

# HOME Argyll

## HOUSING ALLOCATION POLICY

A joint approach to housing in Argyll involving:



## Contents

1. INTRODUCTION.....	3
2. LEGAL AND REGULATORY CONTEXT .....	5
3. OUR OVERALL APPROACH .....	7
4. APPLYING FOR A HOUSE .....	10
5. HOUSING CHOICES .....	15
6. PRIORITISING APPLICATIONS .....	19
7. HOW HOMES ARE ALLOCATED .....	28
8. REMOVING OR SUSPENDING APPLICATIONS.....	31
9. SUSTAINABLE COMMUNITIES.....	33
10. CUSTOMER SERVICE .....	36
11. COMPLAINTS AND APPEALS.....	37

## 1. INTRODUCTION

### What is HOME Argyll?

HOME (Housing Options Made Easy) Argyll is a partnership approach to providing a Common Housing Register (CHR) in the Argyll and Bute Council area. The partnership is made up of:

- Argyll Community Housing Association
- Dunbritton Housing Association
- Fyne Homes
- West Highland Housing Association
- Argyll and Bute Council

The partners recognise that being well housed is one of the most important aspects of peoples' lives and that housing can have a major impact on health and well being. As far as possible, the partners aim to provide sustainable housing for applicants within stable communities. The approach focuses on providing easily accessible, high quality housing advice and information to all and making it as easy as possible to find suitable housing in Argyll and Bute. Customers looking for housing in the social rented sector in Argyll and Bute can apply through a single application that is assessed using the common allocations policy. An application can be completed through the HOME Argyll website at:

<http://www.homeargyll.co.uk/>

### About the HOME Argyll Partners

Below is a brief description of each of the partners.

**Argyll Community Housing Association** is the largest partner landlord in Home Argyll with over 5,000 properties across the whole of Argyll and Bute. The majority of the Association's properties are mainstream, although the Association also has a number of properties designed or adapted for specific needs. These include sheltered housing complexes and a number of amenity or adapted houses catering for applicants with health, mobility or other particular needs. In addition, the Association has travelling person sites in Argyll and Bute providing facilities for gypsy travellers. The Association has offices throughout Argyll and Bute.

**Dunbritton Housing Association** has homes in the Helensburgh, Lomond and Cowal areas. Again, most are general needs homes but there are also a small number of homes

for older people and wheelchair accessible properties. The Association is based in Dumbarton and also has homes in the West Dunbartonshire council area. These properties are also allocated using the HOME Argyll allocations policy.

**Fyne Homes** is the second largest housing association in Argyll and Bute. It has homes in Mid Argyll, the Cowal and Kintyre Peninsulas the Isle of Gigha, and the Isle of Bute. The Association has four offices which are located in Lochgilphead, Dunoon, Campbeltown and Rothesay.

**West Highland Housing Association** has homes in Oban, Lorn and the Islands. Most of the homes are in Oban and on the Isle of Mull. A small number of homes are in the rural communities of Lorn, Tiree, Islay, Jura and Colonsay. Most homes are general needs with only a very small number that are particularly suitable for severely disabled and older people. The Association is based in Oban.

**Argyll and Bute Council** is the strategic housing authority with statutory obligation to develop and deliver the Local Housing Strategy. The Council does not have homes available for rent through HOME Argyll but does have responsibility for assessing applications from customers who are homeless or threatened with homelessness. The Council has a duty to find suitable housing for households that it assesses as being unintentionally homeless and with a local connection to the Argyll and Bute area. The rules for assessing homelessness are laid out in national legislation are not the same as those for assessing housing need under this policy.

Further information is available from <http://www.argyll-bute.gov.uk/housing/homelessness> and Area Homeless Teams are located in Bute, Cowal, Kintyre, Mid Argyll, Lomond and Lorn.

### **Associate Members**

Cairn Housing Association is a national association which manages over 3,000 properties across Scotland. The Association has a sheltered/extra care housing complex in Campbeltown which provides housing support for older people and can be allocated through HOME Argyll.

## 2. LEGAL AND REGULATORY CONTEXT

### Compliance with Law and Regulation

This policy complies with all relevant legislation and regulation (see Appendix 1). It has been developed in line with regulatory requirements and practice recommendations from the Scottish Government and the Scottish Housing Regulator (SHR). These include:

- The Legal Framework for Social Housing Allocations, Statutory Guidance for Social Landlords. Housing (Scotland) Act 2014.
- Minimum Period for Applications to remain in force – Suspensions Under Section 20B of the Housing (Scotland) Act 1987. Statutory Guidance. Housing Scotland Act 2014

The SHR regulates landlord services provided by local councils and RSLs and statutory homelessness services provided by local authorities. The SHR's statutory objective is to safeguard and promote the interests of current and future tenants, homeless people and other people who use services provided by social landlords.

The partner landlords are all registered with the Scottish Housing Regulator (SHR) as Registered Social Landlords (RSLs). RSLs are independent housing organisations. As the organisation responsible for Statutory Homelessness Services, Argyll and Bute Council is also regulated by the Scottish Housing Regulator.

The SHR monitors and reports on a social landlord's performance and requires landlords to collect and provide key information on their performance. Where appropriate, they intervene to secure improvement and protect the interests of tenants and other service users. All the HOME Argyll partners are required to provide information to, and are regulated by, the SHR.

### Scottish Social Housing Charter

The SHR use the outcomes and standards in the Scottish Social Housing Charter (SSHC) to assess the performance of social landlords. The outcomes and standards that have been considered in the development of this policy are outlined below:

**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 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.

### **3. OUR OVERALL APPROACH**

#### **Aims of the policy**

The partners' aims are to:

- provide quality affordable housing to applicants who have been assessed as being in housing need
- make the best use of available housing whilst still giving choice to applicants
- provide appropriate housing to applicants with particular needs
- contribute to the prevention of homelessness in Argyll and Bute
- create and maintain balanced and sustainable communities throughout Argyll and Bute
- contribute to and inform Argyll and Bute's strategic housing priorities.

To help deliver these aims the partners will:

- provide an easily accessible CHR for all customers
- use a simple, transparent system for allocating available properties.

