

**KINGSRIDGE CLEDDANS**

**HOUSING ASSOCIATION**

**ALLOCATIONS POLICY**

1. **INTRODUCTION**

In developing allocation and letting policies, Registered Social Landlords are expected to take account of legislation outlined in the Housing (Scotland) Act 2001 and Performance Standards for Registered Social Landlords and homelessness functions jointly published by Communities Scotland, Scottish Federation of Housing Associations & Confederation of Scottish Local Authorities.

The policy will also take account of complementary legislation such as:

- The Matrimonial Homes (Family Protection) (Scotland) Act 1981
- The Sex Discrimination Act 1995
- Disability Discrimination Act 1995

2. **OBJECTIVES OF THE ALLOCATION POLICY**

The main objectives of the Association's Allocation Policy shall be to:

- Ensure that people have fair and open access to our housing list and assessment process with any unfairly discriminatory restrictions eliminated.
- Let houses in a way that gives reasonable preference to those in greatest housing need, makes best use of available stock, maximises choices and helps to sustain communities.
- Co-operate with Glasgow City Council Homeless Casework Team to ensure that the needs of homeless people are met. Accordingly, we will comply with requests from the local authority for accommodation for homeless people unless we have good reasons for not doing so. Referrals will be made in accordance with requirements set out in the Homeless Duty Protocol 2007.

We will ensure that we treat homeless people fairly in terms of the quality of housing we offer them.

- Make best use of available stock and use of the Allocations Process to assist in the creation and maintenance of balanced, stable communities.
- Have a high quality assessment process based on housing need which is easily understood and simple to administer.
- Minimise turnover of housing and minimise the time properties lie vacant.

3. **SCHEDULE 7 OF THE HOUSING (SCOTLAND) ACT 2001**

Schedule 7 of the Housing (Scotland) Act 2001 stipulates that Management Committee members/officers and employees of the Association cannot put themselves in a position

where their duties and/or personal interests conflict, or might conflict. They must not benefit in any way from their connections with the Association except in the ways that schedule 7 allows.

The statutory provisions state that a Housing Association may grant a tenancy, transfer of tenancy or mutual exchange to an employee, former employee, committee member or former committee member providing that the person:

- fully meets the housing association's published allocations criteria, and
- has had no involvement in or influence over the process by which the housing association allocated the tenancy in question.
- the granting of the tenancy is approved by the committee

The following procedure will be followed when dealing with an application from the set categories:

- i) Any proposed allocation will be checked and ratified by the Director.
- ii) A report detailing reasons for allocation will be presented at a Management Committee meeting for consideration and approval.
- iii) The allocation will be recorded in the schedule 7 register which is held in the Association's office.

#### **4. ACCESS TO THE HOUSING LIST**

Kingsridge Cleddans Housing Association aim to operate a non discriminatory policy and accordingly, access to the housing list will be open to any person over the age of 16 irrespective of their colour, race, nationality, political affiliation, sexual orientation, disability, social background or marital status.

Applicants can gain access to the Association's housing list.

- By submitting a housing application form to the Association's registered office. Application forms are available on request. Assistance in completing application forms can also be provided on request.
- Through a Section 5 referral from Glasgow City Council Homeless Casework Team.

The Association can provide application forms and information letters in other languages and/or alternative formats on request.

#### **4.1 Reasonable Preference**

The Association agrees that in selecting tenants for their houses, we will give reasonable preference –

- a) to 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
- (b) to homeless persons and persons threatened with homelessness.

## **4.2 Quota's**

The Association will strive to achieve the following quota's in an attempt to meet the broad aims of the Allocations Policy.

- Internal Transfers - 15%
- Housing list applicants - 60%
- Section 5 referrals - 25%

The Association will attempt to satisfy each priority in rotation subject to meeting the above targets over the letting period.

Where Asylum Seekers have applied for housing, no accommodation will be offered until Home Office approval has been provided.

The Association will complement its Allocations Policy by producing a lettings plan to outline its expectations in relation to future allocations during the 3 year period. The plan is included at appendix (1).

## **4.3 Internal Transfers**

Internal Transfer applicants will be accepted on to the Associations Internal Transfer list if there is a specific housing need.

Specific housing need would relate to:

- Medical grounds where existing property is unsuitable for applicants longer term needs and cannot be made suitable by carrying out appropriate adaptation works
- Overcrowding of current accommodation
- Racial Harassment
- Harassment
- Domestic Abuse
- Underoccupancy of current accommodation
- Other social reason (In exceptional circumstances where the health/welfare of the individual will be improved)

Medical certificates will be required to support rehousing on medical grounds. In cases of harassment or domestic abuse, reports from Police, Womans Aid, Social Work Department etc must be provided.

