

BUIDHEANN TIGHEADAS LOCH AILLSE AGUS AN
EILEIN SGITHEANAICH
LOCHALSH AND SKYE HOUSING ASSOCIATION

Allocation Policy and Points System

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ALLOCATION POLICY AND POINTS SYSTEM

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ALLOCATIONS POLICY AND POINTS SYSTEM

1. INTRODUCTION

- 1.1 Lochalsh and Skye Housing Association is a locally-based housing association committed to providing good quality affordable housing to people in housing need. Most of the housing is for rent and some is low cost home ownership (e.g. shared ownership).
- 1.2 People who wish to apply for housing should note that priority will be given to people with high levels of housing need. The respective need of each applicant will be assessed by a points system.
- 1.3 In formulating this allocations policy the Association has taken into account all relevant legislation and guidelines issued by the Scottish Executive, Communities Scotland, the Scottish Federation of Housing Associations and the Chartered Institute of Housing.
- 1.4 Whilst the Association always welcomes applications from people in housing need, it is worth noting that the Association only has a limited number of houses and demand far exceeds the number of lets which arise each year.

2. THE OBJECTIVES OF THE ALLOCATIONS POLICY

- 2.1 The allocations policy is designed to meet the following objectives:-
 - To meet the needs of people in housing need, including people with support needs and people requiring specially designed housing.
 - To give reasonable preference to people who;
 - are occupying houses which do not meet the tolerable standard; or
 - are occupying overcrowded houses; or
 - are living under unsatisfactory housing conditions;
 - are homeless or threatened with homelessness; and
 - have large families.
 - To be fair and consistent in making allocations.
 - To make best use of our housing stock and to complement the provision of other housing providers.
 - To help maintain stable balanced communities within the Skye and Lochalsh area and to contribute to the improvement of the social, economic and cultural wellbeing of the whole community.

3. EQUAL OPPORTUNITIES

- 3.1 The Association considers any form of unfair discrimination to be unacceptable and will ensure that no applicant for housing receives less favourable treatment on the grounds of race, colour, ethnic or national origin, religion, class, gender, age, disability, mental health, sexual orientation, family circumstances or marital status.
- 3.2 We ask all applicants to provide brief information on their ethnic origin and any disabilities they may have, in order to help the Association monitor its compliance with its Equal Opportunities Policy. Provision of this information is entirely voluntary.
- 3.3 The information gathered will be recorded and kept separately and will be used for monitoring purposes only, and in accordance with Data Protection requirements. It will not form part of the allocations process.

4. AVAILABLE PROPERTIES AND ELIGIBILITY OF PROPERTIES

- 4.1 The Association has a range of different sized properties throughout Skye and Lochalsh. Our full Property Portfolio is attached.
- 4.2 The majority of the Association's properties are designed to "Barrier Free" and "Housing for Varying Needs" standards. We also have wheelchair accommodation and accommodation which has been adapted to suit people with various disabilities.
 - 4.2.1 General Needs Properties
Any applicant aged 16 or over is entitled to apply and be admitted to the housing list. There is no upper age limit for applications.
 - 4.2.2 Amenity and Supported Accommodation
We may seek the advice or an assessment by an Occupational Therapist or equivalent specialist with regard to the suitability of a house where the applicant has an illness likely to progress/or has progressed to a more severe disability. If adaptations are required, we may need to take in to account whether funding may be available for the works before deciding whether an allocation will proceed.
- 4.3 The Association has one supported project operated by The Highland Council. The target client group and eligibility criteria are included within a Management Agreement specific to this project. Nominations are received from the Highland Council Housing Services Department.

5. COMPLETING A HOUSING APPLICATION FORM

- 5.1 All applicants aged 16 and over who wish to be considered for housing by the Association need to fill in a housing application form. Help is always available

from Association staff to anyone who needs assistance in completing the form. All applicants receive a copy of the allocations policy. If you need particular help with reading or understanding the application form or allocations policy (for example if you have eyesight problems or if English is not your first language), please let us know and we will ensure that appropriate arrangements are made for assistance to be provided.

