



## **Allocations Policy for Cloch Housing Association, Oak Tree Housing Association, Larkfield Housing Association and Link Housing Association**

Policy Reviewed April 2015

### **Contents**

- 1.0 Introduction
  - 2.0 How to apply for Housing
  - 3.0 Rules Affecting Applicants
  - 4.0 The Allocation System
  - 5.0 Rules Affecting Allocations
  - 6.0 Decision Taking and Appeals
  - 7.0 Monitoring And Review
- Appendix 1 Allocation of Points

## **1.0 Introduction**

- 1.1 Inverclyde Common Housing Register (ICHR) is a partnership between Cloch Housing Association, Oak Tree Housing Association, Larkfield Housing Association and Link Housing Association. The associations provide and manage good quality, affordable homes for people in housing need. The ICHR provides the lettings service to allocate the homes provided. Inverclyde Council and Inverclyde Health and Social Care Partnership (HSCP) are stakeholder members and support the work of ICHR.
- 1.2 Inverclyde Common Housing Register's Allocations Policy covers the letting of all properties owned by the participating landlords as they become vacant. The policy allows for lets to people referred by other agencies and to applicants who apply direct to the ICHR for housing. The participating landlords will allocate housing to direct applicants to the housing list according to a Choice Based Lettings system.
- 1.3 The prime aim of Inverclyde Common Housing Register's Allocations Policy is to provide good quality affordable rented accommodation to those in greatest housing need. The ICHR partners seek to build sustainable communities.
- 1.4 The policy aims to assess the needs of each individual applicant whilst balancing their needs against other applicants and making the best use of the participating landlord's stock. The ICHR uses a points system to measure housing need.
- 1.5 The demand for available accommodation for most areas exceeds supply and the participating landlords cannot realistically hope to re-house all applicants. However, we will seek to maximise the opportunities for housing open to each applicant. We aim to advise applicants about the range of the housing options available to them as well as how to pursue a house in the social rented sector.
- 1.6 The policy aims to be fair and to be seen to be fair.
- 1.7 Applicants will not be treated less favourably than other applicants on the grounds of gender, gender reassignment, family circumstances, health status, race, nationality, language, social origin, marital status, age, religion, disability, culture, lifestyle, employment, economic status, sexual orientation or personal attributes including beliefs such as religious beliefs or political opinions. ICHR will comply with legislation, guidance and good practice in the allocation of their homes.
- 1.8 The Allocations Policy complies with statutory requirements, Scottish Housing Regulator, 'Scottish Social Housing Charter' for Social Landlords' and 'Social Housing Allocations - A Practice Guide March 2011'.
- 1.9 ICHR may modify the policy as may be considered appropriate to reflect changing needs and demands, at any time. Any proposed changes will be widely consulted on and publicised amongst tenants, applicants, and partner agencies.
- 1.10 Copies of the summary of the Allocations Policy will be freely available from ICHR and our website or from any of the participating landlords or stakeholders. A copy of the full policy is available on request. Both are available in large print, on tape or in an alternative format on request. The policy & the policy summary can be made available in different languages.

## **2.0 How To Apply For Housing**

- 2.1 There are a number of ways people can access housing through the ICHR. This will include:
  - 2.1.1 Applying to the housing list - Applications can be made by completing our online form at [www.inverclydechr.org.uk](http://www.inverclydechr.org.uk). Assistance with completing the on-line application is available.

- 2.1.2 The ICHR will maintain a list of people seeking housing. Allocations of available properties to the housing list will be made according to a Choice Based Lettings System described in section 4.3.
- 2.1.3 Transfer List - Existing tenants of any of the participating landlords can apply to the ICHR as detailed above. Each of the participating landlords will allocate an agreed share of available lets for their own tenants who wish to transfer to another property. Allocations of available properties to the Transfer List will be made according to the Choice Based Lettings System described in section 4.3.
- 2.1.4 Section 5 Referrals – Inverclyde Council has the right to make referrals of people who are homeless or threatened with homelessness under the Housing (Scotland) Act 2001. The participating landlords allocate an agreed share of available properties to provide people in this group with secure tenancies. Applicants who are homeless should seek advice from the Homeless Service of Inverclyde Council.
- 2.1.5 Referrals from the Inverclyde Health and Social Care Partnership (HSCP) – The participating landlords have agreed to accept referrals from the HSCP of people in housing need including people in the following groups:
- People with physical disabilities;
  - People with mental health problems;
  - People with learning disabilities;
  - Vulnerable young people;
  - People suffering a dementia illness;
  - People with addictions;
  - Families with children with special needs
- 2.1.6 Some specially adapted properties or properties in schemes which have a high level of support to assist tenants will be let only through HSCP referrals.
- 2.1.7 Referrals from other agencies of people in housing need. – ICHR may accept referrals from other agencies by agreement including Womens Aid and Positive Action In Housing. Agencies will be identified in each participating landlord’s Lettings Plan.
- 2.1.8 Mutual Exchange – Any tenant of the participating landlords may find a suitable public sector tenant who wishes to exchange property with them and they may apply to exchange. The landlords of both tenants must agree to the exchange. Some participating landlords subscribe to an online mutual exchange matching service which provides a free service to tenants for moves locally and nationally. We can assist tenants in finding possible mutual exchange partners.
- 2.1.9 An applicant may choose to apply for housing directly or indirectly through one or more of the routes into housing above.
- 2.2 The participating landlords aim to provide advice on other ways to access suitable housing which could meet the applicant’s needs and resources. These may include:
- Private rented sector
  - Shared equity or shared ownership schemes
  - Supported accommodation
  - Downsizing to a smaller or more affordable owner occupied property
  - Care and repair scheme
  - Adaptations to existing housing

