



*Allocations Policy*

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**If you require this policy in a different format please ask a member of staff**

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## **1 Introduction and general information**

1.1 Elderpark Housing Association is a registered social landlord set up to operate in Elderpark in 1975. Our mission is to provide quality, affordable homes and excellent services which place a focus on our customers and enhancing our communities. We operate on a “not-for-profit” basis and are run by an elected Management Committee of up to 15 people consisting of local residents who employ a staff team to manage the Association on a day-to-day basis.

1.2 We are committed to:

- Providing quality rented accommodation affordable to those in housing need
- Contributing to the physical, social and economic regeneration of the area
- Providing a safe environment in which all residents can live

1.3 The Association owns 1268 properties in the Elderpark, Ibrox, Kinning Park and Cessnock areas of South West Glasgow and provides a factoring service for around 240 owner occupiers and commercial owners. The type of housing presently provided by the Association is mainly for general needs, although there are some wheelchair adapted properties.

1.4 You can contact Elderpark Housing Association at:

31 Garmouth Street

Glasgow

G51 3PR

Tel: 0141 440 2244

Facebook: [www.facebook.com/ElderparkHa](http://www.facebook.com/ElderparkHa)

Twitter: @ElderparkHa

[www.elderpark.org](http://www.elderpark.org)

1.5 Elderpark Housing Association is not the only social landlord that operates in the Greater Govan area of Glasgow. Details of other landlords are available in Appendix 2.

## **2 Equal Opportunities**

2.1 In all areas of this policy Elderpark Housing Association will carry out its function with strict regard to the Equalities Act 2010. This means that there will be no discrimination against any of the protected characteristics such as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation or any other personal attribute such as family circumstance.

- This also means that the Association will actively promote its services with the aim of ensuring that no person or group of people is excluded from receiving information about the services of the Association; or from applying to it for housing; or is excluded because of a lack of appropriate accommodation suitable for their needs at that time.

### **3 Formulation of the policy**

3.1 This policy adheres to legal requirements contained within:

The Housing (Scotland) Act 2014

The Housing (Scotland) Act 2001

The Housing (Scotland) Act 2010

The Equalities Act 2010

The Matrimonial Homes (Family Protection) (Scotland) Act 1981

General Data Protection Regulations 2018

3.1 This policy also takes account of good practice and guidance as detailed in the Social Housing Allocations in Scotland: A Practice Guide 2019 and the Scottish Social Housing Charter.

#### **Consultation of Stakeholders**

3.2 Consultation with the community and resident participation has always been one of the key aspects of the way in which the Association operates. We therefore welcome the statutory provisions in the Housing (Scotland) Act 2001 as amended by Section 4 of The Housing (Scotland) Act 2014 which requires all social landlords to consult with applicants on the housing list, tenants, registered tenant organisations and any other parties that the landlord sees fit when formulating key service delivery policies.

3.3 Currently, there are two strands to policy consultation within the community:

- Firstly, we believe it is important to inform all tenants when a policy review is due, together with some information on what changes are likely to be proposed by us. We do this by including relevant information in our tenant newsletter, holding public meetings and/or focus groups. In addition, we provide the full policies on our website.
- The next stage is to invite feedback from tenants, residents, and their representatives about how well they feel the proposals address the needs of the community and whether there are any particular amendments they would like to see. Also, all policies have to be formally approved by our Management Committee.

#### **4 The role of the Management Committee**

4.1 While our permanent staff carry out most of the work in relation to our housing list and allocating houses, our Management Committee also plays an important role. They help formulate the allocations policies and procedures and monitor the effectiveness of them when they are in place, as well as reviewing them every three years, or as dictated by our Risk Management Policy or to reflect new legislation. In addition, they decide on any special allocations such as a lettings initiative and any tenancies awarded in accordance with the G16 Entitlements, Payments and Benefits policy.

#### **5 The Association's principles in relation to allocations**

5.1 We are committed to providing the best customer service possible. We have tried to design our allocations systems to make applying for housing as simple and straight forward as possible for the applicant and staff is keen to help.

5.2 We believe that openness and accountability are very important in allocations. The information we make available to the public and the regulator about how we allocate houses and the monitoring methods we use in the process, ensures that any interested party can understand how we work and hold us to account.

5.3 Everyone, 16 or over, has a right to apply for housing and we believe that every application should be assessed in a fair and impartial manner. This is because we have a strong commitment to equal opportunities in the allocation of housing.

5.4 We also believe in giving choice and opportunity to applicants and have adopted a Housing Options approach to provide housing applicants with a comprehensive advice service.

#### **6 The objectives of the allocations policy**

6.1 The policy will ensure that the Association provides good quality, affordable housing to those in housing need. We are committed to providing high quality homes which our tenants can enjoy living in. We do this by setting out a pointing system which gives priority to applicants in housing need in line with the categories of reasonable preference set out by the Housing (Scotland) Act 2014

6.2 As per the Housing (Scotland) Act 2014 the categories of reasonable preference are as follows:

- Homeless or threatened with homeless with unmet housing needs
- Unsatisfactory housing conditions with unmet housing needs
- Tenants of houses which are held by a social landlord, which the social landlord selecting its tenants considers to be under-occupied

In the first two categories the applicant must have unmet housing needs. By unmet housing needs the Act states,  
“... where the social landlord considers the persons to have housing needs which are not capable of being met by housing options which are available”.

