



<b>Policy on :</b>	<b>Allocation Policy</b>
--------------------	--------------------------

<b>Compliant with Performance Standard :</b>	<b>GS1.2 Policies and Procedures GS1.3 Commitment to Continuous Improvement AS1.1 Access to Housing AS1.2 Lettings AS1.3 Tenancies</b>
<b>Compliant with Tenant Participation Strategy:</b>	<b>Yes</b>
<b>Compliant with Equal Opportunities :</b>	<b>Yes</b>
<b>Compliant with Internal Management Plan :</b>	<b>Yes</b>

<b>Date policy approved :</b>	<b>28<sup>TH</sup> May, 2009</b>
<b>Date for Review :</b>	<b>April 2012</b>

<b>Responsible Officer:</b>	<b>Housing Manager, Michael Byrne</b>
-----------------------------	---------------------------------------

COMPANY/IMP&POLICIES/HMPOL.01//MB/PB/09.06.09

*This policy can be made available in different languages  
and alternative formats*

## **Contents**

### **Section 1: Policy Statement**

- 1. Introduction**
- 1.1 Legal Framework**
- 1.2 Access and Selection Criteria**
- 1.3 Nomination Agreement**
- 1.4 Balanced Communities**
- 1.5 Sheltered Accommodation**
- 1.6 New Developments**
- 1.7 Accommodation for Individuals with Particular Needs**
- 1.8 Mutual Exchanges**
- 1.9 Homelessness**
- 1.10 Sex Offenders**
- 1.11 Matrimonial or Relationship Breakdown**
- 1.12 People Facing Domestic Abuse**
- 1.13 Mobility**
- 1.14 Refusals**
- 1.15 Suspending Applications**
- 1.16 Cancelling Applications**
- 1.17 Review and Monitoring of the Housing List**
- 1.18 Emergencies**
- 1.19 Delegation**
- 1.20 Register of Interest**
- 1.21 Appeals**
- 1.22 Monitoring and Reporting**
- 1.23 Information to Applicants**
- 1.24 Equal Opportunities**
- 1.25 Complaints Policy**
- 1.26 Policy Review**
- 1.27 Confidentiality**

### **Section 2: Allocation Process**

- 2.1 Basis of selection and allocation – The Points System**
- 2.2 Selection Process**
- 2.3 Housing Groups**
- 2.4 Allocation of Points**
  - 2.4.1 People who are homeless or threatened with homelessness**
  - 2.4.2 Occupying housing that is below the tolerable standard**
  - 2.4.3 Living in unsatisfactory housing conditions**
  - 2.4.4 Urgent Re-Housing**
  - 2.4.5 Medical Factors**
  - 2.4.6 Overcrowding**
  - 2.4.7 Under Occupation**
  - 2.4.8 Social Priority**
  - 2.4.9 Environmental Factors**
  - 2.4.10 Height of Accommodation**
  - 2.4.11 Date of Application**

## **Section 3: Internal Procedures**

- 3.1 Applying for a Tenancy**
- 3.2 Home Visits**
- 3.3 Property Selections**
- 3.4 Offers of Accommodation**
- 3.5 Tenancies**

**Appendix 1: Nomination Agreement**

**Appendix 2: Appeal Letter**

## **1. Introduction**

The overall objective of the policy is to assist those in greatest need when allocating houses. We aim to let houses in a way that gives reasonable preference to those in housing need, makes best use of available stock, maximises choice and helps to contribute to balanced and sustainable communities.

The Association will work closely with the Housing Department of East Renfrewshire Council to assist in addressing overall housing need and contribute to Urban Regeneration strategies.

Overall the Association will operate a fair and non-discriminatory selection process, which is efficient, effectively controlled and accurately recorded.

This policy conforms to the principles set out in Raising Standards and complies with Good Practice and the legislative framework.

### **1.1 Legal Framework**

The Association's allocations policy operates within the legal framework affecting Housing Associations allocations in Scotland including :

- Housing (Scotland) Act 2001
- Housing (Scotland) Act 1987
- Race Relations Act 1976
- Race Relations (Amendment) Act 2000
- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- Sex Discrimination Act 1975
- Data Protection Act 1998
- Disability Discrimination Act 1995
- Human Rights Act 1998

### **1.2 Access and Selection Criteria:**

We ensure that anyone aged 16 or over has fair and open access to our housing list and assessment process. We work with others to maximize and simplify access routes into our housing, such as other housing associations and local authorities. To this end we are working in partnership with East Renfrewshire Council and Arklet Housing Association to assist in the establishment of a common housing register.

If aged 16 or over applicants will be admitted to the housing list, and following assessment the Association will determine the priority of the application by awarding points. In accordance with the legislative framework the Association aims to give reasonable preference to individuals or households who express a housing need based on the following broad categories :

Housing Need Categories:

- Homeless: People who are homeless or threatened with homelessness
- Lacking Amenities: Occupying houses which are Below Tolerable Standards
- Property Condition: Living in unsatisfactory housing conditions
- Medical Circumstances: Medical condition made worse by current house.
- Overcrowding: Occupying overcrowded houses
- Under occupation: Occupying houses larger than required
- Social Priority: People experiencing difficulty in current environment
- Environmental Factors: Require to move for support or employment reasons
- Height of Accommodation: Applicants with young children living above second floor

Full details of the criteria and the Associations conditions for prioritising needs are detailed under **section 2** of this policy – **The Allocation Process**

### **1.3 Nomination Agreement**

The Association in partnership with East Renfrewshire Council has agreed a nomination arrangement. Within the arrangement it is agreed that nominations are invited from East Renfrewshire Council for 50 percent of all available properties. The remainder being allocated directly from the Association's lists, based on the points system in Section 2.

