

# Ardenglen Housing Association

## Allocations Policy

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Ardenglen Housing Association can provide this procedure on request, in large print, in Braille, on tape or in other non-written format, and in a variety of languages.

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## Allocation Policy Aims and Objectives

- 1.1 The Association intends to meet its legal obligations and will have regard to the good practice guidance issued by the Chartered Institute of Housing and the Scottish Executive and Performance Standards issued by the SFHA and Communities Scotland.
- 1.2 The Association will operate an open and non-discriminatory housing allocations system that provides equal opportunity at all stages of the process.
- 1.3 The Association will be pro active in promoting itself to as a wide an audience as is realistic and feasible, given its size.
- 1.4 The Association will endeavour to provide easy access to its entire housing list.
- 1.5 The Association will operate an objective system of assessing the housing needs of all the applicants. Reasonable preference will be given to those in housing need although an element of choice will also be considered.
- 1.6 In allocating its housing the Association has the following aims:
  - To give reasonable preference for those in housing need  
As defined in the Housing (Scotland) Act 2001 and set out below  
As persons who
    - I) are occupying houses which do not meet the tolerable standard; or
    - II) are occupying overcrowded houses; or
    - III) have large families; or
    - IV) are living under unsatisfactory housing conditions and
    - V) are homeless or threatened with homelessness (within the meaning of Part ii of the Housing (Scotland) Act 1987 ( as amended by the 2001 Act)
  - To make the best use of available stock
  - To create and maintain a stable, balanced and safe community where people want to live both now and in the future
  - To preserve the public investment and rent payers money
  - To offer choice where possible
  - To address particular problems through targeted local lettings initiatives (letting initiatives will normally be for difficult to let stock – see [Appendix 6](#) for definition)
- 1.7 It will recognise that it has the responsibility to meet the housing needs of different groups of people:
  - As a caring landlord, it must respond to the changing needs and aspirations of its tenants living in improved and new build stock. (Category B waiting list and Mutual Exchanges see [Appendix 5](#)).

- As a direct provider of quality affordable housing, it aims to reach and re house those who are inadequately housed or homeless in the wider community. (Categories C Waiting List, Category F Emergency Cases, Category G Special Cases & Homelessness Protocol).
- As a partner organisation with other Registered Social Landlords (RSL's) and other agencies, it aims to meet a range of unmet housing needs (Category D that consists of nominations and referrals from statutory and voluntary bodies and Category E, which are one off referrals by statutory and voluntary bodies).

**1.8** The Association wishes to be fair and to be seen to be fair. We intend that there should be a general understanding among applicants about how our allocation system works and confidence in the Appeals & Complaints Procedure for those who are dissatisfied.

## Access

### **2.1 Information and Promotion**

As a starting point it is of the utmost importance that Ardenglen Housing Association promotes itself to as wide an audience as possible. This will increase the opportunities for all groups and individuals within the wider community to obtain information about our housing stock and how to gain access to it. The Association will take reasonable steps to ensure that information and promotional material is widely available to the public by use of the following means:

- Poster advertising in key locations such as, other landlord offices, citizen advice bureau's, law centres, hostels.
- Liaison with other agencies such as SACRO, Salvation Army, YMCA to highlight methods for their clients to gain access to the waiting list.
- Liaison with other agencies with a view to entering into nomination or referral arrangements for vulnerable people who may otherwise have difficulty in accessing housing.
- Leaflets and advertising regarding a range of housing options will be displayed at the Association's office and will be issued on request.
- Special promotions will also take place as required, for example, when stock is difficult to let, when there are a substantial number of voids, to boost the waiting list.
- Liaison with relevant groups who represent ethnic minority groups. A joint approach with other local landlords will be taken.
- As a member of HOMES the national mobility scheme, Ardenglen Housing Association promotes and supports the mobility scheme. ([Appendix 2](#))

### **2.2 An 'Open – Access' System**

- i) The Association will operate an open-access system that will provide a continual opportunity for people to apply and be assessed for housing.
- ii) There are several Registered Social Landlords (RSL's) operating in the area and there is recognition that applicants may well be interested in applying to more than one organisation. To improve access opportunities and remove the duplicated effort involved in making several applications a number of these RSL's have agreed that: -
  - a) All participating organisations will use the same housing application form.
  - b) The application form will allow applicants to indicate which of the landlords he/she wishes to apply to.
  - c) The landlord that receives the form first must copy and forward it to the

other landlords indicated on the form.

### **2.3 Common Housing Register**

- i) Ardenglen Housing Association is committed to the development of a Glasgow wide Common Housing Register. Once this is established Ardenglen will be an active participant.
- ii) The purpose of the common Housing Register will be to: -
  - Maximise and simplify access for applicants to the waiting lists of Registered Social Landlords
  - Provide a broader applicant base from which landlords may allocate housing.
  - Reduce duplication of work, such as home visits, and maximise information sharing thus leading to greater efficiency in the allocation process for both the RSL's and the applicant.

### **2.4 Eligibility – Who can apply?**

The Association will consider applications from people aged 16 years and over, irrespective of colour, race, nationality, ethnic origin, sexual orientation, disability social background, marital status, financial status, religion or tenure.

### **2.5 The Waiting Lists - Introduction**

All applicants who wish to be considered for housing by Ardenglen Housing Association must complete an application form.

Assistance is offered to complete forms and translators are available on request. The form and policy can also be provided on audiotape.

Once received by Ardenglen, an application will go through several stages. The overall aim being to log the application, assess and place in the correct waiting list category.

### **2.6 The Waiting List Categories**

#### **Category A: Waiting Assessment**

All applicants are logged on to this initial list. All applications are then assessed, checked and placed on one of the following lists. Section 3 describes the assessment process in detail.

