

# Allocation Policy

## 2019 – 2024

This policy can be made available on request in a variety of different formats, such as on tape, in large print and translated into other languages. This will be made available at no additional charge.

Approved 19<sup>th</sup> March 2019

**Policy Title:** Allocations Policy

**Effective From:** January 2020

**Review Date:** March 2024

**Policy Owner:** Executive Director Customer Services

### **Purpose**

River Clyde Homes (RCH) is a locally based housing association in Inverclyde. Our Allocation Policy aims to provide sustainable housing within stable communities. We will do this by making best use of our homes, balancing the need for housing with the needs of the local community.

This policy covers how RCH will let its homes as they become empty. Our policy seeks to allocate housing to customers who are on our housing register by recognising their differing housing needs. We will allocate houses using a system of Choice Based Letting (CBL) that is fair, transparent and easy to access and understand. CBL is a system that enables customers to bid for houses that we have advertised as available to let.

The key outcomes of our policy are;

- Open, fair and transparent letting of our homes
- Homelessness is prevented where possible
- Customers are enabled to exercise choice
- Local needs and preferences are met where possible

### **Scope**

This policy describes the activities and responsibilities involved in the assessment of housing need and allocation of our properties when they become vacant.

The Allocations Policy applies to a range of key stakeholders that include:

- All RCH staff
- Board and Committee members
- Health and Social Care Partnership
- Existing RCH customers
- Waiting List Customers
- Inverclyde Council
- Inverclyde Common Housing Register
- Registered Tenants and Resident Organisations

RCH will ensure the promotion of equal opportunities by publishing information and documentation in different languages and other formats such as large print, tape and braille, as required.

We seek to ensure that no individual is discriminated against on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or other personal attributes, including beliefs, or opinions, such as religious beliefs or political opinions.

## Definitions

This policy has ten Allocation objectives;

1. **Legal and good practice.** We meet legal and good practice standards in our allocation services that address housing need through a system of choice based letting.
2. **Advice and information.** We provide customers with quality advice and information about their housing options including advice on how to prevent homelessness
3. **Promote equal opportunities.** We provide services that are fair and transparent and accessible to the needs of individual customers.
4. **Maximising income.** We let houses quickly to maximise our rental income.
5. **Use of housing.** We make best use of our housing stock to address housing need, for example, we give priority to our tenants who under occupy their home.
6. **Procedures.** We have established procedures that are used to implement our policy objectives.
7. **Partnerships.** We work in partnership with a range of organisations to promote the objectives of this policy, for example, we work with the Health and Social Care Partnership to promote sustainable tenancies.
8. **Training.** We provide quality training to staff to ensure that this policy is implemented effectively.
9. **Performance management.** We monitor the effectiveness of this policy through our performance management system. This covers indicators of quality and quantity.
10. **Policy review and consultation.** We will review this policy every five years or as required due to legal changes. Any reviews will be carried out following consultation with our staff, customers and partners.

The Scottish Social Housing Charter (the Charter) sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities.

The Charter seeks to help improve the quality and value of services that a social landlord provide, and supports the Scottish Government's long term aim of creating a safer and stronger Scotland.

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

- **Outcome 1:** Every tenant and other customer has their individual needs recognised, is treated fairly and with respect and receives fair access to housing and housing services.
- **Outcome 2:** Tenants and other customers find it easy to communicate with their landlord and get information they need about their landlord, how and why it makes decisions and services it provides.
- **Outcome 3:** Social landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.
- **Outcome 7:** People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them
- **Outcome 8:** Tenants and people on housing lists can review their housing options
- **Outcome 9:** People at risk of losing their homes get advice on preventing homelessness
- **Outcome 10:** People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed.
- **Outcome 11:** Social landlords ensure that tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

## Policy Statement

### 1. Registering for housing

Anyone over the age of 16, or their representatives, can register for housing with RCH by completing a housing application form. This form is available online using our 24/7 online registration service and assistance is available from our Customer Experience Team who are available by telephone 24/7. Details of how to apply are provided in the information we give to all customers who wish to apply for housing.

Being admitted to our housing list does not equate to being eligible to being offered housing as any offers of housing are subject to availability of housing and completion of our verification processes.

Customers with a housing related health or mobility issue must also complete the medical section of online registration. This will allow us to assess the unsuitability of the current home. A medical priority will only be awarded where it is clear that a move could significantly alleviate most of the medical needs being experienced.

