

**ALLOCATION POLICY**

**PLACES FOR PEOPLE SCOTLAND**

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**1.0 Introduction**

Places for People Scotland is part of the Places for People group whose vision is “we exist to create places that work for everyone”. Our mission statement is “ensuring successful places and enabling people to reach their potential in Scotland”.

Our policy supports the outcomes for access to housing as stated in the Scottish Social Housing Charter (See Appendix 1)

To deliver the vision in Scotland we aim to let our rented properties through choice-based lettings and Nomination Agreements/Homelessness Duty Protocols with Local Authorities in our areas of operation. We operate two choice-based systems: EdIndex in Edinburgh and Home Search in East, Mid and West Lothian.

To complete the vision in Scotland we offer affordable alternatives to people who are not able to buy a property on the open market. Touchstone offer Market and Mid-Market rented accommodation. There are also opportunities to buy via shared equity and shared ownership.

* 1. **Equalities**

We will circulate information on our allocation policy to a range of organisations in our areas of operation. It is our intention, where possible, to ensure that the percentage of tenants from equalities groups at least matches the overall percentage of equalities groups in the area of operation.

* 1. **Legislation**

This policy is underpinned by the following legislation:

* Housing (Scotland) Act 2014
* The Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations
* Matrimonial Homes (Family Protection) (Scotland) Act 1981
* Human Rights Act 1998
* General Data Protection Regulations (GDPR) (Regulation (EU) 2016/679)
  1. **Confidentiality**

All information provided in connection with an application either through the EdIndex Common Housing Register (CHR) or the Home Search system or a nomination from a local authority will be treated as confidential in accordance with our Confidentiality Policy. We comply with the requirements of the GDPR.

To ensure that confidentiality is not breached, we will not discuss an application with a person claiming to be the applicant, tenant (or agency acting on their behalf) unless that person is able to quote the individual registration number.

The information given on the EdIndex and Home Search application forms will be seen by any partner landlords who will comply with the requirements of the GDPR.

1. **Social Rented Housing**

**2.1 Registration and Application Process**

Anyone aged 16 years or older can register, be assessed and apply for housing. We have housing designed for older people and will allocate it on that basis e.g. age 65 and over for retirement housing and age 60 and over for amenity housing. We reserve the right to allocate amenity housing with specific adaptations or those designed for wheelchair users to any age group according to their need.

* 1. **EdIndex – Edinburgh Housing Options**

**EdIndex – Common Housing Register in Edinburgh:**

We are partners in the Edinburgh Common Housing Register, known as EdIndex. This is a partnership of multiple landlords, including the City of Edinburgh Council (CEC), providing a simple way to apply for social rented housing in Edinburgh. This is to maximise access to housing in the city through the use of a common application form, a single register and where appropriate, shared information.

The operation of choice-based lettings means available empty homes are advertised. This allows registered applicants to be pro-active in their search for appropriate accommodation, see at any time what properties are available and to choose what they are interested in. At any point in the process, applicants can contact the Lettings & New Tenancy Team for assistance and advice by phoning 0131 657 0600 or emailing crelntt@castlerockedinvar.co.uk

**Registration:**

Applicants for properties in Edinburgh must complete an EdIndex application form. A form can be downloaded by logging onto Key to Choice or they are available from our office, all Council offices and partner landlord offices. These will be assessed and processed by the CEC EdIndex Central Administration Unit (CAU), who follow procedures and timescales agreed by the partner landlords who operate choice-based lettings in Edinburgh.

Once the form has been processed an application number will be generated and a letter sent to the applicant. An unsigned or incomplete application form will not be processed, it will be returned to the applicant. Bids for properties cannot be accepted unless the registration process has been completed.

**Assessment of need:**

The CEC CAU will carry out an assessment of the application to ensure the correct priority is awarded, this may include a housing support needs assessment or homelessness assessment. Applicants will be sent a letter advising them of the outcome of their assessment, if they do not agree with the decision they can appeal this in writing. Priority status may be awarded as follows:

* **Urgent Gold Priority** – this is awarded in exceptional circumstances to enable a hospital discharge. It is for people who are currently in hospital and can’t go back to their home as it no longer meets their needs.
* **Gold Priority** – is awarded when the applicant’s current home does not meet their mobility needs and cannot be adapted to meet their needs. Gold priority is generally only given to people who have been assessed as requiring a ground floor home.
* **Silver Priority** – this can be awarded for a number of different reasons:

(i) Assessed by the Council as homeless.

(ii) Overcrowded households: who need 2 or more bedrooms to adequately house their family OR need at least 1 extra bedroom because they are currently housed in a one-bedroom property and have one or more children under the age of 16.

(iii) Under-occupation; where the household is currently staying in accommodation with 3 or more bedrooms and are willing to move to smaller accommodation. This applies to tenants of the Council, Housing Associations and Housing Co-ops.

Please note, some EdIndex partners expect a bedroom to be shared by same sex children under 14 and mixed sex children under 7. We comply with The Department of Work and Pensions who expect these ages to be 16 and 10.

(iv) Where re-housing is required due to demolition or regeneration works in an area.

(v) Exceptional housing need will be awarded following an assessment by senior housing staff e.g. for applicants who are living in below tolerable standard housing, lacking basic amenities or people living in unacceptable circumstances.

**Change of Circumstances**

Applicants are responsible for providing the CEC CAU with information regarding any change in their circumstances which could affect the assessment of their application for housing.

**Starters and Movers**

Applicants will be categorised as either a Starter or a Mover, this is based on the information provided on the application form.

**The definition of a Starter**

Someone who is**:**

* Homeless
* Staying in a hostel
* Staying in supported accommodation
* Staying care of family or friends
* Renting a house/flat from a private landlord

**The definition of a Mover**

Someone who is:

• A Council tenant

• A Housing Association or Housing Co-op tenant

• An owner-occupier

• A tenant in tied accommodation that is provided by an employer

**Advertising Properties**

We advertise all of our available properties on EdIndex unless the property is required for urgent reasons e.g., it is required to decant a customer. Applicants must be registered on EdIndex to apply for a property.

