



# Allocations Policy 2019



<b>Approved On</b>	<b>20<sup>th</sup> June 2019</b>
<b>Next Review Date</b>	<b>June 2022</b>

## 1. Background

This policy describes how West of Scotland Housing Association will manage applications for housing and how we will allocate properties. It has been updated to take account of the changes in legislation introduced by the Housing (Scotland) Act 2014. The Policy was approved by the WSHA Board in May 2019.

## 2. Principles and Objectives

The policy operates within the following principles:

### **Allocations policy - principles**

- We will provide everyone with fair and open access to our housing list
- We will avoid discrimination on any grounds in the way we allocate our properties
- We will give reasonable preference to those in housing need
- We will make best possible use of the housing stock we have available
- We will offer as much choice as we can to everyone who applies for housing
- We will always strive to help create and support stable and sustainable communities
- We will consult with tenants, tenant groups and applicants about proposed changes to the Allocation Policy
- Information we hold about applicants will be kept confidential and compliant with the General Data and Protection Regulations 2016 (GDPR) which requires that information regarding an individual must be treated lawfully and correctly. A copy of our Data Protection Statement is available on our website.

Within these broad principles, the policy is designed to meet a number of more detailed objectives:

### **Allocations policy – objectives**

- To ensure that a balance of applicants from a range of circumstances are given the opportunity to be housed
- To assist Local Authorities and other housing providers to relieve homelessness, poor housing conditions and meet other housing needs
- To provide a source of housing to other organisations assisting those in housing need, who have additional support needs, through nomination agreements
- To maximise opportunities for applicants to make informed choices by providing good information and realistic advice about their housing options
- To ensure that successful applicants are offered accommodation suitable for their needs
- To operate a system of allocating houses that is consistent, fair, easily understood and simple to administer
- To ensure we comply with legislation, guidance and best practice
- To maintain our housing lists and allocate properties as efficiently as possible
- To make the best use of our housing stock, make sure our properties are of an appropriate lettable standard and minimise the time that properties are vacant

### **3. Legal and Regulatory Framework**

We will allocate our homes in accordance with the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001, the Housing (Scotland) Act 2014 and other relevant legislation and statutory guidance. This policy is intended to reflect best practice as defined by the Scottish Government's Practice Guide on Social Housing, published in 2019 and the revised Scottish Social Housing Charter (SSHC) issued by the Scottish Housing Regulator. Some of the changes from the 2014 Act do not take effect until 1 November 2019 including the new grounds for refusing permission for an assignation, subletting or joint tenancy request. Also the rules on succession are amended from this date. Our policy will be updated to reflect these time specific changes.

In accordance with the requirements of the Equalities Act 2010, our Equalities, Diversity and Inclusion Policy commits us to the principle that everyone has a right to

be treated with dignity and respect, that we recognise the individual needs of our tenants and customers and we strive to ensure fair access to housing and housing services.

#### **4. Service Standards**

Our Customer Services Charter sets out our service standards (see our website for further details). Our service standards take account of the Scottish Social Housing Charter outcomes:

##### **Communication**

- Tenants and people on housing lists can review their housing options
- People at risk of losing their homes get advice on preventing homelessness
- We will ensure tenants and other customers find it easy to communicate with us and get the information they need

##### **Access to Social Housing**

- Those looking for housing find it easy to apply for the widest choice of social housing available and have the information they need to apply for housing and to understand what their prospects are for being rehoused.

##### **Quality of Housing**

- Our homes will as a minimum continue to meet the Scottish Housing Quality Standard (SHQS and the Energy Efficiency Standard for Social Housing EESSH). Tenants that move into a new or relet WSHA home can expect it to be clean, tidy and in a good state of repair.

##### **Housing Options Advice**

- People looking for housing will get information that helps them make informed choices and decisions about the range of housing options available to them from WSHA and other housing providers
- Tenants and people on housing lists can review their housing options
- People at risk of losing their homes get advice on preventing homelessness

## 5. Applying for a house – information for applicants

There are a number of ways for people to access housing with the Association.

