



## Allocation Policy

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THE NEW HOUSING ASSOCIATION LIMITED

# ALLOCATION POLICY

## SUMMARY POLICY

### 1. INTRODUCTION

The Allocation Policy sets out the way in which The new Housing Association operates a Housing List and lets its vacant accommodation for rent. This Policy was the subject of extensive consultation with residents groups and applicants (during June to October 2008) and was approved by the Management Committee on 25 November 2008.

### 2. ACCESS TO THE HOUSING LIST

Anyone aged 16 or over may apply and be admitted to the waiting list by completing Thenew's Housing Registration Form.

#### 2.1 External Applicants

Applicants who are not tenants of Thenew Housing Association must complete the Housing Registration Form.

#### 2.2 Transfer Applicants

Applicants who are currently tenants of Thenew Housing Association must complete the Registration Form and include details of the permanent members of their household. In the case of joint tenants, both must sign the form.

### 3. ASSESSMENT OF HOUSING NEED AND OPERATION OF THE HOUSING LIST

Applicants who have registered with Thenew will be placed in one of the **Priority Groups** below.

Priority Group	Examples of Housing Need Criteria
<b>Urgent Priority Group</b>	Current Property scheduled for demolition/clearance Applicant experiencing severe harassment or domestic abuse Management Transfers Special Cases approved by Committee (on an exceptional basis)
<b>Homeless Referral Group</b>	Referrals from Local Authority in accordance with Section 5 of 2003 Homelessness Act
<b>High Priority Group</b>	Overcrowding by 2 or more bedrooms. Relationship breakdown Health condition worsened by current property Lacking essential amenities Property in dangerous condition
<b>Medium Priority Group</b>	Overcrowding by 1 bedroom Mobility significantly restricted by current property No Security of Tenure Living in caravan or hostel

Priority Group	Examples of Housing Need Criteria
	Sharing amenities with non-family members Under occupancy Requiring to move to be nearer support Property in unsatisfactory condition
<b>Standard Priority Group</b>	All other applicants who do not meet the above criteria

Applicants will be assessed based on their current housing circumstances. An applicant's position **within** each of the groups above will be based on their date of registration (earliest registration will have highest priority). This means that once you are placed in a Priority Group no one can move ahead of you **within** that group list.

Where an applicant has more than one of the **Housing Need Criteria** as detailed above, their highest priority need will determine which Priority Group they will be placed in (e.g. where an applicant is overcrowded by 2 bedrooms, shares amenities and has insecurity of tenure they will be placed in the High Priority Group due to their overcrowding situation).

If an applicant's circumstances change they may be placed in a different Priority Group. Their position within this new group will be based on the date we confirm their change in circumstances.

Applicants on the Housing Lists who have not provided the necessary supporting information to enable a full assessment of housing need may be bypassed during the allocation process until the information is received and priority is confirmed.

Following completion of assessment you will receive a letter confirming your registration number and date, position within a specific Priority Group and choice of areas and house types and sizes.

## 4. ALLOCATION OF VACANT ACCOMMODATION

### 4.1 Letting Plans and Allocation of Available Property

Normally our Housing Officers will offer the vacant accommodation to the applicant with the highest priority (appropriate to their needs and choice).

In addition to the Priority Group system however, Thenew will also operate **Letting Plans** to ensure that we not only give reasonable preference to those in greatest housing need but also ensure that we achieve mixed and sustainable communities. This might mean that for any allocation the successful applicant may be a household with a lesser priority from a specific targeted group. For example, an area with low numbers of working households may have a target set to ensure that a proportion of all lets in that area are made to working households (the specific targeted group in this case) irrespective of their priority.

Where a let is to be made from a specific targeted group it will normally be made to the applicant in the highest Priority Group with the earliest date of registration.

The group to be allocated the accommodation will be decided and recorded before the selection process starts (taking into account current performance against Letting Plan targets).

Our Housing Management Sub Committee, Registered Tenant Organisations and those Area Associations with a Minute of Agreement with Thenew, will review our Letting Plans annually. The Letting Plans may vary in different communities (see

appendix 1 of detailed Allocation Policy for confirmation of our current Letting Plans).

Thenew also aims to assist in rebuilding and sustaining communities by carrying out sensitive allocations. Thenew aims wherever possible to achieve, in areas and blocks of housing, a balance of household compositions; a balance of ages; an avoidance of a clash of lifestyles; a range of life and employment experiences and the support of family networks.