Properties will be advertised every week on the website at: [www.keytochoice.](http://www.keytochoice.scotsman.com)co.uk

Properties will be advertised for one week. New properties will be advertised from 3.30pm each Friday. The closing date for bids is 3pm the following Friday. Advertised properties will state whether they are suitable for Starters, Movers or both.

**Bidding for Properties**

If applicants wish to be considered for an advertised property, a bid must be made against the property before the closing date. A bid can be made via the EdIndex website or by telephoning the City of Edinburgh Council with the relevant information. Applicants can apply for up to 3 properties per week but must ensure they meet the criteria noted on the advert otherwise they will not be considered.

Applicants with silver homeless priority will be advised to bid for three suitable properties every week otherwise they are at risk of losing their homeless priority.

**Selection**

Once the closing date has been reached, all the valid notes of interest are entered and processed by the CEC CAU. When this is complete, partner landlords can begin to short-list applicants for the vacant properties.

The short-list will list applicants who have placed a bid in the following order:

• Applicants with Urgent Gold priority

• Applicants with Gold priority

• Applicants with Silver priority

• Applicants with no priority/waiting time points only

Properties are allocated as follows:

|  |  |
| --- | --- |
| **Size of family** | **Number of bedrooms** |
| Single Applicant/Couple | 1 or 2 bedrooms |
| Single Applicant/Couple with 1 child | 2 bedrooms |
| Single Applicant/Couple with 2 children\* | 2 or 3 bedrooms |
| Single Applicant/Couple with 3 or more children\* | 3 or 4 bedrooms |

\*Depending on the age and sex of the children:

* A boy and a girl under 10 years of age can share a bedroom
* Two same sex children under 16 years of age can share a bedroom

We comply with the Department of Work and Pensions guidance on the ages of children sharing a bedroom.

Where waiting time is a deciding factor between applicants this is determined by the date of application for Starters and the length of time in the current tenancy or own home for Movers.

We do not contact unsuccessful applicants to inform them of the outcome of their bid. Only the successful applicant will be contacted to be considered for housing.

Where an applicant is shortlisted and being considered for a property, they will be bypassed for consideration for any other offer of accommodation.

There may be circumstances where properties need to be withdrawn after they have been advertised. This could be as a result of damage to the property or a tenant has decided not to move.

**Review**

The CEC CAU will contact applicants to review their application once a year to establish if their situation has changed and whether they wish to remain on the register. If they fail to respond their application will be cancelled.

* 1. **Home Search – East, West and Midlothian Housing Options**

Within East, West, and Midlothian we operate the Home Search choice-based lettings system. The aim of this is to make the process of choosing a new home as simple as possible by advertising our vacant properties and giving applicants the opportunity to choose and bid for the homes they want.

Priority Passes are in place to take account of housing need. The Lettings & New Tenancy Team are available for assistance and advice by phoning 0131 657 0600 or emailing crelntt@castlerockedinvar.co.uk

**Registration**

Applicants for our properties in East, West and Midlothian can register on-line by logging onto www.scotlandhomesearch.co.uk This process also allows applicants to apply for Priority Passes. Paper forms are available from our office or by telephoning the Lettings & New Tenancy Team on 0131 657 0600 or by emailing crelntt@castlerockedinvar.co.uk

Once registration is complete, the Lettings & New Tenancy Team will verify each application made and will assess priority pass applications. Applicants will be sent a letter or email (depending on their preference) to confirm that their application has been accepted and verified. Applicants can apply for properties once verification is complete.

**Assessment of Need**

Priority passes are awarded on 3 levels, Gold, Silver and Bronze. There are 5 categories in which a pass can be awarded:

|  |  |  |  |
| --- | --- | --- | --- |
| **Priority Pass Type** | **Gold** | **Silver** | **Bronze** |
| Housing Circumstances (homelessness) | \* | \* |  |
| Medical | \* | \* |  |
| Personal Circumstances | \* | \* | \* |
| Overcrowding/Under occupying |  | \* | \* |
| Condition of Property |  | \* | \* |

Applicants should fill in all the pass application forms that apply to their current situation. If they qualify for more than one pass, the highest pass level will be awarded.

A Priority Pass cannot be used until it has been assessed and awarded by us. The Priority Pass will be valid for future bids only and will not be back dated.

Passes can be limited to specific areas or types of property. This can be limited either by us or the applicant. e.g. we may limit a Gold medical pass to properties which have a feature required to meet the applicant’s medical needs. If the pass is ‘limited’ it means the priority pass is only valid for properties that meet the ‘limited’ criteria.

Applicants may still apply for properties out with their ‘limited’ criteria, but the priority pass will not apply. For example, where we have awarded a priority pass as an applicant needs support in East Lothian, we will limit the pass to apply to properties in East Lothian. The applicant can still apply for properties out with East Lothian, but their pass would not apply to those bids.

**Housing Circumstances (Homeless or threatened homeless)**

**A Gold pass is awarded if:** the local Council has carried out a homelessness assessment and has accepted they have a duty to re-house as the person is homeless. A copy of the Council’s award letter is required before the Gold pass will be awarded. The priority pass will be awarded from the date the copy of the award letter is received by us.

**A Silver pass will be awarded** **where:** someone has not been assessed as homeless by the Council, but they are in a homeless situation or have been asked to leave their current property. Evidence will be required e.g. a copy of a valid Notice to Quit from the current landlord.

**Medical**

**A Gold pass is awarded where**:

* An applicant is currently in hospital and can’t return to their own home as it no longer meets their medical needs
* Where an applicant is unable to leave their home without assistance due to their medical needs.

**A Silver pass is awarded when:**

* The current accommodation is not suitable because of a physical or mental medical condition or illness
* An applicant currently living in adapted accommodation (which they no longer require), wishes to move to alternative accommodation.

A GP or other health care professional’s opinion may be sought, if necessary. If an applicant requests a letter from their GP, they may be charged for this. We are not able to meet the cost of this.

Priority may not be awarded if the current accommodation can be adapted to meet the needs of the person with the medical condition.

**Personal Circumstances**

This category takes account of personal circumstances such as violence, harassment, support needs, need to be nearer work or study, isolation etc.

