

River Clyde Homes

Housing Allocation Policy

The policy can be made available on request in a variety of different formats, such as on tape, in large print and translated into other community languages. This will be made available by River Clyde Homes at no additional charge. If you, or anyone you know, would benefit from this then please advise a member of staff – Paul Monaghan on 01475 715861

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River Clyde Homes

Housing Allocations Policy

1.0 Statement of objectives

1.1 The objectives of this policy are to:-

- Ensure that River Clyde Homes provides high quality rented accommodation to those in housing need. The ability to achieve this objective is subject to the number and type of houses available for letting at any one time.
- Ensure that a clear and consistent points system is used to allocate all our houses. Each category of need receives a number of points. These categories are based on the legal responsibilities that River Clyde Homes has and any strategic agreements through Service Level Agreements with Inverclyde Council. When the points are added together, an applicant's housing need may be compared to others, and a waiting list can be drawn up for vacant properties, based on the needs of all applicants. All applications are pointed in exactly the same way and there is only one waiting list for housing so that every type of applicant is considered.
- Aim to meet housing needs and to create balanced communities through our allocation policy. River Clyde Homes clearly recognises the importance of giving applicants choices of letting areas, house types and apartment sizes that they may wish to be considered for. Where these choices may result in long waiting times, applicants will be given advice and information on other options available to them.
- River Clyde Homes will ensure that all communication with existing tenants and prospective tenants in respect of allocation issues is clear.
- Provide open and equal access to housing for all those who need it

2.0 Compliance with Performance Standards

2.1 This policy aims to comply with the following activity standards

- AS1.1 Access to Housing- "We ensure that all people have fair and open access to our housing list and assessment process. We work with others to maximise and simplify access routes into our housing."

- AS1.2 Lettings- “We let houses in a way that gives reasonable preference to those in greatest housing need; makes best use of available stock; maximises choice and helps sustain communities.”
- AS1.3 Tenancies- “We offer the most secure form of tenancy compatible with the purpose of the housing. The agreement makes clear the rights and duties of the tenant and landlord. We act to uphold these rights and duties in a fair and responsible manner.”
- AS1.4 Housing Support Needs- “We are responsive to people’s individual housing support needs and help them to sustain their tenancies.”
- AS1.5 Void Management-“We monitor demand for our houses and maximise the use of available housing, keeping empty properties to a minimum and spaces in our shared accommodation to a minimum. We make sure our properties are of an appropriate lettable standard.”

3.0 Legislative Framework

3.1 River Clyde Homes aims to comply with legislation, guidance and good practice in the allocation of its homes. Account has been taken of

- The Homelessness etc (Scotland) Act 2003
- Freedom of Information (Scotland) Act 2002
- The Housing (Scotland) Act 2001
- Race Relations (Amendment) Act 2000
- Asylum and Immigration Act 1999
- Data Protection Act 1998
- Human Rights Act 1998
- The Disability Discrimination Act 1995
- The Housing (Scotland) Act 1987, as amended
- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- Race Relations Act 1976, as amended
- Sex Discrimination Act 1975, as amended

- Scottish Executive Guidance on Allocations (SEDD Circular 1/2002)
- Scottish Executive Guidance on Tenant Participation (SEDD Circular 7/2002)
- Communities Scotland Performance Standards (as detailed below)
- Raising Standards in Housing – Chapter 1 (Amended)

3.2 River Clyde Homes will also work in partnership with Inverclyde Council to meet identified local priorities based on the following strategies

- Community Plan
- Local Housing Strategy 2004-2009
- Joint Community Care Plan
- Homelessness Strategy
- Children’s Services Plan
- First Steps/ Area Renewal Strategy

4.0 Managing Diversity

River Clyde Homes values the diversity of individuals and communities living, working, studying and conducting business within Inverclyde and their contribution to the political, economic, cultural and social life of the area. Diversity refers to the wide range of racial, ethnic, national and cultural groups that are now represented in the Inverclyde area.

5.0 Existing Tenants Rights

5.1 Existing Tenants of River Clyde Homes have rights which are set out in statute in the Housing (Scotland) Act 2001 and contractually stipulated in the Scottish Secure Tenancy Agreement which tenants and a representative of River Clyde Homes will sign. This agreement is legally binding and confirms the right of

- Mutually exchanging the tenancy
- Succeeding the tenancy after a tenant’s death
- Sub-letting the tenancy

- Assigning the tenancy
- Taking in lodgers

5.2 Mutual Exchanges

5.2.1 River Clyde Homes encourages Mutual Exchanges between our tenants and tenants of other social landlords, including local authorities and Housing Associations. Every Scottish secure tenant has the right to apply for an exchange with other Scottish secure tenants.

5.2.2 Tenants who wish to undertake a Mutual Exchange must apply in writing and their landlord(s) must give permission before any move takes place. It is essential that all tenants taking part in the exchange have:

- Maintained their rent account satisfactorily;
- Conducted their tenancies properly; and
- Maintained the property to a standard which is free from damage or wilful neglect.

5.2.3 River Clyde Homes reserves the right to take up references from other landlords to ensure that the tenancy has been conducted properly. We will issue a decision on the request for a Mutual Exchange within 21 days, if all information on the exchanging tenants is available from the landlords involved. We will only refuse a request for a mutual exchange where it is reasonable to do so. If we are unable to issue a decision within the agreed timescale, we will write to you explaining the reasons for the delay.

5.2.4 Reasonable grounds for refusing consent will include the following

- we have served a notice on you warning that we may seek eviction on certain grounds in terms of section 14(2) of the Housing(Scotland) Act 2001
- we have obtained an order for your eviction; or
- we have obtained an ASBO against you, a member of your household or an ASBO has been obtained against the person you intend to exchange with; or
- you have rent arrears equivalent to one month's charge (one twelfth of the annual amount payable (or which was payable for a former tenant debt) and where an arrangement to repay this amount has not been adhered to for a period of three months. Permission will not be refused if you have technical arrears. or

- the house was provided by the landlord in connection with the tenant's employment with it; or
- the house has been designed or adapted for occupation by a person whose special needs require accommodation of the kind provided by the house and, if the exchange took place, there would no longer be a person with such special needs occupying the house; or
- the accommodation in the other house is substantially larger than that required by the tenant and the tenant's family, or is not suitable to the needs of the tenant and the tenant's family; or
- the exchange would lead to overcrowding of the house in such circumstances as to render the occupier guilty of an offence under Section 139 of the Housing (Scotland) Act 1987; or
- the house is included in a sensitive lettings area and the exchangee does not meet with the criteria for the area; or

5.2.5 These examples do not in any way alter our general right to refuse permission on reasonable grounds and every case will be considered on its own merit.