### **Direct application**

Most applicants will apply to us directly and will be included on our housing list. We can accept you on to our list for rehousing if you are aged 16 or over and not prevented from doing so by immigration or other relevant legislation. Applicants who wish to apply for housing will normally attend a Housing Advice interview where an open discussion will take place about preferences and housing prospects.

### **WSHA Tenants**

If you are already a tenant of the Association you can apply for a **housing transfer** by contacting your Housing Officer who will arrange a home visit to discuss options and prospects.

If you are considering **taking in a lodger**, adding another person to your tenancy (**joint tenancy**), wish to **sub let** all or part of your home or carry out a **mutual exchange** you must apply to us in writing and have our permission.

### **Management Priority**

Occasionally, the Association may have to look to rehouse a transfer applicant quickly. An applicant who is in an emergency situation can be given a Management Priority move. This must be authorised by a member of the Corporate Management Team.

### **Mutual exchange**

This is where two social housing tenants from the same or different landlords exchange homes and tenancies. WSHA is a member of Home Swapper, an organisation that provides a mutual exchange service to tenants. Speak to us if you are considering a mutual exchange.([www.homeswapper.co.uk](http://www.homeswapper.co.uk))

### **Common Housing Registers (CHR)**

If you have selected the North or South Lanarkshire Council areas you will be included in the respective Local Authorities' CHR. You will need to complete the relevant CHR application form to be considered for housing in these areas. Contact us for further advice and assistance.

### **Homelessness**

If you are homeless or threatened with homelessness the local council where you are staying will have a legal obligation to provide advice and assistance. WSHA works closely with the six councils where we have housing: Glasgow City, North Lanarkshire, South Lanarkshire and East, North and South Ayrshire. We receive priority homelessness nominations from Local Authorities under Section 5 of the Homelessness etc. (Scotland) Act 2003 as well as through the CHRs in North and South Lanarkshire. We give homeless applicants a high priority for rehousing.

### **Nomination from Local Authority**

In some areas we have agreements with the Local Authorities and when we have a property available for let we will contact the local authority. They will then provide us with nominations from their own housing lists. We currently have agreements in place with Glasgow Council, East Ayrshire Council, North Ayrshire Council and South Ayrshire Council.

### **Agency referrals**

We have agreements with and accept referrals from a range of support agencies to assist them in providing housing help and support to people in housing need. We include in this category young people having been looked after within the care system.

### **Supported Accommodation**

The Association has a range of specially built or equipped properties where support is provided by an independent support provider. Funding for these is usually provided by the Local Authority or Health and Social Care Partnership. Given the expertise required to assess and compare the competing complex needs for this type of accommodation, we work in partnership with the support provider and/or funding body when shortlisting for these properties when there is a vacancy.

## **6. Assessing priority for rehousing**

When a housing advice interview or transfer request meeting has taken place and we have a completed housing application form, the Association will assess the application and points will be awarded based on the applicant's current circumstances and the severity of their housing need.

### **Points categories & housing needs groups**

There are three groups for whom we must give a 'reasonable preference' in the allocation of housing. We must give a reasonable level of priority for:

- **Homelessness**  
**Homeless persons and persons threatened with homelessness who have unmet housing needs.** The Association will implement agreed protocols and agreements to assist each Local Authority meet its legal duties to provide permanent accommodation.
- **Property condition**  
**People who are living in unsatisfactory housing conditions.** Usually the Local Authority will confirm that an applicant is living in unsatisfactory housing conditions that does not meet the tolerable standard set out in housing legislation
- **Under occupation**

Applies to WSHA tenants and those of other social landlord tenants who are living in a property which is too large for his or her household and willing to move to a smaller property.

**Others needs we prioritise:**

**Health**

Health points are awarded where an applicant has a health condition which is affected by their current living circumstances and which could be alleviated by moving to another property. If more than one member of the household has a medical condition which would benefit from a move, then three additional points can be awarded. This is capped at one additional award per application. West of Scotland Housing Association tenants may be able to remain in their homes with some adaptations being made. This will be considered when an application is made.

