

Date Issued	22 April 2004
Department	Housing Management
Title	Allocations Policy
Responsible	Head of Housing
Last Review Date	October 2008
Next Review Date	October 2013

1.0 INTRODUCTION

1.1 Aims of Policy

Our allocations policy aims to ensure that

- people have fair and open access to our housing register
- preference is given to those in housing need
- our properties are allocated in a fair, transparent and consistent manner that does not discriminate or exclude people
- we recognise the needs of the communities we work in
- the policy is clear and easily understood
- applicants are given choice

1.2 Legislative/Regulatory Framework

This policy is based upon the principles set out in the SFHA's Good Practice Guidance Manual, Raising Standards and complies with Performance Standards published by Communities Scotland, COSLA and the SFHA in 2006.

At a minimum, we will comply with all relevant legislation including

- The Housing (Scotland) Act 1987
- The Housing (Scotland) Act 2001
- The Homelessness etc (Scotland) Act 2003
- The Race Relations Act 1976
- The Sex Discrimination Act 1975
- The Disability Discrimination Act 1995
- The Human Rights Act 1998

1.3 Context

East Lothian is an area with extremely high levels of housing need. Property prices are significantly higher than the national average but earnings, particularly in the rural parts, are not. This makes it very difficult for local people to get on the property ladder.

At 31 March 2008, the Council's waiting list stood at 6,490 applicants and we had 3,399 live registrations on our register. Over the years 2004/05 to 2006/07 homeless presentations averaged 1,099 a year but turnover of both Council and RSL stock averaged only 528 lets per annum. There is a shortage of available land to build on and land values are high presenting real difficulties in achieving the levels of new build needed to address the local housing crisis.

Because East Lothian has one of the highest rates of homeless presentations in Scotland, in 2007/08 lets to priority homeless households accounted for 51% of available lets. This presents obvious difficulties in meeting other types of housing need.

We own and manage a variety of housing, all within the boundaries of East Lothian. The stock includes:

- General needs housing: 1– 6 bedroom flats and houses
- Care/Supported housing with access to support for vulnerable individuals
- Amenity and sheltered housing for older people
- Shared ownership and low cost home ownership housing
- Workshop homes, for the promotion of small businesses in village communities

There are not enough houses for all who need them and for this reason; this Policy is designed to make best use of the housing supply by giving preference to applicants in housing need.

1.4 General Principles

Choice and empowerment We want to maximise opportunities for access to housing and allow applicants to make informed choices. We operate homehunt, a form of choice based lettings, where vacant properties are advertised and applicants apply for the ones they want.

We aim to keep the service as straightforward and easy to understand as possible and to provide good information and advice so that applicants can make informed choices.

Housing Need We recognise housing need through a system of Priority Passes which is fully explained in section 3 below.

Schedule 7 Under the terms of Schedule 7 of The Housing (Scotland) Act 2001, we may grant a tenancy, transfer, shared ownership agreement or mutual exchange to a current or former employee, current or former Management Committee member or people related to current staff or Management Committee members. The person concerned must fully meet our published allocations criteria and their relative, whether Management Committee or staff member, must have no involvement in, or influence over, the allocation process.

All such allocations will be approved by a Management Committee member with delegated authority to make such decisions whose role will be to ensure that the allocation was made strictly in accordance with our policy. We will record all such allocations in our Schedule 7 register and report them to our Management Committee.

Sustainable Communities We want to create and maintain communities that people want to move into and stay in. To achieve this aim we will avoid over concentrating any particular group in any particular area. Wherever possible, we will identify any imbalance, and the action required to address it, before the property is advertised and will include information about any criteria to be applied in the property advert.

Where an applicant is by-passed in the interests of maintaining a sustainable community we will always try to balance the interests of the individual with the interests of the community and will bear in mind the requirement to give reasonable preference to certain categories of applicant. We will record the reasons for the decision and report such allocations to our Housing Services Sub-Committee.

Partnership Working We have a Nomination/Section 5 protocol in place with East Lothian Council and will work with the Council, other Housing Associations and organisations wherever this will help in addressing housing need in East Lothian. We will encourage feedback from tenants and applicants and use this to improve our service.

Mobility We aim to help people who want to move around the country and priority for housing is allocated to those applicants who need to move to East Lothian. However, we participated in the HOMES Mobility Scheme from its beginning until it was brought to an end and only helped a handful of people move in to or out of East Lothian. We do not therefore subscribe to any of the mobility schemes that require us to pay to participate.

We will instead publish our exchange register on our website and support the development of an exchange register on the homehunt website which covers most local authority areas in Scotland. We will support individuals who want to move, by providing details of landlords in their areas of choice. We will actively

consider requests from other landlords throughout the UK to house applicants with high levels of housing need.

Equal Opportunities We will not unfairly discriminate against anyone. We will make information available in different formats as required and will provide free access to translation services in our office. We will monitor our allocations to ensure that nothing in this policy leads to unfair discrimination.

Confidentiality We will treat all personal information as completely confidential and use it only for the purpose of operating our allocations policy. We will obtain or pass on information only in accordance with the declaration signed by applicants as part of the registration process or with the applicant's consent, or if we are required to do so by law or by our regulators.

Appeals Applicants have the right to appeal any decision made in accordance with this policy. Our appeal procedure is described at section 6.

1.5 Allocations Not Covered by this Policy

The allocation of workshop homes is led by the business needs of the applicant and is carried out in partnership with the Economic Development Unit at East Lothian Council.

We allocate Low Cost Home Ownership properties in East Saltoun and Ormiston on behalf of East Lothian Council. These allocations are governed by a separate agreement between us and East Lothian Council.