Customers who find themselves homeless should seek advice from the Homeless Service at Inverclyde Council who can be contacted as follows:

Municipal Buildings  
Clyde Square  
Greenock, PA15 1LY

Princes Street House  
19-29 Princes Street  
Port Glasgow, PA14 5JH

Telephone 01475 717171 or 01475 719999 after office hours.

Customers seeking advice about basic housing options can contact Inverclyde Council or any of the local registered social landlords. They can also access the housing options interactive toolkit online at Inverclyde Council or any of the registered social landlord's websites.

We will not exclude any current or former (within the previous 12 months) employee, current or former Board member or their close relatives from applying for housing, transfer of tenancy or mutual exchange. Applications can be made through the usual process and will be assessed through this policy.

In accordance with the Scottish Housing Regulator standards on governance and our Code of Governance we will ask customers within this category to complete a declaration of interest; a Head of Customer Services or Service Improvement Manager will approve the assessment of need and any offer of housing.

## **2. Eligibility and verification**

We have allocation procedures that are applied to verifying eligibility for housing and assessing housing need. We cannot consider customers for an offer of housing if we are unable to successfully complete our verification process.

The Housing (Scotland) Act 2014 requires us to consider whether an applicant has an unmet housing need and this has been defined as '*where the social landlord considers that someone has housing needs which are not capable of being met by housing options which are available.*'

As part of our assessment process of unmet housing need we will consider the circumstances of the applicant and the existing housing options which are available and accessible to them. To do this, we will always accept an application for housing but will ask applicants what other options they have considered. We may signpost them to other available options if appropriate. We have developed a housing options toolkit with Inverclyde Council to help applicants identify their options. This toolkit can be accessed on the websites of Inverclyde Council, RCH and Inverclyde Common Housing Register.

Our verification checks may include reference checks against current and former tenancies and a visit to the customer's registered address. This will allow us to confirm the circumstances declared on the application and discuss the application before confirming any offer of housing.

Once the application has been processed customers will be advised of their priority housing needs group or advised that they do not meet the eligibility criteria to be accepted onto the list.

### **3. Change of Circumstances**

Customers are required to notify us of any change in their circumstances that may affect their housing need assessment. This will allow us to reassess their housing need and review their housing requirements. Failure to notify us of any change of address may lead to the application being suspended from receiving offers for an extended period or removal from the housing register.

### **4. Review of the Housing Register**

We will carry out regular reviews of our housing register and aim to contact all customers once a year to confirm that the customer information and housing need assessment is current with no change to circumstances. We may also make earlier contact with those who have not placed any recent bids for available suitable properties to reconfirm their wish to be rehoused with RCH.

Customers are expected to provide full, accurate and up to date information regarding their application for housing. If a customer knowingly and deliberately worsens their own, or their household's, housing circumstances in order to increase their priority for housing, we will not amend the assessment of need. We shall also suspend making any offers of housing for a period of 12 months from the date of discovery.

Where a tenancy has already been granted on the basis of deliberate misinformation, we reserve the right to take legal action to seek recovery of the tenancy and will advise the tenant of their right to attend court to defend their interests.

### **5. Assessment of Need**

In order to meet varying housing needs and create sustainable tenancies and communities, we will place customers in one of four housing need groups.

We will assess the housing need group they qualify for and place the application in order of the earliest date they qualified to this group. If there has been a change of circumstances, the date of the change counts as the date from which they qualified to the group. More information on the groups is provided in **Appendix 1**.

Customers with a need that fits more than one of the need groups will be entered into the highest priority need group that best meets their greatest housing need. We will consider demand within our available stock profile to assist with this assessment.

The housing need groups are as follows;

- Group 1 – Sheltered housing
- Group 2 – Statutory Homeless referrals

- Group 3 – Unsatisfactory Housing Conditions
- Group 4 – Mobility Medical and Frail and Mobility Impaired

### **Group 1 – Sheltered Housing**

Customers in Group 1 will have been assessed as having a need for sheltered housing. The assessment should show that the customer or a member of their household is living in unsatisfactory housing conditions and has unmet housing needs.

When considering unsatisfactory housing conditions we shall look at how the medical condition or physical impairment makes it impossible or extremely difficult for them to carry out day to day tasks in their current home.

It should also be shown that it is not practical to adapt the customer's home to meet their needs or that rehousing is essential to allow discharge from hospital or to avoid unnecessary admission to a nursing or residential home.

Sheltered housing is purpose built housing occupied by older tenants which provides independent living with the support of a warden and customers must be aged 55 or over with an assessed requirement to benefit from this service.

