

OPS004 - Allocation Policy

MONITORING FORM	
Department	Housing Management
Department Director	Operations
This policy is applicable to	Housing Management
Author	Housing Manager
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Internal /external consultees (if required).	West Lothian Council Falkirk Council North Lanarkshire Council South Lanarkshire Council Edinburgh City Council Staff Tenants Applicants Board

1. INTRODUCTION

This policy sets out the standards and general guidance Weslo Housing Management follows to ensure that:

- there is fair and open access to our housing register and assessment process
- our properties are allocated in a way that gives reasonable preference to those most in housing need
- we make the best use of our housing stock
- we contribute to the provision of balanced and sustainable communities

This policy complies with the Housing (Scotland) Act 2014 and is supported by a range of detailed procedures covering the initial assessment and lettings process and subsequent activities such as assignation, succession, exchanges and transfers etc.

We are committed to the principles of good corporate governance and sustainability and will endeavour to develop fair and consistent policies, procedures and practices.

In line with our commitment to equality and diversity, this policy can be made available in a variety of formats including large print, translated into another language or other media. We will make any reasonable adjustments to assist applicants if they have a disability.

2. SCOPE

This policy outlines the steps which Weslo housing Management will take to ensure we comply with all relevant legislation and regulatory guidance.

3. PROMOTING EQUALITY

- 3.1.** We will accept applications from anyone over the age of 16 years regardless of gender, marital status, age, ethnic origin, nationality, colour, religion or belief, sexual orientation, disability or health problem, financial circumstances or any local connections.
- 3.2.** Applications will be assessed, and our homes allocated, in accordance with the system we have adopted to measure housing need. These systems are designed to eliminate any potential discrimination on any of the grounds listed above.
- 3.3.** We will monitor the implementation of our assessment and allocation procedures to ensure that each application is treated equally and fairly.
- 3.4.** We will monitor the performance of our allocations policy to ensure that agreed targets are being met.
- 3.5.** On request we will provide versions of this policy in other languages, large print, Braille or in audio format, and will also arrange for interpretation services when necessary.

4. INFORMATION AND ADVICE

- 4.1.** We will seek to ensure that all the information, advice and communication about our application and letting arrangements is provided in plain, easily understood language. A full copy of this policy is available on request and on our website.
- 4.2.** We will provide information on alternative sources of housing and housing advice.

5. APPLYING FOR HOUSING

Anyone aged 16 and over can make an application. Applications should be made directly to your local authority. Applicants may be tenants who wish to transfer.

We operate an open waiting list and applications may be submitted for assessment throughout the year.

We aim to re-house applicants in the greatest need.

Being admitted to the list does not mean that you will be eligible for housing.

6. ASSESSING APPLICATIONS

All housing applications will be processed and assessed in accordance with the 'reasonable preference' categories as determined by the Housing (Scotland) 2014

There are 3 reasonable preference categories that all Local Authorities and RSLs must give reasonable preference to:

- People who are homeless or threatened with homelessness and who have unmet housing needs;
- People living under unsatisfactory housing conditions and who have unmet housing needs; and
- Social housing tenants who are under-occupying.

Applicants may be required to provide evidence of their circumstances to ensure that the appropriate points are awarded.

We will allocate a percentage of our vacant properties to each group.

6.1. Group 1 - People who are homeless or threatened with homelessness and who have unmet housing needs.

Applicants in this group are assessed by the Local Authority in line with their homelessness policy and procedures. The legal responsibility for housing applicants in this group lies with the Local Authority.

To assist the Local Authority meet their statutory requirements we will allocate a percentage of our vacant properties to applicants who have been assessed as statutory homeless by the local authority. Applicants

will need to provide evidence of the assessment and their priority will be based on the date of application to the local authority.

Applicants are entitled to one offer of housing in law and we consider applications taking account of the statutory Code of Guidance on Homelessness (2005). We will take into account applicant preferences, although offers will be determined by availability of housing stock for letting.