### **3.0 Rules Affecting Applicants**

#### **3.1 Eligibility**

- 3.1.1 Applications will be accepted and assessed from any person who is 16 years or over in age. Any applicant may apply and have their housing need assessed at any time.
- 3.1.2 In addition, applications can be made indirectly through Inverclyde Council's Homeless Service, the Health and Social Care Partnership (HSCP) and any agency approved for making referrals described in Section 2.

#### **3.2 Verification**

- 3.2.1 The Applicant must, when requested, provide confirmation of any of the relevant circumstances stated on their application. If satisfactory verification cannot be provided within a reasonable timescale of the request, in line with ICHR's procedures, the application will be reassessed and points removed. An application may be suspended from receiving offers whilst satisfactory verification is outstanding.
- 3.2.2 All applicants will be visited prior to any offer of housing. A visit will be made to verify the accuracy of the application details and to allow applicants the opportunity to discuss their application. Information will be sought regarding current and former tenancies as required.
- 3.2.3 As an applicant's circumstances may be of a delicate nature, ICHR staff will endeavour to deal sensitively with the issues when requesting verification. Verification will be required in line with the availability of evidence and the circumstances of the case.

#### **3.3 Change of Circumstances**

- 3.3.1 It is the applicant's responsibility to amend their online application with any change in their circumstances as it may result in a change to their point's award. Following a change of address, the applicant will be required to amend their online application which will be reassessed. Failure to notify a change of address may lead to the application being removed from the list.
- 3.3.2 The ICHR will carry out regular reviews of the housing list to identify where an applicant's circumstances have changed, and to ensure applicants who are no longer seeking housing are removed from the list.

#### **3.4 False Declaration**

- 3.4.1 Any applicant, who knowingly gives false information or withholds relevant information in order to increase their chances of housing, will have their application suspended from receiving offers for 1 year and any offer of housing cancelled.
- 3.4.2 If a tenancy is granted before the deception is revealed the landlord association will take action to recover possession of the property.

#### **3.5 Deliberate Worsening Of Circumstances**

- 3.5.1 Applicants who previously had suitable accommodation and have either voluntarily given it up or lost it as a result of their own actions may not receive any points for a period of 1 year from the date they officially left their property unless good reason can be demonstrated.

- 3.5.2 Applicants who, in the opinion of the ICHR, have deliberately worsened their housing circumstances in order to gain priority may not receive any points for a period of 1 year from the date they officially left their previous address. This occurs when an applicant vacates suitable accommodation without good reason to take up residence in unsuitable accommodation without any reasonable cause.

### **3.6 Convictions**

- 3.6.1 Applicants with a current conviction for theft or vandalism against any of the participating landlords' property or relating to harassment, violence or threatening behaviour to participating landlords' residents, staff or governing body members may have their application suspended from receiving offers until their conviction is spent.

### **3.7 Applicants Residing with Tenants of Participating Landlords'**

- 3.7.1 An applicant who is staying "care of" a tenant of a participating landlord and who is not a permanent member of the household will not be accepted as a member of the household until formal permission has been granted to the tenant for them to reside at that address. Points will not be awarded until permission to reside has been obtained from the relevant participating landlord.

### **3.8 Community Care Assessments**

- 3.8.1 Where an applicant may have community care or support needs, the ICHR may arrange for a Single Shared Assessment to be carried out prior to processing the application. The participating landlords will seek to work with care providers and the applicant to agree an appropriate care package acceptable to all parties.
- 3.8.2 If the participating landlords and an appropriate agency (e.g. HSCP) agree that an applicant will be unable to properly sustain a tenancy without a support package, any offer will be subject to a support package being agreed.