Priority for housing within this group is ranked in order of importance as critical, urgent and general and includes customers in the following situations;

- hospitalised with a delayed discharge
- a danger due to illness to occupy the current home,
- those who are unable to leave their home unaided
- the current home causes serious aggravation to a medical condition
- unable to access essential facilities within the home for daily activities
- a move is essential to improve quality of life

### **Group 2 – Homeless**

Customers in Group 2 will have been assessed as having a critical need for housing under the statutory homeless legislation following a referral from Inverclyde Council for permanent housing.

### **Group 3 – Unsatisfactory Housing**

Customers in Group 3 will be made up from the other reasonable preference groups covered by law and other types of housing need.

Priority for housing within this group is ranked in order of importance as critical, urgent or general and includes customers in the following situations:

- **Area Regeneration**  
RCH tenants and owner occupiers who are losing their home due to RCH area regeneration. This enables RCH to manage our demolition programme and

provide suitable alternative housing to tenants and owner occupiers displaced as a result of this;

- **Relationship breakdown**

Where there is a threat of homelessness resulting from the breakdown of the relationship between an RCH tenant, joint tenant or their registered partner. We will seek to provide suitable alternative accommodation for the separating partner after we have made enquiries to ensure that the application is genuine. Any priority awarded will be reviewed after six months and any other tenancy rights must be given up at the start of a new tenancy.

- **Under occupancy**

Tenants of social landlords (Local Authority or Registered Social Landlords) who are under occupying their home. Under occupation shall be assessed using the size criteria found at Appendix 3. The verification of unmet housing need does not apply to this priority but it shall only be awarded after 12 months of continuing tenancy for any tenants who knowingly accepted a home larger than their needs.

- **Home no longer suitable for needs**

Tenants who are occupying an RCH property that no longer meets their needs because it has been specially adapted or could be better used by another customer.

- **Community Care support.**

Households who are receiving, or have received during the previous 6 months, treatment for serious health issues. This may include physical impairment, post-traumatic stress disorder and substance abuse. Supporting evidence of the Community Care need and how the condition shall be improved by alternative housing is required. An ongoing package of support will form part of the needs assessment.

- **Leaving supported accommodation**

Customers who are leaving hospital, hostel, supported accommodation or prison and unable to return to their current/previous accommodation will be placed in this group.

Young people who are facing homelessness and are making their first transition to their own home following being looked after under The Children (Scotland) Act 1995.

- **Veterans.**

Veteran members of the UK Armed Forces or their spouse, civil partner who are facing homelessness within 12 months from their date of discharge. Only spouses and civil partners who are in a formal relationship with the veteran at the time of discharge will be considered.

- **Harassment.**

Customers who are experiencing Domestic Abuse or equality related harassment such as racial, homophobic or disability related. This also includes other violent harassment or being subject to violence where there is supporting evidence from a relevant source such as Police Scotland, Inverclyde Women's Aid.

- **Homes below the tolerable standard**

Customers living in a home that is lacking basic facilities and below the tolerable standard as defined by legislation at **Appendix 2**, we will only award a priority if the local authority confirms this in writing.

- **Overcrowding**

Overcrowded, needing one or more additional bedroom within the following guidelines:

- two children of different sex share a bedroom and one child is ten years old or older; or
- three or more individuals share a bedroom; or
- a couple or single parent household share a bedroom with their child/children of any age; or
- a single adult(16 years or older) shares a bedroom with a person of the same/opposite sex(and the two people are not a couple)

- **Non Secure Accommodation**

In non-secure accommodation such as tied tenancy with notice to leave, bed and breakfast, privately rented tenancies with notice to leave, owner occupier facing repossession within 2 months, no fixed abode.

- **Aspiring housing need**

No legislative reasonable preference but seeking alternative housing. The verification of unmet housing need does not apply to this priority.

#### **Group 4 – Mobility Medical and Frail and Mobility Impaired**

Customers will be placed in group 4 where the move to alternative, flatted and level access accommodation would greatly improve their quality of life. Homes designated as Frail and Mobility Impaired and Retirement Housing are generally multi-storey flats with lift access suitable for persons with limited mobility.

Priority for housing within this group is ranked in order of importance as critical or urgent and includes customers in the following situations:

- hospitalised with a delayed discharge
- a danger, due to illness, to occupy the current home,
- those who are unable to leave their home unaided
- the current home causes serious aggravation to a medical condition
- unable to access essential facilities within the home for daily activities

Mobility medical cannot be awarded for the existence of a medical condition alone, we must be satisfied that the condition is being negatively affected by the customers current unsatisfactory housing conditions. We also need to be assured that the condition is likely to be improved or assisted by suitable rehousing and may seek advice from an occupational therapist to ensure that the housing options closely match customer needs.