#### **4.2 Choice**

Applicants can specify their preferences for a choice of areas and dwelling types. The size of property offered however, will normally be based on the number of bedspaces required for that household. **It should be noted however that on average we are only able to house around 15% of applicants in any given year due to the limited number of properties that become available.**

**Please see our detailed Allocation Policy if you require further information.**

# DETAILED ALLOCATION POLICY

**NOTE: This should be read in conjunction with our Summary Allocation Policy.**

## CONTENTS

	<b>Section</b>	<b>Page</b>
1-4	SUMMARY POLICY	1-4
5	Policy Aims & Objectives	5
6	Policy Background	6
7	Equal Opportunities Statement	6
8	Assessment Of Housing Need	7
9	Assessment of Accommodation Required	14
10	Allocation requirements for Thenew Tenants	14
11	Change Of Circumstances	15
12	Annual Review	15
13	Owners	15
14	Local Lettings Plans and Policies	15
15	Community Lettings Plan Targets	15
16	Difficult To Let Areas	16
17	Individual Difficult To Let Properties	16
18	Mutual Exchanges	16
19	Sex Offenders	17
20	Suspending Applicants On The Housing List	17
21	Rent Arrears or Other Tenancy Related Debt	17
22	Anti-Social Behaviour	18
23	Confidentiality & Access To Information	18
24	Complaints & Comments	18
25	Role Of Committee	19
26	Schedule 7 Housing Scotland Act 2001	19
27	Performance Audit	19
28	Implementation Of Policy	19
29	Policy Review	20
Appendix 1	Current Target Quotas	21

## 5. POLICY AIMS AND OBJECTIVES

**Thenew's Allocation Policy sets out how we will:**

- Ensure fair and open access to applicants to our housing list;
- Give reasonable preference to those in greatest housing need;
- Make the best use of the housing stock,
- Balance community needs and individual needs to create and sustain strong communities.
- Maximise the opportunities for applicants to make informed choices by providing good information and advice about rehousing prospects
- Reduce complexity and bureaucracy wherever possible by simplifying the application and allocation processes;
- Develop positive working relationships with other agencies such as local authorities and support agencies to identify and meet housing needs;
- Ensure that we keep appropriate records and maintain audit trails to ensure we are accountable for all our decisions
- Ensure the allocation process is transparent and can be easily understood by applicants and outside agencies.

- Regularly monitor who we let accommodation to and then review as appropriate our policy and letting targets.

## 6. POLICY BACKGROUND

The Scottish Housing Regulator's Performance Guiding and Activity Standards that are relevant to the allocation of housing are:

**GS2.1 – Equal Opportunities** 'We embrace diversity, promote equal opportunities for all and eliminate unlawful discrimination in all areas of our work'.

**AS1.1 – Access to Housing:** We ensure that people have fair and open access to our housing list and assessment process. We work with others to maximise and simplify access routes into our housing.

**AS1.2 – Lettings:** We let houses in a way that gives reasonable preference to those in greatest housing need; makes the best use of available stock; maximises choice; and helps to sustain communities.

**AS1.4 – Housing Support Needs:** We are responsive to peoples individual housing support needs.

**AS1.5 – Void Management:** We monitor demand for our houses and maximise the use of available housing, keeping empty properties and spaces in our shared accommodation to a minimum. We make sure our properties are of an appropriate lettable standard.

The relevant legislation includes the Sex Discrimination Act 1975, Race Relations Act 1976, Matrimonial Homes (Family Protection)(Scotland) Act 1981, Housing (Scotland) Act 1987, Human Rights Act 1998, Data Protection Act 1998, Crime and Disorder Act 1998, Housing (Scotland) Act 2001, Homelessness etc. (Scotland) Act 2003, Anti-Social Behaviour Act 2004, Civil Partnership Act 2004. Family Law (Scotland) Act 2006, Disability Discrimination Act 2005, The Equality Act 2006

## 7. EQUAL OPPORTUNITIES STATEMENT

The term 'equal opportunities' covers the discrimination of, or proactive action for, a wide variety of minority groups. It is defined within the Scotland Act 1998 as:

*'the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions'*.

Section 106 of the Housing (Scotland) Act 2001 provides us with a statutory duty to promote equal opportunities.

We recognise our customers and stakeholders have different needs and that our services should be accessible and relevant to all.

Our allocation services will focus on individuals and their particular circumstances and not be influenced by stereotypical views and/or assumptions about particular groups

We will actively work to break down barriers to access and services for different groups.

