

ALLOCATIONS POLICY

Approved/last reviewed by Management Committee : 07.03.18

The information in this document is available in other languages or on tape/CD, in large print and also in Braille.

For details contact the Association on 0141 578 0200 or e-mail: admin@hillheadhousing.org

本文件所載資料備有中文 (廣東話) 版本，也可以製作成錄音帶/光碟，以及利用特大字體和凸字印製，以供索取。

欲知有關詳情，請聯絡本協會，電話：0141 578 0200，或向我們發送電郵，電郵地址：admin@hillheadhousing.org

Tha am fiosrachadh anns an sgrìobhainn seo ri fhaotainn ann an Gàidhlig no air teip/CD, sa chlà mhòr agus cuideachd ann an Clò nan Dall.

Airson tuilleadh fiosrachaidh, cuiribh fios dhan Chomann air 0141 578 0200 no cuiribh post-dealain gu: admin@hillheadhousing.org

इस दस्तावेज़ में दी गई जानकारी हिन्दी में भी या टेप, सी डी, बड़ी छाप और ब्रैल में भी उपलब्ध है। विवरण के लिए एसोसिएशन को नम्बर 0141 578 0200 पर या ई-मेल के द्वारा सम्पर्क करें: admin@hillheadhousing.org

ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚ ਦਿੱਤੀ ਗਈ ਜਾਣਕਾਰੀ ਪੰਜਾਬੀ ਵਿੱਚ ਵੀ ਜਾਂ ਟੇਪ, ਸੀ ਡੀ, ਵੱਡੀ ਛਪਾਈ ਅਤੇ ਬ੍ਰੈਲ 'ਤੇ ਵੀ ਉਪਲਬਧ ਹੈ। ਵੇਰਵੇ ਲਈ ਐਸੋਸਿਏਸ਼ਨ ਨੂੰ ਨੰਬਰ 0141 578 0200 'ਤੇ ਜਾਂ ਈ-ਮੇਲ ਰਾਹੀਂ ਸੰਪਰਕ ਕਰੋ : admin@hillheadhousing.org

اس دستاویز میں درج معلومات اردو زبان یا آڈیو ٹیپ / سی ڈی، بڑی طباعت اور بریل میں بھی دستیاب ہیں۔
تفصیلات کے لئے ایسوسی ایشن سے ٹیلیفون نمبر 0141 578 0200 یا ای میل admin@hillheadhousing.org کے ذریعے رابطہ قائم کریں۔

CONTENTS PAGE

| | | |
|-------------------|--|---------------|
| Section 1: | INTRODUCTION | Page/s |
| | 1.1 Purpose, Aims & Objectives of the Policy | 2-3 |
| | 1.2 Format of the Policy | 3 |
| | 1.3 Authority for Implementing the Policy | 3 |
| | 1.4 Policy Review | 3 |
| | 1.5 Appeals & Complaints | 3 |
| Section 2: | THE ALLOCATIONS PROCESS | |
| | 2.1 Joining the Housing List | 4 |
| | 2.2 Information for Applicants | 4 |
| | 2.3 Accessible Housing | 4 |
| | 2.4 Preventing and Assisting with Homelessness | 5 |
| | 2.5 Choice | 5 |
| | 2.6 Assessing Applications | 5 |
| | 2.7 Groups & Sub- Groups | 6-7 |
| | 2.8 Points | 8-11 |
| | 2.9 General Rules for Allocations | 12 |
| | 2.10 Allocating Houses | 12 |
| Section 3: | PERFORMANCE MANAGEMENT | |
| | 3.1 Issues Monitored | 13 |
| APPENDICES | | |
| | 1 Legal Framework & Good Practice | 14-16 |
| | 2 Legal Standards | 17-18 |
| | 3 Suspension from the Housing List | 19-20 |
| | 4 General Rules for Allocations | 21-22 |
| | 5 House Condition | 23 |
| | 6 Management Discretion | 24 |
| | 7 Appeals & Complaints | 25-26 |

This Policy can be made available, on request, in different languages or in other formats such as in large print, tape and Braille.

Section 1: INTRODUCTION

This policy describes how Hillhead Housing Association manages its housing list, and how it lets houses to people on the list. Copies and a much shorter summary are available on request.

Terminology : Hillhead Housing Association is generally referred to as "we" throughout this policy. The word "house" is used as a general term to refer to all house types. The words "letting" and "allocation" are both general terms used to describe policy making and practices surrounding the letting of houses.

