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| **Policy on :** |  **Allocation Policy** |

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| **Compliant with :** | **Indicator- 3- Tenant Participation****Indicator-7 ,8 and 9 Access to Social Housing and Support;****Indicator 10- Access to Social Housing.****Indicator 11- Tenancy Sustainment.** |
| **Compliant with Tenant Participation Strategy:** | **Yes** |
| **Compliant with Equality & Diversity:** | **Yes** |
| **Compliant with Business Plan :** | **Yes** |

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| **Date of Approval:****Date for Review :** | **September 2019****September 2022** |

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| **Responsible Officer:** | **Director of Customer Services**  |

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| **This policy is available in different formats for example, if you have difficulty with sight or need a translated copy, please contact us.** |

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1. **INTRODUCTION**

The overall objective of the policy is to assist those in greatest need when allocating houses. We aim to let houses in a way that gives reasonable preference to those in housing need, makes best use of available stock, maximises choice and helps to contribute to balanced and sustainable communities.

The Association will work closely with the Local Authority and other partners to help prevent and alleviate homelessness, assist in addressing overall housing need and contribute to local Regeneration strategies.

This policy has been reviewed taking into account the Scottish Government's Practice Guide on Social Housing Allocations, current legislation and the Scottish Social Housing Charter.

**2. POLICY AIMS & OBJECTIVES**

This Policy supports Barrhead’s commitment to allocating our homes in a fair and consistent way so that available houses are let to those in greatest housing need.

This Policy has been developed to enable the Association to meet as far as possible the unmet housing needs of individuals and families who wish to reside within Barrhead Housing Association’s area of operation.

We will:

* Respond appropriately to requests for re-housing and making the best use of our available stock.
* Give the right priority and allocate reasonable preference to people who are in most need of housing.

**3. LEGAL FRAMEWORK**

The Housing (Scotland) Act 2014 changed certain aspects of the law on social housing allocations and management:

* The Right to Buy was abolished for all social housing tenants in Scotland by this Act.
* The Act made changes to allocation rules for social landlords, to increase flexibility and allow them to make best use of their stock.
* The Act also now allows landlords to issue Short Scottish Secure Tenancies (Short SSTs) to address anti-social behaviour.

The other legislative provisions surrounding the allocation of social housing in Scotland relate to meeting the needs of homeless households set out in the Housing (Scotland) Act 2001 and Homelessness etc. (Scotland) Act 2003.

The Association’s allocations policy operates within the legal framework affecting Housing Associations allocations in Scotland including:

* Housing (Scotland) Act 1987
* Housing (Scotland) Act 2001
* Housing (Scotland) Act 2010
* Housing (Scotland) Act 2014
* Homelessness etc. (Scotland) Act 2003
* Matrimonial Homes (Family Protection) (Scotland) Act 1981
* Crime and Disorder Act 1998
* General Data Protection Regulations 2018
* Management of Offenders (Scotland) Act 2005
* Human Rights Act 1998
* Equalities Act 2010
* Adult Support & Protection (Scotland) Act 2007

Section 5 of the Housing (Scotland) act 2014 states that before making or altering its rules governing the priority of allocation of housing a social landlord must consult with applicants, tenants, RTOs and any other such persons as it seems fit. This includes the requirement to prepare and publish a report on the consultation process itself.

Minor changes to this policy not affecting the “**rules governing the priority of allocation of housing**” may be made without consultation.

Landlords also have a duty to make and publish rules covering priority of allocation of houses, transfers and exchanges which means that any allocation policy should set out clearly how we will decide on priority offers for housing.

**4. THE SCOTTISH SOCIAL HOUSING CHARTER**As required by section 31 of the Housing (Scotland) Act 2010, the Scottish Social Housing Charter set the standards and outcomes that all social landlords should aim to achieve when performing our housing activities. Therefore we have developed our policy to ensure:

**4.1 Outcome 1: Equalities**

Social landlords perform all aspects of their housing services so 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.

This outcome describes what social landlords, by complying with equalities legislation, should achieve for all tenants and other customers regardless of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, or sexual orientation.

It includes landlords’ responsibility for finding ways of understanding the rights and needs of different customers and delivering services that recognise and meet these.

**4.2 Outcome 2: Communication**

Social landlords manage their businesses so that:

• tenants and other customers find it easy to communicate with their
 landlord and get the information they need about their landlord,
 how and why it makes decisions and the services it provides.

This outcome covers all aspects of landlords’ communication with tenants and other customers. This could include making use of new technologies such as web-based tenancy management systems and smart-phone applications. It is not just about how clearly and effectively a landlord gives information to those who want it. It also covers making it easy for tenants and other customers to make complaints and provide feedback on services, using that information to improve services and performance, and letting people know what they have done in response to complaints and feedback. It does not require landlords to provide legally protected, personal or commercial information.

**4.3 Outcome 3: Participation**

Social landlords manage their businesses so that:

• tenants and other customers find it easy to participate in and
 influence their landlord’s decisions at a level they feel comfortable
 with.

This outcome describes what landlords should achieve by meeting their

statutory duties on tenant participation. It covers how social landlords gather and take account of the views and priorities of their tenants, other customers, and bodies representing them such as registered tenant

organisations; how they shape their services to reflect these views; and how

they help tenants, other customers and bodies representing them such as

registered tenant organisations to become more capable of involvement –

this could include supporting them to scrutinise landlord services.

**4.4 Outcome 7, 8 and 9: Housing options**

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.

• people at risk of losing their homes get advice on preventing

 homelessness.

These outcomes cover landlords’ duties to provide information to people looking for housing and advice for those at risk of becoming homeless. This could include providing housing ‘health checks’ for tenants and people on housing lists to help them review their options to move within the social housing sector or to another sector.

**4.5 Outcome 10: Access to social housing**

Social landlords ensure that:

• 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 on their prospects of being

 housed.

This outcome covers what social landlords can do to make it easy for people to apply for the widest choice of social housing that is available and suitable and that meets their needs. It includes actions that social landlords can take on their own and in partnership with others, for example through Common Housing Registers or mutual exchange schemes, or through local information and advice schemes.

**4.6 Assurance Statements**

Social landlords are now required to submit an Annual Assurance Statement to the Scottish Housing Regulator. Barrhead Housing Association will therefore need to comply with the relevant requirements of chapter 3 of the Regulatory Framework, which relates to ensuring we meet all relevant legislative duties.

**4.7 Equality Impact Assessment (EIA) – (Finalised once consultation completed)**

The Association have applied a screening process based on the recommendations by the Equality and Human Rights Commission to ascertain whether each policy requires an Impact Assessment to be carried out. The screening process was applied to this policy and it was decided that there is no significant and material impact assessment on any relevant protected characteristic.

The Association’s allocation policy works upon a points system and will allocate points based on individual circumstances, regardless of their protected characteristics to meet their met and unmet housing need. The policy also recognises that if an adapted property or property types such as amenity or sheltered housing for elderly people becomes available, that these properties will be offered to an applicant who meets the criteria for that type of accommodation. This is due to the availability of these types of properties being limited and to ensure Barrhead Housing Association makes best use of stock.

**5. REASONABLE PREFERENCES**

This policy has been developed to give priority to those in greatest housing need and

all applications will be assessed and given priority in accordance with this policy and relevant

legislation.