**A Gold pass is awarded where:**

* An applicant is suffering from violence or abuse (e.g. physical, mental, domestic, sexual abuse) in their current home. Supporting evidence may be required.
* An applicant is unable to return to their home because of violence or abuse (e.g. physical, mental, domestic, sexual abuse). Supporting evidence may be required.

**A Silver pass is awarded where:**

* Harassment or threatening behaviour is being experienced (including racial harassment).
* An applicant needs to move to give or receive support for daily care in order to maintain personal comfort e.g. bathing or taking medication. This will only be awarded where there is no-one already living locally who could reasonably provide such support. A pass will be limited to the area where the support is required.

**A Bronze pass is awarded where:**

* There are problems with anti-social behaviour e.g. noise, vandalism.
* There is a need to move closer to work, to study or to have access to children and the applicant has to travel more than 10 miles each way and there is no reasonable means of transport.
* Where applicants, aged over 65, would benefit from the company and support of living in retirement housing and do not currently live in retirement housing.
* Applicants are isolated from local amenities e.g. bus stop, general shop, post office.
* A move is required due to a relationship breakdown. This pass applies when applicants are living with their ex-partner, family or friends and have been asked to leave as the relationship has deteriorated (evidence may be required).
* Where an applicant can no longer afford to stay in private rented accommodation e.g. is spending 50% or more of their net income on rent (evidence required).

**Overcrowding/Under-occupation**

An award will be made if an applicant’s current home is overcrowded as there are more people living in the property than there are bedrooms for.

Alternatively, a pass will be awarded where someone is living in accommodation that has one or more spare bedrooms and they wish to move to a smaller property.

**Overcrowding**

**A Silver pass will be awarded where:**

* two or more additional bedrooms are required or
* applicants are living in 1-bedroom accommodation and have to share the bedroom with a child under the age of 16

**A Bronze pass will be awarded where:** 1 extra bedroom is needed.

**Under-occupation**

**A Silver pass will be awarded where**: applicants have two or more spare bedrooms and want to move to a smaller property.

**A Bronze pass will be awarded where:** applicants have one spare bedroom and want to move to a smaller property.

Assessment for overcrowding and under occupation will be made using the occupancy levels below:

|  |  |
| --- | --- |
| **Size of family** | **Number of bedrooms** |
| Single Applicant/Couple | 1 or 2 bedrooms |
| Single Applicant/Couple with 1 child | 2 bedrooms |
| Single Applicant/Couple with 2 children\* | 2 or 3 bedrooms |
| Single Applicant/Couple with 3 or more children\* | 3 or 4 bedrooms |

\*Depending on the age and sex of the children:

* A boy and a girl under 10 years of age can share a bedroom
* Two same sex children under 16 years of age can share a bedroom

**Condition of Property**

If a property is in a poor condition, through no fault of the applicant, or is lacking facilities a pass will be awarded based on the number of facilities lacking. The following factors will be taken into consideration:

* Structural problems
* Rising/penetrating damp
* No piped water supply
* No inside WC
* No working bath/shower
* Major repairs required
* No central heating
* No hot water
* No cooking facilities

**A Silver pass will be awarded where**: 2 or more of the above factors are lacking. Supporting evidence may be required.

**A Bronze pass will be awarded where:** 1 of the above factors is lacking. Supporting evidence may be required.

**Change of Circumstances**

Applicants must let us know about any change to their circumstances. They can do this by logging into their Home Search account and providing the information online or by contacting the Lettings and New Tenancy team directly. We will then make the relevant changes to the application.

**Applying for housing**

Once registered and verified, applicants should apply for suitable properties that are advertised. Any restrictions or special features noted on the advert should be considered e.g. where the property is aimed at older people.

There is no limit on the number of properties that can be applied for. If applicants appear on more than one shortlist at the same time, we will only consider them for the property that is shortlisted first.

To apply for properties applicants can bid on [www.scotlandhomeseach.co.uk](http://www.scotlandhomeseach.co.uk) or contact us by telephone, in person or by post. The applicant’s registration number and the property address are required, and this must be received before the closing date stated on the advert.

**Advertised Properties**

Our properties are advertised on [www.scotlandhomesearch.co.uk](http://www.scotlandhomesearch.co.uk) The closing date for all adverts is each Thursday. On request we can produce information sheets detailing properties being advertised that week.

**Selection**:

Once the closing date has been reached, all bids will be logged, and shortlists produced. We will use the following criteria:

* The applicant who would make best use of the property e.g. use any adaptations or by using all available bedrooms. The exception to this will be 2-bedroom properties where single people and couples will be considered.
* The applicants with the highest level of priority pass.
* If more than one person meets the above criteria, the offer will go to the person who was awarded their priority pass first.
* If there is more than one person applying and there are no priority passes used, the offer will go to the person who registered with us first.

We do not contact unsuccessful applicants to inform them of the outcome of their bid. Only the successful applicant will be contacted to be considered for housing.

Where an applicant is shortlisted and being considered for a property, they will be bypassed for consideration for any other offer of accommodation.

There may be circumstances where properties need to be withdrawn after they have been advertised. This could be as a result of damage to the property or a tenant has decided not to move.

**Review:**

We will review applications on an annual basis, if no response is received the registration will be withdrawn.

* 1. **Council Nominations**

We have formal nomination agreements with each Council in our areas of operation with the exception of the City of Edinburgh Council (CEC) who agreed to suspend nominations and Section 5 referrals (see definition below) with the introduction of choice-based lettings within the EdIndex Common Housing Register. The CEC monitor the number of silver homeless applicants housed.

The procedures and targets detailed in these nomination agreements will be reviewed on a regular basis.

It has been agreed with East, West and Midlothian Councils that 50% of vacancies remaining each year after supported tenancy lets, exchanges, decants, transfers and special lets have been excluded from the total, will be offered to Council nominees. In addition, a number of specific developments which have been built in partnership with a Council, may have a higher percentage of nominations. Council nominees will be assessed on the same basis as direct applicants unless otherwise stated in the Nomination Agreement.