The criteria for Internal Transfers is set out in the Association's Internal Transfer Policy.

#### **4.4 Housing List Applicants**

The Housing (Scotland) Act 2001 (Section 9) sets out the entitlement for anyone over the age of 16 to be admitted to a housing list. This is intended to ensure that no one in housing need can be excluded from a housing list. The legislation recognises that once admitted to the housing list, the landlord will continue to determine the priority of the application in accordance with Section (10) of the Act which sets out broad criteria that can be taken into account.

It is important to be clear what admission to the housing list means. We have a legal requirement to accept applications for anyone 16 or over and once that is established they are required to be admitted to a housing list. However, this is only the beginning of the process. We then have to establish and assess that persons need and to prioritise their need in accordance with the legislative framework and the published rules for admission to list. The right to be admitted to the housing list is not the same as the right to be allocated a house.

#### **Housing List**

Applicants to the Housing List will be considered on the basis of specific housing need indicators .

Applicants admitted to the list will be given information on:

- Turnover rates
- Number of properties in ownership and size of properties
- Other housing providers in area
- Information and advice providers
- Position on respective list

#### **4.5 Aspirational Moves**

The issue of choice and aspiration arises most often in relation to transfer applicants and we have the ability within our policy to respond to and make allowance for a degree of aspirational need as a contributory factor influencing the maintenance of a balanced community.

The issue needs to be kept in perspective in relation to the main housing need thrust of the policy and although it would not be appropriate for a high proportion of lets to transfer applicants with either no housing need or low levels of housing need, the policy can establish an annual quota of aspirational moves which can be allowed.

For this purpose, aspirational moves will be restricted to 2 transfer applicants per year and will normally only be made available to tenants living in tenemental properties and who have resided there for at least 3 years. Tenemental properties account for 15.5% of

our housing stock.

Allocations will be based on length of tenancy and a satisfactory tenancy.

## **5. TENANCY REFERENCES/EXCLUSIONS/SUSPENSIONS FROM HOUSING LIST**

References relating to the conduct of current or former tenancies will be sought before any applicant is considered for allocation of housing.

Tenancy references should be treated with caution, should not be kept secret from the applicant and unfavourable comments should be discussed fully with the applicant to see how they can be addressed when considering offering a tenancy.

The policy should clearly highlight what criteria will be taken into account when considering current/previous tenancy history and particularly in relation to rent arrears or anti social behaviour.

The following suspensions may apply:

- Where the applicant has voluntarily terminated a secure tenancy or abandoned within 1 or 2 years.
- Where applicant has used threatening language or behaviour to any employee or management committee member i.e. abusive behaviour.
- Asylum Seekers: Those applicants who are currently subject to immigration control.
- High Rent arrears: Investigation will be carried out to determine the background to the arrears. If the applicant has the ability to pay but hasn't, the application may continue to be suspended.
- Anti Social Behaviour Order (ASBO) or Notice of Proceedings (NOP): Any applicant who has been served with either due to anti-social behaviour.

### **5.1 Rent or Mortgage Arrears**

The existence of arrears should never in itself preclude an application for an allocation of housing being considered. Each case should be looked at individually with reasons for arrears being established and an assessment made of whether the circumstances which led to the arrears accumulating are likely to recur, and what effect this may have on paying rent to the Association. It is generally acceptable to expect applicants to be able to demonstrate a commitment to clearing current arrears through having made and maintained an arrangement with their current landlord.

Section 10(3) of the Act details factors which should not be taken into account when considering allocation of housing in this respect and generally:

- The amount outstanding is not more than 1/12<sup>th</sup> of the annual amount payable (or which was payable) by the applicant to the landlord in respect of the tenancy i.e. no more than one months rent.

- Where the applicant has agreed arrangements with the landlord for paying the outstanding liability.
- Where the applicant has made payments in accordance with that arrangement for at least 3 months and is continuing to make such payments.

## **5.2 Anti Social Behaviour**

Only conduct which was serious, relatively recent and confirmed by an official source should be grounds for possible refusal of an application.

Serious anti social behaviour is likely to have been related to the conduct of a tenancy, to have caused significant distress or harm to others and will normally (but not always) have occurred on a number of occasions.

Generally only evidence from an official source such as Police, current or previous RSL should be used to inform an allocations decision. Rumour, hearsay, perception or impression should be totally disregarded.

