



## Allocation and Letting Policy

**AS WITH ALL OF THE ASSOCIATION'S POLICIES and PROCEDURES, THIS GUIDE, IN FULL AND IN PART, CAN BE MADE AVAILABLE IN SUMMARY, ON TAPE, IN BRAILLE, AND IN TRANSLATION INTO MOST OTHER LANGUAGES –**

**PLEASE ASK A MEMBER OF STAFF IF YOU WOULD LIKE  
A VERSION IN A DIFFERENT FORMAT**

Approved By	Committee of Management at the meeting on 24 <sup>th</sup> April 2019
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## 1. INTRODUCTION

### 1.1 Aims & Objectives

Whiteinch & Scotstoun Housing Association Limited is a provider of quality housing and related services. Working in conjunction with other agencies, the Association is intent on making a contribution to the continual physical and economic regeneration of the community it serves. Through the provision and maintenance of accommodation at an affordable cost, and the ready availability of housing and benefits advice, the Association will support the community and individuals within it in seeking to achieve wellbeing and independence.

We will endeavour to meet our objectives by following a strategy which attempts to remove areas of decay and dereliction and to encourage a mix in terms of age of population, family size and type of housing and tenure.

### 1.2 Allocation Policy Principles

The Association maintains an open housing list and undertakes to ensure that allocations are carried out in an objective and impartial way. The system is subject to regular reporting and review:

The policy aims to:

- Make the best use of stock through appropriate allocations – matching property size and bedspaces to household size
- Be strictly needs based by ensuring that applicants assessed as being in the **greatest housing need** are given priority
- Ensure properties are allocated in a way that helps to achieve balanced and sustainable communities.
- Give consideration to a range of circumstances which do not strictly relate to the size and/or amenity of the applicants current accommodation, such as employment and social reasons
- Be fair, transparent and consistent in the allocation of housing
- Comply with relevant legislation & best practice
- Ensure Equality of opportunity is achieved

### 1.3 Legislation

The policy takes account of the under noted legislation as it relates to the allocation of housing:

**(a)** Housing (Scotland) Act 1987



- (b) Housing (Scotland) Act 2001
- (c) Housing (Scotland) Act 2014
- (d) Homelessness etc (Scotland) Act 2003
- (e) Race Relations Act 1976
- (f) Sex Discrimination Act 1975
- (g) Disability Discrimination Act 1995
- (h) Human Rights Act 1998
- (i) Matrimonial Homes (Family Protection) (Scotland) Act 1981
- (j) Data Protection Act 1998

#### **1.4 Good Practice Guidance and SSHC Standards and Outcomes**

The policy also seeks to comply with published good practice in relation to allocations and lettings, including all relevant standards and outcomes contained in the Scottish Social Housing Charter (SSHC).

#### **1.5 Equality and Diversity**

The Association operates an **Equality and Diversity Policy** under which it is committed to promoting an environment of respect and understanding that aims to eliminate discrimination by and towards members of the public, Committee Members, contractors and staff.

The Association will at all times endeavour to ensure that in all its activities, primarily the provision of services, the principles of the **Equality & Diversity Policy** will be fully applied.

In accordance with the Association's Equality & Diversity Policy, the Allocation and Letting Policy has been assessed to ensure that it does not unfairly discriminate against applicants in any way on the grounds of age, disability, gender, gender identity (reassignment), marriage and civil partnership, pregnancy and maternity, race, religion or belief or sexual orientation.

If you feel you have been treated unfairly you have the right, through the appeals process, to have your case reviewed.

#### **1.6 Access to Information**

The Association will seek to comply at all times with the provisions of legislation relating to Data Protection and the Right of Access to Information. Any information that we hold regarding an individual must be treated in line with the safeguards outlined in the General Data Protection Regulation 2016 (GDPR).



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### **3. ELIGIBILITY AND THE APPLICATION PROCESS**

#### **2.1 Who is eligible to apply**

The Association will accept applications for housing from anyone aged 16 years or over whether or not they live, work or have any past or present links to the Whiteinch or Scotstoun areas.

However, specific age criteria will operate in respect of applicants for supported housing for older people at the Primrose Court and Northinch Court schemes as well as applicants for amenity housing for older people at 7 & 9 Methil Street, who will require to be 60 years of age or over.

Everyone submitting an application has a legal right to have their application assessed in accordance with the Association's published points system and to be admitted to the Housing List. This does not imply, however, a right to be re-housed as there is a high demand for properties. The Association is, therefore, unable to offer an applicant any guarantee that an offer of accommodation will be made.

All applicants will be provided with an explanation of how their points have been calculated and will have the opportunity to make an appointment to discuss their application in detail with a member of the Housing Management Department.

#### **2.2 Application Process**

All applicants to the Housing List are required to fill in a form. This is obtained by writing, telephoning, e-mailing, calling in to the office or downloading an application form from the Association's Web Site.

The Association will aim to provide assistance to applicants who require assistance to complete an application form:

- A member of the Housing Management Department can provide support to applicants dropping in to the office, however staff may not always be available and an appointment might be necessary.
- Applicants unable to access the office may request an appointment for a home visit subject to this being within reasonable travelling time from the Association's offices.
- Other arrangements will be made to support those outwith a reasonable travelling distance. This may include offering assistance by telephone or enlisting assistance from another agency where this is available.