6. SCHEDULE 7 OF THE HOUSING (SCOTLAND) ACT 2001

6.1 Any applicant who is a close relative of any one of the following:

- (a) a Management Committee member, or
- (b) a former Management Committee member (in the previous 12 months), or
- (c) a staff member, or
- (d) a former staff member (in the previous 12 months)

must complete full details in the declaration within the Housing Application Form. This does not mean they cannot be considered for an allocation but ensures that the necessary procedures are followed in accordance Schedule 7 of the Housing (Scotland) Act 2001 and as detailed by Communities Scotland Guidance Note 2003/02.

(A “close relative” is defined as a direct relative by blood or marriage (including step-relatives) for example, your son/daughter, brother/sister, mother/father, grandparent, grandchild, husband/wife.)

7. CONFIDENTIALITY AND ACCESS TO PERSONAL FILES

7.1 The Association is registered with the Office of the Information Commissioner in terms of the Data Protection Act 1998.

7.2 All information submitted by applicants will be treated in the strictest confidence.

7.3 The Association will allow applicants access to their own personal files within 2 clear working days of a request, providing that such access does not breach another individual's right to confidentiality.

8. OPEN ACCESS TO HOUSING LIST AND ASSESSMENT OF APPLICATIONS

8.1 The Association will accept applications from anyone aged 16 years and over. There is no upper age limit.

8.2 The housing list will remain open and all applications will normally be assessed within two weeks.

- 8.3 Applicants will be awarded points in accordance with the **points system**, which is shown as Appendix I. The points system is designed to give appropriate weighting to the following factor:
- current housing circumstances
 - the physical condition of current housing
 - security/insecurity of tenure in current housing
 - medical/health factors which could be eased by re-housing
 - the need to move for employment reasons
 - other specific factors such as the need to give or receive support.
- 8.4 Once the application form has been assessed, applicants will be advised of the outcome, normally within a fortnight of the Association receiving the form. However, **as we do not allocate houses on the basis of waiting time**, it will not generally be possible for the Association to tell applicants when they might be offered housing.
- 8.5 The Association maintains several different housing lists for specific areas of Skye and Lochalsh and for different sized properties. For most areas, once applications have been pointed, applicants will be placed on the appropriate list for the area(s) in question.
- 8.6 Applicants' points levels will be reviewed annually to ensure that the housing lists for each locality are up-to-date. **Applicants should inform the Association in writing as soon as possible of any change of circumstances, in which case their application will be re-assessed.**
- 8.7 The Association may set threshold points levels for designated areas, taking into account the supply and demand of housing provided by the Association in each locality, and subject to the approval of the Management Committee. If your points level is below the threshold for a particular area means that although you are still on the list for that area you are unlikely to be actively considered for an offer of housing there due to the number of other applicants with higher points levels.
- 8.8 As properties will be allocated on the basis of housing need, no account will be taken of the following:
- Length of time resident in the area
 - Tenancy related debts
 - for which the applicant has no legal responsibility
 - which no longer exist
 - where the amount outstanding is less than one month's rent
 - where a repayment arrangement has been made and agreed with the landlord, in accordance with which payments have been made for at least 3 months and payments are continuing
 - Non-tenancy debts
 - Length of time on the housing list
 - Personal References

- Income of the applicant or his/her family
- Ability to pay
- Property ownership, or the value of property owned (except where the application is for low cost home ownership housing)

8a **Joint applications**

Where applicants currently living in separate accommodation have made a joint application, assessment will be based on the principal applicant's circumstances described in the application form. Where a joint application is made, a joint Tenancy Agreement will be issued, when an allocation is made.

8b **Applications from home owners**

People who are currently homeowners can apply for housing if their current housing is unsuitable or if they are unable to continue living there. In assessing such applications the Association will consider whether the applicant is or is not in a position to resolve their own housing situation, for example by buying on the open market. Where the applicant cannot do this, the application will be assessed in exactly the same way as others.

