
2.0	Draft Suspensions Protocol
3.0	Nominations Agreements
4.0	Section 5 Protocol – Fife Council

# **KINGDOM HOUSING ASSOCIATION LIMITED**

## **ALLOCATION POLICY**

This policy is drawn up with reference to the Housing (Scotland) Act 2001 and other guidance from regulatory bodies as detailed in the Data Control sheet at the end of this Policy.

### **1. Statement of Intent**

The purpose of this policy is to outline Kingdom Housing Association's aims, objectives and principles with regard to the process of applying to our housing list and the allocation of our properties based on housing and other needs. The level of need is assessed according to the number of points awarded to individual applicants. The Common Assessment of Needs points have been agreed through our participation with our housing partners in Fife Housing Register but will cover applications for all areas of operation. Throughout this policy, unless specifically stated otherwise, 'we' refers to Kingdom Housing Association and our partners in 'Fife Housing Register'

### **2. Objectives**

We aim to provide homes for people in need, housing support where appropriate and housing management services to a high standard. The purpose of this policy is to detail how housing applications are assessed and vacant properties allocated. The Association is also committed to sustainable development and will recognise sustainability aims and principles when implementing this policy.

The objectives of this policy are:

- 2.1 To promote social inclusion.
- 2.2 To provide quality Housing Information and Advice.
- 2.3 To ensure that a proportion of our housing is allocated to applicants with support needs
- 2.4 To work with local authorities in enabling them to meet the objectives of any lettings plans they may have in place.
- 2.5 To work with voluntary organisations to help meet their clients' needs
- 2.6 To ensure we allocate properties in accordance with funding and planning agreements
- 2.7 To ensure that our tenants are able to live in their homes with minimal disruption from others

### **3.0 Access to Housing**

We will take all reasonable steps to provide fair and open access to our housing and will work with other relevant bodies to simplify access

routes into our housing stock.  
We will allocate properties:

- To give reasonable preference to those in housing need
- To make best use of available stock
- To afford a reasonable choice to our applicants

#### 4.0 **Housing List**

We will accept applications from any person aged 16 years and over and will acknowledge receipt of all applications, in writing, within 5 working days. All completed applications will be assessed. We will normally provide all applicants with the results of their assessment within 28 days of receipt of their fully completed application form. For applicants for our Fife properties, this will be via the Fife Housing Register Application Form, for properties outwith Fife this will be via the Kingdom Housing Association Form.

We do not have a 'minimum points requirement', however it may be, because of demand, that applicants are less likely to receive an offer of a property if they are awarded a low level. We will inform applicants of this and advise of other Housing Options should this be the case.

Our housing list is divided into three sections. These are General, Social and Medical and Housing Support. A brief description of each is outlined below:

#### 4.1 **General**

The general housing list is for applicants who:

Do not require any special facilities and who can sustain their own tenancy without professional assistance.

Require Housing Support and a provider other than Kingdom has been identified. Applicants in this group should make it clear on their application that they require support or are currently receiving support and include any relevant information, including their Support Provider's contact details on their application form.

The main categories within the general list are:-

- **Urgent Housing Need** – Statutory Homelessness, Severe Harassment, Closure Order/Closure for re-development.
- **Poor Housing Circumstances** – Lacking Amenities, Unsafe Water Supply, Inadequate Drainage, Rising & Penetrating Dampness, Lack of Central Heating, Over-crowding, Under-occupancy, Sharing Facilities, Children's Social Needs.
- **Lack of Security** – Time Limited Tenancy, Notice to Quit, Tenants without a Lease, Owners in the process of re-

possession or being advised to sell. Non-Householder (ie people living 'care of')

- **Management Needs** – Awarded by managers for best use of stock

Applicants are awarded points according to their present circumstances. When reaching final decisions regarding the allocation of properties, the priority of each applicant will normally be determined by points order within the quota set for each category. There will, however, be circumstances when priority will be determined by reference to objectives laid down in the conditions of funding for a particular development or by reference to senior management.

