

ALLOCATIONS POLICY

This policy was approved by the Committee of Management on 10th June 2009.

1. Introduction

This Allocations Policy sets out the principles and rules used by West Granton Housing Co-operative Limited (WGHC) in dealing with housing applications and the allocation of vacant properties. It also covers requests to transfer a tenancy to another person.

WGHC will provide a copy of this full policy, free of charge, to anyone who requests it. If an applicant has difficulty in reading this document, WGHC will make reasonable efforts to provide assistance or advice. This policy is summarised in an information leaflet, copies of which can be obtained from the office of WGHC.

A copy of this policy will be provided to the Scottish Housing Regulator and to the City of Edinburgh Council.

2. Equal Opportunities

WGHC is committed to Equal Opportunities. WGHC will, in accordance with principal legislation as set out in the Equality Policy, promote equality of opportunity for all and seek to eliminate unlawful direct and indirect discrimination in all areas of our work, oppose discrimination against or harassment of any tenant or applicant on the grounds of age, gender, marital status, family circumstances, race, colour, ethnic origin, nationality, religion, sexual orientation, illness or disability.

In accordance with good practice, Committee Members will have no direct involvement in the allocation of houses. Their main role is to discuss and agree allocations policy and monitor performance. They may also consider appeals or special cases, however in doing so they will consider only the circumstances of the applicant, without the identity of the applicant being disclosed.

Where appropriate, WGHC will take disability, illness and age into account when allocating properties specially built, adapted or otherwise best suited for such groups. Such criteria will be specified clearly in a Lettings Plan.

A minimum of two staff members will be involved in allocating each property. In all cases the decision to match an applicant with a vacancy will be agreed with, and countersigned by, a senior staff member.

A formal offer of housing can only be made to persons approved for membership of WGHC. WGHC will offer the most secure form of tenancy compatible with the needs of the applicant and type of accommodation.

3. Property Types & Lettings Plans

WGHC owns a variety of types of housing in several locations. These include:

- Semi detached and terraced family houses with self contained front and back gardens.
- Bungalows and ground floor flats designed for people with limited mobility or for wheelchair users.
- Flats best suited to single people or childless households.
- Flats which may suit a wider range of households including families with children.
- Part and fully furnished flats aimed at first time householders.

WGHC will endeavour to make best use of the available stock both to meet housing need and to create and maintain stable and balanced communities. We will try to avoid foreseeable lifestyle clashes or social problems by responsibly matching applicants to appropriate types and locations of houses.

The criteria we use will be set out clearly in a Lettings Plan.

4. Access to Housing

4.1. RIGHT TO BUY

There is no right to buy any property rented from West Granton Housing Co-op.

4.2. SUCCESSION

Where a person living in a WGHC house, after the death of the principal tenant, wishes to become the tenant. Succession is subject to the terms laid down in the tenancy agreement.

4.3. ASSIGNATION

A WGHC tenant cannot assign the tenancy without the written consent of WGHC. Section 4 of the tenancy agreement sets out conditions relating to assignation. Applications must be in writing and contain full details of the proposed transaction.

WGHC will respond to a request within one month. If there is insufficient information it may be refused on those grounds but reconsidered when full information is available.

WGHC will not unreasonably refuse a request. The prospective tenant must apply for and have been granted membership of the Co-operative. If we agree to the request to assign the tenancy we will end the existing tenancy and create a new tenancy.

4.4. SUB-LETTING

A WGHC tenant may not sublet the tenancy or take in a lodger without the written consent of WGHC. Section 4 of the tenancy agreement sets out conditions relating to subletting. Applications must be in writing and contain full details of the proposed transaction.

WGHC will respond to a request within one month. If there is insufficient information it may be refused on those grounds but reconsidered when full information is available.

WGHC will not unreasonably refuse a request. Grounds for refusal would include unreasonable rent or other payments being expected of the subtenant or lodger. The prospective tenant must apply for and have been granted membership of the Co-operative. It is anticipated this situation would be exceptional since it conflicts with the general principle of one membership per house.

The rent charged to a subtenant or lodger cannot be increased without the consent of WGHC.

4.5. MUTUAL EXCHANGE

Where a WGHC tenant wishes to exchange houses with a tenant who currently has a Scottish Secure Tenancy. Section 4 of the tenancy agreement sets out conditions relating to subletting.

WGHC will respond to a request within one month. If there is insufficient information it may be refused on those grounds but reconsidered when full information is available.

