

Allocations Policy and Procedures

First approved: March, 1988
Reviewed and amended: May 2013 -
Next Review due: May 2016

Table of Contents:

Page 3	Section 1:	Introduction
Page 3	Section 2:	Aims and Objectives
Page 3	Section 3:	Policy Background
Page 4	Section 4:	Equal Opportunities
Page 5	Section 5:	Human Rights
Page 6	Section 6:	Data Protection
Page 6	Section 7:	Access to the Housing List
Page 7	Section 8:	Admission to, Suspensions and Removals from Waiting List
Page 9	Section 9:	Size and Type of Housing Offered
Page 10	Section 10:	The Housing Lists
Page 11	Section 11:	Housing Needs Factors
Page 12	Section 12:	The Points System
Page 22	Section 13:	Lettings Plan
Page 22	Section 14:	Mutual Exchanges
Page 23	Section 15:	Sub Letting
Page 24	Section 16:	Assignment
Page 25	Section 17:	Relationship Breakdown
Page 26	Section 18:	Custody and Access to Children
Page 26	Section 19:	Registered Sex Offenders/Housing List Administration
Page 27	Section 20:	Procedures for Allocating a Tenancy
Page 31	Section 21:	Appeals Procedure
Page 31	Section 22:	Confidentiality
Page 32	Section 23:	False Information
Page 32	Section 24:	Change of Circumstances
Page 32	Section 25:	Legal Requirements and Guidance

Page 32	Section 26:	Accountability and Review
Page 33	Section 27:	Reporting and Monitoring
Page 33	Section 28:	Formal Complaints
Page 35	Section 29:	Special Needs / Care in the Community
Page 36	Section 30:	Special Circumstances
Page 36	Section 31:	Translations and Related Media
Page 37	Section 32:	Risk Assessment

Appendices:

Appendix 1:	Lettings Plan
Appendix 2:	Equal Opportunities Policy
Appendix 3:	Scottish Housing Regulator, Charter Indicators
Appendix 4 (a):	Housing Application Form
Appendix 4 (b):	Transfer Application Form
Appendix 4 (c):	Mutual Exchange Form
Appendix 5:	Summary of Allocations Policy
Appendix 6:	Letters to Applicants on their Points
Appendix 7:	Appeals Paperwork
Appendix 8:	Confidentiality Policy
Appendix 9:	Complaints Procedure

1.0 INTRODUCTION

1.1 Southside Housing Association Limited is a Registered Social Landlord (RSL) and was formed in 1972 and for 17 years operated as Pollokshields Housing Association Ltd. Due to the expansion of our development area, the Association changed its name to Southside Housing Association in 1988. In 2011 the Association took over the ownership of former GHA properties in Cardonald, Halfway and Pollokshields as part of a Second Stage Transfer agreement.

The Association operates in a wide geographical area in the Southside of Glasgow, and currently provides homes for rent and shared ownership in Pollokshields, Shawlands, Strathbungo, Mount Florida, Crosshill, Govanhill, Pollokshaws, Ibrox, Kinning Park Hutchesontown, Govan, Craigton, Halfway and Cardonald.

The Association is controlled by a Management Committee of local people who are responsible for the Association's policies, including those relating to Housing List.

2.0 AIMS AND OBJECTIVES

2.1 "Southside Housing Association provides desirable homes for all, in safe, sustainable and attractive neighbourhoods, and listens to our customers and our local communities.

2.2 To provide affordable good quality rented accommodation to those in greatest need, the Association maintains an "open" Housing List, so that there is continual access to the list for all applicants. Every applicant will be assessed in accordance with this policy to ensure they are assessed fairly. However, because of relatively low turnover of properties only a small proportion of the applicants are likely to be rehoused in the future.

2.3 The assessment of housing need will be made by reference to a points based system as outlined in Section 11 of this document.

2.4 To assist in the creation of a stable community

2.5 To make the most effective use of available housing stock in line with good housing management practice

2.6 To maximise revenue by ensuring the efficient turnover of lettable properties

2.7 To comply with all legislation and Performance Outcomes as laid down by the The Scottish Housing Regulator in the Housing Charter introduced in April 2012

3.0 POLICY BACKGROUND

3.1 This policy takes account of the statutory requirements covered by the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001, the Homelessness rules set out in Part 11 of the 1987 (Scotland) Act (as amended by the 2001 Act and the Homelessness

etc (Scotland) Act 2003, the Management of Offenders Act 2003 and other UK equality legislation. The view of the Scottish Government is that within these legal constraints you have discretion to develop allocation and lettings policies in line with local properties.

In addition this policy takes cognisance of the Scottish Social Housing Charter outcomes as outlined below: -

3.2

Charter Outcomes 7,8 & 9 – Housing Options

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

Charter Outcome 10 – Access to social housing

- *People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed*

3.3

Southside Housing Association recognises the challenges in managing an allocations system for properties and in creating and developing a system which meets the needs and aspirations of all applicants, whether waiting list applicants, transfer applicants, the homeless or those with physical, support or general needs. The Allocations and Lettings policy will be developed in consultation with our tenants and representatives from applicants selected at random from the current waiting list and will seek to involve residents in future reviews in accordance with the organisation's Tenants Participation Policy and Strategy.

4.0 EQUAL OPPORTUNITIES

4.1

Southside Housing Association are an Equal Opportunities Association and will abide by the Equality Act 2010, which came into force in April 2011, the Human Rights Act 1998 and the Scotland Act 1998.

4.2

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The Equality Act 2010 replaces previous anti-discrimination laws with a single Act, making the law easier to understand. The Equality Act replaces the Race Relations Act 1976, Sex Discrimination Act 1975 and the Disability Discrimination Act 1995.

The following equal opportunities statement applies to all areas of the Association's activity:

“Southside Housing Association will treat all individuals or groups of individuals equally, avoiding unfair discrimination on any grounds in relation to service delivery, opportunities or employment”.

- 4.3 No person or group of persons applying for housing will be treated less favourably than another person or group of persons because of age, disability, ethnic or national origin, cultural background, race, colour, religion, gender, an ex-offence, domestic circumstances, political or sexual orientation. **The omission of other groups should not be interpreted as condoning discrimination against them.**
- 4.4 Southside Housing Association will ensure that no communication barriers are put in place. All application forms and materials published will be in simple jargon free language and where appropriate translation and interpretation services will be provided. Help will also be given to fill out the relevant forms and provision can on request be provided in Braille, audio, large print etc. In addition applications can be downloaded from our website, www.southside-ha.org, with provision for translation services advertised on each page.
- 4.5 To help fulfill its commitment to equal opportunities, the Association will collect and monitor records on the ethnic/racial origin, age, gender, disability, religion and sexual orientation of all those applying for housing. Statistical information will be totally confidential and have no bearing on individuals access to the waiting list nor any subsequent offer of housing. The information gathered will be used to inform the review process to ensure the Associations Policy continues to meet its aims and objectives.
- 4.6 The Association's Equal Opportunities Policy is attached as Appendix 2.

5.0 HUMAN RIGHTS

- 5.1 Under the Human Rights Act 1998, in enjoying the rights and freedoms granted by the European Convention on Human Rights, we all have the right not to suffer discrimination on grounds such as sex, race, religion, sexual orientation or national or social origin. The rights protected by the Act include the right to:
- Respect for private and family life, home and correspondence
 - Freedom of Religion or belief
 - Freedom of Expression and
 - Peaceful enjoyment of your possessions

The Association recognises that applicant's human rights must be respected And we will aim to ensure that this is achieved during the assessment and allocation process.

6.0 DATA PROTECTION

6.1 Applicants provide a lot of personal information in their application form to the Association. The Data Protection Act 1998 covers this information and the Association in accordance with the Act will only process information as permitted under the Act. We will not pass any information on to or talk about it with, any other person or organisation without the permission of the applicant.

Applicants have the right to inspect any record we hold about their application form.

7.0 ACCESS TO THE HOUSING LIST

7.1 Section 19 (i) of the 1987 Housing (Scotland) Act (as amended by section 9 of the 2001 Housing (Scotland) Act) sets out the entitlement for anyone aged 16 or over to be admitted to a housing list.

7.2 The Association will operate an open waiting list to allow people in housing need to have the opportunity at all times to apply to the Association.

7.3 Anyone over 16 years of age will be regarded as an independent household within their current place of residence and will be eligible to apply for housing.