There is a clear audit trail for each allocation and this provides transparent information in respect of all applicants considered for a vacancy to ensure compliance with this policy

## **4.2 Social and Medical**

We recognise that some individuals require access to housing which has been designed or adapted in some way to meet their particular needs. For this reason we have set up a Social and Medical Section for people with physical or sensory disabilities who require suitably adapted housing. In an attempt to meet the demand from applicants in this category, we will also give preference when suitably designed or adapted ground floor properties are available.

Applicants who will be eligible for the Social and Medical Section include:

- Hospital patients who could, with appropriate housing, live independently
- Young disabled people who wish to leave home to live independently
- Families with disabled children who require particular facilities
- Those who, because of an accident or long-term illness, are unable to occupy their present home
- Older people living in housing that no longer meets their physical or mobility needs

## **4.3 Housing With Support**

Since our formation we have been committed to the provision of housing for vulnerable people. To enable us to meet this goal, we have established a Housing Support and Care Team. This category enables us to provide both housing and support to service users. We employ suitably qualified, experienced staff who assess the level of support required. Together with individual applicants and, when appropriate the Supporting People Team/Social Worker they agree a support package. This package is designed to enable tenants to sustain their tenancies; this may include an element of care where appropriate.

Housing with varying levels of support is available within all our

developments. We also provide our services in Grouped Housing Support developments throughout Fife where staff are based on site. Kingdom's Housing Support and Care staff provide services to people with learning disability, a physical or sensory disability, or with history of mental ill-health.

Priority will be given to:

- Individuals presently living in institutional care who wish to move to greater independence in the community
- Individuals whose current living situation is detrimental to their mental health or emotional wellbeing
- Those who wish to move from a dependent living situation with family or others in a planned way, thus preventing the need for admission to institutional care in a crisis
- Individuals referred as a priority for Housing Support and/or Care

When a vacancy arises in respect of Housing Support, staff in this team will carefully assess the applicant's current circumstances, personal wishes, commitment to support and their level of housing need. The views of their Social Worker or Carer will also be sought, if applicable. The final decision will be based on the greatest level of housing need and be confirmed by the Support Services Manager. In a Shared House assessments will consider compatibility of the applicant with other residents prior to a final decision being made.

If a Housing Support application is rejected for a specific vacancy, a reason for this will be given to the individual concerned and the applicant will remain on the housing list.

## **5.0 How the Housing List Operates**

### **5.1 General**

Kingdom Housing Association and Fife Housing Register Partners operate an open housing list. Applicants aged 16 and over are free to apply for housing as long as there are no restrictions imposed by Immigration and Asylum Legislation.

When we are assessing applications and allocating properties we will not take into account any of the following factors:

- The length of time an applicant has resided in the area
- Any outstanding liability (such as rent arrears) where the applicant was not the tenant
- Any rent or other tenancy-related debt accrued by the applicant/s on a previous tenancy which are no longer outstanding
- Any outstanding liability attributable to a previous or current tenancy which does not exceed 1/12<sup>th</sup> of the annual rent
- Any outstanding debts of the applicant or anyone who it is proposed will reside with the applicant which do not relate to the

- tenancy of a property
- The age of the applicant, provided the applicant is 16 years or older. The exceptions to this will be specific lettings initiatives which are designated for grouped support, older people, young people or ethnic minorities
- The income of the applicant and his/her household
- The value of any heritable or movable property the applicant or any member of their household has or may own.

Please note that, if there is an outstanding liability attributable to the current or previous tenancy that exceeds 1/12<sup>th</sup> of the annual rent, then the applicant must have a formal repayment agreement in place, must have kept to the terms of the agreement for at least 3 months, and must continue to pay the agreement after they are allocated a property by Kingdom Housing Association Limited.

*See Appendix 2 – Suspensions Protocol*

## **5.2 Current/Previous Tenancies**

The association and FHR Central Processing Team will carry out checks on applicants with regard to their existing or previous tenancies. Tenancy Reports will be sought from current/former landlords. In certain instances, these will have a bearing on whether a tenancy will be granted.