8c **Applicants involved in anti-social behaviour**

Where an applicant is currently or was formerly a tenant of a Local Authority, Registered Social Landlord or Scottish Homes and has a history of anti-social behaviour, they may have their application suspended by the Housing Association. The Association will look into the facts of each case individually, to establish the circumstances involved and any applicant who is suspended on these grounds will be given a full explanation of the decision.

8d **Applications from Asylum Seekers**

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

Once a household has been granted leave to remain in the UK the suspension will be lifted and applicants will be considered for housing according to the policy.

8e **Tenancy references**

Tenancy references may be sought with the applicant's permission where an applicant's current or previous landlord is/was a Local Authority, Registered Social Landlord or Scottish Homes. We may also seek references from Private Landlords. The only purpose of such references is to establish whether there have been any breaches of the tenancy. If an applicant unreasonably withholds permission to seek a reference, then the Association

will treat this as withholding information (see Section 11). Personal references will not be sought under any circumstances.

Where an adverse report is received that relates specifically to breach of tenancy, the Association may impose conditions such as a requirement that a suitable support package be in place prior to a tenancy commencing. Should you refuse the support package and a breach of tenancy of a statutory ground has been violated, the Association will take the appropriate action against this breach.

The Association will actively work with the local authority and support providers to ensure that appropriate support arrangements are put in place before a tenancy starts. However, the Association reserves the right not to house an applicant where their circumstances require a level of support services to be able to successfully sustain a tenancy that are not available.

8f Suspension of an application

Those applicants falling into one or more of the following categories will be suspended from the housing list:

Where:

- The Association will not be able to meet their housing needs within the foreseeable future. The Association will establish this by establishing the availability of suitable housing for the applicant's needs; OR
- The applicant has indicated that they are not able accept an offer of housing within the next three months; OR
- Applicants who have a history of anti-social behaviour (so confirmed by the previous landlord) would generally not be accepted onto the waiting list. (Adverse comments on previous tenancies by previous landlords will only be considered where they are made by a Local Authority, Registered Social Landlord or Scottish Homes). (See 8c)

Where an individual's application is suspended on any of the above grounds, the applicant will be given a full explanation in writing. However, the Association will endeavour to provide information and advice on other sources of accommodation.

9. HOW THE HOUSING LIST OPERATES

9a Area of choice

When indicating their choice of areas in which they wish to live, applicants are asked to show their top three preferences. Because of the high demand and low turnover in many areas, the more restrictive applicants are in indicating their preferences, the more difficult it is likely to be to offer re-housing quickly. Where applicants are interested in several areas their application will appear on all relevant lists.

9b **Size of house**

In determining how many bedrooms are needed by an applicant, the Association considers that a double bedroom can be occupied by two people only under the following circumstances:-

- Couples over the age of 16
- Two children of different sexes under the age of 6 years
- Two people of the same sex under the age of 16, unless there is an age difference of 4 years or more.

Single people and two-person households will be considered equally for one bedroom, two person accommodation. Extra rooms cannot normally be awarded to applicants because of the scarcity of bigger houses, but there may be exceptional cases where a household with a particularly high level of housing need is offered a property which is larger than they need.

9c **Allocation of houses for rent**

A particular vacancy can be allocated to an applicant from the housing list, an applicant nominated by The Highland Council (see Section 13) or a transfer applicant (see Section 14). Where the vacancy is to be allocated to a housing list applicant, it will normally be made to the applicant with the highest number of points in the relevant house size category. However, there may occasionally be a need to depart from this practice, for example, where the Association is seeking to ensure an appropriate “balance” in a particular housing development. For example, if a vacancy occurs in a location where there are already several households with young children, the Association may choose to select a different type of household, but this will generally be exceptional.

9d **Allocation of Low Cost Home Ownership (LCHO)**

Low Cost Home Ownership (LCHO) is intended to be an option for people whose income or savings are insufficient to enable them to buy on the open market. As well as being assessed against the same points system as the one used for rented housing, priority will normally be given to:-

- those in greatest housing need
- first time buyers
- applicants currently living in a Registered Social Landlord, Local Authority or Scottish Homes property.