## **2.3 Areas of Choice**

The Association recognises that giving an element of choice to applicants can contribute to community stability and will, therefore, seek to clearly establish through the housing application form or via a housing options discussion and, thereafter, at the pre-allocation visit, their specific housing requirements prior to an offer of accommodation being made.

## **2.4 Housing Options Discussion**

The Association's Housing Management staff will deal with general enquiries regarding applications on a day-to-day basis but applicants wishing a more in-depth interview to discuss their housing options will be invited to make an appointment.

At this interview, the applicant will be advised in general terms about their prospects of housing. Where it is established that their level of need is such that they are unlikely to have a sufficient level of priority in order to be allocated a property, or where the need for housing is urgent, the applicant will be advised of alternative housing options and/or other housing providers.

## **2.5 Making an offer of accommodation**

Generally, before an offer of accommodation is made, a house visit will be carried out to where the applicant is currently living, in order to verify information contained in the application form. It is the applicant's responsibility to provide all information required by the Association. In cases where the information cannot be verified the points total will be amended accordingly and this may result in an offer not being made.

Where an applicant has no fixed abode, a visit will be carried out to the accommodation in which the applicant spends the most time. If this does not apply, for example, where the applicant is roofless, no visit can be carried out. In this case proof will usually be sought e.g. benefit book or similar. Where a benefit book shows an address, the Association will try to establish why the applicant is no longer able to reside there and if it is satisfied that there are valid reasons for this, will make an award of points in accordance with the level of award to roofless persons.

Applicants residing in a hostel, hotel, hospital, supported accommodation, institution or similar, will not normally be visited, but proof of residence will be required.

## **2.6 Suspension of Housing Applications**

In certain circumstances it may be appropriate to suspend an application for housing for a period of time. Where an application is suspended the applicant will not receive an offer of housing. A suspension will not affect the level of points awarded to an applicant.



	<b>Circumstances where a suspension will apply</b>	<b>Suspension Timescale</b>
1	<p><b>Anti-social behaviour by the applicant or a member of their household within the previous three years</b>– this might include, but is not limited to:</p> <ul style="list-style-type: none"><li>• Annoyance, harassment, violent or intimidating behaviour towards staff members, neighbours or others</li><li>• Criminal convictions relating to a tenancy e.g. drug dealing, prostitution, fire raising</li><li>• Extensive damage caused to a landlords property</li><li>• Anti-social Behaviour Order granted</li><li>• Eviction decree granted relating to anti-social behaviour</li><li>• Established and sustained pattern of conduct considered anti-social</li></ul>	<p>Up to 36 months – subject to nature and severity of the anti-social behaviour.</p> <p>The case will be reviewed by the Housing Manager to establish whether the applicant can demonstrate their ability to behave in such a way as not to cause harassment, nuisance or annoyance to others and to confirm that the household will be able to maintain a future tenancy in an acceptable manner.</p>
2	<p><b>Rent arrears and tenancy related debt</b> – accrued by the tenant within the previous three years.</p> <p>Suspension will not be applied where:</p> <ul style="list-style-type: none"><li>• The debt has been paid off in full</li><li>• The level of debt equals or is less than one month's rent</li><li>• A repayment agreement is in place and has been maintained for at least 3 months</li><li>• The applicant is seeking to transfer to a smaller property to avoid incurring a reduction in Housing Benefit due to under-occupation</li></ul>	<p>Up to 36 months.</p> <p>The suspension will be lifted:</p> <ul style="list-style-type: none"><li>• Following full payment of the debt</li><li>• Where an arrangement to pay off the debt has been maintained for 3 months</li><li>• Where the debt has been reduced to less than a month's rent</li></ul> <p>Where a transfer to avoid a reduction in housing benefit takes place - a specific condition of the tenancy agreement for their new flat will be ongoing repayment of their former tenancy arrears.</p>



3	<p><b>Breach of tenancy conditions</b></p> <p>Applicants who are current tenants of a Council of Registered Social Landlord who have breached their tenancy conditions – e.g. :</p> <p>Unsatisfactory condition of property, garden, common areas, disposal of rubbish, wilful damage, vandalism, control of pets</p> <p>Undertaking alterations/improvements on a property without the relevant approval from their landlord.</p>	<p>Up to 36 months.</p> <p>Suspension will be lifted once the landlord is satisfied that the condition of the property has been improved to a satisfactory level and any rechargeable repairs associated with bringing the property up to this standard have been paid.</p>
4	<p><b>Deliberately worsening housing conditions</b></p> <p>Suspension will be applied where applicants who have held a tenancy with a Council of Registered Social Landlord within the past year, and who have left this voluntarily, thereby worsening their housing circumstances.</p> <p>Suspension will not apply where circumstances existed which would have made it unreasonable for the applicant to remain in the former tenancy, for example, where there has been a relationship breakdown.</p> <p>In some cases, however, the Association may wish to investigate further the reasons for leaving the previous tenancy and may seek evidence, confirmation or additional information from the previous landlord, police, social work, solicitors or other agencies as appropriate.</p>	<p>Within 12 months from the end of the tenancy</p>
5	<p><b>Refusal of second offer of housing</b></p> <p>Suspension will be applied where the applicant has refused a second reasonable offer of housing within the last 12 months.</p>	<p>For 6 months</p>
6	<p><b>Fraud, false or misleading information</b></p> <p>Suspension will be applied where the applicant has deliberately misrepresented information in order to gain advantage over other applicants in housing need.</p>	<p>Up to 36 months</p>

### **Approval & Monitoring of suspended applications**

All suspended applications must be initially approved and, thereafter, reviewed by the Housing Manager or, in his/her absence, the Chief Executive within a timescale consistent with the period of suspension. The purpose of the review will be to establish, based on the information available, whether the suspension should be lifted or continued (See also Association's Suspensions Procedure).