**5.1 Factors we take into account**

5.1.1 Reasonable Preference
The Housing Scotland (2014) Act amended section 20 of the 1987 Act and sets out three categories of applicants that we must consider, by law, when deciding to whom we offer any homes that become available. These are:

1. Homeless persons and persons threatened with homelessness and who have unmet housing needs;

Part II of the 1987 Act (as amended) defines “homeless persons”.

*A person is homeless if he or she has no accommodation in the United Kingdom or elsewhere, or if he or she has accommodation, but it would not be reasonable for him or her to occupy it.*

 *Threatened with homelessness is defined as:*

*A person is threatened with homelessness if it is likely that he or she will become homeless within two months.*

1. People who are living in unsatisfactory housing conditions and who have unmet housing needs; and
2. Tenants of houses which are held by a social landlord, which the social landlord selecting its tenants considers to be under-occupied.

5.1.2 Unmet Housing Need
These reasonable preference categories have been considered in the development of this policy and where they have unmet housing needs. This means that the Association will consider whether applicants have housing needs which cannot be met through other housing options which are available. We will consider what those other options might be and whether they are accessible to the applicant.

5.1.3 Unsatisfactory housing

These conditions, as mentioned in the reasonable preference groups, is a wide term which within this policy covers the physical condition of the house, such as the property being below tolerable standard, as well as its unsuitability due to a medical condition or disability of the occupant. Unsatisfactory living arrangements, problems with neighbours, harassment and domestic abuse can all also be covered within this the term.

5.1.4 Heritable Property/Owners
Section 5 of the 2014 Act now allows us to take account of property. This applies to the ownership of, or value of, heritable property owned by the applicant, a person who normally resides with the applicant, or a person who it is proposed moves in with the applicant.

The Association may at times allocate a property to a homeowner, or persons proposed to reside with them, on a temporary letting basis where the applicant or persons proposed to reside with them, owns heritable property.

These temporary lets are provided by granting the property owner or persons proposed to reside with them a Short Scottish Secure Tenancy to meet a temporary housing need.

On these occasions the house would be let expressly on a temporary basis pending the applicant making other arrangements required to meet their long term housing needs in a foreseeable timescale. The applicant must have housing need.

Some examples of circumstances which the Association would consider appropriate include:

* awaiting an agreed period which their property is rented out and they are awaiting this to come to an end to regain access;
* they sell their property and secure alternative accommodation that meets their needs;
* make the necessary arrangements for building on, extending or installing adaptations to the property; or
* carry out repairs needed to make the property habitable.

In such circumstances described above the Association will determine whether a Short SST or an SST tenancy is the most appropriate type for a homeowner applying for housing. All circumstances regarding housing needs and whether those needs are temporary or permanent will be considered. Evidence of such circumstances will be required to assist our assessment.

There are, however, a number of circumstances where heritable property cannot be taken into account:

* Where the property has not been let, but the owner cannot secure entry to the property. i.e. severe structural faults or squatters living in their property
* Where its probable that occupying the property would lead to abuse from someone currently living in the property
* Where it is probable that occupying the property will lead to abuse from someone who previously resided with the applicant whether in that property or elsewhere
* Where occupation may endanger the health of the occupants and there are no reasonable steps by the applicant to prevent that danger

**5.2 Factors We Cannot Consider** In letting our houses, no account will be taken of any of the following factors:

* Length of time an applicant has resided in the area.
* Any outstanding housing debt not due by the applicant, for example, rent arrears owed by a former partner who was the tenant.
* Housing debt built up on a previous tenancy that has since been cleared.
* Debt owed by an applicant (or a member of their household) that is not attributable to the tenancy of a house, for example, council tax.
* Applicant’s age, as long as they are over 16, or unless it is housing designed or substantially adapted for persons of a specific age, for example, sheltered housing, or for persons in receipt of housing support service.
* Income of the applicant and the applicant’s family,
* Housing debt such as rent arrears that is less than one month of the yearly rent payment due. Although the debt is not dependant on the allocation. We will make a suitable former tenant arrangement to clear the debt.
* Housing debt of more than one month where an agreement, to repay is in force and the applicant has made repayments as well as keeping to the agreement for three months.

**6. APPLYING FOR A HOUSE**

Anyone aged 16 or over has fair and open access to our housing list and assessment process. Applicants can make a joint application with another person or people who want to live with them, even if not living in the same household at the moment.

* 1. **Homelessness, or in Need of Emergency Accommodation**

Homeless applicants can make an application for housing directly with the Association, however, the Association do not have emergency accommodation or properties immediately available for let.

If an applicant is in priority need then they would be required to present themselves to the Local Authority homeless team in order to seek emergency accommodation.

The Association has a formal protocol with East Renfrewshire Council (ERC) outlining how we will work together to house people who are homeless. East Renfrewshire Council has a legal obligation to assess anyone presenting themselves as homeless.

Where the council is satisfied that the person is statutorily homeless, then the applicant can bid for properties via the ERC Choice Based Lettings system accessed through their website.

The Association also identify vacant properties and ask ERC to provide suitable applicants via this process.

**6.2 Applicant Responsibility**Applicants are required to provide full and accurate information at all times; provide identification and verification documents as required; to advise us if their housing and personal circumstances change; keep us updated on ways to contact them; and to respond to our annual housing list review.

* 1. **Completing an Application Form** Application forms can be posted out, collected from the office or downloaded from
	 our website. They can be requested in person, by telephone, by letter/email.

	 Should any applicant require help, information or advice on how to complete an
	 application form this can be arranged on request.
	2. **Information and advice for Applicants** We recognise the importance of offering high quality information and advice to those
	 applying for housing. Someone making an application may be invited to attend an
	 interview with us.

	 We will provide information on:
* how we will process your application.
* how long it will take to process and decide on your application.
* provide realistic advice about the likelihood of being re-housed based on the choices you have made.
* opportunities to find housing with other local providers in East Renfrewshire.

	1. **Proofs Required At Application Stage** 6.5.1 Proving Your Identity

We need proof of all people who will reside with you. We need this proof as this affects the house size you will be eligible for. You will need to provide us with the following documents with your application form:

* Photographic ID (Passport or Driving Licence)
* Birth Certificate for all children
* Proof of National Insurance Number
* Proof of Address dated within last 12 weeks
* National ID Card (if applicable)

6.5.2 Proof of Pregnancy

We need proof of pregnancy as this affects the house size you will be eligible for. It can also affect the level of priority your application is awarded for instance, overcrowding.

We will need to see correspondence from the hospital/health visitor confirming the pregnancy, such as a Mat B1 form.

* 1. **Persons who are subject to Immigration Control** The law covering asylum and immigration is complex. If an applicant could be
	 affected by the legislation, they must tell us. We may be unable to assist but may be
	 able to provide details of agencies who can help.
	2. **Applications from staff, or Governing Board members**

Applications made by staff or board members will be accepted onto the housing list in the same way as other applicants. We will comply with all relevant legislation, regulatory guidance and best practice in dealing with any of these applications.

To make sure that no-one benefits from a personal connection, applicants will be asked to declare whether they are related to a member of staff or Governing Board Member.

1. **APPLICATIONS, OFFERS & REFUSALS**

7.1

We aim to process housing application forms within 15 working days where all the supporting information has been provided. If required, we may request additional information from an applicant to assess their application. Failure to provide this may delay an application and any potential offer of housing.