#### **Category Bi: Internal Transfers**

Tenants of Ardenglen Housing Association applying for housing on the grounds of housing need will be placed on this list. This includes tenants who require rehousing as a result of relationship breakdown and who fulfil the criteria set down in **Appendix 1**. While every internal applicant (except those who are suspended or cancelled) will be placed on this list, only those with a certain level of points have a realistic chance of being rehoused.

**Category Bii: Aspiration Transfers**

Association tenants who wish to move into what is considered more desirable stock. This might be to another close, street, area or house type. Eligibility criteria are set down in **Appendix 3** "The Points System". The aim of this Category is to offer an element of choice to tenants of Ardenglen Housing Association and encourage them to remain within the community rather than move elsewhere.

**Category C: Waiting List**

People who are not current tenants of Ardenglen Housing Association but who wish to live in the area and have submitted a direct application to go on the waiting list. There is substantial demand in this category. While every external applicant will be accepted on this list (unless suspended or cancelled) only applicants above a certain points level will have a realistic chance of being rehoused.

**Category D: Nominations**

People who are nominated by another nomination agency in line with one of the jointly agreed referral arrangements outlined below:

- i) Statutory Homeless Protocol/ Section 5 Referrals
- ii) The HOMES Mobility Scheme (**Appendix 2**).
- iii) The arrangement to accept one referral per year from Glasgow Women's Aid.
- iv) The Simon Community Resettlement Team may make two nominations a year.
- v) Fair Deal may make one nomination each year.
- vi) Salvation Army may make two nominations each year.
- vii) The Simon Community Castlemilk House may make two nominations per year.

**Category E: Referrals**

From time to time throughout the year, agencies approach the Association seeking a one off referral for a client. A typical example is a support agency seeking to resettle a long-term hospital patient into the community. In such

cases nomination arrangements are not appropriate as regular referrals of this kind from the same agency are unlikely.

Referrals of this kind will be accepted and dealt with as follows: -

- The Housing Manager will present a report containing the details of the request to the Housing Management Sub Committee who will decide whether to accept the referral.
- The report will consider the needs of the applicant, the Associations ability to provide suitable accommodation, costs that may be incurred for adaptations and the type of lettings arrangement, which will be entered into.

**Category F: Emergency Cases**

On some occasions rehousing is required because of a disaster or unexpected and exceptional event e.g. flood, fire, natural disaster.

Priority will be given to current tenants of the Association. Referrals from other landlords will be considered at the discretion of the Housing Manager. The nature of the Tenancy Agreement will be agreed at the discretion of the Director and will be dependant upon the type of emergency presenting the problem.

A minute of decisions taken and the reasons for these decisions will be maintained.

**Category G: Special Cases**

Such applications may arise from any Category of the waiting list. They will be applicants who have a high level of housing need because of exceptional circumstances but who do not necessarily qualify for high points in the policy. It is expected that such cases would be rare.

The Housing Manager will present all such cases anonymously to the Housing Management Sub Committee who will decide whether housing is to be offered.

**Category H: Waiting Information**

Applicants from any category maybe placed on this list at any stage of the assessment process, for example:

- At assessment stage, the applicant may have omitted essential information required to make the assessment.
- After a home visit, a tenancy reference, police or other relevant reports may be required before a suitable offer can be made.

**Category I: Suspended**

Ardenglen Housing Association has the right to suspend an application from offers for a set time. It will not suspend an application from offers lightly. However, in allocating its properties it will always take into consideration, not only the need of the applicant but also, the safety of other residents and staff, stability of the community and the public investment in its properties.

All applicants who have their application suspended from offers will be provided with the reason for the suspension, and a copy of the Guide to Cancellation and Suspension from the Waiting List Leaflet. An applicant will only be suspended after a full assessment has carried out.

With these considerations in mind Ardenglen will suspend applications on the 6 grounds described :-

This section does not affect our duties to Homeless Protocol.

(i) **Arrears Related to Tenancy Matters**

Where the applicant is a tenant of Ardenglen Housing Association or another

landlord and owes significant arrears relating directly to their tenancy. These arrears must be: -

- Less than 5 years old.
- Non-technical housing benefit arrears
- Significant arrears are defined as 1 month's equivalent rent and over and the applicant must demonstrate a commitment to repaying these arrears by maintaining an arrangement for three consecutive months.
- Arrears directly related to housing matters include; rent arrears, services charges, recharge repairs, sums due for property repairs to bring the house to lettable standard or for clear outs and costs following abandonment and in some cases heating if this is included in the rent.
- In the case of owner-occupiers, factor or property charges are included but not mortgage arrears.

Special or extenuating circumstances will always be considered.

(ii) Anti-Social Behaviour

Where there are reasonable grounds for believing that a person or a member (s) of their household or family friends, if rehoused would cause any serious problems to other tenants, neighbours or staff or damage Association property.

This action would be taken where there is information backed up by an official source such as a current or previous landlord or the police.

The type of evidence - note this list is only an example and not comprehensive - would be: -

- Eviction or anti social behaviour within the last 3 years. This includes where the applicant was not the tenant but was named as a cause of the problem.
- An Anti Social Behaviour Order is in place.
- The landlord or previous landlord provides a tenancy reference, which states that there are complaints about anti social behaviour of the applicant and their household.
- The police confirm that the applicant or member of their household is drug dealing or guilty of crimes in their local area, which affects neighbours e.g. burglary of neighbours, racial harassment.
- The applicant has been violent or threatened violence to an Ardenglen tenant, resident or member of staff or someone carrying out duties on behalf of the Association.

Applicants may ask for a review of their application 6 months after the suspension (or prior to that) if they wish to put forward clear, substantiated evidence that they no longer pose any of the threats as described above.

(iii) Condition of House or Tenancy

Where the applicant has not adhered to conditions of tenancy regarding the upkeep of the property.

Tenants are obliged in most Tenancy Agreements to keep the tenancy clean and in good decorative order. Where the home visit or tenancy reference show that this condition has not been adhered to, the application will be suspended until the

applicant has made good any repair works required to bring the house, garden or common areas to an acceptable standard by the landlord.

