

Southside

HOUSING ASSOCIATION

Allocations Policy

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1.0 POLICY PURPOSE AND OBJECTIVES

1.1 Southside Housing Association Limited (SHA) is a Registered Social Landlord (RSL) and a registered Scottish Charity. We are led by a Management Committee (MC) made up local people who live in our communities and who are responsible for approving the Allocations and ensuring its effective implementation. SHA also has two Neighbourhood Committees which monitor performance and support staff in managing the Allocations process

1.2 This Policy describes how SHA will:

- Promote and manage access to our housing
- Meet a wide range of housing needs, by letting our housing to external applicants, existing SHA tenants seeking a move, and people who are referred to us by Glasgow City Council (GCC) and other partner agencies.

1.3 SHA's approach to letting our houses will contribute to achieving our organisational mission, which is ***"To provide quality, affordable homes and to work with communities and partners to maintain safe and popular neighbourhoods"***.

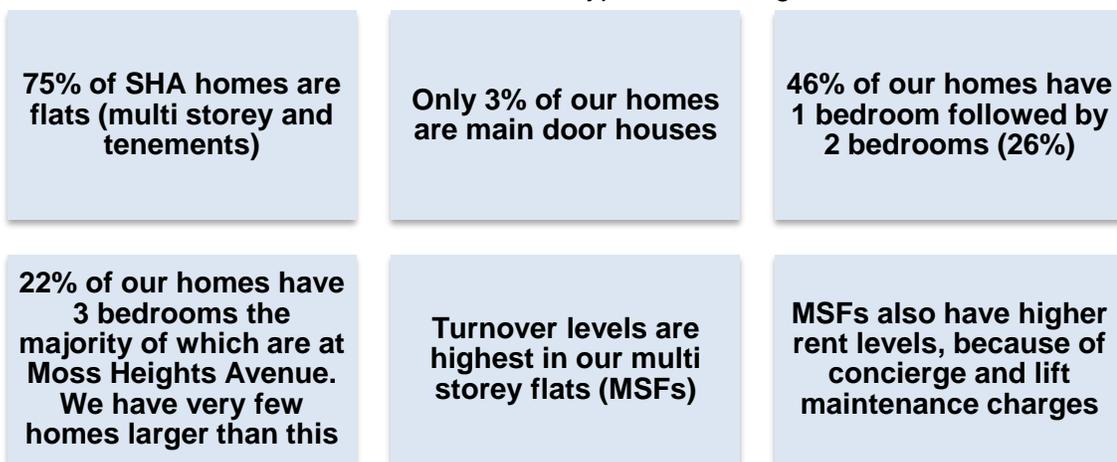
1.4 The objectives of the Allocations Policy are as follows:

- To let our houses in an open and fair manner to people with diverse housing needs.
- To provide open access to our housing list and enable people to exercise choice about where they want to live.
- To help make SHA neighbourhoods stable and sustainable places for our tenants to live.
- To give high priority to addressing homelessness and particular housing needs, through direct lettings and referral arrangements with partner agencies.
- To make the most effective use of available housing stock, and manage the turnover of lettable properties in an efficient manner.
- To comply with all statutory and regulatory requirements relating to housing applications and allocations.

2.0 ALLOCATIONS POLICY: THE LOCAL CONTEXT

Supply and Demand in SHA's Neighbourhoods

- 2.1 SHA's housing is located in a number of neighbourhoods across the southside of Glasgow. These include Pollokshields, Cardonald, Halfway, Shawlands, Cathcart, Strathbungo, Mount Florida, Crosshill, Ibrox, Kinning Park, Penilee and Pollokshaws.
- 2.2 In total, SHA owns and manages around 2,300 homes for social rent, with around 10% of our homes becoming available for letting each year. Over the last 5 years, we have had an average of 1,500 to 2,000 applicants on our housing list in any one year. As a result, demand outstrips supply in many neighbourhoods, and we cannot rehouse everyone who applies to us.
- 2.3 There are considerable variations in the size and types of housing we own:



- 2.4 Housing supply issues vary considerably at neighbourhood level.

- SHA works in some of the most ethnically diverse communities in the whole of Scotland, with the highest levels of BME households in Pollokshields, Ibrox and Kinning Park..
- North Cardonald/Halfway and Pollokshields have the highest levels of deprivation.
- Flats are the dominant house type in all SHA neighbourhoods, rising to 90% in Pollokshields East.
- Overcrowded private housing is a major issue in traditional tenement neighbourhoods including Pollokshields, Strathbungo, Crosshill, Ibrox and Kinning Park.
- Private renting has grown significantly over the last 15 years, with the highest levels found in Cathcart, Shawlands, Strathbungo and Ibrox and Kinning Park.
- SHA is receiving an increasing number of applications from people living in private lets they cannot afford, and from single adults living with parents.

- 2.5 Much of SHA's social rented housing is located in mixed tenure neighbourhoods. SHA factors around 800 privately owned homes, and we own around 150 homes that are let as mid market rent housing by our subsidiary Southside Factoring and Related Services Ltd. which trades as

“Southside Residential”.

Routes to Rehousing

2.6 With many types of housing needs present in the communities we serve, SHA offers a range of routes to rehousing for people in need. These include:

- **Direct applications**

- External applicants, including people who are homeless..
- Internal applicants, i.e. SHA tenants who wish to transfer within our stock or make applications to other RSLs through the Housing Options process.

We refer to people in both these groups as “applicants”, throughout the Allocations Policy. Priority for rehousing is decided under our points system.