## **5.3 Applicants with a history of Anti-Social Behaviour**

Where an applicant has lost a tenancy in the last 3 years due to Anti-Social Behaviour or where Anti-Social Behaviour Orders have been obtained against the applicants or a member of their household during the past 3 years then, in most instances, the application will be suspended for a period of 12 months and the applicants will not be actively considered during that period for accommodation. This status will be reviewed every 12 months in order to assess whether the offending behaviour has been addressed. In cases where the association believes there may have been mitigating circumstances and that a suitable support package may address the circumstances which led to the loss of a previous property, the 12 month suspension period may be waived and reduced to a more suitable period for review.

If a suitable vacancy becomes available after the suspension period has elapsed and the applicant is offered a tenancy, this will be a Scottish Short Secure Tenancy. In these instances, Housing Support may be made available during the period of the SSST in order to afford incoming tenants every opportunity of sustaining their tenancy and proceeding to a Scottish Secure Tenancy

*See Appendix 2 – Suspensions Protocol*

## **5.4 Applications from Committee Members, Staff or their relatives**

Applications will be accepted from staff and close relatives or family members of staff and Committee Members. The Committee of Management must approve any allocation made to someone in this category in accordance with this policy. Details of the allocation must

be entered in the Benefits to Staff and Committee Members Register held by the association.

The definition of a close relative or family member is:

- He or she is the spouse or he/she cohabits with that person whether the same or different genders, **or**;
- He or she is that person's:
  - Parent
  - Grandparent
  - Child
  - Stepchild
  - Grandchild
  - Brother
  - Sister

*See Glossary re Housing (Scotland) Act 2001, Schedule 7*

## **5.5 Applicants giving false information**

If we discover that an applicant has deliberately provided false information to improve their chances of being housed, the applicant is given the opportunity to correct this information. If they do not do this, or the subsequent information is still false, then the application will be suspended and the applicant will not be considered for any vacancies for a period of 12 months, after which this status will be reviewed. If the review is positive the application will become live. If the false information is discovered after the property has been allocated, we reserve the right to take legal action to recover the property.

*See Appendix 2; Suspensions Protocol*

## **5.6 Enquiries into Application Details**

We reserve the right to make any enquiries we consider necessary to validate the accuracy of information provided by applicants. We also reserve the right to return any incomplete applications to an applicant. In signing the current application forms, applicants are giving us consent to make enquiries to correctly assess the application. In some circumstances, we may require applicants to sign additional documents to allow the release of information from other agencies to support their application and ensure the appropriate points are awarded.

## **5.7 Offers of Housing**

All offers of housing will be made formally in writing, although applicants may initially be contacted by telephone. The applicants will be given a maximum of five working days to accept or reject the offer.

## **5.8 Refusal of Offers of Housing**

Applicants will normally be given two reasonable offers of housing suitable to their needs and in line with the choices they made.

Applicants should be aware that if they refuse the first offer that they will not necessarily be offered the next available vacancy in the areas of

their choice. Further offers will be dependent on the relative priority of other applicants on the housing list.

## **6. Assessment**

### **6.1 General and Social and Medical Applicants**

All applicants who submit a completed application form will be accepted onto the housing list. They will normally be placed in points order.

### **6.2 Housing with Support Applicants**

All applicants accepted onto the Housing with Support and Care list will be assessed and prioritised in accordance with Section 4.3 of this policy.

### **6.3 Applicants with Equal Points**

If two applications have equal points and they are both being considered for the same vacancy, then the applicant who has been in housing need the longest will normally be allocated the property

## **7.0 Applications to other agencies**

Even although applicants are accepted onto our housing list, we cannot define the timescale within which we will be able to meet their housing requirements. We therefore encourage all applicants to register their interest with other landlords in the areas they wish to be housed. A list of other landlords who have properties within our area of operation is available from any of our offices

## **8.0 Confidentiality**

The confidentiality of information provided by applicants will be respected at all times. We will use the information given by an applicant, and any supporting evidence provided, to process applications for housing. We may pass the information to other agencies or organisations as allowed by the law and in accordance with our Registration with the Information Commissioner. Kingdom is registered under the Data Protection Act with the office of the Information Commissioner. Kingdom Housing Association is the Data Controller for the purposes of the Data Protection Act. All applicants as Data Subjects have the right to access the information we hold on them. Anyone wishing to access this right should contact our office and ask for a Data Subject Access Form.