1.1 PURPOSE, AIMS AND OBJECTIVES OF THE POLICY

(a) This policy is important for the following reasons :

- It is central to our strategy of promoting equal opportunities and social inclusion. To do this, we give priority to people in housing need.
- It is critical in establishing and sustaining the community within Hillhead.
- It includes good practice issues, for instance, by taking account of applicants' preferences.
- It confirms our commitment to developing effective consultation procedures so that tenants and other service users can participate in policy development

(b) This policy aims to meet the following :

- Relevant legal and good practice standards : :
These are outlined in more detail in Appendix 1
- Social standards that take account of individuals' preferences and aspirations

(c) The main objectives of this policy are to:

- Prevent and eliminate discrimination in lettings practice on grounds of sex or marital status, racial grounds, disability, age, sexual orientation, language or social origin, or personal attributes, including belief or opinions
- Promote equality initiatives concerning the above grounds, for instance, developing accessible housing in consultation with disabled people
- Create balanced and sustainable communities which contain a broad range of households from all sections of society. This involves meeting people's preferences, whenever possible, as well as meeting their housing needs.
- Determine letting priorities based on a comprehensive assessment of local housing needs and demand; this includes promoting exchanges and house transfers of

existing tenants as their needs change.

- Provide good quality information and advice to applicants, on housing options; and to treat information in confidence in line with our legal obligations under the Housing (Scotland) Act 1987 (as amended); and the Data Protection Act 1998.
- Establish effective partnerships with the local authority and other local housing associations to meet housing need, for instance, to tackle homelessness.
- Provide comprehensive staff training that covers law, good practice and policy and procedures.
- Monitor performance through our internal performance management system.
- Process appeals and complaints quickly and fairly

1.2 FORMAT OF THE POLICY

The policy has been developed in sectional format to improve clarity and to enable easy updating through future reviews. Appendices are also provided to give specific information to tenants, service users and others.

1.3 AUTHORITY FOR IMPLEMENTING THE POLICY

The Management Committee of the Association gives delegated authority to the Housing Manager, to allocate housing except in the following circumstances :

- when allocating a property to a close relative of a staff or Committee member
- when an application merits exceptional consideration – Special Case

These require the prior approval of the Committee.

1.4 POLICY REVIEW

This policy will be reviewed at least every three years. However we may require to amend this policy outwith this timeframe in the event of changes to the law or good practice.

Significant amendments will only be made after we consult with tenants, service users and other interested parties and we will publish these within six months.

1.5 APPEALS & COMPLAINTS

This process is explained in Appendix 7

Section 2 THE ALLOCATIONS PROCESS

2.1 JOINING THE HOUSING LIST

- Anyone aged sixteen or over may apply to join the housing list. Application forms are made available at the Association's office and to Hubs, Citizens Advice Bureau, Hillhead Community Centre, Social Work offices, Project 101 and online through the website at www.scottishhousingconnections.org/HA/Hillhead
- On request, we will help applicants to complete their housing application form and applicants are advised of this service in the information that we provide.
- Our application form can be made available in other languages and formats on request, for instance, in large print. We also make available interpreting services, as required, and cover costs of providing this service.
- Applicants may apply to have a joint tenancy with another person who is either already living or intending to live, with them
- Applications are assessed within **fourteen** days of receiving the fully completed form; and applicants are informed of their points award. Where additional information is required eg. health needs, the assessment period may be extended.

2.2 INFORMATION FOR APPLICANTS

- We provide tenants and service users with advice and information about this policy on request. We also provide a brief guide to the policy to each Housing applicant.
- We provide information to those seeking their first tenancy, on the costs and responsibilities of becoming a tenant
- Applicants are entitled to access information that they have supplied concerning their housing application. We can only withhold personal information on specific grounds specified in the **Data Protection Act 1998**. We will provide this information, on request, within twenty working days. We do not, in general, charge for this service, however a charge may be applied in the case of repeated requests
- We offer appointments to discuss and advise on housing options.

2.3 ACCESSIBLE HOUSING

- We are committed to promoting accessible housing. For example, we discuss particular access requirements with individual applicants to ensure that offers made are appropriate.
- We consult with disability groups and/or Occupational Therapists and applicants for housing who have mobility difficulties, during the development of housing projects, including making reasonable adjustments to create accessible houses.

2.4 PREVENTING AND ASSISTING WITH HOMELESSNESS

- We seek to reduce homelessness by having a policy which addresses a wide variety of needs and awards points to potentially homeless applicants
- Where an applicant is already homeless, we refer them to East Dunbartonshire Council for assessment
- We accept nominations from East Dunbartonshire Council for a proportion of houses becoming vacant each year. Nominations will generally include a significant proportion of homeless applicants. The proportion of vacant properties being offered for nominations is generally 45% but can vary according to local needs and is agreed by the Management Committee annually.