- **Referral of homeless households:** We accept referrals made by Glasgow City Council under Section 5 of the Housing (Scotland) Act 2001, and agree a target level of lets per annum with the Council for this purpose.
- **Other referrals (homelessness and people with particular needs):** We accept referrals made by SHA’s Saffron Project which supports young BME homeless people, and by a number of external agencies such as the Scottish Refugee Council who help meet a wide range of housing and support needs in the community.
- **Mutual exchanges** allow two (or more) tenants to exchange their homes with each other, as long as SHA, and any other social landlords involved, agree to this.

Tenants can also use the online service provided by HomeSwapper to swap homes between different parts of the country

2.7 SHA is part of the **Glasgow Housing Options** scheme.

- This means that we will ask external applicants to attend a Housing Options and Solutions Interview (HOSI) before completing a housing application and being placed on our housing list.
- We carry out Housing Options Tenancy Sustainment interviews (HOTS) with our internal applicants and offer support with making transfer applications as well as applying to other Registered Social Landlords.
- We then put applications into order of priority using a points system, as shown at Appendix 1.

2.8 SHA uses an **Annual Lettings Plan** to set targets for the proportion of lets we will make to the various applicant categories described at 2.6. Further information about Lettings Plans is provided in section 4 of the Allocations Policy.

3.0 LEGAL AND REGULATORY REQUIREMENTS

3.1 SHA will assess housing applications and let our houses in line with all applicable legal and regulatory requirements.

Housing Legislation

3.2 The main legal requirements relating to housing applications and lettings are set out in the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001 and the Housing (Scotland) Act 2014. In addition, the Scottish Government has published statutory guidance that applies to housing allocations.

3.3 **To meet our statutory obligations, SHA will:**

- Follow statutory requirements, when we **amend or review** the Allocations Policy *new*
- **Publish our policies** for allocating houses, transfers and exchanges
- Provide **open access to our housing list** at all times
- **Give “reasonable preference” when letting our houses to:**
 - People who are homeless, or who are threatened with homelessness and have unmet housing needs
 - People living in unsatisfactory housing conditions who have unmet housing needs
 - People who are tenants of SHA or any other social landlord who we consider are under-occupying their current home.
- Follow statutory guidance in the small number of cases where we may decide to **suspend housing offers** being made to an applicant.
- **Take no account of the following factors when we are assessing housing applications or letting houses:**
 - An applicant’s income;
 - Length of residence in SHA’s area of operation;
 - An applicant’s age, unless accommodation has been designed or substantially adapted for a particular age group, or housing support is being provided for a particular age group. *Not new – but means that particular care will be needed in applying age restrictions etc for particular properties, unless specially designed or adapted*
 - Any rent arrears or tenancy-related debts (such as service charges, repairs re-charges, or the costs incurred as a result of an abandoned tenancy), where:

- Previous arrears of rent or service charges have been paid;
- The applicant's liability amounts to no more than one month's rent or charges; or
- The applicant has come to a repayment arrangement with SHA for paying arrears, has kept to the arrangement for at least three months and is continuing to make the payments.
- Any outstanding liability is attributable to the tenancy of a house of which the applicant was not the tenant.

These conditions apply equally to existing SHA tenants and external applicants. If the conditions are not met, the applicant will be suspended from receiving offers of rehousing until such time as the monies owed are cleared or reduced in accordance with the levels specified above.

○ **Take no account of whether an applicant lives in our area of operation, if the applicant:**

- Is employed, or has been offered employment, in the area; or
- Wishes to move into the area to seek employment and we are satisfied that this is the applicant's intention; or
- Wishes to move into the area to be near a relative or carer; or
- Has special social or medical reasons for requiring to be housed within the area; or
- Wishes to move into the area because he or she is subject to harassment, or runs the risk of domestic abuse.

○ **Take no account of whether an applicant is a homeowner, if the applicant:**

- Cannot secure entry to their property, or
- Is at risk of abuse, or
- May experience danger to their health if they occupy their property, or
- Is likely to become homeless in the next two months, because their home is being repossessed.

SHA **will** take account of home ownership in other circumstances. Other than in the circumstances described above, we will generally wish to be assured that homeowners who apply for housing cannot reasonably occupy any home that they own, in the UK or abroad.

3.4 The statutory framework also gives social landlords **flexibility to respond to local circumstances and needs**. SHA will make full use of the flexibility that is available, by:

- Applying our own definitions of “unsatisfactory housing conditions”, “unmet housing needs” and under-occupation, all as described in this Policy.
- Using an Annual Lettings Plan, to respond to the range of needs described in this Policy, and demonstrate good outcomes in letting to the statutory reasonable preference categories.

Scottish Social Housing Charter

3.5 In implementing this Policy, SHA will comply with the relevant Charter outcomes and report on our compliance to tenants and the Scottish Housing Regulator. The Charter requires that:

- Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.
- 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.
- Social landlords work together to ensure that people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them. Tenants and people on housing lists can review their housing options.

Equality and Human Rights

3.6 SHA is committed to promoting and achieving equality in all aspects of our work. Our workforce includes colleagues who are bi-lingual in a number of community languages, allowing us to meet the diverse communication needs of a high proportion of our tenants and housing applicants. Where we cannot meet these needs in house we will access translation services from external providers to overcome the communication barriers applicants and tenants may face.

3.7 SHA will provide equal opportunities and fair treatment for all, ensuring that no individual or group is treated less favourably than anyone else when they apply to us for housing. We will work closely with community groups, to provide assurance that we are achieving these aims.