We have 100% nomination agreements with Falkirk, Clackmannanshire, East Dunbartonshire, Stirling, Aberdeen City and Aberdeenshire Councils. Where we have a 100% nominations agreement and do not operate choice-based lettings, we will recognise the Council’s priority criteria for short-listed nominees but will allocate according to our allocation policy.

Our tenants wishing to transfer to another of our properties in these areas should contact the Housing Management Team. We will operate a 10% quota for transfers in these Council areas.

**Section 5** **of the Housing (Scotland) Act 2001**

This gives Local Authorities the power to refer applicants assessed as homeless to housing associations to house. There is a duty on the housing association to comply unless it has good reason not to.

Where we receive a Section 5 referral from a Council, our allocation criteria will not apply. The Homelessness Duty procedure will be reviewed as part of our Nomination Agreement with the relevant local authority. In agreement with the Councils we work in partnership with, we operate a void led approach to Section 5 referrals. This means when we advise the Council, we have a vacancy, they will decide whether to provide us with a nomination or Section 5 referral.

Our Board has agreed that, where relevant, we may enter into quota arrangements with Councils to agree a percentage of the nominations. The purpose of the quota arrangements will be to meet special local housing needs which meet local housing strategies agreed between the Council and the Scottish Housing Regulator.

The quota arrangements will be included in the nomination agreement with the Council and will detail the agreed priorities for assessing the quota nominations. These may not be the same needs priorities detailed in the Allocation Policy.

* 1. **Applicant Types**

For some applicants there are additional issues we have to consider when assessing their application. These are detailed below:

**Board members and staff**

Current staff, former staff, board members and their relatives may apply for housing, including transfers. A tenancy will only be granted if it complies with the requirements of this Policy, the requirements of the Scottish Housing Regulator and has been agreed by our Board. Staff and Board members must declare an interest if a close relative applies for housing. Any such allocations will be noted in the Payments and Benefits Register. Applications are assessed in-line with this policy.

**Registered Sex or Violent Offenders**

We will collaborate with the Council, Police and Social Work on any risk assessment and action plan for known offenders looking for housing. An allocation will only be made if the property and area are considered suitable and appropriate by the Responsible Authorities.

**Applicants with Criminal Convictions**

We do not ask about previous convictions but if information is brought to our attention, we reserve the right to verify the information and assess the appropriateness of any future allocation. This will only be done if the nature of the offence is likely to lead to tenancy, neighbourhood or estate management problems.

**Applicants who are Homeowners**

Homeowners may apply to us for housing. Before making an offer of accommodation we will take the home ownership into consideration. This can be property owned by the applicant or another member of their household who is currently living with them or someone who intends to live with them.

We will continue with an application where an applicant owns a property but:

* They are unable to access the property, perhaps because it is uninhabitable, has structural faults or is being occupied illegally or,
* Living in the property would lead to abuse or
* Living in the property could damage their health

Where an applicant owns a property and the above situations do not apply, we have the right not to allocate a property.

**Applicants who are Ex-service personnel**

We will give applications from ex-service personnel fair and sympathetic consideration; they will receive the same priority for housing as those with a similar level of housing need.

We will not refuse to consider an application because the applicant has not yet left service accommodation. The MoD will issue a Certificate of Cessation of Entitlement to Occupy Service Living Accommodation six months prior to discharge.

Service personnel leaving the forces due to injury or disability (if leaving under a medical discharge) can stay 3 months longer in service accommodation – we will give consideration to housing applicants in these circumstances.

We will assess seriously injured ex-service personnel as having a significant level of housing need.

Widows/partners of service personnel killed in action or who have died before discharge have the right to stay in service accommodation for up to a 2 year period after the death of their partner – the right to stay in this accommodation will not disadvantage them from seeking re-housing in the social sector.

**Applicants living in tied accommodation**

We will consider an application even if the applicant has not yet left tied accommodation but evidence of the notice to leave their accommodation will be required.

**Non-British Citizens**

Applicants who are not British citizens must provide evidence to show that they have indefinite leave to remain in the UK or a right to reside in the UK before a tenancy offer can be made. Non-British citizens must also demonstrate that they have a right to public funds if they do not have the means to pay the rent themselves.

* 1. **Assessment**

Properties will normally be offered to the applicant who requires the size, type and location of the property on offer and has the highest priority pass. We usually allocate properties according to the standard occupancy levels detailed in this policy, however, we may, in extenuating circumstances, allocate to lower or higher occupancy levels if both we and the applicant agree to this. If relevant, they will have to provide evidence that they can afford to pay the rent for a larger property if claiming Housing Benefit or the housing element of Universal Credit.

The following factors will be disregarded when an application for housing is assessed because they are not relevant to the applicants housing need:

* Local connection or length of time resident in the area
* Age, provided the applicant is 16 or over (as long as the property is not designed for older people).

**Household Occupancy Levels**

**Two-bedroom properties:** We will allow single people and couples to apply for this size of accommodation. Applicants reliant on Housing Benefit or Universal Credit who would be under-occupying according to the Department of Work & Pensions (DWP) definition will have to show how they would manage to pay the shortfall in Housing Benefit/Universal Credit before any offer of housing was confirmed.

**We agree that an additional bedroom is needed where:**

• It is required for foster care. The status as foster carer must be confirmed in writing by the relevant agency.

• There is access to a child or children which involves the child or children staying a minimum of 3 nights per week. They may be asked to provide written confirmation of the custody arrangements from a Solicitor or the co-parent of the child/children. One additional bedroom will be granted regardless of the number of children on access. The Department of Work and Pensions (DWP) rules state that children on access are disregarded for Housing Benefit or Universal Credit purposes therefore applicants with children on access must demonstrate an ability to pay any shortfall in their benefit entitlement.

• The applicant or applicant’s partner is pregnant, and the baby is due within the next 3 months. The DWP rules state that Housing Benefit and Universal Credit will not be paid for an additional bedroom until the child is born therefore applicants expecting a baby must demonstrate an ability to pay any shortfall in their benefit entitlement.

• It is unreasonable for the applicant to share a bedroom because of:

* a health problem or disability
* a sleep-in carer needs to stay overnight on a regular basis
* an extra bedroom is needed for specialist medical equipment

The requirement for an additional bedroom on these grounds must be confirmed in writing by a medical professional. Some GP’s may charge a fee to write a letter and we are not able to pay towards the cost of this.