Thenew considers any form of discrimination, i.e. treating a person on less favourable grounds than others, to be unacceptable in terms of legal compliance, good practice and social justice.

This means creating a positive working culture by breaking down and challenging negative stereotypes and derogatory and inappropriate language.

We will aim to show that our stated commitment to equalities is evidenced in practice by providing evidence of application of the policy to service provision.

## 8. ASSESSMENT OF HOUSING NEED

The table below outlines how an applicant's housing need will be assessed and which **Priority Group** applicants will be placed in. "Reasonable preference" is given to those applicants as outlined in the Housing (Scotland) Act 1987.

Housing Need Criteria	Priority Group
<p><b>i) Overcrowding</b>            Overcrowding calculation:            The occupancy levels assumed by Thenew are based on the following criteria:</p> <ul style="list-style-type: none"> <li>• Normally there should be no more than two occupants in any bedroom.</li> <li>• Double bedroom for every adult couple/single person.</li> <li>• Two children of the same sex under 13 years old may share a double bedroom.</li> <li>• Two children under 8 years old regardless of sex may share a double bedroom.</li> <li>• A child aged between 8 – 13 years old may not share a bedroom with a child of the opposite sex.</li> <li>• Any remaining members of the household over 13 years old require a separate bedroom.</li> </ul> <p>For the purposes of assessment, if a child reaches either 8 years or 13 years within 6 months of the date of application, they are considered to have reached 8 years or 13 years respectively.</p> <ul style="list-style-type: none"> <li>• For all calculations, a household including an expectant mother will be considered as if it included the additional child from three months before the birth is due.</li> </ul> <p>For households separated due to the lack of availability of suitable housing the assessment is based as if the person was living with the applicant's household.</p> <p style="text-align: right;">Overcrowding by 2 bedrooms or more</p> <p style="text-align: right;">Overcrowding by 1 bedroom</p>	<p style="text-align: center;"><b>High Priority</b></p> <p style="text-align: center;"><b>Medium Priority</b></p>
<p><b>ii) Underoccupation</b>            Applicants who live in accommodation with more bedrooms than are required. The criteria to determine occupancy levels for a property will be similar to those used to determine over-crowding</p> <p>Dining rooms and box rooms will not be included as excess to an applicant's requirements.</p>	<p style="text-align: center;"><b>Medium Priority</b></p>



Housing Need Criteria	Priority Group
<p>c) Where an applicant has experienced a relationship breakdown and is living in the family home.</p> <p>d) Where an applicant is living with parents or other members of the immediate family.</p> <p>e) Where an applicant is living in hostel accommodation.</p> <p>f) Where an applicant 's sole residence is a mobile home or caravan.</p> <p>Thenew will require written supporting evidence and a home visit may be carried out to confirm need.</p>	<p><b>Standard Priority</b></p> <p><b>Medium Priority</b></p> <p><b>Medium Priority</b></p>
<p><b>vii) Providing or Receiving Support</b>  Applicants need to live in a particular location to receive daily support from friends/relatives where support is not available in current location.</p> <p>Applicants need to give daily support to friend/relatives where no other person within the locality is able to provide such support.</p> <p>Note: Priority will be given to those applicants who require to travel more than 30 minutes by public transport to give or receive support.</p>	<p><b>Medium Priority</b></p> <p><b>Medium Priority</b></p>
<p><b>viii) Employment/Child Care/Education</b>  Where an applicant has previously been unemployed and has obtained employment and wishes to move to be nearer that employment.  Where an applicant has been transferred by his/her employer and wishes to move to be closer to that employment.</p> <p><b>ix) Childcare</b>  Where parents need daily childcare assistance from relatives or friends because of employment, transport problems, the child's educational needs, or where the child has severe physical disability or severe behavioural problems.</p> <p><b>x) Education</b>  When current housing circumstances affect access to appropriate educational facilities. These may include:</p> <p>Where a child has "severe low incidence disabilities" and their needs are being catered for within a Glasgow City Council school.</p> <p>Where severe disruption to the education of a child is threatened - such as where a family is forced to move out of accommodation and a child is due to sit certificate level examinations within the current school session.</p>	<p><b>Medium Priority</b></p> <p><b>Medium Priority</b></p> <p><b>Medium Priority</b></p>