In some cases, as covered in previous section, suspensions may also occur because debt is owed to the landlord for the cost of making good repairs due to be paid for by the tenant.

It is important to note that tenants unable to maintain a high standard of décor due to poverty do not fall into this category. Poor housekeeping standards or general untidiness will not be considered.

Special or extenuating circumstances will be taken into consideration.

iv) False Information

Where an applicant has lied or knowingly misled the Association regarding their circumstances, their application will be suspended for 6 months, at which time they may re-apply detailing their circumstances.

Special or extenuating circumstances will be taken into consideration if the applicant wishes to apply prior to that time.

(v) Abandonment and Eviction

Where an applicant has abandoned a property or been evicted, their application will be suspended for 12 months from the date of abandonment or eviction.

Other suspension criteria may also apply, for instance arrears, costs of clearing the property, a threat to neighbours etc.

Where the applicant wishes to re-apply prior to the 12 months period, special or extenuating circumstances will be considered.

vi) Voluntary Giving up a Tenancy with a Registered Social Landlord

Where an applicant has given up a tenancy which would be considered suitable to their needs for no good reason and place themselves in a worse housing situation.

In such situations each application will be dealt with on its own merits in order to establish the applicants' grounds for giving up the tenancy.

Voluntarily giving up a tenancy with a RSL will not in itself be grounds for suspension. However, a 6 months suspension will apply in the following circumstances: -

- The property, which was given up, was suitable for the needs of the applicant and their household.
- There were no reasonable grounds for giving up the property such as fleeing violence/harassment, recurrent burglaries and related fear.
- The applicant deliberately placed themselves in worse circumstances and reapplied elsewhere to seek a better position on the housing list.

The association will consider special or extenuating circumstances prior to the 6

months on request.

**Category J: Cancelled**

Category J applications will be removed from the active waiting list. Applications will be cancelled in the following circumstances: -

- Following non-response to 2 letters at the annual waiting list review.
- On the request of the applicant.
- On being rehoused by the Association.
- Following non-response to two pieces of correspondence throughout the year.
- Following one attempt to gain access for home visits.
- Where the applicant has been re housed elsewhere. In this situation a letter will be sent advising of this and asking whether they wish to still apply

Applications will have received a full assessment prior to any cancellation.

The applicants may reapply at any time.

**2.7 A Final word on the Waiting List**

Applicants will be taken onto the waiting list for the property that is of the size and type that meets their needs. The Association will not overcrowd its property when allocating. It also wishes to make the fullest use of its stock and will not normally under occupy although it may choose to do so in the following circumstances: -

- Where it has been identified that the density of children in a particular area is causing management difficulties.
- Where a property proves to be difficult to let to a household on the appropriate waiting list.
- Where an applicant is pregnant.
- Where an applicant has regular access to a child or children that live with a separated spouse or partner. In such cases, the normal practice will be to allocate a property that is only one room larger than would normally apply.
- Where the applicant is a Category Bii applicant currently under occupying by one room.
- Where the applicant has certain housing requirements such as needing a wheelchair house or ground floor property and the Association can only ever meet this need by under occupying by one room.
- Mutual Exchange applicants may under occupy by one room.
- In other exceptional circumstances that may apply at the discretion of the Housing Management Sub Committee.

### Sex Offenders

The Cosgrove report in 2001 highlighted serious failings in the management of Registered Sex Offenders both within prisons and within the community. One of the major issues identified was the poor communication between agencies. The report recommended that a national accommodation strategy should be established and that there should be an education and training programme for housing providers and their management bodies. Neither has been put in place yet.

Various publications, including the by the Chartered Institute of Housing in Scotland and the University Of Glasgow , have highlighted the role of frontline housing organisations in maximising community safety and minimising the risk from Registered Sex Offenders

The Housing Association does not have the capacity to perform that role. It cannot reasonably claim to be able to maximise community safety and minimise risk from Registered Sex Offenders

The Housing Association is also concerned that the most vulnerable communities, those already under most strain, are being expected to carry a disproportionate burden in terms of managing the risk from Registered Sex Offenders.

In the meantime, where a housing applicant or any member of the applicant's household is required to register with the Police under the Sex Offenders Act 1997, the Association will assess whether there is a threat to community safety. Where a threat exists the application will be suspended. The position will be reviewed if there is a material change in the circumstances. The applicant will have the right to appeal against the decision.

The situation with regard to housing Registered Sex Offenders generally will be kept under review and will be reconsidered when a national accommodation strategy and national education and training is in place

## Assessment of Housing Applications

**3.1** The Association will use a housing need based points system to objectively assess the circumstances of each application and to determine a point's total. The details of the Points System are set out in [Appendix 3](#) but the categories are:

- A) Homelessness and Potential Homelessness  
Insecurity Of Tenure  
Sharing Amenities
- B) Overcrowding and Large families  
Overcrowding
- C) Tolerable Standard  
Lacking Amenities  
Property Condition
- D) Unsatisfactory Housing Conditions  
Children at height  
Medical
- E) Other Conditions  
Under occupancy  
Harassment  
Support  
Travel to work or education  
Social Points  
Aspiration Transfers

**3.2** The points total will normally determine the applicant's position on the list compared to other applicants in the same category i.e. the applicant with the most points will have most priority. There are certain occasions however when applicants who are not top of the waiting list are offered accommodation. Details of the situations in which this applies can be found in Section 4.7.

**3.3** The Association aims to process applications within 5 working days.

**3.4** Applications will be processed as follows: -

- i) Applications received are logged onto the Association's computer system 'Awaiting Assessment' List. An acknowledgement letter is automatically issued.
- ii) An initial assessment will be made and then checked by a second member of the Housing Management Team. At this stage decisions are made about which housing list the applicant is to be placed on.
- iii) A letter will be sent stating, the number of points awarded, type of points awarded, which list the applicant is placed on and for which apartment size. Where more information is required to make an assessment, this will be requested.