#### **Partnership Working**

This policy has been developed by the partners with the aim of working together to simplify and maximise access to housing in Argyll and Bute. The partners will continue to work together and with other organisations to identify and alleviate housing need in Argyll and Bute.

#### **Equality**

All partners are committed to equality of opportunity in line with the Equality Act (2010). In developing this policy, we have considered the impact it could have on those within one or more of the nine protected characteristics groups set out in the Equality Act 2010. These are:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;

- sex; and
- sexual orientation.

We have also considered our public-sector equality duty (PSED). The PSED requires public authorities to have due regard to the need to eliminate discrimination, promote equality of opportunity and foster good relations.

The partners will make this policy available in alternative formats such as large print, Braille or audio on request. Translation services for other languages will also be made available if required.

This policy has been the subject of an equalities impact assessment.

### **Transparency and Accountability**

The partners will apply this policy in a consistent and transparent manner and treat all applicants in the same way. The partners operate a quality assurance procedure to ensure that this approach is applied consistently.

This policy will be a published document and is available from the HOME Argyll website at: <http://www.homeargyll.co.uk/> or from any of the partners.

The partners will offer all applicants the opportunity to discuss their application and the allocations process where necessary.

Applicants will also be informed of the joint HOME Argyll complaints policy and process. The complaints policy is available from the HOME Argyll website or from any of the partners.

The partners will maintain clear audit trails which will allow us to demonstrate how and why any given allocation was made to a particular household, whilst also taking account of GDPR Regulations and data protection legislation. The partners will report on their performance to the SHR.

### **Consultation**

Consultation and discussion is invaluable in allowing us to achieve a policy and working procedures that will, as far as possible, reflect our customers' needs and aspirations. We will consult with service users on all reviews of this policy in accordance with the Housing (Scotland) Act 2014 and the partner landlords' own Tenant Participation Strategies.



## **Housing Options**

Social housing is one of a range of housing options available. All HOME Argyll partners will provide high quality housing options information and advice to ensure that applicants are fully informed of the range of choices available to them.

## **4. APPLYING FOR A HOUSE**

### **How to Apply**

Anyone aged 16 or over can apply for a house with any of the partner landlords.

The single application process means that applicants only need to complete one application. Applications can be made through the HOME Argyll website.

Staff from all the partner landlords are available to provide assistance with the completion of the application if required by the applicant. If it is not possible to make an online application, paper forms can be made available on request at the offices of the partners. Forms can also be provided in alternative formats on request. If required, applicants can also be provided with translation services to assist them in completing their application.

All applications will be processed and recorded on the HOME Argyll Common Housing Register.

We will accept housing applications from asylum seekers and others subject to immigration control. However, we will suspend these applications until the applicant has received a positive decision on their leave to remain from the UK Borders Agency.

### **Applicants who are Tenants of a HOME Argyll Partner**

Tenants of any of the HOME Argyll landlord partners can apply to transfer to another property which better meets their needs. Tenants can transfer to a property owned by their existing landlord or they can request a move to another property owned by one of the partner landlords. As with new applicants, transfer applicants can submit an application through the HOME Argyll website. A tenant can apply for a transfer at any time and does not need to have lived in their current home for a qualifying period. The partners will not offer an alternative property that would worsen the tenant's current housing circumstances.

In order to make best use of housing stock, each landlord aims to make a number of their vacant properties available to transfer applicants. The number of properties that are made available for transfer may change over time and differ between the partners. The current proportion of properties made available to transfer applicants is available from the HOME Argyll website.

Any existing HOME Argyll tenant who does not have a full Scottish Secure Tenancy (SST) or a Short Scottish Secure Tenancy (SSST) will be considered under the direct waiting list rather than the transfer list.

## **Mutual Exchange**

A Mutual Exchange is when tenants, with the approval of their landlords, agree to swap houses. The exchange can be with another tenant of the same landlord or with a tenant of one of the partner landlords, other RSLs both locally and nationally, and local authority tenants throughout the UK.

All partners in HOME Argyll will consider any request for an exchange, unless there are reasonable grounds to refuse the request such as:

- the property is subject to proceedings for recovery of possession
- the property has been designed or adapted for occupation by a person with particular needs and, if the exchange took place, there would no longer be a person with those needs occupying the house
- the exchange would lead to either overcrowding or one household living in a property substantially larger than required
- the exchange would result in tenants being accommodated in a property which is not suitable to their needs.

## **Information Provided by the Applicant**

In order to assess an application properly, it is important for us to have accurate and up to date information on the applicant's circumstances. Where an applicant fails to provide information to support their application, this may mean that the application cannot be fully assessed, and the correct points awarded.

Any required information will be requested from the applicant and their application will be re-assessed once that information has been received. However, we will not ask an applicant to provide information where there is a significant financial cost attached to obtaining it.

Should an applicant's circumstances change this may have an impact on their housing application and they must update their HOME Argyll application online. An applicant should also update their application if they want to change any of the areas or property types they have selected. Changes in circumstances may have an impact on the number of points received, and any change in points awarded will take effect from the date that we are

informed of these changes. This will ensure the applicants are appropriately placed on the waiting list.

If it is established that an applicant has intentionally changed their circumstances in order to secure a higher position on the waiting list, we may assess this application as if this change in circumstances had not occurred.

An applicant should contact any HOME Argyll partner if they require assistance with their application.

### Verifying an Applicant's Circumstances

Applicants may be asked to provide information in support of their application and to provide verification of their circumstances. The information that may be required is outlined in the table below.