Committee will receive a **quarterly/annual report(TBC)** providing an update on suspended applications, including the number of suspended applications and the reason(s) for suspension.

### **Information for suspended applicants**

Where a decision has been taken to suspend an application for housing, we will provide the following information:

- The reasons for the suspension
- The implications of the suspension
- The period of the suspension
- The process for appeal against the suspension – An applicant has 21 days to appeal to the sheriff court against a suspension. Where an applicant is appealing a suspension we will expedite or standard appeals process (see section 2.16) and reach a decision before the 21 days has elapsed. In some cases, the Sherriff may extend the 21 day period and hear an appeal after this time, however applicants should seek independent advice and/or support in relation to the appeals process.
- The steps to be taken in order to have the suspension lifted
- The information, advice and support we will provide to assist

## **2.7 Cancellation of Applications**

Applications may be cancelled for the following reasons:

- applicants have advised the Association that they no longer wish to be considered for an offer of accommodation;
- applicants have died;
- applicants have not responded to a letter confirming arrangements for a Housing List visit;
- applicants have failed to respond to a request for information necessary to assess their application;
- applicants who have been made an offer of accommodation and have failed to contact the Association or who have failed to take the opportunity of an

appointment to discuss their application;

- applicants have failed to respond in respect of the annual review of their application (see also Section 2.5):

This list of reasons for cancellation is not exhaustive. However, an application should not be cancelled for any other reason unless this course of action is approved by the Housing Manager or, in his absence, the Chief Executive.

In all cases, other than when correspondence is returned 'Addressee gone away', the applicant will be advised in writing that the application has been removed from the list.

## **2.8 Applications from Association Committee or Staff or Their Close Relatives**

Members of the Association's Committee or Staff, or their close relatives may apply to join the Association's Housing List and have their application assessed in accordance with the Association's published points system.

The Association must, however, be made aware of such a connection timeously in order that any decision to allocate a property is made in line with procedures. Such an allocation will be ratified by the Committee of Management, entered in the minutes of the meeting, and recorded in a special Register maintained for this purpose.

This procedure will be followed in order to demonstrate that the Association conducts its activities in an open and publicly accountable manner and is in line with the requirements of Schedule 7 of the Housing (Scotland) Act 2001.

## **2.9 Applications from Homeless People and Homeless Referrals**

The allocation policy gives reasonable preference to applicants who are homeless or threatened with homelessness and points are awarded to reflect the applicant's circumstances.

The Association also has a legal obligation, in terms of Section 5 Referrals of the Housing Scotland Act 2001, to assist the Council in alleviating homelessness by not unreasonably refusing a request from the Council to re-house a homeless applicant.

The Scottish Federation of Housing Associations has, on behalf of Registered Social Landlords operating in the Glasgow City Council area, negotiated a "Homelessness Duty Protocol" and the Association will act in accordance with this good practice document at all times. In order to deal effectively with direct applications from those who are homeless, about to be homeless or of no fixed abode, the Association encourages these applicants to apply to Glasgow City Council's Homeless Persons Service, North West Community Casework Team or to other designated homeless reception centres. Such applicants may be referred to the Association as Section 5 referrals through the Homelessness Duty Protocol operating with Glasgow City Council. (see also 3.5)

## **2.10 Applications from Refugees/Asylum Seekers**

In the interests of promoting multi-cultural communities and assisting with the re-housing needs of displaced persons from other countries, the Association wishes to play a role in the re-housing of refugees and asylum seekers and will offer access to the Housing List to all potential applicants.

## **2.11 Applications from Owner Occupiers**

The Housing (Scotland) Act 2014 allows social landlords to take property ownership into account as part of the assessment of an applicant's housing need and circumstances.

Owner occupiers will, in most cases, be assessed as having no housing need and will not ordinarily receive an offer of a Scottish Secure Tenancy. Owner occupiers will, in all cases, be offered a Housing Options interview to discuss their options, which might include selling, renovating or adapting their property.

A Short Scottish Secure Tenancy can be made available to an owner occupier to meet their housing need in the short-term while they resolve their circumstances – e.g. selling a home that is in joint ownership; renovating or adapting an existing home; or securing access from a sitting tenant.

However owner occupation will not be taken into consideration where:

- The owner cannot access the property
- Occupying the property could lead to abuse
- Occupying the property could affect health

In such cases the applicant will be pointed according to their circumstances and current living arrangements and will be eligible to receive an offer of a Scottish Secure Tenancy.

## **2.12 Applicants experiencing Harassment, Relationship Breakdown and Domestic Violence**

The Association believes that everyone has a right to peaceful enjoyment of their home, free from violence and fear of violence from both external and internal sources. Through its Allocations Policy, it gives recognition to severe targeted harassment from external sources and to relationship breakdown and domestic violence from within the home.