- iv) A leaflet summarising the policy and points system will be enclosed so that the applicant can check the points awarded against their circumstances.
- v) If an applicant is accepted on to the waiting list and they come close to the top of the list, a home visit will be carried out by Association staff. The purpose of this visit is to verify that the applicant's living circumstances are as stated on the application form.
- vi) The Association will seek to verify information in a number of ways depending on the circumstances stated. In every case however, the following information will be sought at home visit: -
  - Proof of residency as either a tenant or c/o address. Failure to prove residency may lead to the application being suspended where it is considered that false information has been provided.
  - The living circumstances are as stated in the application.
  - The household composition of the applicant is as stated in the application.
- vii) On completion of the home visit, the application will be reviewed in the light of the home visit. Where applicable, tenancy references will be requested. There may be a number of outcomes: -
  - The circumstances are verified. This will be noted and an offer may be made in the near future.
  - The circumstances may be less acute than stated. Points will be reassessed and possibly reduced. This may lead to the applicant being placed on a lower position on the waiting list. The applicant will be notified in writing of any changes.
  - The circumstances are found to be worse than stated in the application greater points will be awarded and higher priority given. The applicant will be notified in writing.
  - The applicant is found to have provided false information and the application is suspended. The applicant will be notified in writing.
- viii) At this stage it may become apparent that the applicant has particular needs and is incapable of sustaining an independent tenancy without a significant amount of support. In such cases, the Association will work together with the applicant, carers and support agencies to ensure that the necessary support package is in place when the applicant takes up any offer of tenancy.

### **3.5 Applicants with Equal Points**

Points are not awarded for housing time in need. However, where two or more applicants have equal points and qualify for an offer, the following considerations will be made:

- 3.5.1 Who has been on the waiting list the longest?
- 3.5.2 Management issues relating to the allocation.
- 3.5.3 Any local letting initiatives or strategies in place in that area.

Management issues, which will be taken into consideration, are for example, child density in a close, an applicant's particular need to be near a relative for support and whether another offer such as this is unlikely to arise in the near future.

Where applicants have equal points and have been on the list for the same time 3.5.2 and 3.5.3 will apply as will other relevant management issues.

## Allocating Properties

### **The Quota System**

- 4.1** Properties will be allocated to applicants in Categories Bi, Bii, C & D in accordance with a quota system. The Association will decide each year what proportion of lets of each size of property will go to each category e.g. the proportion of 3 apartments that will go to Category C (applicants on the direct waiting list).
- 4.2** In arriving at this decision regard will be made to:
- i) The number of applicants in each category and the level of need being experienced by them.
  - ii) Any existing commitments arising out of any nomination/referral.
  - iii) The Association's overall objectives.
  - iv) The needs of applicants in Categories E, F and G.
- 4.3** The quota figures for the coming year are shown in **Appendix 4**. They will apply to all lets whether newly available or re let. There are no quotas set for Categories E, F and G as it is expected that allocations will be exceptional and unlikely to greatly affect the quotas set for the main categories of applicant.
- 4.4** The quota figures are targets to aim at. At any time in the year the number of lets to each category should be as close as possible to the target quota figure. It will not always be possible to fully meet the targets set. For example, there may be a big change in demand for one of the categories or a nominating agency may fail to successfully nominate enough people. Where this happens, the offers will be made to applicants in other categories. Where nominating agencies fail to successfully nominate a candidate, the next offer will go to Category C, the waiting list and then Category B applicants.

### **Selecting An Applicant**

- 4.5** Ardenglen will allocate its properties in a way that encourages equal opportunities and it will adhere to equal opportunities requirements. When a particular property becomes available to let to normal practice will be to:
- i) Identify which category is due the next let of the size of property in question. This information is shown in the monthly lettings report, which is presented to the Housing Management Sub Committee. This report shows actual lets against % lets due to each quota (in line with the quotas or needs of Category E, F and G applicants).
  - ii) Identify the person who is due for the next offer according to their position on the waiting list for that Category.
  - lii) Please refer to Section 3.5 for applicants with equal points

### **Sensitive Allocations**

**4.6** In certain exceptional circumstances it may be considered that allocating to the person selected in this way may not be appropriate because:

- The house in question has particular characteristics which are required by another applicant with a similar level of points who may face a very long wait for similar property to become available again

An example of this is ground floor 4 apartments, which rarely become available. The Association would consider offering this to a medical case requiring a ground floor flat 4 apartment even if the applicant was not top of the list.

### **An Allocation 'Audit Trail'**

**4.7** It is important that the Association clearly records how all-particular allocation decisions are arrived at so that it can demonstrate objective fairness in the operation of the policy.

Allocation decisions will be taken at a meeting of at least two Housing Management staff members and the decisions will be formally minuted. Where a let has been made to an applicant out with the normal operation of the quotas/points system, the reason for this will be fully recorded.

Typically, this will be when:

- The top applicant has not been made an offer
- Housing manager's discretion has to be used
- Category E, F & G allocations has been made
- Situations where anything other than a Scottish Secure Tenancy has been offered.
- The applicant is a category Bii applicant.

The information recorded will not be publicly available because of the requirements of confidentiality. It will, however, be available to any monitoring process carried out either internally or externally by Communities Scotland or the Housing Association Ombudsman.

### **Offers**

**4.8** Section 3.5 details what will happen to an application from the point of it arriving at the office and being assessed. This section lays down how offers will be made.