The defined term for someone who is homeless or threatened with homelessness is “Someone who has no accommodation in the UK or elsewhere or who has such accommodation but it is not reasonable for him to occupy it”.

There is no defined term for unsatisfactory housing conditions. Nevertheless, it is intended to cover the physical condition of the property or where there are uncertainties over the suitability of the property for the applicant’s needs.

- 6.3 The policy will maximise the choices and opportunities that applicants receive by providing them with information and advice about other providers and the different opportunities for housing within the local area. Applicants will also be offered a Housing Options appointment with housing staff where they will be given a comprehensive interview which details the various housing options available. Applicants are also encouraged to consider using the mutual exchange scheme and where appropriate, national mobility schemes such as Homeswapper, <https://www.homeswapper.co.uk/> The Association also promotes choice by establishing applicants’ preferences in relation to the types of homes they want and their location. The only exception to this is with Section 5 referrals where there is a one offer only policy which is dictated by Glasgow City Council.
- 6.4 The policy will try to promote stable communities which we have defined as encouraging people to reside in the area who have a range of life and employment experience and or will support and strengthen family networks. Points are awarded in Appendix 1 point 3.5.8 to achieve this. In addition, by giving applicants choices when applying we are helping to promote tenancy sustainability and as a result stable communities. The Association will at the point of allocation be mindful of ensuring tenants who are vulnerable are offered additional support to help sustain their tenancy by referring them to the Social Work Department or other appropriate support services. The Association will aim to avoid housing those people with dependency needs in locations where their vulnerability will be increased.

## **7 How to Apply for Housing and Verification of Circumstances**

### **7.1 How to Apply for Housing**

7.1.1 To apply for a house, applicants can do any of the following:

- Contact our office on 0141 4402244 to book an appointment with a duty officer and have the form completed
- Take the form away and fill it in
- Have the application form posted out to them.

- Alternatively they can download an application form via the Association’s website at [www.elderpark.org](http://www.elderpark.org)

7.1.2 When we have the completed application form our staff will then assess it using the points system shown in Appendix 1.

7.1.3 Within seven days of receiving a completed application form we will write to the applicant to tell them how many points their application has received and that the application has been put on our housing list. For an application to be complete the minimum requirement is have proof of identify and address. Proof of address must be within the last three months. The applicant’s position on the list will depend on the number of points they have. The list is divided up according to the size of accommodation requested, for example, there is a one bedroom list, a two bedroom list etc. It should be noted by the applicant that we are receiving new applications almost every day and as a result the housing list is constantly changing. Consequently, so is the applicant’s position on the list.

7.1.4 We aim to maximise choice to applicants by providing a comprehensive guide to the property available and to give applicants information on the likelihood of being re-housed in their preferred location. Should an applicant fail to respond to communications regarding additional information or in relation to an offer of accommodation in their preferred location we will invite the applicant to review their application and update preferred locations. This will ensure that their aspirations and needs are clearly defined but at the same time ensuring an effective allocation process.

## 7.2 Verification of Circumstances

7.2.1 The application form provides a basis for assessing housing need. However, in some cases further investigation of the applicant’s circumstances will be required. In many cases this will involve the provision of evidence or supporting documentation, for example, where an applicant states the move is due to employment, evidence of offer of employment is required.

In other cases, this may involve a more detailed assessment by other agencies in relation to housing needs.

7.2.2 To ensure we accurately assess the housing needs of applicants, we generally need applicants in the following circumstances to provide some verification, as outlined below, before points can be awarded.

Circumstances	Proof Required
All applicants	Proof of identity and proof address before an application can be put on the waiting list. Depending on the discretion of staff proof of

	address will usually be within the last 3 months.
Homeless	Assessment undertaken by homelessness advisor (Glasgow City Council)
Asked to leave current accommodation/threatened with homelessness	Copy of valid Notice to Quit/letter withdrawing consent to occupy.
Moving to be near essential education /training	Confirmation of place at the educational/training establishment
Moving to help Sustain employment/training	Need to specify on the form why a move will help sustain training/employment and provide proof of employment
Moving to provide and/or receive support	Need to specific on the form who is receiving and providing the support.
In need of re-housing as health affected by current housing circumstances.	Completion of medical self-assessment form
Access arrangements	Letter from child's other parent or letter from lawyer or other agency
Experiencing violence or harassment	Position of belief, in certain cases obtain police incident numbers
Experiencing Domestic Violence	Position of belief
Home Owner Repossession Action	Letter from Mortgagor regarding legal action
Property Below tolerable standard	Confirmation from the landlord or the City Council, Private Rented Housing Panel. For example, an Energy Performance Certificate

We recognise that in some cases the information required may be sensitive and of a personal nature. In such circumstances, we will adopt a position of belief and trust.

## **8 Admission to the Housing List**

- 8.1 Anyone who is 16 years or older has the right to apply for housing and to be admitted to our Housing List. This right is protected by the Housing (Scotland) Act 2001.
- 8.2 Applicants must understand the difference between the right to be admitted to the Housing List and the right to be allocated a house. The number of allocations that we are able to make each year depends on the number of houses becoming empty – empty houses are known as “voids”. As demand for housing in most areas exceeds the supply, regrettably the Association is not in a position to assist all applicants with re-housing. Consequently, we cannot provide any guarantees that any applicant will be successful in being made an offer of housing.
- 8.3 Information about the types of properties we have and the level of turnover for them is available with the application form and lettings booklet. We can also give the applicant this information if they contact the office. This information can be

used by applicants to get an idea of their likelihood of being offered housing, especially when they take into consideration the streets, or apartment sizes, they have selected. The Association will make a special effort to inform applicants who - due to their low number of points or the selections they have made – will have a very low chance of receiving housing from us. We will make it clear to all applicants during the Housing Options process of alternative housing options available to them such as applying to other landlords (see Appendix 2).