6.2. Group 2 - People living under unsatisfactory housing conditions and who have unmet housing needs

This group covers a diverse range of needs. Applicants in this group include people with the following housing needs:

- housing below the tolerable standard (BTS);
- housing conditions relating to overcrowding; or
- housing that is unsuitable to meet the person's access needs such as disabled people (physical or mental health impairments), or a person's medical needs;
- people who are victims of harassment and or domestic abuse;
- people living in housing that is being demolished and applicants require to be re-housed; and
- social landlord tenants who are under-occupying their homes as defined by our occupancy policy standard.

We will allocate a percentage of our vacant properties to applicants who have been assessed as living in an unsatisfactory housing condition and have an unmet housing need.

6.3. Group 3 - Social housing tenants who are under-occupying and People who are on the transfer list.

Transfer applicants will be assessed on their assessed housing needs, for example, the condition of their property. Tenants may also qualify for under-occupation points to ensure that they receive reasonable preference. This list will also help us to meet other allocation policy objectives:

- meeting the diverse range of housing needs of tenants that include unsatisfactory housing conditions as explained above;
- meeting tenants' housing preferences since "wanting to move" home is a form of need;
- promoting sustainable and inclusive local communities by meeting tenants' preference needs; and
- making appropriate use of our stock by reducing under-occupation.

6.4. Group 4 - People with general needs

This group covers a wide range of housing needs and we work in partnership with a range of agencies, both statutory and voluntary, to address them. For example, in the case of local support and care

programmes, we work actively with health authorities and/or social workers. This approach is also important to prevent homelessness and we grant applicants points if they are being re-housed through these programmes. General needs that are dealt with through group 4 include applicants:

- being re-housed through local support or care programmes, including care and the community programmes;
- in insecure accommodation;
- in tied accommodation;
- in the armed forces;
- wanting to give or receive support;
- with shared amenities;
- wanting to move for affordability, social and employment reasons.

6.5. Group 5 - Applicants outside West Lothian

Applicants living outside our geographical area will be placed in one of the above groups if they satisfy the relevant legal rules. Residence in one of our geographical areas must be disregarded when selecting applicants if any of the criteria below apply.

Local residence must be ignored if an applicant:

- is employed or has been offered employment in the area;
- wishes to move into the area to seek employment and we are satisfied that this applies;
- wishes to move into the area to be near a relative or carer;
- has special social or medical reasons for needing to be re-housed in the area;
- is subject to harassment and therefore wishes to move into the area; or
- runs the risk of domestic abuse and therefore wishes to move into the area.

If an applicant lives outside of our geographical area and does not meet any of the above, the application will be placed in Group 5. Alternatively if an applicant lives outside of our geographical area and meets any of the above, then the application will be placed in the most appropriate group.

7. People who own their own property

The new Housing (Scotland) Act 2014 allows us to take ownership into account when selecting tenants (except where the owner cannot access their home or where occupying it could lead to abuse or endanger their health).

We do not adopt this restrictive guidance. We continue to allow access to housing by home owners, however their application will be based on their housing needs, not the property owned.

8. BOARD MEMBERS AND EMPLOYEES

Current and former members of Weslo’s Board, staff, and their close relatives, may apply for housing. Apart from the requirement to include information on their relationship to Weslo, the application will be assessed in exactly the same way as all other applications.

We will record any resulting allocation of housing to someone in these categories according to current guidance from the Scottish Housing Regulator.

9. OCCUPANCY LEVELS

To make best use of Weslo’s stock we will apply the following allocation criteria;

Household Size	Bedrooms required
Single person	One
Couple	One
Anyone else in the applicants household who is/are Aged eight or over	One
Two people under age eight	One
Any other person	One

As soon as one child reaches the age of eight, overcrowding points will be granted if the child has no separate bedroom. In the event that the occupancy levels differs from the administering local authority the local authority rules will apply.

Applications can only be listed for areas in which we have the relevant stock sizes to meet the needs of the applicant.

10. MAINTENANCE OF APPLICATIONS

Applicants must advise of any change in their circumstances as it may affect the way their application has been assessed and prioritised. Failure to keep applications updated could affect any future offers of housing.