5.2.6 Once permission for the exchange is granted, both tenants will sign terminations for the tenancy of their former home and sign new agreements for their new home.

5.2.7 Exchanging tenants will have the modernised Right to Buy.

5.2.8 For exchanging tenants, houses are viewed and accepted as they stand by the tenants involved. Outgoing tenants may be entitled to Compensation for Improvements.

5.3 Succession to a Tenancy

5.3.1 A person who is living in a River Clyde Homes' house at the time of the tenant's death may be entitled to "succeed" to that tenancy (that means take over as the new tenant) if they are a "qualified person" in terms of the relevant legislation. The succession provisions are quite separate from other transfers of tenancy such as by assignation, or by order of the sheriff court, that would take place during the tenant's lifetime.

5.3.2 If a tenant dies, then you may qualify to succeed to the tenancy. There are three levels of priority:

1. First priority will go to (a) any surviving spouse of the deceased tenant, or (b) a co-habitee of either sex (Housing (Scotland) Act 2001 states a six month's residency qualifying period but this will be enhanced by River Clyde Homes to allow immediate succession rights) or (c) a joint tenant.

2. If nobody qualifies or chooses to succeed to the tenancy from group 1 above, then second priority will go to other members of the deceased tenant's family provided that they are at least 16 years of age and that the house was their only or principal home at the time of the tenant's death.

3. If nobody qualifies or chooses to succeed to the tenancy from groups 1 or 2 above, then third priority goes to carers aged at least 16 years where the house was their only or principal home at the time of the tenant's death and where the carer had given up their only or principal home to care for the deceased tenant or a member of that tenant's family.

5.3.3 The persons listed above are "qualified persons". If there is more than one qualified person within one of the three priority levels, it is up to those qualified persons to come to an agreement as to which one of them should succeed to the tenancy. If agreement is not reached within four weeks of the tenant's death, then River Clyde Homes may decide.

5.3.4 The Housing (Scotland) Act 2001 only allows for succession to take place twice. On the death of a second succeeding tenant, where there are no surviving joint tenant(s), River Clyde Homes will seek to add to any remaining occupier's entitlement to continue to reside in their family home beyond the statutory six months by having the discretion to grant a new tenancy. This will apply unless the occupier would have otherwise been suspended in terms of section 9.4 of this policy. If the occupier is suspended, River Clyde Homes will comply with the Housing (Scotland) Act 2001, section 22(6) (b) relating to provision of alternative accommodation in terms of this needs based policy. Each case will be considered on its own merit. This additional entitlement will apply for qualifying persons in terms of 5.3.2 above. If the house has been designed or substantially adapted for the use of persons with special needs then only the following persons may be granted a new tenancy:

- a person with special needs who would have qualified at Level One, Level Two or Level Three **AND** for whom the adaptations are appropriate.

We will provide any other person, who would otherwise have been granted a new tenancy, with suitable alternative accommodation.

5.3.5 When a new tenancy is created, tenants have the modernised right to buy as set out in the Housing (Scotland) Act 2001, Chapter 2 and no period of qualification applies to the previous period of residence for discount purposes.

5.4 Subletting a Tenancy

5.4.1 Tenants must not sublet their home (or any part of it) without River Clyde Homes' written consent. We will only refuse consent where there are

reasonable grounds for doing so. The reasonable grounds for refusing consent are set out in section 5.8.1.

- 5.4.2 The written request for consent to sublet must explain why the tenant will be absent on a temporary basis and give details of the rent and any deposit that they propose to charge for the sublet. Tenants may not normally sub-let for a period of more than a year unless there are exceptional circumstances. A review of permission to sub-let beyond one year will be undertaken to ensure that the tenant has the intention to return to their home and when this is likely.
- 5.4.3 The tenancy remains in the name of the tenant at all times and subtenants cannot succeed to the tenancy. The sublet is not a protected tenancy or a statutory tenancy within the meaning of the Rent (Scotland) Act 1984, nor is it an assured tenancy.
- 5.4.4 The tenant remains responsible for the rent, even though she/he may have come to an arrangement with the subtenant regarding the rent and other charges due for the house.
- 5.4.5 The tenant must also ensure that the subtenant does not behave in a manner that would constitute a breach of the Scottish Secure Tenancy Agreement.
- 5.4.6 We will issue a decision within 21 days of an application for subletting being received. If we are unable to issue a decision within the agreed timescale, we will write to you explaining the reasons for the delay.

5.5 Assigning a Tenancy

- 5.5.1 A tenant who wishes to assign or transfer rights of her/his tenancy to another person must write to River Clyde Homes asking for permission to do so. We will only refuse consent where there are reasonable grounds for doing so and the grounds are set out in section 5.8.1.
- 5.5.2 River Clyde Homes will comply with current legislation relating to assignments subject to the condition that the assignee has lived with the tenant for at least six months
- 5.5.3 We will issue a decision on an assignment request within 21 days of the application being received. If we are unable to issue a decision within the agreed timescale, we will write to you explaining the reasons for the delay.

5.6 Taking in Lodgers

- 5.6.1 Tenants may take in lodgers providing they have the written consent of River Clyde Homes. We will only refuse consent where there are

reasonable grounds for doing so. Section 5.8.1 sets out the grounds for refusal.

5.6.2 A lodger is a person who hires/rents the use of one or more rooms with service and who has a formal financial arrangement with the tenant.

5.6.3 Lodgers have no rights of succession (see 5.4.3)

5.6.4 We aim to issue a decision on an application to take in a lodger within 21 days of the application being received. If we are unable to issue a decision within the agreed timescale, we will write to you explaining the reasons for the delay.