## **9 How we assess applications**

9.1 We operate a points system for. This is a system which is easily understood, simple to administer and aims at giving the highest priority to applicants in the greatest housing need. It is a fair system of assessment and does not discriminate against any applicant.

9.2 In determining housing need, reasonable preference is given:

a) to persons who:

- are homeless or threatened with homelessness and who have unmet housing needs
- live in unsatisfactory housing conditions and who have unmet housing needs
- are social housing tenants who are under-occupying their home

The five main categories used to assess housing need are:

- Security of present accommodation
- Condition of property
- Health or medical needs
- Overcrowding or under-occupation
- Social, financial and environmental factors

The following factors will not be taken into account when assessing an application:

- The length of time an applicant has resided in the area (there is no minimum period of residence)
- Any outstanding (We may take arrears or tenancy debt into account where the balance is significant and refuse offers of housing)
- Any rent or service charge arrears accrued by the applicant in a previous or current tenancy which are not more than one month's charges
- Where the applicant has rent or service charge arrears but has made an arrangement with the landlord for clearing the arrears and has kept to the arrangement for at least three months and is continuing to make payments
- Any outstanding debts (including council tax arrears) of the applicant or anyone who it is proposed will reside with the applicant which do not relate to the tenancy of a house

- The age of the applicant provided that the applicant is sixteen years of age or over, except in the allocation of (a) houses which have been designed or substantially adapted for occupation by people of a particular age group or (b) houses to people who are, or are to be, in receipt of housing support services for people of a particular age group
- The income of the applicant and his/her family

### **9.3 Occupancy Standards**

With regard to the Association's aim to make best use of its housing stock, occupancy standards will be applied when assessing the size of housing required by an applicant and his/her household.

The size of housing an applicant and his/her household will be considered for is detailed below.

#### Occupancy standards

- Children of the same sex are expected to share a bedroom up to sixteen years old
- Children of the opposite sex over eight years old should have separate bedrooms.
- No more than two children should normally share a bedroom.
- Adults living together as partners will be expected to share a bedroom unless circumstances require this should not happen, for example, where individuals require separate bedrooms for medical reasons.
- Adults should not share a bedroom with a child

There are exceptions as follows:

1. If an applicant has access to children they will be assessed as requiring one additional bedroom, irrespective of the number of children involved. The applicant will need to provide written confirmation about the access arrangements from the children's main carer. Alternatively a letter from another official source would be sufficient.
2. Expectant mothers will be treated as two or more people dependent on the number of children expected. A certificate of confinement is required.
3. Single and couples both in receipt of pension credits will be eligible for an additional bedroom.

- 4 People who need additional bedrooms for a carer or because of a medical condition will need to substantiate details of the medical condition and why an additional bedroom will be needed before deciding on the merits of each case.
- 5 Where a transfer, who lives in an old tenement, has a second double bedroom less than 10.00m<sup>2</sup> and there are either two children occupying the room or they have one child and are expecting a second child, they will be considered for a transfer to another two bedroom property where the second bedroom is large enough to accommodate two children. This will be reported as a sensitive allocation.
6. Ground floor one and two bed properties will be allocated initially to those who have selected “ground floor only” or have medical points and have requested “ground and 1st floor only”.

## **10. Supported Independent Living**

### **10.1 Applicants with support needs**

We are committed to providing accommodation which enables independent living and the integration of people with support needs into the community. This could include people with learning difficulties, physical disabilities, mental health issues, dependency (i.e. drug and or alcohol) issues and vulnerable young or older people.

The Association has in place a protocol with Leaving Care Services to help protect the quality of the service they offer and also improve access to accommodation for young care leavers.

In all cases we will work jointly with appropriate agencies and organisations to ensure that applicants receive appropriate support to sustain their tenancy. We will aim to ensure that applicants are not offered inappropriate tenancies without support which may result in failed tenancies.

- **Gathering information on support needs** – The Housing Options application form, adaptations form and the tenancy reference form gather information on the health and support needs of applicants. The information provided by the applicant will trigger a decision on whether accommodation with support is required and whether support needs should be explored further.
- **Working with the applicant and other agencies** – if the applicant indicates that accommodation with support is required, we will work with each individual to determine the availability of this support. This may also involve liaising with other agencies as appropriate.
- **Receiving referrals from other agencies** – we also work with a number of agencies to provide accommodation to households in need of support.

In all cases, accommodation will only be offered where it is clear that support needs will be met through confirmation in writing from a relevant organisation such as Social Work or the support provider. Although every effort will be made to work with other agencies to ensure that support is in place, applicants assessed as in need of support but without a support package may be suspended until such time as the support is available. This will be used as a last resort, with all efforts made to work with the applicant to ensure that adequate support is available.

## **11. Adapted Properties**

We are keen to ensure when an adapted property becomes available, it is matched to the most suitable applicant. When selecting on an adapted property staff have discretion out with the normal points selection procedure to ensure that the right balance is achieved between an applicant's need and the adaptations within the property.