- i) Once an allocation decision has been made an offer of tenancy will be made in writing and applicants will have 48 hours to decide whether or not to accept. Where an applicant refuses an offer the reason for the refusal will be recorded.
- ii) After 2 offers have been made, the applicant will be asked to specify their areas of preference for future offers. They will then be placed on the list for offers to those areas only.
- iii) The offer that may be made are as follows:
  - A Scottish Secure Tenancy will be offered to the majority of new tenants
  - An Occupancy Agreement will be offered where the applicants' circumstances

mean that a Scottish Secure Tenancy cannot be offered in law

- A Scottish Short Secure Tenancy may be offered in the circumstances as set down in paragraphs 1-7 of Schedule 6 of the Housing (Scotland) Act 2001. A summary of these circumstances are set down in [Appendix 7](#).

## Putting the Policy into Action

- 5.1** Staff employed by the Association will be responsible for the day-to-day implementation of this policy including, receiving, processing and assessing applications, maintaining the waiting list and allocating and offering vacant properties.

Except where otherwise indicated, Committee Members will not be involved in day-to-day operation of the policy.

### **Confidentiality**

- 5.2** Information held regarding an applicant will be treated in confidence and not forwarded to a third party without the applicant's written consent.

Information concerning individual applicants will not be disclosed to Committee Members unless the applicant wishes to appeal the decision directly to the Committee in line with the Complaints Policy and waive their right to confidentiality.

### **Data Protection & Access to Information**

#### **5.3.i Data Protection**

The Association holds information on applicants on computer. The Association is therefore registered on the Data Protection Register and handles computer information regarding applicants in line with the Data Protection Act of 1998.

Applicants may request to see information regarding their application, which is held on computer. Requests will be processed within 20 working days and a small administration fee will be charged. The Association has a Data Protection Policy, which is available on request.

The information provided would also be in line with the Association's Access to Information Policy, which is available on request.

#### **5.3.ii Access to Information**

Applicants may request to see information held about them on computer or manual files. Confidential information provided by third parties will not be disclosed without the consent of the third party.

The applicant will have the right to challenge or appeal any information held. For more detailed information on how to gain access to information held about an application, the Access to Information Policy is available on request.

### **Conflict of Interest**

- 5.4** Schedule 7 of the Housing (Scotland) Act 2001 requires that a tenancy can only be granted to a Committee member, former Committee member, employee, former employee or any of their close relatives under the following conditions:

- The allocation is in line with the Association's published allocations policy.
- The person in question has had no involvement or influence over the process by which the Association allocates the tenancy in question.

Ardenglen will adhere to this guidance and duly register any such lets in the Schedule 7 register. This is a public register inspection of which is available on request.

This is in line with Communities Scotland Guidance, Note CSGN 03/02 and the Association's Conflict of Interest Policy and Granting of Benefit's Policy. These are available on request.

## Reviewing and Monitoring

- 6.1** The Association wishes to ensure that this policy, and the operation of it, is effectively meeting the objectives set out in Section 1.
- 6.2** The Housing Management Sub Committee have delegated authority to monitor this policy, review its operation and make recommendations for policy changes to the Management Committee. It will do this in a number of ways: -
- a) Every month the Committee will receive a report on the actual number of lets made compared with target quota.
  - b) On an **ongoing** basis (three months) the Sub Committee will monitor:
    - i) The total number of applications made and the total numbers on the waiting list, in each category, and by each waiting list.
    - ii) The number of applicants suspended and cancelled from the waiting list and reasons for this action.
    - iii) Report detailing any relevant issues relating to nominations.
  - b) Annually, as part of the formal review of the policy, the Sub Committee will consider detailed information on:
    - i) The housing needs and household types of those applicants who have been housed in each category;
    - ii) The same information for those who have not been housed
    - iii) Any unmet needs
    - iv) The ethnic origins gender and disabled status and household composition of all applicants, rehoused and otherwise
    - v) The Association's performance in meeting any performance targets it has set itself, e.g. the time taken to process an application, letting quotas.
  - c) From time to time the Association will carry out a survey of applicants and tenants to measure:
    - How much do people understand the policy?
    - How satisfied are people with how it is operated?

## Information, Advice and Complaints

### **General**

- 7.1** There will be occasions when Ardenglen Housing Association is unable to assist with rehousing. It may be that we do not have the required type of property or the applicant requires immediate and specialist help.

On such occasions Ardenglen Housing Association staff will endeavour to do all that it reasonably can to offer advice and assistance to the applicant.

### **Complaints & Appeals**

- 7.2** Anybody who wishes to either complain about the way in which their application has been dealt with or appeal against a particular decision should first contact the member of staff who has dealt with their application. If they are dissatisfied after that, they should consult the Association's formal Complaints Procedure, which is available at the Association's office.

## Appendix 1: Relationship Breakdown

1. The Association aims to prevent homelessness arising as a result of breakdowns in marriage or other such relationships involving Association tenants.
2. Where couples agree that the non-tenant will remain in the tenancy, the Association will allow the non tenant to pay rent and aim to have the Tenancy assigned or transferred to this person; couples will be advised to seek legal advice before considering such options.
3. When **all** of the following circumstances apply, the Association will accept applications onto Category B (the transfer list). If these circumstances do not apply the application will only be eligible for consideration on the normal waiting list (Category C).
  - a) Where the relationship breakdown involves two people who are the householders of an Association property. This includes same sex couples. It is not necessary for them to be married or for them to be joint tenants but if they are not, it is necessary that: -
    - The Association must have been previously advised of the relationship and/or both parties reside there.
    - The breakdown will result in one of the partners becoming homeless or inadequately housed (i.e. no satisfactory alternative accommodation is available)
    - The Association must be informed within three months of the breakdown – (although, the reasons for any delay will be taken into consideration in making a final decision).
4. Where the applicant has been accused of violence towards the remaining tenant and in particular, where a court interdict has been awarded, the Association may refuse to offer rehousing within the area and instead will seek to explore other options for rehousing e.g. through the local authority or through nominations to other landlords through the HOMES scheme. This is in line with our Allocation Policy on suspensions, Section 2.6 of the Allocations Policy states that Ardenglen Housing Association will not re house someone who is considered a risk to other residents.
5. The Association wishes to ensure the maximum use of its stock. Where the relationship breakdown involves a family with children and the property currently occupied is a 4 apartment or larger it will normally be expected that the partner who will have the children living with them full time will retain the tenancy and alternative accommodation be offered to the other partner. However, the circumstances of each case will be examined before a particular decision is taken. The Matrimonial Homes Act will also be considered. Given the complexities of this Act, it is advisable for applicants to seek legal advice
6. Where couples are married they will be advised to seek legal advice regarding their rights to occupy the marital home.
7. Where couples are not married they will always be advised to seek legal advice as they can apply through court for Rights under the Matrimonial Homes Act.
8. Any applicant declared ineligible will be informed in writing of the reasons and notified of the Association's Complaints and Appeals Procedure.