We may lease properties to other organisations or enter into nominations agreements with agencies providing support to people with particular needs. All such allocations will be reported to our Housing Services Sub-Committee.

2.0 ADMISSION TO THE HOUSING LIST

All applicants aged 16 or over will be accepted onto the housing list. Any priority awarded will be dependant upon their housing and housing related social need as defined by our priority system which is explained in section 3.

2.1 Registration Process

An overview of the registration process is attached at **Appendix 1**

To register with homehunt, applicants must complete a registration form. Forms can be obtained in person at our office, by phone, on our website and the homehunt website or from other organisations such as East Lothian Council, Shelter and local Citizens Advice Bureaux.

An applicant can apply in person at our office, register, and apply for a property on the same day.

Our registration form is kept as simple as possible and collects only information essential to our allocation process and equalities monitoring.

At the point of registration, applicants are asked to tell us if they are homeless, overcrowded, have health problems or are living in accommodation suffering from disrepair. This information is recorded and followed up to encourage applicants to apply for priority.

Applications are placed on the housing register and issued with a unique registration number on the day we receive the registration form. Applicants can begin applying for advertised properties immediately, except in the following circumstances:

- Applications may be placed on hold (suspended) if the applicant has debt relating to a previous or current tenancy and no re-payment arrangement is in place; if they declare a history of antisocial behaviour or a criminal conviction relating to, or involvement in, the supply and use of illegal drugs; or if the applicant requires support to maintain a tenancy
- Applicants whose housing need will not emerge until a later date (e.g. where the applicant is in hospital or prison and not due to get out within a month), will be placed on the housing register but will remain on hold until the applicant contacts us to confirm that they are in a position to accept a tenancy

In all cases where an application is put on hold, the held status will last only for as long as it takes to obtain full information or rectify the situation. Further information about held applications is provided at section 4.2.

We may ask for supporting documentation of relevant personal circumstances, e.g. proof of residence or evidence of harassment, at any time during the registration/allocation process. We may also make relevant enquires to confirm information given by the applicant.

We will make it clear to applicants who own their own home that it is a legal requirement that they must occupy a tenancy as their only or principal home. We reserve the right to ask applicants for a signed affidavit to confirm that they are either taking steps to sell the property, or that they will sell their property and move to their new tenancy immediately if they are offered a property before their house is sold.

3.0 ASSESSMENT OF HOUSING NEED

3.1 Priority Pass System

Priority is awarded through a system of Priority Passes. All applicants will be encouraged to apply for priority to reflect their housing need. There are four levels of Priority Pass; Gold Plus, Gold, Silver and Bronze. Applicants can apply for as many Priority Passes as they feel they may be entitled to. Priority can be awarded from one or more of the categories listed in **Appendix 2**. A Priority Pass will only be awarded once in each category and will be the highest level of pass that the applicants' circumstances merit.

Once the applicant has been assessed for all categories of pass they have applied for, their final priority will be determined as follows. If the applicant qualifies for:

- Less than three bronze passes: They will be awarded a Bronze Priority Pass
- Three or more Bronze passes: They will be awarded a Silver Priority Pass
- Less than three Silver passes: They will be awarded a Silver Priority Pass
- Three or more Silver Passes: They will be awarded a Gold Priority Pass
- Gold is the highest level of Pass that can be awarded. Gold Plus passes are only awarded to statutorily homeless households

3.2 Homelessness

We recognise housing need due to homelessness by the award of Gold Plus and Bronze Priority Passes.

Applicants assessed by East Lothian Council as being statutorily homeless are awarded a Gold Plus Priority Pass, our highest level of Priority Pass.

All other applicants who are assessed by East Lothian Council as being homeless or threatened with homelessness but not in priority need, are awarded a Bronze Priority Pass.

We recognise our responsibility towards homelessness or threatened homelessness amongst our own tenants. Applications for re-housing from tenants will be considered under the same priority system as other applicants.

The majority of our allocations to homeless households are made through homehunt as described at section 5. We also have a Nomination/Section 5 protocol in place with East Lothian Council to ensure that our agreed quota for allocations to statutorily homeless households is met.

3.3 Harassment and Abuse

We recognise housing need due to harassment or abuse by the award of Silver and Bronze Priority Passes.

Harassment includes domestic abuse from an applicant's partner, parents, siblings or any other household member. Harassment can be on the grounds of race, sex or sexual orientation, disability (including mental health problems), colour, religion or belief.

We have separate policies on domestic abuse and harassment which are relevant to our own tenants.

Applicants suffering from harassment to the extent that they cannot occupy or have to leave their home will be encouraged to apply to East Lothian Council for assessment under the homelessness legislation which could result in the award of a Gold Plus Priority Pass.

3.4 Health

We recognise housing need due to health problems by the award of Gold and Silver Priority Passes.

We will consider awarding priority for re-housing on health grounds only where a move will result in a significant improvement in the applicants' health or make their health problem much easier to cope with.

In assessing applications on health grounds we will always consider whether or not the applicant's current accommodation could be adapted to meet their housing needs.

Health assessments will be carried out by our staff from the information provided in the medical Priority Pass application form, verified at a home visit (if necessary). We provide guidance to staff to assist them in making these assessments. If necessary, we will seek further information about the applicant's condition and the impact of re-housing from a health professional.

Minor ailments or conditions that will not be improved by re-housing will not attract priority on health grounds.

We may place restrictions on the type of property to be offered to an applicant who has been awarded priority on health grounds. For example, someone awarded priority due to difficulties managing stairs in their current accommodation will normally only be able to apply for properties on the ground floor.

We will not normally allocate a property that would require significant adaptations in order to meet an applicant's needs unless we have no properties available that would meet the applicant's needs without adaptation. In these circumstances we will consider each case on an individual basis, in partnership with East Lothian Council's Social Work Department.