## **12. How We Allocate our Houses**

When a property becomes available for allocation, we will produce a shortlist of applicants whose needs and preferences most closely match this property, in order of their placing on the housing list. In certain instances we may advertise 1apt properties on Gumtree where there is little or no demand through the normal selection process.

### **12.1 Accountable discretion and sensitive lettings**

In the interest of achieving balanced and sustainable communities and making most effective use of housing stock, the process of matching applicants to properties will require a level of discretion in order to:

- **Match people with appropriate properties** - for example to ensure that physical mobility needs are met and adapted properties allocated appropriately
- **House people in appropriate locations** – for example to ensure that older people or households with young children are close to transport links and/or schools
- **Avoid potential clashes of lifestyle** – based on analysis of the circumstances of individual applicants rather than generalisations
- **Avoiding over concentrations of household type** – for example avoiding high levels of child density or unduly high proportion of vulnerable people in one area, estate, street or close
- **Ensure the quotas are being achieved between the lists** – for example discretion has to be exercised in deciding which list to allocate a vacancy from.

To ensure a clear and accountable audit trail in allocations we ensure that every offer and allocation made is countersigned by two members of staff. In addition a “sensitive” let will be reported to the committee and the reason for the allocation fully explained.

### **13.0 Review of the housing list**

- 13.1 In order to help ensure that the information held on the list is up-to-date and that each applicant still wishes to be considered for housing by the Association, the list will be subject to review every twelve months, subject the discretion of the Housing Manager.
- 13.2 At the time of the review the Association will ask applicants to confirm that they still want to remain on our housing list and may also ask about changes to their circumstances. Applicants indicating a change of circumstances will have their application re-assessed and will be advised of their new status.
- 13.3 The review will be done by post and where there is no response within 21 days the application will be cancelled. The Association will then send a second letter advising that the applicant has been cancelled with the advice that they should contact the Association immediately if they wish their application to be reinstated.

### **14 Suspensions and removal from the list**

#### **14.1 Suspensions from the Housing List**

14.1.1 Elderpark Housing Association will ensure a continuous opportunity for people to apply for housing, be assessed using the needs-based points system, and to access the housing list. However, in certain circumstances, we will suspend applications. While an application is suspended it cannot receive any offers for housing. Suspensions are never permanent. The reasons we will suspend an application are shown below, along with how and when the suspension can be brought to an end.

#### 14.1.2 Suspension Table:

<b>Reason for Suspension</b>	<b>Length of Time Application will be Suspended</b>	<b>How the Suspension can end</b>
The applicant has outstanding rent arrears, service charges or rechargeable repairs which they incurred whilst a tenant equivalent to one months charge, or more, with a current or previous landlord. Generally this would not apply to debt that is more than 5 years old, however, there may be occasional circumstances where the a suspension can be imposed on debt that has previously been written off	The application will remain suspended for as long as it takes the applicant to make the repayment agreement with their current or previous landlord and keep the agreement for 3 consecutive months. Any agreement will take account of the level of debt and the time that it will take to clear.	The current or previous landlord of the applicant must confirm that the applicant made a repayment agreement and has kept this agreement for the last three months.
It can be shown that the	12 months	The suspension will

applicant intentionally provided false information during the application to gain more points		end when the twelve months have passed and the applicant has provided true information
<p>Has acted in an anti-social manner or a course of conduct amounting to harassment towards another person residing in or visiting in the locality of the house occupied by the applicant</p> <p>Has acted in an anti-social manner towards an employee of the Association in the course of making the application.</p>	<p>We will only look back up to 3 years unless there are exceptional circumstances. The general rule is that the suspension will continue for no more than 12 months.</p> <p>We may consider the use of a Short Scottish Secure Tenancy as permitted under the Housing (Scotland) Act 2001 as amended by the 2014 Act</p> <p>When considering anti-social behaviour we will consider the nature, frequency and length of the conduct. The extent to which the anti-social behaviour arises because of the acts/omissions of other people. The effect it is having on other people. In essence we must have robust evidence to support any suspension.</p>	The applicant's current landlord must confirm that the person has not committed any anti-social behaviour in the last nine months.
Where an applicant has abandoned or neglected a tenancy/previous tenancy	12 months	It will be lifted after the twelve month period
Where an applicant or someone living with the applicant has previous convictions associated with offences committed within the surrounding area or within a residential property within the area	12 months	If there are no recent offences that have been committed
The applicant or someone planning to move with them has been violent or acted in threatening manner towards a member of Elderpark Housing Association's Management	Each case will be looked at on its merit. The suspension will continue for no more than five years since the last incident of violence towards our Committee members or staff. If the person	<p>Five years must have passed since the last violent incident.</p> <p>In relation to acted in a threatening manner</p>

Committee or staff. The result is that staff are unable to fulfil their function in safe environment	acted in a threatening manner they will be suspended for a maximum of 12 months.	the suspension can be removed if the person gives an explanation for their conduct.
The applicant has been evicted from a tenancy within the last year and it is not related to tenancy debt	The suspension will continue for no more than one year since the last time the applicant was evicted	It must be confirmed that the applicant has not been evicted in the last year. The applicant must approach Elderpark Housing Association when the year has passed.
Due to the pending introduction of universal credits failure to carry out a pre-tenancy requirement as specified in the offer letter, may result in an application being suspended. The details of pre-tenancy requirements may include an appointment with our financial capability officer to open a bank account or review budgetary advice prior to sign up for a property.	When the pre –tenancy offer requirement is met.	When the pre –tenancy offer requirement is met.
Where an applicant has refused 3 reasonable offers of housing	12 months	The suspension will end after the 12 months has elapsed

14.1.3 Applicants who are suspended from the list will be notified of this in writing. An explanation will be provided on the reasons and the time period that the suspension is to apply will be clearly noted. This letter will also state clearly how the suspension can be brought to an end.

