

**ALLOCATIONS POLICY**

 **POLICY NO. 5**

|  |  |
| --- | --- |
| **Date Reviewed:** | Sep 2022 |
| **Date of Next Review:** | Sep 2027 |
| **Regulatory Standards of Governance and Financial Management**  | **Regulatory Standard 2**The RSL is open about and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities.**Guidance**: 2.1, 2.4 |

**1. INTRODUCTION**

 Glen Housing Association (GHA) is a Registered Social Landlord (RSL) and a registered charity committed to providing a range of high quality, affordable and accessible housing for people in greatest housing need.

To facilitate this and give guidance to staff and members of the public, the Association has developed an Allocation Policy. This policy is a strategic part of housing management practice, and it outlines Glen Housing Association’s aims and principles in respect of applying for housing and the allocation of properties.

Glen Housing Association is a partner in a common housing register known as the Fife Housing Register (FHR) and applicants will be assessed in accordance with the Common Assessment of Need [Appendix 1], as agreed between the partners. Points will be awarded and applicants added to the housing list, which can be accessed by all the partners for the purpose of allocations. More information on the

Fife Housing Register is available on the FHR website: <https://www.fifehousingregister.org.uk/>

**2. POLICY STATEMENT**

 The aim of this policy is to ensure the Association allocates tenancies fairly, consistently, and efficiently, by making the process open and accountable to prospective tenants while being responsive to individual circumstances and needs.

 The Allocation process will seek to identify those applicants who should receive reasonable preference or priority in being allocated a tenancy. Priority will be determined by the level of points awarded in each category, outlined in the Common Assessment of Need [Appendix 1].

The Association and its partners will also use information from the housing lists on

levels of housing need in Fife, to inform decisions on house types provided for in future developments.

**2.1 LINKED POLICIES**

This Policy acts as an umbrella document and is complemented by, and should

be read in conjunction with our other policies, and those of the Fife Housing Register, for example:

* Equality and Diversity Policy
* Transfer Policy
* Mutual Exchange Policy
* Assignation Policy
* Corporate Strategy & Internal Management Plan
* Standing Orders and Delegated Authorities
* Complaints Procedure
* Section 5 Protocol (Homeless Persons)
* Suspensions and Withdrawal Protocols

**3. LEGAL and REGULATORY FRAMEWORK**

**3.1 Legislative Framework**

The legislative and regulatory framework for the allocation of social rented homes is determined by the Scottish Government and the Scottish Housing Regulator, Guidance is available from the Scottish Federation of Housing Associations and the Chartered Institute of Housing.

To meet the Association’s legal requirements and protect the applicant’s rights, this policy has considered the following (non-exhaustive) list of legislation:

* Housing (Scotland) Acts 1987, 2001, 2010, 2006 & 2014
* The Scottish Secure Tenancy (SST)
* Homelessness etc. (Scotland) Act 2003
* Data Protection Act 2018 (DPA 2018), and the UK General Data Protection Regulation (UK GDPR).
* Equality Act 2010
* Antisocial Behaviour (Scotland) Act 2004
* Human Rights Act 1998
* Immigration and Asylum Act 1999
* Management of Offenders etc. (Scotland) Act 2005

**3.2 Relevance of the Scottish Social Housing Charter**

Glen Housing Association’s values, organisational culture and customer service standards are designed to ensure a first-class service is given to all its service users, partner organisations and other stakeholders. This also supports staff to achieve the standards and outcomes included in the Scottish Social Housing Charter.

The Scottish Housing Regulator uses outcomes and standards set out in the Scottish Social Housing Charter (the Charter) to assess the performance of social landlords. This policy complies with the Charter and takes into account the following outcomes and standards for this policy:

Outcome 1: 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.

Outcome 2: Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.

Outcome 3: Social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

Outcome 7: People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them.

Outcome 8: Tenants and people on housing lists can review their housing options.

Outcome 9: People at risk of losing their homes get advice on preventing homelessness.

Outcome 10: 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.

Outcome 12: Homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to.

**4. KEY PRINCIPLES**

This Policy sets out how the Association aims to respond to the needs, demands and aspirations of Fife’s households who have expressed an interest in moving home, who have a need to move home, who are looking to be housed for the first time or who are homeless.