#### **6. Meeting Demand**

We recognise that the demand for available homes in many areas of Inverclyde exceeds supply. This means that there will be circumstances where we cannot realistically hope to find suitable homes for all customers on our housing register.

We will seek to maximise the opportunities for housing that are open to each customer by offering advice about the range of the housing options available within our housing stock including areas where supply of available housing exceeds demand. We will also signpost customers to other partners and agencies that could assist in meeting their housing need.

## **7. Exceptional Housing Need**

RCH recognise that no policy can anticipate every eventuality. We will offer suitable accommodation to a customer in recognition of exceptional housing circumstances where a customer may need to move for other reasons that cannot sensitively be responded to by using the main group categories set out in this policy, where we need to make a management transfer of an existing tenant or find temporary or permanent decant accommodation for an existing tenant.

The decision to award this priority lies with a Head of Customer Service following recommendation from a Service Improvement Manager.

Exceptional housing need decisions will be reported to the Performance and Services Committee to ensure accountability and the outcomes of those decisions will be used to inform future policy reviews.

## **8. Protocols**

We may have a range of protocols in place with organisations providing care and support to vulnerable customers such as for young people leaving care, homelessness and refugees. These protocols outline the rules and agreements that each partner shall apply to demonstrate positive outcomes for customers.

We will meet our statutory obligations on housing requirements and information sharing as an agency with a duty to co-operate with the Multi Agency Public Protection Arrangements (MAPPA). These arrangements were introduced as a result of the Management of Offenders (Scotland) Act 2005.

## **9. Removal from housing register**

Customers will only be removed from the housing register in the following circumstances:

- a. Taking up a new tenancy with the Association
- b. On the customer's request
- c. On the death of the customer
- d. If the customer fails to respond to a contact from us within a reasonable timescale or mail is returned stating that the customer has 'gone away'.

Any customers being removed from the list, with the exception of those who have died, will be advised of this in writing to their last known address.

## **10. Suspension from receiving offers**

Our allocation procedures outline the detailed circumstances and checks that will lead to an application for housing being suspended from receiving offers. Suspensions could last up to a maximum period of three years but we shall review all suspensions within the stated periods and seek to limit the duration as much as possible.

Customers who have their application suspended will be contacted advising of the reason for the suspension, the length of time that the suspension will be applied and the conditions needed in order to have the suspension lifted. Customers will also be advised of their right to appeal the decision to suspend their application.

Applications will be suspended for the following reasons:

- a. **Abandonment or neglect of property.** Where an applicant, as a sole or joint tenant, has had their tenancy repossessed as abandoned, under section 18 or 20 of the Housing (Scotland) Act 2001 or neglected under grounds 3 or 4 of the Housing (Scotland) Act 2001. This applies to any tenancies held within eighteen months of the date of application. We will review these applications every six months.
- b. **Anti-Social Behaviour.** Where an applicant and/or a member of their household have been issued with a final written warning, Anti-Social Behaviour Order or evicted by their landlord within the previous 18 months of application or offer of housing on grounds of:
  - Acting in an antisocial matter by causing or likely to cause alarm, distress, nuisance or annoyance towards another person in the locality of the house occupied by them, or
  - Pursued a course of conduct amounting to harassment of another person amounting to anti-social behaviour, or
  - Acted or pursued a course of conduct amounting to anti-social behaviour towards an employee of the social landlord, or
  - Have been convicted of using a house or allowing a house to be used for immoral or illegal purposes, or
  - Have committed an offence punishable by imprisonment in the locality of the house occupied by them.

We will review these applications every six months taking account of any change in circumstances, level of housing need, the nature, frequency and seriousness of the behaviour and the customer's arrangements and commitment to remedy the behaviour

- c. **Fraudulent, Misleading Application.** Where an applicant is found to have made fraudulent claims or provided misleading information to artificially enhance their housing prospects. We will review these applications every six months.
- d. **Failure to Update Application**

Where, following a verification check or visit, the applicant is found to have failed to update their application with a change of circumstances that would affect their placing in the previously assessed group or size of home. We will suspend until the applicant updates their application.

- e. **Rent arrears and housing debt.** Where the applicant owes the equivalent of more than one month's rent or any other housing related debt. Other housing related debt includes rechargeable repair costs and former tenant arrears to RCH or any other landlord.