A suspended applicant will also be advised of their right to appeal through the Association’s Appeals Procedure.

We may decide not to suspend an application where in the view of the Housing Manager the needs of the household outweigh any other concerns.

## 14.2 Removal from the Lists

14.2.1 It will not be usual practice for us to remove applicants from the lists and, where this does occur, it will be confined to the following circumstances:

- the applicant has been offered a tenancy by us and this has been accepted

- the applicant has requested to be removed from the list
- the applicant has died
- the applicant has not responded to the annual review process
- the applicant has been re-housed by another landlord

## **15 The applicant's responsibilities**

15.1 When the applicant fills in the application form they must ensure that all the information they give us about their circumstances is correct. This is important because it means we can make an accurate assessment of their housing needs.

15.2 The applicant must provide the following information before we can process their application; this includes the applicant's name and address, national insurance number, date of birth, household composition and proof of identity and proof of address.

Proof of ID and address would be as follows e.g, a bank statement, utility bill, letter from employer, passport or driving licence.

15.3 If we request further information from the applicant to assess their application then they need to supply us with this, within the timescale we state, so we can complete their assessment.

15.4 When we write to the applicant to carry out a review of our housing list they must complete and return the annual review form.

15.5 When the application is on our housing list the applicant needs to tell us if their housing circumstances change. This is so we can update their application and make sure that they have the correct amount of points.

15.6 If their application is suspended because the applicant has been evicted or they or someone they want to move with has an Anti-Social Behaviour Order against them, they must contact the Association when it has been one year since the eviction, or when the Anti-Social Behaviour Order has expired. It is the responsibility of the applicant to contact us after this time has expired and make a fresh application. We will also monitor suspended applications during our 12 monthly review of the waiting list.

15.7 Applicants are required to declare on the application form that all information supplied is true and are reminded to be accurate with the detail they provide. Should it come to the Association's attention that false or misleading information has been given or information withheld in order to obtain a tenancy, the application will be reviewed and action will be taken to recover possession of the property for which a tenancy has been granted.

## **16 Internal Transfers**

16.1 Internal transfers occur where a current tenant wishes to move to another one of our properties.

- I. Transfer lets are made principally on the basis of housing need based on points and a quota system. All applicants must therefore complete an application form, following which a number of points will be awarded. Transfer applicants should also note that those with tenancy related debt may be over looked from being offered a property or suspended if the level of arrears falls within this suspension criterion. The general rule is that the rent account should be cleared. However, there are exceptions and any agreement will take account of the level of debt and the time it would take to clear it. Staff will take into account the degree of housing need in comparison to allocations from the waiting list and also the likelihood of the tenancy related debt being repaid.

## **17 Mutual Exchanges**

17.1 Association tenants may apply for Mutual Exchanges:

- (i) With other tenants of the Association
- (ii) With tenants of other registered social landlords in the United Kingdom

17.2 The Association will maintain a register for persons seeking a Mutual Exchange, and this will be available to all tenants at the Association's office.

Details of our procedure for mutual exchanges are held in a separate policy and procedure document.

## **18.0 Mobility Scheme**

Currently there is no official mobility scheme which helps facilitate people to move nationally. Tenants can access the Homeswapper website [www.homeswapper.co.uk](http://www.homeswapper.co.uk) to get help to find a mutual exchange. The onus is on the applicant to find a suitable match and on doing so make an application through our mutual exchange procedure.

## **19 Lets to staff, committee or members of their family**

19.1 Please refer to policy G16 Entitlements, Payments and Benefits for guidance on letting a property to staff, committee (and their families).

## **20 Working with Glasgow City Council**

### **20.1 Homelessness**

20.1.1 We work in partnership with the Council in tackling homelessness by assisting the Council in re-housing homeless applicants.

20.1.2 It is our intention to comply fully with the duty under Section 5 of the 2001 Act which requires the Association to comply with any request made by the Council to provide accommodation for a homeless household, unless there are good reasons for not doing so.

20.1.3 If one of Elderpark Housing Association's tenants, or the people that live with these tenants, become homeless the Association will give advice to them and accept applications for housing from them.

## 20.2 Sex Offenders

20.2.1 The Association will co-operate with the responsible authorities to develop a protocol to exchange information regarding registered sex offenders. Any proposed protocol will not necessarily mean that the Association will offer accommodation to sex offenders. The Housing Manager will seek to negotiate a protocol which takes into account relevant environmental attributes in our local community which may pose a risk to a sex offender re-offending.

20.2.2 Sex offenders will not be considered for re-housing through the Section 5 homeless route.

20.2.3 Where an applicant, or a member of an applicant's family has been on the sex offenders register we make an assessment of the consequences to the Association if we provide a house and the person who has been on the sex offenders register re-offends. This includes:

- the effect on the victim, who we are likely have a duty of care towards as our tenant or a member of our tenant's household
- the likelihood of legal action against us in terms of Public Liability
- the effect on our community
- the damage that will be done to our organisation, in terms of, what will be seen by the community as, a betrayal of their trust

Withholding information believed necessary to carry out the risk assessments would result in a suspension of the application.