3.5 Overcrowding

We recognise housing need due to overcrowding by the award of Gold and Silver Priority Passes.

If an applicant is living care of family or friends, we will not take account of overcrowding that may already exist within the host family but will only consider the needs of the applicant.

The following occupancy levels are used to assess overcrowding and to allocate housing of an appropriate size:

- All adults (over the age of 16 years) are entitled to a bedroom of their own unless living with a partner when they will be expected to share a double bedroom
- Two children of the same sex can share a double bedroom until one of them reaches the age of 16
- Children of the opposite sex can share a double bedroom until one of them reaches the age of 8
- In some cases, an adult/child's medical condition may mean that they need sole use of a bedroom. We will normally ask for proof of this requirement
- An extra bedroom will be allowed if a carer needs to stay with the applicant for at least 3 nights per week. We will normally ask for proof of this requirement
- If an applicant has residential access to a child/children for at least 3 nights per week the applicant will be allocated one extra bedroom, if required, to accommodate the child/children. We will normally ask for proof of this requirement
- If an applicant has access to a child/children for 4 nights a week or more, the child/children will be treated as permanent members of the household and we will allocate a property of the appropriate size to accommodate them
- A living room should not have to be used as a bedroom unless it is to accommodate a child or children on residential access of less than 3 nights per week
- No more than two people should share a bedroom unless the applicant chooses to share a room with a child or children on residential access of less than 3 nights per week

- A box room or a room without natural light is not counted as a bedroom available to the household

3.6 Unsuitable Housing

We recognise housing need resulting from living in property that is below tolerable standard (BTS), suffering from dis-repair or lacking amenities by the award of Gold and Bronze Priority Passes.

3.7 Social/Family Support and Employment (Need to be in a Community and Need to be in a Rural Community)

We recognise housing need due to the need to be in a particular community by the award of Silver and Bronze Priority Passes.

Priority may be awarded where an applicant needs to move to:

- Take up or keep a job. Priority will normally only be awarded where the applicant is the main earner and the job is more than one hour's travel from his/her current home
- Be nearer amenities or services. We will consider the reasons why the applicant finds it difficult to access amenities or services, including availability of public transport
- Maintain contact with children
- Give or receive support. We will consider the nature and frequency of the support provided or received

3.8 First Affordable Home

People are often forced to continue living in the family home due to a lack of affordable housing options. Others move out into the private rented sector but have to spend a disproportionate part of their income on rent. We recognise housing need for these reasons by the award of Silver and Bronze Priority Passes.

Priority is awarded to anyone living in the family home who has an income of less than £20,000 a year (single person) or £25,000 a year (couples). Any applicant with the same income levels who is currently living in private sector accommodation and spending more than 50% of their net monthly income on their net rent (i.e. after any Housing Benefit is taken into account) will be awarded priority.

3.9 Limitation of Passes

We are committed to offering applicants as much choice as possible, however, in some circumstances awarding priority will result in restrictions on the type of property or area for which the applicant will receive priority.

We will limit Priority Passes awarded for social/family support or employment to a specific area.

Applicants who have not had their pass limits set by the Association are encouraged to limit their Priority Pass only to those areas in which they want to live. The advantage to an applicant of limiting their Priority Pass to the areas they want to live in is that they will not lose their pass if they do not apply for suitable properties outside their chosen areas (see section 3.10).

We may limit a Priority Pass to a particular type of property, e.g. to ground floor accommodation where a pass has been awarded for health related mobility problems, or to wheelchair accommodation where this is required by the applicant.

Applicants aged over 50 can limit their Pass to amenity properties. Applicants aged over 60 can limit their Pass to sheltered housing properties. Unless we have set the limits, applicants can change the limits on their Priority Pass at any time except where this would increase priority for a currently advertised vacancy. The applicant must normally confirm any changes to pass limits in writing.

Applicants who have had their pass limited, either by us or through choice, can still apply for properties that fall out-with the pass limitations, but their Priority Pass will not be recognised.

3.10 Suspension of Priority Passes

Where we consider that an applicant has knowingly or carelessly worsened their housing circumstances (for example, by moving from a house that was large enough for their household to one that is too small, causing overcrowding), their entitlement to a Priority Pass will be placed on hold for 2 years.

The two year on hold period will begin on the date the applicant worsened his/her circumstances. The applicant will still be able to apply for properties but will have to re-apply for a Priority Pass at the end of the on hold period.

If an applicant has used a Priority Pass to apply for a property and they refuse a reasonable offer, their Priority Pass will be withdrawn for a period of 2 years. It is the applicant's responsibility to re-apply for priority at the end of this period.

3.11 Withdrawal of Priority Passes

We only award Priority Passes to those in greatest housing need and, once a Pass has been sent to an applicant, we expect that they will use it to apply for all suitable properties. We recognise, however, that occasionally an applicant may not see an advert.

A suitable property is one that is the size and type the applicant needs in an area covered by their Priority Pass.

Gold Plus and Gold Priority Passes are valid for six months; Silver and Bronze passes are valid for one year. If suitable properties have been advertised within this period of time and the applicant has failed to apply for more than one then the pass will be withdrawn. If only one or no suitable properties have been advertised then the Pass will be extended for a further six months/one year as appropriate.

Once withdrawn, the Priority Pass will not be re-issued for a period of 6 months for Gold Plus and Gold passes and 12 months for Silver and Bronze passes. It will be the applicant's responsibility to re-apply for priority at the end of the period for which the pass has been withdrawn.