Our principles are intended to achieve and support the following:

* To work in collaboration with Fife Housing Register (FHR) partners and other housing agencies to maximise housing opportunities for individuals
* To ensure as far as possible that the accommodation offered matches the

applicant’s housing need

* To be fair, efficient, clear and consistent in allocating tenancies
* To help to promote sustainable and inclusive communities
* To make best use of housing stock
* To consider medical and social factors and the ability to improve the applicant’s quality of life
* To assist applicants to move for reasons of family support or employment
* To work towards the prevention of homelessness
* To provide good quality housing information and advice
* To provide a positive customer experience
* To comply with legislation and good practice

**5. HOUSING OPTIONS**

The Association aims to provide a comprehensive advice service to all potential applicants, covering access to the housing list in Fife and their housing options. The first step to ensuring applicants have the information and guidance they need to make informed choices about their housing options is to complete a housing assessment which starts with The Housing Options Plan. This is a self-assessment service that asks a series of questions about an individual’s circumstances.

Once the questions are completed a personal plan is created detailing the housing options that are most suitable. Online applicants must complete this form prior to applying for housing and provide their Plan reference number at the point of applying. All applicants will be encouraged to complete a housing options plan.

Applicants can access the Housing Options Plan on the Fife Housing Register website at <https://www.fifehousingregister.org.uk/options>

**6. APPLYING FOR HOUSING**

6.1 Anyone aged 16 or over has the right to apply to the Association for housing. This will be via the Fife Housing Register, by completing an application form and indicating Glen HA as a preferred landlord. Applicants may apply individually or jointly. Applicants with a medical condition made worse by their housing situation will also be required to complete a Functional Housing Needs Assessment form.

6.2 The application will be assessed centrally through the FHR using the Common Assessment of Need [Appendix 1] as agreed by FHR partners. Points will be awarded and applicants added to the appropriate housing list for all partner landlords they have chosen on the form. Medical/support points will be awarded by the Housing Occupational Therapist/Assistant.

6.3 If an applicant has restrictions placed upon them by immigration and asylum legislation, they can still apply to the FHR. However, not all the partners may be able to house them because of legal constraints on the applicant’s recourse to public funds. Applicants in these circumstances will be given appropriate information and advice.

6.4 Applicants will be advised of their points award and will be retained on the list regardless of the level of points and the likelihood of being housed. However, admission to the housing list does not give applicants a right to be housed.

6.5 An automatic review of applications should be carried out on their anniversary date by the FHR system to ensure the housing list is as accurate as possible at the point of allocation.

6.6 In allocating houses, no account will be taken of the following:

* The length of time an applicant has lived in the area.
* Rent arrears or other housing debt for a house of which the applicant was not the tenant.
* Rent arrears or other housing debt on a previous tenancy which is no longer outstanding.
* Rent arrears or other housing debt where:
* the amount outstanding is no more than 1/12th of the annual amount payable or,
* the applicant has agreed arrangements with the landlord for paying the debt and,
* has made payments as agreed for at least 3 monthsand is continuing to make such payments.
* Any outstanding debt of the applicant or their household which does not relate to a tenancy.

* The age of an applicant provided they are aged 16 or over except in the allocation of houses designed for particular age groups.
* The income of the applicant and their family.

**7. ACCESS ROUTES TO HOUSING**

Applications can be received in a number of ways. However the same principles, objectives and priorities underpin all routes to the provision of housing. The most common route, direct application, is covered in Section 8. However, the alternative access routes are detailed as follows:

**7.1 Emergency/Special Cases**

Thesecan arise where urgent decants are required from fire or flood damaged properties. In addition, there may be cases that cannot be adequately assessed under the Common Assessment of Need, but where the Association may be able to assist. These cases may be considered by the Housing Officer and Housing Manager, and may be referred to the Board of Management in exceptional circumstances.

**7.2 Mutual Exchanges**

These can allow tenants of this Association, other Housing Associations and Local Authorities to solve their own housing needs. The Association encourages this housing option as it results in increased tenant satisfaction without any loss of rent or void property costs. (The Association’s Mutual Exchange Policy outlines the eligibility and timescales of an exchange)

**7.3 Transfers**

 Tenants of the Association may apply to move in order to satisfy the need for another bedroom, or where their house is now too large, or where a medical need has arisen for a move to a more suitable property. Transfers are facilitated by the Association wherever possible and eligibility criteria are outlined in the Transfer Policy.

Incentives to assist tenants to move may be offered where the move would benefit the tenant, applicants on the housing list and/or where the move would assist the Association to make best use of its housing stock. These have been agreed between FHR partners and are detailed in the Association’s Transfer Policy.

**7.4 Mobility Schemes**

The Association may engage with any local or national arrangements which might be in place to assist tenants to move to meet their needs.

**7.5 Section 5 – Homeless Referrals**

 The Association has entered into a Protocol with Fife Council, whereby a proportion of lets are made available to applicants with ~~a~~ Homeless Priority. The Association will aim to meet the quota which is set by the Fife Housing Register Executive annually, but the actual number will depend on the type of properties becoming available in any given year. RSLs have a statutory responsibility to house homeless households, and this Protocol meets the criteria for our contribution, as contained within the Housing (Scotland) Act 2001 as amended.