2.5 CHOICE

(a) STREETS AND HOUSE TYPES

- Applicants may select any number of streets within Hillhead
- Applicants may select any number of house types available within Hillhead

(b) HOUSE SIZE

We have rules about the size of house for which applicants may apply. A separate bedroom is required for :

- Each couple (of the same or opposite sex)
- Each person aged 14 or over
- Two children under 8 irrespective of sex
- A child over 8 and under 14 sharing a bedroom with a person of the opposite sex
- A child with significant needs where sharing a bedroom causes difficulties
- A couple who for health reasons, cannot share a bedroom
- Any other remaining person

Bedrooms under 110 sq. feet (approx. 10 sq. metres) are classified as single bedrooms, suitable for one person. Rooms under 50 sq. feet (approx. 4.6 sq. metres) are not classified as bedrooms.

Applicants may apply for a house which is one bedroom larger than needed. They will, however, only be considered for this after looking at the needs of other applicants who need the larger housing.

2.6 ASSESSING APPLICATIONS

In order to let our houses, we operate a Groups/Sub Groups + Points system as outlined in Sections 2.7 & 2.8.

January 2018

2.7 GROUPS & SUB GROUPS

GROUP 1 - THE TRANSFER GROUP – Tenants of the Association and its former CHR partners ie. Antonine Housing Association and East Dunbartonshire Council

(a) Management Sub Group – is only for Hillhead HA tenants who require to be rehoused because :

- Their property is being demolished
- They are downsizing from high demand large housing
- Their case has been awarded Special Case status by the Association's Management Committee
- There are very urgent safety reasons ie. a threat to life

(b) Priority Sub Group – is for tenants (or their resident partners) of any of the three landlords who :

- Have a household member who has been awarded high health or support needs points
- Are severely overcrowded as defined in law
- Are in a property which fails the tolerable standard or is being demolished
- Need to move for urgent safety reasons eg. threat to life; targeted harassment; a witness in a serious case; serious threats of violence from outwith or within the home
- Have been awarded severe Social points *
- Have suffered a relationship breakdown with their resident partner *
- Are in a property required for a household with high health needs
- Are downsizing from high demand large housing
- Are affected by long-standing and intractable neighbour problems where the landlord is unable to attribute blame or there are faults on both sides *
- Have been awarded Special Case status by the Association's Management Committee

** these cases will be considered for broadly equivalent housing*

(c) General Sub Group – is for all other tenants of the three landlords who do not fall into the Management or Priority Groups

GROUP 2 - THE HOUSING LIST GROUP – is for residents of East Dunbartonshire who are not current tenants of the three Associations; and for non-residents of East Dunbartonshire who have a strong reason for being rehoused in the area.

(a) Priority Sub Group – is for residents of East Dunbartonshire (and qualifying non-residents) who :

- Have a household member who has been awarded high health and/or support needs
- Are severely overcrowded as defined in law *
- Are in a property which fails the tolerable standard or is being demolished*
- Are moving into the area to give/receive support to/from an East Dunbartonshire resident and they have high health and/or or support needs *
- Are moving into the area to take up employment; or to set up/expand a business*
- Are members of HM forces who lived in East Dunbartonshire prior to joining up*
- Are residing in tied housing which will no longer be available to them, through no personal fault *
- Have been accepted as unintentionally homeless by East Dunbartonshire Council *
- Have been through a programme of tenancy-readiness with a support organisation and deemed to be ready to move on to mainstream housing *
- Have been approved as a Special Case by the Association's Management Committee

** proof will be required*

(b) General Sub Group – is for residents (and qualifying non-residents) who do not fall into the Priority Group

2.7.3 GROUP 3 - THE OUTWITH GROUP – all other applicants who do not currently live within East Dunbartonshire and have no strong reason for being rehoused in the area.

There are no sub-groups in the Group and it is unlikely that any applicants in this group would be rehoused unless a property has proved difficult to let to local applicants.

2.8 POINTS

(a) Overcrowding

Using the guidance on number of bedrooms required as given in Section 2.5(b)

- For each additional bedroom required on a full time basis **5 points**
- Two people sharing a single bedroom **3 points**
- Part-time access/custody; not in receipt of Child Benefit; one award only **3 points**
- Under 14s with significant needs who require their own bedroom **5 points**
- Couples who require separate bedrooms for health reasons **5 points**

(b) Underoccupation

Using the guidance on number of bedrooms required as given in Section 2.5(b)

- Owners/private tenants with two or more bedrooms over needs **2 points**
- One bedroom over needs in high demand social housing in ED * **3 points**
- Two bedrooms over needs in high demand social housing in ED * **6 points**
- Three bedrooms over needs in high demand social housing in ED * **10 points**
- Two or more bedrooms over needs in lower demand social housing in ED **2 points**