7.4 Applicants living 'care of' households', which are already tenants of the Association, should ensure that the Association has already given permission for this. If permission has not been granted or has been refused then the Applicant will be admitted to the list, however, the Association reserves the right not to award overcrowding points.

7.5 Applications from Committee Members, Staff and/or their relatives will be subject to scrutiny by the Associations Board to ensure that any such potential let would be deemed to be fair and transparent.

7.6 The Association will take no account of the following:

- i. Length of time an applicant is resident in the area as a sole consideration (however we would look to be flexible on this policy area where clear social or housing need factors pertain to such applicants)
- ii. The income of the applicant and or their family.
- iii. Any outstanding liability (such as rent arrears) attributed to a home of which the applicant was not a tenant.
- iv. Any rent or other arrears accrued by the applicant on a previous tenancy, which are no longer outstanding.
- v. The value of any property the applicant or applicant's family owns.
- vi. Any rent arrears that are below one month.
- vii. Any outstanding liability (e.g. rent arrears) for which the applicant has agreed an arrangement with the landlord for paying the outstanding liability and adhered to this agreement for at least 3 months and is continuing to make payments.
- viii. Any outstanding debts (e.g. council tax) of the applicant or a member of their

household, which do not relate to the tenancy of a home.

7.7 Applications submitted to the Association will be screened and all applications will be assessed and pointed in accordance with the Allocation Policy. This will allow all applicants circumstances to be taken into account when assessing housing need, applicants will be advised of the likelihood of being rehoused in the future by the Association. This may be of particular importance to households whose applications attract few or no points as, unless there is a change in circumstances, it may be extremely unlikely that the Association will be able to make an offer of housing in the foreseeable future.

8.0 **ADMISSION TO, SUSPENSIONS AND REMOVALS FROM THE HOUSING LIST**

8.1 Applicants are assessed on their present housing circumstances, and points awarded on the basis of housing need.

8.2 Applicants who are placed on the Housing list are advised that this does not guarantee an offer of accommodation.

8.3 Applicants who deliberately take up residence in accommodation in order to improve their position on the Housing List will still be admitted to the Housing List. However the Association reserves the right not to award additional points to those they would have been entitled to in their previous accommodation for a period of two years from the date of the termination of previous accommodation. Instances where applicants will be considered to have deliberately worsened their circumstances would include the following:

- Giving up secure accommodation which it was reasonable for them to occupy
- Moving to accommodation which worsens their housing situation
- Moving to accommodation less suitable to their needs.

This list is not exhaustive, however consideration will also be given as to the reasonableness of the individual's actions.

8.4 Access to the Housing List may be suspended by the Association. For the avoidance of doubt the Association reserves the right in all cases to suspend applicants from the Housing List for a specific period. In exercising their discretion in this respect they will always act reasonably and as far as possible within its adopted policies in order to create a balanced community where social problems may be eased through sensitive management. The Chartered Institute of Housing in conjunction with the Scottish Executive in their publication "Suspending Applicants on Housing Registers – A Guide for Housing Professionals" provided the following definitions:

An exclusion refers to when an applicant applies to go on to a housing register but is refused access to that register. However no one can be excluded from a housing register or a local authority or Registered Social Landlord provided they are over the age of sixteen.

A suspension happens when someone has been assessed for and accepted onto a housing register but is told that he or she will not be eligible for an allocation to, or offer of

housing, until either a certain period has elapsed, their conduct has changed or a change in circumstances has occurred.

Suspension from the list may be made on the following grounds:

If the applicant or their spouse or partner has rent arrears at their current or previous tenancy and has no arrangement to pay off the debt. The suspension will be reviewed if the arrears are cleared or a reasonable arrangement has been made and has been adhered to for at least three months.

If the applicant or their spouse or partner has a history of anti-social behaviour or had previously been evicted for anti-social behaviour by this Association or by another landlord.

Antisocial behaviour in this context can include:

- relative criminal convictions
- drug dealing from a tenancy
- prostitution from a tenancy
- fire raising
- harassment of or threats to neighbours
- extensive damage or willful neglect of the landlords property
- general noise nuisance

If the applicant or their spouse or partner has a history or been convicted of a racially motivated crime or have a history of complaints against them for racial harassment. The Association will liaise with the Police and Glasgow Community Safety Services on such applicants.

In making the decision on suspensions and the period of the suspension the Association will take into account:

- the nature, frequency and duration of the conduct
- the extent to which the conduct is the consequence of acts or omissions of people other than the tenant
- the effect which the conduct is having on other people
- Any action taken by the landlord to address the conduct

If applicants who are currently tenants of the Association or another landlord who are unable to demonstrate their ability to adhere to their terms and conditions of tenancy. Suspensions based on the standard of current accommodation will be related to tenancy matters only and not to the applicant's personal housekeeping standards.

The suspension will be reviewed if the applicant can demonstrate that they are addressing the areas of concern and progress has been made to minimize the same type of behaviour occurring again.

If applicants (or members of their household) are physically or verbally abusive to Association staff or people working on the Association's behalf.

if applicants or their spouse or partner has provided false or misleading information or has withheld relevant information regarding their application. Applications will also be suspended if requested for further information in order to assess the application are not responded to within a reasonable timescale.

In considering suspensions, the Association will take into account the degree of falsification and the housing needs of the applicant.

The application may only be suspended until all the relevant information is collated and verified and the application can be accurately reassessed.

For the Sheltered Housing List or Herriet Court tenancies, applicants who are not fit for independent living as assessed by a relevant person (which can include the warden for the development)

h) If an applicant has abandoned a previous tenancy within the last two years

In all cases where the Association is suspending an applicant appropriate advice will be given as to what step can be taken by the applicant to have the suspension reviewed.

All suspensions from the Housing List require to be authorised by the Director or the Head of Housing Services.

8.5 The term applicant throughout this section also refers to transfer applicants.

8.6 The Association will remove an applicant from the list:

- a) if the applicant requests that has to be done (usually in writing)
- b) on the death of the applicant
- c) on the failure of the applicant to respond to the annual review of the housing list
- d) the applicant has been offered a tenancy by the Association or another landlord and this has been accepted.

Applicants who have been removed under (a) and (c) above can reapply to be reassessed and admitted to the list in the future.

9.0 SIZE AND TYPE OF HOUSES OFFERED

9.1 Southside Housing Association operates in a large geographical area and the Associations stock of housing - - is mainly made up of flatted and multi storey accommodation with very few houses with gardens.

9.2 The Association has a relatively low turnover of houses during the year (approximately 160 flats per annum), and also the size and type of accommodation, which becomes available limits the household sizes the Association can assist. Applicants will only be put on the list for houses applicable to their household size, using the following criteria:

- 9.3
- 1 bedroom for the applicant and spouse/partner if applicable
 - 1 bedroom for single children under 14 years of age
 - 1 bedroom for each 2 children of same gender under 14 years of age

- 1 bedroom for each other person aged 16 years of age or over
- 1 bedroom for each 2 children of mixed sexes under 10 years of age
- 1 bedroom for each child of mixed sexes over 10 years of age

9.4 However applicants for wheelchair housing will be allowed to underoccupy by one bedroom, in recognition that a carer may have to move in at some point. In addition, where a member of the household specifically requires their own bedroom due to a medical condition, then this will be allowed provided supporting documentation from a doctor or other medical expert confirming the need for this. For example, if a couple qualifying to be put on the 2 apartment list, could not share a bedroom due to health problems by one or other of them, then they could be put on the 3 apartment list.

9.5 The Association also has a number of bedsits which will be allocated to single people only, although this does not prevent a single person being offered a one bedroom property should they come to the top of the relevant housing list, as single people will be put on the 2 apartment list. In addition, if allocated a bedsit, a tenant will then be eligible to apply for a transfer for a full one bedroom property (2 apartment) as overcrowded by one room to the Transfer list.

9.6 For the purposes of Section 8.5, a bedsit is defined as a one roomed property or a two roomed property where the kitchen is part of the living room. Tenants offered properties that this applies to will be advised at the time of offer.

9.7 Sheltered Housing – The Association has three sheltered housing complexes. Applicants will only be offered this accommodation if they meet the age criteria for the particular complex and have been identified as having housing support requirement.(See Section 11.3 Section C)

9.8 It should be noted that where a applicant is expecting a child they will be placed on the two apartment housing list until such time as the baby is born, they will then be transferred to the three apartment list. This will only be carried out when the Association has been advised by the applicant about the birth.