9. Applicants will be awarded points as follows:

- Insecurity of tenure points as it will be assured that it is not reasonable to continue living in the same house.
- Where couples have no other room to sleep in overcrowding points will be awarded as it is assumed that another bedroom is required.
- Sharing amenity points will be awarded, as the applicant will be treated as a separate household.
- Other points as appropriate to the individual circumstances

## Appendix 2: H.O.M.E.S. Mobility Scheme

1. The Association is a member of the H.O.M.E.S Scheme, a Government funded agency set up to make it easier for tenants in the social rented sector to move home.
2. The scheme allows participating landlords (housing associations, local authorities and other agencies) to refer their tenants to other participating landlords. It relies on every participating landlord agreeing to re house as many tenants as they have re housed for them.
3. The Association may agree to nominate its tenants and to accept nominations of tenants from other landlords, in the following circumstances: -
  - a) Where the tenant wishes to take up employment that is beyond reasonable daily travelling distance.
  - b) Where the tenant needs to move to either receive support or to give it to somebody else.
  - c) Where the tenant requires a type or size of accommodation that cannot be provided by his or her own landlord.
  - d) Where the tenant is experiencing social problems that can only be resolved by a move away from the existing area.
4. The Association, as a landlord with more than 500 houses, is expected to have a target of giving 4% of its net lettings to mobility applicants. Net lettings are those remaining after internal transfers and local authority nominations have been taken account of.

## Appendix 3: The Points System

### INTRODUCTION

The points system reflects the need to award 'reasonable preference' to

- a) Homeless & Potential Homelessness
- b) Overcrowding
- c) Unsatisfactory housing conditions
- d) Large Families
- e) Tolerable Standard

In addition to this, the Association recognises that there are other types of needs related to housing and these too are given a degree of preference.

This Appendix sets down the points that the Association will award to each category of need.

#### **A. HOMELESSNESS & POTENTIAL HOMELESSNESS**

##### **1. INSECURITY OF TENURE**

The Association's Points system reflects the need to award 'reasonable preferences' to a) insecurity of tenure b) Overcrowding. Large families will receive preference by the award of overcrowding points if they are in overcrowded circumstances. We also rehouse applicants who are homeless through Section 5 referrals. Information on this is available on request.

- a) Applicants who do not have permanent legal rights to stay in their accommodation but where it is their normal home and there is no requirement that they leave in the foreseeable future.

- Will apply to people living with their (or their partner's) parents, other relatives, or who have a Short Scottish Secure Tenancy and there is no legal notice terminating the tenancy.

**5 points**

- b) Applicants who do not have permanent legal rights to stay in their accommodation which is not self-contained and which has been provided to them on a temporary basis where: -

- They are required to leave in the near future **OR**
- They cannot reasonably be expected to stay there.
- Will apply to people who are moving between 'care of addresses; and people living in hostels, or other caravans, bed and breakfast short stay accommodation.

**10 points**

- c) Applicants who currently have secure accommodation but who need permanent accommodation available to them.

Where the applicant occupies property owned by another social landlord they will be required to demonstrate that suitable rehousing cannot be provided by that other landlord.

In cases where the applicant is occupying the same property as their estranged partner, they will be treated as a separate household.

**10 points**

- d) Applicants who currently occupy self-contained accommodation but who are about to be made homeless – will apply to tenants of private landlords who have been issued with a legally valid notice to quit and owner occupiers facing mortgage repossession.

**25 points**

## **2. SHARING AMENITIES**

Applicants whose household has no exclusive use of one or more of the following – kitchen, toilet, bathroom/shower.

- a) Living in a house in multiple occupancy (e.g. bed sit or hostel) **10 points**

- b) Where the applicant is an individual living in the parental home **3 points**

- c) In all other circumstances **6 points**

## **B. OVERCROWDING & LARGE FAMILIES**

### **3. OVERCROWDING**

- 3.1 The Association will award points for overcrowding on the basis that each household requires access to a living room plus: -

- For a person of 14 years or over with or without spouse One bedroom
- For one or two children less than 10 years of age One bedroom
- For two children of the same sex between 10 and 14 years One bedroom  
Unless there is a ten-year age gap in which case a bedroom  
Each
- For one child over the age of 10 years where he/she is  
The only child or there are others of the opposite sex One bedroom

- 3.2 The total requirements of those living in the property will be compared with the number of rooms available and **10 points** will be awarded for the first bed space short of requirements and **5 points** will be awarded for each bed space short of requirements thereafter as follows:

1<sup>st</sup> Bedroom short of requirements **10 points**

Subsequent Bedrooms **5 points**

- 3.3 Where an applicant has regular overnight access arrangements for children living elsewhere, **3 points** will be awarded for each bed space short of requirements. This includes access to grandchildren.