**Interview**

We will complete an allocation interview form to gather and confirm information provided on the EdIndex, Home Search or Nomination form. During this interview we will discuss the applicant’s housing and support requirements, previous tenancy details and carry out financial and risk assessments.

**References**

Personal references will not be requested. Current and/or former landlord(s) may be contacted to confirm factual information about the applicant to ensure no breaches of their tenancy agreement. Permission from the applicant will always be obtained before a landlord is contacted. This permission is given when the applicant completes the application or registration form. We will seek tenancy references for the past three years housing history. Where we do request a reference, any offer of housing will be subject to a satisfactory report being received.

**Formal Offer**

The information gathered at the interview along with any references will be used to decide if we can proceed with the application. If we can proceed the applicant will be made a formal offer.

**Viewings**

Applicants must view a property with a member of staff. Following the viewing the applicant has 24 hours to accept or refuse the formal offer. If the applicant does not respond it will be treated as a refusal and recorded as such on our systems. Where an applicant has a homeless priority, the relevant Council may remove this priority if they refuse a reasonable offer of a property.

**Accepting an Offer**

If the offer is accepted the applicant will be expected to sign up and start their tenancy within 3 working days of the property being ready to let. If an extension is required, this will be agreed at the discretion of the Lettings and New Tenancy Team Leader or Manager. The applicant will be advised of the amount of rent that they will be expected to pay at the sign-up appointment and their ongoing rent liability. We may not be able to proceed with the offer if the applicant cannot pay the amount due at the sign-up appointment.

**Bypassing Applications**

There may be circumstances where we have to bypass applications for housing. These are detailed in appendix 2.

Where an applicant appeals a decision to bypass them for a property, the property will not be held pending the outcome of the appeal. If the appeal is upheld, the appeal decision would be considered when assessing future applications.

* 1. **Out with Allocation Criteria**

**Local Lettings Plans**

We designate certain areas or developments as requiring a local lettings plan. These are used to address specific issues such as:

* Anti-social behaviour or crime in the area
* Drug or alcohol issues
* Low demand
* High demand (for example, to prioritise access for particular types of applicant e.g., in rural areas where local people struggle to access housing).
* Lack of essential workers or where skills are in short supply etc.

Properties in each of these areas/developments will be let according to criteria determined by the local lettings plan which may be different from the criteria stated in the Allocations Policy. Each Local Lettings Plan will:

* Take account of relevant legislation
* be clear about why it is necessary and show evidence/data to demonstrate this
* have clear aims
* have effective monitoring to make sure the aims are being met
* be reviewed regularly

When we advertise a vacancy, the advert will advise that a Lettings Plan is in place. We will advise the applicant and discuss it with them at the interview stage.

Local Lettings Plans will be in place for new build developments to help create sustainable and balanced communities.

**Sensitive Lets**

Will be used on an “ad hoc” basis where there have been previous problems within a property, stair or development and will be approved by the relevant Housing Management Team Leader or Housing Manager. The purpose of sensitive lets is to try and make sure a tenancy is sustainable for the applicant and to prevent management issues resulting from an unsuitable allocation.

**No Demand**

Where we have advertised and there is no demand for a property, or we have exhausted shortlists; we may have to let out-with our normal allocation process. Any interested applicants be will assessed and properties let to those in the highest need.

**Support**

We have a commitment to working with specialist housing support agencies and will allocate up to 7% of our mainstream properties to them. We will enter into a lease or protocol agreement with agencies providing support. The same properties may be re-allocated to an agency or the location of a property may change over time. These referrals operate outside our Allocation Policy.

**Decants**

We reserve the right to use an unlimited number of properties as decant accommodation for existing tenants who require emergency re-housing or who need to move when their homes are undergoing repair or improvement. We may also consider requests for accommodation from other housing providers requiring emergency accommodation.

**Management Transfers**

There are occasions when we have to move someone in an urgent situation for example where it has been identified that a tenant is at risk and cannot stay or return home. It may be that supporting evidence should be obtained from Police Scotland or other External Agencies. We reserve the right to offer any upcoming empty properties as a Management Transfer, if suitable. The decision to allow a Management Transfer will be authorised by the Housing Manager or Team Leader.

Where we have instigated a Management Transfer and the tenant previously had their rent set by the Rent Registration Service, this right will remain.

We do not require Management Transfer applicants to give 28 days’ notice to terminate their previous tenancy.

**Adapted Properties**

Where a property has been adapted to make it suitable for people with medical or mobility needs we have the right to recover possession of that property when it is not being occupied by anyone who needs the adaptations and we require it for someone who does need the adaptations. In these circumstances we will offer the outgoing tenant suitable alternative accommodation and the customer has the right to challenge our decision.

**Right to Return**

Within re-generation areas, existing tenants who have been moved out due to demolition may have the right to return to any new build properties built in place of the original buildings. In these circumstances properties will not be advertised on our choice-based lettings systems. If Right to Return applicants refuse offers or the list of applicants is exhausted, we will revert to our standard allocation policy.

1. **Other Housing Options**

**3.1 Transfers**

Up to 10% of our properties which become vacant each year will be let as transfers. If a tenant or occupant feels their current accommodation is no longer suitable, they can apply to transfer to another property owned by us using the choice-based lettings systems. Where transfer applicants are to be considered, adverts will state “Priority to PfPS tenants”.

This policy applies to all tenants and to occupants of our supported tenancies. Transfer requests will only be considered from complete households and if approved, all members of the household will be expected to move to the transfer property.

In areas where we have limited stock: Falkirk, Clackmannanshire, Stirling, East Dunbartonshire, Aberdeen City and Aberdeenshire (where we operate 100% nominations), tenants should contact the Housing Management Team to request a transfer. The eligibility criteria for an internal transfer can be found in this Policy. Twenty-eight days’ notice must be provided to end the existing tenancy.

All tenants and occupants of supported accommodation are eligible to apply for a transfer and to register and be assessed for EdIndex and Home Search.