* *Hillhead HA tenants will be placed in the Management Group; EDC & Antonine tenants will be placed in the Priority Group*

(c) Health/Disability

- A range of points depending on degree of health/disability issues and unsuitability of current accommodation :

| Property Suitability | Moderately Unsuitable | Significantly Unsuitable | Wholly Unsuitable |
|---------------------------------------|------------------------------|---------------------------------|--------------------------|
| Health/Disability Difficulties | | | |
| Moderate | 2 | 5 | 15 * |
| Severe | 5 | 10 * | 20 * |

* *applicants with these awards will be placed in the Priority Group*

No Points are awarded where the current accommodation is suitable for the health/disability needs

Applications are assessed by housing staff. If additional supporting information is required from a clinician or other professional, the applicant will require to organise and pay any costs associated with this.

(d) Support

- Points will not normally be awarded in this category unless the support provider lives 5 miles or more from the person needing support. However, where there is no access to personal transport and significant difficulties with public transport; and the person requiring the support has limited independence or is fully dependant with no other local support, the distance requirement may be waived.
- Support points will not be awarded where both the support provider and the person needing support live in Hillhead

| Person requiring support | Is mostly Independent | Has limited Independence | Is wholly Dependent |
|--|-----------------------|--------------------------|---------------------|
| Is other support available locally? | | | |
| Yes | 1 | 5 | 15* |
| No | 2 | 10* | 20* |

** applicants with these awards will also be placed in the Priority Group*

Confirmation of the need for support may be required from health care professionals; social work or other agency; and from the support provider.

(e) Social

Covers a wide range of circumstances. Some examples :

- experiencing targeted harassment eg. racial
- experiencing or likely to experience harassment because they are a witness in court
- a death in the home
- a serious crime committed against a household member in or near the home
- to be near a special school or specialist medical facility not available within 5 miles of the home
- experiencing or in danger of domestic violence

| | |
|--------------------------|------|
| Difficulty/Threat | |
| Moderate | 5 |
| Severe * | 10 * |

These awards will generally require evidence from school/health/social work/police/courts (as applicable).

** Applicants approved for this will also be advised to contact EDC Homeless Team and will be placed in the Priority Group.*

(f) Housing below Tolerable Standard (BTS); scheduled for Demolition; in state of considerable disrepair; or lacking amenities

- Below Tolerable Standard * **15 points**
- Subject to demolition or closing orders * **15 points**
- Meeting tolerable but not reasonable standards (Appendix 5) **5 points**

Proof will be required from Building Control, Environmental Health, a Housing or other Agency for these awards

** Applicants with these awards will also be placed in the Priority Group*

(g) Tenure

The following points are awarded to applicants who are :

- Living in the family home wishing to set up their first tenancy **2 points**
- A new or separated household **2 points**
- Living in private rented accommodation * **2 points**
- Living in non-housing accommodation eg. hotel, hospital, prison office, caravan, boat, car etc. * **3 points**
- Living in private rented accommodation with a Notice to Quit which has not been issued as a result of the applicant's conduct * **10 points**
- Owner occupiers whose home is under threat of repossession * **5 points**
- Living between two or more relatives/friends * **3 points**
- Being asked to leave the current accommodation * **3 points**
- Having to leave the family home due separation from partner ** **5 points**
- Having to leave tied accommodation not through choice or conduct (includes armed forces personnel) * **10 points**
- In care/supported accommodation and are deemed ready for independent living by social work or care/support giver * **10 points**
- Accepted as unintentionally homeless by EDC * *** **5 points**

** proof will be required*

*** Tenants (or their partners) of the Association, East Dunbartonshire Council or Antonine Housing Association, will be placed in the Priority Group*

**** Applicants with these points will be placed in the Priority Group*

Note : only one award will be made in this category

(h) Sharing Amenities

Points are awarded for each amenity listed below which is shared with others who are not part of the household seeking rehousing.

Amenities :

- Bath/Shower
- Kitchen
- Toilet
- Living Room

For each amenity shared with family/friends an award is made of **1 point**

For each amenity shared with strangers (eg. in a bedsit, hostel etc.) **2 points**

(i) Families Needs

(a) Children living in Common Entry Flats

Families with children under fourteen are considered to have a level of difficulty where they have to use external stairs to access their flat at, or above, the first floor.

We award points as follows :

- Living on first floor **1 point**
- Living above first floor **2 points**

(b) Children living in properties without an exclusive garden area

In recognition of the importance of gardens for families with children, we award **3** points to families with children under 14 who do not have exclusive use of a garden area.

Families living in Scottish Secure Tenancies will have points awards in (a) and (b) above disregarded for 2 years from the start of the tenancy, except where they now qualify for other housing needs points (eg. overcrowding, health etc.)

