



Allocations Policy

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Policy Version	Date of Approval	Changes made to Policy
Version V1	11 November 2010	
Version V2		Full rewrite

Langstane Housing Association Limited

Allocations Policy

1. Introduction

Langstane Housing Association is committed to ensuring that the allocations process is fair, transparent and non-discriminatory, targeting those in the greatest housing need as prescribed by the Housing (Scotland) Act 2001 as being in a 'reasonable preference' group. These are:

- those who are homeless or at risk of homelessness
- those who are living in overcrowded accommodation
- those living in housing in unsatisfactory condition

2. Policy Statement

This policy is designed to support an open and transparent allocations process that ensures empty properties are allocated to those in most housing need.

In doing this the nature of the stock must be considered within policy, as a high proportion of the Association's properties are one-bedroom flats. This allows the Association to remain consistent with the ethos of housing single applicants who may be homeless but also new emerging applicants who wish to leave the parental home but are unable to do so.

A wide range of complex needs must be taken into account during the process of letting properties. Applications are assessed by a points based system (Appendix 1) this will ensure that the correct property is let to the most appropriate applicant in order to aid sustainability of the tenancy.

The Association will at all times ensure that its policy and practices adhere to the obligations within legislation, and also reflect best practice highlighted by the Scottish Federation of Housing Associations, the Chartered Institute of Housing and the Scottish Housing Regulator.

This policy supports the Association in meeting its key objective in the Business Plan of 'delivering excellent customer-focussed services', 'strengthening social inclusion in the communities served' and the core value of 'acting with integrity and being open and transparent at all times'

3. Objectives

The objectives of the policy are to:

- to make the best use of available stock
- to create and maintain balanced, stable and diverse communities
- to allocate properties to those in most need
- to work with the local authorities and other partners towards reducing homelessness

- to ensure tenants have access to support that will help sustain their tenancy

4. Links to Other Policies

- Lettable Standard Policy
- Rent Management Policy
- Anti Social Behaviour Policy
- Data Protection Policy
- Former Tenant Debt Recovery
- Unacceptable Actions Policy
- Harassment Policy
- Void Management Policy
- Entitlements Payments and Benefits Policy
- Equal Opportunities Policy

5. Access to the Housing List

Any person aged 16 years or over can apply to the Association at any time, regardless of their current housing circumstances or location. Applications are submitted via the Apply4Homes website which is then interfaced with the Association's own housing management system. The Association aims to process applications within 28 days of the form being received.

The Association will ensure that in addition to applying online there are other appropriate and varied opportunities for applications to be made.

The Association has a separate Equal Opportunities Policy, and is committed to ensuring equal opportunities across all activities. In relation to the Allocations policy, the aim of the Association is to maximise access to the housing list to all people regardless of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity.

Translation and interpretation services will be considered upon request. Information may be made available in other formats including audio, Braille, large print and Easy Read. The Association works in partnership with other organisations in order to engage with a range of groups in the community and share good practice in equality and diversity.

6. Allocating from the Housing List

The Association has two housing lists: General Needs and the Transfer List. Allocations are made on a target percentage share of the vacancies and are based on the total number of re-lets or new lets in any year. The quotas or targets are:

- Target: 25% Transfer lists (minimum)
- Target: 25% General Needs (minimum)

In addition to the two housing lists a target of 50% of re-lets are made available to the local authorities for nominations from their own lists. This is subject to annual discussion and revision and forms part of a nomination agreement.

The only exceptions to these quotas are where there is an allocation to a third party agency (Board approval to lease to a third party agency is required), a specially adapted property which is let to ensure best use of the property, or where a Local Lettings Initiative is in place (see section 12).

General Needs Allocations

The Association will let properties on the basis of housing need, which is determined using a points system (Appendix 1). When a vacancy arises for a General Needs List applicant, a shortlist is produced for those applicants with the highest points for that property type and location.

Where two or more applicants have the same number of points, the applicant who has been registered on the housing list for the longest time will be given priority over the other applicant. The Association reserves the right to make exceptions to this rule in a prescribed situation:

- where there is a specific community sustainability issue which has been raised, and the person at the top of the list is unsuitable, for example where anti social behaviour has been identified in a block of flats and the allocation will make the issue worse.

In cases where an applicant has been overlooked for a vacancy, this is recorded with the reasons for the decision. Monthly reports of overlooked applicants are made available in order to ensure that the circumstances are reviewed and no applicants are being unfairly disadvantaged and applicants continue to be considered for future vacancies.

In all cases there are checks required prior to an offer being made. These include:

- tenancy checks for all previous and current tenancies
- confirmation of housing need
- home visits as instructed by senior staff, or if requested by the applicant

The required checks will be in place prior to an offer being made to the applicant.