3.8 SHA will meet its obligations under the **Equality Act 2010**, including the general equality duty in the Act, to ensure we do not discriminate against, harass or victimise a person because they have one or more of the nine protected characteristics described in the Act.

- 3.9 SHA will collect information from housing applicants, to allow us to understand who is applying for housing and who is being re-housed. Our systems will cover all nine protected characteristics described in the Equality Act 2010.
- 3.10 We will respect that some applicants may not wish to provide certain types of personal information. We will treat all monitoring information we collect in confidence and it will have no bearing on individuals' access to the housing list or any subsequent housing offer.
- 3.11 The **Human Rights Act 1998** gives every individual the right to respect for private life; the right to respect for family life; and the right to respect for their home. The Act provides protection against discrimination with regard to any of these rights.
- 3.12 The European Convention on Human Rights contains articles setting out the rights that are protected, while the European Court of Human Rights (ECHR) hears alleged breaches of the articles. It is likely that the status of the Act and the jurisdiction of the ECHR will change when the UK exits the European Union.
- 3.13 SHA recognises that applicants' human rights must be respected at all times. We will ensure that this is achieved as part of our processes and working practices.

Data Protection and Confidentiality

- 3.14 SHA will respect the confidential nature of information given by applicants and their representatives, and we will not discuss applications with anyone other than the applicant (or a representative supporting the applicant e.g. doctor, social worker, support worker), unless we have obtained the applicant's consent to do so.
- 3.15 SHA is implementing a structured programme for compliance with the Data Protection Act 2018, enacted as a consequence of the General Data Protection Regulation (GDPR) . In relation to housing applications and lettings, the programme will put in place compliant processes for:
- Privacy and fair processing notices
 - Applicant consent to sharing information or seeking information from third parties
 - Preserving the confidentiality of the personal information we hold
 - Applicants' rights to access personal information.

4.0 ANNUAL LETTINGS PLAN

- 4.1 SHA's Management Committee will approve an Annual Lettings Plan which will have the following objectives:

- To ensure that we address our legal obligations and policy objectives in a fair and open way;

- To provide people with different needs and circumstances with access to our houses, while making the best use of our housing and helping to make SHA's housing areas sustainable communities.

4.2 The main contents of the Annual Lettings Plan will be:

- Analysis of lettings performance and outcomes for the previous year
- Estimate of the number of lets for the year ahead
- Targets for the percentage of lets we expect to make to different groups, and to meet particular priority needs.

4.3 The targets set in the Lettings Plan will include the following **lettings categories**:

Homeless Referrals

People passed to us for rehousing by Glasgow City Council's Community Case Work Teams, under section 5 of the Housing (Scotland) Act 2001

Housing List: external applicants

People who apply direct to us for housing and who are not already SHA tenants

Housing list: internal transfers

Lets to SHA tenants who apply for a move because they have a housing need (for example, they may need to move to a bigger house or for medical reasons)

Under Occupation

[Lets to tenants of](#) SHA or any other social landlord who currently live in a house that is too large for their household's needs, as defined in the house size rules in the SHA Allocations Policy.

Other Referrals

People passed to us for rehousing by the Saffron Project or other specialist agencies which provide support and advice to people in housing need.

4.4 In addition, the Plan may also set targets for meeting additional types of housing needs that the Management Committee may wish to prioritise from time to time. For example, recent SHA Lettings Plans have included targets for clearance cases and alleviating serious overcrowding.

- 4.5 We will measure performance in achieving the Annual Lettings Plan targets for all properties let over the course of the year. This means we will not apply the targets on a rotation basis, as individual properties become available for letting.
- 4.6 In reviewing the Lettings Plan, management will provide the Management Committee with assurance that all applicant categories have received fair access to the range of house types and locations where we have let properties in the last 12 months.

5.0 PROVIDING INFORMATION AND ACCESS TO THE HOUSING LIST

- 5.1 SHA will publish our rules for allocating houses, and for approving transfers and exchanges. We will prepare a summary of the Allocations Policy and make this available on our website and to anyone who asks for it.
- 5.2 SHA will remove barriers to communication, by:
- Making sure our application forms and other published materials are in simple, jargon free language.
 - Meeting requests to make our policies and other documents available in different formats or languages, wherever possible.
 - Making confidential, professional language and communication assistance available to customers who need this.
 - Offering help with filling out forms, where this is needed.
- 5.3 The law entitles anyone aged 16 or over to be admitted to SHA's housing list. People will be able to contact us at any time about applying for a home, and the housing list will remain open to new applicants at all times.
- 5.4 We invite all prospective applicants – other than people referred to us by GCC and other partner agencies - to attend a **Housing Options and Solutions Interview (HOSI)**. If an interview has been carried out previously by another housing association, the applicant should provide a copy of the Action Plan they received for discussion with SHA.
- 5.5 If the HOSI results in an Application for Housing, SHA will assess the application and related information supplied by the applicant.
- We will assess applications in accordance with the Points System shown at Appendix 1 of this Policy.
 - Our assessment will reflect the statutory conditions summarised in section 3 of this Policy, including the factors that we must not take into account when assessing applications.
- 5.6 On completion of our assessment, we will place applicants on the housing list in accordance with the type of application (external or transfer), the points awarded, the size and type of house needed, and any area or other preferences expressed.
- 5.7 As part of the Housing Options and Solutions Interview and upon completion of our assessment of the housing application, SHA will provide applicants with realistic, factual information about their prospects of being rehoused. We will also provide information about other landlords with houses in their preferred areas.