An applicant who has had their Priority Pass withdrawn will still be able to apply for properties as a registered applicant. We will write to anyone who has had their Priority Pass withdrawn in this way, including details of the 'suitable' properties they should have applied for. This gives the applicant the opportunity to explain to us why they chose not to apply for those properties, and if there are good reasons, we will re-instate their Priority Pass.

3.12 Transfers

Our tenants are subject to the same conditions of access, assessment and acceptance as external applicants (including the requirement to have rent arrears or other debts due to us of less than 1 months rent, or to have kept a repayment agreement for any arrears or debts for at least 3 months), with the following exceptions:

- A transfer applicant, who submits an application to buy their existing property under the Right to Buy, will have their application placed on hold
- We will inspect our tenants home before a Priority Pass is awarded and will tell our tenant about any work they need to complete to bring the condition of the property up to a satisfactory standard, acceptable to us
- If our tenant needs to complete any work to fulfil the obligations of the Scottish Secure Tenancy Agreement, then their application will be placed

- on hold until they notify us that the work is complete and we have inspected it
- If a transfer applicant has not applied for a Priority Pass then we will carry out a pre-inspection of their property before any conditional offer of housing is confirmed
 - Transfers will not be approved unless the property to be vacated is in a condition where it can be immediately re-let
 - Transfer applicants may be awarded priority for under-occupying their existing home
 - If a transfer applicant and another applicant have the same level of Priority Pass, the transfer applicant will be allocated the property, regardless of the date of registration

4.0 ADMINISTRATION OF THE HOUSING LIST

4.1 Changes in Circumstances

Applicants will be asked to tell us about any change in their circumstances. In some instances (e.g. if they move to a secure tenancy or buy a property) they will be asked to submit a new application. Their priority will be adjusted according to their change in circumstances.

4.2 Held Applications (Suspensions)

Except where a signed form is awaited, when we put an application on hold we will tell the applicant that they have been put on hold and explain why. We will also tell the applicant what, if anything, they need to do to have the hold status removed.

Where we need to take action, such as make further enquiries, we will make sure that this is done as quickly as possible and that, if required, follow up action is taken immediately.

We may put applications on hold in the following circumstances:

Awaiting Signature All applications are held until we receive a signed registration form. If we have not received a signed form within four weeks of an applicant being registered, we will send a reminder. If we have not received the signed form within a further two weeks, we will withdraw the registration.

Awaiting Information If we need more information to assess an application, we will put the application on hold until we receive the information. We will make sure that requests for information are regularly followed up so that the time on hold is kept to a minimum.

Rental, service charge or rechargeable repairs debts Where the applicant has current or previous rental, service charge or re-chargeable repairs debt amounting to more than one month's rent, they must have made an arrangement for re-payment and maintained payments for at least three months.

If no arrangement has been made we will tell the applicant that their registration will remain on hold until this requirement has been met.

It is the applicant's responsibility to ensure that the re-payment arrangement is kept, to inform us when the arrangement has been kept for three months and to let us know if the arrangement is broken.

Debts older than 5 years, which have not previously been pursued by the former landlord, or where the debt was not the responsibility of the applicant as a tenant, will be disregarded.

Anti-social behaviour Where there is clear evidence of anti-social behaviour in a current or previous tenancy, we will put the application on hold until we have fully investigated the circumstances. If we are satisfied that an applicant's circumstances or conduct has significantly changed, the hold status will be lifted.

In considering whether to put an application on hold for antisocial behaviour, we will take account of the nature of the behaviour (e.g. threats or harassment, fire raising, relevant criminal convictions) and:

- The nature, frequency and duration of the behaviour
- The extent to which the behaviour was the responsibility of people other than the applicant
- The effect the conduct had/is having on other people
- What the applicant has done to address the situation
- The applicant's ability to maintain a tenancy, either with or without support

Providing false information or omitting relevant information Where we consider that an applicant has knowingly or carelessly given false information or withheld information that would have a bearing on their application, we will put the application on hold for a period of 2 years.

Support Issues If an applicant states that they need support to maintain a tenancy or appears unlikely to be able to maintain an independent tenancy without support, the application will be put on hold. The on hold status will last as long as it takes us to confirm that an appropriate support package has been identified and confirmed to be available to the applicant.

Aggressive or threatening behaviour If an applicant is aggressive or threatening towards a member of our staff or Management Committee, we will

put their application on hold for 2 years. In all such cases we will work with the applicant, by letter if necessary, towards a mutual understanding of their expected behaviour and attitude.

Condition of Property (Transfers only). Where a transfer applicant must bring the condition of the property up to a satisfactory standard (where it relates to a breach of their tenancy agreement) they will be put on hold until the work has been completed to our satisfaction (see section 3.11).

4.3 Withdrawal of Registrations

We will withdraw applications only under the following circumstances:

- At the applicants' request
- If the applicant buys a property or is re-housed by us or any other social landlord
- Where the applicant does not respond to an annual review and reminder letter
- If mail is returned marked "gone away" or not known at this address
- If the applicant does not respond to requests for information
- If the applicant dies

Applicants can be re-registered on request, taking into account any changes in their circumstances. Their date of registration will be the date they re-apply, unless they successfully appeal to have their registration backdated to their original registration date.

4.4 Review of Register

Because applicants actively participate in the allocation process by applying for properties and our software records activity, only those applicants who have not applied for a property for a year will receive a review form.

The review form will be short and only ask the applicant if they want to remain on the register and to report any changes in their circumstances. Applicants will be given 28 days to respond.

If a review form is not returned we will send a reminder letter, giving the applicant a further 14 days to respond. If the applicant does not respond to the reminder letter, we will withdraw their registration.