Points will be awarded in accordance with the points system and applicants placed on the appropriate list. We will write to all applicants explaining the number of points awarded and details of their housing prospects based on the assessed level of need and areas requested.

The Customer Services Officer will award medical points based on the information provided by applicants who complete a medical self-assessment form. The assessment and award of an applicant’s medical points will be awarded by an officer and signed off by a senior member of staff. We may seek verification of circumstances at the point of application or at the point of offer.

With regard to transfer requests where applicants have a disability, we shall offer advice on aids and adaptations to enable the applicant to have a choice to stay in their home. Waiting list applicants will be offered the same advice and the contact information of the relevant service provider.

**7.2 Property Selections**

Customer Services Officers will use the Associations computer system to prepare a “short-list” of applicants when a property becomes available and decide which applicant is to receive an offer. This will be overseen, checked and verified by a senior member of staff.

**7.3 Making Enquiries & Seeking References**

Appropriate references will be sought with the applicant’s consent prior to an offer being made, for example, to check former tenant details with a previous landlord.

The Association will ask your previous landlord for a reference if you have been a tenant at any time in the past 3 years. This is to find out if an applicant:

* Owes any money.
* Has acted in an anti-social manner.
* The previous landlord has taken any formal action against an applicant to end their tenancy.

If an applicant refuses permission for the Association to seek references then no offer of housing will be made until satisfactory references are received, but the application will not be suspended.

**7.4 Home Visits**

Home visits may be carried out by the Customer Services Officer prior to the offer of housing being made. This will include joint home visits with Sheltered Housing Assistant where sheltered housing is being identified.

Notification by email, text or in writing of the intended date and time will be given in advance where respect for the person’s home and privacy will be central to any visit.

At the home visit the information supplied in the application form will be checked to ensure its accuracy.

* 1. **Offers of Accommodation**

Offers will generally be made to those applicants at the top of the list. Where this does not happen, an audit trail is provided by our housing system, where it is formally recorded and the reasons given. The Association generally call an applicant in advance to tell them they are being considered, prior to making a formal offer.

The Association will make an offer of accommodation in writing. An applicant will normally be allowed 2 working days to accept or refuse an offer.

The offer letter sent to an applicant will include:

* The address of the property
* The number of bedrooms it has
* What type of property it is (i.e. flat or house)
* How much rent and service charge the property is
* What to bring an the sign-up /pre-tenancy interview
* Clarify our lettable standards

If no decision has been notified by the applicant after 2 working days the offer will be withdrawn and recorded as a refusal.

Every offer that we make will be a reasonable offer. This means that the property we offer you will meet your needs as reflected in your application form.

**7.6 Refusals**

The Association is committed to offering applicants the maximum amount of choice. The Association will attempt to discuss options with applicants who have refused two offers. The application will also be reviewed to ascertain whether they wish to be re-housed by the Association. Failure to respond to the review may result in the application being cancelled, where an applicant has responded and confirmed their desire to remain on the Association’s list an attempt to discuss their options regarding re-housing will be carried out.

**7.7 Tenancies – Scottish Secure Tenancy (SST, Short SST)**If an applicant is made an offer of housing, we will offer it on the basis of a Scottish Secure Tenancy (SST) in line with our legal responsibilities. An SST means that an applicant keeps their tenancy for as long as they want to, as long as the terms of the tenancy are not breached. If breached, the Association can take legal action to end the tenancy.

 In a limited number of situations, the Association may offer an applicant a Short Scottish Secure Tenancy (SSST).

 Barrhead Housing Association can only give a SSST in very specific circumstances. This was defined within the Housing (Scotland) Act 2001, and the Housing (Scotland) Act 2014. We will apply these circumstances to an applicant if:

**7.7.1 Anti-social behaviour**

We may consider granting an SSST to new tenants, where the applicant, a household member or a visitor, has been involved in anti-social behaviour in or near social housing within the last three years – (an eviction order because of antisocial behaviour or an anti-social behaviour order (ASBO) is no longer required).

**7.7.2 Homeowners**

The Association may at times allocate a property to a homeowner, or persons proposed to reside with them, on a temporary letting basis where the applicant or persons proposed to reside with them, owns heritable property. These temporary lets are provided by granting the property owner or persons proposed to reside with them a Short Scottish Secure Tenancy to meet a temporary housing need.

On these occasions the house would be let expressly on a temporary basis pending the applicant making other arrangements required to meet their long term housing needs in a foreseeable timescale. The applicant must have housing need.

Some examples of circumstances which the Association would
consider appropriate include:

* awaiting an agreed period which their property is rented out and they are awaiting this to come to an end to regain access;
* they sell their property and secure alternative accommodation that meets their needs;
* make the necessary arrangements for building on, extending or installing adaptations to the property; or
* carry out repairs needed to make the property habitable.

In such circumstances described above the Association will determine whether a Short SST or an SST tenancy is the most appropriate type for a homeowner applying for housing. All circumstances regarding housing needs and whether those needs are temporary or permanent will be considered. Evidence of such circumstances will be required to assist our assessment.

There are a number of circumstances that the Association cannot take into account and these are clarified under section 5.4.1.

**7.7.3 Duration of SSST**

Where the SSST has been given to an applicant because of antisocial behaviour or eviction for antisocial behaviour, the 2014 Act extends the minimum period to 12 months. This is to allow sufficient time for support services to help address the antisocial behaviour such as alcohol or drug counselling to have effect.

**7.7.4 Extension of period of SSST**

Barrhead Housing Association can extend an SSST for antisocial behaviour by an additional six months. This means that SSSTs due to antisocial behaviour could last up to 18 months.

**8. ACCESS ROUTES TO HOUSING – HOUSING OPTIONS**

The Association will develop a Quota System to achieve a spread of allocations over the various needs factors of our waiting list and to ensure transparency in how properties are let. Priority for affected tenants will be determined by their unmet housing needs, and the Association may proactively approach these tenants with offers of re-housing, such as addressing under-occupation in large family homes.

The Association will avoid establishing rigid quotas and will respond quickly to changing circumstances within our waiting list. Our flexible approach ensures that we continue to meet significant housing needs within our waiting list if a quota has been reached.

We will monitor our quotas against targets set.

Our agreed quotas will be reviewed and approved annually by the Governing Board based on an annual report provided on allocations made against targets set.

Our current quotas are detailed within Appendix 2 of this Policy.

* 1. **Homelessness Referral From Local Authority (Section 5 Referral)**

Section 5 referral is the process by which the council provides details of an individual they have assessed as homeless and asks the Association to provide suitable rehousing.

The Association has a legal responsibility under Section 5 of the Housing (Scotland) Act 2001 to help local authorities to secure housing for statutory homeless people in priority need. The Association has therefore entered into a formal protocol which outlines the working arrangements for this process.

**Rapid Rehousing**
Rapid Rehousing is concerned with taking a housing led approach for rehousing people that have experienced homelessness, making sure they reach a settled housing option as quickly as possible rather than staying in temporary accommodation for too long.

Where homelessness cannot be prevented, Rapid Rehousing means:

* A settled mainstream housing outcome as quickly as possible;
* Time spent in any form of temporary accommodation is reduced to a minimum
* When temporary accommodation is needed, the optimum type is mainstream, furnished and within a community.