11. REVIEW OF APPLICATIONS

Applications will be reviewed on an annual basis based on the date of application. Failure to reply could result in the application being cancelled.

12. EXCLUSIONS FROM THE HOUSING REGISTER

In accordance with the Housing (Scotland) Act 2001, landlords will only remove an applicant from the register in the following circumstances:

- Where the applicant has requested in writing that they be removed.
- Where the applicant fails to respond to a review of their application.

- Following the death of the applicant.

This process will be carried out on receipt of any relevant information or failure to respond to the annual review.

13. SUSPENSIONS FROM THE LIST

Section 6 of the Housing (Scotland) Act 2014 provides an additional power to social landlords to impose suspensions on applications for social housing. Section 6 amends the Housing (Scotland) Act 1987 and introduces a new section 20B. This give a legislative basis for suspending applicants from receiving offer of housing. We have established a separate suspension policy and procedure that sets out when we may suspend making offers to applicants.

14. EXCEPTIONAL CIRCUMSTANCES

We recognise that situations can occur which cannot be dealt with adequately under the Allocation Policy. Examples could include:

- Extreme neighbour problems where the only solution is to move one party
- Witness protection
- Serious harassment

A move to another property in these circumstances will only be considered in extreme cases. Each case will be assessed on an individual basis and approved by the Housing Manager. If approved, the **additional** priority will be placed on the application. The number of offers of housing made under this process will be restricted to two. If reasonable offers of housing are refused, the additional priority will be removed and the application will remain on the housing list. In certain situations an exceptional circumstances priority may not be the best solution due to our stock numbers. In cases such as this is may be best to apply directly to the local authority for assistance.

15. SENSITIVE LETS

Sensitive lets are exceptional and are for cases where, for social reasons, it is necessary to exercise discretion in applicant selection. For example, where a previous tenant had caused major disruption and upset to neighbours. We will consider the suitability of the applicant for the vacant property, on the basis of the information we have about the applicant and the knowledge we have about the property, its location or the neighbours. The aim is to secure the social well-being of the new tenant and help to create sustainable communities.

Each case will be assessed on an individual basis and approved in consultation by the Housing Manager and the relevant Local Authority. Any sensitive let allocation agreed will adhere to all the relevant legislation governing the allocation of houses.

16. ALLOCATING PROPERTIES

We have 50% nomination agreements in place with our partner local authorities. We allocate the remaining 50% of properties in accordance with our own policy. Applicants will be offered an available property depending on;

- the reasonable preference group
- our targets
- the applicants circumstances, requirements, preferences and
- the property type, size, location and suitability.

The property will normally be offered to the applicant with the highest housing need, within the reasonable preference group. Where there is more than one applicant with the same level of points, the date and time of application will be taken into consideration

17. Targets

Group	
1.	People who are homeless or threatened with homelessness and who have unmet housing needs.
2.	People living under unsatisfactory housing conditions and who have unmet housing needs.
3.	Social housing tenants who are under-occupying and People who are on the transfer list.
4.	People with general needs.
5.	Applicants outside West Lothian.

Group targets will be set annually and reflect housing need and demand. As part of the review process we will consider the profile of our stock and the vacancies that are likely to become available. However, on occasion it may be necessary to carry out the review sooner in response to changing circumstances to ensure that we are meeting significant housing need.

18. NEW BUILD PROPERTIES

Existing Weslo tenants, currently on the housing list, will receive priority when letting new build properties. In the event that our transfer list is exhausted our normal Allocation Policy and Nomination Agreements will apply.

19. ADAPTED PROPERTIES

Housing that has been adapted to meet the needs of disabled people will be offered to disabled applicants with the appropriate needs in the first instance. For example, housing that is adapted to be accessible to wheelchair users will be offered to wheelchair users.

In the event that there is no demand for an adapted property we will allocate the property to another applicant. However, should the property be subsequently required for a person who needs the adaptation, the property may be recovered

under section 15 of the Housing (Scotland) Act 2014 and other suitable accommodation made available.