**7.6 Assignation**

This can allow applicants who meet the Association’s Assignation Policy requirements to assume a tenancy where a tenant wishes to terminate. Eligibility criteria are set out in the Assignations Policy.

**7.7 Nominations**

Glen Housing Association currently has an Operational and Strategic Partnership with Aberlour Childcare Trust. As part of this partnership, Aberlour will nominate young people from their services who are ready for independent living with care and support packages provided by Aberlour. We may enter into a similar arrangement with other providers in the future.

Suitable properties will be allocated through the FHR system, with the young person being offered a Short Secure Tenancy with support provided by a third party. This will allow those young people the greatest chance for success and the creation of a sustainable tenancy, by providing a tenancy in an appropriate environment with a care and support package that is familiar to them.

Allocations made through this nomination agreement may not be to the applicant at the top of the list and offers may therefore be made to a lower pointed applicant, or an applicant with the same level of points who has been on the list for less time.

**8. THE ALLOCATION SYSTEM**

**8.1 Common Assessment of Need**

Points are awarded on the basis of assessed housing need through the Fife Housing Register system. The Association accesses applications from the shared list and offers of accommodation will be targeted to those in greatest housing need. [Appendix 1 – Common Assessment of Need].

 The following categories make up the pointing scheme:

**Urgent Housing Need –** Statutory Homelessness, Severe Harassment, Closure Order.

**Lack of Security** – Time Limited Tenancy, Notice to Quit/Leave, Tenants without a Lease, Owners in the Process of Re-Possession or Advised to Sell, Non-Householder

**Poor Housing Circumstances** – Lacking Amenities, Unsafe Water Supply, Inadequate Drainage, Rising or Penetrating Damp, Lack of Central Heating, Overcrowding, Under-occupation, Sharing Facilities, Children’s Social Needs

**Social and Medical Needs** – Move to Give or Receive Support, Medical Conditions Made Worse by the Applicant’s Current Housing

**Management Needs –** Awarded by Managers for Best Use of Stock

 Full details of the points awarded within each category are detailed in Appendix 1.

**8.2 Determining Priorities**

 In practice, individual applicants will usually have a combination of the housing need categories listed at 8.1 and will be listed in the Category within which they have the most points award. [Appendix 2]

Applicant(s) should be contacted within a target timescale of 20 days by the FHR team to confirm:

• How the application has been assessed and the points that have been awarded

• The category which the application is placed in (needs group).

• Preferred type of housing, area choices and partner landlords they have

 selected on the form

• Medical/Support/Sheltered points, if awarded by the Housing Occupational

 Therapist/Assistant

• Any information that is outstanding that affects the application assessment

• How to enquire or appeal an application assessment decision

 Applicants whose points place them in a position to receive an offer will be interviewed by a Housing Officer prior to an offer being made to confirm that the points assessment remains accurate. Formal offers will be made in writing and the applicant will have 5 days to accept or decline the offer. Where there are applicants with an equal level of points the offer will be made to the applicant who was on the housing list first.

 Allocations will as far as possible be made to applicants in the different categories on a rotational basis although this will largely be determined by the size and type of the property available.

**9. AN OFFER OF ACCOMMODATION**

 Staff have delegated authority to make offers of accommodation to applicants within the context of this Policy.

 General list applicants refusing two reasonable offers of accommodation from the Fife Housing Register partners will have their application suspended for a year. Where an offer of an Association property is refused, a Housing Officer will interview the applicant to ascertain the reasons for refusal, decide whether the offer was fair and ensure that FHR records are accurately updated so that the need for suspension is minimized.

**10. SUSPENSION FROM THE HOUSING LIST**

General list applicants with rent arrears or other housing debt amounting to more than 1/12th of the annual rent of the property where the debt has accrued, may have their application suspended if there is no arrangement in place to clear the debt. The suspension will be reviewed regularly by the FHR Team and if an arrangement to pay has been agreed and maintained with the landlord, the suspension will be lifted and the application returned to a Live status.

 Applicants who have lost a tenancy in the last 3 years due to Anti-Social Behaviour, or where Anti-Social Behaviour Orders have been granted against an applicant or members of their household during the past 3 years, will have their application suspended for a period of 12 months. The application will be reviewed at the 12 month period to assess whether the offending behaviour has beenaddressed**.** The suspension may then be continued for a further 18 months after any investigation is completed or; lifted, whereby the applicant may be offered a Short Scottish Secure Tenancy with a suitable support package to provide the opportunity for the tenant to progress to a Scottish Secure Tenancy.