Minor breaches of tenancy agreement such as one off neighbour disputes, warnings regarding condition of garden ground or failure to clean stairs will not normally be considered as a valid reason to refuse an application.

## **5.3 Monitoring and Review of Suspensions**

The Senior Housing Officer will consider how long any suspension will apply before it is reviewed. This will be within 3 months of the original suspension being applied.

Where a suspension is lifted, the applicant will be advised in writing that this has been done and that their application has been accepted onto the housing list.

Where a suspension remains in place, applicants will be advised in writing of the reason for this, advised of their right of appeal and provided with information on agencies who could assist them with an appeal.

In such circumstances the applicant can appeal this decision through the Associations formal appeals procedure.

## **5.4 Removal from Housing List**

Applications will be removed from the list in the following circumstances:-

- The applicant has requested removal from the list (preferably in writing)
- The death of the applicant
- The failure of the applicant to respond to the Association's annual review of the housing list
- If mail sent to the applicant has been returned by the Post Office, as 'gone away'.

The Association will exercise caution before removing anyone from the housing list.

Any letters sent to applicants regarding non response to review letters will make it clear to the applicant that should they fail to respond, their application will be removed from the list.

An applicant can re-apply at any time, but must complete a new application form.

## **6. ADMINISTRATION OF THE HOUSING NEED POINTS SYSTEM**

The Association operates a points system to determine priority for allocation of housing with points being awarded in accordance with specific housing need criteria. The system ensures that properties are allocated to applicants in the greatest housing need and ensures exclusion of inconsistency and discrimination.

- The system is used to compare the housing needs of applicants in order that accommodation is offered to those in the greatest need.
- All applicants are treated the same way under the system with the same needs assessment applied to all. Application forms will be assessed/pointed and cross checked by 2 different members of staff to ensure uniformity and consistency in the calculation and award of housing need points.
- Housing need points awarded will be based solely on those defined in the policy and will be used to determine whether applicants are admitted to housing list or active housing list.

### **6.1 The Administration Process**

When an application form is received in our office, the applicant will be sent an acknowledgement letter confirming their admission to the housing list. Upon receipt of all relevant information, housing need points will be assessed within 20 working days and the applicant will receive a formal notification letter confirming their points total and queue position on list.

Where information has been requested of the applicant but not received within 20 days, the application will be suspended for a further 2 weeks. At the expiry of the 2 week suspension and the information has not been supplied, the application will be cancelled.

Application forms will be assessed and pointed by the Housing Assistant/Senior Housing Officer with details being checked and verified by the Senior Housing Officer/Director.

If an application is being suspended the applicant will receive a letter detailing:-

- Reasons for suspension
- When the suspension will be reviewed
- Right of appeal
- List of agencies who could assist in an appeal

## **7. HOUSING NEED POINTS**

Housing need points will be awarded in accordance with the undernoted criteria.

### **7.1 Medical Points**

Serious Mobility problems	15 Points
Mobility problems	10 Points
Other medical problems	5 Points

Serious mobility applicants will be living in accommodation unsuitable for their needs and require ground floor accommodation or accommodation suitable for adaptation.

Mobility applicants will have medical circumstances which are causing problems to the household.

Other medical problems will take account of medical conditions which do not affect mobility but may cause problems if they remain in current accommodation.

The Association has procedures in place for the assessment of medical questionnaires and these will be used as a guide when considering the award of medical points. Specialist reports will be provided if required.

### **7.2 Overcrowding Points**

Generally, a family will not be allocated accommodation which would cause the household to be overcrowded.

Overcrowding is calculated as follows.

- Applicant and/or spouse require one double bedroom
- One double bedroom for 2 children of the same sex under 16 years
- One double bedroom for 2 children of mixed gender who are both under 7 years of age
- One single bedroom for all other persons

Overcrowding points will be awarded only upon the birth of the child/ren.

- No overcrowding points will be awarded to applicants living within the household of an existing Association tenant unless the Association have given permission for the applicant to reside at that address.
- No overcrowding points will be awarded to applicants who have given up a tenancy in the 12 months prior to their application being received unless there is a good reason for having given up that tenancy e.g. harassment, violence, domestic abuse etc. In such cases, applicants will be asked to provide information to verify the reason for give up.

Applicants who are overcrowded per bedspace

**5 points**

### **7.3 Underoccupation**

These points are only awarded to an applicant who is the householder.