Grounds for refusal would include where the house type is not best suited to the incoming household or if the WGHC tenant does not comply with their obligations in relation to ending a tenancy. The prospective tenant must apply for and have been granted membership of the Co-operative. If we agree to the request to exchange we will end the existing tenancy and create a new tenancy.

4.6. TRANSFER OF TENANCY

Where a person living in a WGHC house applies to become the tenant. Transfer of the tenancy is at the discretion of WGHC, subject to the rights of the existing tenant and any relevant legislation and/or court orders. There are two circumstances in which WGHC will consider transferring a tenancy:-

4.6.1. COURT ORDER

In certain circumstances a court may ask that a tenancy is transferred from one spouse or civil partner to the other. WGHC will have an opportunity to object or support the applicant and the court will take this into account. The prospective tenant must apply for and have been granted membership of the Co-operative. If we agree we will end the existing tenancy and create a new tenancy.

4.6.2. END OF TENANCY

When a tenancy is due to end (e.g. by notice or by court order) another occupant of the house may apply to have the tenancy transferred to them. The prospective tenant must be the spouse or civil partner of the tenant; or have had occupancy rights granted by a court; or have been living as a couple with the tenant; or be a member of the tenant's family for whom the house is their only or principal home. WGHC may take into account the length of time the prospective tenant has lived in the house.

WGHC will only agree if there are exceptional reasons to do so. WGHC will not agree if there are rent arrears or if we don't think the prospective tenant would be able to manage the tenancy. The prospective tenant must apply for and have been granted membership of the Co-operative. If we agree we will end the existing tenancy and create a new tenancy.

5. ALLOCATIONS OF VACANT PROPERTIES

In allocating vacant properties WGHC's primary considerations will be to meet housing need; to create balanced communities; and to minimise housing management problems. **There are six routes through which wghc can allocate a vacant property:-**

5.1. REFERRALS

WGHC may enter into agreements with specialist agencies to allocate a proportion of vacancies to particular need groups.

5.2. RECIPROCAL AGREEMENTS

WGHC may enter into agreements with other housing providers to improve mobility for tenants and household members.

5.3. QUALIFYING OCCUPIERS

Where it would resolve a serious housing management issue WGHC will consider allocating a tenancy to an applicant who is currently a qualifying occupier in another WGHC tenancy. This would be exceptional and requires the consent of the CEO.

5.4. SPECIAL CIRCUMSTANCES

WGHC will consider allocating a property to an applicant where exceptional circumstances apply. This may include moving to care for family members. In such cases there must be a significant need and a significant benefit must arise from the allocation. This would be exceptional and requires the consent of the Committee of Management or a delegated subcommittee.

5.5. INTERNAL TRANSFER APPLICANTS

Where there is measurable housing need or it is in the best interests of the tenant or Co-operative. Further information is in section 6 below.

5.6. EDINDEX

This is the common housing register used by most Edinburgh social landlords. WGHC will allocate from Edindex using Key to Choice which is a choice based allocations system. Properties are advertised and home seekers registered with EdIndex are invited to submit bids for properties they are interested in. Further information is in section 8 below.

6. Admission to WGHC's Internal Transfer List

WGHC will maintain a list of our tenants who apply for a transfer. Any WGHC tenant may apply for a transfer to another property within WGHC's existing stock. The applicant must be a tenant. In the case of joint tenants both must apply. Any internal transfer must involve ending the tenancy in one property and the entire household vacating the property.

Acceptance of an application does not guarantee that an offer of re-housing will be made. Internal applications will be assessed and categorised as being in either Priority Need or Non-Priority Need. To qualify as Priority Need an applicant must be able to demonstrate their current housing is unsuitable for their needs based on one of the following criteria: Overcrowding, Underoccupation, Disability, Long Term Illness, Harassment, Support, or some other Housing Related Problem including households with young children who live in a flat without a private garden.

Applicants who do not meet the qualifying criteria for Priority Need will be categorised as being in Non-Priority Need.

7. Suspension from the WGHC Internal Transfer List

An applicant may be suspended from the WGHC Internal Transfer List for a period of 6 months if three reasonable offers of housing have been refused. An applicant has the right to appeal this decision. Only a senior staff member can decide if an applicant can be suspended and in each case the applicant will be notified in writing the reason why they have been suspended. If an applicant is suspended from the list they must be advised in writing that the suspension will be for a maximum period of 6 months. After the suspension period has expired, the applicant must be informed in writing that the suspension on their application has been lifted. All suspensions from the WGHC Housing List and the reason(s) for each suspension must be recorded.