(j) Time on the List

All applicants will be awarded **1 point** for each full year on the Association's Housing List up to a maximum of **15 points**

2.9 GENERAL RULES FOR ALLOCATIONS

There are a number of general rules for the allocations of properties. These are given in Appendix 4 and may be updated as required, with Committee approval, during the lifetime of this Policy.

2.10 ALLOCATING HOUSES

(a) TARGETS

In order to ensure that a broad range of housing needs are met, the Association sets targets of lets to each housing group.

- The Association's Committee will consider the proportion of lets made to the different Groups during the previous year and agree the proportion of lets to be made to these Groups during the following year, based on needs and demands. This is known as the **Lettings Plan**. The Lettings Plan may also set targets for lets to Sub-Groups
- At the same time, the Committee will also consider the proportion of lets to be made to nominations from East Dunbartonshire Council. This is called the **Nominations Agreement**.

(b) SELECTION OF APPLICANTS TO BE CONSIDERED FOR A VACANT PROPERTY

- The Nominations Agreement and the Lettings Plan will be used as guides to which applicant Group or Sub-Group should be considered for a vacant property
- Generally, the applicant with the highest level of points within that Group or Sub-Group will be made the offer of the property (*but see 2.10(c) below*), unless it is clear from the applicant's expressed preferences or previous refusals, that the vacant property would not be acceptable to them

(c) SENSITIVE LETTING

- Sensitivity seeks to create balanced communities by taking account of the immediate environment; and attempts to avoid over-concentration of problems, issues or difficulties within close proximity.

Section 3: PERFORMANCE MANAGEMENT

We recognise the importance of monitoring this policy to ensure that objectives are met. The following information is published and reported to the Management Committee on an annual basis. It can also be viewed by any interested persons at the Association's office.

3.1 ISSUES MONITORED

Issues that we monitor include the four main areas covered under the Scottish Housing Regulator's regulatory framework.

(a) HOUSING APPLICATIONS

- Number of new applications received, including by factors relating to age, disability, ethnicity and gender
- Number and percentage of applicants processed and acknowledged within target time limits

(b) REVIEWING THE HOUSING LIST

- Number and percentage of applications reviewed
- Number and percentage of applications deleted

(c) HOUSING ALLOCATIONS

- Applicants rehoused by group, including by factors relating to age, disability, ethnicity and gender.

(d) LOCAL AUTHORITY NOMINATIONS

- Number of successful nominations by age, disability, ethnicity and gender

(e) SUSPENSIONS

- Numbers of and reasons for suspensions

(f) APPEALS & COMPLAINTS

- Expressions of dissatisfaction submitted and outcomes, including gathering information on reasons for appeal
- Qualitative issues such as quality of advice provision to service users.
- Key allocation issues raised through our Tenant Satisfaction surveys and actions taken in response.

APPENDIX 1 : LEGAL FRAMEWORK AND GOOD PRACTICE

1. THIS POLICY MEETS THE LEGAL REQUIREMENTS OF :

- The Housing (Scotland) Act 1987 as amended by the 2001, 2010 and 2014 Housing (Scotland) Acts
- The Matrimonial Homes (Family Protection)(Scotland) Act 1981
- The Data Protection Act 1988
- The Human Rights Act 1998
- The Homelessness etc. (Scotland) act 2003
- The Civil Partnership Act 2004
- The Management of Offenders Act 2005
- The Equalities Act 2010 as amended by the 2012 Act
- The General Data Protection Requirements (GDPR) due to be introduced in May 2018

2. THIS POLICY AIMS TO MEETS THE GOOD PRACTICE GUIDANCE OF :

- Social Housing Allocations : A Practice Guide, issued by the Scottish Government in March 2011

3. THIS POLICY AIMS TO MEET THE FOLLOWING OUTCOMES OF THE SOCIAL HOUSING CHARTER :

- **Outcome 1 – Equalities**
 - 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
- **Outcomes 7, 8, 9 & 10 – Housing Options and Access to Social Housing**
 - People looking for housing get information that helps them make informed choices and decisions about a range of housing options available to them
 - Tenants and people on housing lists can review their housing options
 - People at risk of losing their homes get advice on preventing homelessness
 - People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed.