9.9 In recognition of the challenges created by applicants living in severely overcrowded conditions, we have introduced a quota of 5% of our lets to this category via our 2013/14 Lettings Plan (appendix 1).This will allow us some flexibility by allowing applicants to overcrowd by one room and this is targeted at larger families due to the shortage of large family accommodation.

10.0 THE HOUSING LIST

10.1 The Association will maintain separate housing lists for its rented housing consisting of:

- 2 apartment
- 3 apartment
- 4 apartment
- 5 apartment
- Sheltered housing (by apartment sizes, age and housing support need)
- and transfer lists (separated into apartment types and sizes as above).
- 6 apartment and over
- wheelchair (by apartment sizes)
- amenity (by apartment sizes)

- 10.2 Applicants will be put on one of these lists only according to the apartment size needed. The only variance from this will be 5 apartment applicants and above who will also be placed on the list below, if requested, and this will give some applicants the opportunity of rehousing through the 5% overcrowding criteria in our Lettings Plan.
- 10.3 In addition a separate list is maintained for Shared Ownership applicants, and a separate policy also applies to this category. Copies of the Shared Ownership Allocations Policy can be obtained on request from the office free of charge.
- 10.4 Applicants on the Shared Ownership list can also apply for access to our list for rented stock if they wish.
- 10.5 **Wheelchair housing** is housing specially adapted to allow a person in a wheelchair to live independently if required. Applicants for wheelchair housing must have one member of the proposed household who is confined, or will be confined in the future to a wheelchair. Medical evidence on the latter must be provided.
- 10.6 **Amenity housing** is housing on the ground or first floor which has been specially adapted for someone with mobility, or potential mobility problems. Applicants will be considered for this list if they are over 55 years of age. Applicants younger than this will also be considered if they have a medical condition confirmed by an appropriate medical practitioner, which affects their mobility and therefore their ability to accept accommodation above ground or first floor level.
- 10.7 **Sheltered Housing** is housing for older people in self contained developments of such flats, which will normally have communal facilities such as a common lounge and laundry, and the services of a warden call system to assist in case of emergency. Applicants for Sheltered Housing must meet the age criteria for the complex, be fit for independent living as assessed by a relevant person and have identified housing support needs. No member of the proposed household can be under the age criteria for the particular complex. These age bars are due to planning conditions put upon the property by the Local Authority Planning Department.
- 10.8 **Barrier Free housing** is housing built to 'barrier free' standards where ground floor properties should be accessible to people with mobility problems. Where a development is designed to these standards then applicants on the amenity list for the available flat sizes will be considered along with general needs applicants. This will also be the case where a non-Sheltered Housing development has a lift in the building.
- 10.9 The Transfer list is for tenants of the Association requiring to move due to having a perceived housing need as defined in Section E. Transfer applicants are assessed and pointed in accordance with housing need.
- 11.0 HOUSING NEED FACTORS**
- 11.1 In line with the requirements of the Housing (Scotland) Act 2001, the Association seeks to give priority (the legal term being "reasonable preference") to applicants in one or more of the following categories:

- I. applicants who are occupying houses which do not meet the tolerable standard;
- II. applicants who are occupying overcrowded house; or
- III. applicants who have large families;
- IV. applicants who are living under unsatisfactory housing conditions;
- V. applicants who are homeless and or who are threatened with homelessness (within the meaning of Part 11 of the Housing (Scotland) Act 1987 (as amended by the 2001 Act).

11.2 The Association will use a points system to help ensure that reasonable preference is given and that every applicant is treated fairly.

12.0 THE POINTS SYSTEM

12.1 Section A: Applicants in Housing Action Areas, Clearance Areas and Similar

To meet the Association's aims and objectives in rehabilitating tenemental properties, the points system will be over ridden for tenants and owner occupiers in proposed Housing Action Areas (or property where major works are required) once a decision on the timing of moving residents out has been made by the Director and Head of Housing Services (to whom delegated authority is given to decide on this).

Tenants who have not accepted a permanent move at the time of decant will be given the opportunity to return to their improved flats (or similar property in the development if their own flat no longer exists) once rehabilitation works have been completed, or, alternatively will be offered a permanent move to another Association property if they cannot be offered their decant flat permanently.

As part of the Association's Clearance Strategy, sitting tenants are given priority for rehousing if they are currently housed in an area that has been declared for Clearance and Demolition. Applicants in a declared Clearance area will be awarded **105** points.

If a tenant has to be temporarily decanted as part of the clearance process then they will not lose either their priority or the 105 Clearance points.

A quota has been identified in our current Lettings Plan to address Clearance priority (appendix 1)

12.2 Section B: Applicants with Support Requirements

The points system is not the most appropriate method of assessing and prioritising applicants for rehousing who have particular requirements, such as applicants with learning difficulties. A variety of factors have to be taken into account before an offer of housing can be made either for mainstream stock or current special need provision.

The Association offers - up to 5% of lets per annum to this category and will work in close partnership with Support Agencies to identify suitable areas and house types for rehousing. It will also allow the support agencies to plan a programme of support prior to allocation if this is required and to cost plan any support package.

In identifying applicants to be given priority the following factors will be taken into consideration:

Location and type of support required
 Current housing circumstances
 Medical requirements
 Areas and house type requested
 Ability to live independently with support
 Availability of support

Applicants will also be considered for any vacancy which arises within an appropriate established supported accommodation project.

12.3 **Section C: Sheltered Housing Applicants**

- The main criteria for the allocation of sheltered housing will relate to a housing need but the assessment and consideration of the housing support and medical needs of applicants will also be considered.
- The Association recognises that sheltered housing is not designed to meet the needs of those suffering from dementia or closely related conditions or those whose needs would be better met in a more intensely supported environment.
- The applicants will firstly meet the age criteria for the sheltered housing complex where the vacancy arises.
- In the case of joint applicants both applicants must meet the age criteria.
- Applicants will need to demonstrate a requirement for housing support (the warden service) through a housing support assessment.
- Applicants will be required to provide medical evidence in support of their suitability for sheltered housing.
- Applicants will be capable of leading an independent life with or without support provided by appropriate agencies.

12.4 **Section D: Section 5 Referrals**

The Association participates in the joint protocol with Glasgow City Council to accommodate homeless applicant under Section 5 of the Housing (Scotland) Act 2001. The Association has agreed with GCC a quota of 25% of our lets to Section 5 referrals.

The Association potentially accepts Section 5 referrals from Citywide Case Work Teams. Referrals will normally be made by e-mail providing detailed information of the client's circumstances. Referrals are accepted when it is anticipated that an applicant can be housed within 6 weeks. If there is no suitable property available the referral will be refused and returned to the appropriate case work team..

Accepted Referrals

When the Association accepts a referral the Association will e-mail the Case Work Team confirming acceptance and at that time request a tenancy report for the referral before a formal offer of housing is made.

If the tenancy report is satisfactory and there are no grounds for refusal, the Association will contact the client direct to arrange a viewing. The referral will be given 24 hours to decide if they wish to accept the offer and thereafter be expected to sign a tenancy agreement as soon as the property is available for let.

As soon as the client has accepted the offer the Association will telephone the Case Work Team to advise them of this and the proposed entry date followed by e-mailed confirmation of the same.

Refusals

Where an applicant refuses a property the Association will telephone the Case Worker to advise them of this and ask them to withdraw the referral in writing. However this does not exclude the Case Work Team forwarding another referral for the same property at this stage.

The Association has the right to refuse a referral on the conditions as set out in Section 7 of this policy.

12.5 Section E: Transfer Applicants

In recognition of the Association's commitment to existing tenants, Internal Transfer Applicants with an element of housing need will generally be considered for suitable housing, which becomes available within the Association stock.

Transfer applicants will be assessed and pointed according to their housing need. Their application will be categorised under the transfer criteria, which will be rotated with Section 5 Referrals, General Needs applicants and other housing needs categories as identified in our current Lettings Plan

Tenants will only be considered for the transfer list in accordance with their household composition at the date of application and must be giving up their present property with vacant possession should an offer of transfer be made. Therefore joint tenants or tenants with partners legally entitled to reside in the present property must give up their rights to their existing property before a transfer is agreed.