An offer to transfer to alternative accommodation will not be made if:

* We do not have the written consent of both tenants (if a joint tenancy) and/or from any person who has occupancy rights under the Matrimonial Homes (Family Protection) (Scotland) Act 1981.
* The transfer applicant has rent and/or service charge arrears which are over one month’s rent. If the arrears are less than one month’s rent, the transfer applicant must have an arrangement to repay the arrears which must have been maintained for at least 3 months and be continuing.
* The transfer applicant has other outstanding housing related debts e.g. legal fees, rechargeable repairs, debt on pre-paid utility meters.
* We are taking legal action against the transfer applicant for a breach of the tenancy or occupancy agreement. This is because a transfer to alternative accommodation would have the effect of ending the legal proceedings. An exception may be made where the transfer has been requested in order to relieve the problem which led to the legal action.
* The condition of the current property (including any garden area) is not of an acceptable standard as defined by the tenancy agreement. The transfer applicant will be expected to bring the property up to a reasonable standard and to carry out or have kept to an arrangement to pay for any rechargeable repairs for a period of three months.
* The transfer will result in the under-occupation (except single people or couples wishing to live in a two-bedroom property) or the overcrowding of a property.
* The transferring household does not need the facilities provided in a specially adapted property (such as amenity or wheelchair houses) and/or the services associated with a property (such as the Service Coordinator in retirement housing).
* It is considered that a transfer to a particular property is not in the best interests of either the transfer applicant or us, always taking into account the requirement of the Equality Act 2010. This situation will be discussed with the transfer applicant before a final decision is made e.g. a transfer applicant with drug/alcohol issues has applied for a property which is in an area which has known drug/alcohol issues.
* Where, after careful consideration, the medical and/or support needs of the tenant are too high for the type of property on offer. The requirements of the Equality Act 2010 will be taken into account when this assessment is made.
* The transfer applicant has knowingly given false information or if information has been deliberately withheld.

These requirements may be relaxed, at the discretion of a relevant Manager or Team Leader if:

* there are urgent medical/social grounds for a transfer
* rent arrears are caused by delays outside the transfer applicants control e.g. Housing Benefit/Universal Credit paid in arrears or delay in processing a claim, where we are satisfied that the tenant has provided all the relevant information.

Existing tenants who have their rent set by the Rent Registration Service will lose this right if they choose to transfer to another property.

Transfer applicants are required to give 28 days’ notice to terminate their previous tenancy.

* 1. **Mutual Exchange**

All Scottish Secure Tenants are eligible to apply to exchange with another one of our tenants or with a tenant of a Local authority or Housing Association. Both tenants must seek permission from their landlords before the exchange can proceed. There are no limits on the number of Mutual Exchanges which can take place in a year provided our exchange requirements are met.

Tenants are responsible for finding a person to exchange with and can register with regional and national exchange schemes. We are members of Home Swapper and House Exchange.

When a tenant applies to exchange, we will give our decision in writing within 28 days of receiving the written request, providing that all necessary information has been received from the tenant.

An exchange request will not be approved if:

* Either party to the exchange has been served with legal notices by their landlord for any breaches of their tenancy agreement. This is because an exchange to alternative accommodation would have the effect of ending the legal proceedings.
* Either party has rent or service charge arrears of over one month’s rent. If either party has arrears of less than one month’s rent, there must be a repayment arrangement in place that has been kept for a minimum of three months and is continuing. This may be relaxed at the discretion of the Housing Services Team Leader if there are urgent medical/social grounds for the exchange to go ahead.
* We do not have the written consent of all tenants involved in the exchange (including any joint tenants). Written consent will also be required from any person who has occupancy rights under the Matrimonial Homes (Family Protection) (Scotland) Act 1981.
* There are other outstanding housing related payments including legal fees and rechargeable repairs, these must be paid in full before an exchange will be approved.
* The condition of the current property (including any garden area) currently occupied by either party to the exchange is not of an acceptable standard as defined by the tenancy agreement. Both parties will be expected to leave their property in a good condition and to carry out or pay for any rechargeable repairs before an exchange request is approved.
* The exchanging tenants are not prepared to accept the condition of the other property as seen. We will not carry out any existing repairs which are the responsibility of the current tenant, either before or after the exchange goes ahead.
* The exchange will result in the overcrowding or under-occupation of a property.
* Either of the parties does not require the facilities or amenities provided in a specially adapted property (such as amenity or wheelchair houses) and/or the services associated with a property.
* The landlord of the other party does not agree to the exchange taking place.
* The accommodation is provided in connection with the tenant’s employment with the landlord.
* Where the applicant is a registered Sex or Violent Offender and we have been advised by the Responsible Authority that the property is not suitable.

If we do not consent to a mutual exchange, customers are entitled to appeal against our decision.

For general advice and information about a Mutual Exchange, tenants can contact the Lettings and New Tenancy Team on 0131 657 0600 or crelntt@castlerockedinvar.co.uk.

Once a tenant has identified someone to exchange with and wants to proceed, they should contact the Housing Management Team on 0131 657 0600 or CREHousing@castlerockedinvar.co.uk

**Home Swapper**

Our tenants can register on-line with Home Swapper free of charge. This is a quick and easy way for tenants of registered social landlords to exchange houses either locally or nationally. It is the UK’s largest database of people looking to swap homes. To register with Home Swapper log on to [www.homeswapper.co.uk](http://www.homeswapper.co.uk)

Once registered and approved, tenants can search the website for homes they like and want to swap with. Tenants can log in and see potential matches. If a suitable match is found the next stage is to contact the other party to arrange to view each other’s properties. If both parties wish to proceed, permission from each landlord is required after tenancy checks are completed.

**House Exchange**

Another exchange option is House Exchange. Our tenants can register free by logging on to [www.houseexchange.org.uk](http://www.houseexchange.org.uk).

Once registered applicants need to provide some details of their current property and the type of property they are looking for. The information provided will be checked and approved by us. Login details will then be sent out in the post and tenants’ properties will appear on the database. From there tenants can search the site and find someone to swap homes with.

For more information customers can e-mail house.exchange@edinburgh.gov.uk or telephone 0131 529 5080.