Transfer Allocations

The Association supports current tenants who require or aspire to move home. The same points based system is used to prioritise applications in housing need with the following checks completed prior to any offer:

- home visit – to ensure that there is no unreasonable damage to the current property
- tenancy check – for debt due to the Association and tenancy conduct. No offer will be made to any transfer applicant if the Association is in the process of taking legal action against them. Where there is debt relating to a tenancy – this debt will be equivalent to more than one month's rent. The application will be suspended if there is no agreement in place to repay the debt, or if an agreement has not been adhered to for three consecutive months, any debt will be discussed with the tenant in relation to an offer and the tenant encouraged to clear any outstanding sums due

7. Mutual Exchange

The Association will consider a request for a mutual exchange with a tenant of either a local authority or housing association property. Permission to exchange will only be withheld where it is reasonable to do so. These reasons include:

- where the exchange creates either overcrowding or under occupation
- where a property has been adapted the incoming tenant has no requirement for the adaptation/s
- where there is on-going legal action against either party to the exchange
- where satisfactory tenancy reports have not been received for either party to the exchange
- where there are arrears of rent or any outstanding sums due to the Association or any other party to the exchange

Consent or refusal of an application to exchange will be made within one month of the application being made.

8. Management Transfers

In certain circumstances it may be that a current tenant requires to be moved to a different property, and this would take place outside the normal allocations process. This will be authorised only in exceptional circumstances, such as the tenant being a victim of violence or harassment and must be moved from the tenancy for their own safety.

In all cases, a report is made to the Housing Services Manager who will review the case and has the final decision. Any deviation from policy will require approval from the Operational Services Committee.

9. Property Size - Number of Bedrooms Required

Given the shortage of social housing the Association aims to maximise occupation where it is reasonable to do so. The following standards will apply:

- One bedroom per couple
- One bedroom for two children of different sexes where both are under 8 years old

- One bedroom for two children of the same sex up to the age of 10 years old, unless there is agreement for them to share after that age
- Not more than two people sharing any bedroom
- Bedroom provision will be made for an unborn child within two months of the expected delivery date
- One additional bedroom where there is access to a child and it can be evidenced that this amounts to approximately 50% or more of the time in any one year. This could, for example, be where access is restricted to weekends and one day per week and school holidays so a degree of flexibility will be required and each case will be considered individually.
- One additional bedroom on medical grounds where evidence is provided of this requirement.
- Rooms under 6.55 m² (50 square feet) are to be ignored.

10. Local Authority Nominations

The Association has nomination arrangements in place with Aberdeen City Council, Aberdeenshire Council and The Moray Council. This is a process whereby an agreed proportion of vacancies which arise are offered to the relevant local authority to assist them to meet their targets to reduce homelessness in addition to general nominations. This is usually 50% of the vacancies, but this can be higher in certain circumstances such as in some new developments where the Local Authority has contributed grant funding and has specified a higher requirement of nominations upon completion, reverting to normal policy thereafter.

Service Level Agreements in place with each local authority to allow both sides to monitor the nominations process, and to ensure that neither the Association nor the local authority is disadvantaged in trying to achieve policy objectives.

11. Other Agency Referrals

The Association will work with partner agencies in specific circumstances in order to make a small proportion of allocations. These are listed below:

- a specific support project managed by a partner agency will be let via a process of referral. This will be on the basis of a Short Scottish Secure Tenancy directly to the tenant or, in some cases an Occupancy Agreement with the partner agency.
- adapted or wheelchair standard properties will be let to persons requiring those adaptations. This is best achieved by working in partnership with specialist agencies such as the Disabled Person's Housing Service in Aberdeen and Houseability in Aberdeenshire who can assist with matching the person with the highest level of need to that property.

12. Local Lettings Initiatives (LLI)

The Association may use Local Lettings Initiatives to manage allocations in order to support sustainable communities. Where this is the case the

Association will also consider the Local Housing Strategy for that local authority area.

A LLI may be considered in circumstances where the Association has difficulty allocating properties due to size, type or location. These are what are described as low demand properties and are defined as having been refused three or more times for reasons relating to the property.

When a vacancy arises which is in an area of low demand, the Association reserves the right to adopt a Local Lettings Initiative (LLI) in order to ensure that empty properties are allocated without undue delay and performance is maximised. All LLIs must be approved by the Director of Housing and Social Justice, and must be reported to the Operational Services Committee. Local Lettings Initiatives may include:

- referring the vacancy to a partner agency for a potential applicant
- advertising the vacancy, but ensuring that all people who respond to the advert are prioritised based on housing need.
- contacting local employers, especially those of key workers such as the Police and the NHS to find out if there are any potential applicants for the property

13. Suspensions

The Housing (Scotland) Act 2001 prevents exclusion from the waiting list except where:

- the applicant has died
- the applicant has requested removal from the list
- the applicant has failed to respond to a review (following the appropriate reminder)

Following an application being accepted onto the waiting list it may subsequently be suspended.

Any exclusion via a suspension will have regard to the Housing (Scotland) Act 2001 and Article 8 of the Human Rights Act 1998. In certain circumstances it will be necessary to suspend applicants from being considered for vacant properties until the reason for the suspension has been resolved, or until a specified period of time has lapsed.