### **3.9 Tenancy Record**

- 3.9.1 Where an applicant has a previous or existing tenancy in the social rented sector in the last three years, the association will request a tenancy reference. Where concern is raised over arrears, rechargeable repairs, anti-social behaviour or any other significant breach of tenancy, the application may be suspended from receiving offers and any offer of housing made may be withdrawn in line with the participating landlords' procedures. Consideration will be given to: -
- the seriousness of the breach
  - any arrangements to remedy the breach including the applicant's commitment to remedying past problems
  - the time lapse since the breach
  - any change in the applicant's circumstances which may affect their conduct in any future tenancy
  - the level of housing need
- 3.9.2 Applications which are suspended from receiving offers will be reviewed as new information becomes available or on a minimum of a quarterly basis. Applicants will be informed in writing of the reason for the suspension, any steps they can take to remove the suspension and their right of appeal.

3.9.3 In line with Section 20 of the Housing (Scotland) Act 1987 as amended by Section 10(3) of the Housing (Scotland) Act 2001, no account will be taken of:

- any outstanding liability attributable to a house of which the applicant was not the tenant
- any rent or other arrears which are no longer outstanding
- any rent or related liability which is less than 1/12<sup>th</sup> of the annual amount payable or where the applicant has agreed and is maintaining a repayment arrangement and has maintained the payments at the agreed rate for 3 months
- any outstanding debts of the applicant which do not relate to the tenancy of a house

3.9.4 Where there had been previous tenancy problems relating to anti-social behaviour, it may be appropriate to consider a "probationary tenancy period" and offer a Short Scottish Secure Tenancy in accordance with the provisions set out in the Housing (Scotland) Act 2001 Schedule 6. This would apply in relation to:

- lets to persons against whom an order for recovery of possession on the grounds of anti-social behaviour in relation to a tenancy in Scotland, England, Wales or Northern Ireland, has been made within a period of 3 years prior to the service of a notice that a Short SST will be offered;
- lets to persons where they or other members of their household are the subject of anti-social behaviour orders granted under Section 19 of the Crime and Disorder Act 1998 or the Antisocial Behaviour etc (Scotland) Act 2004, Section 4.

3.9.5 The Short Scottish Secure Tenancy would be subject to review in line with statutory procedures during the first 6 month term to determine if the tenant's conduct has been satisfactory. A decision would be taken as to whether to terminate the tenancy, to convert the tenancy to a Scottish Secure tenancy or to continue the Short Scottish Secure Tenancy for a further 6 months.

### **3.10 Joint Applications**

3.10.1 Where a joint application is made, the availability of accommodation to either party will be taken into account in assessing the application. Either party can make a separate application to have their individual needs assessed.

### **3.11 Relationship Breakdown**

3.11.1 Where the relationship of existing joint tenants or owners has broken down, the ICHR will advise them to reach agreement on who will retain the tenancy or occupancy. If agreement cannot be reached, the ICHR must take account of any Court Order determining who is entitled to do so.

3.11.2 Either party to a relationship breakdown in any tenure can apply for housing and will be treated as a separate household for the purposes of awarding points to the application.

### **3.12 Domestic Abuse**

3.12.1 Inverclyde Common Housing Register recognises that people have a right to a life free from violence and abuse. The perpetrator of abuse is the party responsible for the abuse not the victim. We recognise that domestic abuse can be experienced by women, men, or in same sex relationships and that it can involve any family relationship.

3.12.2 Tenants and applicants who are being abused or are threatened with abuse, by any member of their household may be considered for a discretionary management allocation. In addition, they will be advised of the appropriate agencies to approach should they wish to do so and their right to apply to Inverclyde Council under the provisions of the Homeless legislation. They will be advised of their right to remain safely in their existing accommodation.

3.12.3 The ICHR will accept referrals from Inverclyde Womens Aid and each participating landlord will agree a quota of empty properties in any year for Womens Aid allocations.

### **3.13 Offenders**

3.13.1 The participating landlords will comply with the 'duty to co-operate' with the responsible authorities imposed by the Management of Offenders Etc (Scotland) Act 2005. The relevant officer in each of the participating landlords will be the nominated Link Officer. All housing decisions relating to an offender will be in line with the relevant legislation and multi-agency protocols.

### **3.14 People From Abroad**

3.14.1 People subject to immigration control must declare this on the application. Eligibility for housing with the participating landlords will require to be assessed in terms of the Housing (Scotland) Act 1987 as amended and asylum and immigration legislation. People may remain on the housing list, but will be asked to provide evidence of their immigration status before we can confirm if they are eligible for any offer of rehousing.