<b>Circumstance</b>	<b>Proof required</b>
All applicants	Proof of identity, such as passport, birth certificate or driving licence
All household members	Proof of residency, such as utilities bill or bank statement
Homeless or threatened with homelessness	Assessment undertaken by Argyll and Bute Council
Given Notice to Quit or a Notice to Leave* at current accommodation	Copy of valid Notice to Quit or a Notice to Leave
Moving to be near employment	Letter from employer/future employer
Moving to provide/ receive support	Letter from service providing support and/or professional recommending the need for support Letter from the person providing/ receiving support
In need of rehousing as health is affected by current housing circumstances	Health and housing needs assessment will be undertaken
Access to children	Evidence of access, for example: Birth Certificate, letter from child's other parent or professional
Foster carers	Letter from Fostering Agency
Member of household temporarily living away from home	Letter from household member confirming that they wish to be part of the household and have not submitted a separate application for housing to HOME Argyll

*Domestic Abuse	Position of belief – further information not required – see below.
Experiencing harassment	Corroborating evidence from Police, current landlord, Community Safety, Victim Support or other relevant agency.
Pregnancy	Form MAT B1 or similar

\* A Notice to Leave should be used to terminate any private residential tenancy which began on or after 1 December 2017

\*Domestic Abuse: We recognise that some of the information required to support an application where someone has been subject to domestic abuse, may be sensitive and personal in nature. We also recognise that where applicants are vulnerable and/ or have an unsettled housing history – for example if they are fleeing domestic violence, abuse or a course of conduct which could harm known as coercive control (and referred to in law within The Domestic Abuse Scotland Act 2018) - they may not be able to provide as much information in support of their application. We will therefore treat each case on its merits and will adopt a position of belief and trust.

All applicants will also be asked to provide their National Insurance (NI) number. This will be used as a unique identifier for each applicant and enables us to identify any duplicate applications. As not everyone will have an NI number, providing this information will not be a requirement of making an application, and another identifier will be used for these applicants.

For security purposes, applicants will be asked to provide their NI number (or the alternative number being used) when contacting any of the partners for information about their application.

## Tenancy References

We will usually require contact details for previous landlords in the past five years. Landlords will be contacted and asked to complete a tenancy reference form. If this reference identifies rent arrears, anti-social behaviour or breach of tenancy agreement, applicants may be suspended according to this policy. Further information on suspension from the housing list is provided in Section 8 of this policy.

## Referrals

In some cases, partner landlords have arrangements with specific agencies to take referrals.

Referrals are made when the referring agency considers that a household or someone within it could benefit from living in a particular type of home. The referral is usually for a particular property or a development designed for people with support needs. An example would be extra care housing that has been developed specifically to meet the needs of older people

with high, specialist care and support needs within a residential setting. Further information is available on our website or from any of the partners.

### **Employees and Committee or Board Members**

We do not exclude any employee, former employee, committee or board member, former committee or board member or close relatives of employees, former employees, committee or board members or former committee or board members from applying for a tenancy, transfer of tenancy or mutual exchange. These individuals must apply through the normal application process, will be subject to the same assessment procedure and will be allocated housing based on their housing need as assessed through the allocation policy. The application will be handled by a partner that has not had a previous connection to that applicant.

### **Review of the Housing List**

The common housing list will be reviewed on an annual rolling basis, with all applicants asked to confirm that the information held by HOME Argyll is accurate and that they wish to stay on the housing lists.

Applicants will be offered a range of ways in which to provide up to date information e.g. through the website, by telephone, by letter or email etc. They will also be offered the opportunity to contact one of the partner organisations for an interview to discuss their housing options.

Where applicants fail to respond to this review within a certain period of time, they will be removed from the common housing list. All applicants will be informed of the implications of failing to respond to the review. Circumstances in which an application can be removed from HOME Argyll are outlined in Section 8 of this policy.

## **5. HOUSING CHOICES**

### **Housing Options – Advice and Information**

We aim to ensure that all applicants and existing tenants receive high quality information and advice which enables them to make informed choices about their housing. This enhanced housing options approach is in line with Argyll and Bute Council's Local Housing Strategy. We will give advice to applicants on issues such as:

- 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
- each partner's housing stock
- other housing options.

All potential applicants will be informed of their right to be admitted to the housing list of all partner RSLs, and have their housing needs fully assessed as a result of their application. No applicant will be discouraged from making an application to any RSL.

All information and advice will be provided in an accessible format which meets the needs of individuals. All written information will be simple, easily understood and in plain English. Information and advice will also be available on request in a range of other languages and formats to meet the needs of individuals.

### **Where You Want to Live**

All partners aim to match applicants with a home that meets their needs and is in an area where they want to live. As part of each applicant's housing options interview, we will discuss which areas they would be interested in. Applicants can choose as many areas as they wish. They will be encouraged to choose only those areas in which they would give real consideration to an offer of housing.

Information on areas, types of housing and how often properties usually come up for let is available from the HOME Argyll website and this should help applicants make informed choices about their application. This information be found at: <http://www.homeargyll.co.uk/>

### **Types and Size of Housing**

We aim to make best use of our housing stock and the size of property an applicant is eligible for will depend on the number and make up of people on the housing application. The number and size of bedrooms an applicant will be entitled to is set out in the table below.

<b>Household size</b>	<b>Reasonable Minimum accommodation size</b>
<b>Single person</b>	<b>Bedsit or 1 bedroom</b> (bedsit or 1 single room or one double room)
<b>Couple</b>	<b>1 or 2 bedrooms</b> (1 double room) or (minimum of 1 double room and 1 single room)
<b>Single parent with one child</b>	<b>2 bedrooms</b> (minimum of 2 single rooms)
<b>Couple with one child</b>	<b>2 bedrooms</b> (minimum of 1 double room and one single room)
<b>Single parent with two children of the same sex</b>	
- both aged under 16	<b>2 bedrooms</b> (minimum of 1 double room and one single room)
- both aged under 16, but more than 6 years age difference	<b>3 bedrooms</b> (minimum of 3 single rooms)
- one or both aged 16 or over	<b>3 bedrooms</b> (1 double room and 2 single rooms or 3 single rooms)
<b>Couple with two children of the same sex</b>	
- both aged under 16	<b>2 bedrooms</b> (2 double rooms)
- both aged under 16, but more than 6 years age difference	<b>3 bedrooms</b> (minimum of 1 double room and 2 single rooms)
- one or both aged 16 or over	<b>3 bedrooms</b> (minimum of 1 double room and 2 single rooms)
<b>Single parent with two children of opposite sex</b>	
- both aged under 8	<b>2 bedrooms</b> (minimum of 1 double room and 1 single room)
- one or both aged 8 or over	<b>3 bedrooms</b> (minimum of 3 single rooms)
<b>Couple with two children of opposite sex</b>	
- both aged under 8	<b>2 bedrooms</b> (2 double rooms)
- one or both aged 8 or over	<b>3 bedrooms</b> (minimum of 1 double room and 2 single rooms)
<b>Single parent with three children</b>	