**Return to Community**

Points are awarded within this category for a person with significant personal care or support needs, including those leaving long stay residential care or a young person leaving care of the local authority.

**Harassment**

Harassment points are awarded where applicants are experiencing some form of harassment in their current home which could be alleviated by moving house.

The Association is aware that harassment can take many forms; racial, sexual, harassment against people with mental health problems, learning or physical disabilities, people with HIV, and lesbian, gay, bisexual, transgender and intersex people. Each case shall be dealt with sensitively and on its own merits, based on the evidence that it is possible to gather.

**Domestic Abuse**

The Association has a separate Domestic Abuse policy that recognises that people have the right to a life free from violence and abuse and guides staff on offering a victim-centred service to tenants. As well as trying to re-house victims of domestic abuse quickly and in the location of their choice, we will give appropriate advice and assistance including contacting other agencies on their behalf.

**Social**

Social points are awarded where an applicant has particular need to move to an area for specific reasons, including to provide or receive care and/or support, or access employment/education opportunities.

**Sharing amenities**

Points can be awarded to applicants who have to share cooking, toilet and/or bathing facilities with others who are not part of the same household.

**Insecure Accommodation** (only available to waiting list applicants and does not apply to applicants with a Scottish Secure Tenancy). Insecure tenancy points are awarded if an applicant is not responsible for their accommodation being at risk; for

example has sole occupancy of a property but does not have a tenancy agreement, is in tied accommodation and being required to leave because of redundancy or retirement, has Private Residential Tenancy and has received a Notice to Leave (non conduct grounds), is a home owner served with a repossession notice.

**Armed Forces**

Applicants serving in the British Ministry of Defence Armed Forces can apply up to one year ahead of their date to an honourable discharge and 6 months after. They must have completed three years service or one full tour of duty.

**Bypasses, Deferrals and Suspensions**

There may be circumstances when we choose not to make an offer of housing to an applicant on our rehousing lists.

- **Bypasses**  
If we have a justified reason we may not make an offer to an applicant who might otherwise have received an offer. This could happen if we know a property does not meet the applicant’s needs or we know the applicant will refuse the offer.
- **Deferral**  
This can occur when an applicant advises us that they do not currently want to be considered for rehousing. Usually this will be for a set period as agreed with the applicant.
- **Suspension**  
Suspensions occur when we decide an applicant is required to met certain conditions before being considered for rehousing. See Section 10 for further details concerning suspensions.

**7. How we award points according to the housing need category:**

The table below shows a summary of the points categories and the number of points which are awarded in each category.

Category	Points awarded
<b>Homelessness</b>	Priority for rehousing to be verified by the Local Authority. Highest priority need.
<b>Property Condition</b>	12 – for people living in unsatisfactory housing conditions
<b>Under occupation</b>	3 - per bedroom under-occupied

<b>Overcrowding</b>	5 - for each person affected, assessed by the need for additional bedroom(s) see table below for details.
<b>Health</b>	15 – high 10 – medium 5 – low  3 – additional points if more than one person in family will benefit, capped at one additional award
<b>Return to Community</b>	15 - for a person with significant community care needs
<b>Harassment</b>	15 – high 10 – medium 5 – low
<b>Domestic abuse</b>	15
<b>Social factors</b>	5
<b>Sharing amenities</b>	8 – where applicant is sharing cooking/toilet/bathing facilities with another household
<b>Insecure accommodation</b>	10 – where applicant is living in insecure tenancy situation
<b>Armed Forces</b>	10 – applicant is serving in the Armed Forces

### How we assess overcrowding and bedroom requirements

Two adults (16 and over) living together as partners	One bedroom
Parent in single parent family	One bedroom
Any adult member of the household, other than applicant or partner, aged 16 years and over	One bedroom
Single child under 16	One bedroom
Two children of the same sex under 16 years old	One bedroom
Two children of opposite sex one or both aged 10 or over but under 16	Two bedrooms
Two children of opposite sex both under age of 10	One bedroom

Overcrowding points shall not be awarded in cases where single people occupy bedsit or studio type accommodation.