5.8 SHA's **target timescales for responding to housing applications** are as follows:

- **Housing Options and Solutions Interview:** to take place within 20 working days of customer contact
- **Housing application assessed and placed on the housing list:**
 - Within 10 working days of HOSI interview (placed on list and points letter to applicant), or
 - If further information is needed to assess the application, within 10 working days of receipt of all information required
- **Change in circumstances reported by the applicant:** written response by SHA within 10 working days

6.0 KEEPING THE HOUSING LIST UP TO DATE

6.1 Each year, SHA will write to everyone on the housing list (external and internal transfer applicants), asking them to confirm that:

- They wish to remain on the list; and
- The information we hold about their circumstances and needs is still up to date.

When sending out review letters, we will provide our most up to date information on turnover and availability for SHA's houses.

6.2 The review exercise is managed on a rolling monthly basis, with letters being sent out to applicants within one year of the initial assessment or any subsequent re-assessment.

6.3 If we do not receive a response to our review letter after 28 days, we will send a second and final letter to the applicant. If we do not receive any response within 14 days of the second letter, we will remove the application from the housing list.

6.4 SHA will also remove an applicant from the list, if:

- The applicant asks to be removed (this should usually be done in writing)
- The applicant has died
- The applicant has accepted an offer of a tenancy made by SHA or another landlord.

6.5 Housing applicants are responsible for notifying SHA if their household circumstances or needs change, **either as part of the annual review or at any time in between annual reviews**. This could include changes of address, changes to the household such as new babies being born, or relationship breakdown.

6.6 An applicant who has been removed from the housing list by SHA can apply to be re-assessed and re-admitted to the housing list within six months from the date of removal, after this the applicant will require another Housing Options interview.. The date of application in such cases will be the date the applicant was re-admitted.

7.0 POINTS SYSTEM

7.1 SHA uses a points system to decide the relative priority of housing applications. This does not include people who are seeking rehousing through referral arrangements with Glasgow City Council and other SHA partners, where different arrangements apply (see section 11).

7.2 The points system plays a key part in enabling SHA to demonstrate that we give reasonable preference to certain types of housing need, as required by legislation.

Reasonable Preference Group	SHA Allocations Policy Provisions
<p>People who are homeless, or who are threatened with homelessness, and have unmet housing needs</p>	<ul style="list-style-type: none"> ● We use the points system to make direct lets to people who are homeless or who do not have secure accommodation ● Target % of lets set in Annual Lettings Plan ● Direct lets by SHA are <u>in addition to</u> homeless referrals made by Glasgow City Council to SHA
<p>People who are tenants of SHA or any other social landlord who we consider are under-occupying their current home</p>	<ul style="list-style-type: none"> ● Points for under-occupation
<p>People living in unsatisfactory housing conditions who have unmet housing needs</p>	<ul style="list-style-type: none"> ● SHA's points system reflects our priorities for addressing unsatisfactory housing conditions and the relative weighting we give to the different types of needs ● SHA's Annual Lettings Plan sets targets for lets to different applicant groups and for lets that will meet different types of housing needs

7.3 The points system covers the following types of housing need, which we regard as representing “unsatisfactory housing conditions”:

- Living in an SHA Clearance Area
- Homeless, or about to become homeless (direct applications to SHA)
- Present accommodation is not secure

- Present accommodation is in poor condition or lacks facilities
- Sharing facilities with another household
- Present home is too big or too small for all of the people living in it
- Moving for mobility or health reasons
- Moving for social reasons
This includes harassment, racial harassment, domestic abuse, moving to give or receive support, and moving to be closer to place of work

Appendix 1 sets out a full description of each points category, along with guidance on eligibility criteria for each type of points.

7.4 For some types of points (such as medical needs), we may ask the applicant to provide supporting information. We may also wish to approach third parties ourselves, to obtain information we need to assess an application, for example tenancy reports from a current or previous landlord.

7.5 We will tell the applicant about any additional information they must provide or that we wish to obtain. We will obtain the applicant's consent if SHA needs to obtain information from a third party. Applicants have the right to withhold their consent, but this may mean we are unable to complete the inquiries that are necessary to assess their housing application.

8.0 RULES ON HOUSE SIZES AND TYPES

SHA's Standard Rules

- 8.1 Since there is high demand for SHA's housing, we will always seek to make the best use of housing that becomes available for let. We will do this by making offers of housing to households who will make full use of the available bedspaces. If relevant, this may also include identifying applicants who need for a particular type of home that has become available for let, for example ground floor, amenity or wheelchair housing.
- 8.2 We will base our assessment of housing applications and any subsequent offers of housing on the following **standard rules about the number of bedrooms needed**:

Each household should have a living room that is not used for sleeping in, PLUS:

- 1 bedroom for single adults or single parents; couples/partners; and each other person aged 16 years or over
- 1 bedroom for single children under 16 years of age
- 1 bedroom for each 2 children of same gender under 16 years of age, after which each child over 16 years of age shall have 1 bedroom each
- 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
- No more than two people should share a bedroom
- No more than one person should occupy a single bedroom

- 8.3 If an applicant is expecting a child they will be placed on the housing list for the size of house they will need after the birth, when their pregnancy reaches six months gestation.
- 8.4 In general, we will **queue applications for one house size only**, using the rules shown above. There are some variations to this rule, as explained in the next section.

Variations to the Standard Rules on House Types and Sizes

- 8.5 SHA will make a number of common sense exceptions to the house size rules described at 8.2, so that we can be responsive to applicants' individual needs.
- 8.6 **Wheelchair housing**

Wheelchair housing is housing specially designed or adapted to allow a person in a wheelchair to live independently if required.