**3.3 Mid-Market Rent**

Our partner company Touchstone let Mid-Market Rent properties which are for applicants who are working but cannot afford market rent prices. The properties have carpets and curtains/blinds. Rents are set at a level between a market rent and those charged by Councils or Housing Associations. To qualify the household needs to be earning a minimum of £1,000 per month after deductions but less than £39,000 per year. One months’ rent plus £100 is taken as the deposit.

For more information contact Touchstone on Tel. 0131 657 5139.

**3.4 Market Rent**

Touchstone manage market rent properties which have carpets, curtains/blinds and white goods installed. Tenancies are assured and run on a month to month basis and require a deposit. To be considered there must be a minimum household income of £1,500 per month after deductions. For more information contact Touchstone on Tel. no. 0131 657 5139.

**3.5 Shared Ownership**

This offers the opportunity to buy a 25, 50 or 75% share of a property. We own the remaining share. Owners pay an occupancy charge to us on a monthly basis; the amount depends on the percentage they own. The scheme is designed for people on modest incomes who want to buy a good quality home but cannot meet the cost of buying outright. The main target groups for shared ownership are:

* First Time Buyers
* Housing Association/Co-op and Council tenants
* Applicants on Housing Association/Co-op and Council waiting lists
* Serving members of the armed forces, veterans who’ve left the armed forces within the past 2 years, widows, widowers and other partners of service personnel for up to 2 years after their partner has been killed whilst serving in the armed forces.

For more information customers can contact the Lettings and New Tenancy team on 0131 657 0600 or crelntt@castlerockedinvar.co.uk.

**3.6 Shared Equity**

The Places for People group sell shared equity properties in a number of areas throughout Edinburgh and the Lothians. This scheme aims to help people on modest incomes who wish to own a home but cannot afford to pay the full price for a property.

The amount paid for a property will depend on income and any savings. Prospective owners may be eligible to buy between 60 to 80% of the full value of the property and the Government will hold the remaining share under a shared equity agreement. Further shares in the property can be purchased at any time and can be increased by as little as 5% or could increase to 100% ownership.

The main target groups are:

* First Time Buyers
* Housing Association/Co-op and Council tenants
* Serving members of the armed forces, veterans who’ve left the armed forces within the past 2 years, widows, widowers and other partners of service personnel for up to 2 years after their partner has been killed whilst serving in the armed forces.
* People with a disability whose current house doesn't meet their needs.

1. **Additional Information**

**4.1 Cancellation of an Application**

An application will be cancelled:

* If an applicant requests to be removed from the waiting list
* If the applicant fails to reply to communications from us regarding a review of the waiting list or if correspondence is returned by the Royal Mail marked ‘gone away.’
* When we are advised of the death of an applicant.

**4.2 Suspensions**

Anyone over the age of 16 can apply for housing, however, in some cases applicants may be suspended from being housed. Our aim, in these circumstances is to be strict but fair. Examples of where we may suspend an application are:

* The applicant has rent arrears (amounting to more than 1 month’s rent) where there is no arrangement to pay or an arrangement is in place but has not been kept for a minimum of 3 months.
* Where existing tenants are in rent arrears or have outstanding re-chargeable repair costs, we may suspend their application unless the arrears are less than one month’s rent and there must still be a repayment arrangement in place which has been kept for at least 3 months and is continuing.
* Housing support is required but there is no support package in place.
* The applicant has a history of anti-social behaviour, e.g. where the applicant has been evicted for ASB or has been subject to an anti-social behaviour order in the past 3 years.
* The applicant has been convicted of or involvement in criminal activity or illegal drug use or supply.
* The applicant has received notice to leave their current accommodation due to a breach of tenancy.
* The applicant has abandoned or neglected a previous property.
* The applicant has been abusive or threatening towards staff.
* The applicant has knowingly given false or misleading information on their application.
* More information is required to assess an application.
* An applicant has requested their application be suspended for a valid reason.

In some instances, the suspension will last a short period of time (e.g. more information required or waiting for a support package to be put in place). Others will be in force for a longer period e.g. where false or misleading information has been provided applications will be suspended for a year. Where an application is suspended the applicant will be advised of the decision in writing, the duration of the suspension and what action they are required to take to have the suspension lifted. All applicants will be advised that they have the right to appeal.

1. **Policy Requirements**

**Complaints**

All applicants have the right to complain if they consider that their allocation, transfer or housing application has not been handled properly. Our complaints leaflet is available on our website [www.castlerockedinvar.co.uk](http://www.castlerockedinvar.co.uk)

**Training**

Training on the allocation policy will form part of induction training for new Board Members and Housing staff. Additional training will be provided for Lettings and New Tenancy staff.

**Equal Opportunities**

We commit to the provisions of the Human Rights Act 1998, The Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations including the general duties to:

•Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

•Advance equality of opportunity between people who share a protected characteristic and those who do not.

•Foster good relations between people who share a protected characteristic and those who do not.

Protected Characteristics

Protected characteristics are the grounds upon which discrimination is unlawful. The protected characteristics under the Equality Act 2010 are:

age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief (including lack of belief), gender and sexual orientation.

We record and monitor all transfer and Mutual Exchange applications and all property allocations, in order to demonstrate accountability and to make sure that selection and lettings are fair and efficient.

**Policy Availability**

Additional copies of this Allocations Policy are available on request.

**Policy Review**

This Allocations Policy has been approved by the Places for People Scotland Board. The Board has agreed that the Allocations Policy be reviewed on a 3 yearly basis, to ensure that the aims of the Policy are being achieved. We reserve the right to change or amend the content of the Allocations Policy after review and to reassess the status and priority of applicants in line with the changes or amendments in the revised Allocations Policy. Tenants will be consulted before any major changes are made to the policy.

August 2019

**APPENDIX 1 – SCOTTISH SOCIAL HOUSING CHARTER**

**Access to housing and support**

**Social landlords work together to ensure that**:

• people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them

• Tenants and people on housing lists can review their housing options.

**Social landlords ensure that**:

• People at risk of losing their homes get advice on preventing homelessness.

These outcomes cover landlords’ duties to provide information to people looking for housing and advice for those at risk of becoming homeless. These duties include helping tenants and people on housing lists to review their options to move within the social housing sector or to another sector.