The suspension shall last until the debt is cleared or reduced to less than one month's rent or payments have been made for a continuous, minimum period of three months under a formal, realistic repayment arrangement. We will review these applications every three months.

- f. **Unsatisfactory references and/or poor property conditions.** Where we have received an unsatisfactory tenancy reference and/or an applicant is found to have neglected their place of occupation by failing to keep their home clean, tidy and in good decorative order, installed fixtures and fittings without permission or caused damage to the property. We will review these applications every six months.

- g. **Refusals.** Where an applicant has within the previous 12 months, successfully bid for two properties but not accepted without good reason, a subsequent offer of tenancy. We will review these applications every six months.

- h. **Refusal (Group 2 only).** Where a Group 2 applicant, in liaison with their Homeless Support Officer, has successfully bid for one property and has not accepted, without good reason, a subsequent offer of tenancy. We will return the homeless referral to Inverclyde Council for the local authority to seek an alternative housing provider or to discharge its duty.

## 11. Letting Plans

We will set targets for the number of let's to be made to each of our Groups every three years.

This will take account of:

- a. The target proportion of lets agreed with Inverclyde Council for customers referred to us under Section 5 of the Housing (Scotland) Act 2001;
- b. Our duty to re-house our tenants affected by our regeneration of areas;
- c. Our legal obligation to give reasonable preference to those in housing need.

We will consult and agree Letting Plans with our customers considering demand and supply in the context of our overall targets and legislative requirements.

In line with good practice, we may agree to operate a local policy, special or sensitive letting initiative within our communities, to address a particular local or Inverclyde need.

Any lettings initiatives, including their purpose and duration, will be detailed in a Local Lettings Plan.

## 12. Mutual exchanges

A mutual exchange is a means of tenants swapping their home with another tenant. Every Scottish Secure Tenant has the right to swap their home with other Scottish Secure Tenants. RCH welcomes applications for Mutual Exchanges between our tenants and tenants of other social landlords, including Local Authorities and Housing Associations.

RCH do not operate a mutual exchange scheme where tenants can advertise their homes and find someone who wants to swap with them. Tenants should make their own arrangements to advertise their wish to exchange and where to display this information.

We will actively encourage our tenants to apply for a mutual exchange to meet their housing needs and aspirations and have information and procedures that support this process.

## 13. Changes of Tenancy

Every Scottish Secure tenant has the right to apply to make certain changes to their tenancy and we have information and procedures that support this process. As these changes of tenancy could lead to the creation of a future secure tenancy, the assessment, verification and suspension rules within this policy shall be applied before permission is granted.

From 1<sup>st</sup> November 2019 this will include the additional requirements outlined within the Housing (Scotland) Act 2014.

Changes of tenancy could include the following:

- a. **Assignment** - where an existing RCH tenant applies to pass their tenancy to another member of their resident household because they are permanently moving out of the property. From 1<sup>st</sup> November 2019, our assessment will include a 2-part test that the person taking on the tenancy has lived there for 12 months and the landlord has been notified of them living in the property. The 12 month residency period does not start until the landlord has been notified.
- b. **Joint Tenancies** – where existing tenants of RCH can add another tenant to the tenancy with them. This could include a spouse, partner or family member. From 1<sup>st</sup> November 2019 our assessment will include a 2-part test that the person becoming a joint tenant has lived there for 12 months and the landlord has been notified of them living in the property. The 12 month residency period does not start until the landlord has been notified.
- c. **Lodgers and Sub-Letting** - where an existing tenant applies to take in a lodger to the property or applies to sub-let the property as they are leaving for a temporary period. From 1<sup>st</sup> November 2019 our assessment will include a requirement that the tenant has held the tenancy for 12 months prior to making

the application or the landlord has been notified that the person was resident prior to taking on the tenancy. The 12 month residency period does not start until the landlord has been notified.

- d. **Succession** - where a member of a tenants resident household apply to keep the tenancy following the tenants death. From 1<sup>st</sup> November 2019 our assessment will include a 2-part test that the person taking on the tenancy has lived there for 12 months and the landlord has been notified of them living in the property. The 12 month residency period does not start until the landlord has been notified. The 2-part test does not apply to the existing tenants spouse, civil partner or joint tenant as long as they were living in the property at the time of the tenants death.

#### **14. Operation of Choice Based Letting**

Under our Choice Based Letting System, we seek to promote customer choice by placing an advertisement of all our available to let homes on our website, in the local press, in our Customer Contact Hub and other community based locations.

In order to ensure that there is fair and equal access to housing across housing need groups one to four, we will state the appropriate group relevant to each advertised home. This group will be decided according to the attributes of the advertised home and agreed targets.