East Renfrewshire Council are currently developing their Rapid Rehousing Transition Plan (RRTP). This is a new planning framework aimed at assisting local authorities and their partners to transition to a rapid rehousing approach.

As a partner organisation, the Association are fully committed to working with East Renfrewshire Council to take forward and required actions once their RRTP plan is finalised, agreed a published.

**8.2 General Housing List**All applicants who are not categorised to be on any of the other housing lists described in this policy will be added to the General Housing List.

**8.3 Internal Transfers List**The internal transfer list hold applicants who are existing tenants of Barrhead Housing Association and have requested re-housing in alternative accommodation owned by the Association in order to address a current or aspirational housing need.

**8.4 Management/Nomination Agreements**

The Association does not r operate a nomination arrangement with East Renfrewshire Council. The Association may however negotiate separate nomination arrangements, on request, with other organisations or sections of East Renfrewshire Council e.g. East Renfrewshire Community Health and Care Partnership on request. Specific Nomination Agreements will be agreed by the Association’s Governing Board.

When providing accommodation for individuals with support requirements, the Association will ensure a Joint Operational Agreement governs the arrangement. The agreement will set out the responsibilities of the Association, the Council and the care provider; which must protect the interests of the Association, its tenants and

residents.

**8.5 Sheltered Accommodation**

The Association has sheltered accommodation properties within its remit, it is designed for elderly residents or those with mobility or special needs (age?).

To ensure that access to our sheltered accommodation list complies with our commitment to let houses in a way that gives reasonable preference to those in housing need, makes best use of available stock, maximises choice and helps to contribute to balanced and sustainable communities, we welcome applications from potential residents.

Any applications will be assessed in the same manner as all other mainstream housing applications received, but taking into account whether an applicant would benefit from the particular services available within our sheltered housing.

**8.6 New Developments**

To positively address social problems and unmet housing need in identified areas the Association in partnership with East Renfrewshire Council will set regeneration objectives and lettings initiatives at the beginning of each new development. The operational objectives set will aim for outcomes conducive to sustained regeneration.

The Association currently have a Nomination Agreement with ERC where 50% of all new build allocations are made by ERC.

The Association also recognise the need to identify, where possible, purposely built adapted housing when considering any new build development.

Consultation with the relevant parties will take place as early in the process as possible. Should an applicant be identified early enough in the process, and where possible, identification of adaptations which may be incorporated into a development contract.

**8.7 Accommodation designed for individuals with particular needs**

The Association has a number of wheelchair accessible, adapted and amenity houses where adaptations have been carried out and we recognise that people of any age can need an adapted or accessible property to allow them to live independently.

These properties will be allocated with priority given to applicants with a relevant medical need and where a move would address that unmet need.

Priority will be assessed, based on a person-centered approach and based initially on information contained within a self-assessment form. We may also involve East Renfrewshire Council Occupational Health Service to ensure a property meets an applicant’s needs.

If the Association has no one of the waiting list that needs such a property we will contact other local housing providers/relevant agencies to find out whether they have a suitable applicant.

Due to the changes in the Housing Act, the Association has the flexibility to make better use of adapted properties as short term temporary accommodation, where at the point of allocation there is no applicant requiring the adapted property. Adapted properties would therefore only be allocated to those applicants who need them and if no applicant on the list requires that adaption at that point, to avoid creating lengthy void times for adapted properties, they will be held and utilised for temporary accommodation until a suitable applicant is on the list.

If an applicant finds that their current home is no longer suitable for their needs an assessment can be done under the terms of this allocation policy, in addition to exploring alternative options out with this policy, such as:

Medical Adaptations – to make the house more suitable (for example

* installing hand rails etc.)
* Mutual exchange – swapping house with someone within the Association’s stock or with another Registered Social Landlord

Association will adopt Good Practice, Scottish Government Guidance and East Renfrewshire Council’s Local Housing Strategy/Community Housing Care Partnership strategies when letting accommodation suitable for individuals with particular needs.

**8.8 Re-lets**

Where a property, which has been designed or adapted to a standard suitable for an individual with particular needs becomes available, all attempts will be made to match a suitable applicant.

In addition to considering applicants on the Association’s waiting list consultation will take place with the various statutory and voluntary agencies to maximise our stock to those in housing need.

**8.9 Leasing Agreements**

When leasing a property to another organisation the Association will ensure that the arrangement is in the best interests of the Association, its tenants and residents, and that the other party manages the property to an acceptable standard.

8.10 Difficult to Let Properties/Low Demand Stock

Low demand stock is characterised by high levels of empty houses; small or non-existent housing list; high refusal rates and low levels of tenancy sustainment.

Where properties are difficult to let with little or no demand or have been refused three times the Association will adopt a more flexible approach to re-letting these e.g. allowing under-occupation. Any allocations made with this approach will require to be signed off by a senior member of staff.

8.11 Mutual Exchanges

Tenants may find that the solution to improve their unmet housing needs is to arrange a swap, or an exchange with another household who has a similar requirement for a suitable exchange (mutual exchange).

The Association will consider any written request from tenants to exchange homes with other local authority or housing association tenants. The written approval of the Association must be granted before an exchange can take place.

A separate policy and procedure exists for exchanges and is available from the Association offices and can be downloaded from our website.

**8.12 Exceptional Circumstances**

The Housing (Scotland) Act 2014 Statutory Guidance for social landlords advises that social landlords should account for a level of flexibility in their allocations policies in order to take account of “exceptional circumstances”.

This gives the Association the flexibility (within the legal constraints) to use its discretion and award a tenancy in exceptional circumstances which may be out with our core Allocation Policy.

For example, if someone has lost their home due to a fire; developed serious structural defects; Police Scotland have asked that someone be moved immediately due to severe harassment. It is not possible to predict all the exceptional circumstances which may arise.

The Director of Customer Services will consider each case individually and have the authority to approve each request, and a clear audit trail will be kept to record the reason for the allocation. All cases will be reported to the Governing Board.

The number of allocations made due to exceptional circumstances will be monitored and if the trend is frequent, the policy will be reviewed to assess if there is an omission with regard to a particular housing need.

**8.13 Housing Registered Sex Offenders (RSO)**

Some offenders will require accommodation (e.g. on release from prison) and some may require specialist support.

Where an applicant declares (or faces allegations) that they are a sex offender, the Association’s designated staff will liaise with both the applicant and East Renfrewshire Council’s Sex Offender Liaison Officer to ensure that a risk assessment is carried out. The Association will not house applicants without a risk assessment being carried out in line with Multi Agency Protection Arrangements.

Should a section 5 referral be required to be made by East Renfrewshire Council then, as per the Section 5 Protocol Agreement with East Renfrewshire Council a risk assessment must be carried out before the referral is made.

All RSO applications will be treated confidentially and only senior staff will have access to the application/provided information.

**8.14 Relationship Breakdown:**

The Association will consider applications from individuals who are seeking rehousing as a result of relationship breakdown. The Association may ask an applicant to provide evidence that their relationship has ended and that they require separate properties as a consequence. This could be in the form of a Solicitor’s letter confirming that they have been instructed to act on behalf of the one of the parties.

If a relationship breakdown occurs with a couple who are currently residing in a Barrhead HA tenancy advice will be given to both parties to seek legal advice on the entitlement of the tenancy in cases where the parties cannot agree. The person not awarded the tenancy can apply to the Association separately.