5.7 Information Requirements for Subletting, Assignment and Lodgers

5.7.1 You must first get our written permission if you want to sublet part or all of the house or take in a lodger or assign the tenancy and you must ask us in writing, stating:

- the details of the proposed change including who you want to sublet or assign to or take as a lodger;
- the amount of rent and any other payments (including a deposit) you propose charging (if any);
- when you want the subletting, lodging or assignment to take place;
- the terms of the written agreement that you propose to enter into if you want to sublet or take in a lodger.

5.8 Refusal Grounds

5.8.1 We will not unreasonably refuse permission for subletting, assignment or taking in a lodger. Reasonable grounds for refusing our permission include the following:

- we have served a notice on you warning that we may seek eviction on certain grounds in terms of section 14(2) of the Housing(Scotland) Act 2001
- we have obtained an order for your eviction
- an ASBO has been obtained in respect of you, a member of your household or anyone who would reside in your home if permission was granted;
- you have rent arrears equivalent to one month's charge (one twelfth of the annual amount payable (or which was payable for a former tenant debt) and where an arrangement to repay this amount has not been adhered to for a period of three months. Permission will not be refused if you have technical arrears.

- the rent or deposit or other payment that you propose charging or any other term of the agreement you propose to enter into is unreasonable;
- the proposed change would lead to overcrowding such as to render the occupier guilty of an offence under section 139 of the Housing(Scotland) Act 1987;
- we intend to carry out work on the house or on the building where the house is located and the work would affect the part of the house connected with the proposed change.

These examples do not in any way alter our general right to refuse permission on reasonable grounds and every case will be considered on its own merit. If we give permission, you cannot increase the rent or other payments made to you by the other person unless we give our permission.

5.9 General

- 5.9.1 If you are married, or if you live in the house with a co-habitee, or are a joint tenant, we may need additional consent to any proposed changes in the tenancy.
- 5.9.2 If a request for permission is made about taking a lodger, joint tenant, subletting, assigning or exchanging the house, we will reply to your written request within 21 days of receipt of the written application. If we do not reply within one month, we are taken to have agreed to your request. If we refuse permission, we will notify you of the reasons for our refusal in writing within one month of receipt of your application. If you are unhappy about our refusal you have the right to appeal to the sheriff.

6.0 Stock information to assist applicants

- 6.1 To assist applicants looking for housing we shall, on a yearly basis, publish statistical information on the following:
- Total housing stock owned by River Clyde Homes
 - Number of houses by letting area
 - Size and type of houses by letting area
 - Allocations of houses, by letting area, in the previous financial year to provide an indication of the turnover of stock
 - Typical number of points for houses let in the various letting areas to show demand levels

- 6.2 This information will be contained within the Policy information leaflet “Housing Allocations –Turnover of Housing within River Clyde Homes Stock”

7.0 Applying for Housing

Who Can Apply?

- 7.1 Anyone aged 16 years or over can apply to River Clyde Homes for housing, regardless of where they are currently living.
- 7.2 This means that anyone aged 16 years or over can complete an application form and be admitted to the Waiting List.
- 7.3 If an applicant or anyone who is to be housed along with them has a medical condition that is made worse by their present house and/or would be improved by moving home, or if they require a house that has been built or adapted to meet their particular needs, a separate Medical application form must also be completed. These forms are available from local housing offices as detailed at appendix 25 and for downloading from the website at www.riverclydehomes.co.uk.

8.0 How Your Application Will Be Processed

- 8.1 Application forms can be obtained by contacting our local offices as detailed at section 25 or can be downloaded from our website www.riverclydehomes.org.uk. Our allocations staff will be able to give you up to date information on stock levels and on the turnover of houses in the areas that you are interested in. Our staff will assist you to complete your application and will answer any questions on the needs categories and on how your application will be pointed.
- 8.2 Applicants can make an unlimited selection of areas and type of housing they wish to be considered for and households can apply for one bedroom more than they need. A list of allocation areas will be made available for applicants to make their selection.
- 8.3 Special arrangements can be made for people who are unable to call in person at our offices. Please contact our offices for details of how we can help you.
- 8.4 Once your application has been received, your housing need will be assessed and points will be awarded as detailed in Section 14, Categories of Housing Need. Applicants who are unlikely to be offered accommodation in the letting areas that they have chosen will be offered advice on alternative options. This will not stop their admission to the

waiting list for their chosen areas. These options might include applying for areas where demand is lower, or referral to another landlord operating in the Inverclyde area.

- 8.5 If your application is being made on medical or community care grounds, or due to exceptional circumstances, housing staff and the relevant agencies involved will assess it.
- 8.6 We will notify you of the breakdown of needs points that you have been awarded within 21 days of your completed application being received by River Clyde Homes.
- 8.7 It is the responsibility of the applicant to advise River Clyde Homes of any changes in circumstances that will affect their application for housing.
- 8.8 Where an applicant has obtained the tenancy of a River Clyde Homes property by knowingly or recklessly providing a false statement, legal action may be taken to recover the tenancy.
- 8.9 Once submitted, your application will be confidential between yourself and River Clyde Homes. All information held by River Clyde Homes in relation to your application will be held in compliance with the Data Protection Act 1998. ([Ref: Data Protection Policy](#))

9.0 Offers of Accommodation

9.1 Offer procedure

- 9.1.1 When a property becomes available for letting it will be offered to the person with the greatest housing need whose application makes best use of the size, type and location of that property.

9.2 Pre-allocation Offers

- 9.2.1 Tenants are required to give notice that they intend to give up their tenancy of a River Clyde Homes house. We will use this advance notice of houses becoming available to contact a number of applicants on the waiting list to find out if they are interested in the houses that will soon be available for letting.
- 9.2.2 The applicant at the top of the waiting list for the area in question will receive the first offer of housing. If they refuse the offer, the process will continue by contacting the second highest on the list, and so on, until the house is accepted.