 Information on applicants will be obtained by the FHR team from tenancy references, Fife Council records or from other recognised agencies.

 Applicants who are suspended from the list will be advised in writing of the reason for the suspension, the length of time it will apply and the action they need to take to have it lifted. They will also be advised of their right of appeal against the suspension. Full details of the suspension arrangements can be found within the FHR Suspensions and Withdrawal Protocol.

**11.** **SENSITIVE LETTINGS**

 Allocations will normally be made to the applicant with the highest points in any group. However, the Association will always seek to create sustainable tenancies and reserves the right to give consideration to the overall mix of tenants in an estate/block or area and depart from the routine allocation process to make sensitive lets where appropriate. A sensitive let can be used to make sure an offer would lead to a sustainable tenancy for the applicant and to prevent housing management issues resulting from any unsuitable match.

 Sensitive lettings will be made on the basis of the information we have about the applicant from the application form, and the knowledge we have about the property, its location or neighbours. Allocations to a lower pointed applicant or an applicant with the same level of points who has been on the list for less time may be made.

 The Association will keep a record of sensitive lets along with emergency/special cases (7.1) and record and report to Board the reasons they are made, to ensure there is not a pattern of bypassing particular groups, and that in practice sensitive letting does not amount to a policy of discriminating against particular groups in line with the Equalities legislation.

 The Association will also monitor the impact of sensitive lets and will monitor tenancy sustainment issues where sensitive lets are used.

 Bypasses will be recorded on the FHR system and the Association will monitor bypassed applicants to ensure they are not constantly bypassed and are able to receive a suitable offer without undue delay.

**12. APPLICATIONS FROM BOARD MEMBERS, STAFF OR THEIR RELATIVES**

Applications will be accepted from Board Members, Staff and close relatives of both. The Board of Management must approve any allocation made to someone in this category in accordance with this Policy. Details of the allocation will be entered in the Entitlement to Benefit Register held by the Association.

**13. PERSONAL DETAILS, CONFIDENTIALITY AND GENERAL DATA PROTECTION REGULATIONS**

The information given by the applicant and sought by the Fife Housing Register on behalf of the Association, is aimed at accurately assessing housing need. The information provided will be treated as confidential and will not be passed on to, or discussed with any other person, without permission from the applicant.

The Association will treat all personal data in line with its obligations under the current data protection regulations and its own Privacy Policy. Information regarding how personal data will be used and the basis for processing it is provided in the Association’s Fair Processing Notice.

**14. CANCELLATION OF APPLICATIONS**

 An application may be cancelled:

* At the applicant’s request
* On the death of the applicant
* If the applicant does not reply to correspondence from the FHR Team or its

 partners

**15. FALSE OR MISLEADING INFORMATION**

Applicants must sign a declaration on the application form that all information given is true and accurate. If it is established that false or misleading information has been submitted, or relevant information has been withheld, action may be taken to recover possession of a property for which a tenancy has been granted. Any such cases will be considered by the Director and the outcome reported to the Board of Management.

**16. APPEALS PROCEDURE**

16.1 All applicants have the right to appeal against any decision made concerning the

 assessment of their housing application. The appeal should be made in writing in the first instance to the Lead Officer at the Fife Housing Register.

16.2 Applicants who wish to appeal against a decision concerning the allocation of any Association property must submit a written appeal to the Housing Manager within 28 days of receiving the decision.

 The Housing Manager will review the appeal and provide written reasons on their decision. If there has been a material procedural failure in the original decision being made, the appeal will be upheld and the applicant will receive a written explanation of how this will be re-dressed.

 If the applicant is still dissatisfied, recourse can be sought through the Association’s formal Complaints Procedure.

**17. OUR COMMITMENT TO EQUALITY & DIVERSITY**

Glen Housing Association is committed to promoting fair and equal treatment for all and is opposed to any form of unlawful discrimination. We operate an Equality & Diversity Policy which informs all aspects of our business and ensures we adhere to the Equality Act 2010.

In line with our commitment and upon request, the Association will make this Policy available, free of charge, in a variety of alternative formats including large print, audio, Braille and community languages.

**18. MONITORING AND POLICY REVIEW**

18.1 The allocation of social rented housing is a key area of the Association’s operations. It is therefore essential that the allocation process is monitored effectively.

18.2 Quarterly reports are made to the Board of Management on property allocations, covering the number of offers made and the category of need.

18.3Future legislation and requirements from the Scottish Government may require earlier amendments to this Policy, otherwise it will be reviewed 5 yearly.

Company\Policies\Allocation Policy\September 2022