Before considering an offer, the Association will take into account any decision regarding the custody of dependants.

Where a relationship breakdown is a result of domestic abuse, priority will be awarded as per Section 2.

**8.15 People Facing Domestic Abuse**

The Association recognises that people have a right to lead a life free from violence and abuse, that it is not the victim’s fault but the perpetrators and that a home should provide safety and security.

The Association use the Scottish Government’s definition of domestic abuse as gender-based abuse which can be perpetrated by partners or ex-partners and can include physical abuse, sexual abuse and mental and emotional abuse.

The Association are fully committed to this approach and have signed up to  **Make a Stand** as part of the CIH pledge which was developed in partnership with the Domestic Abuse Housing Alliance (DAHA) and Women's Aid.

By signing this pledge, the Association have made deliverable commitments to provide support for people experiencing domestic abuse.

By September 2019 we will:

* Put in place and embed a policy to support residents who are affected by domestic abuse,
* Make information about national and local domestic abuse support services available on our website and in other appropriate places so that they are easily accessible for residents and staff,
* Put in place an HR policy, or amend our existing policy, to support members of staff who may be experiencing domestic abuse, and;
* Appoint a champion at a senior level in our organisation to own the activity we are doing to support people experiencing domestic abuse

The Association will always adopt a sympathetic victim led approach to the needs of victims and will take reasonable steps to obtain information to support the applicant’s case, but would not seek proof from the alleged perpetrator.

If it is not possible to obtain evidence of abuse or threat of violence, the applicants expressed fears will normally be considered as sufficient evidence allowing points to be awarded..

**8.16 Harassment**

Harassment and abuse can take many forms, it can be verbal or physical and at its most acute, life threatening. Types of abuse and harassment include:

* + racial harassment
	+ religious or sectarian harassment
	+ transphobic harassment
	+ harassment of autistic people and people with learning or physical disabilities
	+ sexual harassment.

Where an applicant is experiencing harassment or abuse the application will be given housing need points allowing them to be re-housed quickly. Harassment is defined by the Protection from Harassment Act 1997 “as causing a person alarm or distress”. A victim-centred approach will be adopted by the Association.

Applicants who are experiencing harassment or abuse and are deemed to be unsafe in their home should make a homeless presentation to East Renfrewshire Council.

Applicants will be asked to provide evidence such as police reports, incident diaries, supporting letters from an advocacy body e.g. Citizen’s Advice, or from East Renfrewshire Community Health and Care Partnership. The Director of Customer Services will approve the award of points for harassment. This will normally be away from the applicants local area.

**8.17 Referrals from Other Agencies**

There are a number of agencies offering a range of assistance and advice, for example Women’s Aid; Scottish Refugee Council (helping refugees and asylum seekers); Renfrewshire Council Connor Road (temporary housing for young persons) which may be related to requests for housing.

Where the Association is approached by a recognised external agency wishing to make an urgent request for re-housing on behalf of an individual or household, the Association may assist where possible. A defined quota of 5% against this category will be awarded annually for those applicants who would not normally be considered as having any housing priority within our policy, especially if there is no intention to ask them to leave because they have no-where else to go to.

**9. REVIEW, CANCEL, DEFER, SUSPENSIONS & APPEALS**

**9.1 Annual Review**

The Association will review an application at least once per year. The date of this review is based on the date that an application was registered with us.

We recognise that it is important to keep the housing list up to date and ensure that appropriate offers of housing are made.

As part of this annual review the Association will write or email to an applicant asking if there have been any changes in circumstances and if choices of property type/area remain the same.

The Association may also seek further clarification on areas that they have expressed an interest in, to clarify housing needs and demand and to ensure they are interested in an area they have selected.

**9.2 Cancelling Applications**

Applicants may only be removed from the waiting list in specific

circumstances:

* The applicant is allocated a house, and confirms they wish to be removed
from the Waiting List.
* The applicant is under 16 years old
* The death of an applicant
* The applicant fails to respond when asked to provide more information to support their application
* The applicant has requested removal from the register
* Failure to Return a Review Form

The Association will give an applicant 28 days to respond, after which time a further reminder letter or email giving 7 days will be issued. If an applicant doesn’t reply after this then a final letter (with 7 days to respond) will be issued advising the applicant that failure to respond immediately will result in their application being removed from the waiting list.

**9.3 Deferred Applications**

An applicant can ask the Association to defer their application if they don’t want to get an offer of housing for some reasons. Common reasons for this may include health, family or employment circumstances.

This means that an applicant can stay on the housing list but will not get an offer of housing. It is the applicants responsibility to inform the Association when they would like to be considered for an offer of housing, however, the Association will contact the applicant every 6 months to confirm that their circumstances have not changed.

Deferred applicants must still respond to the annual review process.

**9.4 Suspending Applications**

Everyone has the right to have their application added to our housing list if they are 16 years or over. However, we can suspend an application from the list in certain circumstances.

A “suspension” is when a landlord decides that it will not make an applicant an offer of housing until certain circumstances have changed, conditions are met or a set period of time has passed.

The applicant will remain on our housing list whilst suspended unless the applicant has asked to be removed from the list. In considering suspensions, there are certain legislative requirements which we need to take into account:

Housing (Scotland) Act 1987 Section 20(2)b

This legislation prevents any social landlord from suspending an application for a period of time, from the point the applicant applied for a house, before an offer of housing can be made.

Housing (Scotland) Act 2014

Section 6 of the 2014 Act amends the 1987 Act to introduce a new section 20b and which now gives social landlords the power to impose a suspension, in certain circumstances. However, a minimum period of time cannot be placed on homeless applicants by local authorities with a legal duty to secure accommodation for the applicant.

Our Suspension Policy provides full details of when we will suspend housing applications using either statutory or policy defined conditions. In summary, an application for housing may be suspended where:

 **9.4.1 Rent Arrears & Other Tenancy Related Debt**Where there are significant, outstanding and unresolved tenancy related debts and until such debts are either cleared, fall below 1/12th of the annual rent charge or an agreement has been set up and adhered to for a period of at least 3 months.

**9.4.2 Falsified Information**

An applicant has been found to have deliberately **falsified information** in respect of their application – the application may be suspended for a period of 6 months;

 **9.4.3 Anti-Social Behaviour**
 The applicant has:

* Acted in an anti-social manner in relation to another person residing in, visiting or otherwise engaged in lawful activity in the locality of a house occupied by the person, or;
* Pursued a course of conduct amounting to harassment or such other person, or a course of conduct which is otherwise antisocial conduct in relation to such other person, or;
* Acted in an antisocial manner, or pursued a course of conduct which is antisocial conduct, in relation to an employee of the Association in the course of making the application.

We may consider antisocial behaviour from up to 3 years previously. Suspensions under this category will be for a maximum period of 6 months.

**9.4.4 Previous Convictions**

 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, or
* An offence punishable by imprisonment which was committed in, or in the locality of a house occupied by the person

We may consider convictions from up to 3 years previously. Suspensions under this category will be for a maximum period of 6 months. Timescales will be reviewed in the event of a change of circumstances

**9.4.5 Order for Recovery of Possession**

An order for recovery of possession has been made against the applicant by a court. This could apply to orders within the previous 3 years and made under Scottish Housing legislation or housing legislation for other parts of the UK. Suspensions will be to a maximum of 6 months.