8. EdIndex Applications and Key to Choice

Anyone aged 16 years and over is eligible for admission to the Edindex Common Housing Register. The right to be admitted to this list does not mean the applicant has a right to be allocated a tenancy.

If WGHC chooses to allocate from Edindex, it will use the EdIndex choice based lettings system, Key to Choice. All applicants wishing to be considered for WGHC housing through this route must have a live Edindex application form.

Vacancies will be advertised on a weekly basis in a supplement paper in the Edinburgh Evening News and on the Key to Choice Website.

WGHC will use the “Starter” and “Mover” criteria to ensure that allocations are spread across a range of types of housing need in accordance with Lettings plans and any approved performance targets.

EdIndex will generate a list for WGHC of all the bids received in response to a Key to Choice advert for a WGHC property. WGHC staff will apply restriction criteria according to property type, to produce a shortlist of suitable candidates. The most common restriction criteria used for general needs housing will be size of household and for amenity or wheelchair adapted properties a further criteria may be applied to restrict the shortlist to those applicants who have a long term illness, disability or mobility problems. Other specific lettings criteria may be used in shortlisting and are detailed in the WGHC Lettings Plan.

9. Suspension of EdIndex Applicants

This suspension process will be managed by EdIndex. Requests to suspend an applicant will be sent to the EdIndex/Choice Panel Co-ordinator. The decision to suspend an applicant from all lists will be made by an officer panel in accordance with EdIndex policy framework to support the decision making process. EdIndex will take responsibility for advising the applicant and monitoring the case.

10. Matching Applicants to a Vacancy

When a vacancy arises WGHC staff will apply restriction criteria according to property type. The most common restriction criteria used for general needs housing will be size of household. For amenity or wheelchair adapted properties a further criteria may be applied to restrict the shortlist to those applicants who have a long term illness, disability or mobility problems. Other specific lettings criteria may be used in shortlisting and are detailed in the WGHC Lettings Plan.

A senior officer will determine from which of the routes set out in section 5 the shortlist will be drawn. Any applications or agreements covered by 5.1 to 5.4 should be considered first. Thereafter first priority will be to internal applicants in housing need since in this way two cases of housing need can be addressed (since the internal transfer will produce a second vacant property in our stock). If there are no appropriate internal applicants the house will be advertised via Key to Choice.

Vacancies will be matched to the applicant for whom the property type is suitable and who are top of the relevant shortlist.

In the case of Internal Transfer applicants, if two applicants have the same priority, the key criteria used in making this decision will be length of time on the waiting list and/or in priority need and/or any other reasonable housing management criteria.

In the case of Key to Choice applicants, if the applicant at the top of the list does not match the criteria they will be bypassed and the next applicant on the list will be assessed and this will continue until a match is made. For audit purposes, a reason for each bypass must be given and noted on the Edindex system. WGHC will not write out to an applicant if they have been bypassed. If two or more applicants have the same points, a staff member will make a decision based on the applicants' relative needs or any reasonable housing management criteria.

When an applicant is matched to the vacancy then, where practical, WGHC staff will carry out a home visit to verify details and confirm interest. If a home visit is not practical then the applicant will be invited to attend an interview at the WGHC office.

11. Verification of Applications

If an applicant is matched to a tenancy they will be contacted to verify the information on the application. Further details may also be requested to verify the information such as medical information or confirmatory statements from the Police and/or other agencies.

If the verification process indicates that the applicant does not match the restriction criteria because the information on the application is not accurate, the application will be re-assessed. This re-assessment may result in the applicant being bypassed on the shortlist because they no longer match the criteria for the vacancy. The next applicant on the shortlist will then be contacted to verify the information on their application. This process will continue until WGHC are satisfied they have an applicant who satisfies the criteria and matches the vacancy.

References will be taken up with the current or previous landlords (in the case of owner occupiers with bank or building society, if appropriate). The reference will not ask for an opinion about the applicant but will only seek information about payment of rent or mortgage and/or any reported breaches of a tenancy agreement. WGHC will take into account from these or other sources any history of anti social behaviour, significant rents arrears or other relevant and reasonable information.

