

# Melville Housing Association



## Policy: Allocations

<b>Subject:</b>	Allocations
<b>Section:</b>	Property Services
<b>Objective:</b>	To govern the allocation of our rented properties
<b>Relevant Legislation</b>	Housing (Scotland) Act 1987 Housing (Scotland) Act 2001 Equality Act 2010 Housing (Scotland) Act 2014
<b>Scottish Social Housing Charter</b>	Equality Communication Participation Housing Options Access to Social Housing Tenancy Sustainment Homeless People
<b>Issue Date:</b>	May, 2021
<b>Review Date:</b>	May, 2022
<b>Policy Ref No:</b>	PRO 001

## **1.0 Policy Objectives**

1.1 Melville Housing operate two registers for housing applicants; the waiting list and transfer list for existing tenants who wish to move within our stock. With both lists the same policy objectives apply:

- to ensure fair and open access to our housing registers and assessment process;
- to ensure that all of our properties are allocated in a way that gives reasonable preference to; those in housing need, the best use of available stock, and maximises choice compatible with sustaining stable, balanced communities;
- to comply with all relevant legislation;
- to ensure we achieve these aims without discrimination whilst promoting equal opportunities.

## **2.0 Waiting List**

### **2.1 Common Housing Register (CHR)**

We participate in CHRs with Midlothian Council and South Lanarkshire Council. All applications (apart from transfers – see *Section 6*) are processed on our behalf by them. For vacancies in any other area of operation, we consult with the relevant local authority for nominations.

2.2 When allocating properties, Melville and our partner local authorities will give preference to applicants considered being in the greatest housing need. In particular:

- a) Homeless people or those threatened with homelessness
- b) People occupying houses which do not meet the tolerable standard
- c) People who are subject to overcrowding
- d) People who are under-occupying social-rented housing
- e) People who have large families
- f) People living under unsatisfactory conditions including:
  - People who have a medical need for re-housing
  - People suffering from domestic abuse, suffering from racial, religious, homophobic, transphobic harassment or other hate crimes
  - People who need to live close to carers or give or receive support

### **2.3 Processing Application Forms**

On receipt of a completed waiting list application form, our partner local authorities will process the application in line with their allocations policies (*available on request by contacting us*) and award points depending on housing need.

### **2.4 Home visits**

We will carry out a home visit before a property is allocated. This visit will be used to:

- provide information about becoming a Melville tenant,
- check the accuracy of the information on the application form,
- obtain additional information,
- assess potential support needs,
- discuss re-housing options.

### **3.0 Low Demand Properties**

Where there are no suitable applicants registered on the CHR, properties will be advertised by Melville through social media and free advertising platforms, such as Facebook and Gumtree, local press and Melville's website.

Allocations will be made to the applicant with the greatest housing need and who will make best use of the property.

### **4.0 Achieving Balanced Communities**

#### **4.1 Lettings Initiatives**

We may from time to time introduce lettings initiatives to achieve balanced communities. We will allocate quotas to types of lettings e.g. the number of children and adults in schemes. Such initiatives may be developed in conjunction with partners, particularly the relevant local authority.

#### **4.2 Sensitive Lets**

It is occasionally necessary to give priority to an applicant with lower points to ensure that an imbalance is not created in any community, such as an over concentration on households with high levels of vulnerability.

Where possible and where we are not breaking confidentiality, we will make an applicant who is top of the list aware of issues surrounding a sensitive let, to allow them to make an informed decision on whether to accept the tenancy.

### **5.0 Women's Aid Nominations**

Melville gives a high level of priority to anyone experiencing domestic abuse. We also offer 1 property per year to women and their families nominated to us by East & Midlothian Women's Aid outwith this policy.

## 6.0 Transfer List

### 6.1 Transfers

Melville assesses existing tenants who wish to be considered for a move through its Transfer List.

We will make 15% of all allocations to transfer applicants each year. The remainder of empty properties will be let in line with CHR quotas.

### 6.2 Assessment of Need - Transfers

We take the following factors into account when assessing housing need for our existing tenants. Supporting evidence is required before points are awarded in some of these categories:

- Overcrowding
- Under occupancy
- Medical Condition/Support Requirements
- Experiencing abuse or harassment

We will only use waiting time as a deciding factor where a vacancy occurs and there are applicants with equal points.

Points will be awarded as follows:

- |  |                  |
|--|------------------|
| • Religious/Homophobic/Transphobic Abuse | <b>35 points</b> |
| • Domestic Abuse                         | <b>35 points</b> |
| • Harassment/violence                    | <b>35 points</b> |
| • Racial harassment                      | <b>35 points</b> |
| • Harassment of Autistic/Disabled people | <b>35 points</b> |
| • Relationship breakdown                 | <b>20 points</b> |
| • Harassment/risk of violence            | <b>20 points</b> |
| • Indirect harassment                    | <b>15 points</b> |

If an applicant is suffering from abuse and is offered a tenancy in their preferred area, which they refuse, points will be converted into relationship breakdown or harassment points.