### **3.15 Orders relating to Children**

3.15.1 When assessing points, children will only be accepted as part of an applicant's household where they reside with the applicant or the applicant has access to the children at least three nights per week. Verification of the access arrangement will be required.

### **3.16 Applications from Employees, Governing body members etc.**

3.16.1 The participating landlords may grant a tenancy to its own employees, governing body members, former employees, former governing body members or close relations of the above in line with the Allocations Policy. In the event of such a tenancy being granted, the decision made with regard to this tenancy must comply with the guidelines laid down in the policies of each participating landlord in relation to the granting of benefits to staff and/or committee members.

### **3.17 Equalities**

3.17.1 ICHR has a duty to encourage equal opportunities and provide services in a way that promotes equality. As a way of fulfilling this commitment to equal opportunities, the ICHR will collect and monitor details of the ethnic origin, gender, age, marital status, family composition and disability status of applicants.

3.17.2 ICHR will endeavour to make appropriate arrangements for providing information to potential applicants who use a language other than English, who have communication difficulties or a visual impairment. Applicants may choose to request an interview with a member of staff of the same gender.

- 3.17.3 Any person who believes that he/she has not been offered equal treatment in line with this policy may pursue the matter through the ICHR's published complaints procedures (available from ICHR) with the right of appeal to the Scottish Public Services Ombudsman. This is in addition to their right to seek independent advice from a solicitor or other appropriate body such as the Equalities Commission.

### **3.18 Data Protection & Confidentiality**

- 3.18.1 All information supplied to the ICHR by applicants will be treated as strictly confidential and will be handled in line with Data Protection Act 1998. Information will not be revealed to any other party without the prior consent of the applicant or in line with data protection principles. Applicants have the right to inspect any records held on their housing application.
- 3.18.2 The ICHR have to make enquiries to confirm information provided in the application. Express consent is granted by the applicant by accepting the declaration on the application for data to be revealed to allow exchange of information with other agencies where appropriate and for their application to form part of any future tenancy record.

## **4.0 Allocations System**

### **4.1 Quota System**

- 4.1.1 Each participating landlord allocates a percentage of all available properties to the following groups according to agreed quotas which are determined and published each year in their Lettings Plan. The target percentage allocated to each quota by each participating landlord is summarised in Appendix 1. Quotas are set individually by each participating landlords Management Committee on an annual basis; this forms part of each participating landlords Lettings Plan which is reviewed each year.
- 4.1.2 Transfer List - Existing tenants of one of the participating landlords seeking a move. Priority on the transfer list is determined by the best match to the property available according to the size, type, attributes and location of the property and the number of points awarded to the application. An applicant can only be considered for a transfer by their own landlord, but may apply to the remaining landlords at the same time as a housing list applicant. Applicants will only be considered for properties where they have submitted a bid under the Choice Based Letting System described in 4.3 below.
- 4.1.3 Housing List - Those applying for housing using ICHR's online housing application process. Priority on the housing list will be determined by the best match to the property available according to the size, type, attributes and location of the property and by the number of points awarded to the application. Applicants will only be considered for properties where they have submitted a bid under the Choice Based Letting System described in 4.3 below.
- 4.1.4 Inverclyde Council Referrals under Section 5 of the Housing (Scotland) Act 2001 - ICHR will maintain a list of people who have been referred to them by the Homeless Service. Priority on the list of referrals will be determined by the best match to the property available according to the size and location of the property and to any other factor agreed with Inverclyde Council.
- 4.1.5 HSCP Referrals of people with Community Care Needs – ICHR will maintain a list of people who have been referred to them by the HSCP. People who have housing and community care needs in the groups outlined below may be referred for housing which meets their specific needs. Priority will be determined by factors agreed with the HSCP:



- People with physical disabilities;
- People with mental health problems;
- People with learning disabilities;
- Vulnerable young people;
- People suffering a dementia illness;
- People with addictions;
- Families with children with special needs

4.1.6 Referrals from other approved agencies - Priority will be agreed on a case by case basis.

4.1.7 Discretionary Quotas – Participating landlords may choose to identify other quotas in their annual lettings plan. For example, a quota to assist with regeneration to enable existing residents of an area to be rehoused prior to demolition taking place or a quota to assist tenants adversely affected by changes in welfare benefits to find accommodation which they could better afford.

4.1.8 With the exception of discretionary quotas, the quota is allocated in strict rotation at the point it is known that a property is going to become available. This is to ensure that all quotas get a fair proportion of the properties which are either low or high demand. The housing list is the default quota if a property has been offered to applicants or referrals under another quota, and where that list has been exhausted.