## **9.0 Equality and Diversity**

We will embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of our work. We are committed to ensuring that people have fair and open access to our housing list and assessment processes. We will work with others to maximise and simplify access routes to housing.

Allocations of properties are made irrespective of the applicant's race, colour, religion, age, gender or sexual orientation and we will monitor our applications and allocations accordingly. There may be exceptions in the case of any developments built specifically, for example, BME groups, older/younger people or in partnership with Women's Aid or similar organisations.

## **10.0 Changes in Circumstances**

The applicant is responsible for notifying Kingdom or Fife Housing Register of any changes in circumstances which may affect the points on the application. All applicants should be aware that failure to notify us of any changes might affect their points level and their placing on the housing list.

## **11.0 Housing List Review**

All applicants who are accepted on to the list will receive a letter every six months asking them if they wish to remain on the list and whether their circumstances have changed. If an applicant does not respond within the timescales set out in the letter then their application will be withdrawn.

## **12.0 Mobility within Kingdom Housing Association Stock**

There are three main ways in which a Kingdom tenant can move to an alternative property. These are through transfer, mutual exchange and through the moveUK mobility scheme. Transfer will enable the tenant to move within our own stock; mutual exchange and moveUK may involve the tenant moving to another landlord.

Transfers and Mutual Exchange are covered in a separate policy available at any of our offices. Details of the moveUK scheme are also available by contacting our Customer Services Team or any Council Office.

## **13.0 Homelessness Within Our Own Stock**

It is possible that one of our tenants could be made homeless as a result of fire, flood or explosion. We do not reserve any of our properties specifically for emergency situations therefore we have to rely on the local authorities to provide emergency accommodation. The procedure for dealing with this type of situation is detailed in our Business Continuity Plan.

## **14.0 Low Demand Properties**

Some of our properties take longer to allocate than others. In order to reduce the rental loss on these properties we may adopt some of the following options:

- Allocate properties to applicants who do not have a housing need
- Allow applicants to under-occupy a property
- Offer incentives to any applicant willing to accept a low demand property

A low demand property is one where we have no suitable applicants on our list and we have to advertise the vacancy. Before a property is marketed as low demand, we will always exhaust the housing list for this development by inviting all of those active applicants for that property for interview. We will continue to pilot innovative new approaches to address the challenge of low demand properties throughout the duration of this policy.

## **15.0 Wider Action Projects**

The Association may, from time to time, become involved in projects which have social and economic objectives in addition to housing objectives. These projects will therefore require to be allocated in a different way than our general needs projects.

In such circumstances, a written report detailing the project and the assessment process will be submitted to our Committee of Management for approval prior to any offers being made to applicants.

## **16.0 Nominations**

### **Falkirk and Perth & Kinross Councils**

In the above areas we will offer the council the opportunity to nominate applicants for 50% of all General Housing vacancies. We will meet with the Councils once a year to review and assess the nomination process and agree any action points for the following year. All nominees will be assessed under our Allocation Policy and details of how this arrangement operates are set out in the Nomination Agreement between the parties. (Appendix 3)

### **Fife Council**

Under the terms of the Fife Housing Register there is no need for a nomination agreement as we are selecting from the same pool of applicants who have expressed a preference for our vacancies. There is, however, in the Fife area a Section 5 Protocol in place (Appendix 4) whereas Fife Council may make direct nominations of statutorily homeless households under the terms of Section 5 of the Housing (Scotland) Act. We will meet with the Council once a year to review and assess the nomination process and agree any targets for the following year.