## 21 The Quota System

21.1 In order to maintain a balance between the various categories of lets we operate a quota system. Target percentages for the different categories are details below:

Priority	Source of Application	Quota
1 <sup>st</sup>	Transfer (our tenants wishing to move)	17% of lets
2nd	Statutory homeless applicants	5 referrals received

	( Section 5)	per month
3 <sup>rd</sup> (a)	General waiting list	Remainder of lets = 80% of lets to (3 a).
3 <sup>rd</sup> (b)	Homeless People as determined by Elderpark H.A., not statutory homeless as determined the City Council	Remainder of lets = 20% of lets to (3b).

21.2 The percentages outlined in the quotas are not absolute figures which must be attained. Rather, they show how we hope to ensure a balance in our overall annual lettings to each group. An imbalance in quotas towards the end of the year will therefore mean that we should not necessarily make lets to redress the imbalance in order to catch up.

21.3 We will ensure selections are made on a rotational basis to help ensure that quotas are broadly achieved on an ongoing basis. This is detailed in Appendix 1, The Selection Process. To assist this process monthly outcome reports detailing allocations made will be prepared. However to achieve sustainable communities and make the most effective use of our stock we may deviate from the rotational selection process. For example this may be necessary due to sensitive lettings as described in point 11.1 entitled “Accountable discretion and sensitive lettings”.

## **22 The tenancy agreement**

22.1 The Housing (Scotland) Act 2001 introduced the Scottish Secure Tenancy (SST), and almost all lets after 30 September 2002 have been made on this basis.

22.2 In certain circumstances, however, the Association may decide to let on the basis of a Short Scottish Secure Tenancy. The circumstances are:

- if the tenant/member of the household/or visitor has engaged in anti-social behaviour in the vicinity of the house in the last 3 years
- where the tenant/joint tenant has been evicted for anti-social behaviour in the past three years or is subject to an ASBO
- Homeowners that may require somewhere temporarily to meet their housing need. For example, if they are in the process of selling their property

22.3 The Short SST can be in place for a minimum of 12 months and can be extended to 18 months in cases of anti-social behaviour. In the cases of homeowners the short SST can be for a period of up to 6 months.

## 22.4 Asylum Seekers

Asylum seekers cannot be offered permanent housing while they are still subject to immigration control. Asylum seeker applications will be coded as suspended applications. Any requests to house asylum seekers on a temporary or permanent basis whilst an application for residency is still pending will only be considered as a nomination from the National Asylum Seekers consortium and in liaison with the local authority.

Once a household has been granted leave to remain in the UK the suspension will be lifted and applications will be considered for housing in accordance with our policy.

Separate arrangements are in place to re-house asylum seekers who cannot be given access to permanent accommodation.

## 23 Measuring the outcomes of the policy

23.1 We record all our allocations decisions, numbers on the housing list and details on lets made in the form of quarterly reports to the Management Committee and the statistical information contained in the Annual Return on the Charter. Both contain the following information:

- details of the number of lets in the reporting year
- details on lets by source of let
- the number of suspensions applied in the reporting year
- equal opportunities monitoring information
- the number of cancelled applications in the reporting year
- the number of section 5 referrals received in the reporting year
- the number of applicants on the housing list
- the number of new applicants to the housing list
- percentage of tenancies sustained for more than a year
- types of tenancies granted in the reporting year
- details of complaints and appeals regarding allocations

23.2 Information on the above is sent to tenant's via the ARC report, in newsletters and is contained on our website. Other interested parties can receive this on request.

## 24 What to do if you are unhappy with our decision on your application

### 24.1 Appeals

24.1.1 If an applicant is dissatisfied regarding any decision made during the allocation process, she or he has the right to appeal. For example, the applicant may be of the opinion that the points awarded do not reflect their circumstances accurately.

24.1.2 The appeal should be made, in writing, to the Housing Manager. Where an applicant wishes to appeal against a statutory suspension they have the right to appeal to the Sheriff Court.

24.1.3 Where the initial appeal is not upheld by the Housing Manager, applicants can submit a service complaint through the complaint handling procedure.

## **24.2 Complaints**

24.2.1 Appeals must be distinguished from complaints for which a separate procedure exists. For example, complaints could involve applicants not receiving offers of housing that they are entitled to, or our failure to provide services in line with our customer service standards.

24.2.2 Details of how to complain are provided in a separate leaflet entitled “Complaints Booklet” which can be obtained at our main office or on our website, <https://elderpark.org/find-a-home/feedback-and-complaints/>

24.2.3 The Complaints Booklet will detail the set timescales that the Association has to resolve different types of complaints. Where someone is still dissatisfied with the outcome of their complaint after the Association has completed its investigation the complaint will be passed onto the Scottish Public Sector Ombudsman, 4 Melville Street Edinburgh EH3 7NS Telephone 0870 011 5378 Email [enquiries@scottishombudsman.org.uk](mailto:enquiries@scottishombudsman.org.uk).

## **25 Confidentiality**

25.1 The Association conforms to the General Data Protection Regulations (GDPR) 2018 in relation to the storage and release of information. Any applicant wishing to request confidential information on them must initially complete the Subject Request Access Form.