4.1.9 The participating landlords will allocate properties as they become available. The participating landlords may pre-allocate properties where this is required for development reasons.

## **4.2 Leases**

4.2.1 Instead of entering into a tenancy for an empty property, the participating landlords will consider requests from third parties to lease residential properties. The participating landlords may agree to lease a number of properties each year to Inverclyde Council to provide temporary housing for homeless people. Leases to other agencies will be considered on a case by case basis.

4.2.2 In general, residential properties should only be used to provide homes. However, in exceptional circumstances, the participating landlords may consider alternative uses (eg as offices). This may be considered if there are no reasonable alternatives available in the areas requested; and where residential properties are proving difficult to let due to their design, or location, or house type. The participating landlords will take into account how the request will improve the service to tenants and residents; and the overall management of the individual participating landlords' properties.

4.2.3 In all cases, the participating landlords will ensure that any lease offered complies fully with the requirements of Housing (Scotland) Act 2010 and relevant guidance.

4.2.4 All requests for leases in this category will be considered at the discretion of the relevant governing body according to the individual participating landlords own procedures.

## **4.3 Housing and Transfer Lists**

### **4.3.1 Administration of Housing & Transfer Lists**

Separate lists will be maintained for the following types of accommodation: -  
 General needs – 1, 2, 3, 4 & 5 bedroom  
 Adapted – 1, 2, & 3 bedroom

- 4.3.1.1 General needs housing has no features or adaptations. Adapted housing may be barrier free, adapted for a wheelchair user or have other adaptations to meet specific needs.
- 4.3.1.2 Applicants will be entered on the list for the appropriate size of property in accordance with their household composition and the applicant's choices.
- 4.3.1.3 Applicants may make choices about the area, house type, floor level, or other attribute of a property such as having central heating, type of bathing facilities or having a lift.
- 4.3.1.4 Properties with specific features such as level access or adapted accommodation will (subject to demand) be let to someone who would benefit from the features present in the property.

#### **4.3.2 Lettings Process – Choice Based Lettings**

- 4.3.2.1 Available properties, which have been allocated to either the housing list or the transfer list quotas, will be widely advertised by the ICHR to tell applicants what properties they have available for letting. Each property will have a closing date set which is a fixed day each week, currently Monday at 4:30pm. There may be several properties available at any one time.
- 4.3.2.2 Information about the properties available will include the details of the property including the number of bedrooms, type of property, floor level, and all facilities such as central heating, bathing/shower facilities and whether the property has a lift. The details of the rent, service charges and energy efficiency rating will be given.
- 4.3.2.3 The landlord has the freedom to set the priority order for letting. Priority may be given to certain groups or household types and this will be clearly specified in the property description. For example:
- Priority will be given to transfer applicants over housing list applicants when the property is allocated to the transfer quota.
  - Where the property has a level access or a lift, priority will be given to people with restricted mobility.
  - If a property is suitable for a wheelchair user, applicants who have a member of their household who uses a wheelchair will be given priority.
  - Where the property has specific adaptations such as a level access shower or other specialist adaptation, priority may be given to applicants who would benefit from the facility.
  - Priority will normally be given to applicants who require the number of bedrooms that the available property has.
- 4.3.2.4 Each participating landlord reserves the right to set the criteria for each property. In relation to the household size accepted for the property, they may choose to widen or restrict the criteria relating to the household size considered for a particular property for management reasons. The criteria will be clearly stated in any advert.
- 4.3.2.5 If there are any restrictions on how a property will be let these will be specified. For example:
- If pets are not allowed in the property.
  - If families with children will not be considered.
- 4.3.2.6 Applicants may bid for a maximum of three properties covering all participating landlords during any week. To bid for the property, the applicant must submit a bid online to their application before the closing date. Help will be made available if an applicant requires assistance to do this. Applicants can view their bid position at any

time after their bid is registered by logging into their application. Applicants can also retract any bids they have made before the property closing date.

4.3.2.7 Once the closing date is reached, the list of applicants bidding for the property is assessed against the size and attributes of the property. If there are any priority criteria or restrictions, the list is filtered accordingly. For example, if the property is a 2 bedroom property to be let to the participating landlords transfer list, the transfer applicants on the 2 bedroom list will be given first priority. If there are none who have applied that qualify for the offer of housing, the offer will be made to the housing list applicant that fulfils the criteria and has the highest priority on the 2 bedroom list. Applicants can check their online application to confirm if their bid has been successful or not within 24 hours of the closing date.

4.3.2.8 Priority is determined in line with section 4.3.3 below. Any offer will be subject to verification of the applicant's circumstances.