A level of priority is given to applicants looking to receive/give support to allow people to continue to live independently.

- |                           |                  |
|---------------------------|------------------|
| • To give/receive support | <b>10 points</b> |
| • Isolation               | <b>10 points</b> |

#### **Overcrowding/under-occupation**

Children can share a bedroom until:

- One child (different sexes) reaches 10 years old
- One child (same sex) reaches 16

- |                                 |                  |
|---------------------------------|------------------|
| • For each bedroom lacking      | <b>10 points</b> |
| • For each bedroom not occupied | <b>15 points</b> |

We do not consider children involved in custody cases as permanent household members if their principal home is elsewhere.

## Assessing Health Priority

Points will only be awarded if the applicant's current housing is wholly unsuitable for their health needs and it is not possible to provide cost effective adaptations to alleviate the problems.

Current health priority points are:

- Category A (mostly where it is impossible to remain in their current home) **35 points**
- Category B (where it is difficult to remain in the current home) **25 points**

Examples of health priority points:

- **Internal access**

Category A

The applicant is unable to access essential areas within the home e.g. WC upstairs and can't manage stairs even with a stair lift (or where a stair lift cannot be installed).

Category B

The applicant finds it difficult to access certain areas of the home.

- **External access**

Category A

The applicant lives in an upper floor property and cannot manage stairs, or in a ground floor property where it is not possible or practical to provide a ramp or alter steps.

Category B

Stairs are proving difficult for applicant and alterations are not feasible.

- **Mental Health**

Only applicants with serious mental health conditions will be awarded priority if professionals involved in their care can demonstrate clearly how re-housing will significantly improve the applicant's condition.

Category A

Applicant has suffered a trauma in their current home or vicinity of their home, making it extremely stressful for them to return.

Category B

Applicants suffering from drug or alcohol addiction need to demonstrate that they are currently participating in a recognised rehabilitation programme in order to be considered for assessment for health priority. Clear evidence must be supplied by a professional involved in their care that re-housing will make a significant contribution to their recovery.

We will follow the guidelines set out in the Housing & Occupational Therapy Partnership and adhere to the recommendations of the in house Medical Advisor.

### 6.3 **Management Transfers**

Occasionally, we will move people urgently outwith the Allocation Policy if it is dangerous for them to remain in their homes. In order to qualify for a management transfer, Police Scotland must confirm the applicant is at risk if they return to their home.

Offers through Management Transfer will be to the next available property of the same type and size as the applicant's current home.

If the offer is refused, the applicant will remain on the transfer list and receive harassment/domestic abuse points, but will not be considered for another management transfer.

### 6.4 **Decants**

We reserve the right to use an unlimited number of properties as decant accommodation for existing tenants who require emergency rehousing or who need to move whilst their homes are undergoing repair or improvement. Decanted tenants will be allowed to remain in their decant property:

- as long as the eligibility conditions for Transfer Policy are met;
- another tenant on the Transfer List does not have a higher need for the property;
- the property is not required as part of a decant programme.

Decant transfers resulting from improvement programmes will not be included in the total of empty properties allocated to transfer applicants.

### 6.5 **Suspension of a Transfer Application**

We will suspend applications in the following circumstances:

- if an applicant has told us that they do not want to be currently considered for housing;
- where the applicant has current, former tenancy or rechargeable repair debts and which amount to more than 1/12<sup>th</sup> of the annual rent and has not entered into and maintained an arrangement. Affordability will be considered, including allowing a move to a smaller, cheaper property to alleviate the debt;
- where the applicant is in breach of tenancy conditions relating to their current accommodation;
- where an applicant has knowingly supplied false or misleading information or deliberately withheld relevant information we may suspend the application for a maximum period of 6 months;
- where an applicant has used threatening or violent behaviour towards staff or contractors working on our behalf we may suspend the application for a maximum period of 6 months.

After the period of suspension we will write to the applicant informing them their application has been reinstated.

### 6.6 **Cancellation of a Transfer Application**

We may cancel an application if:

- the applicant has requested removal;
- the applicant has died;
- the applicant has failed to respond to the annual review.
- the applicant has not responded to 2 letters sent to them asking them to get in contact.

In the last 2 circumstances, if an applicant gets back in contact within 6 months of their application being cancelled, their application will be reinstated without the need to complete another application form. The original date at registration will remain.

All applicants have a right to appeal against the assessment of their application or any decision made concerning their application. Applicants may reapply at any time.

## **7.0 Property Swaps**

Property Swaps can satisfy the housing aspirations of two or more households, and we will consider exchanges between our tenants and/or with tenants of other Landlords. Applications will be processed in accordance with our Property Swap Policy.