Within the nomination arrangement policies and procedures have been agreed, including timescales to ensure that the administration of the agreement does not affect void turnover or waiting list applications adversely. Key performance indicators are included within the agreement and the internal protocol adopted.

A copy of the agreement and protocol are included within this document see Appendix 1.

It should be noted that the nominations process may change when the Common Housing Register is implemented.

## **1.4 Balanced Communities**

The Association accepts within its adopted policies the benefits of creating balanced communities to ensure that the social and economic regeneration of areas are maintained.

For this purpose the association adopts the following definition of balanced community: "one encompassing a range of life and employment experiences and of ages and types of household".

## **1.5 Sheltered Accommodation**

The Association has 27 sheltered accommodation properties within its remit, it is designed for elderly residents or those with mobility or special needs.

To ensure that access to our sheltered accommodation list complies with our commitment to let houses in a way that gives reasonable preference to those in housing need, makes best use of available stock, maximises choice and helps to contribute to balanced and sustainable communities, we welcome applications from potential residents.

Any applications will be assessed in the same manner as all other mainstream housing applications received.

## **1.6 New Developments**

To positively address social problems in identified areas the Association in partnership with East Renfrewshire Council will set regeneration objectives at the beginning of each new development. The operational objectives set will aim for outcomes conducive to sustained regeneration.

## **1.7 Accommodation designed for individuals with particular needs**

The Association will adopt Good Practice, Communities Scotland's guidance and East Renfrewshire Council's Local Housing Strategy/Community Care strategy when letting accommodation suitable for individuals with particular needs.

### **1.7.1 Re-lets**

Where a property, which has been designed or adapted to a standard suitable for an individual with particular needs becomes available, all attempts will be made to match a suitable applicant.

In addition to considering applicants on the Association's waiting list or the Council's nominations list, consultation will take place with the Council's Social Work Department regarding Hospital Discharge cases or unmet needs in the community.

### **1.7.2 New Build**

Where housing is designed to wheelchair standard :

Consultation with the relevant parties (see above) will take place in early course. Should an applicant be identified, where possible, the floor plans will be viewed alongside the care manager and technical manager to identify adaptations which may be incorporated into the contract.

### **1.7.3 Management/Operational Agreements**

When providing accommodation for individuals with support requirements, the Association will ensure a Joint Operational Agreement governs the arrangement. The agreement will set out the responsibilities of the Association, the Council and the care provider; which must protect the interests of the Association, its tenants and residents.

### **1.7.4 Leasing Agreements**

When leasing property to another organisation the Association will ensure that the arrangement is in the best interests of the Association, its tenants and residents, and that the other party manages the property to an acceptable standard.

## **1.8 Mutual Exchanges**

The Association will consider any written request from tenants to exchange homes with other local authority or housing association tenants. The written approval of the Association must be granted before an exchange can take place.

A separate policy and procedure exists for exchanges and is available from the Association.

## **1.9 Homelessness**

The Association shall fulfill its legal responsibility to help local authorities to secure housing for statutory homeless people in priority need by:

- Effective administration of the nomination agreement between the Association and the local authority: and
- Direct Applications.

Applicants who present themselves to the Association as homeless will be invited to complete an application and given advice in respect of the local authority and housing association statutory duties. To allow this need to be recognised in Homelessness statistical returns the Association will monitor and report to East Renfrewshire Council's Housing Department on a quarterly basis.

If an applicant expresses the need for support or if the Association identifies the need for support, the social work department will be requested to carry out a community care assessment prior to housing. The aim of the assessment is to ensure support is co-ordinated and in place, in order to assist the individual in sustaining his or her tenancy.

### **1.9.1 Preventing Homelessness**

- Private Sector Tenancies / Excessive rents: If an applicant seems likely to become homeless because he or she cannot pay his or her rent, which seems excessive, the applicant will be encouraged to apply to the rent officer or rent assessment committee as appropriate.
  
- Owner Occupiers: Owner Occupiers may be threatened with repossession by their lenders if they default on a loan or mortgage. If so, they will be advised on how they might pursue this with the lender. Options may be to extend the loan, or pay the interest alone for a period of time in order to avoid having their house repossessed. Refer to money advice agencies (see money matters section of tenants handbook). In some circumstances the flexible tenure or mortgage to rent scheme may be appropriate.
  
- Rent Arrears Assured Tenancies / Sharing Owners: Good practice in rent arrears management and pre/post-letting advice will assist in preventing homelessness. The Association's housing management policies emphasise this such as:
  - Estate Management Policy: Settling in visit
  - Arrears Policy early action / liaison arrangements
  - Pre tenancy checklist
  - Tenants Handbook 'money matters'.

### **1.10 Sex Offenders**

Some offenders will require accommodation (e.g. on release from prison) and some may require specialist support.

Where an applicant declares (or faces allegations) that they are a sex offender, the Association's staff will seek the applicant's permission to approach East Renfrewshire Council in the first instance to ensure that a risk assessment will be carried out. The Association will not house applicants without a risk assessment being carried out by East Renfrewshire Council and/or health colleagues.

Should a section 5 referral be required to be made by East Renfrewshire Council then, as per the Section 5 Protocol Agreement with East Renfrewshire Council a risk assessment must be carried out before the referral is made.

### **1.11 Matrimonial or Relationship Breakdown:**

The Association will consider applications from individuals who are seeking rehousing as a result of relationship breakdown. In considering admission to the list no account will be taken of:

- any outstanding liability (e.g. rent arrears) in a property that the applicant is not, or was not, the tenant of when the liability accrued;
- whether the applicant is living with or is in the same house as her/his spouse or a person with whom she/he has been living with as husband and wife (points for sharing amenities will apply), and
- a divorce or judicial separation be obtained or that the applicant is no longer living with or is in the same house as some other person.