<b>Housing Need Criteria</b>	<b>Priority Group</b>
<p><b>xi) Sheltered Housing (Housing Support Service)</b>  Thenew provides sheltered housing to help vulnerable, older people maintain their independence in self-contained housing and out of residential or nursing home care for as long as possible.</p> <p>Sheltered housing will normally be allocated to persons who are 60 years old or over whose support and housing assessments demonstrate that the accommodation and support service is appropriate to their needs. The criteria applied to the housing need element of the assessment process will comply with Section 8 of this policy and applicants will be placed within their appropriate Priority Group based on their date of registration.</p> <p>In joint applications only one applicant needs to fulfil the age criteria. Applications will be considered from persons under 60 years where acute medical and support needs can be met by the allocation of sheltered housing.</p>	<p><b><i>Urgent, Homeless, High, Medium or Standard</i></b></p>
<p><b>xii) Supported Housing</b>  Thenew will consider referrals from appropriate agencies seeking to secure rehousing in our supported housing projects for applicants requiring a care and support package. Thenew will require:</p> <ul style="list-style-type: none"> <li>• the applicant to qualify for housing in accordance with the Allocation Policy;</li> <li>• the applicant's needs to be able to be met by the care and support service available within the supported housing project;</li> <li>• the agency to be registered with the Care Commission and be on the local authority's Restricted Standing List of Accredited Providers.</li> <li>•</li> </ul> <p>The criteria applied to the housing need element of the assessment process will comply with Section 8 of this policy and applicants will be placed within their appropriate Priority Group based on their date of registration.</p>	<p><b><i>Urgent, Homeless, High, Medium or Standard</i></b></p>
<p><b>xiii) Domestic Abuse and Harassment</b>  Where an applicant is vulnerable as a result of threatened or actual domestic abuse, racial, sectarian, homophobic, transphobic or other harassment Thenew will offer "<b>Like-for Like</b>" housing. This will normally be away from the tenant or applicant's local area. Thenew will seek to satisfy itself that the applicant's situation would be improved by alternative housing. A maximum of two offers of accommodation will be made for all applicant types.</p> <p>By taking a victim led approach, Thenew recognises that no one should live in fear of violence or abuse from a current or former partner. Thenew will provide information and advise on possible courses of action to respond to the immediate situation and to deal with the longer term. An Information Sheet "Domestic Abuse – Rehousing Advice" will also be issued to applicants which provides a list of appropriate agencies and contact information.</p> <p>Priority will not normally be awarded when the applicant's registered social landlord is not actively pursuing other housing on their behalf.</p>	<p><b>Urgent Priority</b></p>

Housing Need Criteria	Priority Group
<p><b>xiv) Medical Need</b>  Applicants whose ill health is caused or significantly worsened by their current housing conditions and whose condition is likely to be improved by living in other housing.</p> <p>Applicants whose ill health is significantly affected by their current housing conditions and whose condition is likely to be improved by living in other housing.</p> <p>An independent assessment may be requested by Thenew to verify an applicant's medical circumstances.</p> <p>Note: there are a limited number of illnesses that can be alleviated by a move to a different house. These usually result in ongoing mobility difficulties, caused by the physical properties of the current house.</p> <p>The housing conditions above, will relate mostly to the physical properties of the house and will therefore not normally include conditions that relate to:</p> <ul style="list-style-type: none"> <li>• Homelessness,</li> <li>• Relationship breakdowns, or</li> <li>• Financial difficulties.</li> </ul> <p>Medical priority will not usually apply where current accommodation is at ground level, and the house is suitable for the person's medical needs or has been prioritised for adaptation.</p> <p>In order to be assessed for medical priority, applicants must complete the medical section of the registration form. Other supporting evidence may be asked for and we may carry out a home visit.</p> <p>Applicants placed in medical priority group will normally be offered housing which matches their medical need.</p> <p>Where more than one person in the applicant's household is placed in a medical category, only the highest or one (where equal priority has been awarded) medical category will be taken into account.</p> <p>Applicants with a medical priority who consider that their medical circumstances have changed, may submit additional supporting information to Thenew for review.</p>	<p><b>High Priority</b></p> <p><b>Medium Priority</b></p>
<p><b>xv) Homelessness Section 5 Referrals Group</b>  Thenew will deal with homeless applicants in accordance with its obligations under the Housing (Scotland) Act 2001 and Section 5 of Homelessness etc. (Scotland) Act 2003.</p> <p>Thenew will co-operate and implement agreed protocols to help the local authority meet its obligations under the relevant Acts.</p>	<p><b>Homeless Referral Group</b></p>
<p><b>xvi) Special Cases</b>  The Head of Housing will submit cases to the Housing Management</p>	<p><b>Urgent Priority</b></p>