Applicants who are underoccupied per bedspace **3 points**

### **7.4 Incoming Workers**

Points will be awarded to an applicant who currently lives outwith Drumchapel who works or is due to take up permanent employment within Drumchapel. Verification of employment will be required to be provided. These points will not be applicable to any applicant who resides within a 15 mile radius of Drumchapel.

**3 points**

### **7.5 Children At Height**

Where an applicant has a child under 14 years of age living above the 7th floor of a multi storey flat 3 points will be awarded regardless of the number of children.

**3 points**

### **7.6 Lack of Standard Amenities**

- No inside W.C. **7 points**
- No fixed bath/shower **10 points**
- Inadequate hot water supply **5 points**
- Properties in areas declared housing action area **7 points**
- No central heating system **2 points**
- No double glazing **1 point**
- No controlled entry system **1 point**
- Low occupancy of close < 50% resulting in vandalism/vulnerability **2 points**

### **7.7 Rising/Penetrating Dampness**

Severe dampness which restricts the use of a bedroom **3 points**

Dampness in any other rooms which requires remedial works **2 points**

- Documentary evidence of dampness complaint will have to be provided from landlord to verify points awarded under this criteria.
- Where work has been carried out to the property in relation to dampness, it will be presumed that the matter has been resolved and no points will awarded unless further complaints have been received by their landlord.

### **7.8 Relatives In Need**

A person resident within the Association area may require constant attention from a relative. The onus will be on the applicant and his/her relatives to provide evidence for the support required. Relative in need points will not be awarded to applicants residing within a five mile radius of Drumchapel or where public transport journey is more than one hour long unless there are exceptional circumstances.

The following categories will be considered for the award of relative in need points.

- Medical condition (physical/mental)
- Disability
- Applicant in receipt of DLA (High rate)

**10 points**

**7.9 Elderly At Height**

Applicants aged 60 or over who live on or above the seventh floor of a Multi Storey Flat and wish to move to a ground or first floor property and who do not qualify under medical.

**3 points**

**7.10 Social Priority Points**

Social priority points will be awarded where housing and social conditions are causing stress problems which cannot normally be resolved under other housing need factors.

Each case must be individually assessed and supporting documentation must normally be provided.

Social priority points may be awarded as follows.

- Violence/abuse to any family member
- Racial harassment
- Serious harassment/victimisation
- Severe neighbour problems where the applicant is not the perpetrator
- Where a family are fostering children and require larger accommodation
- Where severe trauma has occurred within the confines of the property which affects the ability of the tenant to remain in the home e.g. suicide of immediate family member, unlawful death etc.

**10 points**

**7.11 Homelessness**

The Homelessness etc (Scotland) Act 2003 was introduced to ensure that all households accepted as homeless are provided with a safety net by placing duties on local authorities to provide temporary accommodation.

Section 5 of the Housing (Scotland) Act 2001 gives local authorities to power to make a Referral to an RSL of a statutory homeless household for housing and imposes a duty on the RSL to comply unless it has good reason not to.

The Association will accept applications from people who may be homeless but will also advise them to contact the Local Authority Homeless Community Casework Service so that their circumstances can be investigated and a referral made if appropriate.

The legislation also sets out an arbitration process in respect of Section 5 referrals and this procedure would apply if the Association did not comply with a request made by the Local Authority and did not have good reason to do so.

All applicants who are presenting as homeless will also be advised to apply for housing with other RSL's operating in the area.

Homeless assessed by Local Authority **10 points**

Homeless **5 points**

Examples of non priority homelessness will include:

- Living with friends or relatives having no secure tenancy.
- Living in insecure accommodation e.g. fixed term lease where Notices have been served and are within 28 days of expiring

### **7.12 Relationship Breakdown**

Applicants whose relationship has broken down may be asked to provide satisfactory proof that their relationship has ended and that they require separate properties as a consequence. This could be in the form of a Solicitor's letter confirming that they have been instructed to act on behalf of one of the parties etc.

Separated parents, following a relationship breakdown, seeking housing on their own with access arrangements for children, will be asked to provide confirmation of the access details etc.

The Association recognises that it is not always possible for the outgoing partner in a separation to find alternative accommodation immediately. Therefore, there may be applicants who apply and have to remain in the current home until housing can be offered. This is a clearly stressful situation for all concerned and in recognition of this, the Association will award 10 points. These points will only be awarded where the Association is satisfied that the applicant is still resident at the home.

If a relationship breakdown occurs with a couple who are currently residing in a KCHA tenancy, advice will be given to both parties to seek legal advice on the entitlement to the tenancy in cases where the parties cannot agree. The person not awarded the tenancy can apply to the Association separately and again they will be awarded 10 points, should they not be able to move out of the existing property until alternative accommodation is made available.