All applicants presenting at the office in such circumstances will be given general advice on occupancy rights and referred to relevant advice agency(ies), where appropriate. The Communities Scotland Advice booklet, 'Homepoint – Relationship Breakdown and Housing Rights' contains guidance on this issue and may be a useful reference.

### **1.12 People Facing Domestic Abuse**

The Association recognises that people have a right to lead a life free from violence and abuse and that it is not the victim's fault but the perpetrator's.

The Association will adopt a sympathetic approach to the needs of victims.

The Association will take reasonable steps to obtain information to support the applicant's case, but would not seek proof from the alleged perpetrator.

If it proves impossible to obtain evidence of abuse or threat of violence, the applicant's expressed fears would be considered as sufficient evidence allowing points to be awarded under homelessness.

As with Relationship Breakdown, victims should be advised of appropriate agencies to approach. – The Association recognises that confidentiality is crucial to ensure safety and will ensure the applicants wishes are respected in respect of contact points and people.

### **1.12 Mobility**

If a tenant or customer finds that their current home is no longer suitable for their needs an assessment can be done under the terms of this allocation policy, in addition to exploring alternative options out with this policy, such as:

- Medical Adaptations – to make the house more suitable (for example installing hand rails etc.)
- Mutual exchange – swapping house with someone within the Association's stock or with another Registered Social Landlord
- Shared Ownership - Purchase of a share of property on part rent part mortgage basis.

(For further details see Tenants Handbook 'Changing Your Home').

### **1.13 Refusals**

Any applicant refusing two reasonable offers may have their application suspended for a period of twelve months.

The Association will attempt to discuss options with applicants who have refused two reasonable offers before a decision on suspension is made.

Where two reasonable offers have been made and the applicant fails to respond to the offers, the Association will send the applicant a review form to ascertain whether they wish to be re-housed by the Association. Failure to respond to the review may result in the application being cancelled, where an applicant has responded and confirmed their desire to remain on the Association's list an attempt to discuss their options regarding rehousing will be made carried out before a decision on whether to suspend their application is made.

### **1.14 Suspending Applications**

An application for housing may be suspended where:

- an applicant has in excess of one months charge outstanding from a tenancy related debt. Suspended until debt is cleared or an arrangement made and adhered to for at least 3 months and continuing;
- the applicant has committed a breach of tenancy. Suspension period based on seriousness of breach relative to housing need;
- an applicant's needs cannot be met within the Association's present or proposed housing stock profile;
- an applicant has been found to have deliberately falsified information in respect of their application – the application may be suspended for a period of 12 months;
- an applicant cannot prove residency in address detailed on application form- applications suspended until residency verified;

- an applicant is found guilty of theft or vandalism against an Association property – application will be suspended for a period of 12 months from the latest incident;
- an applicant has been found guilty of harassment against another person – application suspended for a period of 12 months from the latest incident;
- an applicant declares (or faces allegations) that they are a sex offender. The application will be suspended until a risk assessment has been carried out by relevant local authority or health colleagues;
- an applicant is an Asylum Seeker and is subject to immigration control - the application will be suspended until their rights to a tenancy are clarified;
- transfer applicants who have submitted an application to purchase under the Right to Buy or have applied for a mutual exchange.
- an applicant refuses two reasonable offers of housing – application suspended for 12 months.

Time limited suspensions are defined as the maximum period of suspension. This will be balanced against the housing need of the applicant.

Appeals against suspension will be treated in accordance with the Allocations Appeals Procedure (see 1.22 of this policy).

## **1.15 Cancelling Applications**

Applicants may only be removed from the waiting list in specific circumstances:

- the applicant is allocated a house
- the applicant is under 16 years old
- the death of an applicant
- the applicant has requested removal from the register
- lost Contact \* : Such as returned as 'Gone Away'

\* Letters sent will be followed up with a reminder, prior to cancelling a final letter will be issued with the consequences of failing to reply clearly explained, that is, failure to respond will be accepted as a request to remove the application from the register.

### **1.15.1 Re-instatement**

Applicants who have been removed from the waiting list due to lost contact, will have the opportunity to request reinstatement within a year. Following a request the application will be reassessed. The assessment will include all circumstances from the original date of application unless a tenancy has been secured during the period of lost contact.

If a tenancy has been secured, the applicant will be treated as a new application from the date the reinstatement request is received.

### **1.16 Review and Monitoring the Housing list**

The Association will carry out a review of our lists on a yearly basis. Monitoring of the housing list will be carried out on a yearly basis.

### **1.17 Emergencies**

Subject to appropriate housing being available, a temporary let may be offered in an emergency situation to households who have been made homeless by fire, flood, etc. Where no housing is immediately available, liaison with East Renfrewshire Council will take place to access their emergency services.

### **1.18 Delegation**

The Housing Manager is responsible for overseeing the allocation of housing in accordance with this policy and within the provisions of the relevant legislation.

Special circumstances may be considered by the Housing Management Sub Committee if the Housing Manager recommends that this should happen. The committee will decide if an applicant is to be allocated a house as a matter of urgency due to special circumstances.

The number of allocations made due to special circumstances will be monitored and if the trend is frequent, the policy will be reviewed to assess if there is an omission with regard to a particular housing need.

### **1.19 Register of Interest**

Part 1, schedule 7 of the Housing (Scotland) Act 2001 has the effect that committee members / officers and employees of registered associations cannot put themselves in a position where their duties and personal interests conflict, or might conflict, and they must not benefit in any way from their connections with the association except in ways that Part 1, schedule 7 allow.

In relation to allocations one exception is that a housing association may grant a tenancy, transfer of tenancy or mutual exchange to an employee, former employee, committee member or former committee providing that the person:

- Fully meets the association's published allocation criteria, and
- Has no involvement in or influence over the process by which the association allocated the tenancy in question.