9.3 Offer Verification, Viewing and Signing the Tenancy Agreement

9.3.1 The successful applicant may be visited to verify the details of their application if an offer is pending and if correct, formal notification of their offer of accommodation will be given and an arrangement made with the Housing Officer for the area concerned to view the property within 24 hours, if possible. Applicants can take someone with them for support at the viewing. This could include representatives of local tenant's organisations. Once the property has been viewed, a pre-tenancy interview (Ref [Arrears Prevention and Recovery Policy](#)) and sign-on appointment to complete the Scottish Secure Tenancy Agreement will be arranged within 24 hours, if possible. Applicants have a right to request a joint tenancy and this will be explained to them. If the applicant is unable to attend within the two day timescale set for either appointment, the timescale can be extended to the end of the current rent week. The date of entry to the new property will be the start of the rent week following the signing of the [Scottish Secure Tenancy Agreement](#). Steps will taken at sign-on to obtain rent payment in advance, wherever possible.

9.3.2 If the successful applicant has medical needs or is disabled, an Occupational Therapist from Inverclyde Council, Social Work Services may be requested to view the property before it is offered to the applicant, to assess its suitability for their particular needs.

9.4 Suspensions and Removal from the List

9.4.1 River Clyde Homes will ensure a continuous opportunity for people to apply for housing, be assessed using the needs-based points system and be able to access the housing list as per 7.1 above. (It is important to note that River Clyde Homes will not exclude or refuse an application, the difference being that a suspension will be for a specified period of time and we will retain the applicant's details during this time). River Clyde Homes may request tenancy references from previous/ current landlords to confirm details of an application and applicants will be advised when a tenancy request is being made.

9.4.2 However, in the following circumstances, River Clyde Homes may suspend an application:

- Where an applicant has rent arrears equivalent to one month's charge (one twelfth of the annual amount payable) and where an arrangement to repay this amount has not been adhered to for a period of three months. Suspension will not occur for tenants with technical arrears.
- Where an applicant has former or other housing related debt and an arrangement to repay this debt has not been adhered to for a period of three months.
- Where there is a current Anti-Social Behaviour Order (ASBO) against the tenant or a member of the household to be re-housed, an eviction has taken place in the last three years or violence to housing staff has

taken place in the past three years. (Evidence and legal advice sought on an individual case basis).

- Where it can be shown that a false statement was made knowingly or recklessly for the purpose of accessing the Housing List or of securing an offer of housing with River Clyde Homes, need will be recalculated based on actual circumstances and the application will be suspended for a thirteen week period.

9.4.3 If an applicant refuses three offers within a twelve month period, their application will be suspended for three months. When reactivated, if a further three offers are refused within a twelve month period, suspension will occur for a period of twelve months. Proactive steps will be taken, if an applicant refuses an offer in an area which they have selected to ascertain whether they still wish to be considered for housing in that area or whether they only wish to be considered for a particular house type, for example. This preference will be noted on their electronic application as a change of circumstances and the applicant will be asked to sign to affirm their new selection.

9.4.4 River Clyde Homes may suspend an application if a significant breach of tenancy occurs which could include

- Anti-social behaviour leading to a pattern of complaints
- Criminal activities in the vicinity of the house such as drug dealing, violence, prostitution or threatening behaviour against residents or staff
- Running a business from the house without permission which causes disruption to other residents

9.4.5 When considering suspensions, River Clyde Homes will take each case on its own merit, taking into account

- The extent to which the conduct is a consequence of acts of omission of people other than the tenants
- The nature, frequency and duration of the conduct
- The effect the conduct is having on other people
- Any alternative action taken by the landlord to address the conduct

9.4.6 Applicants who are suspended from the list will be notified of this in writing. An explanation will be provided on the reasons and the time period that the suspension is to apply will be clearly noted. Contact will be made every thirteen weeks (with the exception of 9.4.3 above for a twelve month suspension) to review whether the circumstances for suspension are still valid. Applicants will be informed of the review to allow them to make any submission which they wish to make for consideration by River Clyde Homes.

9.4.7 It will not be usual practice for River Clyde Homes to remove applicants from the list and, where this does occur, it will be confined to the following circumstances:

- the applicant has been offered a tenancy by us and this has been accepted
- the applicant has requested to be removed from the list
- the applicant has died
- the applicant has not responded to the review process
- Information repeatedly requested from an applicant to establish age and/or identity has not been provided within six months of the original application date.
- information has been deliberately withheld or falsely provided

9.4.8 Applicants can appeal against a removal or suspension and will be reinstated from the effective date of the original application, if successful. The appeals process is set out in section 21.

9.5 Review and Updating of Applications

9.5.1 River Clyde Homes will contact every applicant on the second anniversary of their application being submitted and every two years thereafter to request that they update the information held on file. The application form will have a section on requirements for different formats and account will be taken of requirements for large print, translated documents, etc. This should tailor the review process to meet specific need and reduce cancellations. Applicants are responsible for ensuring that all application details are kept up to date.

9.5.2 If an applicant fails to complete the request for updated information, or fails to confirm that all of their details are unchanged within 21 days, a reminder letter will be issued seeking an update. A freephone helpline for Allocations advice will direct callers to staff who can process updates by telephone to speed up administration. If no response is received within two weeks from the reminder letter, an application will be cancelled and written confirmation sent to the applicant to confirm this. A holding period of 14 days will be set and if an applicant updates their application within this timescale, their application will be re-instated from its original date, with all points maintained, unless a change in circumstances mitigates this.

9.5.3 If an applicant contacts River Clyde Homes at a later date, they will be required to lodge a new application to enable their needs to be

reassessed but their application will be assessed from the date of their original application.

10.0 Nomination Agreements

10.1 There will be Nomination and agency arrangements with other Housing providers.

11.0 Development of a Common Housing Register (CHR)

11.1 River Clyde Homes will work with our partner Registered Social Landlords operating within the Inverclyde to develop a Common Housing Register.

11.2 The goal is to create a common database of all applicants who want to be housed in the Inverclyde area that can be shared by all the landlords taking part in the Common Housing Register scheme. This central register will reduce duplication and will give applicants access to a wider range of advice, information and registration services on all housing options available to them. As the Common Housing register develops, applicants will be advised of updates and how the Register will assist them.