SHA will maintain a **wheelchair housing list**. Applicants placed on this list must have one member of the proposed household who is confined, or will be confined in the future, to a wheelchair.

Applicants for wheelchair housing may be considered for a house that has one bedroom more than would normally be the case under SHA's standard house size rules. We will apply this flexibility where appropriate, for example if an applicant may need a live-in carer at some point in the future, or if an extra room is needed to store a wheelchair and other equipment.

8.7 **Amenity and Independent Living housing**

Amenity housing is housing on the ground or first floor which is suitable for someone with mobility, or potential mobility, problems.

SHA will maintain an **amenity housing list** and applicants will be considered for this list if they are over 50 years of age. Applicants younger than this will also be considered if they have a condition, confirmed by a medical practitioner that affects their mobility and therefore their ability to occupy accommodation above ground or first floor level. This does not include Independent Living complexes as these are age restricted.

Applicants on the amenity housing list will also be considered for SHA developments built to barrier free standards and properties in buildings that have suitable lift access. We will only allocate ground floor properties for Wheelchair users.

8.8 SHA has three independent living complexes providing amenity housing for older people only. We will only offer this type of housing to applicants who meet the age criteria.

The three complexes are self-contained developments, normally with communal facilities such as a common lounge and laundry, and the services of a Housing Alarm System.

Applicants for SHA's Independent Living housing must meet the age criteria for the complex, and be fit for independent living as assessed by a relevant person. No member of the proposed household can be under the age criteria for the particular complex. These age rules reflect planning conditions put upon the property by the Local Authority Planning Department.

8.9 **Medical conditions requiring an additional bedroom**

We may allow an additional bedroom if a member of the household needs to have their own bedroom due to a medical condition. For example, if a couple who would normally be placed on the 2 apartment list cannot share a bedroom due to health problems by one or other of them, they may instead be placed on the 3 apartment list.

8.10 **SHA Tenants Occupying Bedsit Accommodation**

We define a bedsit as a one-roomed property or a two-roomed property where the kitchen is part of the living room.

Single adults will be considered for both 2 apartments and – if they wish - for the small number of bedsits owned by SHA. If allocated a bedsit, the tenant will then be eligible to

apply for a transfer to a 2 apartment and will be treated as being overcrowded by one room.

8.11 **Serious overcrowding**

Applicants who need a **4 apartment home or larger** will be placed on the housing list for the size of home they need, under the standard SHA size rules. In addition, applicants can choose to be placed on the list for properties that are one bedroom smaller than needed, if this would alleviate their current housing situation.

If the applicant is rehoused in a smaller property, they will remain on the list for the larger size of property that would fully meet their needs. In this situation, the applicant's points will be reassessed based on their current housing needs and not on their original overcrowding situation

SHA will also seek to alleviate serious overcrowding in our Annual Lettings Plan, by setting a target for lets to households that are overcrowded by one bedroom or more.

8.12 **Access to Children**

Applicants who have custody of their children will be offered accommodation to meet the entire family's needs.

If an applicant has overnight or weekend access to children who do not live with them, we will consider them for one extra bedroom, regardless of the number, sex and ages of the children.

9.0 OFFERS OF HOUSING

9.1 SHA's policy is to make offers of housing to those in greatest need, while also maximising the prospects of creating sustainable tenancies. This involves balancing a number of factors.¹

- The targets in SHA's Annual Lettings Plan for how many houses we plan to let over the course of a year to different categories of applicant.
- The number of points applicants have received
- The suitability of the house on offer for potential new tenants, and who will make best use of the house
- Area and any other choices expressed by applicants
- Any factors that indicate to us that granting a tenancy to a particular applicant may make that tenancy more difficult to sustain or have a negative impact on the needs of the community.

9.2 Working within the Lettings Plan targets, and provided that there are no statutory homeless referrals outstanding, each Housing Officer works with the Estates Team Leader in deciding which list to allocate from..

9.3 Available properties will normally be offered to the applicant with the highest number of points for the house size/type on offer, within the selected Lettings Plan category, and who was already on the list when the property became available for letting. In some cases where the queues have been exhausted the Housing Officer may reprint the list to capture any new applicants.

9.4 The matching process may also take into other circumstances that are relevant, for example:

- The information we hold about the applicant's circumstances and needs
- Which applicants will fully use all of the bedspaces in the property on offer
- Which applicants may need a particular floor level, for example by prioritising housing at lower levels for those with mobility needs
- Community needs, for example we would not re-house an applicant in the same neighbourhood where they previously committed antisocial behaviour or crimes such as drug dealing.

¹ These factors are consistent with Scottish Government good practice guidance [Social Housing Allocations: A Practice Guide (March 2011), Chapter 5]

On occasion, consideration of these wider factors will mean that SHA will bypass the applicant with most points, and select another applicant to receive the first offer.