All Allocations falling into this category will be approved by the Management Committee prior to an offer of tenancy being made.

## **1.20 Appeals**

In order to maximise the opportunity for an applicant to seek a review of their decision a separate review process is available. Appeals may arise for a variety of reasons directly relating to allocations such as:

- decisions on whether an applicant should be admitted to the housing list
- objections over the points allocated following assessment
- concern over failure to qualify or be allocated a particular property, or
- appeal over a suspension or removal from the waiting list.

A review can be requested on a standard form (see appendix 5). Responsibility for an allocation review will be delegated to a member of staff who was not involved in the decision. The Director will be responsible for this process, the results of a review will be notified to the applicant within 28 working days of the request, giving reasons for the decision.

Where an applicant remains unsatisfied, a complaint can be made through the Associations complaints procedure.

## **1.21 Monitoring and Reporting**

Performance will be measured against targets using information on outcomes from:

- Nomination agreements
- Relet periods
- Number of allocations
- Number of terminations/reason's for terminations
- Number of offers made/refused
- Void periods
- Categories Housed
- Levels of demand on waiting list/transfer list
- Section 5 referrals received
- S.C.O.R.E. recording (Scottish Housing Database for recording housing trends nationally)
- Ethnic Monitoring

The above reports will be made to the Housing Management Committee on a quarterly basis.

## **1.22 Information to Applicants**

The Association is required to make and publish our allocation policy. Copies of the policy are sent to the Scottish Executive/Communities Scotland and East Renfrewshire Council.

Whenever we alter the policy, the amended policy document is also sent to these bodies within 6 months from the date alterations were made. Copies of the allocation policy are available to both applicants and members of the public at the following locations:

Barrhead Housing Association Office  
East Renfrewshire Council  
Library  
Citizens advise  
Social Work Department

Copies of the policy will be made available in different languages/formats on request.

Under the Housing (Scotland) Act 2001, applicants are entitled to inspect any record held by Barrhead Housing Association that has been supplied by the applicant in connection with their housing application.

Applicants are also entitled to view personal information supplied to the Association as per the provisions of the Data Protection Act 1998. A charge will not generally be made for this service.

We also provide the following advice to applicants regarding other housing options:

- details of other housing providers in the Barrhead area
- general advice regarding other landlords throughout East Renfrewshire and Renfrewshire
- provision of advice to homeless applicants, including referrals to the council and other agencies as required

## **1.23 Equal Opportunities**

Barrhead Housing Association is committed to providing fair and equal treatment to all our customers.

The Association will not discriminate against anyone on the grounds of race, colour, ethnic or national origin, disability, religion, age, sexual orientation, marital status, civil partnerships, family circumstances, employment status or physical ability.

We will offer customers a range of options for communicating with us, since requiring to contact us may have to be in writing and this may be a deterrent, for example for people with poor literacy skills, visual impairment, or where first language is not English.

We will monitor use of our Allocations Policy and procedure for ethnic origin and disability to ensure that our procedures deliver fair outcomes for different groups of customers.

## **1.24 Complaints Policy**

Barrhead Housing Association operates a complaints policy that is open and transparent, should any customer or service user feel the need to make a complaint against an individual or the organisation, the complaints policy and procedure will be implemented. This is a separate policy and a copy can be received from the Association.

In keeping records about complaints and in allowing access to our files we will comply with the legislative requirements including, Access to Person at Files Act 1987 and Data Protection Act 1998.

### **1.24.1 The Scottish Public Services Ombudsman**

Should any customer or service user who has exhausted our complaints process and wish for any complaint to be dealt with out-with the organisation they will be referred to The Scottish Public Service Ombudsman.

The Scottish Public Services Ombudsman's services are free, impartial and independent. The Ombudsman's office is located at 4 Melville Street, Edinburgh, EH3 7NS.

Customers and service users can use the Freepost address at: SPSO EH 641, Edinburgh, EH3 0BR. The Ombudsman's free phone number, fax and other contact details are as follows:

Tel: 0800 377 7330  
Text: 0790 049 4372  
Fax: 0800 377 7331  
E-mail: [ask@spsso.org.uk](mailto:ask@spsso.org.uk)  
Web: [www.spsso.org.uk](http://www.spsso.org.uk)

## **1.25 Policy Review**

The Housing Management Sub-Committee will review the Allocations Policy at least every three years. However, improvements in performance and service delivery may be made on a regular basis to reflect change and in light of various factors such as:

- New or revised legislation
- Changes in good practice
- Organisational change, e.g. revision of operational practices
- Views of tenants and other service users
- Auditing practices
- Resource requirements

## **1.26 Confidentiality**

The Association will ensure that any personal information provided by an applicant will be treated as completely confidential by any member of staff who has access to the information.

## **Section 2: Allocation Process**

When allocating our houses, a wide range of housing needs are considered, although the law requires the following groups be given reasonable preference:

- People who are homeless and those threatened with homelessness
- People living in housing that is below the tolerable standard
- People living in overcrowded houses (statutory definition)
- People with large families
- People living in unsatisfactory housing conditions
- To homeless persons and persons threatened with homelessness (within the meaning of part 2 of the Housing (Scotland) Act 1987 (as amended by the 2001 Act)

Details of all housing needs factors covered by this policy are provided in section 1.