10. **REFUSAL OF OFFERS**

- 10.1 If we have made you a reasonable offer of housing (that is one that meets your needs as set out in your application form) and you have refused it, we will contact you to make sure the information in your application form is correct and to give you advice about your housing options. If you refuse a second

reasonable offer, we will suspend your application for six months. However, if you have been awarded points because you are Homeless or Potentially Homeless, a reasonable offer is one which meets your housing needs, taking into account the advice in the Scottish Executive's Code of Guidance on Homelessness and the availability of housing in the area. The property offered may not be in one of the areas you have told us you would prefer. You have a right of appeal against any decision we make.

11. FALSE OR MISLEADING INFORMATION

- 11.1 Applicants are required to sign a declaration on their application form that the information they have provided is correct. Through a home visit, interview or other verification procedures as appropriate, Association staff will seek to check the information. Should it come to the Association's attention that false or misleading information has been provided, or information withheld, then the application will be suspended from that time for a period of 12 months. Any offer of tenancy or low cost home ownership sale made as a result of such false or misleading/withheld information (including an omission) will be withdrawn and the application cancelled from that time for a period of 12 months.
- 11.2 If the applicant has already been granted a rented/or low cost home ownership property, action will be taken by the Association to recover possession of the property.
- 11.3 In the event of any of the above circumstances, the applicant will be given a full explanation in writing.

12. APPEALING A DECISION

- 12.1 Applicants who are dissatisfied with any decision made in the allocations process are encouraged to discuss the matter with the Director of the Association in the first instance.
- 12.2 If the applicant remains dissatisfied, they have the right to appeal to the Association's Management Committee and, ultimately, to the Scottish Public Services Ombudsman, 4 Melville Street, Edinburgh EH3 7NS (Tel 0870 011 5375).
- 12.3 A copy of the Association's Appeals Procedure will be made available to all applicants on request.

13. NOMINATIONS AND HOMELESS REFERRALS BY THE HIGHLAND COUNCIL

- 13.1 The Association has an arrangement with The Highland Council whereby the Council can nominate applicants from its waiting list for up to 50% of re-lets

and new lettings available from the Association. Nominated applicants may be contacted by the Association to check application details, with a view to making an offer of housing. Not every nomination from The Highland Council confers the right to an allocation as a minimum of two nominations are requested by the Association for each vacancy.

- 13.2 The Association is committed to fulfilling its statutory duty to comply with requests from The Highland Council to re-house households assessed as statutorily homeless. It will not refuse a referral without good reason.
- 13.3 The Association will also assist The Highland Council in the discharge of its homelessness function and may enter into arrangements in the furtherance of this, for the provision of temporary accommodation or the provision of housing support.

14. TRANSFERS FOR EXISTING TENANTS OF THE ASSOCIATION

- 14.1 Requests from existing tenants for a transfer to another Association property will be considered for the following reasons:
 - (a) Medical needs
 - (b) Change in household size
 - (c) Personal or social reason, e.g. relationship breakdown, employment, access to employment
- 14.2 The transfer must not result in overcrowding or significant under-occupation of the new accommodation.
- 14.3 A “quota” system for transfers is also used and each year the Association expects around 20% of its overall lets to go to transfer applicants. This quota will be reviewed on an annual basis.
- 14.4 Transfer applicants will be pointed on the same basis as new applicants. However, consideration will be given to the best use of housing stock. It may therefore be the case that a transfer applicant will be offered accommodation before an applicant with higher points if by doing so the needs of more applicants can be satisfied.
- 14.5 Occasionally, depending on levels of demand and need at the time, it may be possible to address the needs of tenants who are looking to live in a house instead of a flat, though the Association’s ability to do this will normally be very limited.

15. MUTUAL EXCHANGES AND MOBILITY SCHEMES

15.1 Mutual exchanges

15.1.1 The Association will consider and not unreasonably refuse, requests for exchanges between its own tenants and tenants of other housing providers. The criteria, which are taken into account in assessing an exchange application are available from the Association on request.