## **8.0 Tenancy sustainment**

We are committed to assisting tenants, where possible, to remain in their homes. We recognise the individual needs of tenants and take these into account in all aspects of our service. Where we are unable to offer direct assistance we will signpost tenants to other agencies and services. We have a partnership agreement with CHAI (Community Help and Advice Initiative) to provide Tenancy Support and Money Advice services.

## **9.0 General Principles**

The following general principles apply to allocations made through both the waiting and transfer lists.

### **9.1 Adapted Properties**

People who require an adapted property, as recommended by the Occupational Therapist, must be given priority for such housing, but those applicants must also be in housing need.

Where the health need/disability is expected to be short term, or where a person's current property can be adapted, priority for rehousing will not be given.

### **9.2 Board Members and Employees**

Current & former (up to 12 months of leaving) employees, Board members and their close family may apply for housing. Any such application will be reported to The Board.

We will only grant a tenancy if the allocation complies with this Allocations Policy and the employee or committee member has no involvement or influence over the allocation process of that particular tenancy.

Board members & employees must declare an interest if a close family member applies for housing. Any such allocation will be recorded in a register in compliance with the Housing (Scotland) Act 2014.

### 9.3 **Making an Offer**

We will make all offers of accommodation in writing. We will withdraw an offer if the applicant fails to respond within 3 working days of the offer being sent out and we have not been able to contact the applicant by telephone/email. This withdrawal will be treated as a refusal unless the applicant contacts us within two weeks of the offer letter being sent out with a good reason for not responding. We will notify the applicant in writing of the withdrawal of an offer and this will be sent to the last known contact address of the applicant.

### 9.4 **Accepting an Offer**

We will give applicants the opportunity to view a property and accept or reject the offer within 2 working days of viewing. We will give applicants as much notice of their tenancy start date as possible.

If we house an applicant on the basis of false or misleading information provided by them, we may take action to repossess the tenancy.

### 9.5 **Annual Review**

We review applications annually. We will ask applicants if they still wish to be considered for housing and to detail any change in circumstances and/or preferences. This may result in a re-assessment of their application. We will cancel an application if an applicant fails to respond to the review and to the follow up letter sent two weeks later.

Applicants may re-apply at any time.

### 9.6 **Use of Discretion**

Any allocation out with this Policy requires the approval of the Property Services Manager such as:

- allocating a property which will be under occupied or over crowded;
- deciding what constitutes a good mix within a particular neighbourhood or stair when attempting to sensitively allocate a property.

A full audit trail of the decision will be recorded.

### 9.7 **Fraudulent Applications**

We may suspend an application for a maximum of 6 months or repossess a tenancy we have granted if an applicant gives false or misleading information or deliberately withholds relevant information in their application for a tenancy.

### 9.8 **Appeals Procedure**

9.8.1 The Board delegates the responsibility of the day-to-day administration of the allocation policy to the Property Services Manager.



9.8.2 All applicants have the right to appeal against any decision made concerning their application, the assessment of their housing need, suspension or cancellation of their application. Appeals can be made verbally or in writing to the Property Services Manager within 4 weeks of receiving the disputed decision. We will respond to an Appeal within 5 working days of receipt of it. Further details are set out in our Complaints Policy.

9.8.3 If an applicant remains dissatisfied with the process undertaken by Melville Housing to reach the outcome of their appeal and having completed our Appeals Procedure, they may complain to the Scottish Public Services Ombudsman, Freepost SPSO, Telephone No: 0800 377 7330.

## 10.0 **Review of Policy**

The Property Services Manager will ensure this policy is reviewed every three years or earlier if there are any changes to legislation. The Senior Management Team have delegated authority to approve minor changes to this policy. Significant changes will be submitted to the Board for approval.

As per Section 4 of the Housing (Scotland) Act 2014, we will consult our tenants on any changes to this policy and assist local authorities with whom we share a CHR in consulting with applicants on the housing lists.

## 11.0 **Monitoring & Performance**

An annual report will be presented to the Board to make sure that the aims of this policy are being achieved. The report will detail the source of lets and the number, and reason for any management transfers.

## 12.0 **Equality & Diversity**

We are committed to Equality and Diversity and will not discriminate in the operation of this policy on the basis of age, gender, race, colour, ethnic or national origin, religion, marital status, family circumstances, political or sexual orientation, medical condition or disability. We aim to promote equal opportunities and comply with all current legal requirements relating to equal opportunities.

## 13.0 **General Data Protection Regulation**

Melville Housing Association Ltd takes the issues of data security and data protection very seriously and strictly adhere to guidelines published in the Data Protection Act 2018 and the General Data Protection Regulation (EU) 2016/679 (GDPR), together with any domestic laws subsequently enacted.

Information on how we manage our duties is detailed in our Privacy Policy. Details on how we use personal information can be found in our GDPR Fair Processing Notice. Further information is available on our website, [www.melville.org.uk](http://www.melville.org.uk) or on request from the Association's Office.