**10 points**

### **7.13 Sharing Amenities**

Points will be awarded to applicants who share the amenities of the property e.g. (bedroom, kitchen, lounge, living room & bathroom) with close relatives or non family members.

Sharing all amenities

**5 points  
per adult  
applicant sharing**

## **8. EQUAL RATING OF APPLICATIONS**

If 2 or more applicants on the housing list have the same points total, their length of time in housing need will be used as the determining factor for allocations.

The length of time in housing need will be assessed from the date when the applicant was admitted to the housing list or 16<sup>th</sup> birthday if staying in family home.

## **9. HOUSING NEED**

Type and size of property allocated will be based on housing need and not individual preference. Discretion may be applied in exceptional circumstances and applicants allocated a property larger or smaller than their specific need. This may apply in the following circumstances.

- Where there are no applicants on internal transfer or housing lists requiring size of property available.
- Where the local authority are unable to provide a suitable nomination for the property.
- Where property is regarded as difficult to let.

This will normally result in the following allocation.

- Single person - 2apt
- Couple without children - 2apt
- Couple or single person with 2 children - 3apt/4 apt dependant on age and gender of children
- Couple or single person with 3 children - 4apt/5 apt dependant on age and gender of children
- Couple or single person with 4 children - 5apt/6apt dependant on age and gender of children

\* See section on overcrowding for ages of children who can share bedroom sizes etc.

## **10. OPERATION OF HOUSING LIST AND ALLOCATIONS**

The day to day operation of the allocation process will be undertaken by staff and not by committee members, whose involvement will be setting, reviewing and agreeing the policy, considering appeal via the Complaints Policy & Procedure, considering Schedule 7 cases and monitoring the outcomes of the policy.

## **11. COMPLAINTS AND APPEALS**

The Association strives to deliver a first class service in all areas of our business activity. Despite our best efforts, errors and complaints may arise from time to time. If you feel that your application has not been assessed correctly, the complaints system provides you with the opportunity to tell us about it and try to put it right.

Any applicant who is unhappy regarding the administration of their application or the treatment they have received should submit details of their complaint in writing to the Director of the Association.

If the applicant is unhappy with the outcome the matter will be referred to the Management Committee under the terms of our Complaints Procedure with ultimate recourse to the Scottish Public Services Ombudsman.

Copies of the Complaints Policy and Procedure are available on request from the office.

## **12. REVIEW OF THE HOUSING LIST**

The Association will carry out a review of the housing list on an annual basis (normally October).

Applicants will be notified of their up to date points total and position on list.

Applicants who do not return review forms may be removed from the housing list.

## **13. INFORMATION AND PUBLICITY**

The Allocation Policy will be made available free of charge to anyone who requests a copy.

The policy will also be distributed to Glasgow City Council Homeless Casework Team, other social housing providers, Drumchapel Law and Money Advice Centre and Drumchapel Citizens Advice Bureau and Positive Action in Housing. It will be made available to any other local advice agencies on request.

An annual allocations report is completed each year which details number of lets made, broken down into housing list, internal transfers and Section 5 referrals. This will be published in a newsletter.

## **14. POLICY REVIEW**

The Association will review its Allocations Policy every 3 years to ensure that it continues to meet the Association's aims and objectives. The policy may be reviewed earlier subject to legislative, regulatory or best practice requirements.

## **Appendix (1)**

### **Kingsridge Cleddans Housing Association Lettings Plan for 2008 – 2011**

The Association operates in the Kingsridge Cleddans area of Drumchapel.

We aim to provide good quality housing at affordable rents and prices for people in housing need who wish to live in the Kingsridge Cleddans area and in doing so will contribute to the ongoing regeneration of the area.

We currently own and manage 297 homes. Demand for our properties remain high and we have a low turnover of properties with an average turnover rate of 29 properties per year.

#### **Quota's**

Quota's are in place to ensure that each category receives a share of allocations. We believe that this will contribute towards the policy objective of creating a balanced and stable community.

It should be recognised that a quota is a guide for allocations only and is not set in tablets of stone.

Factors such as the number and size of properties available for let, lack of demand on a specific quota and other circumstances can influence the achievement of quota's outlined in the letting policy.

We will strive to let properties during the period of the plan on the following basis.

- Internal Transfers                    -            15%
- Housing List                            -            60%
- Section 5 Referrals                   -            25%