**Social landlords ensure that:**

• 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.

This outcome covers what social landlords can do to make it easy for people to apply for the widest choice of social housing that is available and suitable and that meets their needs. It includes actions that social landlords can take on their own and in partnership with others, for example through Common Housing Registers or mutual exchange schemes, or through local information and advice schemes.

**APPENDIX 2 – BYPASS REASONS**

We are unlikely to offer accommodation if applicants:

Have rent arrears or other tenancy related debt

Where the applicant has rent arrears of more than one month’s rent or other tenancy related debt and there is no arrangement to pay or an arrangement has not been kept for a minimum of 3 months. If the arrears are less than one month’s rent we will not bypass the application. We will not bypass section five referrals who have rent arrears or other tenancy debts.

If the applicant is an existing Places for People Scotland tenant and has rent arrears, to be considered for housing, the arrears must be less than one month’s rent and a repayment arrangement must have been in place for at least 3 months and continue to be paid.

Require support and this is not in place

The applicant requires support to successfully sustain a tenancy with us but at the time of our offer no sufficient support package is in place and it is not likely to be so in the near future. The requirements of the Equality Act 2010 will be taken into account when this assessment is made and advice and guidance about suitable housing will be given. When explaining our decision to applicants we will be clear about the areas we feel support is needed.

Have a history of Anti-Social or Criminal Behaviour

Where there is clear evidence from an official source that the applicant or a member of their household is or has been guilty of serious anti-social behaviour or criminal behaviour and it is likely that housing the applicant will cause annoyance, harm or risk to the applicant, our customers, staff or others living within the vicinity of the property on offer.

Are registered sex or violent offenders

Where the applicant has been convicted of a criminal offence and has limitations set on their application regarding where they may be considered for housing. The decision to bypass the application will be taken in conjunction with agreed assessments carried out by the Responsible Authorities. The Link Officer and the local authority Sex And Violent Offenders Liaison Officer will be involved with any allocations to sex and violent offenders.

Are a former Places for People Scotland tenant who has been evicted by us

The applicant is a previous Places for People Scotland tenant or is a member of the former tenant’s household whose actions or behaviour contributed to the decision to evict. If the eviction was for rent arrears and an arrangement to repay the arrears has been maintained for a minimum of three months and is continuing, the applicant may be considered for housing.

Cannot sustain the tenancy for affordability reasons

If, after a detailed discussion with the applicant and a review of their income and outgoings, the applicant cannot demonstrate their ability to pay the rent for the property and other housing costs.

Receive an unsatisfactory landlord reference for a previous tenancy

Where we received an unsatisfactory tenancy reference from a current or previous landlord.

Have applied for a property type which does not meet their needs

If the property that the applicant has applied for does not meet their needs. This could be:

* because the property has too many or too few bedrooms for their household
* because it does not have a feature, they require e.g. wheelchair access, barrier free
* because it has adaptations or features that they don’t require e.g. a wet floor shower, access ramps

Are currently being considered for another property

Where an applicant is being considered for another property, either with us or another landlord.

Are an existing Places for People Scotland tenant who does not meet the transfer criteria

Please see section 3.1 for details.

Does not meet the criteria for a property advertised as a sensitive let

Where a property has been advertised as a sensitive let and the applicant does not meet the criteria for the property e.g. a property within a block with known drug issues has been advertised as a sensitive let and the applicant is a recovering drug user.

Does not meet the criteria stated in a Local Lettings Plan

Where a property falls under a local lettings plan and the applicant does not meet the criteria specified in the lettings plan.

Is a non-British Citizen and does not have a right to live in the UK or recourse to public funds

Where the applicant is not a British Citizen and they do not have a right to live in the UK or they have no recourse to public funds and no means to pay the rent and sustain the tenancy themselves.

Cannot maintain a garden

Where a property has a garden, which must be maintained by the tenant, we will take an applicant’s ability to maintain a garden into consideration when allocating the property. Those applicants unable to manage a garden or unable to get assistance to maintain a garden may not be offered that particular property.

Cannot exit the property in the event of a fire

Where a property is not on the ground floor, we will take an applicant’s ability to manage the stairs in the event of a fire when selecting a new tenant. Those applicants unable to manage stairs may not be offered that particular property due to an inability to vacate the property in the event of a fire.

Knowingly give false information or deliberately withhold information

Where it has been found that applicants have knowingly given us false information or have deliberately withheld information relevant to their application.

Has displayed unacceptable behaviour

Where the applicant his shown threatening, intimidating or abusive behaviour to staff.

**Strategy/Policy Control Statement**

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| --- | --- | --- |
| 1 | Document Title | Allocation Policy – Places for People Scotland |
| 2 | Date of Document | July 2019 |
| 3 | Service Lead | Sarah Ogden – Director of Customer Experience |
| 4 | Author | Gill Mackay – Lettings & New Tenancy Manager |
| 5 | Date Approved and approved by who e.g. National Customer Body, Service Delivery Project Board, Executive, Group Board, etc. | Director of Customer Experience |
| 6 | Date last reviewed | July 2019 |
| 7 | Amendment record | The policy was updated following the implementation of the Housing Scotland Act 2014. We updated the bypass and suspension reasons and added in an additional consideration around home ownership. |
| 8 | Next review date | July 2022 |
| 9 | Staff Consultation | Yes |
| 10 | Other Services Consultation |  |
| 11 | Customer Consultation | We consulted customers about proposed changes to the allocation policy in relation to the Housing Scotland Act 2014 |
| 12 | Equality Impact Assessment: insert priority as agreed with E/D team, insert start date, completion date and published date. Insert date copy of EIA sent to E/D team. | Specific EIA not carried out. Part of Edinburgh common housing register and EdIndex, the body who oversee the register have carried out an EIA. |
| 13 | Confirm that document meets current legislative requirements | Yes |
| 14 | Confirm that VFM implications have been assessed | Yes |
| 15 | Further Information/Comments |  |
| 16 | Sign off of statement by Author and Service Lead: name and date | Gill Mackay  Sarah Ogden  22 July 2019 |