## **17.0 Applications Suspended**

The Association reserves the right to suspend applications for a number of reasons. Applicants who have been suspended will not be

considered for any vacancies which arise in their areas of choice. As a general rule this restriction will only be used where there is outstanding tenancy related debt and/or behavioural issues. Some applications may be suspended if there is a failure to co-operate with the assessment process and we cannot fully assess an application because of this non-co-operation.

Full details of the procedures for suspension is contained within Appendix 2 – Suspensions Protocol

### **18.0 Removal from the Housing List**

Applicants who fail to respond to review letters or do not attend interviews for housing without giving reason within the prescribed timescales will have their application removed from the housing list.

Abusive, anti-social behaviour towards our staff or our agents, following a period of suspension for the same reason, will result in an application being removed from the list.

### **19.0 Appeals Procedure**

All applicants will normally receive written confirmation of their assessment of their housing application within 28 days of us receiving it. This will include the points they have been awarded. Applicants who are unhappy with the way their application has been processed should contact the Housing Services Manager in the first instance who will make investigations and respond in writing within 10 days.

### **20.0 Copies of this Policy**

Copies of this policy are available at any of our offices on request and can be downloaded from our website at [www.kingdomhousing.org.uk](http://www.kingdomhousing.org.uk). In addition we have arrangements in place to have this policy translated into other languages if required. The policy can also be made available on tape or in Braille if requested.

### **21.0 Monitoring and Review**

In order that Kingdom's allocation performance can be monitored efficiently, a number of key performance indicators will be collected and collated on monthly basis for the Senior Management Team and reported to the Committee of Management on a quarterly basis.

## Appendix 1 – Common Assessment of Need

**The Pointing Scheme** - The Scheme is held on Fife Housing Register and Kingdom Housing Association computer systems and points are awarded on the basis of assessed housing need.

### URGENT HOUSING NEEDS

Statutory Homelessness	100 pts
Severe Harassment	100 pts
Closure Order / Closure for re-development	100 pts

### POOR HOUSING CIRCUMSTANCES

Lacking Amenities	12 pts
Unsafe Water Supply, Inadequate Drainage, Rising & Penetrating Dampness	12 pts
Lacking Central Heating	5 pts

Overcrowding	25 pts per room short
Severe Overcrowding (2+ overcrowding factors)	extra 10 pts

Under-occupation	5 pts
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Sharing Facilities	6 pts
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Childrens Social Needs	10/20 pts
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### LACK OF SECURITY

Tenancy	
Time Limited Tenancy (no NTQ)	5 pts
Notice to Quit	Tied Accommodation 75 pts
	Short Assured Accommodation 75 pts
	HM Forces Accommodation 75 pts
Tenants without a lease	25 pts

Owner Occupation	
Process of Re-possession / Advised to Sell	25 pts

Non Householder (single people or families living 'care of')	
Not sharing a bedroom	25 pts
Sharing a bedroom with sibling	25 pts
Sharing a bedroom with someone other than sibling	25 pts
No bedroom	25 pts
No fixed abode	25 pts
Families with children overcrowded	extra 25 pts

### MANAGEMENT NEEDS

Awarded by housing managers for best use of stock	120 pts
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### SOCIAL AND MEDICAL NEEDS

Illness and Disability	20 / 40 /60 pts
Sheltered Housing	15 / 30 / 50 pts
Special Needs Accommodation	20 / 60 pts

Violence and Harassment	10 / 30 pts
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Independent Living	60 pts
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Social / Personal Needs	10 / 25 / 40 pts
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Care Arrangements	
• Respite Care	10 pts
• Access to Children	20 pts
• Foster Care	20 pts

Children's Educational Needs	5 / 20 pts
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## GLOSSARY

**Allocations Policy** the process of letting our properties

### **Anti-Social Behaviour**

- Section 110 of the Anti-Social Behaviour (Scotland) Act 2004 sets out the interpretation of anti-social behaviour for the purposes of the Act (except Parts 7 and 8), including the provisions on Anti-Social Behaviour Orders.