## **26 Policy Review**

This policy will be reviewed 2022 or in line with any changes in legislation as required.

## APPENDIX I

### The Points System

#### SECTION 4: SELECTION PROCESS

1.0 This section outlines the type of allocation system that we use and how we prioritise allocations made. This is first clarified by reference to good practice and organisational objectives.

1.1

In selecting a tenant for an empty property the Association will give priority to Transfer applicants until such time as the quota of transfer lets is achieved. The transfer applicants with the highest number of points will be considered for the property first in accordance with their stated preference.

This is in recognition that to obtain a stable community we need to give people the opportunity “to continue to want to live in the same community, both now and in the future” Key Issues for Sustainable Communities’ Derek Long, European Institute for Urban Affairs, Liverpool, John Moores University August 2000).

1.2

Thereafter should the quota for transfers be exceeded the property will be offered to Local Authority Homeless Referrals (Section 5’s). Such referrals are people who have been assessed by the City Council as being Statutory Homeless. The Association aims to re-house referrals within six weeks of the original request. This should also ensure that homeless applicants have access to a wide variety of offers. Currently there is no quota for homeless applicants. Section 5 applications will receive one point and selected on date order.

1.3

Thereafter the property will be offered to waiting list applicants.

This will be split into two.

#### 2.0 **Waiting list A. – Homelessness as Assessed by the Association.**

Applicant is Homeless	<b>40 points + medical/ or domestic abuse points if applicable</b>
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Applications from homeless households that are not statutory homeless as assessed by the City Council, will be awarded 40 points and any medical points where applicable.

This approach aims to assist in re-housing homeless people without the need to go through the section 5 referrals.

We recommend that all homeless applicants should present themselves to Glasgow City Council as well as applying for our housing. Homeless applicant will be advised of this by a member of staff. This is because we cannot offer a cast-iron guarantee that an offer will be made, whereas the Council may have a statutory duty to provide accommodation (although this could initially be temporary). The Council's Homelessness Service details are available in Appendix 2.

In terms of our waiting list we define homeless circumstances to include the following:

- a) Those living in a hostel for homeless people which only allow people to stay temporarily
- b) Those living in supported accommodation for homeless people
- c) Those living in temporary accommodation found for them by the Local Authority because they were homeless
- d) Those living in a moveable structure, e.g. a caravan, which they are not entitled or permitted to put anywhere
- e) People leaving long term hospital care
- f) Those with accommodation which they could live in but they cannot secure entry to, e.g. they are a private landlord and cannot currently repossess their only property
- g) Homeless due to a relationship breakdown, for example a lodger has been asked to move and the applicant has provided the pro-forma "Declaration by Person Withdrawing Consent for Applicant to Occupy Accommodation"
- h) If they are going to be homeless within the next three months because the rented flat they live in is to be repossessed (this includes Tied Housing), or the privately owned home they live in is to be repossessed or sold then the applicant must provide written evidence of the date that repossession, sale will make them homeless. Note: the applicant in this situation does not need to be the tenant or the owner.

There is an onus on the homeless applicant to advise the Association if there is a change in their circumstances, particularly if they continue to reside in the property after the date they have been asked to leave.

### **Waiting List B - Points based Housing Needs**

This waiting list will take into account the remaining categories used to assess housing need, for example security of tenure, condition of property, health or medical needs, overcrowding or under-occupation and social, financial and environmental factors

### 3.5.2 Insecure Housing Situation

Applicant in Insecure Housing Situation
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Applicant's who receive points for Insecure Housing Situation cannot receive points for Homelessness as well. If the applicant is to become homeless they move to the Waiting list A and will also be advised to apply to the city council as a homeless person.

**15 points** will be awarded for this category to:

- a) An applicant who has a Short Assured Tenancy
- b) A home owner who cannot afford their mortgage and legal action has commenced to repossess their home.
- c) An applicant has broken up with their partner (whether they were married or not) and still has to live with them due to lack of alternative accommodation.

**10 points** will be awarded for this category to:

- a) An applicant who is a lodger and is living with friends or family.

### 3.5.3 Overcrowding and Under-Occupation

For Every Bedroom Lacking	<b>8 points</b>
For Every Bedroom Extra	<b>4 points</b>
Maximum Overcrowding points awarded	<b>12 points</b>
Under occupation points	<b>12 points</b>

NOTE: The living room/bedroom of a studio flat count as a living room, therefore, an applicant who lives in a studio flat will be seen as having no bedrooms.

The overcrowding points are awarded in accordance with occupancy standards as detailed in section 9.3 of the allocation policy. The maximum overcrowding points awarded is 12 points.

Under occupying points refer to social housing tenants only.

### 3.5.4 Condition of Current Property

Property is Below Tolerable Standard	<b>30 points</b>
Property has dampness or has poor energy efficiency	<b>10 points</b>

Within reason there is an onus for the applicant to provide evidence to support claims of dampness. From Jan 2009, Energy Performance Certificates should be provided to all new tenants and owners from their date of entry. It is measured by a SAP reading.

- A reading under 50pts is classified as a property below tolerable standard and awarded 30 points.
- A Sap reading between 50 – 65 points represents poor quality housing and the points awarded will be 10.

Points in this category are awarded to tenants and owner occupiers.