**9.4.6 Abandoning a Tenancy or neglecting a tenancy**

Where the applicant has previously had a property repossessed by a social landlord because the property had been abandoned, or where a court has ordered a recovery of possession due to the deterioration of the condition of the property or furniture provided for the tenant’s use.

We may consider repossession from up to 3 previous years. Suspensions under this category will be to a maximum of 6 months.

**9.5 Other Conditions**

Where an applicant declares (or faces allegations) that they are a sex offender, the application will be suspended until relevant local authority or health colleagues have carried out a risk assessment;

Where an applicant is found guilty of theft or vandalism against an Association property, the application will be suspended for a period of 12 months from the latest incident.

Our Suspension Policy clearly defines the use of time limited suspensions which provide the maximum period of suspension. This will be balanced against the housing need of the applicant.

Appeals against suspension will be treated in accordance with our Allocations Appeals Procedure, which can be obtained on request.

**9.6 Re-instatement**

Applicants who have been removed from the waiting list because they did not respond at the annual review, will have the opportunity to request reinstatement within six months.. There will be no need for an applicant to fill in a new form (unless their circumstances have changed). Any reinstated applications will be kept to the date of the original application, unless a tenancy has been secured during the period of no contact.

If a tenancy has been secured, the applicant will be issued with a new application form and the application process will commence.

**10. APPLICATIONS FROM BOARD MEMBERS, STAFF MEMBERS OR CLOSE RELATIVES.**

The Housing (Scotland) Act 2010 does not restrict or prohibit the types of payments and benefits that housing associations can make to staff, board members and relatives of staff and board members. This includes the allocation of housing.

The Association have therefore adopted the SFHA’s model policy on Entitlement, Payments & Benefits Policy for Governing Board members and staff.

This policy clearly defines how we will deal with applications which fall under this category and how we must demonstrate transparency, honesty and clearly ensure there is no public perception of impropriety.

Our Policy states that an offer of tenancy to anyone closely associated to staff or board members is permitted, subject to the following:

* It is in accordance with our published allocation policy **and**
* Neither the applicant or anyone connected to the applicant is involved in any way or in any part of the allocation process **and**
* The offer is approved by the Governing Board in advance **and**
* The tenancy is recorded as an interest in the appropriate register within five days of the tenancy commencing.

**11. APPEALS**

The Association will always try to provide an excellent service, but we recognise that sometimes things may go wrong and that an applicant may wish to appeal against a decision that has been made about their housing application.

In order to maximise the opportunity for an applicant to seek a review of their decision a separate review process is available. Appeals may arise for a variety of reasons directly relating to allocations such as:

• Decisions on whether an applicant should be admitted to the housing list

• Objections over the points allocated following assessment

• Concern over failure to qualify or be allocated a particular property, or

• Appeal over a suspension or removal from the waiting list.

A review can be requested on a standard form which is available from the Associations’ offices . Responsibility for an allocation review will be delegated to a member of staff who was not involved in the decision. The Customer Services Manager will be responsible for this process, the results of a review will be notified to the applicant within 28 working days of the request, giving reasons for the decision.

Where an applicant remains unsatisfied, a complaint can be made through the Associations complaints handling procedure.

1. **COMPLAINTS POLICY**

If an applicant is dissatisfied with the level of service they have received from Barrhead Housing Association (e.g. regarding the actual allocation of a property) then the Association operates a complaints policy that is open and transparent.

 This is a separate policy & procedure and a copy can be received from the Association on request, or accessible via our website.

**13. MONITORING & PERFORMANCE**Performance will be measured against targets using information on outcomes from:

* Re-let periods
* Number of allocations
* Number of terminations/reason’s for terminations
* Number of offers made/refused
* Void periods
* Categories Housed
* Levels of demand on waiting list/transfer list
* Section 5 referrals received

Reports will be made to the Governing Board on a quarterly basis.

1. **RESPONSIBILITY**

The Director of Customer Services is responsible for overseeing the
allocation of housing in accordance with this policy and within the provisions of the relevant legislation.

**15. EQUALITY & DIVERSITY**

Barrhead Housing Association is firmly committed to providing fair and equal treatment to all our customers.

The Association will not discriminate against anyone on the grounds of race, social origin, disability, religion or belief, age, sexual orientation, marital status/civil partnerships, gender, gender re-assignment; pregnancy or maternity or other personal attributes.

We will make this policy available in alternative formats such as large print or Braille on request. Translation services for other languages will also be made available if you require this.

We are also firmly committed to the equalities standard in the Scottish Social Housing Charter 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”

**16. POLICY REVIEW**

The Governing Board will review the Allocations Policy at least every three years. However, improvements in performance and service delivery may be made on a regular basis to reflect change and in light of various factors such as:

* New or revised legislation
* Changes in good practice
* Organisational change, e.g. revision of operational practices
* Views of tenants and other service users
* Auditing practices
* Resource requirements

17. GENERAL DATA PROTECTION REGULATIONS

The Association will treat all personal data in line with our obligations under the current General Data Protection Regulations and our own Data Protection Policy Statement, Privacy Policy and Data Retention Policy.

Information regarding how your data will be used and the basis for processing your data is provided within our employee and resident Fair Processing Notices.

**SECTION 2 Basis of selection and allocation – The Points System**

The points system is designed to ensure that priority is given to those identified in most housing need and eligible for housing. The selection and allocation of a property will be based upon applicant’s housing need relative to others, that is, applicants with the highest point level for a house size, area and house type following assessment will be considered for allocation.

**2.1 Property Size Allocated**

Normally houses will be allocated on the basis of accommodation required as follows:

1 Living room for each household

+ 1 bedroom for each couple or persons living as a couple (an additional bedroom may be offered if there is an identified need)

+ 1 bedroom for first child

+ 1 bedroom for each child 10 years and over if different gender

+ 1 bedroom for each pair of children up to 16 years of same gender

+ 1 bedroom for each remaining member of the household

Demand for larger houses exceeds supply in a number of areas. This makes it necessary, on occasion to consider applicants for smaller houses than specified in our occupancy standard (Appendix 1). In these cases applicants will be allowed to apply for a smaller property but will not be given over-crowding points beyond the size of the property he/she are queued for.

These offers will be made to improve an applicant’s current overcrowding but still leaves them overcrowded by no more than 1 bedroom and doesn’t result in statutory overcrowding.

**2.2 Reasons for Additional Bedrooms**

We understand that there may be circumstances which can affect the number of bedrooms than an applicant requires.

2.2.1 Downsizing/Under Occupation

Under-occupation in social rented housing is most likely to occur when someone with children has originally been allocated a larger home and their children have grown up and left home. This generally means that under-occupying tenants are likely to be older.

These tenants may want to downsize to a smaller property but may not be interested in going from a 4 bedroom property to a 1 bedroom property (which they may only qualify for).

The Association has a high demand for these large family homes but there is very little turnover of this type of stock. We also recognise that downsizing from a 4 bedroom property to a 1 bedroom property may not be an attractive proposition/incentive for households.

Applicants within this category are already allocated reasonable preference priority for under-occupation. This Association will consider these applicants to be awarded with 1 additional bedroom, on request. This will apply to all social landlords to tackle under-occupation and best use of socially rented stock across the country.