It recognises, however, that indiscriminate violence and general anti-social behaviour is an increasing feature of today's society and will work with the Police, tenants and the legal system to tackle this. It will not always be able to re-house those affected unless there is clear evidence that such behaviour is being targeted at a specific household.



In cases of relationship breakdown, the Association will view sympathetically any requests for re-housing or transfer from the parties concerned. Ideally, prior to dealing with such a request the Association will require the applicant to supply satisfactory evidence that:

- a. a partnership/relationship did exist;
- b. where a partnership/relationship did exist, that it has irretrievably broken down.

However, in practical terms it may be difficult for the applicant to provide clear evidence, or for the Association to otherwise establish, that a partnership/relationship did exist and/or that it has irretrievably broken down. Where this is the case, any discretionary decision as to whether the application be assessed and pointed on the basis of relationship breakdown will require the authority of the Housing Manager or, in his absence, the Chief Executive.

In cases involving Association tenants, where there are dependent children involved it is generally preferable that the partner who has custody or majority custody, remains in the family home while the other partner is re-housed, usually in a smaller property. This ensures that best use is made of the Association's housing stock.

There will be occasions, however, where this would cause considerable difficulty, hardship or danger, for example, where one partner is violent, abusive or simply refuses to move. In such cases, the Association will take a sympathetic view if the partner with custody wishes to move.

Where there are no children involved, the Association will consider re-housing whichever partner wishes to move from the home. In cases where it is an Association tenant involved and it is the sole tenant who wishes to move, they will be asked to give up the home in favour of their ex-partner.

In cases of relationship breakdown, whilst the Association will, based on the criteria outlined above, be willing to accept an application for housing it must be recognised that due to the relatively limited levels and turnover of its stock, the Association may often be unable to respond to an immediate need for housing, for example, in cases of domestic abuse. Accordingly, the Association will encourage these applicants to apply to Glasgow City Council's Homeless Persons Service, North West Community Casework Team or to other designated homeless reception centres (see also section 2.9) or to an appropriate support agency such as Women's Aid.

### **2.13 Applicants with access/Custody arrangements**

The Association receives requests for larger accommodation from tenants and applicants on the Housing List who have access arrangements to a child or children. In general, due to the overall shortage of larger accommodation, the Association will only allocate an extra bedroom where custody and responsibility rests in the majority with the applicant or is shared at least equally between the applicant and their former partner.

In all such cases, the Association will, prior to making the allocation, require to have



the access/custody arrangement confirmed in writing by a Solicitor and/or the applicant's former partner.

Where an additional bedroom is allocated for access/custody and the tenant is claiming Housing Benefit, the additional bedroom will be subject to a reduction in Housing Benefit due to under-occupation. In cases of more limited access/custody, the Association will allocate on the basis of a single person.

#### **2.14 Pregnancy**

Applicants with a household member who is pregnant and as a result will require an additional bedroom when the child is born will be given the benefit of the additional overcrowding points based on the Association being provided with proof of pregnancy.

Prior to an offer of accommodation being made staff will verify that the pregnancy has continued.

#### **2.15 Decision Taking**

Decisions on cases which fall within the Policy guidelines laid down in this document, will routinely be taken by Association Staff. Cases outwith these guidelines must be brought firstly to the attention of the Housing Manager, or in his/her absence the Chief Executive, who will determine whether the case should be presented as a Special Case to the Committee Of Management for a decision (see also 3.2).

The presentation of any case to Committee will avoid disclosure of the identity of the applicant.

Special Cases should occur only exceptionally.

#### **2.16 Appeals Procedure**

The Association has an Appeals Procedure, which is open to all applicants. This Procedure should be used when the applicant feels that their application has been wrongly assessed.

Where the applicant is dissatisfied with the level of service received, the Complaints Procedure should be used rather than the Appeals Procedure.

Where an applicant wishes to use the Appeals Procedure, this should be brought to the attention, in the first instance, of the member of staff responsible for the assessment of their application to determine whether an error may have been made.

If the applicant continues to dispute the assessment, the matter should be raised with the Housing Manager and if he/she is not available at that time, an appointment should be made.

If there is still a failure to agree the assessment the applicant may move on to stage two of the Appeals Procedure, which provides for a review by the Chief Executive.





If this still fails to resolve the issue to the applicant's satisfaction, they have the right to have their case heard by the Association's Committee of Management.

To allow for the preparation of reports for the Committee, an appeal must be received at least **two weeks before the meeting at which it will be heard**. **An applicant submitting an appeal will be advised of the date of the meeting. They may choose to attend the meeting in person either alone, or with another person; or to submit a written explanation of the reasons for the appeal; or to have someone else attend in their place.** Where an applicant has language difficulties, the Association can provide a sign or language interpreter.

If the applicant remains dissatisfied with the decision of the Committee they may submit their complaint to the Scottish Public Service Ombudsman.

**N.B. In cases where an applicant is appealing against a decision to suspend their application – this process will be expedited in order to allow the applicant to take their appeal to the Sherriff Court within 21 days if they choose to do so.**

## 2.17 Review of Applications

The Association will undertake regular reviews of existing applications. In the case of applications which have been awarded 40 points or above, the review will be six monthly. All other applications will be subject to annual review.