12.0 The Points System

12.1 The Housing Waiting List operated by River Clyde Homes is a points-based system. The points awarded are consistent and reflect the applicant's need for housing, or rehousing. Applicants can easily check that they have received points for all of their housing needs and that their position on the waiting list is correct according to the number of points that they have been awarded. We operate a single waiting list system and every applicant's position on the list is determined by their own choice of letting areas, house types and apartment sizes. This system ensures that houses in demand are allocated to those in greatest housing need while those that are less in demand are available to applicants with fewer needs and fewer points.

12.2 The categories of housing need, along with the points awarded, are outlined in the following pages.

12.3 Applicants with significant housing needs are likely to have a high pointage award and can expect to receive offers of housing more quickly than those applicants who have few points and few needs for housing. However, offers can only be made where houses become available for letting. This can result in very long waiting times particularly for letting areas where stock and turn over are both low.

- 12.4 We recognise that not every house that becomes available will be suitable for applicants with high levels of need such as medical points, severe overcrowding, and community care needs. We also recognise that applicants with lower points levels still wish to move to different areas, house types and apartment sizes. These aspirations will be taken into account in order to make the best use of the housing that becomes available for let. Please also note the section on Allocations for Sustainable Communities/Sensitive Allocations below.
- 12.5 In allocating our houses we have a legal duty to give *reasonable* preference to applicants who:
- Are homeless or threatened with homelessness, or
 - Live in sub-standard houses, or
 - Are living in overcrowded conditions, or
 - Have large families, or
 - Are living in unsatisfactory housing conditions
- 12.6 These legal requirements are reflected in the Categories of Housing Need and in the points awarded for the various types of need. Please see Section 14 and the summary table in Section 18 below.
- 12.7 In allocating our houses, we shall not take into account the following factors:
- The length of time that you have lived in the Inverclyde area
 - The length of time you have been on the list
 - Any money due for a house that you were not the tenant of
 - Your age, provided that you are at least 16 years old
 - Your own income, or the income of your household
 - Whether you or any of your household now own, or have ever owned your home
 - Arrears of rent amounting to less than one-twelfth of the net annual amount due, or any non-housing debts
 - Arrears of rent amounting to more than one twelfth of the net annual rent due or any housing related debt where you have agreed arrangements to pay the outstanding liability, you have made

payments in line with that arrangement for at least three months and you are continuing to make such payments.

- Whether or not you have any previous connection with the Inverclyde area.

12.8 Section 14.11.1 sets out how applications will be sorted to identify the applicant with the greatest element of housing need.

13.0 Categories of Housing Need

13.1 Community Care

13.1.1 Points are awarded to applicants who are assessed as having a Community Care need and where it has been identified that they are living in inappropriate accommodation. River Clyde Homes will be represented on the Social Work and Housing Joint Assessment Panel who will assess a case and award points only for homes appropriate to the applicant's needs. The level of points will be determined by the needs of the individual or of the household as a whole and the extent to which housing, or rehousing, will improve their quality of life and facilitate the provision of appropriate support services.

13.1.2 For applicants where the need for housing is identified as:

i) Low Level	50 points will be awarded
ii) Medium Level	100 points will be awarded
iii) High Level	150 points will be awarded

13.2 Medical

13.2.1 Points will be awarded in this category if the provision of alternative accommodation would help to improve the applicant's quality of life and well-being. Applicants who wish their medical condition to be taken into account must complete a medical self-assessment form as well as the standard Housing Application Form.

13.2.2 All medical conditions will be considered and points awarded on the basis of whether a change of house is deemed essential or advisable. Points are awarded according to the urgency of the need for housing, as follows:

i) Low Level	50 points will be awarded
ii) Medium Level	100 points will be awarded
iii) High Level	150 points will be awarded

Points may not, however, be awarded to applicants who have some form of disability or disabling illness (and need accommodation with few or no steps) who will not consider housing at ground level.

13.2.2 Criteria which may form the assessment for of points for community care and/or medical need will include

- Current Housing Circumstances
- Benefits from rehousing
- Support Services Provided
- Enhanced Support via rehousing option

It is likely that a scoring matrix will be set up jointly to ensure that the award of points is fair and accountable to applicants.

13.3 Redevelopment

- 13.3.1 Inverclyde Council and its partners, which will include River Clyde Homes, have agreed a long-term housing renewal strategy to assist with the regeneration process currently underway in Inverclyde. Details of this regeneration strategy are included in the document, “A New Inverclyde: The First Steps” that was produced in October 2002. This report states, “the Area Renewal plan process will be a major catalyst in changing the housing areas in Inverclyde to provide places where people want to live”
- 13.3.2 Building new houses will provide opportunities to meet the wide range of housing needs contained within this policy as the new homes can be designed and purpose built to meet particular needs. The strategy recognises the need to rehouse residents in certain areas so that redevelopment can take place. An award of points is made to those affected by redevelopment to help them to secure suitable alternative housing and to allow new house building to take place.
- 13.3.3 River Clyde Homes are fully committed in assisting with the Area Renewal Strategy.
- 13.3.4 This category of points is awarded to all applicants, irrespective of tenure, living in accommodation that is subject to clearance. The points are after the Board of River Clyde Homes gives approval for clearance. It is believed that the award of redevelopment points is the key to providing space for new homes, which will meet the needs and aspirations of the community. 1,000 points will be awarded in all cases where approval for clearance has been given.
- 13.3.5 A Redevelopment Strategy will be drawn up to detail how River Clyde Homes will manage clearance projects.
- 13.3.6 River Clyde Homes will assist Inverclyde Council by treating Council employees in tied accommodation that is scheduled for demolition in a

similar manner to tenants of River Clyde Homes' houses that are to be demolished.

13.4 Homeless

13.4.1 It is River Clyde Homes' intention to assist Inverclyde Council under Section 5 of the Housing (Scotland) Act 2001 to meet its statutory obligation regarding homeless people. This will be done by agreeing a homeless protocol with Inverclyde Council. River Clyde Homes will assist Inverclyde Council if an applicant is statutorily homeless, whenever this is requested unless there is good cause for not doing so. There will be no discrimination in the way that River Clyde Homes treats Section 5 referrals as homeless people will have equal opportunity of access across all of River Clyde Homes' stock.