5.0 THE ALLOCATION PROCESS

5.1 Advertising and Applying for a Property

In line with our commitment to help alleviate homelessness, every second property will be advertised stating that Gold Plus Priority Passes are valid for the property. Priority homeless applicants can apply for other properties, but their Priority Pass will not be recognised.

Once we have been notified of a tenancy termination we will decide whether the property is to be allocated in line with this policy or if it is to be removed from the normal allocation process as outlined in section 5.3 (management allocation) or 1.5 (leased or Supported Accommodation)

Available properties will be advertised weekly in the local newspaper, local Council housing offices, on our website and on the homehunt website, in libraries and Citizen's Advice Bureaux, as well as in our office.

We will assess properties individually and decide what constitutes "Best Use". For example:

- Adverts will include the number of bedrooms. A household makes "Best Use" of a property if it needs all of the bedrooms
- We may take into consideration the mix of family sizes within the building or immediate area to maintain a balanced and sustainable community
- An advert for sheltered housing will specify that normally only applicants over 60 will be considered
- An advert for amenity housing will state that normally only applicants aged over 50 will be considered
- An advert for a property with significant adaptations will specify that we will give priority to applicants whose medical needs mean that they need the adaptations regardless of whether or not they need all of the bedrooms

We will specify any best use criteria and a closing date for applications in the advert.

We will maintain a database of support providers and others such as Social Workers and Occupational Therapists who may be helping clients to seek re-housing and will send weekly lists of available properties to them by e-mail. Unfortunately, due to the potential volume, weekly lists will not be sent to individual applicants.

Registered applicants may apply for as many advertised properties as they wish at any one time. They will be able to note their interest by telephone, letter, on the homehunt website, or in person at our office.

When a registered applicant applies for more than one advertised property they will be asked to state which property they want to be considered for first, second etc.

Applicants cannot apply for Priority Passes in respect of properties that are currently advertised, unless the pass is for priority homelessness. Limitations to any pass will not be changed if this would increase the priority for a currently advertised property.

No applications will be accepted after the advertised closing date and time.

5.2 How Properties are Allocated

An overview of the allocation process is attached at **Appendix 3**.

We will allocate advertised properties after the closing date for applications using our selection criteria as follows:

Best use The applicants who will make best use of the property by using all of the bedrooms or by using other features of the property (such as adaptations) and who meet any age limitations.

Priority Homeless If the property has been advertised stating that Gold Plus Priority Passes are valid, only applicants with Priority Passes at that level will be considered in the first instance. If there are no applicants with a Gold Plus Priority Pass, we will revert to the procedure outlined in the Nomination/Section 5 Protocol with East Lothian Council. Only if no applicants are identified through this route, will we continue to work through the applications list.

Priority Pass Level Where there is more than one applicant who would make best use of an advertised property, applicants are then placed in order according to the level of Priority Pass that they hold.

Date of Registration The date of registration is the date we issued the registration form. We consider the date of registration only if there are two or more applicants with the same level of Priority Pass or there are no applicants with a Priority Pass. The property is allocated to the applicant with the earliest date of registration unless one of the applicants is a transfer applicant, in which case the property will be allocated to the transfer applicant first.

Same Date of Registration If the date of registration is the same for two or more applicants, we will allocate the property to the applicant with the lower registration number, since this means that they applied before the other applicant, but on the same day.

Shared Ownership Allocations We will also take into account the person's ability to pay for the share available for purchase in accordance with our Shared Ownership Policy.

Our Management Committee delegates responsibility for the day-to-day operation of the allocations policy to staff. Staff will check the accuracy of the list produced by the homehunt software and confirm the allocation. All allocations will involve two members of staff.

5.3 Variations

In exceptional circumstances, for example high level support needs, severe harassment or domestic abuse, or applicants with exceptional circumstances not otherwise covered by this policy, we may allocate on management grounds (i.e. we will not advertise the property but will allocate it direct to one applicant). We may also consider management allocations where an individual needs a particular type of property that may not come up for allocation very often so that their health or support needs can be addressed. Management allocations may also be necessary where we require someone to move from an adapted or wheelchair property because the family member who needs the facilities provided dies or is permanently hospitalised.

We may also exclude a property from the allocation process outlined in this policy if the property is to be leased to another agency or used for supported accommodation (See paragraph 1.5).

Any allocation made in accordance with Section 1.5 or Section 5.3 of this policy will be reported to our Housing Services Sub-Committee, giving full details of the allocation.

5.4 Offers and Refusals

Wherever possible we will contact the successful applicant by telephone on the closing date for applications.

Any offer we make will be conditional upon the applicants housing circumstances being confirmed, the applicant providing proof of residency and, if appropriate, previous tenancy references being received. We will enclose a copy of our Scottish Secure Tenancy Agreement with the conditional offer letter.

We will give the successful applicant three working days from the date of the conditional offer to confirm the date and time for a home visit or office interview, if one is to be carried out. If the applicant does not contact us within three working days, and they have not previously indicated that they would not be available e.g. on holiday or in hospital, then the offer will be withdrawn.

We will not normally visit successful applicants who have not used a priority pass but will give them three working days from the date of the conditional offer to provide proof of residency and their housing history (so that we can take up references) or the offer will be withdrawn.

Home Visits- Where necessary, home visits will be arranged to check the information provided with the homehunt registration and Priority Pass application form(s). We will ask the applicant to provide proof of residency at this point and to provide details of their tenancy history so that we can take up references.

If the applicant lives too far away for a home visit, we will telephone them to check the details provided in their application or ask a housing provider in their area to carry out the home visit on our behalf.