Applicants will receive a letter asking them to indicate whether they wish to remain on the Housing List and allowing them 10 working days to respond. The letter will advise that if they fail to respond within this timescale, their application will be removed from the Housing list.

## 2.18 Short Scottish Secure Tenancies

Under the terms of the Housing (Scotland) Act 2001, as amended by the Housing (Scotland) Act 2014, the Association may decide to offer a Short Scottish Secure Tenancy (SSST) to a tenant/applicant. These are as follows:

- (i) Where the applicant or a member of their household has been involved in serious or sustained incidents of anti-social behaviour within the last three years. This is not limited to cases where an ASBO has been granted, where there has been a criminal conviction for ASB, or where there has been reasonable evidence of anti-social behaviour through, for example, tenancy diary entries, witness statements, etc.
- (ii) Temporary accommodation for a homeowner pending the making of arrangements in relation to a heritable property owned by the person or a person who it is proposed will reside with that person;
- (iii) Temporary accommodation for people taking up employment in the area;
- (iv) Temporary accommodation for a tenant who has had to move because of



work being carried out on their house;

- (v) A house let to a homeless person on a temporary basis for more than six months;
- (vi) Accommodation let on a temporary basis to someone in receipt of housing support services; and
- (vii) Properties leased from another body by the landlord.

Where a Short Scottish Secure Tenancy has been granted because of a history of anti-social behaviour, the Association is required by statute to put in place a mechanism which is aimed at supporting the tenant to improve their behaviour with a view to achieving the objective of the tenancy being changed into a full Scottish Secure Tenancy within a period of one year. Such mechanisms may include the involvement of Social Work or other support agencies or of additional input from the Association's own resources.



### **3. EXPLANATION OF ALLOCATION SYSTEM & TARGETS PROCESS**

#### **3.1 Lettings Targets**

Houses are allocated according to a system which awards points according to the applicants level of housing need but also seeks to achieve a representation of certain target groups in the interest of maintaining a balanced and stable community (The Points System is detailed in Section 6).

The table in Appendix 1 sets out the targets for each category of applicant. A fuller definition of each category and their qualifying conditions follows later in this section and also, in respect of transfers, Section 4.

The Letting Categories and the target in relation to each category will be reviewed annually by Committee, as outlined in 3.2 below.

Staff will aim on an ongoing basis throughout the year to let flats in sequence as per the target categories outlined above. However, it must be recognised that it may not always be possible to let in strict sequence, for instance, where within the category due for an allocation there is not a suitable applicant for the flat available for let. In such cases, staff will allocate to the most suitable applicant from another category but note the shortfall in lets to the category by-passed with the aim of redressing the balance in respect of target as soon as practicable thereafter. Staff will monitor lets throughout the year in order to ensure that, as far as possible, flats are allocated to each category of applicant as per the annual targets.

#### **Letting Ground Floor Properties**

Ground floor properties will be reserved for allocation to people who have a medical need to be rehoused and have been assessed as requiring a ground floor property. Where there are no suitable applicant, the property will be allocated in accordance with the letting targets set out above.

#### **3.2 Reporting to Committee**

In order to enable Committee to monitor the Association's performance in relation to allocations, the Housing Manager will submit a quarterly report that provides the following information:

- a breakdown of allocations per category of applicant against target for the year to date;
- the number of and reasons for refusal of offers by area;

Lettings Targets will be monitored and reviewed annually by the Association's Committee of Management with the aim of assessing the effectiveness of the Allocations and Lettings Policy in meeting its objectives. The assessment will be based on a year end summary of the above information and also any other relevant



factors which have influenced how the Association has made allocations in the preceding year and/or which may have a bearing on how it sets its targets for the year to come.

### **3.3 Special Cases**

Applicants whose circumstances are highly exceptional and causing undue hardship and who have insufficient points to be considered for a suitable property which would alleviate the situation, will be referred to the Housing Manager or, in his/her absence, the Chief Executive to determine whether the case should be presented to the Committee of Management for approval.

Such cases are presented to Committee on the basis that best evidence available to the Association suggests that the applicant requires to be rehoused through necessity due to exceptional hardship and not for aspirational reasons.

If approved by Committee, the Association will be considered to have met its obligations in such cases following the first reasonable offer of alternative accommodation and that, where this is refused by the applicant without what is considered to be good reason, special case status will be removed.

Any proposal to remove special case status will be submitted to Committee for approval.

### **3.4 Accommodation for Special Needs Groups/Support Agencies**

#### **(i) Lease Agreements**

The Association works with various Special Needs Groups and Support Agencies to provide housing for individuals with complex support needs. In such cases the properties concerned are leased direct to the agency providing support using the SFHA Model Lease as the basis of the agreement between the parties.

#### **(ii) Glasgow City Council Protocol on Housing for Care Leavers**

In common with a number of other Glasgow based RSLs', the Association has agreed to participate in the Glasgow City Council Protocol on Housing for Care Leavers. The purpose of the Protocol is that Glasgow City Council Social Work Services (Leaving Care Services) will nominate young people leaving care, subject to appropriate ongoing support, for rehousing with RSLs' throughout Glasgow. The annual target for citywide nominations under the Protocol is fifty in total.

Nominations accepted by the Association through the Protocol will be awarded points in accordance with 6.3 below and on being allocated a suitable property be signed on a full Scottish Secure Tenancy Agreement.