A property with an additional bedroom may, if available, be offered where the age difference between two children who would otherwise share a bedroom is more than 8 years.

A young person who has joined or about to join a family through a kinship care, fostering or adoption proceedings will be deemed to be a household member.

Pregnant applicants will be queued for a property size that assumes the new born child/children will be living in the property.

In cases where an applicant has regular custody of a child, the child will be considered part of the applicant's household if staying overnight on a regular basis. The Association can offer a property with one extra bedroom over and above what we would normally offer. If there is more than one child we will not offer any additional bedrooms.

If an applicant has equal or majority access to a child(ren) they can select the size of property required by their household as if all members were living there permanently.

On occasion, the size of property offered to an applicant may be different from the bedroom requirement standard outlined above. This will normally occur to alleviate a housing or specific health need, for example an additional room or bedroom for a person with special educational needs. In exceptional cases the Association may set aside the bedroom standard to meet the particular housing needs of an applicant, including situations where there is a significant age gap between under 16 siblings.

## **8. Choices for applicants**

People applying for housing will need to make some important choices when they attend a Housing Advice interview to complete an application form. They will need to choose the location, type and size of property they wish to be considered for, in accordance with our policy guidelines.

Applicants may be permitted to queue for a property size that is larger than they require but will not receive additional overcrowding points.

Applicants will be provided with the Association's Housing Advice booklet which contains information on our Allocations Policy and procedures, along with information about other routes into housing and support agencies.

Applicants who are living in overcrowded conditions may be considered for accommodation with fewer bedrooms than they need if this eases the degree of overcrowding they are experiencing and there is little prospect of a more suitable property becoming available in their areas of choice.

### **Areas**

The Association owns properties across Glasgow, Lanarkshire and Ayrshire. These properties are divided into different 'lettings areas' to help applicants choose which areas they wish to live in. A list of these areas will be available at the housing advice

interview or transfer request meeting when applicants will be able to select their preferred areas for rehousing.

**Amenity and Sheltered Housing**

The Association has a number of properties which have been built to amenity standard. We also manage a variety of sheltered accommodation where there is additional support services provided through our retirement assistants and/ or community alarms. These properties will normally be allocated, in the first instance, to households that have at least one person aged over 60. However, the age limit may be lowered where the applicant has a specific medical or social need that can be met within sheltered housing.

**Wheelchair Housing**

The Association owns some properties which are specially adapted for people who use wheelchairs. Priority will be given to applicants who need such accommodation.

**Medically Adapted Properties**

Some of the Association’s properties have specialised features, for example, community alarm provision, medical adaptations, ramps and additional fire safety equipment. Where possible, we will allocate these properties to households that have a medical need for this type of accommodation so that he/she can continue to live with more independence.

**9. Quota system**

The Association uses a quota system to make sure that we are able to house a mix of applicants from different sources. We aim to house a percentage of lets from:

- Homeless nominations or selected from a common housing register.
- Nominations from Local Authorities or selected from a common housing register
- Direct applicants to our housing list
- WSHA transfer applicants, may include tenants of other social landlords
- Referrals from other agencies

Priority Group	Rehousing Quota
Homeless priority	Percentage rehoused as agreed with appropriate Local Authority through nomination agreements, protocols,

	referrals on a common housing register
Nominations from Local Authority	Percentage rehoused as agreed with Local Authority
Direct applicants to housing list	75% of balance after Local Authority nominations and homeless nominations
Transfer applicants	20% of balance after Local Authority nominations and homeless nominations
Agency referrals	5% of balance after Local Authority nominations and homeless nominations

These quotas are used to report our annual targets for allocations which we report to our Board and the Scottish Housing Regulator.