- if two able to share a room (under 16 and same sex/ under 8 and opposite sex)	<b>3 bedrooms</b> (minimum of 3 single rooms)
- none able to share a room	<b>4 bedrooms</b> (minimum of 4 single rooms)
<b>Couple with three children</b>	
- if two able to share a room (under 16 and same sex/ under 8 and opposite sex)	<b>3 bedrooms</b> (2 double rooms and one single room)
- none able to share a room	<b>4 bedrooms</b> (1 double room and 3 single rooms)
<b>Single parent with four children</b>	
- if all children able to share rooms	<b>3 bedrooms</b> (minimum of 2 double rooms and one single room)
- if two children able to share a room	<b>4 bedrooms</b> (minimum of 1 double room and 3 single rooms)
- if none able to share a room	<b>5 bedrooms</b> (minimum of 5 single rooms)
<b>Couple with four children</b>	
- if all children able to share rooms	<b>3 bedrooms</b> (3 double rooms)
- if two children able to share a room	<b>4 bedrooms</b> (minimum of 2 double rooms and 2 single rooms)
- if none able to share a room	<b>5 bedrooms</b> (minimum of 1 double room and 4 single rooms)

The partners appreciate that applicants' circumstances can vary and that some households may want a larger property. The types of circumstances under which we might consider offering an extra bedroom might include:

- **Where there is a health reason for requiring a separate or additional bedroom** – this will be considered on an individual basis through our joint health and housing need assessment process and on occasion **with specific professional confirmation.**
- **Where a separated partner has access rights to a child/children** – we would normally allow the applicant one additional bedroom to be used by the child/children during access visits. Individual circumstances can be taken into account. Any specific requirements should be discussed with one of the partner RSLs.

- **Where a member of the applicant household is pregnant** – and if the household would require a further bedroom once the baby has arrived.
- **Where there is no stock of a suitable size** – in some areas, where landlords do not own properties of a smaller size, smaller households may be entitled to be considered for a larger property.
- **Where applicants request an extra bedroom** – applicants may request a property one size larger than they are eligible for. This will result in lower priority for this house size, with those who **need** this size of property being considered before those who **choose** to request an extra bedroom but do not actually need it. Applicants will be advised that they are less likely to be offered accommodation if they request a larger size than they are entitled to under our policy.

It is also important to ensure that households are able to afford any accommodation offered and we will discuss affordability with the applicant as part of their housing options interview(s). This will include giving information and advice on the housing element of universal credit and the Department of Work and Pensions rules on numbers of bedrooms.

In exceptional circumstances, we may consider offering a household a property which is smaller than they are entitled to, but which will improve the situation they were currently living in.

There is usually no restriction on the location or type of accommodation for which an applicant may apply. However, some types of housing are designed for a particular client group, and it would only be people from that group who could apply for that particular housing.

## **6. PRIORITISING APPLICATIONS**

### **Assessing Applications for Housing**

This policy has been developed to give priority to those in the greatest housing need and all applications will be assessed and given priority in accordance with this policy. The system that will be used by the partners to assess and prioritise applications is outlined in this section.

### **Reasonable Preference**

The Housing (Scotland) 2014 Act amends section 20 of the 1987 Act and sets out three categories of applicants who should be given reasonable preference. These are:

- Homeless persons and persons threatened with homelessness and who have unmet housing needs;
- People who are living under unsatisfactory housing conditions and who have unmet housing needs; and
- Tenants of houses which are held by a social landlord, which the social landlord selecting its tenants considers to be under-occupied.

We have taken these reasonable preference categories into account in the development of this policy.

### **Unmet housing needs**

The first two of the reasonable preference groups (homelessness and unsatisfactory housing conditions) are subject to the qualification that the applicant should also have unmet housing needs which are not capable of being met. As part of our housing options work with the applicant we will look at

- the applicant's circumstances; and
- the existing housing options which are available and accessible to them.

If an applicant is able to meet their own housing needs, we may not give them priority. An example might be if the applicant's current home can be adapted to meet their mobility needs. However, if a waiting list or transfer applicant is awarded points under this policy we would generally consider them to have an unmet housing need.

Argyll and Bute Council will make the assessment of whether a statutorily homeless applicant has unmet housing needs as part of their assessment process.

**Homeless persons and persons threatened with homelessness and who have unmet housing needs**

Statutory homelessness assessments are carried out by Argyll and Bute Council. If someone has been assessed as homeless no further assessment of need will be carried out and their application will be given a statutory homelessness priority on the HOME Argyll waiting list.

**People who are living under unsatisfactory housing conditions and tenants of a social landlord who are under-occupying**

All applications (excepting statutory homelessness applications) will be assessed and given points according to their current housing situation and personal circumstances. The points that will be awarded are shown in the table below and the categories are explained later in this section.

<b>CIRCUMSTANCES</b>	<b>POINTS</b>
<b>Unstable and insecure housing circumstances</b>	
If you are Statutorily Homeless	200
If you are or have been a member of HM Armed Forces and have completed at least 3 years services and are leaving within the next 6 months, or been injured in action or discharged on medical grounds, or have left within the last 6 months.	150
If you have to move out of your current accommodation within two months	50
If you are leaving prison	50
If there is a closing order on your home	50
If you are being forced to sell your home e.g. following a relationship breakdown	50
If you have to leave tied accommodation	50
If you have previously lived independently but have had to move into another household on a temporary basis	20
<b>Agreements with other agencies or services</b>	
Leaving care and throughcare	200
Move on accommodation	50
<b>Domestic abuse or harassment</b>	
If you or a member of your household experiences domestic abuse resulting in a requirement to relocate in order to reduce risk of harm, abuse and promote safety and well-being	200
If you or a member of your household are subject to severe harassment	50
If you or a member of your household are subject to significant harassment	20
<b>Housing related health or disability needs</b>	
If you have an urgent health or disability issue that would be helped by a move	200
If you have a severe health or disability issue that would be helped by a move	50