<b>Housing Need Criteria</b>	<b>Priority Group</b>
<p>Sub-Committee for its consideration. The cases will be anonymous.</p> <p>a) A special case is defined as being where an applicant's circumstances are not taken into account within the normal allocation policy or where a combination of factors occur creating a situation that merits special consideration.</p> <p>b) An individual granted priority by the Housing Management Sub-Committee will be offered accommodation in accordance with the Sub-Committee's decision.</p> <p>c) Applicants who refuse two offers of accommodation in accordance with the Sub-Committee's decision will lose the priority</p> <p>d) Where there is more than one applicant with the same priority qualifying for a specific allocation under this category, they will be considered in order of the date of the decision by the Sub-Committee.</p>	
<p><b>xvii) Guaranteed Rehousing</b></p> <p>a) Where a Thenew tenant wishes to give up the tenancy in order to move to residential accommodation, hospital, a group tenancy, or to live with a close relative to receive or provide essential support, a guarantee of rehousing with Thenew may be given. Applications must be submitted in writing before the Thenew tenancy is terminated.</p> <p>b) In these circumstances, any accommodation offered will not normally be in higher demand than the house originally vacated.</p>	<b>High Priority</b>
<p><b>xviii) Relationship Breakdown</b></p> <p>a) Thenew will try to respond sympathetically to requests for rehousing or for transfer of tenancy from parties who are the subject of any relationship breakdown.</p> <p>b) Due to restrictions imposed by the size and location of its stock, Thenew may not always be in a position to respond in respect of any application for rehousing in the manner sought by or acceptable to the applicant. In these cases, advice will be given to the applicant on rehousing opportunities via alternative agencies.</p> <p>c) Thenew seeks to provide information to applicants in relation to their status under the terms of the homeless legislation and Matrimonial Homes (Family Protection) (Scotland) Act 1981 to enable them to seek advice and assistance.</p> <p>d) Thenew will seek to satisfy itself that a partnership/relationship has existed and is one of marriage; civil partnership, common law, or cohabitation (including same sex relationships).</p> <p>e) Where Thenew is satisfied that a relationship did exist it will require the applicant to provide satisfactory evidence that:</p>	<b>High Priority</b>

<b>Housing Need Criteria</b>	<b>Priority Group</b>
<ul style="list-style-type: none"> <li>• the parties have separated as a consequence of the marriage/relationship having irretrievably broken down</li> <li>• there is no alternative accommodation available to the applicant.</li> </ul> <p>f) Before considering an offer of rehousing, Thenew will take into account any decisions regarding custody of dependants.</p>	
<p><b>xix) Applicants in Redevelopment Areas</b></p> <p>Thenew in helping to rebuild communities may be involved in redevelopment programmes requiring the demolition or improvement of housing.</p> <p>a) Applicants in this group have to be rehoused by Thenew to enable the redevelopment programme to proceed.</p> <p>b) Applicants who refuse two offers of suitable accommodation will lose their priority under the Urgent Priority Group.</p> <p>c) Where a tenant of a Thenew house is being transferred on account of site development, the refusal of two offers of suitable accommodation (as laid down in the Housing (Scotland) Act 2001, Schedule 2, Part 2) without a reason satisfactory to Thenew will result in Thenew raising proceedings for recovery of possession of the house. The second house which has been offered and refused will be held as alternative accommodation.</p> <p>d) Priority will be awarded to achieve the agreed redevelopment programme and be in the best interests of the Association. Usually the following priorities will apply.</p> <ul style="list-style-type: none"> <li>• Tenants living in, or decanted from property in the current phase of demolition or redevelopment.</li> <li>• Tenants living in property in future phases of demolition or redevelopment who have a medical condition which could be alleviated by a move, or are overcrowded.</li> <li>• Tenants living in a close with no other residents.</li> <li>• All other tenants living in properties scheduled for demolition.</li> </ul> <p>e) Priority may be given to applicants where Thenew has entered into a formal agreement with their landlord to assist with their development programme. The level of priority to be awarded will be approved by the Association's Housing Management Sub Committee.</p>	<b>Urgent Priority</b>
<p><b>xx) Special Cases - Two for One</b></p> <p>Where two or more tenants of Thenew wish to be rehoused together, and such a move would result in two or more properties becoming available for reletting.</p>	<b>High Priority</b>
<p><b>xxi) Management Transfers</b></p> <p>Thenew will temporarily house tenants to alternative accommodation in case of fire, flood, and major repairs.</p>	<b>Urgent Priority</b>