In letting our houses, no account will be taken of any of the following factors:

- Length of time an applicant has resided in the area any outstanding housing debt not due by the applicant, for example, rent arrears owed by a former partner who was the tenant.
- Housing debt once owed by the applicant that has since been cleared
- Debt owed by an applicant (or a member of their household) that is not attributable to the tenancy of a house, for example, council tax
- Applicant's age unless it is housing designed or specifically adapted for persons of a specific age, for example, sheltered housing, or for persons in receipt of housing support service
- Income of the applicant and the applicant's family, any property either currently or previously owned, by either the applicant or the applicant's family, whether the applicant resides in the Barrhead area.
- Housing debt such as rent arrears that is less than one month of the rent payment. Although the debt is not dependant on the allocation. We will make a suitable former tenant arrangement to clear the debt.
- Housing debt of more than one month where an agreement, to repay is in force and the applicant has made repayments as well as keeping to the agreement

## **2.1 Basis of selection and allocation – The Points System**

The points system is designed to ensure that priority is given to those identified in most housing need and eligible for housing. The selection and allocation of a property will be based upon applicant's housing need relative to others, that is, applicants with the highest point level for a house size, area and house type following assessment will be considered for allocation.

Normally houses will be allocated on the basis of accommodation required as follows:

- 1 Living room for each household
- + 1 bedroom for each couple or persons living as a couple (an additional bedroom may be offered if there is an identified need)
- + 1 bedroom for first child
- + 1 bedroom for each child over 8 years if different gender
- + 1 bedroom for each pair of children up to 14 years of same gender
- + 1 bedroom for each remaining member of the household

Subject to availability, in cases where there is an identified community need or acute housing need, for example, the applicant has formal access to their children the Association may consider allocating a property with one more or one less bedroom than required.

## **2.2 Selection Process**

In selecting tenants, we shall use a points system based on groups. This is in accordance with best practice that recommends allocation policy should address a broad range of housing needs, as well as addressing people's preferences as far as possible.

A groups plus points system is also important to meet the policy objective of creating a balanced community that reflects the variety of household types with differing needs throughout society. Examples of such households are single person households, single parent households and family households. In addition we shall seek to meet the needs of households such as ethnic minority groups, disabled people and older people.

## **2.3 Housing Groups**

Five main groups are considered within the allocation policy. These groups are as follows:

1. Waiting list applicants
2. Transfer list applicants
3. East Renfrewshire Council nominations
4. Referrals from other landlords/agencies and mutual exchanges
5. Section 5 referrals from East Renfrewshire Council

Waiting list applicants are applicants who are not already tenants of the Association

Transfer list applicants are existing tenants of the Association who wish to move to alternative housing

East Renfrewshire Council nominations are applicants nominated for rehousing from East Renfrewshire's housing list.

Referrals to the Association may be made by other landlords or agencies for consideration and vice versa, these referrals may involve particular client groups in housing need, for example people returning to the community as part of a community care programme.

Section 5 referrals are homeless applicants referred to the Association from East Renfrewshire Council as per the Section 5/Homeless Persons Protocol agreed between both organisations.

## **2.4 Allocation of Points**

The priority that applicants receive will depend on a range of factors as follows:

- Levels and types of housing available for let
- The applicant's housing need
- The applicant's preferences
- Priority given to the various housing groups

It is also important to note that applicants will not be offered housing where particular housing is not suitable to either their needs or stated preference.

### **2.4.1 People who are homeless and those threatened with homelessness**

An applicant to the Association will be treated as homeless in the following situations:

- Where applicant has no house anywhere
- Where applicant has no accommodation which the person is entitled to occupy, for example as a tenant
- Where the applicant has housing but cannot access it
- Where occupation will lead to violence from someone either living in the tenancy or from someone who used to live with the applicant
- Where the house is statutorily overcrowded and likely to endanger the health of the occupants

- Where it is not reasonable for the applicant to reside in their present house
- Where the applicant lives in a council hostel or any other council emergency accommodation

Applicants who are homeless will be awarded **30 points**

In order to address situations of 'hidden homelessness', homeless points will be awarded in situations where evidence proves any of the following: (Refer to policy statement section on relationship breakdown)

- Relationship Breakdown

Due to actual violence/abuse **30 points**

Due to threatened with violence/abuse **30 points**

Due to incompatibility (?) **30 points**

- Serious harassment

Harassment deriving from unfair discrimination against any individual, household or group on the grounds of race, colour, culture, ethnic or national origin, religion, gender, age, disability, sexual orientation, family circumstances, civil partnerships or marital status.

**30 points**

- Homeless points will be awarded under financial difficulties only where an applicant's house is sold or repossessed because the applicant (s) could genuinely not keep up loan repayments, or got into rent arrears because of real personal or financial difficulties.

A decision as to whether someone is in financial difficulties will be based on whether, if he or she continues to pay housing costs, the amount of disposal income left would be equal to or less than the amount which someone would be entitled to receive on income support (based on current benefit quick guide on applicable amounts).

House sold or repossessed **30 points**

An applicant to the Association will be regarded as threatened with homelessness if they are likely to become homeless within 2 months. Examples of such applicants are:

- Tied house no longer available **10 points**
- Lodger **10 points**
- Caravan dwelling **10 points**
- Tenant of a private landlord **10 points**

- Short assured tenancy that is approaching termination **10 points**
- Mortgage or financial difficulties **10 points**

The above list is not exhaustive, each case should be assessed on it's own merits and in conjunction with this policy.

#### **2.4.2 Occupying housing that is below the tolerable standard**

The tolerable standard is the legal standard that all houses must meet. East Renfrewshire Council is obliged to ensure that houses below this standard are either brought up to it, or closed or demolished.

A house will be below the tolerable standard if any of the following factors apply:

- If the house is not structurally stable;
- If the house is not substantially free from rising or penetrating damp;
- If the house has no satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- If the house has no adequate piped supply of wholesome water available within the house;
- If the house has no sink provided with a satisfactory supply of both hot and cold water within the house;
- If the house has no toilet available for the exclusive use of the occupants that is suitably located in the house;
- If the house does not have a fixed bath or shower and a wash-hand basin provided with satisfactory supply of both hot and cold water suitably located within the house;
- If the house has no effective drainage system for disposal of foul and surface water;
- If the house has no satisfactory facilities for the cooking of food within the house;
- If the house has no satisfactory access to all external doors and outbuildings.