If you have a significant health or disability issue that would be helped by a move	20
<b>Home is too big or too small for your needs</b>	
Your household is overcrowded (each additional bedroom more than one required receives 20 additional points)	30
Your home has bedrooms your household does not need (if you have two or more bedrooms you do not need you receive 10 additional points)	30
<b>Home is not suitable</b>	
Your home has very severe condition problems or is below tolerable standard	50
Your home has significant condition problems	10
If you are living with people who are not going to be part of your household when you move, and you have children who are having to share facilities with them	20
<b>Social Reasons</b>	
You are an incoming worker	20
You need to be nearer to specialist support services you use regularly	20
You need to be nearer to family or friends to give or receive support	10
You are two households, both renting from a HOME Argyll RSL, and wish to move into one home together	20
<b>Management Reasons</b>	
If you are a tenant of one of the partner landlords and they need you to move for exceptional and urgent circumstances e.g. because the property is structurally unstable, to allow for redevelopment or to assist a tenant during exceptional circumstances	200

The maximum total points awarded to any application will be 200 points.

### **Unstable and insecure housing circumstances**

This category covers situations where, for some reason, the applicant is either at risk of losing their current accommodation or their current housing is temporary. Points are awarded according to the level of risk.

If a young person aged 25 or under is having problems with their family and is asked to leave the family home, we will encourage the young person and his or her family to make use of our mediation services. The young person will only be awarded insecure housing points if they have engaged with mediation services, but it has not been possible to resolve the issues that led them to apply for their own accommodation. We will never ask a young person to use the mediation service if the relationship between the young person and their family is abusive. Further information on the free mediation service can be obtained by emailing [Housingmediation@btinternet.com](mailto:Housingmediation@btinternet.com).

### **Agreements with other agencies or services**

This category is for applicants who are currently being looked after by the local authority or are in specific supported accommodation and are ready to move into their own accommodation.

We want to ensure that Looked After and Accommodated Children subject of the Children (Scotland) Act 1995, and other applicants who are currently being supported by other agencies, are given the best possible opportunity to make the transition from a care setting to their own tenancy. We aim to support people in making that transition as easy as possible.

### **Domestic abuse or harassment**

#### **Domestic Abuse**

Where people are experiencing domestic abuse, we recognise that this presents an immediate housing need and priority is awarded on this basis. We also recognise that housing need is likely to continue to be significant when someone has left their home because of domestic abuse and has not gone down the statutory homeless route. We understand that domestic abuse can occur within the home or elsewhere, and that the perpetrator may not reside within the home, therefore each case will be looked at on its own merit.

Applicants affected by domestic abuse will be advised that they may seek assistance from Argyll & Bute Council's Homelessness Service. Applicants may also be signposted to other sources of support such as Women's Aid and other relevant organisations which are able to provide assistance and support. The safety of the applicant will be our first priority, with confidentiality of information provided being particularly important in these cases.

We understand that the victim may prefer to stay in their home and there may be circumstances under which the perpetrator could be required to leave or not return to the home. If this is the victim's preference, we will work with them to maximise their chances of being able to remain in their home.

If an applicant has left their settled home because of domestic abuse, or the threat of domestic abuse, and is living in insecure or temporary accommodation for example, living with friends or family or in a private let with a PRS as a result of leaving their secure home then priority will be given for permanent, settled rehousing with one of the partner RSL's.

## **Harassment**

Harassment at or near the home is a serious problem and includes not only physical attacks and damage to property, but also verbal abuse and other behaviour which deprives people of the enjoyment of their home on the grounds of a personal attribute such as gender, racial origin, sexuality, age, disability or other factor. Victims of harassment will also be signposted to other relevant sources of support and advice, such as the local authority, the police and voluntary and community organisations.

All applicants whose household is *specifically affected* by harassment will be assessed on an individual basis. The level of priority will reflect the severity of the harassment and the risk to the household.

## **Housing related health or disability needs**

When deciding on health or disability-related priority we will consider two factors:

- The severity of the person's condition or the degree of incapacity; and
- The extent to which re-housing will benefit the person concerned.

Priority will only be awarded if the applicant's current home does not meet their health or disability-related needs and a move could allow those needs to be met.

If an applicant's current home could be adapted to meet their needs, we would discuss this option with the applicant, and we may not award priority if an adaptation which meets the needs of the applicant can be made. The availability of funding for any adaptation would also be considered.

Where a household has more than one person with health or disability-related needs, points will be awarded on the basis of the member of the household with the highest level of need.



Where the applicant or a member of the applicant's household has a health issue that is adversely affected by their housing circumstances, advice may be sought from a relevant health professional.

### **Home is too big or too small for your needs**

We wish to ensure that households are living in homes that are an appropriate size for their needs. This also makes the best use of the partners' housing stock.

### **Overcrowding**

Applicants will receive points in this category if their current accommodation does not meet the standards. These standards are outlined in Appendix 2.

The initial points will be awarded when one extra bedroom is required and additional points are given for each extra bedroom that the household requires. For example, a household that needs one more bedroom would receive 30 points and a household requiring two more bedrooms would receive 50 points.

### **Under Occupation**

Applicants will receive points in this category if they have more bedrooms than they require according to the standards in Appendix 2. Under occupation points will be awarded to the tenants of the partner landlords and other social rented sector landlords in Scotland and to those living in the Private Rented Sector in Argyll and Bute.

The initial points will be awarded for applicants with one extra bedroom. Applicants with two or more bedrooms than they require will receive a further award. This means that a household that has one more bedroom than they require would receive 30 points and a household that has 2 or more bedrooms than they require would receive 40 points. 40 points is the maximum award under this category.

### **Home does not meet the tolerable standard**

We want to ensure that people do not live in homes that are not suitable for them to occupy. Points will be awarded in this category if the applicant's current home does not meet the tolerable standard or has other significant issues with condition. The tolerable standard is defined in law and details are included at Appendix 3.