4.3.2.9 Applicants who choose not to bid within a reasonable time period will be contacted for a review of their application. This may lead to them acknowledging that they do not wish to pursue their application as they do not wish to be housed in any of the properties becoming available. The review may identify that an applicant may need help with the bidding process or may benefit from approaching rehousing through the referrals route as an alternative so that their support needs can be fully assessed.

### **4.3.3 Priority**

4.3.3.1 Priority on the housing & transfer list is determined by the housing need, subject to priority order set by the landlord including the criteria set in paragraphs 4.3.2.3 and 4.3.2.4 and assessed in line with the Points System laid out in Appendix I of this policy. Offers will then be made to the applicant with the highest points total on the list for the appropriate sized property & area. Where applications are awarded the same points total, the priority will be determined by the length of time on the list.

4.3.3.2 For tenants of the participating landlords who may have no housing need, but have an aspiration to be re-housed, the ICHR will assist them in seeking a mutual exchange and provide them with advice to maximise their chances of achieving a move. Applicants with no housing need will be re-housed only where there are no applicants with housing need seeking a particular offer of accommodation.

### **4.3.4 Grounds for Removal from the Direct Application or Transfer List**

4.3.4.1 Applications will be removed from the list if any of the following apply:

- The applicant requests removal.
- Following the death of the applicant
- The applicant fails to respond to a contact from the ICHR within a reasonable timescale or mail is returned stating that the applicant has 'gone away'.

4.3.4.2 Where an applicant has been rehoused, the applicant may elect to stay on the housing list. The onus will be on the applicant to complete a new application with their new details.

4.3.4.3 The applicant will be informed in writing that their application is to be removed from the list.

### **4.3.5 Service Standards**

4.3.5.1 ICHR will agree target timescales for processing and activating applications which will be published.

- 4.3.5.2 Information outlining the main points of the allocation policy is available in leaflet form and on our website. The allocations policy will be made available on request and can be downloaded from our website. Copies are available, on tape, in large print, or in an alternative format where requested. The policy can also be made available in different languages.
- 4.3.5.3 Once the application has been verified applicants will be advised of their points total or advised that they do not meet the eligibility criteria to be accepted onto the list.
- 4.3.5.4 All applicants can view their personal details or application by logging in on line. Additionally all applicants have the right to see any personal information held on paper or computer file relating to their application.
- 4.3.5.5 The participating landlords will make available to applicants details of historical lets and anticipated turnover of future available lets to allow them to make choices about the areas and house types where they may wish to apply for housing. Information on the number of bids for each available property and the relative placing on the list for that property will also be made available.
- 4.3.5.6 An applicant may seek an interview with staff to discuss their application, review their choices for rehousing and the outcome of any bids they have made. Applicants may seek assistance from staff with any part of the application process including the making of bids.
- 4.3.5.7 Regular surveys to measure satisfaction of applicants with the allocations process and service will be undertaken.

#### **4.3.6 Information and Supporting Vulnerable Groups**

- 4.3.6.1 ICHR will provide free information and advice on the allocations policy as follows:
- Help in registering an application
  - Help in noting an interest in advertised properties.
- 4.3.6.2 ICHR will provide information about the allocations policy in different ways to suit each applicant's circumstances, including:
- Audiotape
  - Large print
  - Braille
  - Foreign languages
  - Interpreting services, and
  - Sign language.
- 4.3.6.3 Many applicants seeking housing with the ICHR are likely to be vulnerable and may experience difficulty in participating in Choice Based Lettings for a variety of reasons. For example they may have housing support and/or social care requirements such as:
- Older people
  - Homeless households
  - People with learning difficulties
  - People with mental health problems
  - People with mobility difficulties
  - Care leavers
  - People with HIV/AIDS and their carers
  - Those suffering domestic abuse.

They may find difficulty because they have:

- Literacy problems
- Language problems
- No support to exercise choice or adopt a structured approach to securing a home.

4.3.6.4 The ICHR aims to develop excellent working/partnership arrangements with external organisations and agencies to ensure that vulnerable applicants have access to the appropriate support to assist them in using Choice Based lettings to apply for housing. The ICHR aims to provide consistency in delivering advice and support for vulnerable applicants under Choice Based Lettings to make sure they are not excluded from participating.

#### **4.4 Lettings Initiatives**

4.4.1 The participating landlords aim to make the best use of available stock and use the allocations policy to assist in the creation and maintenance of balanced and sustainable communities. We aim to ensure that the social and economic regeneration of areas can be assisted by a sensitive housing management approach to local issues.

4.4.2 The ICHR in partnership with Inverclyde Council may identify community need factors that may assist the regeneration and growth of identified areas (e.g. at the commencement of a development programme in a regeneration area) throughout Inverclyde.