**C. TOLERABLE STANDARD**

**4. LACKING AMENITIES**

Applicants whose accommodation lacks the following: -

- |   |                  |
|---|------------------|
| a) Inside toilet  | <b>15 points</b> |
| b) Bathroom/shower  | <b>15 points</b> |
| c) Fixed hot water supply                                   | <b>10 points</b> |
| d) Kitchen facilities                                       | <b>5 points</b>  |
| e) A kitchen that is separate from a living room or bedroom | <b>2 points</b>  |

**5. PROPERTY CONDITION**

Where the applicant is the householder of a property that has: -

- |  |                  |
|--|------------------|
| a) Rising/penetrating dampness   | <b>10 points</b> |
| b) No fixed heating  | <b>10 points</b> |
| c) No central heating and single glazed with metal-or wooden framed Windows or windows that are in serious disrepair | <b>5 points</b>  |

**D UNSATISFACTORY HOUSING CONDITIONS**

**6. CHILDREN AT HEIGHT**

For families with children aged 12 years or under living at or above: -

- |                     |                 |
|---------------------|-----------------|
| a) The fourth floor | <b>4points</b>  |
| b) The tenth floor  | <b>5 points</b> |

**7. MEDICAL**

Ardenglen Housing Association has three levels of points depending upon the severity of the medical problems and how the housing condition or location contributes to this. The three levels of points are as follows: -

Points will be awarded where the Association is satisfied that there is a genuine medical need within the applicant's household and rehousing will substantially alleviate this.

If the applicant is already in suitable accommodation or the Association is unable to offer accommodation suitable to their needs no points will be awarded.

<b>Category A</b>	Emergency	<b>30 points</b>
<b>Category B</b>	Severe	<b>15 points</b>
<b>Category C</b>	Less severe/low priority	<b>5 points</b>

**Category A – Emergency:** Points will be awarded for people in emergency medical/health situations for example; applicants coming out of hospital, institutions, or nursing homes and their previous accommodation is no longer suitable or available or applicants residing in accommodation (or location) entirely incompatible with to their needs.

**Category B – Severe:** Points will be awarded for people whose quality of life which would be greatly improved by a move to a more suitable house or location e.g. where there are too many stairs and/or where housing conditions aggravate the medical condition for example bathroom facilities are unsuitable.

**Category C – Less Severe/Low Priority:** Points are awarded where there is a definite, but not urgent link between the applicant’s condition and their housing circumstances. Examples may include heating type incompatible with asthmas, hyperactive children above ground floor; feeling of stress or isolation, diagnosed mental difficulties, less restrictive mobility problems.

- Complete a medical self-assessment form
- Confirmation of the condition and re housing requirements will be sought as appropriate
- What type of rehousing is required?
- Receive a home visit from two members of staff to verify details of the application.

**E. OTHER CONDITIONS**

**8. UNDEROCCUPANCY**

For each bedroom surplus to requirements, **3 points** will be awarded. (Applies only to tenants of social landlords).

**9. HARASSMENT**

Ardenglen Housing Association believes that people should be able to live in their homes without fear of harassment or abuse on any ground. This will include (but is not comprehensive) race, gender, religion, sexual orientation, disability, domestic abuse, and mental physical health, learning difficulties, clash of lifestyles.

Points will be awarded in three categories depending upon the severity and nature of the problem. Points will only be awarded where rehousing is the only option that will stop the harassment-taking place.

Evidence from official sources may be required but the Association acknowledges that victims often do not report abuse. Each case will be assessed on its merits by the 2 Housing Officers assessing and checking the application. Information and advice on

emergency/temporary accommodation and counselling will be provided whether or not the Association can assist by providing permanent rehousing.

In addition to this note that Ardenglen Housing Association has a Relationship Breakdown policy for current tenants which also address domestic abuse and Racial Harassment policy.

Points for applicants fleeing violence/harassment will be awarded as follows: -

<b>Category A:</b> Emergency/Life Threatening	<b>30 points</b>
<b>Category B:</b> Severe	<b>15 points</b>
<b>Category C:</b> Low Priority/Clash of lifestyle	<b>5 points</b>

**Category A – Emergency/Life Threatening:** Points will be awarded where applicant's lives or the lives of their family are in danger or they are at risk of physical assault/injury if they remain in their present accommodation.

**Category B – Severe:** Where the quality of life of the applicant or their household is severely restricted but they are not at risk of injury nor are their home at risk, points will be awarded in this area.

**Category C – Low Priority/Clash of Lifestyles:** This category refers mainly to situations where there are perhaps neighbour disputes that may arise as a result of a clash of lifestyles or a minor issue that cannot be resolved.

#### 10. **SUPPORT POINTS**

Applicants may sometimes require moving to an area in order to give or receive support. Points will be awarded depending upon the nature of the support. Points will only be awarded where the applicant is unable reasonably to provide or receive the support from their current accommodation.

Consideration will be given to the geographical location of applicant, transport level of nature of support.

Official confirmation will be required in order that points in Categories A & B may be awarded. This may be dispensed with at the discretion of both Housing Officers assessing and checking the application. As with all such situations the reason for dispensation will be recorded.

<b>Category A:</b> High Level/Essential Support	<b>25 points</b>
<b>Category B:</b> Medium Level/Essential Support	<b>10 points</b>
<b>Category C:</b> Low Level/Essential Support	<b>3 points</b>

**Category A – High Level/Essential Support:** This applies strictly to situations where support is required for basic functions such as dressing, bathing, and preparation of food. Confirmation from appropriate medical

official will be required. Some social situations may also apply if backed up by an official source, for example where a family member is providing basic care of children for relative with long term medical or physical or mental health problem or who is terminally ill.

**Category B – Medium Support:** This applies where support is required and enhances

the quality of life of the person or households receiving support – but is not essential, examples include elderly or frail relative requiring visits and shopping, help with medication, working household requiring children collected from school/childcare, someone with mental health problems who requires a family member to assist with advocacy, company and general support.

**Category C – Low Level:** Some people may want to live close to family and friends for company and generate day-to-day support that is non-essential but nonetheless assists them in their daily life.