- 9.5 If the applicant on the top of the list does not wish to accept the offer, we will offer the property to the applicant who is second on the list, and so on.
- 9.6 If a property has been offered and refused three times, the Estates Team Leader will have authority to make an offer to any applicant who has expressed interest in a property of the relevant type and/or in the particular area.
- 9.7 If two or more applicants have an equal number of points, we will make the offer to the applicant who has been in housing need longest (based on the date on which SHA first offered points for housing need).
- 9.8 SHA will only make offers that match any preferences the applicant has expressed, for example for particular areas or floor levels. We do not put a limit on the number of offers an applicant can receive but if an applicant refuses two offers that meet their stated preferences, we will contact the applicant to discuss their future housing options and prospects. If two similar offers are refused and a further similar property becomes available then staff will by pass on future offer.
- 9.9 Prior to making a written offer of housing, SHA will normally carry out a home visit to verify that the information given in the application form is accurate and that circumstances have not changed. At this stage, we will:

- Obtain proof of residency at the address given
- Reassess the applicant's points, if circumstances have changed
- Request tenancy reports from any current or previous landlords, if possible
- Contact the local authority for confirmation of circumstances, where homeless points have been awarded or are being sought
- Contact the agencies supporting an applicant who is seeking to be rehoused due to severe harassment, racial harassment or domestic abuse, if this is possible
- Seek any other information that may be needed to finalise the offer.

We may request a medical report or medical assessment form where an applicant is claiming points on medical or mobility grounds. If required, this will be done at application stage or when a change in circumstances occurs.

- 9.10 Applicants in all lettings categories who receive an offer of housing will have 24 hours from the date of viewing a property in which to accept or refuse the offer.

9.11 If an applicant accepts an offer of housing, we will expect them to sign up for the tenancy with a date of entry from the date of acceptance of the offer, unless there are exceptional circumstances. We will also expect the applicant to occupy the property from date of entry if possible, and applicants will be made aware of their liability for rent from the date we issue keys.

9.12 SHA recognises the importance of our decision-making being transparent and accountable:

- The Estates Team Leader will complete and retain on file a decision pro forma, to record the reasons for deciding which category of applicant should be offered the house.
- If we have bypassed an applicant with the most points for any reason, the Estates Team Leader will record the reasons on the decision pro forma. We will also monitor the future progress of bypassed applications, to assess whether the applicant is made a suitable alternative offer of accommodation within a reasonable timescale.
- We will maintain a matching print out that shows all of the applicants who were in the queue for a vacancy and the reasons why any who had more points than the successful applicant did not receive an offer (e.g. the applicant was not interested in the vacancy or did not respond to contact from us about the vacancy).
- The Head of Housing Services will be accountable to the Management Committee for ensuring that the Lettings Plan targets are met during the course of the year as a whole.

10.0 SUSPENSIONS FROM RECEIVING OFFERS OF HOUSING

10.1 Background

A suspension involves setting a period of time during which an applicant will not be considered for an offer of housing, generally as a result of the applicant's conduct.

Applicants are not removed from the housing list, since the law does not permit this. Instead, a suspended applicant will remain on the housing list but will not be made an offer of housing during the period of the suspension.

SHA regards applying suspensions as a last resort, and has a strong track record in minimising suspensions this (SHA made no suspensions at all in the period 2013 to 2018).

As per Scottish Government Guidance, suspension timescales are no more than three years. However the Association will look at each case individually based on facts.

10.2 SHA's Policy on Suspensions

SHA will not apply suspensions automatically, and will instead consider the circumstances of each case on their merits.

10.3 The factors that may lead to a suspension being considered are shown below, for both new and existing applications. These apply to all of the people who will be rehoused as part of a housing application, except that the final factor - the making of false statements - applies only to the applicant.

o **The applicant has acted in an antisocial manner**

This covers:

- Antisocial behaviour towards another person residing in, visiting or otherwise engaged in lawful activity in the locality of a house occupied by the applicant.
- Harassment of others
- Antisocial behaviour towards an employee of a social landlord in the course of making a housing application.

We will generally take account of any such behaviour **within the last three years**, as well as any changes in behaviour that have taken place during that period.

Existing SHA tenants 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.

o **The applicant has been, or has resided with a person who has been, convicted of:**

- Using a house or allowing it to be used for immoral or illegal purposes (for example, drug dealing or prostitution), or
- An offence punishable by imprisonment which was committed in, or in the locality of, a house occupied by the person.

o **A court in Scotland, England, Wales or Northern Ireland has previously granted an order to evict a tenant**

- We will consider any such court orders granted within the last three years.

o **A previous tenancy (with SHA or another social landlord) has been terminated on the grounds of abandonment or neglect of the property**

- We will consider any tenancy terminations within the last two years.

o **There are or were outstanding debts relating to a previous tenancy**

- See section 3.3 of the Allocations Policy.

- **The applicant knowingly or recklessly made a false statement in their application, and in all communications with the Association regarding the application.**

In addition, the Association may consider the use of suspensions in the following **additional circumstances**:

- Convictions or serious complaints relating to racial harassment and all other forms of hate crime
- Deliberate worsening of the applicant's housing circumstances prior to making an application
- Malicious damage or wilful neglect of an SHA property (SHA tenants seeking a move) or of the building fabric and common parts of SHA property (including acts of vandalism)
- Serious or repeated breaches of tenancy conditions (for example, repeated refusal to provide SHA with access to carry out gas safety and other essential property inspections)
- Threatening behaviour towards an SHA staff member.

Managing Suspensions

- 10.4 The Head of Housing Services will be responsible for approving any suspensions made by SHA. In doing so, the Head of Housing Services will examine the circumstances of the case and will have regard to:
- The Chartered Institute of Housing's Good Practice Document "Suspending Applicants on the Housing Register: A Guide for Housing Professionals" (2002)
 - The Scottish Government's Statutory Guidance on the suspensions provisions in the Housing (Scotland) Act 2014, published in 2017.
- 10.5 SHA does not operate a standard or maximum period for suspensions to be in place. We will aim to keep the duration of suspensions to a minimum. Our decisions will take account of the seriousness and frequency of the conduct involved, the impact on other tenants and residents, and the acts or omissions of people other than the applicant (such as other household members).
- 10.6 Our decision to suspend an application will be made in writing and will state:
- The reasons for the suspension and how long it will last
 - What action, if any, the applicant must take to have the suspension ended
 - How often we will review the suspension (this will be at least every 6 months, and more

frequently if appropriate)

- How the applicant can discuss or appeal our decision.