13.4.2 Homelessness can occur when:

- Friends/family are unable to accommodate;
- The applicant is living in hostel accommodation;
- The applicant is living in temporary accommodation (such as scatter flats);
- The applicant is living in Refuge accommodation;
- The applicant is threatened with Homelessness within a two month period

14.4.3 River Clyde Homes will also assist homeless people or those threatened with homelessness by offering information and advice from officers trained in Homepoint Information and Advice and will assist Inverclyde Council to deliver on its Homeless Strategy by leasing housing for temporary accommodation in terms of section 66 of the Housing (Scotland) Act 2001 to the Council.

14.5 Overcrowding

14.5.1 This category of points is awarded when an applicant and their household do not have suitably sized accommodation. Overcrowding points will be awarded

- If anyone aged 16 or over has to share a room with a person other than a partner (this is called age separation).
- Two children of opposite sexes aged up to 10 and two young people aged up to 15 of the same sex may share a bedroom. Once one child of the opposite sex reaches 10 years of age, or a young

person of the same sex reaches 16 years of age, sex separation points will be awarded.

- Proof of age and of residence will be necessary.
- Where overcrowding is likely to occur as the result of a pregnancy, points will be awarded at the earliest opportunity on confirmation of pregnancy.
- For bedsit tenants, see section 14.6.1, note 1.

Applicants who live in overcrowded conditions will receive 150 headline points and an extra 50 points for each additional bedroom required.

13.6 Under Occupation

13.6.1 This category of points is awarded to applicants who have more bedrooms than they actually need and is designed to encourage applicants who no longer need larger, family sized houses, to move to houses that are more suited to their current needs.

Moving to a smaller home will assist in reducing housing pressures such as overcrowding by freeing up larger accommodation for a family that needs it.

For every bedroom in excess of requirements – 40 points will be awarded

Points for Overcrowding and Under Occupation will be awarded according to the number of bedrooms required, as detailed in the following table.

Family Composition	Number of bedrooms required
Single person	Bedsit (see Note 1 below) 1 or 2 bedrooms (1, 2 or 3 apartments)
Applicant and spouse or partner, or two adults sharing a house(see Note 2)	1 or 2 bedrooms (2 or 3 apartments)
Parent(s) or guardian(s) with 1 child	2 bedrooms (3 apartments)
Parent(s) or guardian(s) with 2 children, or three adults sharing a house	2 or 3 bedrooms (3 or 4 apartments)
Parent(s) or guardian(s) with 3 or 4 children, or four adults sharing a house	3 or 4 bedrooms (4 or 5 apartments)
Parent(s) or guardian(s) with more than 4 children, or five adults sharing a house	3, 4 or 5 bedrooms (4, 5 or 6 apartments)

Note 1 Anyone currently residing in a bedsit is statutorily overcrowded and will automatically be entitled to overcrowding points if they apply for rehousing. If an applicant specifically opts for bedsit accommodation, for

example, in a sheltered housing complex, as part of their area choices, and they are currently in a larger house, their application will not be awarded under-occupancy points as this is a lifestyle choice.

Note 2 The reference to adults sharing a house in the above table includes, for example, a household made up of two brothers or sisters, a brother and sister, or an extended family including grandparents, their children and adult grandchildren. All applications for housing to accommodate the above types of household will be considered on their own merits and pointed accordingly.

14.7 Below Tolerable Standard (BTS) Housing

14.7.1 The Tolerable Standard is defined in law. Points are awarded to applicants currently living in the following types of sub-standard accommodation (25 points for each situation that applies):

- The house is structurally unstable
- The house has rising or penetrating dampness
- There is inadequate ventilation

14.8 Lacking Amenities

14.8.1 These points are awarded to applicants who currently live in houses that lack specific amenities. A property inspection will be organised, if an offer of housing is made, where an applicant is seeking these points to confirm the level of points that they are entitled to.

10 points will be awarded where the applicant has:

- No bath or shower
- No cooking facilities
- No adequate supply of hot water to bathroom
- No adequate supply of hot water to kitchen

10 points will be awarded for each amenity lacking and 20 points will be awarded where cooking facilities are located in the same room as the applicant lives and sleeps in.

14.9 Sharing Facilities

- 14.9.1 These points are awarded where the applicant has to share basic facilities with another household. A property inspection will be organised, if an offer of housing is made, where an applicant is seeking these points to confirm the level of points that they are entitled to.

5 points will be awarded for each facility shared where the applicant shares:

- Kitchen facilities
- A bathroom
- A toilet
- A living room

14.10 Insecurity of Tenure

14.10.1 Homelessness

- 14.10.1.1 Applicants who are homeless or threatened with homelessness will be awarded 100 points for insecurity of tenure.

14.10.2 Tied Tenancies

- 14.10.2.1 Applicants leaving tied accommodation will be awarded 100 points when they can evidence that their occupation of a tied house is ending. These points can be awarded up to two months prior to a tied tenancy ceasing to take account of any notice period being served.

14.10.3 Sustainable Communities

- 14.10.3.1 River Clyde Homes will provide appropriate housing accommodation for let to incoming workers to assist with economic growth within Inverclyde. These will be negotiated with companies and their agents, relocating or expanding into the area from within the United Kingdom or as part of the European Union. Applicants will be assessed for housing accommodation and awarded 100 points in these circumstances.

14.11 Sorting Applicants to Define Greatest Element of Housing Need

- 14.11.1 Applications will be sorted to define the applicant with the greatest element of need by using the following procedure