We will seek to find a 'best fit' allocation particularly as some homes are more suitable for particular housing needs such as those that are wheelchair adapted. Where we have widened or restricted the criteria relating to a particular home such as specifying for wheelchair users only or household size that will be considered, we will clearly state this in the advert.

Assistance with moving home, in the form of an award of funds from a tenant incentive scheme, may be given in a range of circumstances such as to assist tenants being housed due to under occupancy or where their home is no longer suitable for their needs.

#### **15. Size criteria**

Customers will be matched to homes depending on the house size required for the size of their household, as per **appendix 3**. The customer's household shall be confirmed during the verification process. We will not offer accommodation which results in overcrowding of the home by the permanent members of a customer's household.

In order to make best use of our larger homes, we shall apply the size criteria to the application of the parent/carer of any children at their permanent home. The application of a separated parent with access rights shall be awarded a maximum of one additional bedroom regardless of the number of children within the family.

Where housing supply out weight's demand, we may consider customers for homes with one or two bedrooms larger than their needs. Any customer being offered a home under

these circumstances will be offered financial advice and advised that the payment of housing costs may be restricted due to the Social Sector Size Criteria .

## **16. Choice Based Letting Allocations**

We have a procedure for operating our Choice Based Letting system.

Customers may make up to 3 bids per week by phone, text, online, in writing or in person at our Customer Contact Hub. Help with bidding, is available on request from our 24/7 Customer Experience Team. Customers are invited to place a bid within a set period and any bids received after the stated closing time shall not be considered.

Customers who are successful in their bid for the advertised home will be subject to our verification process.

The successful bidder will have the opportunity to view the home on offer and where possible, the viewing will be carried out before the outgoing tenant vacates the home.

All homes will be offered as a Scottish Secure Tenancy unless a Short SST is appropriate in line with the Housing (Scotland) Act 2001 as amended. Customers who are married or intending to co-habit will be offered a joint tenancy unless specifically requested.

An agreed minimum rent payment is expected in advance in accordance with the tenancy conditions within the Scottish Secure Tenancy Agreement or Short Scottish Secure Tenancy agreement. Arrangements will be made for payment of rent at the time the tenancy starts. The offer of housing will be withdrawn if the customer is unable to make an agreed minimum rent payment.

Our choice based letting system provides twenty four hour online access to customers who wish to review their individual housing options.

## **17. Bypassing and Withdrawing an offer**

A bid will be bypassed or offer of housing will be withdrawn in the following circumstances:

- a. Where information surfaces that triggers a change in line with any of our suspension reasons.
- b. Where a customer has another live offer or a significant change to their circumstances that affects their placing in the previously assessed needs group;
- c. Where a customer fails to attend the agreed appointment to sign the tenancy agreement or to make the agreed rent payment at the start of tenancy process.
- d. To achieve our agreed letting targets for particular housing needs.
- e. Where the property is needed for an emergency situation.

## **18. Monitoring and Service Standards**

We aim to ensure that the allocations policy meets the needs of those seeking housing and that all customers are satisfied with the quality of the service they have received throughout the application and allocation process.

We also aim to achieve a high percentage of continuous improvement with customer satisfaction and will regularly collect, monitor and report our performance on the following;

- a. satisfaction with the allocation process
- b. satisfaction with the new home
- c. number of lets to the groups covered under our Equality, diversity and inclusiveness policy

We have made the following service commitment and will collate and monitor our performance in these areas;

- a. We will provide an accompanied viewing of the property, agree timescales for completing repairs and upgrades to the property and agree a moving-in date;
- b. We will assess support needs at the tenancy sign up. If we identify any support needs, we will make a referral to a relevant agency to assist in sustainment of the tenancy;
- c. We will provide a copy of our Lettable Standard at the tenancy sign up and ask for feedback on satisfaction that the standard has been achieved and
- d. We will ensure that all of our properties are kept secure while they are vacant and do not have a negative impact on the street scene.

We regularly audit our allocation policy and procedures, and will work with customers through within our Customer Access and Feedback Strategy to further ensure compliance with statutory, regulatory requirements and customer aspirations.

We shall participate with the development and operation of an Inverclyde Common Housing Register (ICHR). The purpose of a Common Housing Register is to allow applicants to use one common application form to apply to several social landlords operating in an area rather than complete individual applications for each landlord.

## **19. Complaints and Appeals**

We have an appeals process that lets customers appeal decisions made on their application. Any appeal relating to the suspension of an applicant from receiving offers must be made within 21 days of the decision. Customers can raise an appeal by telephoning or writing to our Customer Experience Team.