4. WE MAY NOT TAKE ACCOUNT OF THE FOLLOWING :

- Length of time the applicant has lived in Hillhead or the East Dunbartonshire area
- Applicant's age unless a property has been designed or specifically adapted for people of a specific age, for example, sheltered housing
- Applicant's income or income of household members
- Whether or not an applicant lives in the East Dunbartonshire area if the applicant :
 - Works in the area or has been offered full time employment in the area
 - Wants to move into the area to find full time employment and we are satisfied of this
 - Wants to move into the area to give or receive support
 - Has special social or medical reasons for being re-housed in the area
 - Is subject to serious harassment and wants to move into the area
 - Is subject to domestic violence and wants to move into the area

5. THREE RESTRICTIONS THAT ARE UNLAWFUL :

- That an application is in force for a minimum period before being considered
- That a divorce or judicial separation is obtained
- That applicants no longer live with some other person

6. PRIORITY NEEDS

We require to give **reasonable preference** to applicants who are:

- Homeless or threatened with homelessness
- Living in unsuitable housing with housing needs they are unable to meet eg. housing which is :
 - Below the tolerable standard, has a closing order or is to be demolished
 - Highly unsuitable for a disability
 - Severely overcrowded
 - Under-occupied social rented

In each case, the applicant must be unable to meet these needs in their existing home or from their own resources

7. CONFIDENTIALITY

- We treat all information provided by applicants in confidence except where explicitly set out in the application form. This includes seeking applicants' permission to discuss application details with other agencies, as appropriate eg. we may contact previous landlords for a reference
- Personal details of applicants and tenants are processed strictly in line with the legal requirements of the **Data Protection Act 1998** or the **General Data Protection** legislation due to be implemented in May 2018.

APPENDIX 2 : LEGAL STANDARDS

1. SUB-STANDARD HOUSES – The Housing (Scotland) Act 1987 - PART IV Section 86

A house meets the tolerable standard for the purposes of this Act if the house:

- is structurally stable;
- is substantially free from rising or penetrating damp;
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- has an adequate piped supply of wholesome water available within the house;
- has a sink provided with a satisfactory supply of both hot and cold water within the house;
- has a water closet available for the exclusive use of the occupants of the house and suitably located within the house;
- has an effective system for the drainage and disposal of foul and surface water
- has satisfactory facilities for the cooking of food within the house;
- has satisfactory access to all external doors and outbuildings;

2. OVERCROWDING - The Housing (Scotland) Act 1987 Part VII Sections 135 - 137

- **Room Standard**

Contravened where “two persons of opposite sexes who are not...husband/wife/partners must sleep in same room” **BUT**

- children under 10 left out of account
- a room is a bedroom or a living room

- **Space Standard**

Contravened where the number of persons sleeping in a house exceeds the permitted number and floor area of “sleeping rooms” **BUT**

- no account of a child under 1; and child 1-10 = ½ unit
- room is a bedroom or living room

Table 1

| Number of Rooms | Number of Persons |
|-----------------|-------------------|
| 1 | 2 |
| 2 | 3 |
| 3 | 5 |
| 4 | 7½ |
| 5 or more | 2 for each room |

Table 2

| Floor Area of Room | Number of Persons |
|-------------------------|------------------------------------|
| 110 sq ft. or > | 2 |
| 90sq ft. & < 110 sq ft. | 1½ |
| 70 sq ft. & < 90 sq ft. | 1 |
| 50 sq ft. & < 70 sq ft. | ½ |
| Less than 50 sq ft. | Does not count as a habitable room |

A certificate from the Local Authority stating the number and floor area of rooms in a house is evidence for this purpose.

APPENDIX 3 : SUSPENSION FROM THE HOUSING LIST

In accordance with the provisions of the Housing Scotland Act (2001) the Association will only suspend applications for housing in certain circumstances where :

- an applicant has rent arrears or other tenancy related debts (current or former tenancies) of the equivalent of one or more month's rent and has not made an arrangement to repay which has been kept to for a period of three months or more and continues to be kept to.
- there is a current Anti-Social Behaviour Order (ASBO) against the tenant or a member of their household
- an applicant has deliberately worsened their housing circumstances in order to gain points or priority for rehousing eg. where they have had a secure tenancy which they gave up voluntarily **without good reason** (domestic violence; repeated harassment; or targeted anti-social behaviour would be good reasons)
- an applicant has wilfully given false or misleading information on their application for housing
- an applicant has been legally evicted from previous accommodation due to their conduct; the conduct of someone in their household or the conduct of a visitor to their household
- an applicant is an asylum seeker or illegal immigrant who is awaiting a decision from the Home Office on their right to remain in the UK
- an applicant has identified support needs but has refused support
- an applicant or a member of their household has a tenancy related conviction eg. drug dealing, prostitution, fire-raising
- an applicant or member of their household has a proven history of anti-social behaviour, harassment of neighbours or others in the community; violence to staff members; or damage to property
- a tenant has taken in an unauthorised lodger

Applications should only be suspended for limited periods of time. A decision to suspend must be notified to the applicant with a timescale and any conditions for lifting it. **This timescale should be reasonable in the circumstances.**

Suspensions for asylum seekers should reflect the timescale for assessment of their applications to remain in the UK. Suspensions for rent arrears or tenancy related debts should be lifted whenever the initial criteria for suspension no longer applies or after the debt is five years old; otherwise, most other suspended applications should be for a **maximum** of one year unless the behaviour which led to the suspension has continued.