Sort 1

Highest number of points (i.e. exhibiting greatest cumulative need)

if more than one applicant with same number then

Sort 2

Date of award of oldest addition of an element of need

if still more than one applicant with same number then

Sort 3

Date of original application

14.12 Exceptional Circumstances

- 14.12.1 There may, on rare occasions, be exceptional circumstances that cannot be sensitively responded to by using the main categories of need set out in this policy.
- 14.12.2 We recognise that people in these circumstances need to be found suitable alternative accommodation urgently. River Clyde Homes' Head of Service Development has authority to use discretion where every other possible means of helping the applicant has been exhausted. The use of an allocation under the auspices of exceptional circumstances will be closely monitored to make sure that it is only applied in the most exceptional cases.
- 14.12.3 Consideration will be given to providing temporary accommodation for anyone who cannot remain in his or her home due to extreme violence or harassment. Inverclyde Council's Homelessness Service will be provided with scatter flat accommodation that can be used whilst investigation of a case is undertaken. Consideration for permanent rehousing in terms of exceptional circumstances may be given to anti-social behaviour complainants where, in the course of investigating a complaint, it appears that there is an imminent or actual risk to their safety (or a member of their household). It would be helpful to have evidence in support of an exceptional circumstances application to assist in effective processing. River Clyde Homes may contact other agencies in relation to an application. This could include Strathclyde Police and/or Inverclyde Council's Social Protection Team, although this supporting evidence is not essential. Offers of alternative accommodation in these circumstances will be for housing of a similar size, type character and demand to a complainant's existing tenancy, where possible. If there is a shortage of such property in an appropriate safe area, the complainant may be offered an area in lesser demand.
- 14.12.4 Exceptional circumstances decisions will be reported to the Board to ensure accountability and the outcomes of decisions will be incorporated in rolling reviews to inform future policy if the same circumstances were to arise again.

15.0 Tenancy Agreements-Authorised Signatories

15.1 The following employees are authorised to sign Tenancy Agreements on behalf of the Company:

- Chief Executive
- Directors
- Designated employees

It is a pre-requisite that the granting of any tenancy be in accordance with River Clyde Homes' approved Allocations policy.

16.0 Allocations to Staff, Board Members and relatives thereof

16.1 The provisions of Schedule 7 of the Housing (Scotland) Act 2001 apply to allocations of tenancies to employees, Board Members or close relatives thereof. In cases where an allocation may be permitted by one of the exemptions outlined in Schedule 7 of the Housing (Scotland) Act 2001 or in CSGN 2003/03, 16.2 will apply.

16.2 If a 'relevant person' (in terms of the [Schedule 7 Policy](#)) is identified as eligible to be offered a tenancy the following procedure will be adopted:

- a) all applications for housing will require that an applicant indicate whether they are, or are related to, a current employee or Board member, or anyone who has been an employee or Board member in the previous twelve months
- b) the relevant officer will compile a file and audit trail of all relevant information relating to the applicant and the selection process
- c) a more senior relevant officer will check the information and confirm that in his/her opinion the offer is in accordance with policy and should be made
- d) the employees at these two stages should not have any interest in the award of the tenancy
- e) a report will be made to the Board or a relevant sub-committee by the Director of Operations and Neighbourhoods advising on the offer of the tenancy.
- f) any Board member or employee affected will declare an interest, leave the room and take no part in, or try to influence, the view of the Board or sub-committee.

- 16.3 A report will be tabled at each full Board meeting showing any Schedule 7 allocations made in the period since the previous Board meeting.

17.0 Allocations for Sustainable Communities/Sensitive Allocations

- 17.1 River Clyde Homes will make the best use of available housing stock and will use the Allocation Policy to assist in the creation and maintenance of sustainable communities, through sensitive lettings. Any sensitive lettings area will comply with legislation and good practice.

The following types of housing will be subject to sensitive lettings:

17.2 Frail and mobility impaired applicants

- 17.2.1 This initiative will operate within specific properties designated by the Board. A list of these properties is available for applicants to view.
- 17.2.2 River Clyde Homes recognise that these properties offer a suitable and desirable location for applicants who are frail or mobility impaired as they are close to shops, public transport, health centres, and other amenities. Many of the houses have been provided with aids and adaptations, and an ongoing improvement programme aims to create homes that are substantially adapted for occupation by persons with particular needs.
- 17.2.3 Any empty property becoming available within these developments will be suitably adapted.
- 17.2.4 River Clyde Homes will give consideration to further addresses being included in the sensitive allocations initiative

17.3 Sheltered Housing

- 17.3.1 Sheltered housing will be allocated in consultation with Inverclyde Council, Social Work Services to make sure that the house available meets the particular needs of the individual applicant and that appropriate support will be provided, where necessary.

18.0 Information and Advice

- 18.1 A series of leaflets will be prepared to explain several of the stages of the allocations process.
- 18.2 Training will be given to staff on the Allocations Policy to ensure information and advice given to applicants is of a high standard.

- 18.3 A freephone telephone line will be set up for information and advice on allocations issues, including requests for list positions, updates for application review and changes of circumstances (latter two criteria will require applicant to sign form to confirm changes).

19.0 Performance Monitoring

- 19.1 Criteria for performance monitoring will be set for the Board and Management of River Clyde Homes to assess the efficiency and effectiveness of the Allocations Policy. This will also include feedback questionnaires raised at key stages in the procedure to ascertain how applicants to River Clyde Homes and new tenants who have gone through the offer and sign-up stage have viewed the standard of service delivered. Training will be given for staff to ensure outcomes are monitored and remedial action taken, where necessary. This will ensure that River Clyde Homes strives to meet its mission of transforming lives and communities through high quality homes and services.
- 19.2 The monitoring framework will report on the needs make up of all applicants and those being housed by River Clyde Homes to ensure that the Board can monitor the effectiveness and outcomes of allocations to ensure that the objectives of this policy are being met.

20.0 Monitoring Equality

- 20.1 Equality will be monitored by household type, gender, age, disability and ethnicity at the following key stages in the policy by a pro-forma questionnaire to be completed at various stages of contact being
- Application stage
 - Two yearly review stage
 - Offer stage
 - Pre-Tenancy Stage/Sign-On Appointment
 - Settling-In Visit

21.0 Appeals and Complaints

21.1 River Clyde Homes will aim to provide everyone looking to them for housing with an equal opportunity to obtain housing of their choice, subject to the points that are awarded according to their needs.

21.2 Appeals Procedure

21.2.1 If an applicant feels that she/he:

- Has been less than favourably treated; or
- Has not been given the information she/he requires; or
- Has not been given a reasonable explanation for a particular decision in relation to her/his housing application; or
- Has not received a reasonable explanation as to why a particular allocation was made

Then she/he is entitled to make an appeal to River Clyde Homes using the agreed Appeals Procedure, as follows.

21.2.2 In the first instance the matter should be discussed with a member of the Allocations Team to try to resolve the matter to everyone's satisfaction. If an applicant is still dissatisfied with the decision a written appeal should be made to the Chief Executive of River Clyde Homes.