Points will also be awarded in this category where a household with children is sharing a kitchen and bathroom with another household or if a member of the applying household is pregnant and the child would be sharing a kitchen and bathroom with another household.

### **Social Reasons**

This category awards points to applicants who need to move for social reasons. This could be because they need to move to be closer to support services that they require, such as non-residential support for a chronic health condition. This could include physical and/or mental health conditions. Points will only be awarded if use or continued use of the service has been recommended by relevant professionals as being necessary or beneficial to the applicant's health or other social care issue.

Points may also be awarded if significant informal long-term support is needed, such as being closer to a person or social network that is helping someone manage their health condition. These points may be awarded if someone does not require regular formal support but would benefit from non-professional assistance. It would also include situations where the applicant will be providing support for a family member or friend, such as providing informal but regular care required to enable someone to live independently.

To consider awarding points for requiring formal support, the partners will require supporting evidence from the support service concerned or a professional such as a GP, CPN or a representative of Argyll and Bute Council's Planning, Housing and Regulatory Services. To consider awarding points for requiring informal support, the partners will require a statement from the person providing and receiving the support. A further supporting statement, for example from a GP, may also be required.

### **Two households joining together**

If two households who are both currently tenants of a HOME Argyll partner wish to give up their current homes to form one household in a different property, points will be awarded.

When assessing the application, the partners will consider all members from both households as one household. The size of this new household will then be compared with the size of the larger of the two properties to see if it is large enough for the new household to move into. If the property is not large enough, points will also be awarded under the overcrowding criteria. The household will also be assessed under the other points criteria.

As both households are HOME Argyll tenants, the application will be placed in the transfer group.

### **Management Reasons**

In exceptional circumstances, there may be households who do not qualify for points in any of these categories but in the opinion of one of the partners, need to be rehoused urgently. An example of this would be where the applicant's current home is scheduled for demolition. These points will only be awarded following authorisation by a senior officer from the relevant partner RSL.

### **Factors that are not taken into account**

We will not take any account of the following when allocating houses:

- length of time applicants have resided in our area of operation (unless applying under the terms of the current homelessness legislation)
- any non-housing debts, such as Council Tax
- tenancy related debts, such as rent or service arrears, rechargeable repairs, which are less than 1/12<sup>th</sup> of annual amount payable, or which are no longer outstanding, or where a repayment plan has been arranged and kept by the applicant for at least three months;
- household debts for which the applicant/s are not liable
- the income of the applicant and their family (including welfare benefits). The only exception to this is where we receive an application for a shared ownership or a shared equity property
- the age of the applicant, except in the allocation of houses which have been designed or substantially adapted for occupation by persons of a particular age group, such as sheltered housing.

The Housing (Scotland) Act 2014 removes the previous prohibition on taking ownership of property into account when allocating social housing. The partners will gather information from applicants to inform a future decision on this issue.

## 7. HOW HOMES ARE ALLOCATED

### The Quota System

In order to further its aim of supporting sustainable and balanced communities HOME Argyll divides applicants into three groups and allocates properties to these groups.

- Statutory homeless applicants
- Direct Waiting List Applicants
- Transfer Applicants

RSL's will aim to make a reasonable offer of permanent housing to a homeless applicant within 26 weeks of them being assessed as Statutory homeless.

We will publish information about the proportion of allocations we aim to make to each of the above groups on the Home Argyll website.

### Property Matching

When a property becomes available, it will be matched with the applicant in the relevant group who has the highest number of points and has requested a property of that type in that area.

Where applicants continue to demonstrate equal priority in terms of points, priority will then be given to any applicant demonstrating that they require to live in the area because they, or a household member:

- is employed or has been offered employment in the area
- wishes to live in the area to seek employment
- wishes to live in the area to be near a relative or carer
- has special social or medical reasons for needing to be housed within the area
- wishes to move to the area because of harassment
- wishes to move to the area because of domestic abuse

No account will be taken of whether an applicant is resident in the area or how long they have been resident in the area.

Where applicants continue to demonstrate equal priority, a decision will be made based on the date of application.

## Using discretion and sensitive lettings

In the interest of achieving balanced and sustainable communities and making best 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. This will include mainstream properties that have been adapted to meet the needs of a previous tenant, for example through the adaption of the bathroom;
- **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 three lists** – for example, discretion has to be exercised in deciding which list to allocate a vacancy from.

## Verification of Application

All applicants will be contacted by staff from one of the partners before an offer of housing is made. The purpose is to verify the information submitted in the application and to provide any housing information and advice. If the applicant's circumstances do not match the information provided in the application, then the application will be reassessed. This may result in a change in the level of points and priority. If the applicant fails to make contact following a request, this may affect any offers made.

## Making an Offer

When an appropriate match between an applicant and a property has been made, an offer letter will be sent to the applicant. This letter will set out the arrangements for the applicant to view the property, and will also include information regarding rent, service charges and housing benefit/universal credit. The applicant will be advised that they must respond to the offer within three working days. However, in order to ensure that the applicant is given the best opportunity to respond to the offer, partner RSLs will also attempt to make contact with the applicant by other methods, such as the telephone, email or by text.

## **Accepting or Refusing an Offer**

All applicants who have been offered a home will be given the opportunity to view the property accompanied by a member of the partner RSL's staff. Once the property has been viewed by the applicant, they have 24 hours to inform the partner RSL whether they wish to accept the offer. If accepted, the applicant will be formally signed up as a tenant and given appropriate advice and information.

If the offer is refused, the applicant will be advised to review and update their preferences in order that suitable offers can be made in the future

## **8. REMOVING OR SUSPENDING APPLICATIONS**

### **Removing an Application**

Applications can only be removed from the housing list under certain circumstances. These are:

- where the applicant has died, or
- has requested removal from the list, or
- fails to respond to the review of the housing list e.g. mail returned and no further contact details available.

Applications which are cancelled due to a housing list review can be reinstated as at the original application date if the applicant successfully appeals the cancellation within one month. Otherwise, a new HOME Argyll application would have to be completed.