The Association will not operate a blanket approach to suspensions but will consider each case individually based on the applicant's circumstances. The Association will review suspended applications on a regular basis. Reasons for suspension are listed below:

- debt relating to a tenancy – this debt will be equivalent to more than one month's rent. The application will be suspended if there is no agreement in place to repay the debt, or if an agreement has not been adhered to for three consecutive months

- an unsatisfactory tenancy report where it includes a confirmed case of the applicant(s) being responsible for unreasonable damage to property, misuse of the property for illegal purposes, anti-social behaviour, harassment or racial abuse
- provision of false information – if the applicant has knowingly supplied false information on their application, then the application will be suspended for a six month period. Following the suspension, the applicant must provide accurate information in relation to their housing circumstances in order to satisfy the Association that all information on the application is correct
- the applicant behaves in a violent or threatening manner towards Association staff

In suspending an applicant from receiving an offer of housing consideration will be given to:

- any unsatisfactory tenancy report and when this occurred
- the nature, frequency, and length of any conduct
- any health or disability issue that could be reasonably seen to have a bearing on conduct
- an applicant who was under 18 years of age and unsupported at the time of the tenancy breakdown
- If it is found that an applicant has purposely changed address or acted to deliberately worsen their housing circumstances in an attempt to increase the award of points, no such award will be made for a period of twelve months.

Applicants who have been suspended from receiving offers will be notified in writing which will clearly set out the reasons for their suspension, the duration of the suspension and any conditions they are required to meet in order to be made an offer in the future. Information will be provided on how to appeal a suspension.

It is the applicant's responsibility to inform the Association once they have met these conditions and are once again eligible to be made an offer. Any application will remain suspended until such time as the applicant has informed the Association that their circumstances have changed.

This will not be applied where the only condition applied is a time bar (i.e. not to be considered for 6 months). In those circumstances the Association will contact the applicant to let them know their suspension has expired and they are once again eligible for allocation to a property.

Where an applicant refuses a suitable offer of housing no penalty or suspension will be applied however where a number of offers are refused because of the location of the property the applicant will be invited to review their areas of choice.

14. Review and Cancellations

Applications will be reviewed annually by the Apply4Homes administration staff. Where an applicant does not respond to correspondence from the Apply4Homes partnership the application will be cancelled. In addition where an applicant is re-housed by one of the Apply4Homes partners the application will be cancelled from the system.

15. Multi Agency Public Protection Arrangements

The Association will have due regard to MAPPA (Multi Agency Public Protection Arrangements) where these are in place to ensure community safety.

Anyone seeking to be housed, who is subject to the notification requirements of the Sexual Offences Act 2003 is required to contact the local authority Sex Offender Liaison Officer (SOLO) and make a separate application out with the Apply4Homes process. An applicant applying for housing by this means will be subject to the same conditions as any other applicant in terms of assessment and pointing. Any allocation made will be subject to local authority / police approval.

16. Tenancies

In the majority of cases the Association will provide a Scottish Secure Tenancy to tenants however in a limited range of circumstances a Short Scottish Secure Tenancy may be offered. These are strictly controlled in order to ensure that applicants offered the most secure accommodation possible. The provisions for the use of SSSTs are detailed in Schedule 6 of the Housing (Scotland) Act 2001.

17. Appeals

Applicants have the right to appeal decisions at any point in the allocations process. The appeal will be responded to within 28 days. Matters which may be appealed include:

- Suspensions from the list
- Cancellation of an application
- Objection to the points awarded to the application

All appeals will be dealt with by Housing Services Manager in the first instance. If an applicant is not satisfied with the outcome of the appeal, then the matter will be referred to the Director of Housing and Social Justice for review.

18. Confidentiality

The information given by the applicant and sought by the Association is used to determine housing need. This information will be treated in the strictest confidence and in accordance with the Data Protection Act 1998. An applicant

has a right to see any information held about him/her in any format. If an applicant should wish to see any such information they may contact the Association in writing to make their request. The Association will respond within 28 days. An appropriate charge will be made as necessary. Where information is supplied by a third party, written consent of that party will be required before it is provided to the applicant. Where the Association is required by law to share information it will do so.

Governing Body members of the Association, everyone who works for Langstane Housing Association and any subsidiaries either as a direct employee, a contractor, a consultant or a volunteer and those who have held the above position within the last 12 months will require to have any allocation of housing registered in accordance with the Entitlements, Payments and Benefits Policy.

19. Information and Advice

Demand for the Association's housing stock is always greater than the available supply, so a large number of the applications made will not be successful. Therefore the Association provides applicants with a realistic assessment of their prospects of being housed, and provides information about available alternatives. This will ensure that people who apply for housing are in a position to make an informed choice about their housing options.

The information provided by the Association will be in plain language, and accessible in a variety of languages and formats on request.

20. Monitoring and Review

Checks are in place to ensure properties are allocated in accordance with the Allocations Policy. This includes allocations being signed off and a regular audit of allocations.

Monthly and quarterly reports are received by senior staff and the Operational Services Committee in order to review and monitor performance.

Right to Complain

In the event you are not satisfied with the service you have received, please contact the Association for a copy of our Complaints Policy, which can also be viewed on our website – www.langstane-ha.co.uk

Equality and Diversity

The Association is committed to promoting equality and diversity across all areas of its work, and discrimination or harassment of any kind is not tolerated.