Where the period of initial suspension notified to the applicant has been reached, they should be contacted and advised of whether it has now been lifted, or if not, the reasons for this and a further timescale for it to be considered again.

Suspended applicants have the right to appeal the suspension through the Association's Appeals procedures

In line with good practice we :

- Advise applicants of the reason for and length of suspension to be applied
- Specify any conduct necessary to have the suspension lifted
- Be reasonable in the circumstances
- Monitor suspensions on a regular basis
- Offer an appeals process

Circumstances in which suspensions are not permissible :

- Where there are tenancy related debts which represent less than one month's rent
- Where there are tenancy related debts which represent more than one month's rent but an arrangement has been kept to for at least three months and is continuing to be kept to
- Where the debt was not the responsibility of the applicant ie. where someone else was the tenant of the property where the debt arose
- Where the debt is over five years old
- Where it would impose a minimum length of tenancy before a transfer application could be considered

APPENDIX 4 : GENERAL RULES FOR ALLOCATIONS

1. MAXIMISING OCCUPANCY

We seek to maximise occupancy wherever possible but taking account of needs. In practice this means that where two or more applications have similar points, we will generally choose the largest household compatible with the size of property.

However where there is a compelling need for one household to be considered before another larger household eg. for reasons of special needs, this rule may be waived.

This rule does not apply to properties with one bedroom; and may not apply in lower demand two or three bedroomed properties.

2. MAXIMUM NUMBER OF OFFERS

There is no maximum number of offers, but after three refusals, we invite the applicant to an interview to discuss their requirements in detail. If they do not attend, or if they continue to refuse further offers, they are informed that their application is suspended for 6 months

3. VERIFYING APPLICATIONS

We check application details before offers are made in order to confirm information on applicants' housing needs and preferences. This may include carrying out home visits and seeking confirmation of details from other landlords

The purpose of the home visit is to confirm details provided in the application form. If details are accurate, we will consider making the offer. If details seem to be inaccurate, we ask applicants to clarify matters within three working days. If applicants do not provide details, we may withdraw any offer made. The application may also be suspended

We notify applicants of the visit in advance; contact is made by phone or in writing

We may ask other landlords to visit applicants living outwith reasonable travelling distance of East Dunbartonshire area

4. UNDER-OCCUPYING HOUSEHOLDS

Tenants in high demand larger houses may ask to move to a house with less bedrooms than their present house but more than strictly required by the standards given in 2.8 (a)

Where a house was under-occupied at the point of allocation, no points will be awarded for under-occupation, for 2 years, except in the following circumstances:

- the level of under-occupation has increased since the allocation
- there are other housing needs factors which were not present at the time of allocation

5. OVERCROWDED HOUSEHOLDS

Due to a limited supply of larger housing (3 bedrooms and over) the following will apply:

- Overcrowded households may be considered for houses which would not meet the standard in 2.8 (a) but would reduce the level of overcrowding. They may subsequently apply for the size of house they need and will be awarded the appropriate overcrowding points.
- Households with children of the same sex over 14 may choose for them to share a bedroom, unless this would result in them being statutorily overcrowded. Where this is permitted, points for overcrowding on any subsequent housing application, will be disregarded for a period of 2 years from the start of the tenancy except where there has been a change of circumstances.

6. TEMPORARY ABSENCE FROM HOME

Members of the applicant's household who are **temporarily** absent are taken into account when assessing levels of overcrowding and awarding points. The applicant may be requested to provide proof that the house is the person's only or principal home.

7. RELATIONSHIP BREAKDOWN

Applicants separated due to relationship breakdown will only be awarded full overcrowding points for children for whom they are in receipt of Child Benefit. Where this does not apply, the single lower level of overcrowding points will be awarded and the number of additional bedrooms permitted will be limited to one regardless of how many children there are.

For children beyond the age for which Child Benefit is paid, other proof of their main residence will be required eg. bank, doctor, benefits or employment records.

Where an Association tenant and their partner are separating due to relationship breakdown, the applicant for rehousing will be given priority for housing which is broadly equivalent to their current home. It may however be of a different size, if appropriate.