Housing Need Criteria	Priority Group
<p>Thenew will consider a tenant's request to make the temporary allocation a permanent let where the:</p> <ul style="list-style-type: none"> <li>• Decant property is of similar type, similar or lower demand,</li> <li>• Tenant is vulnerable and under occupying their tenancy and</li> <li>• Decant is provided for more than 6 months.</li> </ul> <p>The Head of Housing may also consider a Management Transfer of a tenant where all other alternatives to resolving a serious neighbour dispute have failed.</p>	<p><b>High Priority</b></p>

## 9. ASSESSMENT OF ACCOMMODATION REQUIRED

When deciding the number of bedrooms needed:

- two children of the same sex under 13 years old may share a double bedroom.
- two children under 8 years old regardless of sex may share a double bedroom.
- a child aged between 8 - 13 years old may not share a bedroom with a child of the opposite sex.
- any remaining members of the household over 13 years old require a separate bedroom.

Single people or couples will not normally be considered for 3-apartment (2 bedrooms) properties unless

- there are no 2 or 3 person households eligible for consideration,
- there are no 2 apartment properties available in the requested area/s
- they are a Thenew tenant transferring from a larger house due to underoccupation of their existing house
- or Thenew's Housing Management Sub Committee has taken a decision to allow under occupation to minimise future turnover.

## 10. ALLOCATION REQUIREMENTS FOR THE NEW TENANTS

### 10.1 Household Members

In considering whether or not someone is a member of the household, the following criteria will apply:

- permanent members of a tenant's household are those individuals who are formally registered on the household record form as household members or who have our written permission to live there and will include any dependants where shared access arrangements are in place;
- applicants who are approved by Social Work Services as suitable for fostering or adoption, will be assessed as if the dependants are living with the applicant's household.
- lodgers are not considered permanent members of a tenant's household

### 10.2 Property Condition

Transfer applicants will be advised of any repairs or redecoration that must be carried out before an offer of rehousing can proceed.

### 10.3 Access to Allow Prospective Tenants to View

Thenew aims to pre-allocate as many properties as possible. In this case, therefore, access for prospective tenants will be requested of the outgoing tenant.

Notification of the accompanied viewing at a mutually convenient date and time will normally be confirmed in writing to the outgoing tenant.

## **11. CHANGE OF CIRCUMSTANCES**

If an applicant moves from their current accommodation, a fresh application will require to be submitted and will be re-assessed. It is the applicant's responsibility to notify Thenew as soon as possible of any changes of circumstances in order that their application can be re-assessed.

## **12. ANNUAL REVIEW**

Applicants will be asked to re-register for housing annually. Applicants who fail to re-register within four weeks of the date of the re-registration letter will be notified and their application will be cancelled. If the applicant contacts Thenew within 4 weeks following that cancellation, the application will be reinstated onto the list.

## **13. OWNERS**

Applicants who are owner occupiers are required to agree in writing to immediately start the process to sell/dispose their property following their acceptance of an offer of accommodation.

## **14. LOCAL LETTINGS PLANS**

Thenew, with the involvement of Area Associations and Registered Tenant Organisations, will develop Local Lettings Plans to assist with our aim of achieving mixed and sustainable communities. Lettings Plans will have lettings targets agreed by Thenew's Housing Management Sub Committee on an annual basis.

Examples of Letting Plan Target Groups (note: other targets may be agreed from time to time by the Housing Management Sub Committee):

### **14.1 Working Households**

To be included in this targeted group the applicant/s will have to have been in continuous employment for more than 1 year. The applicant cannot be a current Thenew tenant seeking a rehousing transfer within the same community.

### **14.2 Community Connection**

To be included in this targeted group the applicant/s will be a current resident of the specific community who is not a current Thenew tenant or an owner.

## **15. COMMUNITY LOCAL LETTINGS POLICIES**

Thenew's Housing Management Sub Committee may approve local letting policies for specific areas.

The Housing Management Sub Committee will:

- Ensure that any local devised policies are consistent with the Association's main Allocations Policy and continue to give reasonable preference to those in the greatest housing need.

- Ensure the involvement of local tenants is in the development of policy objectives not the allocation of individual tenancies.