Confirmation of Offer - A confirmed offer is sent once required checks such as residency and, if appropriate, tenancy references are completed. The confirmed offer will suggest dates for the applicant to view the property and to sign their tenancy agreement. The letter will also provide information and advice about rent and Housing Benefit and inform the applicant what will happen if they refuse the offer. Again the applicant must respond within three working days or the offer will normally be withdrawn.

If we withdraw an offer or if the successful applicant refuses the offer, then we will contact the second qualifying applicant and follow the steps outlined above until the property is successfully allocated.

Where a successful applicant has used a Gold Plus Priority Pass and refuses an offer, we will notify East Lothian Council's Homeless Department and follow the process set out in the Nomination/Section 5 Protocol.

If an applicant has used a Priority Pass to apply for a property and they refuse an offer, then unless there are exceptional circumstances, the Priority Pass will normally be withdrawn for a period as detailed in section 3.9 above. If a Priority Pass has not been used, there is no penalty for refusing an offer.

6.0 APPEAL PROCESS

All applicants have the right to appeal against any decision made concerning their registration, the assessment of their housing need, the decision to place an application or Priority Pass on hold, the withdrawal of a Priority Pass or the withdrawal of their registration.

Appeals should be made in the first instance to the Housing Manager within two weeks of the disputed decision.

If the applicant is not satisfied with the decision of the Housing Manager, they can appeal to the Head of Housing.

If the applicant is not satisfied with the decision of the Head of Housing, the issue will be dealt with as a formal complaint, starting at stage 3 of the process outlined in our Comments and Complaints policy.

If the appeal is against a decision not to make an offer of housing, the property will not be held until the conclusion of the appeals process. In the event that the appeal is successful the applicant will be offered the first available suitable property, and the allocation will be treated as a management allocation (see Section 5.3).

We will tell applicants about their right to appeal or the next stage in the appeals process in all decision letters.

7.0 INFORMATION AND ADVICE

We are working towards the Scottish National Standards for Housing Information and Advice, developed by HomePoint, a Scottish Government agency. We will make sure that all homehunt information is written in Plain English. A translation service (Languageline) is available to anyone who needs it in our office.

We will give all applicants written information about how our homehunt allocation service works and, if requested, we will provide tailored advice to an applicant about their housing prospects and other housing options. Where appropriate, we will seek and make referrals to other sources of housing support and advice.

Details of all our allocations are available to view on the homehunt website. Information is updated as soon as an allocation is made. The following information is available:

- Address of the property
- Number of applicants applying for a specific property
- Whether or not the successful applicant fulfilled best use criteria
- Whether the applicant used a priority pass
- The Registration date of the successful applicant

We are a registered Data Controller under the Data Protection Act 1998 and we comply with the requirements of that, and associated Acts.

8.0 ALLOCATION OF GARAGES

We have a small number of garages available for rent close to our housing in various locations throughout East Lothian. When a garage becomes available, we will advertise it in the local press. Applications will be accepted on our website, in writing or by phone.

Applications will be prioritised using the following criteria;

- First priority will be given to our tenants
- If no tenants apply, priority will be given to applicants living close to the garage
- Disabled applicants will be prioritised within the above two groups
- If there is more than one applicant with equal priority, the garage will be allocated to the person who applied first.

Before confirming the offer of a garage, we will ask for appropriate information from the applicant to confirm their ability to pay.

9.0 MONITORING AND REVIEW

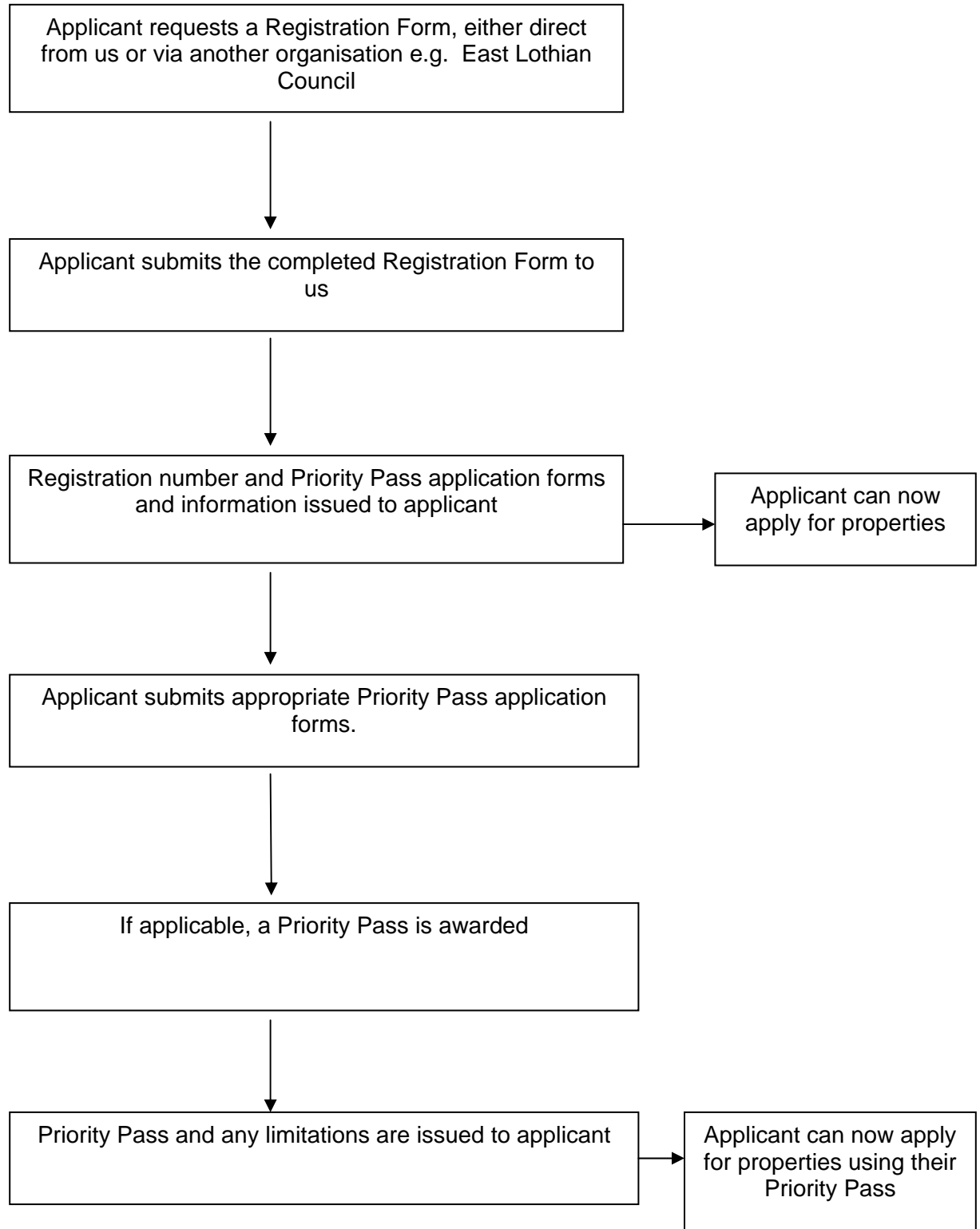
We will comply with regulatory and performance monitoring requirements for ethnic group, disability, age, household composition, and gender. Our Housing Services Sub-Committee is responsible for monitoring the operation of the Allocations policy and for bringing any concerns to the attention of our Management Committee. Quarterly reports will be considered by the Housing Services Sub-Committee detailing:

- The number of applicants added to the register
- The number of applicants put on hold and the reasons for this
- The number of applicants withdrawn and the reasons for this
- The number of Priority Passes assessed, the outcome of assessments and the time taken to complete assessments
- The average waiting time for successful applicants
- Equality monitoring statistics
- Allocations made during the quarter
- Any allocations made in accordance with paragraphs 1.5 or 5.3 of this policy

The Head of Housing will ensure that this policy is reviewed by the Management Committee at least every five years.

Appendix 1

OVERVIEW OF THE REGISTRATION PROCESS



Appendix 2

DEFINITION OF PRIORITY PASSES

Group 1: Homelessness/Harassment

1.1 Gold Plus – Priority Homeless

The applicant has been assessed by East Lothian Council as being Statutorily Homeless. Applicants who are in the process of being assessed for homelessness by East Lothian Council will not receive a priority pass until the outcome of their homeless assessment has been confirmed by East Lothian Council.

1.2 Bronze – Non-Priority Homeless

The applicant has been assessed by East Lothian Council as being homeless or threatened with homelessness but has been found not to be in Priority Need.

If the applicant is found to be intentionally homeless, no pass will be given or, if a pass has already been issued, it will be withdrawn.

1.3 Silver – Harassment

The applicant has to leave his/her current accommodation due to persistent serious harassment of any type.*

1.4 Bronze – Harassment

The applicant is suffering from intermittent harassment of any type but does not have to leave their home.*

Group 2: Need to be in a Community

2.1 Bronze – Employment

The applicant needs to move to take up employment or to sustain employment where current accommodation is more than 1 hours travel from place of work (Priority is only given to the main earner)*

2.2 Bronze – Nearer Amenities/Services

The applicant needs to move nearer to amenities such as shops and services, which are not readily accessible.

2.3 Bronze – Access to Children

The applicant needs to move because access to their children is currently very difficult or impossible for practical reasons.*

2.4 Bronze – To provide or Receive Support

The applicant needs to move to offer care or support to someone who resides in East Lothian or the applicant needs to move to receive care or support from someone who resides in East Lothian.

2.5 Silver – Need to be in a Rural Community

If the applicant needs to move to any one or any combination of rural villages the Priority Pass level will be increased to Silver. If the applicant chooses to be considered for the nearest larger town, the pass level will remain as Bronze.

Rural communities (where we have properties available) are defined as: Aberlady, Athelstaneford, Dirleton, East Linton, East Saltoun, Elphinstone, Garvald, Gifford, Gladsmuir, Innerwick, Longniddry, Ormiston, Pencaitland, Stenton and Whittingehame.

Limits will be set by us for all of the Priority Passes in this group – see Section 3.9 for more details)*

Group 3: Overcrowding/Under occupation

3.1 Gold – Significant Overcrowding

Where two or more extra bed-spaces are required by applicant and family this will be regarded as significant overcrowding.
Overcrowding within the host family will be disregarded.

3.2 Silver – Minor Overcrowding

Where one extra bed-space is required by applicant and family this will be regarded as minor overcrowding.
Overcrowding within host family will be disregarded.

3.3 Silver – Under-occupation

If the applicant is one of our tenants or a tenant of Homes for Life Housing Partnership and wishes to move to a smaller property and currently has one or more unoccupied bedrooms.

Group 4: Unsuitable Housing

4.1 Gold – Significant Defects

Where the applicant's current accommodation has severe disrepair or defects which substantially affect the habitation of the property.
e.g. severe dampness, rainwater penetration or structural defects. **

Where the applicant is lacking one or more of the following basic amenities:

A flushing toilet
An adequate water supply
A fixed bath or shower

If the applicant is living in a caravan, we will consider how they came to be there (i.e. have they intentionally worsened their circumstances, see section 3.10) and where the caravan is situated before awarding unsuitable housing priority.