However, in accordance with the Housing (Scotland) Act 2001 and good practice, WGHC will not take into consideration:

- The length of time an applicant has lived in the area;
- Rent or other arrears or liabilities for a house where the applicant was not the tenant;
- Rent or other arrears from a previous tenancy which are no longer outstanding;
- Rent or other arrears are outstanding but which amount to less than the equivalent of one months charge or where an agreement to repay is in place and being kept to and has been kept to for three months;
- Any outstanding debts, which do not relate to the tenancy of the house (e.g. council tax).
- The income of the applicant(s) and their family;
- Any property owned or previously owned by the applicant(s) or their family;
- The age of the applicant unless they are under 16 or housing has been designed or adapted for a particular age group.

12. Reasons for Refusing to Allocate Housing

WGHC reserves the right not to allocate housing to an applicant:

- if we are satisfied that the applicant has deliberately given false information;
- if we are satisfied that the applicant or a member of their household or someone acting for them:
 - has verbally or physically abused or intimidated staff or committee members;
 - has bribed or attempted to bribe or otherwise sought to obtain favour from staff or committee members;
 - has a history of anti social behaviour which we are satisfied is likely to recur and cause nuisance to our tenants or within our area of operations;
- if the applicant has rent arrears from a current or previous tenancy of more than one month and has not made or is not abiding by an agreement to clear the debt;
- if we are satisfied that the applicant has been in breach of the tenancy agreement in relation to a current or previous tenancy on the grounds of anti social behaviour and has received a written warning, a Notice of Proceedings for Recovery of Possession, an eviction order or an Anti-social behaviour order;
- if a WGHC internal transfer applicant fails to keep their tenancy in good order or to bring the tenancy to a lettable standard at the conclusion of the tenancy. The applicant will be advised of any repairs or redecoration required. If a transfer applicant fails to bring the property up to a lettable standard, WGHC may refuse the transfer. Alternatively WGHC may decide to recharge the tenant for any expense incurred by WGHC in bringing that property up to a lettable standard. Tenants will be advised of this decision in writing and will have the right to appeal any decision made.
- if we are satisfied that the applicant has unreasonably refused an offer of housing;
- if an application for membership of the Co-operative has been refused;
- if we are satisfied that it is reasonable to do so on some other grounds.

WGHC may take the decision not to allocate housing to an applicant at any point, from receipt of application and prior to a tenancy agreement being signed. In the case of false information given in an application, this can also be grounds for the Co-operative seeking to end a tenancy should it come to light at a later date. WGHC will keep a list of all those applicants who have been refused housing and the reason(s) for the refusal.

Other than in the case of refusal of membership, the Co-operative will not automatically refuse to allocate if any of these grounds apply but will consider each case on its merits. The decision will be agreed with, and countersigned by, a senior staff member. The applicant will be informed in writing of the decision. The applicant may appeal if they disagree with the decision.

Once the decision not to allocate to an applicant has been taken the applicant will not normally be considered for any future allocations. However in the case of rent arrears or breach of tenancy agreement, if the issues are resolved a future application may be considered.

13. Refusal of Offer of Housing from WGHC

Until an applicant has signed a Scottish Secure Tenancy Agreement with WGHC, they have the right to refuse an offer of housing from WGHC. WGHC will keep a record of all offers refused and the reason(s) for the refusal. Where an applicant has failed to respond to an offer letter, WGHC will consider this as a refusal.

14. Complaints & Appeals

If an applicant wishes to appeal against a decision or complain about the conduct of staff or complain that this policy has not been adhered to they should refer to the Co-operative's Complaints Policy. Copies are available from the office of West Granton Housing Co-op.

Houses will not normally be kept vacant pending decision on complaints or appeals. If a decision means that the applicant should be considered for an allocation then they will be considered for the next suitable let.

15. Monitoring & Audit Trail

All decisions made in relation to an application will be recorded in writing and where appropriate confirmed in writing to the applicant. The allocations process will be subject to periodic internal audit by an independent agency.

Committee will receive regular updates on allocations and will review and revise this policy on a regular basis.

Using the new Key to Choice Allocations System, WGHC Staff will print off each shortlist from Edindex which must include the reasons for bypassing any applicant(s). A list of the restriction(s) criteria applied to each shortlist will be generated by WGHC Staff and attached to the shortlist and copy of the advert for each vacancy. Where possible, Staff will print off all available audit trails for each allocation from the Edindex System. Audit trails from Edindex are to be used to complement the allocation audit trails generated internally by WGHC Staff for each allocation.

Periodically a Senior Staff Member will review a random sample of allocation decisions and associated paperwork to ensure that the required standards are being followed.