### **3.5 Homeless Referrals**

Under Section 5 of the Housing (Scotland) Act, 2001, the Association has a statutory obligation to assist Glasgow City Council to alleviate homelessness. The Association does this by letting a proportion of its accommodation to Section 5 Referrals received from the Council. In so doing, the Association seeks to comply in full with its statutory obligations and also to act in accordance with the Homelessness Duty Protocol drawn up jointly by the Scottish Federation of Housing Associations and Glasgow City Council (see also 2.9).

### **3.6 Association's Housing List**

Applicants to the Housing List will be awarded points according to the Association's published Points System. Allocations will generally be made to those applicants with the highest number of points, however, in the interests of minimising void periods, allocations may be made in some instances to people with housing needs who do not have the highest points levels, for example:

1. Applicants with the highest points do not desire the property.
2. Applicants with the highest points have medical conditions and the flat available is unsuitable.
3. Properties which are Low Demand may be offered to applicants with lower points (see also 3.7).

### **3.7 Low Demand Properties**

The Association has a number of properties which are regarded as Low Demand. This could be for a number of reasons, examples of which are size (1apt), design and layout or location.

The Association may consider adopting different strategies for letting Low Demand properties. For example, we may advertise in the local press or write to a number of applicants in order to assess interest in these properties before making a formal offer. However, prior to adopting different strategies the Association must also consider sensitive allocations criteria as outlined in section 3.8.

All decisions to adopt a different strategy for letting a property(ies) must be sanctioned by the Housing Manager or, in his/her absence, the Chief Executive and a full record kept of the factors leading to the decision. All such decisions will also be reported to Committee in the bi-monthly Allocations Report referred to in section 3.2.

### **3.8 Sensitive Allocations**

Sensitive Allocations relates to instances when an applicant would qualify for a particular property based strictly on criteria of housing need but that there are other factors as a result of which it is considered inappropriate to make the allocation. The aim of exercising discretion under the heading of Sensitive Allocations is to maximise



current and future tenants enjoyment of their home and will involve taking account of a number of factors including potential lifestyle clashes in respect of family sizes, ages of children, sound insulation of particular properties and also medical factors pertaining to the applicant.

All decisions to bypass an applicant on the basis of Sensitive Allocations criteria must be sanctioned by the Housing Manager or, in his/her absence, the Chief Executive and a full record kept of the factors leading to the decision.

## **4. DETAILED CONDITIONS GOVERNING TRANSFERS**

### **4.1 Transfer Policy**

#### **(i) General**

This policy will apply where existing tenants of the Association wish to be considered for another house within the Association's housing stock. The Association will maintain a list of transfer applicants whose applications will be pointed in accordance with the Points System. Tenants applying to transfer will generally require to have maintained a clear rent account (with the exception of any housing benefit due but unpaid) or, alternatively, to have entered into an acceptable arrangement with the Association to clear existing arrears and to have maintained the arrangement for at least three months and have had no complaints made against them for anti-social behaviour or breaches of tenancy conditions for a period of six months previously. The Association may consider waiving these conditions if there are circumstances in which this would cause undue hardship. Any waiver of these conditions would require the authority of the Association's Housing Manager or, in his/her absence, the Chief Executive.

(ii) Where two or more tenants have the same level of points and where there are no other factors which would make it appropriate to consider one application rather than another, the date of application for a transfer will be the determining factor in deciding who will be made the offer of accommodation.

### **4.2 Medical Factors**

Tenants whose present accommodation is unsuitable due to medical reasons will require to complete the Association's self-assessment medical form. (See also 6.13)



## 5. MUTUAL EXCHANGE POLICY

### (a) General

Tenants of the Association may apply to mutually exchange with another WSHA tenant or a tenant of another RSL or a local authority. In order to be considered for a mutual exchange an application form must be submitted by both tenants' concerned. Consent, which will not be unreasonably withheld, must be obtained from both the Association and, where appropriate, the other landlord involved. Consent will be subject to the following conditions:

- (i) Overcrowding and under occupation guidelines being met (see Points System).
- (ii) Satisfactory house visits as determined by a member each from the Repairs and Housing Management Departments' who will carry out the visits.
- (iii) Both tenants have a clear rent account or, where rent arrears exist, have maintained a satisfactory repayment arrangement for a period of at least three consecutive months.
- (iv) Satisfactory tenancy reports being obtained from tenant's landlord. Tenants who have a history of anti-social behaviour may not be allowed to exchange.
- (v) No legal action pending in respect of the tenants' conduct (e.g. a notice served or a decree for eviction obtained in relation to anti-social behaviour).
- (vi) The tenants being suitable in terms of their specific needs (especially so in the case of amenity flats and flats specially designed for the disabled).
- (vii) The property being accepted as seen by the incoming tenant and there being no obligation on the Housing Association to remove alterations carried out by the previous resident.
- (viii) Due to the lack of very large properties, where an applicant is currently living in a three apartment or smaller property and requires a five apartment or larger property, the Association will permit two children of the same sex over 16, to share a bedroom.

### (b) Homeswapper

Tenants will be made aware of **HomeSwapper** through publicity (e.g. notices in Association's reception area and on our website, newsletters, etc ) and counselling by staff as a means of moving to smaller accommodation outwith the Association's stock

## 6. POINTS SYSTEM



The letting of Association properties to housing list applicants and transfers is governed by our Points System. In general, allocations will be made to the applicant with the highest points. Categories of point awards are given below.