There are two stages to this appeal process as follows:

- Stage 1 appeals will be heard by a Housing Team Leader who will investigate the ground of the appeal and provide a written response within 5 working days.

- Stage 2 appeals will be heard by a Service Improvement Manager who will review the grounds of the appeal and that investigation completed at stage 1. A written response will be provided within 20 working days.

Once the stage 2 appeal has been completed, there is no further right of appeal.

We have a Complaints Procedure that lets customers who are dissatisfied with our service raise a complaint. This includes complaints relating to equality matters. If a customer remains dissatisfied after using the complaints procedure they can appeal to the Scottish Public Services Ombudsman. This is in addition to their right to seek independent advice from a solicitor or any other appropriate body.

### **Legislative regulations and link(s) to Procedures**

This policy has been developed in line with legislation, regulatory standards and good practice across Scotland and the UK. By taking account of good practice, we have made sure that we have created a policy that is fair and gives reasonable preference to those in housing need as explained within this policy.

We are committed to fulfilling our legal obligations under the Housing (Scotland) Act 1987 (as amended) to give reasonable preference when selecting tenants from certain groups, including people who;

1. Are homeless or threatened with homelessness and have an unmet housing need
2. Are living in unsatisfactory housing conditions and have an unmet housing need
3. Are existing RCH tenants who are under occupying their home

The Housing (Scotland) Act 1987 (as amended) also states that when allocating housing we will not take any account of the following factors:

- a. Length of time lived in Inverclyde;
- b. Length of time on the housing register;
- c. Outstanding liabilities less than 1/12<sup>th</sup> of annual rent, where a repayment agreement is being maintained for 12 weeks, due for a house they were not the tenant of;
- d. Age;
- e. Income of household;
- f. Other factors, minimum application period, divorce or judicial separation, requirement to no longer live in same house as other persons.

### **Heritable Property**

The Housing (Scotland) Act 2014 removed the previous prohibition on taking ownership of property into account in allocating housing and RCH can consider property ownership as part of the assessment of an applicant's housing need.

Heritable property includes land as well and anything built on land and can be property currently owned, or previously owned, in Scotland, the rest of the UK or abroad.

Under the 2014 Act, there are some circumstances where heritable property cannot be taken into account for example where the owner cannot secure entry to it, occupation could lead to abuse and occupation may endanger health.

RCH anticipate that the need to consider property ownership shall apply only in exceptional circumstances as the majority of owners who apply for housing will have a housing need that fits within the reasonable preference groups. Any exceptions shall be considered on a case by case basis.

RCH may consider granting a short Scottish Secure Tenancy to allow the owner to rectify an issue and these cases shall be considered on a case by case basis.

### **Legislation, guidance and good practice**

RCH aims to comply with legislation, guidance and good practice in the allocation of its homes. The main Act in relation to allocation of housing is the Housing (Scotland) Act 1987, as amended. Examples of other law relevant to the allocation of housing are as follows;

- *Children and Young People (Scotland ) Act 2014*
- *Data Protection Act 2018*
- *Homelessness (Scotland) Act 2003*
- *Housing (Scotland) Act 2001*
- *Human Rights Act 1998*
- *Management of Offenders (Scotland) Act 2005*
- *The Equality Act 2010*
- *The Housing (Scotland) Act 2010*
- *The Housing (Scotland) Act 2014*

A list of relevant policies and strategies that have been considered and can be found at **appendix 4**.

We shall comply with the recommendations relating to the Homelessness and Rough Sleeping Action Group, June 2018 report 'Ending Homelessness' and any developing requirements from the local authorities 5 year rapid rehousing transition plan.

### **Consultation**

In line with our Customer Involvement Strategy, we conducted comprehensive consultation with customers and other service users to determine their opinion in relation to the outcomes of this policy for the provision and allocation of appropriate housing, and the need to ensure the wider sustainability of their neighbourhood. This includes applicants on our housing list, our tenants, our registered tenant organisations in addition

to a range of partners who were invited to get involved via online, telephone and postal surveys and local meetings.

We will continue to consult relevant agencies working with specific client groups to seek advice on meeting their needs, and will use this advice to determine methods of more effectively engaging with these groups.

There will be a regular review of consultation procedures and policies to ensure that we are responsive to our members', tenants' and prospective tenants' needs.

### **Data Protection**

We have a Data Protection Policy that details our requirements under the Data Protection Act 2018. We will treat all information supplied to us by customers as strictly confidential and will handle this information in line with our policy. Customers have the right to inspect the information we hold about them and we can, in law, make a charge for providing this information.