- 10.7 An applicant who was previously evicted from a property in a SHA community for anti- social behaviour will not, after a suspension ends, be offered rehousing in future in that same community.
- 10.8 In accordance with the Housing (Scotland) Act 2014 SHA may only offer a Short Scottish Secure Tenancy (SSST) to an applicant who has been guilty of anti-social behaviour or harassment in the preceding 3 years.
- 10.9 In some circumstances, for example housing applicants requiring support, we may not be able to make an offer until we have received essential information from external agencies. We do not regard such situations as a suspension and this part of the Allocations Policy does not apply to such housing applications.

11.0 HOUSING LET THROUGH REFERRALS

Section 5 Referrals (Homeless Persons)

- 11.1 SHA participates in the joint protocol with Glasgow City Council (GCC) to accommodate homeless persons under Section 5 of the Housing (Scotland) Act 2001. This is a key priority for both SHA and the Council. To put it into effect, we agree a target percentage of all SHA lets that will be made to people referred to us under Section 5.
- 11.2 GCC's community Case Work Teams are responsible for making Section 5 referrals, and joint working procedures are in place to manage the process. SHA accepts referrals when it is anticipated that an applicant can be housed within 6 weeks. If there is no suitable property available the referral will be returned to the Case Work Team.
- 11.3 SHA will request tenancy reports for the person being referred. The Case Work Team should also provide us with a Support/Resettlement Plan, as appropriate to the individual, so that it is clear what support individuals need and will receive. This aspect of the agreed procedures is not always met and is critical to ensuring that new tenants receive the support they need and that their tenancies prove to be sustainable.

Applicants with Particular Needs and/or Support Requirements

- 11.4 SHA does not use the points system for applicants who have particular needs, such as young BME adults being supported through our Saffron Project, Queen Mary Avenue, Sense, Share and Key Housing and people with additional support needs.

Instead, SHA offers a proportion of our lets each year to applicants with support needs, through referral arrangements with a range of support agencies.

SHA works closely with these agencies to identify suitable areas and house types for rehousing.

The accommodation offered may be in mainstream stock or more specialist housing, with a full assessment of carried out of each individual's needs.

12.0 RELATIONSHIP BREAKDOWN BETWEEN PARTNERS

- 12.1 Couples affected by relationship breakdown should seek legal advice on the rights of each party to occupy the property, and to establish their rights under the Matrimonial Homes Act 1981.
- 12.2 Joint tenants continue to be responsible for complying with the conditions of the tenancy agreement, including rental payments, even if they are not living in the property. SHA will accept a joint tenant giving up their right to reside in the property provided it is in writing, and we will normally expect the rent account to be clear unless there are exceptional circumstances (such as domestic abuse).
- 12.3 The Association's points system includes a number of points types that may be available to partners who have left the joint home and who are seeking to establish a new household.

In the case of applicants who have given up their rights to occupy an SHA property, applications will be treated as an internal transfer case while all other applications will be placed on the external applications list.

If a tenant is the victim of domestic abuse, further assistance is available under the points system, including high level of points potentially available to victims who may need to move home urgently.

- 12.4 To help sustain family relationships, SHA's points system allows parents who have access to children who do not live with them to be considered for a property with an additional bedroom.

13.0 REHOUSING REGISTERED SEX OFFENDERS

- 13.1 Multi-Agency Public Protection Arrangements (MAPPA) were introduced as a result of the Management of Offenders etc (Scotland) Act 2005. We manage any allocations to offenders covered by the MAPPA arrangements at a senior level and in consultation with relevant agencies such as the police and Social Work Services. All aspects of this policy may not be applied in making any such offer and any offer of housing will be dealt in line with MAPPA (Multi Agency Public Protection Arrangements) Protocols which cover the Glasgow area.

14.0 MUTUAL EXCHANGES

- 14.1 The Housing (Scotland) Act 2001 allows two (or more) tenants to exchange their houses with each other, as long as the Association, and any other social landlord involved, give permission for this.
- 14.2 Mutual exchanges offer a further route to rehousing for tenants who may wish to move home, but may not have sufficient priority under their landlord's Allocations Policy. SHA will promote mutual exchanges to our tenants, as a further means of meeting their housing needs and aspirations.
- 14.3 SHA will consider the rehousing needs of the tenants concerned and will not unreasonably refuse permission for the exchange to go ahead. There are certain circumstances in which we may refuse permission, including:
- The exchange would worsen the housing conditions of either party
 - The exchange would result in an SHA property being under-occupied by more than one room or overcrowded as defined in section 8 of the Allocations Policy
 - The exchange has been proposed for financial gain.
 - Either party is in breach of their tenancy e.g. both rent accounts should be clear
 - A Notice of Proceedings for Recovery of Possession has been served on either tenant
 - The proposed incoming tenant was previously evicted for anti-social behaviour within the last 5 years.
- 14.4 If the request is approved, the following conditions will generally apply:
- 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 the date of exchange.
 - Joint tenants or partners with a right to live in the property being exchanged must both agree to the proposed exchange.
 - Any other conditions specific to the exchange request being granted.
- 14.5 If we do refuse permission, we will explain our reasons and inform the tenant of their right to appeal.