Where two or more applicants have the same level of points and where there are no other factors which would make it appropriate to consider one application rather than another, the date of application will be the determining factor in deciding who will be made the offer of accommodation.

**6.1 Special Cases approved by the Committee of Management 200 points**

**6.2 Relationship Breakdown**

Applicants who have suffered a relationship breakdown will be entitled to a point award of: **40 points**

Applicants may also qualify for medical and social points which would have been awarded if the relationship had not broken down. They will not be awarded points for insecurity of tenure, overcrowding or sharing amenities.

**6.3 Nominations from Special Needs Groups/Support Agencies approved by the Association's Committee (see Section 3.4) 100 points**

**6.4 Overcrowding**

Overcrowding points will be calculated on the lack of bed spaces or rooms in the present accommodation compared with rooms required, as calculated according to those required below :

- \* one living room
- \* one kitchen
- \* one bathroom/shower room
- \* one bedroom for tenant (and partner)
- \* one bedroom for up to 2 children of different sex under 10 years
- \* one bedroom for up to 2 children of the same sex up to 16 years
- \* one bedroom for each child of the opposite sex over 10 years
- \* one bedroom for any remaining member of the household over 16 years.

Points based on the above will be awarded as follows:

- \* one bed space short **5 points**
- \* each bedroom short **10 points**



**Please note that a maximum of 30 points will be awarded for overcrowding**

The general rules for the size of house that an applicant can apply for are:

No. of Apts Required	2	3	4	5	6
No. of Apts that can be applied for	1 or 2	3	4	4 or 5	4, 5 or 6

\* \* \*

\*Allocation will only be approved where current overcrowding is improved.

Due to the lack of very large properties, where an applicant is currently living in a three apartment or smaller property and requires a five apartment or larger property, the Association will permit two children of the same sex over 16 to share a bedroom.

It is recognised that in some cases an additional bedroom may be required for medical reasons. Prior to making an allocation on this basis the Association would require to be in receipt of written medical evidence from the applicants GP, hospital or other medical adviser. The evidence will be considered by a Community Occupational Therapist of Glasgow City Council Social Work Services and the applicant advised of the outcome.

The Association has a small number of one apartment properties which are suitable only for single people.

### 6.5 Under-occupation

Under-occupation points will be awarded to all applicants from a Council or RSL, including Association tenants applying for a transfer.

Under-occupation points are calculated on the basis of the number of rooms in the present house surplus to the applicant's requirements. For each room surplus to requirements an award will be made of **10 points**

### 6.6 Lacking Amenities / Unsatisfactory Housing Conditions

Lacking amenity points are awarded to applicants whose accommodation lacks any of the following basic amenities:

Inside Toilet	<b>40 points</b>
Separate Kitchen Area*	<b>30 points</b>
Bath/Shower	<b>20 points</b>
Piped Hot Water	<b>10 points</b>
Separate bedroom/living room	<b>15 points</b>

These points apply only to self-contained properties and not to those sharing multiple occupancy properties e.g. hospitals, hostels, supported accommodation, prisons etc.



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**\* n.b. This applies to bedsit accommodation and not an 'open plan' kitchen**

## **6.7 Sharing Amenities**

Sharing amenity points are awarded to:

- applicants who do not have their own home and lodge in someone else's home-this includes sons/daughters residing with parents and those living with family or friends;
- applicants who are tenants' in multiple occupancy accommodation.

All applicants meeting the above criteria will be awarded **10 points**

## **6.8 Hostels/Hotels/Prisons/Institutions/Supported Accommodation/Temporary Furnished Accommodation/No Fixed Abode**

All applicants will be entitled to a general award of **40 points**

Applicants may also qualify for medical or social points but not those which relate to property e.g. Overcrowding, sharing or lacking amenities, insecurity of tenure.

## **6.9 Tied Workers**

Those living in accommodation which is tied to the job of a member of the household where there is no date to leave, will be entitled to an award of **20 points**  
or/

Where there is proof of requiring to leave their accommodation due to retirement or end of contract, applicants will be entitled to an award of **40 points**

Applicants may also qualify for medical or social points and for overcrowding, sharing or lacking amenities but not for insecurity of tenure.

## **6.10 Members of Armed Forces**

Members of the armed forces will be awarded points 6 months prior and up to 12 weeks following the date of discharge from the service. The applicant will be required to provide confirmation of their date of discharge. **40 points**

Special consideration will also be given to applications from ex-service personnel and their families who leave the forces due to exceptional circumstances, these will include such individuals whose partner has been killed in action or dies before the date of discharge. Such applications will be referred to committee for consideration as a special case (see 3.3 and 6.1).\*



### **6.11 Insecurity of Tenure**

Applicants living with friends or relatives, living in caravans, mobile homes or other non-standard accommodation and tenants of private landlords will be entitled to an award of **20 points**

Applicants may also qualify for medical or social points and all property related points, for example, over-crowding, sharing or lacking amenities.

### **6.12 Tenants of One Apartment (Bedsit) Flats**

Any tenant of a one apartment property who submits a transfer application will, **after having being twelve months resident in the flat**, be awarded an additional 20 points over and above any other points they may be entitled to under the Association's Allocation and Letting Policy. **20 Points**

### **6.13 Medical Points**

There are three categories of medical priority depending on the severity of the condition and whether the applicant's quality of life will be eased by re-housing.