A tenant will also be overlooked for a transfer if they come to the top of the list if they have more than three months arrears and have not made a suitable arrangement to clear these arrears. Any rechargeable repair moneys outstanding must be paid in full before being offered at transfer, or an arrangement in place at least 12 weeks prior to being offered a transfer.

Transfer applicants will be placed on a separate list from the general waiting list

All current tenants have the right to apply and be admitted to the Internal Transfer list. However, given the relatively low turnover of stock, it is not possible to guarantee that any offers will be made and applicants will be made aware of this and advised to register on Homewsapper, which is free to the Association's tenants.

12.5.1 **Under-Occupancy Penalty**

The Under Occupancy Penalty (commonly referred to as the Bedroom Tax) introduced by the UK government on 1st April 2013 as part of the Welfare Reform agenda has the potential of placing many of our tenants in financial difficulty. Affected tenants on Housing Benefit who are underoccupying will be liable to pay a proportion of rent as follows:-

- 14% of the full HB eligible rent for one bedroom too many
- 25% for two bedrooms or more

These measures do not apply to claimants who have attained state pension credit age or certain claimants in supported or sheltered housing or where an additional room is allowed for overnight carers.

As a result of this Welfare Reform the Association will give priority to Under Occupancy Penalty tenants living within our stock, who wish to downsize. Points will be calculated as **10** points per bed space, however this is viewed as a priority need to prevent tenants falling into arrears and the Association should target these downsizing moves at the earliest opportunity.

The Association has set a quota of 15% of new lets per year to Under Occupancy Penalty, Internal Transfer Applicants as part of our Lettings Plan (Appendix 1).

12.5.2 **Under-Occupation (Non Under Occupation Penalty applicants)**

The Housing Charter outcomes set out the expectation that when letting houses you make the best use of available stock. Giving a level of priority to existing tenants, outwith the bedroom tax criteria, who are underoccupying and wish to downsize could help to free up much needed larger family sized properties.

Points will be awarded at 10 points per bed space and a 5% quota has been allocated to this category as part of our Lettings Plan.

21.6 **Section F: General Needs Applicants**

The following Housing Needs factors and points will be used:

12.6.1 A: Homelessness:

Defined as -

- | | |
|--|-------------------|
| • On the streets | 100 points |
| • Applicants living in hostels and supported accommodation | 100 points |
| • Applicants living in temporary accommodation provided by a Local | 100 points |

Authority under the Homeless Persons Act	
• Applicants living in caravan or similar accommodation	100 points
• Applicants leaving long term hospital care	100 points
• Asylum Seekers and Refugees	100 points
• Applicants threatened with Homelessness	100 points
• Applicants living in accommodation tied to their employment	100 points
• Applicants living in H M Forces accommodation	100 points

Asylum seekers will also require to have proof from Social Services that their rent and service charges will be paid prior to offering accommodation.

In addition a further **15 points** will be awarded where the applicant has a medical condition that affects their mobility. In this case the applicant will be put on the list for amenity housing only, as defined in Section 9.6.

No other housing needs points will be available to applicants considered under the Homeless categories.

As the Association is unlikely to be able to assist immediately with re-housing, it is recommended that applicants, who are not already registered as homeless with Glasgow City Council Homeless Team, do so.

Homeless applicants will have their circumstances checked at the time of a potential offer.

In addition, ethnic minority applicants should contact the Association for details of the Saffron project for ethnic minority young single homeless aged 16 to 25.

Please see attached Lettings Plan (appendix 1) outlining target lets under the Homelessness category.

12.6.2 B: Lacking Security:

Defined as -

• Applicant living care of friends or relatives	45 points
• Applicants living in accommodation tied to their employment	45 points
• Applicants sharing accommodation with a resident landlord	45 points
• Tenants served with a Notice to Quit their present tenancy	45 points
• Short Assured Tenants	45 points
• Owner occupier obliged to sell	45 points

Other relevant housing needs points will be added from sections 11.18 to 11.32.

Applicants will only be classified into one of the above categories therefore the maximum points under Lacking Security will be 45 points. Also proof of insecurity of tenure may be requested prior to assessing points.

12.6.3 C. Lack of Amenities:

- No kitchen 15 points
- No bath or shower 10 points
- No inside WC 20 points
- No hot water 5 points

12.6.4 D. Sharing Amenities:

- Sharing a kitchen 8 points
- Sharing a bathroom 8 points

Sharing amenity points are awarded to the following:

- Single person staying with relatives (not with parents)
- Single parent staying with family
- Family living with parents or relatives
- Couple living in the same house who wish to separate

Points are not given for a single person staying with parents or guardians

12.6.5 E. Poor condition of the property:

Where the property suffers from:

- Dampness 15 points
- Disrepair 15 points
- Infestation by insects and rodents 10 points

12.6.6 **Points under the category of poor condition of the property will be awarded initially without inspection by the Association. The Association may however request evidence of dampness or disrepair before awarding points and this may include reports or photographic evidence. The property conditions will be checked prior to an offer being made, and this may result in the applicant losing these points if the problems have been remedied. Claims of infestation must be backed up by reports from e.g. the Local Authority Environmental Health Department. Any applicant who, in the opinion of the Association, has claimed points falsely under this category to gain access to the housing list, may have their name suspended as noted in Section 7.4 (f).**

12.6.7 F. Overcrowding / Under-occupation:

- For each additional room required to prevent overcrowding 10 points
- For each additional room surplus to the needs of the household 10 points

The following criteria will be used to assess the suitability of present accommodation under these categories:

- 1 bedroom for the applicant and spouse/partner if applicable
- 1 bedroom for single children under 14 years of age
- 1 bedroom for each 2 children of same gender under 14 years of age
- 1 bedroom for each other person aged 16 years of age or over
- 1 bedroom for each 2 children of mixed gender under 10 years of age
- bedroom for each child of different gender over 10 years of age

The Association has taken into consideration the scarcity of larger properties (4 apartment and above) within its housing stock and introduced some flexibility when considering larger families for rehousing.

12.6.8 G. Medical Factors:

Where the applicant or member of the proposed household requires alternative accommodation on the grounds of a physical disability that affects long term mobility, the following points will be awarded:

- If present accommodation is above first floor **30 points**
- If present accommodation is on the first floor but applicant requires ground floor only **30 points**
- If present accommodation is on the first or ground floor **15 points**

Applicants awarded points under the above, will only be offered ground or first floor accommodation, or Sheltered accommodation as described in Section 9.6 or 9.7, or a development where a lift has been installed.

Where the applicant or a member of the proposed household requires the use of a wheelchair, **50 points** will be awarded in place of the medical points given above, and the application put on the wheelchair list as described in Section 9.5.

Where the applicant is living in property in poor condition and has been given points under Sections E or F (overcrowding only) of the points system, **10 points** will be awarded if the applicant or a member of the proposed household suffers from a medical condition exacerbated by their living conditions. Applicants receiving points under this category can be considered for non amenity accommodation or amenity/Sheltered if they also have mobility problems, for which the appropriate points are also given.

Points will only be awarded for medical factors on provision to the Association of a completed medical self assessment form or a letter from a doctor or social worker or other relevant professional who clearly states the problem. The Association may also contact the applicant's doctor directly for further details if required.

It should be noted that applicants claiming medical points can only receive medical points for either long term mobility or where the medical condition is exacerbated by poor housing condition as defined in Section E or F (overcrowding only). Medical points will not be awarded for both sections.

12.6.9 H. Social / Cultural Factors:

- Applicants who need the support of, or have to support, a relative living in one of the Associations areas of activity on provision of supporting confirmation of the facts from an appropriate person e.g. doctor, social worker etc.

OR

- Applicants who require to move into our area from an area where there are no suitable cultural / religious facilities leading to isolation in their current area.

20 points

For the purposes of awarding points under this category, the applicants must live outwith the Postcode area of the area they wish to move to. For example, if a tenant lives in the G51 area and wish a property in the G41 area, they can get social points if requested, but this would mean they would not be considered for an offer of a property outwith the G41 area.