The tolerable standard for housing is defined by the Housing (Scotland) Act 1987 as amended by the 2001 Act. Verification document can be provided the City Council

### 3.5.5 Sharing Amenities

Applicant Sharing kitchen/Cooking facilities with Other Household	<b>2 points</b>
Applicant Sharing a Living Room with Other Household	<b>2 points</b>
Applicant Sharing W.C. Shower/Bath with Other Household	<b>2 points</b>

### 3.5.6 Mobility/Medical Condition

The Location/Layout of the Current Home of the Applicant, or Someone Moving with the Applicant is so detrimental to their Mobility or Medical Condition that:

Moving House is Considered to be <b>Essential</b>	<b>25 points</b>
Moving House is Considered to be <b>Advisable</b>	<b>15 points</b>

Points are not awarded for medical reasons simply because an applicant has a particular medical condition. Points are awarded only when the applicant satisfies two tests:

- 1/ The applicant's accommodation is unsuitable because of the applicant's medical condition
- 2/ Alternative accommodation requested would alleviate this medical condition.

An assessment will be made as to whether the provision of alternative accommodation is "essential" or "advisable". In order to determine the appropriate points we will ask the applicant to complete a Medical Self Assessment Form.

Where more than one party to an application attracts medical points, the individual points awarded to each applicant are added together.

Points will be awarded to an applicant suffering from anxiety or depression only if he/she is receiving medical treatment on a regular basis.

Points will be awarded to applicants who have a disability or disabling illness which affects their mobility when they consider ground floor or first floor accommodation.

### **3.5.7 Sustainability Grounds**

We aim to achieve a balanced and sustainable community. We have defined this as encouraging people to reside in the area who have a range of life and employment experiences. We also want to strengthen social, community and family networks.

To assist this objective we have awarded the following points:

Applicants moving nearer to relatives, to give or receive support are awarded **8 points**.

Applicants moving to help sustain employment/training are awarded **8 points**.

In seeking to create and sustain social, community and family networks we will adopt a broad interpretation of social support. Applicants will need to detail on the application form how they fall within the above criteria.

In relation to employment, points will be awarded if the applicant, or someone moving in with the applicant can describe on their application from why moving will help sustain employment/training/education. Confirmation of employment training, education must be provided. In addition applicants will need to detail on the application form how they fall within the above criteria.

### **3.5.8 Flat Share**

The Association recognises that two individuals who are unrelated may wish to share a property as a flat share, but would not necessarily realise that they can do this with a housing association property. In seeking to create a viable option for people in this category the Association will award **8 points**.

The flat will be let as a joint tenancy and therefore both parties would be joint and severally liable.

### **3.5.9 Abuse, Harassment, Discrimination or Victimisation**

Applicants facing any form of abuse, including domestic abuse, harassment, discrimination or victimisation are awarded **25 points**

The terms above are defined by different legislation. For example, abuse includes violence, harassment, threatening conduct, and any other conduct giving rise, or likely to give rise, to physical or mental injury, fear, alarm or distress.

(Protection from Abuse (Scotland) Act 2001, section 7)

Housing staff will assess each case using the appropriate legal provisions. Evidence will normally be required from appropriate agencies where they are involved with applicants, for example, Social Work or the West of Scotland Racial Equality Council and Police.

### 3.6 Date of Application

Date of application will be used to determine priority in cases where applicants share the same points totals and aspirations. Transfer applicants is the exception to this rule. Tenancy start dates will be used to determine priority in cases where transfer applicants have the same points.

## 3.7 Pointing Joint Applications

- 3.7.1** In the case whereby joint applicants live at different addresses, the applicants will identify who is the main applicant and their housing circumstances will be assessed and pointed in accordance with the policy.

**Housing Information and Advice**

We aim to ensure that applicants receive high quality information and advice which enables them to make informed choices about their housing. We provide information and advice on:

- How to apply for housing and how the application will be dealt with
- Timescales for processing and assessing applications
- The role of applicant and what information they are expected to provide
- Applicant’s realistic chances of obtaining a tenancy from the Association
- Other housing options
- Income, Benefit and Housing Benefit advice

**Other Local Housing Providers**

<p>Linthouse Housing Association 1 Cressy Street Govan Glasgow G51 4RB 0141 445 4418 Monday to Friday 9:00am -12:30pm and 1:30pm – 5:00pm</p>	<p>Govan Housing Association 35 McKechnie Street Govan Glasgow G51 3AQ 0141 440 0308 Monday to Friday 9:00am – 1:00pm and 2:00pm – 4:30pm</p>
<p>Clydeview Housing Partnership 780 Govan Road Govan Glasgow G51 2YL 0800 479 7979 Monday to Friday 9:30am – 4:00pm</p>	

**Homelessness Services**

<p>The Hamish Allan Centre Out of hours homelessness Service Glasgow City Mission 20 Crimea Street Glasgow G2 8PW Single males/females attend between hours of 4.45pm – 11pm Families with children call 0800 838 502 After 11pm and at weekends contact: 0800 838 502</p>	<p>South Community Homelessness Service Rowanpark Ardlaw Street Govan Glasgow G51 32X Tel: 0141 276 8201 Opening Times: 8.45am – 4.45pm Monday to Thursday 8.45am – 3.55pm on Fridays</p>
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### **Preventing Homelessness**

Glasgow Women's Aid  
4<sup>th</sup> Floor  
30 Bell Street  
Glasgow  
G1 1LG  
Tel: 0141 553 2022

Applicants will need to detail on the application form how they fall within the above criteria