Any applicant whose house is below the tolerable standard will be awarded **50 points**

If the property is deemed unimproved by the Association an applicant will be awarded **30 points**

### **2.4.3 Property Conditions: Living in unsatisfactory housing conditions**

There are a variety of factors that make housing conditions unsatisfactory. The following are considered unsatisfactory within this policy.

#### **Sharing Amenities**

This arises when different households live together and share the use of facilities. A household is defined as any persons who want to live together. An applicant who shares amenities with another household will be awarded points as follows:

- Sharing a kitchen/cooking facilities **5 points**
- Sharing a bath/shower **5 points**
- Sharing a WC **5 points**
- Sharing a sleeping/living area **5 points**

#### **Defects**

- Condensation dampness **5 points**
- Rot (wet or dry) **5 points**
- Inadequate heating **5 points**
- Old wiring **5 points**

### **2.4.4 Urgent Re-Housing**

Where a property has been identified as due for demolition by the Association within 6 months of the application **50 points**

### **2.4.5 Medical Factors**

Points are not awarded for medical reasons simply because the applicant has a medical problem. Points are awarded only when an applicant's accommodation is unsuitable because of the applicant's medical condition, for example, a person who is unable to manage stairs because of a serious heart problem.

Applicant's who believe their housing is unsuitable for medical reasons should complete a Medical Priority Application Form.

There are three categories for which points will be awarded:

- **Category A: Emergency Cases**

Where the accommodation is wholly unsuitable to an applicant with Severe physical/mental disabilities and either unable (or virtually unable) to leave their home. **50 points**

- **Category B: Physical Disability/Serious Medical Problems**

Points may be awarded where the accommodation occupied is causing serious aggravation to the applicant's medical condition, for example, chronic bronchitis, severe arthritis, severe asthma and heart complaints

**30 points**

- **Category C: General Medical Cases**

Points may be awarded where the accommodation occupied is causing aggravation but not of a serious nature, for example, where the applicant had moderate asthma and arthritis.

**10 points**

### **2.4.6 Overcrowding**

Family unit(s) living in overcrowding circumstances will have the number of bedrooms required compared with the number presently available to them. Points may be awarded to one applicant only. Points will be awarded as follows:

- First additional bedroom required **10 points**
- Each additional bedroom required **10 points**

### **2.4.7 Under Occupation**

Under-occupation of housing is not itself seen generally as a housing need. In order to comply with the policy principle of making the best use of the housing stock the Association seeks to encourage tenants under occupying accommodation intended for larger families to transfer to smaller properties.

Applicants under-occupying will have the number of bedrooms they need, compared with the number of bedrooms presently available.

Points awarded as follows:

- For the first bedroom under occupied **10 points**
- Each additional bedroom **10 points**

### **2.4.8 Social Priority**

Applicants within whose household or environment there is a serious social problem made worse by current living conditions, where rehousing would enable a solution to the problem, and where in the opinion of both the Association and other appropriate agency, the problem cannot be adequately dealt with under present housing conditions, or through other housing need factors. e.g. domestic violence, racial harassment, sexual abuse, or other identified extenuating circumstances.

Social conditions will be assessed under the circumstances and severity of each case. Points awarded as follows:

- Serious harassment/severe neighbour problem (where applicant is confirmed as not causing problem). Special circumstances will be considered on merit and will be subject to documentation/evidence and approved by Housing Manager **30 points**
- Differences in lifestyle (documentary evidence will be required from appropriate agency, for example Social Work Department, Housing Department or Strathclyde Police prior to points being awarded) **15 points**

### **2.4.9 Environmental Factors**

Consideration will be given to immediate environmental proximity to family and support services. e.g.

- Travel to work: persons who work in the Barrhead area and who are currently experiencing difficulty in travelling to work. This may be under the headings of financial, distance, or difficulty with transport.
- Relative in need of care: parents, brothers, sisters, and children in need of care.
- Support requirements, i.e. family, social, could be eased by moving applicant nearer to above.
- Access to facilities: persons requiring to be located near essential services, e.g. schools, hospitals, shops who currently reside out- with a reasonable distance.

An Assessment will be made on the priority and proximity of above named facilities subject to supporting documentation to verify:

- Totally unsuitable **30 points**
- Unsuitable **15 points**
- Moderately unsuitable **5 points**

### **2.4.10 Height of Accommodation**

Families with a child or children under 8 living above the second floor.

Points awarded as follows:

- For each child under 8 **5 points**

### **2.4.11 Date of Application**

Applications are assessed for points on their housing needs. Time on the list does not therefore result in any points award.

Time on the list is important however in deciding priority where two or more applicants have the same points total. In such cases the applicant with the earliest date of application will receive priority.

## **Section 3: Internal Procedures**

Barrhead Housing Association has established a set of procedures to enable applicants to apply for housing as easily as possible. This section highlights the key principles of these procedures.

### **3.1 Applying for a Tenancy**

Housing application forms will be acknowledged within 3 working days

Housing application forms will be processed within 10 working days where all the supporting information has been provided.

Points will be awarded in accordance with the points system and applicants placed on the appropriate list and given an indication of priority based on whether they will be housed in the short, medium or long term.

The Housing Officer will award medical points using the medical assessment form. The assessment on the degree of an applicant's medical condition will be determined using the guidance provided by Scottish Federation of Housing Associations. When the Common Housing Register is implemented assessments may be carried out by a representative from the Health Board.