15.0 APPEALS AND COMPLAINTS

15.1 An applicant for housing can **appeal against**:

- The points total they have been awarded
- A decision to suspend their eligibility to receive offers of housing
- Any other aspect of our assessment that the applicant believes is not in accordance with the Allocations Policy, and has adversely affected their prospects of being re-housed.

Appeals should be made in writing. SHA staff will be happy to assist any customer who needs help in preparing a written appeal. The Estates Team Leader will review appeals, with a final review being carried out by the Head of Housing Services if the customer remains dissatisfied.

15.2 If an applicant wishes to **complain about** how their application has been dealt with (for example, how their Housing Options and Solutions Interview was conducted, the standard of service we provided, or the conduct of a staff member), he/she can use SHA's Complaints Procedure.

Information about how to make a complaint is available from the Association's offices in Cardonald and Pollokshields. Stage 1 complaints will normally be reviewed by the Estates Team Leader, while Stage 2 complaints about allocations matters will be dealt with by the Association's Head of Housing Services or Director.

Our decision on a Stage 2 complaint represents the end of the Association's internal complaints procedure. If an applicant remains dissatisfied, he/she can contact the Scottish Public Services Ombudsman if they wish to have their complaint considered by an independent body. Details are available from our office or by contacting the Ombudsman direct at:

Scottish Public Services Ombudsman
Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS, or Freepost SPSO

Telephone: 0131 225 5300, or Freephone 0800 377 7330
Fax: 0800 377 7331

British Sign Language: contact SCOTLAND-BSL

16.0 FALSE INFORMATION

- 16.1 Housing applicants must not provide false or misleading information or withhold relevant information, in order to gain an advantage or to improve their prospects of being re-housed.
- 16.2 If we rehouse an applicant and it subsequently comes to light that the applicant used deception in obtaining the tenancy, SHA will take action to recover the tenancy on the grounds of false information being given in obtaining the tenancy.

17. MANAGEMENT, ACCOUNTABILITY AND REVIEW

Roles and responsibilities

- 17.1 SHA's housing management team is responsible for the implementation of this Policy and the day-to-day management of housing applications and allocations. At operational level, we will ensure that:
- A second member of the housing management team checks and countersigns the assessment of all housing applications and the making of offers.
 - We keep clear records of all applications and lettings decisions, so that there is a satisfactory audit trail.
- 17.2 Reporting to the Director, the Head of Housing Services is responsible for ensuring effective implementation of the Allocations Policy, and the services provided to housing applicants. The Head of Housing Services is accountable to SHA's Management Committee and Neighbourhood Committees, whose respective remits include approving the Allocations Policy and monitoring performance and outcomes.

Special Lets and Exceptional Circumstances

- 17.3 Special Lets are intended to respond to urgent housing needs that are not fully recognised under the Allocations Policy. While the Allocations Policy provides a comprehensive framework for letting SHA's housing, we may consider making Special Lets in exceptional circumstances.
- 17.4 The Head of Housing Services will have delegated authority to make decisions on any proposed Special Lets, and will report to the Neighbourhood Committee periodically on the number and general circumstances of any such cases. Decision-making must be fully documented, to ensure that decisions are open to scrutiny if required.
- 17.5 In very exceptional circumstances, the Neighbourhood Committee may need to give its prior approval to an offer of housing being made. This will apply where the Head of Housing Services and the Director consider that a proposed let would involve a significant departure from established policy and practice and/or could create significant reputational risks for SHA.

- 17.6 The granting of tenancies to employees and committee members of the Association, and people closely connected to them, are subject to the controls described in SHA's Policy on Payments and Benefits. The Policy sets out the procedures that must be followed if anyone in these categories is applying for a tenancy.

Performance Management and Service Improvement

- 17.7 SHA will provide the Neighbourhood Committees with regular reports in relation to access and lettings. Reports will address:
- Housing list and referrals numbers
 - Service management performance, including timescales for letting void properties and managing levels of void rent loss.
 - Equality monitoring results, in particular the profiles of housing applicants and applicants who are re-housed.
- 17.8 In addition, SHA will review Annual Lettings Plan outcomes. The Neighbourhood Committees and the Management Committee will receive annual reports which:

- Report on housing needs in SHA's areas of operation
- Assess the pattern of lets made in the previous year, and likely turnover and appropriate targets for the coming year
- Review the operation of SHA's policies and procedures, and any consultation undertaken with SHA tenants, housing applicants, and appropriate agencies such as ethnic minority and special needs groups
- Consider allocations outcomes in relation to equalities issues.

- 17.9 The Association will include information about housing allocations in our public reporting on the Scottish Social Housing Charter.

Risk Assessment

- 17.10 The Allocations Policy is a key tool for managing risks to SHA, for example:
- Properties being let in an arbitrary manner.
 - SHA acting illegally or failing to meet good practice guidance in the allocation of houses.
 - The financial consequences of high void periods.
- 17.11 We will manage these operational risks through close monitoring of performance, internal audits, and periodic spot-checking by management.

Review of the Allocations Policy

- 17.12 The Allocations Policy will be the subject of a comprehensive review every 3 years. Policy reviews will take account of customer feedback, Glasgow City Council's Local Housing Strategy and any statutory guidance published by Scottish Ministers.
- 17.13 We will consult with customers (existing tenants and housing applicants) and any registered tenants organisation about any significant changes to the Allocations Policy. We will identify suitable methods for doing this and seek to involve all sections of our customer base. At the end of the process, we will publish a report about the consultation that has taken place.