4.4.3 The participating landlords may also agree to operate a local allocations policy or lettings initiative in identified areas or developments. This may be for example, to avoid over concentrations of one particular household type or housing need in one area, estate, street, or close or to deal with issues of low demand.

4.4.4 When planning a local lettings initiative, the participating landlords will clearly state the outcomes to be achieved and monitor success against those objectives. The initiative must comply with all relevant legislation governing the allocation of houses, in particular, the factors which must not be taken into account when making decisions about allocations. The details of the initiative will be made public and the length of time it will run will be prescribed. Initiatives will be developed with consultation with stakeholders.

#### **4.5 Sensitive Letting**

4.5.1 In allocating housing, the participating landlords aim to balance a range of factors:

- the individual's housing need:
- the suitability of the house for that applicant:
- the needs of the community.

4.5.2 We seek to make sure any let made is likely to be sustained providing a long term and stable solution for that applicant. A tool to assist in this matching of property and applicant to avoid housing management issues which may arise, is to make a sensitive let. This means a departure from normal procedure of allocating to the person with the highest level of need as defined by the allocations policy. Instead, an applicant is selected where there is a match between the suitability of the applicant and the empty property. This is based on knowledge about the applicant, their choices for rehousing and the property, its location and neighbours.

4.5.3 The participating landlords will document the reasons why a sensitive let is required and specifically why any individual applicant has been bypassed. The decision will be

taken by the relevant officer in each organisation and the volume of such decisions will be recorded and monitored.

- 4.5.4 The participating landlords will monitor the impact of sensitive lettings on the individual applicant affected including the number of times bypassed, extra waiting time for an offer and the quality of any later offer. The participating landlords will look for any pattern of bypassing particular groups in particular any of the factors prohibited in being taken into account.

#### **4.6 Management Allocations**

- 4.6.1 There will always be applicants whose circumstances are exceptional who need urgent housing, but whose circumstances do not fit with the measure of housing need in Inverclyde Common Housing Register's allocations policy. The relevant officer in each organisation may decide to provide housing to such a case outwith the usual allocations policy according to each association's own procedures.

The following conditions apply:

- The level of need must be exceptional and the circumstances so unusual that the allocations policy cannot adequately assess and prioritise:
- The numbers of such lets will be minimal;
- A clear audit trail will be kept of the reasons for any such allocation:
- Where the volume of cases involving management allocations increases above the minimal level, the ICHR will seek to review the terms of the allocations policy to ensure key needs factors have not been omitted.

#### **5.0 Rules Affecting Allocations**

##### **5.1 Size of Accommodation**

- 5.1.1 Applicants are matched to housing depending on the particular house size they need as set out below.

- 5.1.2 The applicant's house size requirement will be worked out on the following basis: -

- One bedroom for each co-habiting couple & for each member of the family over 16 years of age.
- One bedroom for each pair of children of same gender under the age of 16 years old
- One bedroom for each pair of children of a different gender under the age of 10 years old.
- Maximum of 2 persons to each bedroom.
- Where an applicant is able to provide proof of pregnancy, the unborn baby will be taken into account for assessing the house size required.

- 5.1.3 Applicants will be advised that the payment of Housing Benefit or the housing element of Universal Credit may be restricted on homes that are larger than the tenant needs.

- 5.1.4 In general, the participating landlords will not offer accommodation which results in overcrowding of a property by the permanent members of an applicant's household.

- 5.1.5 In cases of acute housing need and a shortage of the appropriate size of house the ICHR may allow applications for a smaller house with one less bedroom than required by household size.
- 5.1.6 The ICHR may also allow applications for a larger house with one more bedroom than required by household size. Typical examples include needing an additional room for medical or care reasons. As well as considering the housing need of the applicant, the participating landlords may take into account the good management of its stock and seek to avoid high concentrations of any one household structure in individual areas.
- 5.1.7 Allocations out with the guidelines specified above will only be considered at the discretion of the relevant officer within each organisation.

## **5.2 Making of Offers**

- 5.2.1 All offers will be confirmed in writing from the relevant landlord and will be provisional until verification of the applicant's circumstances has been provided to the satisfaction of the participating landlord. Viewing of the property will be by way of an accompanied visit in the presence of a member of staff. Where possible, viewing will be carried out before the outgoing tenant vacates the property.
- 5.2.2 The processing of an application form and selection of an applicant prior to an offer being made, will involve a minimum of two members of the Housing Services Team.
- 5.2.3 It is expected that rent payment will be made in advance in accordance with the tenancy conditions at the time the tenancy commences. Each participating landlord reserves the right to withdraw an offer of let if the applicant is unable to make a minimum payment of rent at the tenancy commencement. The minimum payment which will be accepted will be made clear in the offer of let.