8 SEPARATED FAMILIES

Families separated due to lack of suitable housing, will be assessed as if all members are occupying one of the properties and given the points applicable to these circumstances

9 OWNERS

Owners may apply to join the list; be placed in groups and pointed according to the policy however in order to be considered for an allocation, they will require to demonstrate that :

- they would be unable to purchase another property which would meet their needs
- they are unable to or would be at risk if they tried to access their property; and that their property is not let to another person

APPENDIX 5 : HOUSE CONDITION

| ELEMENT OF THE SHQS * TO ACTIVATE CONDITION | CONFIRMATION |
|---|--|
| <p><i>Free from serious disrepair</i></p> <p>House fails if:</p> <ul style="list-style-type: none"><input type="checkbox"/> one of the primary elements (wall structures, foundations etc.) requires repair or replacement of more than 20%; or<input type="checkbox"/> two or more of the secondary elements (external wall finishes, windows, doors, damp proof course etc.) requires repair or replacement of more than 20% | <p>A survey by a qualified surveyor would be required confirming that serious disrepair exists before a points award is activated.</p> |

* **Scottish Housing Quality Standard**

Appendix 6: MANAGEMENT DISCRETION

1. MANAGEMENT OR PRIORITY STATUS

The Housing Manager has delegated authority to award Management or Priority status except where Special Case status applies.

2. SPECIAL CASE STATUS

The Management Committee may award Special Case status to applicants in circumstances which are unique or so severe as to merit urgent special attention.

The Housing Manager will prepare a factual in-depth report, stating the grounds for consideration for housing priority. The applicant will not be named in the report.

Where the Management Committee agrees to award Special Case status, the application will be placed in the Management Sub-Group (HHA Transfer Group); or in the Priority Sub-Groups (other RSL tenants & Housing List) for one offer of accommodation only.

3. BEST USE OF STOCK

The Housing Manager may exercise discretion, in exceptional circumstances, to transfer a customer outwith the general policy principles in order to achieve a vacant dwelling. Some examples would be (these are not exhaustive) :

- An underoccupying tenant occupying a high demand house, where others in their group may have more points but whose houses are in less demand
- Where a property has been built or adapted for a person with significant mobility needs and the current occupants do not require these; and there is another household on the Association's Lists for whom the property would meet their mobility needs

4. PROPERTIES WHERE 3 OR MORE OFFERS HAVE BEEN REFUSED

Where a house has been formally offered to 3 eligible applicants and all 3 have refused the offer, the Housing Manager may authorise offering the property to any interested applicant.

This will generally only be considered in cases where a property is of lower demand, and where continuing to make offers based on the existing queues, is judged unlikely to quickly result in a successful outcome.

Where there is more than one such applicant, offers will reflect each applicant's comparative points and priorities. All other parts of the allocation policy will be adhered to strictly in this process.

5. LOCAL LETTINGS INITIATIVES

The Association may depart from the Allocations Policy where a formally documented Local Lettings Initiative has been established.

Appendix 7: APPEALS AND COMPLAINTS

This section summarises our procedures for appeals and complaints. Appeals and complaints differ in nature as is now explained.

1. APPEALS

Hillhead tenants and service users may appeal any decision relating to this policy; this covers admission to the list; the award of points; and actual house letting. Appeals may be raised, for example, if an applicant for housing believes that he or she has received insufficient points as determined by allocation policy principles.

There is a two stage appeals procedure.

- **Review by the Housing Manager**

Following the receipt of an allocation decision, an applicant may appeal against our decision and ask for it to be reviewed. The review request must be in writing from the applicant or a third party acting on their behalf.

The appeal should be submitted **within twenty one days** of notification of our original decision. This time scale is based on the statutory time scale that applies in the case of homelessness appeals.

On request, we can assist the applicant to lodge their appeal. For example, a member of staff not involved with the case can compile basic case details and reasons for the appeal. Alternatively, a voluntary organisation such as the Citizens Advice Bureau (CAB) could submit an appeal on the applicants behalf.

The Housing Manager will investigate the circumstances of the appeal **within ten working days** * of its receipt and will write to the applicant with the outcome of their findings. If the applicant is still not entirely satisfied, then the appeal will progress to the Director.

If however the appeal is about a decision by the Housing Manager eg. the award of discretionary points (health, support, social etc.), it will be investigated by the Director.

- **Review by the Director**

The Director will carry out an investigation and respond **within ten working days** *.

* Since these processes are carried out by individuals, the target days will exclude annual and other leave days; and days out of the office.

2. COMPLAINTS

Appeals need to be distinguished from complaints for which we operate a separate procedure. For instance, complaints might arise if applicants do not receive offers to which they are entitled; or our services don't meet our agreed standards.

The complaints procedure allows service users to complain or make comment about the quality of service. Information on how to complain is provided to all tenants and housing list applicants. Copies of the complaints procedure are available at the Association's office.

If applicants are dissatisfied with our response, we provide them with information concerning how to make complaints to the Scottish Public Services Ombudsman; the Ombudsman deals with complaints involving maladministration.