2.2.2 Health, Care or Mobility Issue

If there is a health, care of mobility reason for needing an additional bedroom, which may include, for example, a carer (or team of carers) that provides someone within in the household with overnight care, or if a long-term condition make it difficult for a couple to share a room. This bedroom entitlement would be used to assess any priority based on overcrowding.

2.2.3 Kinship Carer for a Child/Access Arrangement

This is for parents, guardians and kinship carers with formal residency rights and overnight contact orders, or overnight access arrangements that are shared on an equal basis, a child may be entitled to a bedroom within each home in accordance with our bedroom entitlement. This will be a child staying overnight an average of at least 3 nights a week at each home.

Where a child or children stay less than an average of 3 nights a week at the home, one additional bedroom may be provided. This will be irrespective of the number of children for whom the home will not be their principal home. This bedroom would not be taken into account when assessing any priority based on overcrowding. Proof of access to children will be required.

In exceptional circumstances the Director of Customer Services may exercise discretion in deciding upon the size of a home a household requires.

**2.3** **Housing Groups**

Our main groups are considered within the allocation policy. Quotas set against these groups are set out in Appendix 2 of this Policy.

These groups are as follows:

1. Waiting list applicants
2. Medical Waiting List Applicants
3. Transfer Applicants
4. Medical Transfer list applicants
5. Referrals from other agencies
6. Section 5 referrals from East Renfrewshire Council

**2.4 Allocation of Points**

The priority that applicants receive will depend on a range of factors as follows:

* Levels and types of housing available for let
* The applicant’s met and unmet housing need
* The applicant’s preferences
* Priority given to the various housing groups

It is also important to note that applicants will not be offered housing where particular housing is not suitable to either their needs or stated preference.

* + 1. **People who are homeless and those threatened with homelessness**

Part II of the 1987 Act defines a homeless person if they have no accommodation, or if they have accommodation, but it would not be reasonable for them to occupy it in certain circumstances.

 An applicant to the Association will be treated as homeless in the following situations:

* Where they applicant has been assessed as unintentionally homeless
* Where the applicant has been assessed as threatened with homelessness within two months

The above categories include Relationship Breakdown & Harassment due to actual/threatened violence and abuse.

Applicants in this group will assessed by a relevant local authority will be awarded **100 points**

**2.4.2 Insecure Housing**

Applicants may be awarded points if they do not have secure accommodation but have not applied through the statutory homeless route or have not yet been accepted as unintentionally or threatened with homelessness but are likely to become homeless within 3 months.

The Association will be given if the applicant is not responsible for their accommodation being at risk.

* Where applicant has no fixed abode
* Where an applicant has been served a Notice to Quit by their landlord
* Where the applicant has housing but cannot access it
* Where it is not reasonable for the applicant to reside in their present house
* Relationship Breakdown where the applicant is unable to reside in their present accommodation due to incompatibility
* Where a property is being repossessed
* An applicant is living in one of our adapted properties and no longer require the adaptations
* An applicant is leaving the armed forces, hospital, prison, long-term residential care, supported accommodation or accommodation provided by East Renfrewshire Council (as a corporate parent), and have a date to leave but have nowhere to live when they leave.

Applicants in this group will be awarded **50 points**

**2.4.3 Insecurity of Tenure**

Applicants who are seeking rehousing with no date to leave:

A lodger

Living in a ‘care-of’ address

Live in a caravan

Tied House

 Short assured tenancy

**10 Points**

The above list is not exhaustive, each case should be assessed on its own merits and in conjunction with this policy.

* + 1. **Occupying housing that is below the tolerable standard**

The tolerable standards is defined by Section 86 of the 1987 Act and amended by section 102 of the 2001 Act, and section 11 of the Housing (Scotland) Act 2006.

The tolerable standard is currently under review and we will take this into account when developing/reviewing our policy.

The tolerable standard is the legal standard that all houses must meet. East Renfrewshire Council is obliged to ensure that houses below this standard are either brought up to it, or closed or demolished.

A house will be below the tolerable standard if any of the following factors apply:

* If the house is not structurally stable;
* If the house is not substantially free from rising or penetrating damp;
* If the house has no satisfactory provision for natural and artificial lighting, for ventilation and for heating;
* If the house does not have satisfactory thermal insulation
* If the house has no adequate piped supply of wholesome water available within the house;
* If the house has no sink provided with a satisfactory supply of both hot and cold water within the house;
* If the house has no toilet available for the exclusive use of the occupants that is suitably located in the house;
* If the house does not have a fixed bath or shower and a wash-hand basin provided with satisfactory supply of both hot and cold water suitably located within the house;
* If the house has no effective drainage system for disposal of foul and surface water;
* If, in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installations for the purposes of that supply
* If the house has no satisfactory facilities for the cooking of food within the house;
* If the house has no satisfactory access to all external doors and outbuildings.

Any applicant whose house is below the tolerable standard will be awarded

 **50 points**

* + 1. **Property Conditions: Living in unsatisfactory housing conditions**

There are a variety of factors that make housing conditions unsatisfactory. The following are considered unsatisfactory within this policy.

**Sharing Amenities**

This arises when different households live together and share the use of facilities. A household is defined as any persons who want to live together. An applicant who is separating from his spouse/partners will be awarded sharing points. An applicant who shares amenities with another household will be awarded points as follows:

* Sharing Amenities **20 points**

**Defects- can be awarded in conjunction to Below Tolerable Standard points.**

* Condensation dampness **5 points**
* Rot (wet or dry) **5 points**
* Inadequate heating **5 points**
* Old wiring **5 points**
	+ 1. **Urgent Re-Housing**

Where a property has been identified as due for demolition by the Association within 6 months of the application

 **50 points**

**2.4.7 Medical Factors**

Points are not awarded for medical reasons simply because the applicant has a medical problem. Points are awarded only when an applicant’s accommodation is unsuitable for their housing needs because of the applicant’s medical condition, for example, a person who is unable to manage stairs because of a serious heart problem.

Applicants who believe their housing is unsuitable for medical reasons should complete a Medical Priority Self-Assessment Application Form.

There are three categories for which points will be awarded:

* **Category A: Emergency Cases**

Where the accommodation is wholly unsuitable to an applicant with

Severe physical/l disabilities and either unable (or virtually unable) to leave their home. **50 points**

* **Category B: Physical Disability/Serious Medical Problems**

Points may be awarded where the accommodation occupied is causing serious aggravation to the applicant’s medical condition, for example, chronic bronchitis, severe arthritis, severe asthma and heart complaints **30 points**

* **Category C: General Medical Cases**

Points may be awarded where the accommodation occupied is causing aggravation but not of a serious nature, for example, where the applicant had moderate asthma and arthritis. **10 points**

**2.4.8 Overcrowding**

Family unit(s) living in overcrowding circumstances will have the number of bedrooms required compared with the number presently available to them. Points may be awarded to one applicant only. Points will be awarded as follows:

* First additional bedroom required **10 points**
* Each additional bedroom required **20 points**
	+ 1. **Under Occupation**

To comply with the policy principle of making the best use of the housing stock the Association seeks to encourage applicants under occupying accommodation intended for larger families to transfer to smaller properties.

Applicants under-occupying will have the number of bedrooms they need, compared with the number of bedrooms presently available.