### **Deferring an Application**

An application may be deferred under certain circumstances. During the period of the deferral, the applicant will not receive offers of housing. An application may be deferred in the following circumstances:

- necessary support is not in place – with the consent of the applicant, the application may be deferred until such times as the support is available
- at the request of the applicant because they do not wish to move at this time but wish to remain on the housing list. The application will be reinstated when the applicant advises that they now wish to be considered for offers of housing.

### **Suspending an Application**

The HOME Argyll partners will use non-statutory suspensions.

Suspension from the housing list can only occur in certain circumstances. An applicant will not be offered accommodation while suspended, even if they demonstrate housing need.

The circumstances which may result in an application being suspended are:

- where there are significant, outstanding and unresolved tenancy-related debts and until such debts are either cleared, fall below 1/12<sup>th</sup> of the monthly rent charge or an agreement has been set up and adhered to for a period of at least 3 months

- where there is evidence of previous serious anti-social behaviour or harassment being perpetrated. Each case will be treated individually, and account will be taken of the severity of the behaviour, when it happened and any mitigating factors. Suspension under this category will be to a maximum of 6 months but there will not be a set time limit and applicants will be notified individually of time scales. Time scales will be reviewed in the event of a change of the applicant's circumstances
- where deliberately false or misleading information has been provided suspension will be for 6 months
- if applicants have deliberately worsened their housing conditions, suspension will be for no longer than 6 months. If the applicant's circumstances change during the period of suspension their suspension will be reviewed
- if the condition of a transfer applicant's current property breaches their tenancy agreement, the suspension will be in place until the breach has been remedied
- when an applicant refuses two reasonable offers of housing within 1 year, the applicant will be suspended for 6 months, unless the applicant's housing circumstances worsen during the suspension period. If this is the case the application will be reassessed
- any violence or aggression towards staff will be dealt with according to the policies of the individual RSLs and may result in suspension.

### **Reviewing Suspensions**

If an application has been suspended, the suspension will be reviewed on a monthly basis by the partner landlord.

Every applicant who is suspended will receive a letter detailing why they have been suspended, the length of their suspension, the date the suspension will be reviewed and how they can appeal against the suspension. The letter will also set out any action the applicant can take to have the suspension removed before the review date.



## **9. SUSTAINABLE COMMUNITIES**

### **Creating Balanced Communities**

This policy has been developed to ensure that communities are safe and sustainable, that those in the greatest housing need are given priority and customers are given the opportunity to move either within their own community or to another community. We also wish to ensure that customers have the best chance of success in their new home and are therefore housed appropriately.

All partner landlords manage allocations to high risk offenders at a senior level and in consultation with relevant agencies such as the police and Social Work Services. All offers of housing to high risk offenders will be dealt in line with MAPPA (Multi Agency Public Protection Arrangements) Protocols.

### **Supporting Independent Living**

We are committed to providing accommodation which supports independent living and the integration of people with particular needs into the community. This could include people with learning disabilities, physical disabilities, mental health issues, dependency (such as drug and or alcohol) issues and vulnerable young or older people. In all cases we will work jointly with appropriate agencies and organisations to ensure that applicants receive appropriate support to sustain their tenancy.

All landlords have a range of properties designed for people with particular needs. This includes:

- Amenity housing for older people
- Sheltered housing
- Extra or progressive care housing
- Housing for people with physical disabilities
- Housing with aids or adaptations
- Designated special needs housing

Applicants apply for all types of housing using the common application form and are prioritised according to this allocation policy.

## **Gathering Information on Support Needs**

If the applicant indicates that accommodation with assistance is required, we will work with each individual to determine the availability of this support. This may also involve liaison with other agencies as appropriate. In particular, a social care assessment by Argyll and Bute Council's Planning, Housing and Regulatory Services will be required to establish need for and availability of support.

## **Housing Support**

All partners work with a number of public and voluntary agencies to provide accommodation to households in need of support. Applicants with support needs are not referred to partner RSLs until their support needs have been assessed.

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 deferred until such a time as the support is available.

## **Local Lettings Initiatives**

To maintain and create balanced communities, Local Lettings Initiatives (LLIs) can be part of the HOME Argyll Allocations Policy. Any LLIs will apply only to geographically defined areas and any changes made to this policy will be designed to meet specific local aims. Any initiative will have clear outcomes and will be supported by evidence as to why it is required.

Any LLIs will have an overall aim of sustaining local communities and will be designed to address issues such as:

- low demand by stimulating new demand
- high demand by prioritising access for particular types of applicant, for example in communities where local people have problems accessing housing
- a lack of essential workers or where specific skills are in short supply

As part of the development process, the partners will consult with the local community and will ensure that all our external partners (such as Argyll and Bute Council's Planning, Housing and Regulatory Services) have been consulted and are fully involved in the development and operation of the LLI. LLIs will be compliant with all the relevant legislation and will be published in the same way as this policy and will include:

- An explanation of why the LLI is needed and the evidence that has been used to inform the decision to introduce an LLI
- Clear and specific aims and objectives
- The time period for which the LLI is expected to remain in place
- An effective monitoring framework to make sure the aim of the LLI is being met and there are no unforeseen consequences. This will include criteria that will be used for deciding whether to curtail or extend the time period for which the LLI will run. The LLI will be reviewed regularly to ensure it is still required.

## **10. CUSTOMER SERVICE**

### **Confidentiality and Information Sharing**

The confidentiality of information gathered as part of the allocations process is recognised, and all applicants will be informed clearly of the way in which the information provided will be used and of their right to inspect any record kept by the HOME Argyll partners in relation to their application.

Applicant information may be shared between HOME Argyll partner organisations and other agencies (such as the Council or the NHS) in order to ensure that the applicant's housing and housing support needs are assessed in line with this allocations policy. The partners may also make tenancy, financial, medical, legal and other enquiries deemed necessary to obtain confirmation from previous landlords, employers, mortgage lenders, Social Work agencies, the Police or health professionals, in order to verify information provided by the applicant.

All applicants will be made aware of this at the point of application and asked to give their consent for this information to be shared or sought.