With regard to transfer requests where applicants have a physical disability, we shall offer advice on aids and adaptations to enable the applicant to have a choice to stay in their home. Waiting list applicants will be offered the same advice and the contact information of the relevant service provider.

### **3.2 Home Visits**

Home visits will, in general be carried out by the Housing Officer prior to the offers of housing being made. Notification in writing of the intended date and time will be given in advance, respect for the person's home and privacy will be central to any visit.

At the home visit the information supplied in the application form will be checked to ensure its accuracy.

### **3.3 Property Selections**

The Housing Officer will decide on which applicant is to receive an offer, this will be overseen by the Housing Manager, the selection itself will be checked and verified by two Housing Officers.

Offers will generally be made to those applicants at the top of the list. Where this does not happen, it will be recorded and the reasons given.

As indicated above a home visit will be carried out before an offer is made to clarify circumstances and appropriate proof of residency must be supplied.

Appropriate references will be sought with the applicant's consent prior to an offer being made, for example, to check former tenant details with a previous landlord.

### **3.4 Offers of Accommodation**

The Association will make an offer of accommodation in writing. An applicant will normally be allowed 3 working days to accept or refuse an offer.

If no decision has been notified by the applicant after 3 working days the offer will be withdrawn and recorded as a refusal.

### **3.5 Tenancies**

There are currently two types of tenancy available from the Association as prescribed in the Housing (Scotland) 2001 Act:

- Scottish Secure Tenancy
- Short Scottish Secure Tenancy

The majority of tenancies offered by the Association will be Scottish Secure Tenancies, however, where any of the under noted circumstances exist, the Association may offer a Short Scottish Secure Tenancy. Applicant will be made aware of the type of tenancy available and why, when a tenancy is offered.

Short Scottish Secure Tenancies may be offered in the following circumstances:

- An applicant has previously been evicted for Anti-social behaviour in the last 3 years;
- The offer is in respect of temporary accommodation (employment, homeless, support needs or to allow work to be carried out to the existing house);
- The property is subject to a lease agreement;
- When a court has granted an anti-social behaviour order against an applicant or a member of the applicant's household.

## **Performance Standard: AS1.1 Access to housing**

### **Self Assessment**

#### **You may wish to ask the following self-assessment questions about access to your housing list:**

- Do we promote fair and equal access to our housing list and can people apply and be assessed at any time?

Yes, our housing lists are open to everyone over the age of 16, we have an equal opportunities policy that we adhere to, also applicants will be assessed at any time.

- Do we actively and widely publicise the means by which people can apply to our housing list?

Yes, a recent poster campaign has taken place, as well as this, information is provided within our newsletters.

- Do we provide information and assistance on accessing housing for those who do not have English as a first language or who might have other difficulties in applying?

Yes, as part of our equal opportunities policy information can be provided in different languages and formats.

- Do we admit all applicants who are aged sixteen or over to our housing list?

Yes.

- Do we minimise suspensions from our housing list?

We have actively taken steps to reduce the number of suspensions from our housing lists. A suspensions policy has been developed in conjunction with this policy.

- Do we ensure that we do not unreasonably suspend from our housing list on grounds of:

- Rent arrears?
- Anti-social behaviour?
- Property ownership?
- Local connection?
- Age?
- Immigration status?

Yes, we have closely examined the CIH guidance on suspensions when creating our policies and we do not unreasonably suspend applicants from our lists.

- Where we operate suspensions, do we make them explicit and monitor their impact?

Yes, reasons for suspensions are explicit in this policy as well as the suspensions policy. We will monitor the impact of the relevant suspensions.

- Have we eliminated restrictive practices, such as screening of application enquiries, limiting distribution of applications forms, etc.?

Yes, we have been pro-active in encouraging applicants to join our lists and we do not 'screen' application forms or limit the distribution of them.

- Do we test our policies, procedures and actual practices against legislative requirements and good practice across the range of access issues?

Yes, in developing this policy we have checked it against legislation as well as good practice guidance from the SFHA and CIH.

- Have we reviewed our access policies and procedures to ensure that they contribute to the prevention, and resolution, of homelessness?

Yes, within this policy we have actively tried to relieve homelessness as well as those applicants threatened with homelessness, we have also tried to take cognisance of the 'hidden homeless' element in society.

- Do our operational practices reflect our policies and procedures and are we consistent in applying these?

Yes, operational practices reflect the policy and procedures.

- Do we actively manage our housing list to ensure that it is accurate and up to date?

Yes, we actively manage our housing list and monitor it on a monthly basis, this information is then provided to our Housing Management Sub Committee and copied to the Management Committee.

- Do we monitor and report outcomes to ensure our objectives on access are being achieved?

Yes, we monitor and report outcomes in the first instance to the Housing Management Sub Committee and secondly to the Management Committee.

- What are our service-users' views on access? What are satisfaction levels?

\*\*\*\*\*Consultation to take place.\*\*\*\*\*

- What are our partners' views on access?

\*\*\*\*\*Consultation to take place.\*\*\*\*\*

**You may wish to ask the following self-assessment questions about the service user focus of your access arrangements:**

- Do we provide applicants with accurate and timely information to allow them to make informed judgements about their housing options?

Yes, we will acknowledge a housing application within 3 working days and complete the assessment of the application within 10 working days, whereupon the applicant will be notified of the points awarded and an indication of the potential timescale for re-housing either in the short, medium or long term.

- Do we regularly inform those on our housing list of their current position and their housing prospects?

Yes, this is done on an annual basis.

- Do we provide an accessible and fair appeals process?

Yes.

- Do we publish outcome information, including equalities information, to demonstrate transparency and accountability in our decision-making and to help inform choice?

Yes, this information is published within our newsletters as well as our annual report.

- Do we involve tenants, applicants and potential applicants in the development and review of our policies and procedures on access?