12.6.10 I. Harassment on the Grounds of Gender:

- Applicants suffering harassment due to their gender or sexuality at their present accommodation **20 points**

12.6.11 J. Racial Harassment:

- Applicants suffering racial harassment **20 points**

Non-Transfer applicants experiencing racial harassment or harassment due to their gender or sexuality to the extent their lives or the lives of their family is in danger if they remain in their present accommodation will be awarded **110 points**. Evidence from the Police, a legal advisor, or another relevant organisation on the severity of the harassment should be provided, although if this will prove problematic to the victim then this can be dispensed with at the discretion of the Housing Manager. If the 110 points are awarded, no other points will apply from any other part of the Points system with the exception of medical points for mobility problems based on their current property, in which case the applicant will only be considered for ground or first floor dependent on the category of medical points.

Existing tenants will be given a priority outwith the points system if they wish a move to another property as per the Association's Racial Harassment Policy and Estate Management Policy.

Where an applicant is offered a property and refuses without reasonable cause the 110 points will be withdrawn and applicants will be awarded 20 racial harassment points in their place.

12.6.12 K. Severe Harassment

Non-Transfer applicants experiencing severe harassment to the extent their lives or the lives of their family is in danger if they remain in their present accommodation will be awarded **110 points**. Evidence from the Police on the severity of the harassment should be provided, although if this will prove problematic to the victim then this can be dispensed with at the discretion of the Housing Manager. If the 110 points are awarded, no other points will apply from any other part of the Points system with the exception of medical points for mobility problems based on their current property, in which case the applicant will only be considered for ground or first floor dependent on the category of medical points.

Existing tenants will be given a priority outwith the points system if they wish a move to another property

Where an applicant is offered a property and refuses without reasonable cause the 110 points will be withdrawn and applicants will be awarded 20 severe harassment points in their place.

12.6.13 L. Domestic Abuse

Applicants who are the victims of domestic violence to the extent their lives or the lives of their family is in danger if they remain in their present accommodation will be awarded **110 points**. Evidence from the Police or a Woman's Aid group on the severity of the harassment should be provided, although if this will prove problematic to the victim then this can be dispensed with at the discretion of the Housing Manager. If the 110 points are awarded, no other points will apply from any other part of the Points system **with the exception of medical points for mobility problems based on their current property, in which case the applicant will only be considered for ground or first floor dependent on the category of medical points.**

Existing tenants where they are the sole tenant and experience harassment from ex-partners will also be dealt with under this section.

Where an applicant is offered a property and refuses without reasonable cause the 110 points will be withdrawn and applicants will be awarded 20 domestic abuse points in there place.

Where points have been awarded to non-transfer applicants for severe racial harassment, domestic abuse and severe harassment, and the applicant subsequently moves to another property or area, the applicant will continue to keep the 110 points if their new housing circumstances are not as secure as their circumstances at their previous property. For example, if an applicant is a secure tenant of a Local Authority, and moves to become a tenant of a private landlord, they will keep their 110 points until they secure a secure or assured tenancy either with the Association or another social landlord. However if they were tenants of a private landlord and moved to another private landlord, they would lose the 110 points and would have to re-apply from their new address. If they then suffered the same harassment, for example, a partner finds out their address and begins to harass them again, then they could qualify for the 110 points again.

Where an Association tenant decides to move outwith the Association's stock due to racial harassment or severe harassment, and subsequently wishes to move back to the Association's area, they will be given priority as a special case outwith the Association's points system.

It should also be noted that the Association may consider verification of circumstances from other agencies apart from those mentioned to support applicants for points under Section 11.6.11 to 11.6.13 but would advise the applicants to contact the agencies mentioned as they are most relevant to help the applicants in their circumstances.

12.6.14 M. Ex-Offenders

Applicants who are due to leave prison will be given **100 points** if they have no secure accommodation to go to on release on provision of support from an appropriate agency e.g. Social Work. The applicant will lose these points if they obtain secure accommodation, and will then be assessed under their new housing circumstances by completion of a new application form. If the 100 points are awarded no other points will apply from any other part of the Points system.

12.6.15 N. H M Forces and Tied Accommodation Applicants

In July 2008 The Scottish Government published Scotland's Veteran and Forces' Communities: meeting our commitment. These set out the Scottish Government's commitment to supporting the Armed Forces and their families, as Armed Forces personnel can be vulnerable to homelessness at the point of discharge from the Services but also at later points in their housing careers as a consequence of poor health or disability.

The guidance recommends that RSLs should give applications from ex-Service personnel fair and sympathetic consideration but should not afford them priority over those with a similar level of housing need.

Applicants who live in H M forces accommodation or tied accommodation who have six months or less to leave their current accommodation will be given **100 points**.

12.6.16 Working Applicants

Applicants who live outwith the Associations housing stock area who work or are due to take up permanent employment in the Southside area or in close proximity will be awarded this category of points. The onus is on the applicant to provide verification from their employer of their employment and place of work before points are awarded.

15 points will be awarded for this category, although points will not be allocated without sufficient supporting evidence. A 5% quota has been identified for this category within our Lettings Plan.

13.0 LETTINGS PLAN

A detailed Lettings Plan for 2013/14 is attached in Appendix 1

14.0 MUTUAL EXCHANGES

14.1 The Association will consider any written request from one of its tenants for a mutual exchange with a Local Authority, Scottish Homes or other Housing Association / Co-operative tenant.

In considering mutual exchanges the Association must comply with the Housing (Scotland) Act 2001. This is embodied in the Associations Scottish Secure Tenancy Agreement. In implementing this the Association will be complying with the Scottish Housing Charter. The Charter Outcomes are listed below

- Charter Outcome 10 – 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 housing.
- Charter Outcomes 7,8 & 9 – We let houses in a way that gives reasonable preference to those in greatest need; makes best use of available stock; maximises choice and helps to sustain communities.

- 14.2 The Association reserves the right to refuse the request if it considers it is reasonable to do so. Examples of when it may be considered reasonable to refuse a request are:
- a) Either party cannot demonstrate their ability to adhere to the terms and conditions of their tenancy over a reasonable period.
 - b) The exchange would worsen the housing conditions of either party (i.e. one of the parties has a medical condition which would not be improved by the move)
 - c) The exchange would not make best use of the Association's housing stock (i.e. a property was under-occupied by more than one room or overcrowded as defined in Section 11.6.7)
 - d) The exchange was proposed for financial gain.
 - e) Either party is in breach of their tenancy e.g. both rent accounts should be clear.
 - f) A Notice of Proceedings for Recovery of Possession has been served on either tenant
 - g) The proposed incoming tenant was previously evicted for anti-social behavior within the last 5 years

Please note that this list is not exhaustive.

If a mutual exchange is refused under ground a) above then the Association will work with the tenant to address the areas of concern in order that the exchange or an alternative exchange can be reconsidered at a future date.

- 14.3 The Housing Manager has delegated authority to approve or reject a request for a Mutual Exchange. A response on the request will be given within 28 days. If the tenant has not received a response within this timescale, permission can be assumed to have been granted for the exchange to take place. If this happens, the minimum conditions below will apply.

- 14.4 If the request is approved, the following minimum conditions will apply, to which any particular ones may be added dependent on circumstances:

- The incoming tenant accepts the property in the condition it is left by the outgoing tenant (normal repair obligations excepted).
- The outgoing tenant has paid (or in exceptional circumstances has made an agreement to pay) all rent and rechargeable repairs due at date of exchange.
- Joint tenants or tenants with partners recognised as having a right to live in the Associations or other landlords property must both agree to any proposed exchange.

- 14.5 If the exchange request is rejected, the reasons for the rejection, and the tenants right to appeal using the Appeals Procedure in Section 20, will be given in writing.

- 14.6 The Association will also assist in the promotion of Mutual Exchanges between our tenants and other tenants of appropriate landlords, including our own. This will include our participation in the Homeswapper scheme.