### **Service Standards**

We aim to ensure that the allocations policy meets the needs of those seeking housing, and that all applicants are satisfied with the quality of service they receive throughout the application and allocation process. The HOME Argyll partners are committed to:

- Delivering our services in a professional and welcoming manner and treating our customers equally and with courtesy and respect
- Being efficient, effective and timely when dealing with housing applications and allocations
- Providing high quality information and advice
- Handling all information provided to us with due care
- Accommodating any special needs where possible, including by communicating and providing information in ways that meet our customers' needs.

## 11. COMPLAINTS AND APPEALS

Under the framework introduced by the Complaints Standards Authority, which is part of the Scottish Public Service Ombudsman (SPSO), all RSL complaints procedures should be compliant with the Model Complaints Handling Procedure for RSLs. There is an equivalent model procedure for local authorities. This is a two-stage process summarised below:

### ***Stage One – Frontline Resolution***

For issues that are straightforward and easily resolved, requiring little or no explanation. This could be an on the spot apology, explanation or other action to resolve quickly. This should be within five working days unless there are exceptional circumstances. Complaint details, outcome and action taken should be recorded and used for service improvement.

### ***Stage Two – Investigation***

For issues that have not been resolved at the frontline or that are complex, serious or high risk. A definitive response should be provided within 20 working days following a thorough investigation of the points raised. Responses should be signed off by a senior manager.

If the issue is not resolved once this process has been exhausted, an external review can be requested via SPSO.

Further information is available at [www.valuingcomplaints.org.uk](http://www.valuingcomplaints.org.uk)

While we aim to provide the best possible service to our tenants and all other individuals or organisations that come into contact with the partners, we recognise that there will be occasions when we fall short of the standards we have set ourselves, and that improvements come from recognising and addressing these.

As such, we have developed an SPSO compliant complaints handling procedure which means that you can complain about any element of our service during the application or allocation process to any of the partner landlords. For example, applicants may wish to appeal about the way in which priority for housing was assessed or their suspension or removal from the housing list.

A full copy of the joint complaints procedure is available on request from any of the partners or from the HOME Argyll website.

Applicants will be reminded of the opportunity to complain at key stages in the application and assessment process.

## **12. MEASURING AND MONITORING PERFORMANCE**

We will undertake regular reviews of our performance and will produce an annual performance report which we will publish on the HOME Argyll website. Our performance reporting will focus on monitoring our performance against the relevant outcomes and standards in the Scottish Social Housing Charter (as set out in Section 2 of this policy).

In particular, we will monitor whether our applicants consider:

- that they were treated fairly and with respect, received fair access to housing and housing services
- that we communicated well with them
- that we provided high quality information and advice that helped them make informed choices and decisions about the range of housing options available to them and on their prospects of being made an offer of housing.

The partners will also produce and report on a range of performance information including time taken to process an application, average time to let and numbers of offers refused.

We will also consider the contribution HOME Argyll is making towards the prevention of homelessness and creation of sustainable tenancies in Argyll and Bute.

## **APPENDIX 1 – KEY LEGISLATION**

The Home Argyll allocation policy takes account of all relevant legislation, including:

- Housing (Scotland) Act 2014
- Welfare Reform Act 2012
- Housing (Scotland) Act 2010
- Equality Act 2010
- Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012
- Housing (Scotland) Act 2006
- Homelessness etc (Scotland) Act 2003
- Housing (Scotland) Act 2001
- Human Rights Act 1998
- Data Protection Act 2018
- General Data Protection Regulation (EU) 2016/679 ("GDPR")
- Children (Scotland) Act 1995 as amended by Children and Young People (Scotland) Act 2014
- Housing (Scotland) Act 1987 (as amended)

## APPENDIX 2 – ROOM STANDARD AND SPACE STANDARD

Part VII of the 1987 Act defines "overcrowding". When the number of people sleeping in a house breaches the room standard or the space standard (both of which are set out below) a house is overcrowded.

Under the room standard, if the number of people sleeping in the house and the number of rooms available as sleeping accommodation (that is rooms normally used in the locality as a bedroom or living room) mean that two people of the opposite sex have to sleep in the same room then the accommodation will be overcrowded unless:

- the two people are living together as husband and wife; or
- one or both of them is under 10 years old.

The space standard determines the number of people who are permitted to sleep in a home based on:

- the number of rooms available as sleeping accommodation. Rooms that are counted are rooms normally used in the locality as a bedroom or living room;
- the size of those rooms. Rooms under 50 square feet (4.645m<sup>2</sup>) are ignored;
- the ages of people who live there. Children under 1 year old are not counted and children over 1 and under 10 count as a half.

You can calculate the permitted number of people in a property by looking at both of the tables below. Table 1 tells you how many people can sleep in the house according to the number of rooms. Table 2 tells you how many people can sleep in each room according to the size of the room and the total for each room, when added together, tells you how many people can sleep in the house. You need to look at both tables and the smaller of the two numbers produced is the permitted number of people that may live in that house. If the permitted number is exceeded, the house is overcrowded.

### Table 1



Number of rooms available for sleeping	Number of people who can sleep in the property
1	2
2	3
3	5
4	7½
5 or more	2 for each room

**Table 2**

Floor area of room	Number of persons who can sleep there
110 sq ft or more (10.219m <sup>2</sup> )	2
90 sq ft (8.361m <sup>2</sup> ) or more but less than 110 sq ft	1½
70 sq ft (6.503m <sup>2</sup> ) or more but less than 90 sq ft	1
50 sq ft (4.645m <sup>2</sup> ) or more but less than 70 sq ft	½

### **APPENDIX 3 – TOLERABLE STANDARD**

The Tolerable Standard is as defined by section 86 of the 1987 Act and amended by section 102 of the 2001 Act and section 11 of the Housing (Scotland) Act 2006.

A house meets the tolerable standard if it:

- is structurally stable;
- is substantially free from rising or penetrating damp;
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
- has satisfactory thermal insulation;
- has an adequate piped supply of wholesome water available within the house;
- has a sink provided with a satisfactory supply of both hot and cold water within the house;
- has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house;
- has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;
- has an effective system for the drainage and disposal of foul and surface water;
- in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installation for the purposes of that supply;
- has satisfactory facilities for the cooking of food within the house; and
- has satisfactory access to all external doors and outbuildings.