4.2 Bronze – Lacking Amenities

Where the applicant's current accommodation lacks one or more of the following basic amenities:

A hot water supply
A central heating system
A kitchen area

Group 5: Medical

5.1 Gold – Medical

The applicant (or household member) has a **severe** medical condition which is **made worse** by current accommodation and would be **markedly improved** by re-housing or where re-housing is essential to allow discharge from hospital or to prevent admission to a nursing or residential home, and it is not practical to adapt the applicant's home to meet their needs.***

5.2 Silver – Medical

The applicant (or household member) has a medical condition which would be **markedly improved** by re-housing, or where re-housing would substantially reduce the risk of physical injury. Also, where the applicant's present home makes essential activities of daily living difficult, and it is not practical to adapt their home to meet their needs.***

Group 6: First Affordable Home

Priority Passes in this group are only given to individuals with an annual income of under £20,000, or couples with a joint annual income of under £25,000, since the purpose of this Priority Pass is to offer priority to people with little or no access to the local housing market.

6.1 Bronze – Leaving the Family Home

The applicant lives in the parental home and, due to lack of income, is unable to move out.

6.2 Silver – Unaffordable Private rent

The applicant is living in private rented accommodation and is spending 50% or more of their net sole (in the case of single applicants) or joint (in the case of couples and families) income on rent.

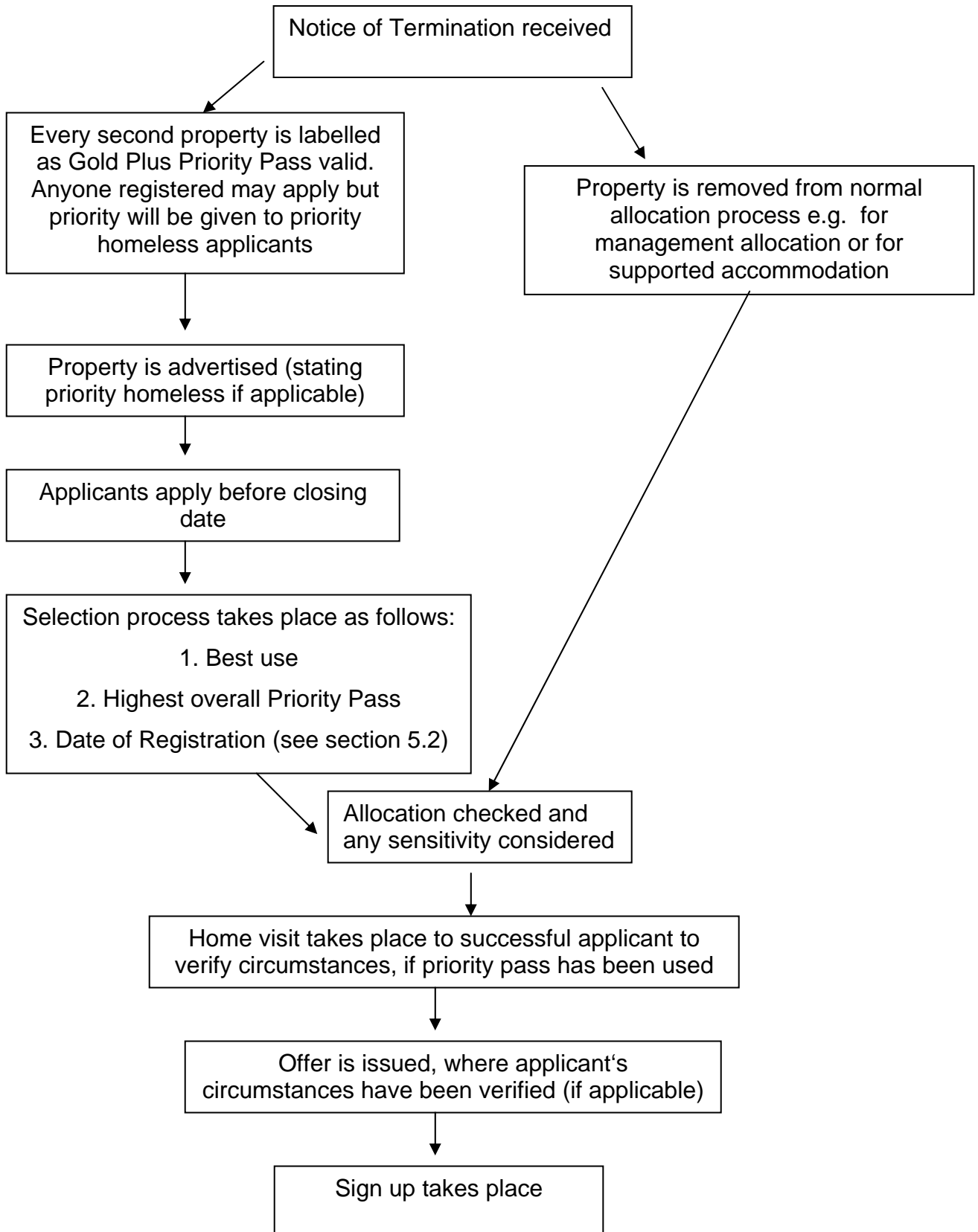
* Supporting documentation may be required

** We may contact the landlord or carry out a house inspection.

*** Verification from a health professional will be required.

Appendix 3

OVERVIEW OF THE ALLOCATION PROCESS



Appendix 4

SERVICE DELIVERY TARGETS

Applications will be acknowledged, placed on the housing register and issued with a registration number, along with information on applying for priority and details of how to apply for advertised properties **on the day of receipt**.

Applicants who have applied for priority will have an assessment of their needs carried out within **14 days**.

Appeals against any decision made in terms of the Allocations policy will be responded to within **14 days**.

Properties will be allocated and the successful applicant contacted within **1 day** of the closing date.