## **16. DIFFICULT TO LET AREAS**

The Housing Officer is authorised to select any suitable applicant from the next 10 applicants below the last applicant offered the accommodation.

## **17. INDIVIDUAL DIFFICULT-TO-LET PROPERTIES**

Where four refusals have been recorded against a particular house, the Housing Officer is authorised to select any suitable applicant from the next 10 applicants below the last applicant offered the accommodation.

## **18. MUTUAL EXCHANGES**

### **18.1 Right to Exchange**

Thenew tenants have the right to exchange their tenancy with another tenant of Thenew, or another registered social landlord providing they obtain the written consent of their landlord. Applications should be made to the local Housing Officer.

Consent to exchange will not be unreasonably withheld, and will normally only be withheld on one or more of the grounds listed in the paragraph below.

### **18.2 Grounds for Refusing an Exchange**

- a) The tenant is under a Court Order giving possession of the property to the Association.
- b) Notice of Proceedings for Possession have been issued for any of the following reasons:
  - The rent is not paid or any other obligation set out in the tenancy agreement has been broken
  - A nuisance is being caused to neighbours by anyone living in the dwelling, or anyone concerned or using it for immoral or illegal purposes
  - Anyone living in the house has damaged it or has damaged communal areas.
  - Anyone living in the house has damaged the Association's furnishings.
- c) The accommodation is substantially larger than needed by the tenant's family.
- d) The accommodation is not suitable to the needs of the tenant and tenant's family.
- e) The accommodation was provided in consequence of the tenant's employment with the Association.
- f) The accommodation is designed to make it suitable for occupation by a physically disabled person, and if the exchange was allowed there would no longer be a disabled person in the house.

Where a tenant is in breach of the tenancy agreement but proceedings for possession have not been started, consent will be given subject to the breach being remedied.

Thenew publicise the Homeswapper Scheme – a national mutual exchange scheme for tenants who wish to exchange their homes.

## 19. SEX OFFENDERS

Thenew will respond to requests for rehousing by registered sex offenders in line with the Duty To Co-operate Protocol as agreed between Glasgow City Council and Registered Social Landlords.

Thenew will at all times refer to best practice including the Chartered Institute of Housing's Practice Guidance for Local Authority Housing Services and Registered Social Landlords, 2007.

## 20. SUSPENDING APPLICANTS ON THE HOUSING LISTS

Thenew will not suspend any applicant on the housing lists without due consideration of all the circumstances. Suspensions can be applied in the following circumstances:

- a) *conduct* suspensions which are as a result of an action by the applicant or by a member of the applicant's household. This could include, for example, providing false or misleading information in the application for rehousing, previous anti social behaviour or threatening behaviour towards members of staff or a Thenew tenant's failure to allow access to the property for gas safety inspections or essential major repairs.
- b) *eligibility* suspensions which may, for example, relate to conditions placed on owner occupiers or those with support needs where certain criteria have to be fulfilled before an offer of rehousing proceeds.

Conduct suspensions may only be authorised by the Head of Housing who will have due regard to the Chartered Institute of Housing's Good Practice Document "Suspending Applicants on the Housing Register: A Guide for Housing Professionals" (2002). Suspensions will be kept to a minimum and care will be taken to ensure that all circumstances, including the consequences of suspension, will be taken into account before a decision is reached. The Head of Housing will also consider:

- the extent to which the conduct is a consequence of acts of omission of people other than the applicant
- the nature, frequency and duration of the conduct
- the effect the conduct is having on other people
- the effect the conduct is having on Thenew's ability to properly maintain a tenant's property

Any applicant being suspended will receive a letter confirming the decision. The letter will detail:

- the reason(s) for the suspension;
- how long the suspension will last or what action they need to take in order for the suspension to be lifted;
- what representation they can make to have their suspension reviewed; and
- their right of appeal against the decision.

## 21. RENT ARREARS OR OTHER TENANCY RELATED DEBT

Applicants who are or have been tenants must have a clear current or former rent account(s) or meet the conditions below:

The amount outstanding for rent is not more than 1/12th of the annual amount payable to the landlord in respect of the tenancy, or where the debt is greater than one month's, the applicant:

- a) Has agreed an arrangement with the landlord for paying the outstanding liability,
- b) Has made payments in accordance with that arrangement for at least three months, and
- c) Is continuing to make such payments.