15.0 SUB LETTING

- 15.1 The law allows tenants to sub let their tenancy with the approval of the Association. The Housing (Scotland) Act 2001 re-affirms that the tenant with the written consent of the landlord, may sub-let the whole or part of the property. If a request is received (in writing), the Association must respond to the request within 28 days or else the tenant can assume by default that permission has been granted.
- 15.2 The Association cannot unreasonably withhold permission, but is able to set reasonable and appropriate criteria for any sub let they allow.
- 15.3 Tenants cannot sub let their property for material gain, and would still be responsible for the payment of the rent, therefore an appropriate system for collecting the rent between the tenant and the sub tenant would need to be in place.
- 15.4 Keeping the above in mind, the Association will therefore grant permission to sub let if:
1. The tenant puts their request for permission to sub let, along with reasons for the request, in writing to the Association.
 2. The tenant gives the Association a copy of the proposed paperwork i.e. a Short Assured Tenancy, for the agreement between the tenant and sub tenant, including proposed period of the sub let, the rent to be charged and appropriate conditions e.g. on anti social behaviour. The Association can assist with this if necessary.
 3. The period requested for the sub let is no more than 6 months duration. This can be extended to one year at the discretion of the Housing Manager, but the signed agreement between the tenant and the sub tenant will, even if this is the case, be for the initial 6 months period. If the tenant requests a period of more than one year, or requests an extension to the existing sub letting agreement which would take them over one year, the matter must then be passed to the Management Committee for approval or rejection.
 4. The rent proposed to be charged by the tenant to the sub tenant is no more than the rent charged on the property by the Association.
 5. The sub tenant's family composition must be of an appropriate size for the property they are seeking to sub let i.e. the property must not be overcrowded or underoccupied.
- 15.5 The Housing Manager has discretion to add to conditions if particular circumstances dictate this.
- 15.6 The Association will respond to any requests in writing within 28 days of receipt either to grant permission along with any conditions imposed, or to refuse permission.
- 15.7 The Association will adopt appropriate procedures and paperwork to deal with requests from tenants to sub let, including legal paperwork checked by our lawyer to satisfy condition 2 of the conditions for allowing a sub let to proceed.
- 16.0 ASSIGNATION**
- 16.1 Assigantion rights can be granted to Scottish Secure Tenants under the provision of the Housing (Scotland) Act 2001. Tenants are entitled to request permission to assign their tenancies to another party, but must request permission to do this in writing, including the reasons for the assignation, from the Association.

16.2 The Association will then assess each request, and will take into account the reasons for the request, and the number of people the proposed tenant would be overtaking in the housing lists.

16.3 The Association will respond to any requests in writing within 28 days of receipt either to grant permission along with any conditions imposed, or to refuse permission.

16.4 The applicant (assignee) must be able to prove that the property has been their only or principal home for a period of not less than 6 months prior to the application.

16.5 Grounds for refusal may include;

- a) The tenant does not have a clear rent account with no clear arrangement in place which has been adhered to in the last 3 months.
- b) An order for Recovery of Possession of the house has been made against the tenant.
- c) The proposed assignee owes the Association a debt and has not adhered to a reasonable arrangement for 3 months in respect of the debt.
- d) The Association has received complaints of anti-social behavior against the proposed assignee or has been evicted for anti-social behavior in the last 5 years.
- e) The proposed assignation will lead to substantial overcrowding or under occupation
- f) The proposed assignee abandoned a local authority or Housing Association property within the last 3 years.
- g) If it transpires that the tenant is receiving any payment for the assignation.

The list above is not exhaustive.

17.0 **RELATIONSHIP BREAKDOWN BETWEEN PARTNERS: SOUTHSIDE HOUSING ASSOCIATION TENANTS**

17.1 The Association, whilst sympathetic to tenants suffering relationship breakdown with their partners, can only give general advice on this matter, as the Association does not have sufficient stock turnover to try and prioritise tenants suffering relationship breakdown.

17.2 Tenants should seek their own legal advice on the rights of each party to occupy the property, as the Association recognises the rights of both parties under the Matrimonial Homes Act 1981 to reside in the property if applicable.

17.3 Joint tenants should note that both parties are responsible for complying with the conditions, including rental payments, of the lease agreement even if not living in the property. The Association will accept a joint tenant giving up their right to reside in the property provided it is in writing, and that the rent account of the tenancy is clear, unless agreed otherwise by the Neighbourhood Committee if there are unusual circumstances regarding the matter.

- 17.4 However tenants suffering Domestic Abuse and who move out due to this will be considered for access to the relevant housing list as per Section 11.6.13. In this case, the Association's Management Committee will decide on a case by case basis what action to take on the remaining tenant to resolve their tenancy matters including any outstanding arrears at the date of the joint tenant leaving.

18.0 CUSTODY AND ACCESS TO CHILDREN

- 18.1 Applicants who have custody of their children will be offered accommodation to meet the entire family's needs. If the applicant has access only then they will only be considered for accommodation that suits their own needs unless they have overnight or weekend access in which case one additional bedroom surplus to their own needs will be allocated, irrespective of the number or sexes of the children. In this event that two applicants have the same points, then the priority will be given in the first instance to the applicant with permanent custody. Applicants who may be offered a property with an additional bedroom for child access purposes, will be advised if they are in receipt of housing benefit that they will be liable to pay for the additional room.

19.0 Rehousing Registered Sex Offenders

- 19.1 Southside Housing Association recognises that an applicant should not be excluded from housing simply because he or she is a convicted sex offender.

The Management of Offenders etc. (Scotland) Act 2005 placed a duty on the responsible authorities to jointly establish arrangements for the assessment and management of the risks posed by certain offenders. This effectively introduced the multi agency public protection arrangements (MAPPAs) and also provided a 'duty to cooperate' between agencies involved with offender management in Scotland. The agencies defined under the duty to cooperate include registered social landlords which might be involved in providing accommodation for the offender. The duty to cooperate is supported by the [National Accommodation Strategy for Sex Offenders](#) (NASSO) (Part 6 Duty to Co-operate - roles and responsibilities of housing providers).

The Association understands that if sex offenders are released into local communities then local authority housing departments and housing associations must work together with other agencies to maximise the safety of the community and minimise the risk. The Association co-operates with the local Sexual Offenders Liaison Officers (SOLO), but recognises that the overall responsibility lies with the Police and Social Work.

19.0 HOUSING LIST ADMINISTRATION

- 19.1 In administering the Allocations process for direct general needs and transfer applicants, the Allocations Policy will be observed as to how an applicant gets on to the list and how an applicant may be removed from the list.
- 19.2 Administration of the Shared Ownership list is described in the separate Shared Ownership Policy and Procedures.

- 19.3 Administration of applicants referred to the Association through the Glasgow City Council's, South Area Homeless Team is described in the separate Procedures (see Section 11.4. D).
- 19.4 The Association will use standard application forms for the lists (see Appendix 4 (a) and 4 (b)), that have sufficient detail to allow the application to be assessed against the Allocation Policy.
- 19.5 In addition, a standard application form for obtaining information from potential Mutual Exchange applicants and, when a potential exchange has been identified, the requirements of the other tenant, will be used (see Appendix 4 (c))
- 19.6 For applications for housing for the Associations own list, the Association will send out Application forms with a summary of the Allocations Policy (see Appendix 5) to the applicants or their representatives, who request them by telephone, in writing, or in person at the Office. Application forms can also be obtained on via the Association's Web Site
- 19.7 Mutual Exchange forms and information will also be sent on request.
- 19.8 All applications will be pointed in accordance with the Allocations Policy and applicants will be advised in writing of their points, on whether they are accepted on to the list, and, if so, what their chances of housing with the Association are (see Appendix 6).
- 19.9 Responsibility for the administration of the Housing List is delegated by the Management Committee to the Housing Management Section. The Housing Manager will organise appropriate procedures to administer the list, and appropriate monitoring of the targets for responding to applications.
- 19.10 In addition, quarterly reports on the numbers of people applying, the numbers accepted on to the list, and on the Equal Opportunities monitoring of all applicants (see Section 26.2) shall be given to the Management Committee.
- 19.11 The Association has set the following targets to be achieved
- Response to completed application forms – **10 working days**
- 19.12 The Housing List will be reviewed every year (date of last review April 2013, and applicants who do not respond within the specified timescale given at the review will be removed from the list.
- 19.13 The applications of applicants removed in this way will be shredded no less than six months after their names have been removed from the computer.
- 20.0 PROCEDURES FOR ALLOCATING A TENANCY**
- 20.1 The Association uses a computerised system to hold application details, as well as manual systems for filing the completed applications. When a property is due to become available, a list is generated from the computer system of the applicants from the appropriate housing list.

20.2 Allocations will then be made to the applicant with the highest number of Points as per Section 11. Prior to the offer being formalized the applicant will be visited by Association staff to verify that the information given on the form is accurate and that circumstances have not changed.

Proof of residency at the address given will be required. Other details may be required for other confirmation.