The legislation provides that a person engages in Anti-Social Behaviour if they:

- Act in a manner that causes or is likely to cause alarm or distress; or pursue a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as them.

### **ASBO's**

Anti-Social Behaviour Orders (ASBO's) introduced by the Crime and Disorder Act 1998. They are a civil measure that can be used to address anti-social behaviour by preventing certain behaviour from an individual or by preventing them going into a defined locality.

**Communities Scotland** Regulator of Registered Social Housing in Scotland and responsible for ensuring regulatory standards are met

**Void** An empty property

**Lead Tenancy** Lead Tenancies are created where Kingdom Housing Association only leases the property and is in effect the lead tenant. In these instances Short Scottish Secure Tenancies are created for an initial period of 7 months.

**KPI's** Key Performance Indicators – a measurement used to show how well a housing service is being delivered. For example, the number of properties let within a given period.

**Mutual Exchange** A reference to the right to enable two or more Scottish Secure Tenants to swap their homes

**Notice to Quit** A legal notice served by a Landlord to begin proceedings to end a tenancy

**Partner Agencies** Organisations working together towards a common aim.

### **Registered Social Landlords (RSL's)**

A wide description covering all types of non-profit landlords that are registered with and monitored by Communities Scotland.

<b>Rent Arrears</b>	The amount of rent money a tenant has not paid to the landlord on the due date. It is also sometimes just called arrears.
<b>Housing (Scotland) Act 2001, Schedule 7</b>	Sets out how a RSL deals with providing a housing service to a committee member, member of staff or a close relative. It deals with conflict of interest, accepting gifts etc.
<b>SFHA</b>	Scottish Federation of Housing Associations – An organisation that represents the interests of RSL's, for example, by providing policy advice and guidance on new legal provisions.
<b>Scottish Public Services Ombudsman</b>	An agency that investigates complaints and mediates fair settlements, especially between aggrieved parties.
<b>Social Housing</b>	Housing provided by Registered Social Landlords
<b>Assignment</b>	The legal term that applies when a tenant wants to sign over their tenancy to someone else. The tenant can, if they want, still stay in the property after the tenancy has been signed over to another person.
<b>Succession</b>	This is the legal term used when the tenant has died and someone else who lived with the tenant may qualify to take over the tenancy. Whether or not they can are detailed in the rules contained in the Housing (Scotland) Act 2001.
<b>Decant</b>	This describes the process when we need to move a tenant out of their home temporarily to carry out major repairs or refurbishment that can't be done when the tenant is in the home for health and safety reasons.
<b>Partner</b>	A partner is someone who makes up a couple with the tenant. A partner may or may not be currently living with the tenant and can be of the same sex or different sexes.
<b>Joint Tenant</b>	This describes when more than one person is the tenant of the property and all have the same rights.

## KINGDOM HOUSING ASSOCIATION LIMITED

### ALLOCATION POLICY

Policy drawn up with reference to:

Housing Scotland (2001) Act  
Data Protection Act (1998)  
Sex Discrimination Act 1975 (as amended)  
Race Relations Act 1976 (as amended)  
Disability Discrimination Act 1995  
Matrimonial Homes (Family Protection) (Scotland) Act 1981  
Protection from Harassment Act 1997

Reference made to the following sources and other guidance:

SFHA Raising Standards in Housing – Allocations (Revised)  
Communities Scotland self assessment inspection criteria  
Performance Standards for social landlords and homelessness functions AS1.2 Lettings  
Scottish Executive – Good Practice in Housing Management, Chapter Four – Housing Allocation

Prepared by: Carol Jolicoeur

Current Policy dated: May 2003

Draft 1 Circulated to Directors for review N/A  
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Circulated to all residents for consultation in Policy & Performance Digest Winter 2005  
Policy audited by Kingdom's solicitors N/A

Sub Committee Review of Policy – 13.2.06

Presented for approval to Committee of Management on 20.02.2006

Policy Approved – 20.02.2006

Next review date: 2011