15.1.2 The Association will not refuse any request for an exchange unreasonably, but will take the following criteria into account in assessing an exchange:

- the exchange will not result in overcrowding or significant under-occupation of the Association's house;
- applicants will generally be expected to have a clear rent account and the condition of the property must be satisfactory;
- the incoming tenant must accept the property in the present decorative state, and must accept any repairs that are the tenant's responsibility and any alterations or improvements carried out by the outgoing tenant;
- in the case of housing other than general needs housing, each exchange partner must meet the eligibility criteria for the housing type they are exchanging to.

15.2 Mobility schemes

15.2.1 The Association is a member of "moveUK" which gives tenants the opportunity to apply for nomination to another participating landlord (includes Registered Social Landlords and Local Authorities) in Scotland, England, Wales and Northern Ireland).

15.2.2 The main criteria for eligibility are:

- (a) To take up employment beyond reasonable daily travelling distance
- (b) To receive or provide support to family
- (c) To move for medical, health or other social reasons such as violence or harassment.

15.2.3 A separate application form must be completed giving reasons for wishing to transfer.

15.2.4 As we are a relatively small organisation it will not be possible for us to assist many people through this scheme, but anyone interested in enquiring about the scheme should contact the Association.

16. LETTING PLANS

16.1 From time to time, in order to meet a specific objective, the Association, in partnership with other bodies (e.g. Highlands and Islands Enterprise) may use other criteria for allocating property in addition to the criteria outlined in the

points system. The allocations policy and points system will be used to assess and prioritise applications to ensure that all applicants are housed on the basis of housing need.

- 16.2 Sometimes this may involve giving priority to people who are involved in a particular initiative to help regenerate the local economy.
- 16.3 Whenever this is to be done, a Lettings Plan will be drawn up to outline the Association's intentions and, once this has been agreed with the other bodies involved, including Communities Scotland, copies will be made widely available and provided to anyone on request.

17. REVIEW OF HOUSING LIST

- 17.1 The Housing List will be reviewed on a regular basis to ensure that the list is accurate and up to date. All applications will be reviewed at least annually. All applicants will be given a sufficient timescale to respond to the review.

18. CHANGE OF CIRCUMSTANCES

- 18.1 Applicants whose circumstances change from those given on their application form must inform the Association in writing. Their application will be re-assessed on the basis of the new circumstances and points awarded accordingly.

19. INFORMATION AND ADVICE

- 19.1 We will treat all applicants politely and sensitively. You can ask to meet a member of staff to discuss your housing application. If you want, you can have a relative or friend or adviser with you at the meeting. Meetings will be held in private rooms whenever possible and all information will be kept confidential.
- 19.2 We will provide free information and advice on housing options in the Highland area, and will help you get access to independent advice and information.

20. PUBLICISING THE ALLOCATIONS POLICY

- 20.1 The Association will advertise the availability of its housing as widely as possible, by:
- producing information leaflets
 - press advertising, where appropriate
 - personal contact and/or public meetings

20.2 The Association will distribute its allocations policy and copies of the housing application form free of charge to:-

- The Scottish Executive
- Communities Scotland
- The Highland Council and local Councillors
- All Community Councils in Skye and Lochalsh
- Skye and Lochalsh Citizen's Advice Bureau
- Local Estate Agents and Solicitors
- Other appropriate agencies
- Members of the Public
- Existing tenants and sharing owners

20.3 If you want a copy of this Policy in another language or another form (such as Braille or audiotape), please tell us and we will provide you with one as soon as we can. However, in the event of any dispute, it is this version of the Policy which is binding on you and us.

21. REVIEWING THE ALLOCATIONS POLICY

21.1 The operation of the allocations policy is subject to annual review so that the Association can assess its effectiveness and examine whether any changes are needed. Feedback and comments from any individual or organisation are always welcome.