20.3 In exceptional circumstances the Housing Manager has authority to dispense with a home visit e.g. an applicant from outwith Glasgow. If this happens, the reasons should be reported in the tenants file.

20.4 A home visit is to confirm circumstances, not to assess housekeeping standards.

20.5 If circumstances have changed, then the applicants points will be reassessed which may lead to an increase or decrease of the applicant's points.

20.6 Tenancy Reports will be requested from landlords, where applicants currently hold or have previously held a tenancy.

20.7 Medical Report or medical assessment form will be requested where an applicant is claiming points on medical grounds or access to sheltered housing.

20.8 Sheltered housing applicants will require to complete a housing support assessment.

20.9 Homeless applicants will have their circumstances confirmed by contacting the relevant Local Authority for confirmation of circumstances at the time of a possible offer, and applicants having points under Sections 11.6.11 to 11.6.13 (regarding racial harassment, severe harassment and domestic abuse) will be confirmed by reference to the agencies supporting the applicants **if this is available**.

20.10 **Transfer Applicants**

Where an offer is to be made to an existing tenant of the Association, the tenant's house will be inspected by Association staff to ensure there has been no malicious damage or willful neglect. Where it is found that the property has been damaged by the tenant, the transfer may be refused. The tenant will be advised of the reasons why the offer cannot proceed and will be required to demonstrate their ability to adhere to the terms and conditions of their tenancy over a reasonable period before consideration will be given to any offer of accommodation.

20.11 Where an applicant has rent arrears; former tenant rent arrears or any other related housing debt such as outstanding rechargeable repairs, then no offer will be made unless they can demonstrate an arrangement had been made to clear the debt and has been adhered to for a period of at least three months.

- 20.12 Tenant applicants who have a history of causing nuisance or annoyance or harassment will not be considered for an offer of housing until they have demonstrated their ability to adhere to the terms and condition of their tenancy over a reasonable period. (See Section 7.4)
- 20.13 All offers will be based on housing need, with the applicants preferences for a particular area or floor level only being met wherever possible. **Where an applicant has omitted certain areas or floor levels from their application, they will be passed over for consideration for an offer if the property was in these areas or on these floor levels.**
- 20.14 Where an applicant has refused two offers of accommodation, despite being offered properties in their preferred area and floor level, as indicated on their application form. Applicants will be asked to attend a meeting to discuss their housing options and whether the association is able to meet their needs.
- 20.15 If, at the time of offer, it is discovered that the proposed applicant has a history of anti social behaviour, delegated authority is given to the Housing Manager to refuse to offer the tenancy to the applicant, and to suspend the person from the list. (See Section 7.4) Should the applicant subsequently appeal, and the appeal is successful, the applicant would be put back on the list, and if they had missed out on a formal offer due to their removal, they will be offered the next similar offer to compensate for the refusal of the first offer.

Where more than one applicant has the same points, and a choice requires to be made on which applicant is to be offered the property, the following rules apply:

20.16 **Housing Association Direct Applicants or Transfer Applicants:**

Applicants who are suffering poor housing conditions and have equal points with those given homeless points, or those given points for 1) severe racial harassment, 2) severe harassment or 3) domestic abuse, will be given priority as these are the groups the Association were set up to help, and also the other groups have more priority with the Local Authority and therefore are liable to come through the nominations system

If choices then need to be made between applicants suffering poor housing conditions, the following housing need points will be checked, in order of priority, and the applicant with the highest points in the highest priority category will be made the offer.

- i. Lacking Security
- ii. Lack of Amenities
- iii. Sharing Amenities
- iv. Poor condition of the property
- v. Overcrowding
- vi. Underoccupation
- vii. Racial Harassment (non severe)
- viii. Harassment due to Gender
- ix. Medical Factors
- x. Social Factors

If, after comparing points under these headings and these priorities, there is still no way of separating the applicants, then delegated authority is given to the Housing Manager to decide between the applicants. Where this occurs, the reasons for the decision will be noted on the list.

20.17 **Examples to highlight the procedure:**

Example 1: Two applicants with 110 points. One due to severe racial harassment and one due to domestic abuse. The one with severe racial harassment would be offered the property, as they are the first priority when choices are required.

Example 2: Two applicants, lacking security plus additional points for various categories. The Association would start at item 1 and compare the points of each applicant. If they are equal on item 1, the applications would be compared to item 2 and so on, down to item 10. If you assume in this example that both applicants had the same points for categories 1 to 4, but one had points for overcrowding (category 5) and the other had points for underoccupation (category 6), then the applicant suffering overcrowding would be offered the property.

20.18 **Applicants Given Homeless Points**

The Association will confirm the date the applicant became homeless with the relevant Local Authority, and the applicant who has been homeless the longest will be made the offer.

20.19 **Severe Racial Harassment, Severe Harassment and Domestic Abuse**

The Association will confirm the length of time they have suffered the harassment with the relevant bodies as per Section 11.6.11 to 11.6.13. Where no other bodies are involved, and the dates the problem began cannot be assessed, the date of application will be used.

20.20 It should be noted that the Association avoids using dates of application, but may use length of time in housing need or date of application as a last resort to choose between applicants where other methods have failed.

20.21 The Association do not award points for length of time on the housing list or length of time in housing need.

20.22 Applicants made a formal offer will be given 24 hours from the date of viewing a property in which to accept or refuse the property.

20.23 Where an offer of tenancy has been accepted, the applicant will be expected to sign up for the flat with a date of entry from the date of acceptance, unless there are exceptional circumstances as deemed by the Housing Manager for an extension. The applicant will also be expected to occupy the flat within two weeks of the date of entry or otherwise deemed by the Association's Housing Management Staff.

20.24 The Association will adopt appropriate procedures and use appropriate staff to carry out allocations under this policy with regards pointing of applications; inclusion or suspension from the housing lists; generating lists from which to choose applicants for vacancies; checking applicants circumstances; making formal offers and arranging viewings for prospective tenants, allocating to and signing up of a new tenant, and organising settling in visits.

20.25 When a large property becomes available for example a 4 apartment 6 person, priority will be given to larger families who will maximize the bed spaces, due to the scarce resource of larger properties and over.

21.0 APPEALS PROCEDURES

21.1 If an applicant disagrees with any decisions made on their application, for example, the number of points they have been allocated, or if they feel that the Housing Management section have misinterpreted the Associations published policy, they should in the first instance discuss this informally with the member of staff who made the decision.

21.2 If this does not resolve the matter, then an appeal can be made in writing to the Housing Manager who will investigate the matter and write to you with a decision on your appeal.

21.3 If this does not resolve the matter, the Associations Head of Housing Services will review the case, and write to you within 7 days of receipt of your appeal to him/her.

21.4 If this does not resolve the matter to the applicant's satisfaction, then the applicant can ask for the matter to be brought to the attention of the Management Committee through the Head of Housing Services at the next available Management Committee meeting, and a decision will be made in writing within 7 days of the meeting. **The decision of the Management Committee will be final.** Where an applicant's appeal has been rejected, but they believe there are further circumstances to be considered, they can appeal again after a period of 6 months from the original decision.

21.5 The Association will use standard paperwork from the stage of the appeal going to the Association's Head of Housing Services, to ensure good communication between the Association's Management Committee and the applicant (see Appendix 7).

21.6 The above procedure refers to Appeals on Allocations decisions only and not on complaints about how an applicant was dealt with, or if the applicant believes the Association has acted outwith its published policy. In this case, the applicant should use the Associations Complaints Procedure summarised in Section 27.

22.0 CONFIDENTIALITY

22.1 The Association respects the confidential nature of information given by applicants and their representatives, and will not discuss applications with anyone other than the applicant (or a representative supporting an application e.g. doctor, social worker, support worker) unless instructed in writing to do so by the applicant.

22.2 The Association is also registered on the Data Protection Register, and will respond under the terms of the Data Protection Act 1998 to any request made in writing from an applicant to see any information stored in our computer systems on them

22.3 The Association will also give applicants access to any personal files held on them at no charge in compliance with the Access to Personal Files Act (1987).

22.4 A copy of the Association's Confidentiality Policy is attached as Appendix 8.

23.0 FALSE INFORMATION

23.1 The Association treats as seriously the provision by an applicant of false or misleading information or the withholding of vital information, in order to gain an advantage.