Points awarded as follows:

* For the first bedroom under occupied **20 points**
* Each additional bedroom **20 points**

Points will be awarded to applicants of any tenure.

* + 1. **Harassment & Domestic Abuse**

We have defined our approach to Harassment and Domestic Abuse within this Policy under Section 8.15 to 8.16.

Applicants who are experiencing harassment or domestic abuse and are deemed to be unsafe in their home should make a homeless presentation to East Renfrewshire Council. These points are awarded for applicants who have chosen not pursued the homeless route.

The Association will offer accommodation normally be away from the applicants local area.

* Harassment & Domestic Abuse **50 Points**

The Customer Services Manager will approve the award of points under these categories.

**2.4.11 Exceptional Circumstances**

We apply this section of the policy only in circumstances if the remainder of the allocation policy does not address the housing needs in question. Points will only be awarded after the case has been fully investigated, and appropriate evidence supplied.

Exceptional Circumstances will be assessed under the circumstances and severity of each case. Points awarded as follows:

* Exceptional circumstances will be considered on merit and will be subject to documentation/evidence and approved by Director of Customer Services.
 **50 points**
	+ 1. **Support**

This is where an applicant needs to give or receive day to day support and requires to move to, or within East Renfrewshire. Where an applicant needs to give or receive support he or she will be entitled to housing needs’ points.

These points will only be given where the Association is satisfied that the support given or received is required for clear reasons and where appropriate confirmation is received to support the request. Evidence must be provided to prove this and the applicant should be moving nearer.

For example:

* Where the applicant or person they wish to move nearer to has medical needs
* Where the applicant or the person they wish to move nearer to requires support with child care arrangements to allow them to undertake employment
* Where the applicant needs to be rehoused in an area to access specialist support

**15 points**

* + 1. **Environmental Factors**

Consideration will be given to immediate environmental proximity.

* Travel to work: persons who work in the Barrhead area and who are currently experiencing difficulty in travelling to work. This may be under the headings of financial, distance, or difficulty with transport.
* Access to facilities: persons requiring to be located near essential services, e.g. schools, hospitals, shops who currently reside out- with a reasonable distance.

An Assessment will be made on the priority and proximity of above named facilities subject to supporting documentation to verify:

 **15 points**

* + 1. **Date of Application**

Applications are assessed for points on their housing needs. Time on the list does not therefore result in any points award.

Time on the list is important however in deciding priority where two or more applicants have the same points total. In such cases the applicant with the earliest date of application will receive priority.

 **Appendix 1**

****

**SIZE OF ACCOMMODATION**

**This table details the size of accommodation that you may qualify for under each Partner’s Policy (this is the same for all three partners).**

|  |  |
| --- | --- |
| **Household Size** | **Number of bedrooms the household will be considered for**  |
|  | **0 (bedsit)** | **1** | **2** | **3** | **4** | **5** |
| **Single Person** | \* | \* |  |  |  |  |
| **Couple** |  | \* |  |  |  |  |
| **Two adults (not couple)** |  |  | \* |  |  |  |
| **Couple or single adult with one child** |  |  | \* |  |  |  |
| **Couple or single adult with two additional adults or dependant children*** **Both under 10 (different gender)**
* **Both under 16 (same gender)**
* **Different gender, on child 10 or over**
* **Same gender, one child 16 or over**
 |  |  | \*\* | \*\* |  |  |
| **Couple or single adult with three additional adults or dependant children** * **All same gender and under 16**
* **All same gender and one 16 or over**
* **All same gender and two 16 or over**
* **All same gender and all 16 or over**
* **One gender over 10 and two remaining same gender and under 16**
* **Two same gender but one over 16, remaining child under 10**
* **Two same gender but one over 16 and remaining child 10 or over**
 |  |  |  | \*\*\* | \*\*\*\* |  |
| **Couple or single adult with three additional adults or dependant children** * **All same gender and under 16**
* **All same gender but one 16 or over**
* **All same gender but two or more 16 or over**
* **Different genders but all under 10**
* **Different genders but one or more 10 or over**
 |  |  |  | \*\* | \*\*\* | \*\* |

**Appendix 2**

**Waiting List Quotas**

|  |  |
| --- | --- |
| **WAITING LIST CATEGORY** | **QUOTA** |
| **Section 5 referrals from East Renfrewshire Council** | **40%** |
| **General Waiting List – including Medical Waiting List** | **40%** |
| **Transfer List – Including Medical Waiting List** | **15%** |
| **Referrals from Other Agencies** |  **5%** |

|  |  |
| --- | --- |
| **Barrhead Housing Association****Equality Impact Assessment**  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Name of the **policy / proposal** to be assessed | Housing Allocation Policy | Is this a **new policy / proposal or a revision**? |  Updated Policy |
| Person(s) responsible for the assessment | Lorraine Dallas, Director of Customer Services. |
| **1.** Briefly describethe **aims, objectives and purpose** of the policy / proposal | To allocate housing in a fair and consistent way – ensuring available properties are allocated on a prioritised basis to those in the greatest need |
| **2.** **Who is intended to benefit** from the policy / proposal? *(e.g. applicants, tenants, staff, contractors)* | Waiting list applicants and existing tenants seeking to move to more suitable accommodation |
| **3**. What **outcomes** are **wanted** from this policy / proposal ? *(e.g. the benefits to customers)*  | Provision of suitable housing to those in the greatest need |

|  |  |  |
| --- | --- | --- |
| **4**. Which **protected characteristics** could be **affected** by the proposal? All the following characteristic could be affected by this proposal  |  |  |
| Age Disability Marriage & Civil Partnership Pregnancy/Maternity Race Religion gender reassignment sexual orientation  |  |  |
|  |  |  |  |  |   |  |  |  |
| **5.** If the policy / proposal is not relevant to any of the **protected characteristics** listed in part 4, state why and end the process here. |
|  |
|  |
| **6.** Describe the **likely positive or negative impact(s)** the policy / proposal could have on the groups identified in part 4 | **Positive impact(s)** | **Negative impact(s)** |
| Allocation policy silent on race, religion, so these factors not taken into account in the allocation of housingFor adapted, wheelchair or amenity housing, priority given to applicants in greatest need so older and disabled households likely to be positively impacted. If not suitable disabled applicant, adapted property will be held as temporary accommodation until suitable tenant can be foundExceptional circumstances criteria can be used flexibly to allocate housing to household with protected characteristic if an urgent and exceptional need existsProvision for relationship breakdown and those experiencing domestic abuse could be used to support those in a marriage or civil partnershipHarassment provision within policy provides extra points to those suffering harassment as a result on (including) racial harassment, religious, sectarian, sexual, transphobic or those with autism or learning or physical disabilities.Allowing households under-occupying to transfer to accommodation larger than their needs could positively impact on older households looking to downsize after their families have left home | Those subject to immigration controls may not be entitled to access housing |
| **7.** What **actions** are **required** to address the impacts arising from this assessment? *(This might include; collecting additional data, putting monitoring in place, specific actions to mitigate negative impacts).* | The policy provides that those suffering from immigration control must tell us. This is to allow us to consider the legal position , engage with other agencies who might be able to assist and to make referrals as appropriate  |

Signed: Lorraine Dallas (Job title): Director of Customer Services

Date the Equality Impact Assessment was completed: July 2019

***Please attach the completed document as an appendix to your policy / proposal report***