Yes, we involve tenants, applicants and future applicants via our newsletter, RTO's and our Policy Review Focus Group meetings.

.

**You may wish to ask the following self-assessment questions about your partnership work to maximise access:**

- Do we work with other landlords / partners to maximise access to housing in our area?

Yes, however closer links will be forged when the Common Housing Register is introduced.

- Have we engaged with our partners on the development of a common housing register?

Yes, over the past two years the Association has worked closely with East Renfrewshire Council and Arklet Housing Association to develop a Common Housing Register.

- Do we work with our partners to ensure statutory requirements relating to the needs of people who are homeless are met?

Yes, we work closely with East Renfrewshire Council to ensure that the needs of homeless people are met. We have a section 5 protocol which has been signed by both organisations.

- Have we agreed a protocol with our partners for dealing with referrals under section 5 of the Housing (Scotland) Act 2001, and do we monitor its effectiveness?

Yes, we have a protocol with East Renfrewshire Council to deal with section 5 referrals. Senior members from both organisations monitor the effectiveness of the protocol and meet on a quarterly basis. Monitoring information is also passed to the Housing Management Sub Committee on a bi-monthly basis.

- Are our nomination arrangements effective, do they cater for local circumstances, and do we operate them efficiently?

Yes, our nomination agreement is effective and caters for local circumstances. Senior members from both organisations monitor the efficiency of the agreement and meet on a quarterly basis. Monitoring information is also passed to the Housing Management Sub Committee on a quarterly basis

- Are our partners satisfied with the operation of our nomination agreements?

Yes, a review of the nomination agreement is carried out on a yearly basis between both organisations.

- Do we have appropriate arrangements with care and support agencies to improve access to housing for those with support needs?

Yes, these arrangements are part of this policy as well as the section 5 protocol. We have appropriate arrangements with East Renfrewshire Council.

- Do we participate in appropriate mobility schemes?

Yes, where relevant

**Guiding Standards may contain self-assessment questions that are relevant to this activity.**

### **Performance Standard: AS1.2 Lettings**

#### **Self Assessment**

**You may wish to ask the following self-assessment questions about your allocation policy and practices:**

- Do our allocation policies, procedures and practices comply fully with legislative requirements?

Yes, our policy has been tested against the appropriate legislative requirements.

- Do we give priority to applicants in housing need?

Yes.

- Have we clearly defined housing need in our allocation policy?

Yes.

- Is our definition of housing need supported by a robust analysis of the needs of our tenants, applicants and potential applicants?

Yes.

- Does our definition of housing need fully accommodate statutory definitions?

Yes, the policy meets the definitions as per the Housing (Scotland) Act 2001

- Do our allocation policies and practices positively contribute to the prevention, and resolution, of homelessness?

Yes, we have taken account of the need for prevention and resolution of homelessness in the policy.

- Does our policy accommodate mobility issues, including national and local mobility, exchange schemes, transfers and “move-on” for tenants with changing support needs?

Yes, where relevant.

- Do we ensure equality of access for all applicants to our full range of housing stock?

Yes.

- Do we promote choice throughout our allocation policy and processes?

Yes.

- Do we empower applicants to make decisions about where and in what type of accommodation they wish to live?

Yes, this will become more evident with the introduction of the common housing register and the review of the housing application form.

- Do we consider the needs of the community when making allocation decisions? Is our approach to this clearly set out in our policy?

Yes, it is our policy to let houses in a way that gives reasonable preference to those in housing need, makes best use of available stock, maximises choice and helps to contribute to balanced and sustainable communities.

- Do we consider the sustainability of individual tenancies and the stability of the community when making allocation decisions? Is our approach to this clearly set out in our policy?

Yes.

- Is our use of lettings plans and local lettings initiatives provided for in our allocations policy?

A lettings plan will be developed in conjunction with this policy

- Is our use of special lettings plans and local lettings initiatives based on a robust analysis of local need and demand?

A special letting will be developed in conjunction with this policy.

- Do our special lettings plans and local lettings initiatives support the objectives of our allocation policy?

A special letting will be developed in conjunction with this policy

**You may wish to ask the following self-assessment questions about the service user focus of your approach to letting houses:**

- Do we provide clear and accessible information on our allocation policy to tenants, applicants and potential applicants, and other stakeholders?

Yes, information about our allocation policy is accessible to our service users and stakeholders

- Do we have an accessible and fair appeals process?

Yes

- Do we publish outcome information, including equalities information, to demonstrate transparency and accountability in our decision-making in allocations?

Yes, information regarding outcomes will be published in our newsletters and in our Annual report.

- Do we involve tenants, applicants and potential applicants, and our partners in the development and review of our allocation policies and procedures?

Yes, we consult with our tenants and applicants via our newsletters, via our three registered tenant organisations and via our policy review group

**You may wish to ask the following self-assessment questions about the quality of management systems supporting the letting of your houses:**

- Do our systems provide us with full information about applicants' needs and preferences, and property information to allow appropriate matching and the best use of our stock?

Yes, our systems allow us to match the applicant's needs and preferences to the best use of our stock.

- Do we have quality assurance systems that:

- Allow us to demonstrate that decision-making and practice is fair and consistently in line with our policy?
- Allow us to demonstrate that allocation outcomes match our policy intentions?
- Allow us to demonstrate accountability in exercising any discretionary elements in the policy?

\*\*\*\*\*?\*\*\*\*\*

- Have we set challenging targets / timescales for each stage of the allocation process?

Yes.

- Do we publicise these targets / timescales, and monitor and report our performance against them?

Yes, the monitoring information is reported to the Housing Management Sub Committee on a bi-monthly basis and copied to the Management Committee.

**Guiding Standards may contain self-assessment questions that are relevant to this activity.**