Thenew may also apply these rules to other tenancy related outstanding debts such as:

- factoring charges
- service charges
- rechargeable repair charges

## **22. ANTI-SOCIAL BEHAVIOUR**

Applicants will not be considered for housing where there is clear evidence of anti-social behaviour, such as drug dealing, harassment, etc, which has caused significant distress or harm to others on one or more occasions within the last 12 months. Where there is evidence that there has been a change of circumstances, for example, through social work involvement, the behaviour of the person(s) involved has/have improved, this will enable a review to take place. An appeal against any decision regarding anti-social behaviour should be in writing to the Head of Housing.

## **23. CONFIDENTIALITY AND ACCESS TO INFORMATION**

Applicants have the right to see any information which they have provided in connection with their application.

Applicants also have the right to see any information held by Thenew in respect of their housing application unless:

- a) It would disclose another individual who has not consented to disclosure, or
- b) In the opinion of a health professional or Thenew it would be likely to cause serious physical or mental harm to the tenant or any other person.

Thenew respects applicants' right to privacy and will:

- a) Require applicants only to supply information that is required in order to determine their eligibility and housing need in terms of this policy;
- b) Ensure all information held by Thenew in respect of the applicant's housing application will remain confidential and will not be disclosed to a third party without consent unless Thenew has a legal obligation so to do;
- c) Ask for the applicant's permission before making enquiries in relation to current and/or previous tenancies with another landlord, and
- d) Record on computer only information which is necessary for the allocation/assessment process.

## **24. COMPLAINTS AND COMMENTS**

Thenew has a Customer Complaints and Comments Policy which can be used by applicants who wish to comment or who are unhappy with any aspect of the allocation process.

If you are unhappy with the outcome of an informal enquiry a formal complaint can be submitted in writing to the Head of Housing. The complaint will be acknowledged within 3 working days. Following investigation the applicant will be given a written reply within 10 working days. If the applicant is still not satisfied a further complaint can be made to the Association's Chief Executive and then further to a panel of members of the Housing Management Sub-Committee. Applicants who have pursued their complaint fully through Thenew's Complaint procedure and are still not satisfied with the association's response can contact the Scottish Public Services Ombudsman at 4 Melville Street, Edinburgh EH3 7NS.

## 25. ROLE OF THE COMMITTEE

Thenew will ensure that the role of the Sub-Committee, in relation to allocations:

- relates to reviewing and altering policy, the monitoring and evaluation of performance and the setting of annual target quotas;
- avoids involvement in the assessment or selection of applicants or in making offers of rehousing;
- provides applicants with a right of appeal on allocations issues to the Housing Management Sub-Committee;
- approves “special lets” to partner organisations subject to approval if required by the Scottish Housing Regulator; and
- considers individual cases presented anonymously where special consideration has been requested.

## 26. SCHEDULE 7 HOUSING (SCOTLAND) ACT 2001

An allocation of accommodation involving members and former members of the Management Committee and staff of Thenew or their “near relative” will be notified to the Management Committee for approval. “Near relatives” in the context means husband, wife, civil partner, father, mother, sister, brother, son, daughter, grandparent or grandchild. Any allocation made will comply with the criteria set out in the Association’s Policy on Payments and Benefits (Schedule 7).

## 27. PERFORMANCE AUDIT

Thenew will:

- undertake regular monitoring and evaluation of the operation of all aspects of its allocations process to ensure the effective implementation of policy.
- deliver its allocations service in line with its published Service Standards, and
- annually review a selection of allocations made during the previous 12 months to test compliance with Thenew’s Allocation Policy and procedures.

## 28. IMPLEMENTATION OF POLICY

The Head of Housing will be responsible for ensuring this policy is implemented and that all staff are aware of this policy and briefed on its implementation. Area Team Leaders are responsible for ensuring staff follow the policy in respect of lettings. The Team Leader (HN&SA) is responsible for the management of the Housing List. The Performance and Participation Manager is responsible for regular monitoring of outcomes and auditing a sample of allocations.

## 29. POLICY REVIEW

This policy will be due for review in November 2011 or sooner if required by changes in law or good practice.

### APPENDIX ONE

#### LETTINGS PLAN TARGETS

Year	Target Group	Target of Annual Relets	Area
2009-10	Transfer Applicants	15%	Thenew wide
2009-12	Working Households	10%	Baillieston, Blackhill, Central Castlemilk, Cranhill,

			Dalmarnock, Netherholm, Saltmarket
2009-12	Working Households	15%	Calton