### **Local Lettings Initiatives (LLI)**

We may agree LLIs to achieve aims specific to a particular area. They will be developed in consultation with local residents and the Local Authority. We will consider LLI's in communities where the Association feel that specific and targeted action is required to achieve or maintain balance and community stability. LLIs will require the approval of our Board.

## **10. Suspension**

In certain circumstances we may suspend an applicant from receiving offers of housing. This may be for a number of reasons, including:

- Anti Social Behaviour and conduct by an applicant or a member of their household. Anti Social Behaviour is defined within the 2014 Act as an action of course of conduct causing or likely to cause alarm, distress, nuisance or annoyance. It can be a physical action or things which a person has said. Here are examples:
  - Annoyance, harassment, violent or intimidating behaviour towards staff, neighbours or others
  - Previous convictions relating to the tenancy including use of a house for an illegal or immoral purpose, for example drug dealing, fire raising
  - vandalism to a landlord's property
  - granting of an Anti Social Behaviour Order

We will only suspend an applicant when we have robust evidence to support our decision. It may be we impose a suspension to a waiting list or transfer applicant from receiving an offer of housing for a particular area or location

where they live or have lived, because of a crime conviction associated with that location including a previous tenancy.

- Tenancy Related Debt including rent arrears, rechargeable debts payable to a landlord, incurred within the previous 3 years
- Other breach of tenancy conditions including
  - abandonment
  - property left in poor condition
  - pets uncontrolled
  - property alterations without approval of the landlord
- Applicants who have unreasonably refused three offers of housing. In these cases, applicants can be suspended from the waiting list for a period of three months
- Applicants who have lied to get a tenancy

We will notify, in writing, any applicant that has been suspended from receiving an offer of a house. The letter will state:

- the reasons for the suspension
- the length of the suspension
- how the applicant can appeal against the suspension
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## **11. Applicant Reviews, Cancellations and Appeal**

All applicants are responsible for informing the Association of any changes to their circumstances as this can affect their application and any potential offer of housing. The Association needs to know about changes of address, household makeup, medical needs.

### **Periodic review**

We will write to all applicants, normally once every year, around the anniversary of their application, to update the information we hold and ensure it is up-to-date and accurate. Applicants who do not respond to this review within 28 days will have their application cancelled.

### **Cancellation**

The Association will only cancel an application for housing where:

- the applicant has requested in writing or by telephone that they wish to be removed from the waiting list
- the applicant has died
- the applicant has failed to respond to the periodic review of the waiting list
- the applicant cannot be contacted regarding an offer of housing and there is no response within the specified timescale. We will inform the applicant in writing

### **Appeal**

Applicants have the right to appeal any decisions made in connection with their application which they consider to be unfair. A senior member of the Association's staff who was not involved in making the original decision will consider any appeals. If the applicant remains dissatisfied then they should refer to the Association's complaints procedure.

## **12. Other matters**

### **Granting of tenancies to people related to staff or Board members**

Any allocation of accommodation involving members of the Board and/or staff of the Association or their near relative will comply with the Association's Payments and Benefits policy.

### **Review of this policy**

In line with the Association's policy review schedule, this policy will be reviewed at three yearly intervals or as otherwise required to comply with legislation and good practice.

### **Factors we will not take into account**

When allocating housing we will not take account of:

- **Residency** length of time an applicant has lived in an area or the length of time on the housing / transfer lists
- **Debts** such as rent arrears where the applicant was not the tenant of the property. Also non housing debts such as Council Tax
- **Previous outstanding tenancy debts** where the amount is less than 1/12 (ie one month) of the annual amount, or where the debt is no longer payable, or there is a repayment agreement in place for at least 3 months.
- **Age** providing the applicant is over 16. This excludes housing designed or adapted for a particular age group (eg sheltered and amenity housing)
- **Income** of the applicant or their family is not taken into account
- **Property Ownership** is not taken into account when we are assessing your housing need and circumstances