23.2 Applicants should also note that if after becoming an Association tenant, evidence of deception in obtaining the tenancy is uncovered, then the Association will take action to recover the tenancy on the grounds of false information being given in obtaining the tenancy

24.0 CHANGE OF CIRCUMSTANCES

24.1 Applicants should remember to advise the Association of any changes in their circumstances that would affect their application for Housing – e.g. change of address, changes to the household such as new babies being born or relationship breakdown.

25.0 LEGAL REQUIREMENTS AND GUIDANCE

25.1 The Association will comply with all relevant legal requirements affecting the Allocations of houses, with particular reference to the Housing (Scotland) Act 1987, as amended in the Housing (Scotland) Act 2001, Race Relations Act 1976, Matrimonial Homes (Family Protection) (Scotland) Act 1981, Sex Discrimination Act 1975 and amended Act 1986, the Discrimination Disability Act 1995, Data Protection Act 1998, Access to Personal Files (1987) and any subsequent amendments to these Acts.

26.0 ACCOUNTABILITY AND REVIEW

26.1 Southside Housing Association is responsible to its members, its tenants and the communities that it serves.

26.2 Responsibility is then given by the above to their representatives, who are the Management Committee and have ultimate responsibility for the efficient running of the Association including the adoption of this Allocations Policy.

26.3 With regards this Policy, delegated authority is given by the Management Committee to the Association's staff to oversee the efficient running of the Allocations process within the terms of the Allocations Policy. They are also delegated to put forward proposed changes to the Policy, but any changes will need the authority of the Management Committee prior to them coming into effect.

- 26.4 The Allocations Policy document is therefore not seen as static, and may need adapted to meet changing circumstances.
- 26.5 This Policy will therefore be fully reviewed annually, each March, although minor amendments may be made if considered necessary at any time between reviews.
- 26.6 In addition changes may be required to comply with the law or guidance where they cannot wait until the next programmed review.
- 26.7 When reviewing the Policy in March, the Association will:
- Assess statistical information on the housing needs in its area of operation
 - Assess the allocations made and consider what will become available in the following year
 - Review the Policies and Procedures in place including consultation with the tenant's, housing applicants, appropriate agencies such as ethnic minority and other special needs groups
 - Ensure that the full Allocations Policy is sent to the agencies consulted after review
 - Review publicity material to ensure good quality information on allocations, including the Allocations Policy in summary form, is available for all applicants
 - Consider the allocations process in light of the Associations Equal Opportunities Policy

27.0 REPORTING AND MONITORING

- 27.1 The Associations Housing Management Staff will provide quarterly reports to the Neighbourhood Committees on the outcomes of the Allocations Policy, including timescales for allocating void properties and void rent loss.
- 27.2 In addition, quarterly reports will be given on Equal Opportunities monitoring which includes matters relating to Allocations such as applicants applying for, being accepted or rejected from the Housing Lists. The Association's Equal Opportunities Policy is attached as Appendix 2.
- 27.3 In seeking information from applicants for monitoring purposes under our Equal Opportunities Policy, the Association confirms that such information will be treated in strictest confidence, and will not be used for any other purpose than that for which it was collected.

28.0 FORMAL COMPLAINTS

- 28.1 If an applicant feels that their application has not been dealt with correctly under the Association's Allocations Policy, then they can use the Associations Complaints procedure, summarised below:

Our complaints process provides two opportunities to resolve complaints internally:

1. **frontline resolution**, and
2. **investigation**.

Stage one: frontline resolution

Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation. Any member of staff may deal with complaints at this stage.

The main principle is to seek early resolution, resolving complaints at the earliest opportunity and as close to the point of service delivery as possible. This may mean a face-to-face discussion with the customer, or asking an appropriate member of staff to deal directly with the complaint.

A customer can make a complaint in writing, in person, by telephone, by email or online, or by having someone complain on their behalf.

Frontline resolution should be completed within **five working days**, although in practice we would often expect to resolve the complaint much sooner.

Stage two: investigation

Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage. Complaints handled at the investigation stage of the CHP are typically complex or require a detailed examination before we can state our position. These complaints may already have been considered at frontline resolution stage, or they may have been identified from the start as needing immediate investigation.

An investigation aims to establish all the facts relevant to the points made in the complaint and to give the customer a full, objective and proportionate response that represents our final position.

The following deadlines apply to cases at the investigation stage:

- 1 complaints must be acknowledged within **three working days**
- 2 you should provide a full response to the complaint as soon as possible but not later than **20 working days** from the time you received the complaint for investigation.

Extension to the timeline

Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20-day limit. However, these would be the exception and you must always try to deliver a final response to a complaint within 20 working days.

If you remain dissatisfied with the housing association' after its complaints process, you can ask the SPSO to look at your complaint. The SPSO's contact details are:

SPSO, 4 Melville Street, Edinburgh, EH3 7NS. Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us, Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

28.2 Full copies of the Associations Complaints Procedure will also be sent out to applicants on request, free of charge, or are available at the Associations reception.

29.0 SPECIAL NEEDS / CARE IN THE COMMUNITY

29.1 In recognition that the Allocations Policy may disadvantage certain Special Needs groups, and of the Association's commitment to Care in the Community provision and in assisting Special Needs groups, (see section 11.3) the Association has entered into Lease or Management Agreements with the following Special Needs organisations:

- SENSE (Scotland) dealing with Multiple Sensory impaired
- SHARE dealing with people with Multiple Disabilities
- Adult Throughcare Team dealing with young people leaving care
- Richmond Fellowship dealing with applicants with mental health problems
- The Mungo Foundation dealing with people with learning difficulties
- Glasgow City Council Homeless Section dealing with homeless people
- Saffron Project dealing with young minority ethnic single homeless people aged 16 – 25
- C-Change
- Barnardos 16+ dealing with children leaving care
- Loretto Care dealing with people with support needs

29.2 With reference to the Saffron Project, this is run by the Association for minority ethnic single homeless young people aged between 16 and 25, whereby furnished supported accommodation is provided by the Association. Full information on this project can be obtained by contacting the Supporting People Services Manager at the Association's Offices.

29.3 In addition, any applicants offered accommodation in the Project will be pointed under the Association's Points system, and put on the Housing List with the points assessed at the time of offer or with 100 Homeless points whichever is the greater.

29.4 Addresses for the other groups the Association works with can be obtained from the office on request.

- 29.5 With regards future provision of vacant property to Special Needs groups as move on accommodation from their supported accommodation (outwith the Points system), the Association will consider annually which groups, if any, the Association can offer suitable accommodation, taking account of expected stock vacancies over the next year, and the needs of the Associations Saffron Project, which will be reviewed at the same time.
- 29.6 The Association also confirms that it will offer the Saffron Project two vacancies per annum (April to March) for as long as the project exists for a move on, permanent tenancy (outwith the points system). The identification of a suitable property will be made by the Housing Manager in consultation with the Supporting People Services Manager.

30.0 SPECIAL CIRCUMSTANCES

- 30.1 Although the Association has attempted to cover all circumstances in this Allocation Policy, it is recognised that there may be cases where the allocations system does not cover an applicants particular circumstances.
- 30.2 Should this occur in the opinion of the Housing Management staff, the applicant's circumstances may be brought to the attention of the Neighbourhood Committees to decide on appropriate action.
- 30.3 In this case, the approval of the Association's Head of Housing Services to put the case forward must be sought by the Housing Manager, prior to the case being put forward to the Neighbourhood Committees.
- 30.4 This may then lead to the Neighbourhood Committees **in exceptional circumstances** overriding the points system and making an offer of accommodation or priority for future allocation to special cases.

31.0 TRANSLATIONS AND RELATED MEDIA

- 31.1 The Association will make available copies of its full Allocations Policy on tape, and in translation into other languages and media **where appropriate**.
- 31.2 The Association will provide **summary** information on the Allocations Policy including Transfer and Mobility options translated into other languages.
- 31.3 In the event of an applicant requiring the use of an interpreter, whether due to language or other communications problems (such as signing for applicants with hearing difficulties), the Association will organise this for the applicant.

32.0 RISK ASSESSMENT

32.1 The Allocations Policy aims to control the following risks to Southside Housing Association:

- Properties being let in an arbitrary manner.
- The Associations acting illegally and not meeting good practice guidance in the allocation of houses.
- The financial security of Southside Housing Association being compromised by high void periods and the corresponding loss of rental income.