20. MAKING OFFERS

Weslo will contact successful applicants directly, either by letter or phone call. Applicants will be given 2 working days to respond and note their interest. Failure to respond will result in the potential offer being withdrawn.

Before receiving a formal offer applicants will need to attend an applicant interview.

We will request references from current and / or previous landlords where appropriate and will ask applicants to sign a mandate giving consent for Weslo to request a reference.

Weslo transfer applicants will receive a home visit from their Housing Officer prior to receiving the formal offer.

All formal offers of accommodation will be made in writing. Failure to reply, or refusal of an offer may result in the application being cancelled, suspended or returned to the relevant Local Authority, if received via nomination.

Weslo reserves the right to withdraw any offers prior to applicants signing the Tenancy Agreement.

21. MUTUAL EXCHANGES

A Mutual Exchange can be an alternative way of securing more suitable accommodation when a household's circumstances change.

Tenants can exchange tenancies with other Scottish Secure tenants and tenants of other social landlords.

To apply for a Mutual Exchange tenants must complete a Mutual Exchange application form along with the tenant they wish to exchange with. Before making any arrangements to exchange written consent from Weslo must be obtained. Applications will be processed in accordance with our Mutual Exchange policy.

Weslo will advertise properties for Weslo tenants and those of other Registered Social Landlords in the area who are looking to exchange. To do this you will need to complete an advert request which will be placed on the exchange board in our offices and on our website.

22. APPEALS

All applicants have the right to appeal against any decision made concerning their application, the assessment of their housing need, suspension or cancellation of their application. In the first instance, they should refer to the relevant Local Authority who is responsible for dealing with the application and will be dealt with by their own individual appeal procedures.

Any appeals that relate to Weslo should initially be made in writing to the Housing Manager and thereafter using our Complaints Procedure.

23. COMPLAINTS

Anyone wishing to make a complaint about our services should do so using our Complaint Procedure.

Further information on how to make a complaint can be found at:

<https://www.weslo-housing.org/wp-content/uploads/How-to-Make-a-Complaint.pdf>

24. DATA PROTECTION AND GENERAL DATA PROTECTION REGULATION (GDPR)

Weslo applies data protection principles throughout our allocation process so that information gathered is processed in accordance with the law. For example, information that is gathered is only shared with the explicit consent of applicants, or as otherwise permitted or required in law.

We take the issue of security and data protection very seriously and strictly adhere to guidelines published in the Data Protection Act of 1998 and the General Data Protection Regulation (EU) 2016/679 which is applicable from the 25th May 2018, together with any domestic laws subsequently enacted.

We are notified as a Data Controller with the Office of the Information Commissioner under registration number Z4942312 and we are the data controller of any personal data that you provide to us.

Any questions relating to our privacy practices should be sent to our Corporate Services Department: corporate.services@weslohm.co.uk or call 01506 634286.

25. MONITORING AND PERFORMANCE

Weslo have performance measures in place which are reviewed on a monthly basis to ensure the aims of this policy are being achieved.

26. CONSULTATION AND REVIEW OF POLICY

This policy will be reviewed regularly in response to consultation carried out by our local authority partners. The local authority as administrators of housing list will on our behalf consult with a range of groups which will include:

- tenants
- applicants
- tenant groups
- other groups deemed to be appropriate.

27. OTHER RELEVANT POLICIES AND PROCEDURES

This policy relates to:

- Pre-termination and Void procedure
- Suspension policy
- Mutual Exchange policy
- Complaints procedure
- Data Protection policy
- Joint Tenancy policy
- Succession to Tenancy policy
- Equality and Diversity policy
- Short Scottish Secure Tenancy policies
- Sub-letting
- Taking in Lodgers
- Antisocial behaviour policy

28. LEGAL AND GOOD PRACTICE REQUIREMENTS

This policy is compliant with the following legislation and good practice guidance:

- Data Protection Act 2018 (DPA 2018)
- General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679)
- Equality Act 2010
- Homelessness etc. (Scotland) Act 2003
- Housing (Scotland) Act 2014
- Housing (Scotland) Act 1987
- Human Rights Act 1998
- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- Scottish Social Housing Charter