The Association will issue a self-assessment medical form which must be completed by the applicant. This form will be assessed by an independent qualified Occupational Therapist employed by the Association on a consultancy basis and the applicant advised of the outcome.

The Association reserves the right to contact the applicant's GP, hospital or other medical adviser for further information or clarification.

If the applicant is unhappy about the outcome of the assessment they may submit written medical evidence from a doctor, hospital or other medical adviser.

If, after this the applicant is still unhappy with the outcome, they may follow the Association's Appeals Procedure.

The three categories of medical points are:

**Medical A** **50 points**

This will apply to applicants who have very severe mobility problems exacerbated by present accommodation

**Medical B** **35 points**

This will apply where the applicant has considerable difficulty with mobility or any other severe medical problem exacerbated by present accommodation.

**Medical C** **20 points**

This will apply where the applicant has a disability or condition which causes difficulty in the present accommodation.



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For another member of the household included in the application an additional award on medical grounds can be made of:

<b>Medical A</b>	<b>15 points</b>
<b>Medical B</b>	<b>10 points</b>
<b>Medical C</b>	<b>5 points</b>

Medical priority points will not be awarded if the applicant does not wish to be considered for the type of accommodation recommended by the Occupational Therapist.

#### **6.14 Social Points**

Social points will be awarded in a wide variety of circumstances, some examples of which are outlined below.

The award of Social Points will be made either by the Housing Manager or, in his/her absence, the Association's Chief Executive or, where appropriate, an independent qualified Occupational Therapist employed by the Association on a consultancy basis. In most cases, documentary evidence will be required e.g. medical certificate, social work report, police report, letter from support agency, etc.

##### **(i) Severe Targeted Harassment (including Racial Harassment)**

General harassment such as vandalism, anti-social and loutish behaviour is, unfortunately, a feature of many areas. Due to the number of people likely to be affected by this, the Association is unable to make an award of points in these circumstances.

Where an individual household is the target of a campaign of harassment, this will generally be supported by evidence from the police, Social Work Services or other support agency and/or the landlord although, particularly in the case of racial harassment, it is recognised that this may not always be available. However, in cases where there is a lack of firm evidence, and in particular in relation to a transfer request from one of the Association's own tenants, knowledge of the neighbourhood, other tenants etc. will assist in deciding whether, on the balance of probabilities and with the information to hand, harassment is likely to have taken place.

If the applicant is the tenant of another Registered Social Landlord (RSL), the Association would not consider the application unless satisfied that the other landlord had taken all reasonable steps to rehouse their tenant from their own stock, where appropriate, or by nomination to other RSLs'.

In cases where the Association is satisfied that the household has been subjected to severe, targeted harassment, the applicant will be subject to an award of **60 points**



**(ii) Travel to Work**

This award can be made where an applicant requires to travel on public transport, for an hour or more; or who works unsocial hours and does not have access to personal transport and where an allocation of a house in Whiteinch or Scotstoun would be a substantial improvement.

The applicant will require to exhibit proof of employment or a firm job offer before an award of points will be considered under this category.

In cases where satisfactory proof has been provided, the applicant will be entitled to an award of **20 points**

**(iii) Support**

There are many and varied situations in which support points may be awarded, for example:

- a. an elderly or vulnerable person who needs daily help from friends/relatives to maintain them in their home
- b. parents who work and need friends or family to collect children from school
- c. in relation to housekeeping support for a young person setting up their first home who would benefit from the support of family or friends, particularly in the early days of their first tenancy
- d. a family with a child with special educational needs catered for by a local school or school within reasonable proximity
- e. a person providing/receiving support to/from someone living within the area.

These examples are not exhaustive but indicative of the wide range of situations for which social points may be awarded.

The person, agency or institution providing the support or for whom the support is being provided need not necessarily be located within the Whiteinch and Scotstoun area. The criteria for an award will be that the ability to access or provide support will be substantially improved by the allocation of a house in the area. Therefore, a family with a child who requires extended periods of hospitalisation in the Royal Hospital for Sick Children, Yorkhill, and who presently live in Easterhouse, would have their situation substantially improved by a move to the Whiteinch and Scotstoun area.

Where it is considered that there is a genuine need for support (receiving and/or providing) which can only feasibly be obtained within or immediately adjacent to the Whiteinch and Scotstoun area, applicants will be entitled to an award of **20 points**



Where it is considered that there is a genuine need for receiving support which can be obtained within or immediately adjacent to the Whiteinch and Scotstoun area, **but not exclusively so** (i.e. the applicant has exercised a degree of choice in opting for support provision here rather than for identical support that could feasibly be accessed elsewhere), applicants will be entitled to an award of \* **5 points**

\* This would refer to agencies that provide support on a citywide, regional or national basis and in cases where it was considered that the circumstances of the applicant made it feasible for them to obtain support outwith the local area whilst, at the same time, recognising their genuine support needs and their right to opt for accessing this locally .

## 7. Policy Review

The Allocation and Letting Policy will be reviewed and submitted to Committee for approval every five years or sooner, if necessary, due to changes in legislation, regulatory requirements or best practice guidance.