The Chief Executive, or a manager delegated the task, will consider the whole circumstances of the applicant's appeal and will arrange for the applicant to be interviewed by a senior member of staff prior to reaching a decision. The Chief Executive, or their designated Manager, will issue a written report to the applicant of the decision, within a 21-day period.

Use of the above procedure does not prevent the applicant seeking advice from a solicitor or other advisory body, or referring the matter to the Scottish Public Services Ombudsman (see Section 25 below).

21.2 Complaints Procedure

River Clyde Homes has a Complaints and Comments Policy, available on request, and if an applicant feels that they have a complaint or comment they wish to make about the allocations' process, they should initially make a stage 1 complaint or comment. An escalation procedure for complaints is detailed in the policy.

22.0 Corporate Fit

22.1 This policy fits with River Clyde Homes' mission to transform lives and communities through high quality homes and services by ensuring that

homes which are let to applicants, and how the allocations process is managed, contribute to sustainable communities within Inverclyde.

23.0 Review

23.1 River Clyde Homes will review the Allocation Policy every two years from the date of transfer to ensure that it reflects the demand for housing and changes in the supply of housing due to house sales, redevelopment and area regeneration. Exceptional circumstances decisions will be incorporated in rolling reviews to ensure the policy meets newly arising need. The policy aims to comply with all current legislation, guidance, and the national Performance Standards set by the social housing regulator, Communities Scotland. These will change from time to time and we will review our policy in response to future changes to make sure that it remains current and complies with all statutory and regulatory requirements. We recognise the right of individual tenants and of tenants' representative groups to be consulted on policy changes that are likely to significantly affect them. This clearly includes any changes to the Housing Allocation Policy given its importance to all current and prospective tenants. We will ensure that the most appropriate consultation methods are used before any such changes are made, in particular, consultation with applicants to the list.

24.0 Appendix 1-Summary of Need Categories & Awards

Category of Need	Points Awarded
Redevelopment Headline points of	1,000
Overcrowding Headline points of Addition points per bedroom required	150 50
Insecurity of Tenure Headline points of	100

Community Care	
Low	50
Medium	100
High	150
Medical Priority	
Low	50
Medium	100
High	150
Under Occupation	
Per bedroom in excess of requirements	40
Below Tolerable Standard	
Dampness	25
Ventilation	25
Structural Defects	25
Lacking Amenities	
Kitchen/cooking	10
Bath/Shower	10
Toilet	10
Drainage	10
Hot Water	10
Bed sit/single room	20
Sharing Facilities	
Kitchen	5
Bathroom	5
Toilet	5
Living room	5

Note: Headline points are available for Redevelopment, Overcrowding or Insecurity of Tenancy. However, applicants are only entitled to one allocation of Headline Points even if in more than one of the categories. The largest points entitlement will apply.

25.0. Appendix 2 – Contact Details

Freephone number to be advertised

Local Offices

Scarlow Street, Port Glasgow 714978

Wallace Place, Greenock(Head Office) 715861

Housing Benefits

Municipal Buildings Telephone: 0800 013 1375 (Freefone)

Wallace Place

Greenock

PA15 1JB

Inverclyde Council Homeless Services

98 Dalrymple Street Telephone: 01475 732533

Greenock

PA15 1DZ

Inverclyde Council Social Work Services

General Enquiries Telephone: 01475 714060

Dalrymple House

195 Dalrymple Street

Greenock

PA15 1LD

Occupational Therapy Telephone: 01475 637303

Centre for Independent Living Telephone: 01475 714350

10 – 16 Gibshill Road

Greenock

PA15 2UP

Representative Groups

A number of groups representing particular interests such as older people and disabled people operate in the Inverclyde area. You may wish to contact them for help and advice on your housing application or for general information on services and support available locally. Please use the Social Work Services general enquiry number (as above), or the Centre for Independent Living number (as above) if you would like more details of the groups that are currently in operation.

Other Useful Contacts

The following organisations provide independent advice and information on a wide range of housing and housing support issues that you may find useful.

Citizens Advice Bureau

45 George Street
Paisley
PA1 2JY

Telephone: 0141 889 2121

Inverclyde Women's Aid

30 Nicolson Street
Greenock
PA15 1JU

Telephone: 01475 888505

Legal Services Agency

Inverclyde Housing Rights Project*
Westburn Centre
175 Dalrymple Street
Greenock
PA15 1JZ

Telephone: 01475 553309

*Drop-in service available at

10.00am – 4.00pm on
Thursdays only

Inverclyde Care and Repair

6 Regent Street
Greenock
PA15 4PL

Telephone: 01475 787975

Inverclyde Care and Repair offers advice and assistance to older people and disabled people to maintain improve or adapt their homes so that they can remain at home in comfort within their own community. A small repairs service is also available that uses approved contractors who are familiar with the special needs of older and disabled people.

Please contact Inverclyde Care and Repair for full details of the range of services available and of how the scheme works.

Scottish Public Services Ombudsman

If you feel that you have been unfairly treated, or discriminated against, or that any aspect of our allocations services falls below the standards that you would expect, you have the right to contact the Scottish Public Services Ombudsman and ask him to look into the matter on your behalf. The contact details for the Ombudsman service are as follows:

Scottish Public Services Ombudsman
4 Melville Street
Edinburgh
EH3 7NS

Telephone: 0870 011 5378

Text: 0790 049 4372

Fax: 0870 011 5379

Email: enquiries@scottishombudsman.org.uk

Freepost address:

Scottish Public Services Ombudsman
Freepost EH641
Edinburgh
EH3 0BR

26.0 Appendix 3 – Housing Information and Advice Leaflets

The following will be available.

- Housing Allocations – A Guide to Community Care Assessments
- Housing Allocations – A Guide to Medical Priority Assessments
- Housing Allocations – A Guide to Mutual Exchanges
- Housing Allocations – A Guide to Nomination Agreements(if these can be assigned)
- Housing Allocations – A Guide to Succession, Assignations and Subletting
- Housing Allocations – Stock / Turnover of Council Housing
- Housing and Homelessness – How River Clyde Homes Can Help You