**11. TRAVEL TO WORK/EDUCATION FACILITY**

Applicants who work or attend college/training courses locally and whose present accommodation is further than 5 miles from their work or training course in the Castlemilk, Busby, East Kilbride and Rutherglen areas.

**5points**

**12. SOCIAL POINTS**

From time to time a set of circumstances will prevent itself to the Association that reflects a social need which is not urgent and which does not fit into any category described in this policy.

**5 points** – may be granted and the reasons clearly stated by the Housing officers who have assessed and checked the application.

**13. CATEGORY BII – ASPIRATION TRANSFERS**

No points are awarded to Category Bii applicants as they are applying for transfers purely on aspiration grounds. Where housing need points may be awarded the applicant will be placed on the Category Bi transfer list.

Category Bii applicants currently under occupying by one room may apply for the same size of accommodation. Otherwise applicants will qualify for accommodation suitable to their needs in terms of size and type.

In order to qualify for an aspiration transfer applicants must meet the criteria set down below.

**Applicants must:**

- Be a tenant Ardenglen Housing Association
- Have no debt to the Association in relation to their tenancy amounting to more than one month's rent.
- Where there are more than one-month arrears the tenant must maintain a payment arrangement for three consecutive months.
- Have no live legal action notice against them from Ardenglen.
- Have maintained their property in an acceptable and tenable condition in line with the Tenancy Agreement
- Have sustained the tenancy to the satisfaction of the Association and in line with the

Tenancy Agreement.

## Appendix 4: Target Quotas

### Annual Target Quotas- 2004-05

Apt Size	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
Category Bi	7.5%	8%	7%	33.3%
Category Bii	0	2%	7%	0
Category C	65%	65%	64%	33.3%
Category D	20%	7%	15%	33.3%
Section 5	7.5%	18%	7%	0
Total	100%	100%	100%	100%

## Appendix 5: Mutual Exchanges

1. The Housing (Scotland) Act 2001 grants tenants of RSL's the right to apply for a mutual exchange.
2. Requests for mutual exchanges will be considered on the following basis:
  - From tenants of Ardenglen Housing Association wishing to exchange with another Ardenglen tenant.
  - A tenant of another Registered Social Landlord wishing to exchange with a tenant of Ardenglen Housing Association the consent of both landlords is required, in this situation.
3. All parties must apply in writing to the landlord(s).
4. They will be notified within 5 working days of receipt of the application that their requests are being considered and that neither party should proceed without written consent from both landlords.
5. The Housing Officer will visit each party, carry out necessary tenancy checks and issue a report to the Housing Manager with all the relevant details and a recommendation.
6. The Housing Manager and Housing Officer will minute the decision taken and the reasons for the decision. The Housing Manager has discretion to make the final decision if there is disagreement over whether the exchange should go ahead.
7. The Housing Officer will write to both parties and any other landlords involved advising whether consent has been given and await the response from the other landlord.
8. Where consent is not granted, the reasons will be given to the parties concerned and to the other landlord if appropriate. Information on how to appeal the decision will be provided.
9. Where consent is granted the exchange can take place on a mutually agreed date.
10. Tenants of Ardenglen who exchange within the Association will retain the same tenancy status. However, if the tenant has the preserved right to buy or right to buy under their old Secure Tenancy this will change to the modernised right to buy.
11. The Association aims to process a Mutual Exchange Application from beginning to end in 28 working days.
12. All parties will have viewed the condition of the properties that they propose to move into and will be satisfied that they are accepting the property in the condition at viewing.
13. No repairs, other than those required under the terms of the normal landlord responsibility will be carried out as a consequence of a Mutual Exchange.
14. The Association may refuse to grant permission for a mutual exchange to proceed. Mutual exchanges will not be granted in the following circumstances:

- One of the properties is adapted for special needs and one of the proposed tenant's household does not have a need for a property with these facilities or the property does not meet the needs of the applicant. Examples of this are where the applicant requires a ground floor or medical grounds and wishes to exchange to a 1 up or 2-storey house.
- Overcrowding would result
- Under occupancy of more than one room would result.
- The applicant owes money to the landlord of one month's rent in relation to the tenancy.
- There is a live legal notice served on the applicant by the landlord
- The applicant, members of their household or visitors to their households would pose a threat or harm or nuisance to neighbours, local residents and staff or Association property. This must be backed up by an official source.
- The applicant has not conducted their tenancy in a satisfactory manner regarding the condition of the property gardens or common areas.
- The Association believes that the request results from a financial or other inducement offered by one party or from misrepresentation by one party or where the exchanges appears to be contrived to circumvent normal allocation processes. In this regard particular attention will be given to the motives of applicants wishing to make a mutual exchange which would worsen their circumstances.

## Appendix 6: Definition of Difficult to Let

Definition of Difficult to Let Stock is stock, which normally has at least 2 or more of the following characteristics.

- High level of refusals, usually because of the area or close. Often however no reason is given, as applicants do not even respond to the offer if the area or close is considered to be undesirable. Where 3 refusals are made in these circumstances the property will be considered difficult to let.
- Longer void periods than normal for other stock. Higher rates of refusal lead to this occurring anyway.
- High turnover of stock. Difficult to let areas tend to experience higher levels of turnover as tenants who move in often do not remain longer than 6 – 9 months
- Reasons given for leaving should also be considered as this indicates the reason for the area being difficult to let. Reasons such as burglary, harassment, or any reason indicating a poor quality life from living in the area

## Appendix 7: Short Secured Tenancy Agreement

### **Scottish Short Secure Tenancy – When it can be used.**

- For someone previously subject to repossession order for anti social behaviour.
- For persons where they or other members of their household are the subject of Anti – social Behaviour Orders
- For temporary lets to persons moving into the area to find employment.
- For temporary lets pending development affecting the house.
- For lets to homeless persons for tenancies of 6 months or over
- Temporary lets to persons requiring or receiving housing support services
- Lets houses leased from another body where the terms of the lease preclude full Scottish Secure Tenancy