## **5.3 Home Visits**

- 5.3.1 Home visits will be carried out prior to an offer of accommodation being confirmed where practical. The purpose of this visit will be to verify the applicant's circumstances as stated on their application form. The ICHR may carry out random visits to a proportion of those applicants on the housing list in order to check the authenticity of their applications. Where a home visit has been attempted a contact card will be left. The applicant has 24 hours in which to respond to the relevant association. Failure to respond will be classed as a refusal as under Section 5.4 and may result in the application being suspended.
- 5.3.2 In the case of transfer applicants, the house visit will allow the participating landlord to check that the property has been maintained in accordance with the tenancy agreement and to discuss end of tenancy procedures as well as to verify the applicant's circumstances.

## **5.4 Acceptance/Refusal of Offers**

- 5.4.1 Acceptance of an offer must be in writing. Applicants who unreasonably refuse two offers within a 6 month period, after successfully bidding for the available properties will have their application suspended from receiving further offers for 1 year. This suspension takes effect from the date of the second refusal. The applicant shall be deemed to have unreasonably refused an offer if the offer meets the criteria stated on their application form for their choice of area, size, type and floor level and they have no good reason for refusing.

- 5.4.2 Applicants should indicate why a refusal is being made.
- 5.4.3 Offers which are demonstrated to be unreasonable (as determined by the relevant officer) may be disregarded, as are refusals by an applicant because of a material change in their circumstances.
- 5.4.4 An applicant will have 24 hours in which to accept or refuse any offer. This runs from the date of the viewing unless this has been unreasonably delayed in which case it runs from the date on which the provisional offer of accommodation is made. Provision to extend this time will be made, by agreement, in exceptional circumstances.

## **5.5 Tenancy Granted**

- 5.5.1 In all cases, excluding those categories below, a Scottish Secure Tenancy will be offered.
- Where a Short Scottish Secure Tenancy is appropriate in line with Schedule 6 of the Housing (Scotland) Act 2001.
  - Where in shared housing, an occupancy agreement is required. This will be drafted to replicate the terms of the Scottish Secure Tenancy as far as is possible.
- 5.5.2 Applicants who are married or intending to co-habit will be offered joint tenancies unless specifically requested otherwise.

## **6.0 Decision Taking and Appeals**

- 6.1 Straightforward cases falling within the policy guidelines in this document will be dealt with by the ICHR team. The Senior ICHR Officer has the discretion to make decisions outwith the strict policy guidelines subject to a full recording of the reasons for any such decision.
- 6.2 All applicants will have a right to appeal in relation to any decision taken in relation to their application.
- 6.3 If an applicant wishes to make an appeal against a decision, they should follow the process outlined below progressing to the next stage if they remain dissatisfied. The applicant should:
- write to the Senior ICHR Officer detailing the nature of the appeal.
- 6.4 If an applicant is dissatisfied with any aspect of the way in which their application has been dealt with by the ICHR, their attention will be drawn to the ICHR Complaints Handling Procedure. Ultimately, the complaint can be referred to the Scottish Public Services Ombudsman Information on escalating your complaint to the SPSO is detailed in our Complaints Handling Procedure.

## **7.0 Monitoring and Review**

- 7.1 The ICHR will monitor the outcome of the Allocations Policy as follows:
- to ensure that it operates in such a way as to grant offers of accommodation to those in housing need;
  - to ensure all applicants are treated fairly irrespective of their ethnic origin, gender, age, family composition or disability;



- to ensure the quotas for direct application list, transfer list, PAIH or Womens Aid referrals and Inverclyde Council Referrals are applied fairly;
- to ensure standards of service are maintained;
- to ensure that discretionary powers are being used properly.

**7.2** Regular reporting will be made to both the Governing Body and the Steering Group and may include reports on: -

- Properties let by area
- Performance against targets for void turnaround time
- Void levels & void losses
- Quota sources of lets
- Number of offers and refusals
- Number of applications made, accepted onto the direct application list
- Time taken to process applications
- Use of discretionary powers in relation to the award of social management point and management transfer points
- Applications suspended from the direct or transfer lists

**7.3** Each landlord will prepare a report, at least annually, to their relevant Governing Body giving details of the following:

- Housing need factors leading to housing;
- Applicants' profile in relation to their ethnic origin, gender, age, family composition and disability;
- Results of survey of applicants' satisfaction levels with the participating landlords' allocations service.

**7.4** The ICHR and its participating landlords will seek to review the Allocations Policy every three years or as legislation requires.