This is out with our customers right under the Housing (Scotland) Act 1987, to inspect any records held on their housing application which will be provided free of charge.

### **Equality Impact Assessment**

In line with our Equality and Diversity Policy, we have completed an Equality Impact Assessment of this policy to consider any positive or negative impacts on people who share one or more of the protected characteristics listed in the 2010 Equality Act.

Our assessment reflects our obligations and the needs of the communities that we serve in accessing housing as individuals and sustaining communities.

## Appendix 1

### Housing Needs Group and Ranking

GROUP1 Sheltered Housing (eligible age 55+)	Critical	<ul style="list-style-type: none"> <li>Hospitalised with delayed discharge</li> <li>Danger to occupy current home</li> </ul>
	Urgent	<ul style="list-style-type: none"> <li>Unable to leave home unaided</li> <li>Condition seriously aggravated</li> <li>Unable to access facilities</li> </ul>
	General	<ul style="list-style-type: none"> <li>Internal transfer to improve quality of life</li> </ul>
GROUP 2 Statutory homeless referrals	Critical	<ul style="list-style-type: none"> <li>Statutory homeless referrals from Inverclyde Council</li> </ul>
GROUP3 Unsatisfactory Housing Conditions	Critical	<ul style="list-style-type: none"> <li>RCH tenants or affected owners losing home due to RCH area regeneration</li> </ul>
	Urgent	<ul style="list-style-type: none"> <li>Community Care support</li> <li>Leaving Supported Accommodation</li> <li>Veterans facing homelessness</li> <li>Harassment -Domestic Abuse or Equality Related</li> <li>Home is below tolerable standard</li> <li>Overcrowded, need for more than one additional bedroom</li> <li>RCH tenants facing homelessness due to relationship breakdown</li> <li>Tenant of Social Landlords who are under occupying their tenancy</li> <li>RCH tenants occupying homes no longer meeting their needs</li> <li>Non-secure accommodation</li> </ul>
	General	<ul style="list-style-type: none"> <li>No assessed housing need but aspiring to relocate to a new home</li> </ul>
GROUP 4 Medical mobility and frail and mobility impaired	Critical	<ul style="list-style-type: none"> <li>Hospitalised with delayed discharge</li> <li>Danger to occupy current home</li> </ul>
	Urgent	<ul style="list-style-type: none"> <li>Unable to leave home unaided</li> <li>Condition affecting mobility that is seriously aggravated</li> <li>Unable to access facilities within the home</li> </ul>

## Appendix 2

The Tolerable Standard is as defined by section 86 of the 1987 Act and amended by section 102 of the 2001 Act and section 11 of the Housing (Scotland) Act 2006. A house meets the tolerable standard if it:

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

## Appendix 3

### Illustration of House Size Required

Household Type	Number of Bedrooms						
	Bedsit	1	2	3	4	5	5+
Single Person							
Cohabiting or married couple with no children							
Parent(s) with 1 child							
Parent(s) with two children under 16 years of the same gender							
Parent(s) with 1 girl and 1 boy both under 10 years							
Parent(s) with 2 children where 1 is over 16 years of the same gender							
Parent(s) with 1 girl and 1 boy where the oldest is over 10 years							
Parent(s) with 3 children regardless of age or gender							
Parent(s) with 4 children							
Parent(s) with 5 + children							

Refer to policy section 15 to view exceptions to the above.

## Appendix 4

Relevant policies and strategies.

RCH aims to comply with legislation, guidance and good practice in the allocation of its homes. Account has been taken of the following policies:

- Anti-Social Behaviour Policy
- Complaints Policy
- Customer Care Policy
- Decant Policy
- Equality and Diversity Policy,
- Equipment and Adaptations Policy
- Property Purchase and Buy Back Policy
- Rent Arrears Recovery Policy
- Tenancy Sustainment Policy
- Void Management Policy
- Vulnerable Customers Policy

Account has also been taken of the following strategies:

- Access to Housing and Homelessness Agreement (Section 5 Protocol) between RCH and Inverclyde Council;
- Communication Strategy;
- Customer Services Strategy 2017 - 2019.
- Equality, Diversity and Inclusiveness Strategy;
- Inverclyde Local Housing Strategy (LHS) 2017 - 2022
- RCH Business Plan 2018 - 2022
- Safe and Independent Persons Strategy;
- Sustainable Tenancies Strategy;
- Customer Involvement Strategy 2018-2022