POINTS SYSTEM

1. HOMELESSNESS AND INSECURITY OF TENURE

1.1 Statutory homeless

- Where the applicant and their household are deemed homeless as defined by the Housing (Scotland) Act 1987 80 points

1.2 Required to leave current accommodation or under threat of Homelessness within two months 60 points

1.3 Insecure tenancies

Where the applicant and their household are:

- Occupants of a caravan 40 points
- In a short-term let (up to 1 year) 40 points
- Living with relatives 20 points
- Living with friends 15 points
- In lodgings 15 points
- Occupants of a tied house 15 points
- Leaving institutional care/supported accommodation 15 points

2. **OVERCROWDING**

- Section 9b of the allocations policy describes those situations where the Association considers that separate bedrooms are necessary. Where there is a bedroom deficiency, the Association will award points for each bedspace that is deficient. 10 points [to a max of 30]

- 2.1 In cases where an additional bedroom is required for frequent and regular overnight access to children, a total of 10 points will be awarded. The award of such points will only be made where access visits result in overcrowding and will be subject to proof of frequent overnight access arrangements being provided from, for example the Court, a solicitor Or other appropriate professional such as a social worker 10 points

3. **UNDEROCCUPATION OF LSHA, LOCAL AUTHORITY OR SCOTTISH HOMES PROPERTY**

This is measured using the same guidelines as for overcrowding.

- For every bedspace over-provided, up to a maximum of three bedspaces. 10 points [max 30]

4A **CONDITION OF EXISTING ACCOMMODATION**

- Property declared to be “Below Tolerable Standard” 60 points

4B

- Serious disrepair 20 points
- Lacking services (water, drainage, electricity) 15 points
- Dampness/Rot 10 points
- Substandard Electrics 10 points
- Condensation 5 points
- Rodent Infestation 5 points

4C **LACK OF/OR SHARING OF AMENITIES IN EXISTING ACCOMMODATION**

- No inside WC 10 points
- No bath/shower 10 points
- No use of kitchen 10 points
- No separate/exclusive kitchen 10 points
- No separate/exclusive WC, bath/shower 5 points
- No separate/exclusive living area 3 points
- No hot water supply at sink 2 points
- No wash-hand basin in WC 1 points

5. MEDICAL HEALTH FACTORS

5.1 These factors can relate to physical or mental health. Physical factors are assessed by means of the Association's Medical Self-Assessment Form completed by the applicant. The awarding of points for mental health factors normally depends on the receipt of a report from a mental health professional (e.g. community psychiatric nurse) from whom the applicant has been receiving regular assistance.

- Urgent or very severe: where there is a serious illness or permanent disability and the property currently being occupied causes extreme aggravation to that illness or disability. 100 points
- High priority: where very significant aggravation to disability or illness is caused by current property 60 points
- Medium priority 45 points
- Intermediate priority 30 points
- Low priority 15 points

Please note:

- Points can be awarded for medical/health factors only where, in the Association's opinion, the problem would be alleviated or greatly reduced by a move to alternative housing.
- People with support needs can apply directly to the Association but can also be referred to the Association by support agencies such as Social Work Services.

6. HARASSMENT OR VIOLENCE

- Where an applicant is facing serious harassment including racial harassment or domestic abuse which is a threat to physical or mental health within the home 60 points
- Outwith the home up to 40 points

7. SOCIAL FACTORS

7.1 Support

- Where an applicant has a to live nearer to friends or relatives to give or receive support due to a medical condition 10 points

7.2 Amenities

- Where an applicant with mobility difficulties is unable to access essential amenities or can do so only with extreme difficulty(ie. Medical centres, hospitals, shops etc.). 10 points

7.3 Employment

- Where an applicant requires housing to maintain present employment. 40 points
- Where an applicant needs rehousing in the area in which they have been offered employment 40 points
- Where an applicant is currently employed but is experiencing difficulty in travelling to work for financial or locational reasons 40 points

7.4 Financial factors

- Applicants unable to continue to maintain their mortgage due to financial circumstances. 20 points
- Applicants in private rented housing who are having difficulty meeting their rent payments 20 points

8. **EXCEPTIONAL CIRCUMSTANCES**

8.1 There may be certain situations that cannot be assessed from the Points System. In this regard, the situation will be assessed by the Housing Services Officer and Director and points awarded accordingly.

9. **TIME IN HOUSING NEED**

9.1 Points for the amount of time an applicant has experienced their current level of housing need will not be awarded. However, where a choice has to be made between two competing applications, the time factor will be used where points levels are identical.
