

**PORT OF LEITH HOUSING ASSOCIATION LTD
ALLOCATION POLICY**

1. Objectives

1.1 Port of Leith Housing Association is committed to the continuing improvement of housing conditions in Leith and the surrounding area and to serving the needs of its community. The Association's objectives are to

- provide high quality homes at a reasonable price in neighbourhoods where people want to live
- deliver continuous improvement in all that we do
- provide valued services to customers; to support inclusive and sustainable local communities and develop
- provide a wider range of affordable housing products and services.

1.2 Through the implementation of this policy, we aim to allocate housing in a way which is transparent and demonstrates accountability to all those who use our service. The objectives of our allocations policy are:

- To be fair, efficient and consistent in allocating tenancies
- To ensure accommodation is suitable for the applicant's housing need
- To allocate empty properties as quickly as possible to maximise income and minimise rent loss
- To ensure our policy complies with legislative requirements and best practice
- To promote equal opportunities in access to, and allocation of, our properties and to treat people with dignity and respect

1.3 To best deliver these objectives, we joined Edinburgh's Common Housing Register, Edindex, so there is only one application form to be completed and we use Choice Based lettings to offer maximum choice for applicants.

2. Links to Legislation, Regulatory Requirements and Organisational Policies and Procedures

2.1 Our allocations policy takes into account legislative requirements (in particular the statutory provisions set out in the Housing (Scotland) Act 1987 and the Housing (Scotland) Act 2001), Equality and Human Rights legislation, as well as good practice guidance from the Scottish Government and the Scottish Housing Regulator Performance and

Activity Standards around allocations:

- **AS1.1 Access to housing** – we ensure that people have fair and open access to our housing list and assessment process. We will 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 existing stock; maximises choice and helps to sustain communities.

2.2 This policy links with our Customer Care Policy and Procedure, our Tenancy Sustainment Strategy, Financial Inclusion Strategy, Equal Opportunities Policy, policy on Housing Sex Offenders and Void Management Procedures.

3. Equality and Diversity

3.1 We aim to prevent and alleviate discrimination in allocation practice. We monitor, through Edindex (the common housing register), the age, disability, ethnicity and gender of applicants. In addition to this, our allocations are monitored on the basis of household type, ethnic origin and source of referral, with an annual report being submitted to our Board of Management.

3.2 We will provide a copy of this policy in other languages; Braille; large print or audio on request. We will also offer interpretation services where necessary.

4. Applying for Housing

4.1 All persons aged 16 years and over are eligible to apply and be considered for housing by completing an Edindex form (available from our office, local council offices and from other participating housing associations). After registration and receiving notification of their reference number, applicants may start bidding for properties (see Section 5 below for more details).

4.2 Applicants for sheltered housing must be aged 60 or over. In the case of joint applicants, one of the applicants must have attained the age of 60 years. Applicants aged over 50 years will be considered for amenity housing, although we will also consider applicants of any age who require amenity housing for health reasons. Applicants will only be considered for wheelchair and adapted properties on the basis of their ill-health or mobility issues.

4.3 Current staff, former staff, Board Members, former Board members and their relatives may apply for housing. However, a tenancy will only be granted if the allocation complies with the requirements of this Allocation Policy, the requirements of the Housing Scotland Act 2010, guidance from the Scottish Housing Regulator in its application and has had the prior approval of the Board of Management. Staff and Board Members must declare an interest if a close relative applies for

housing. Any such allocations will be noted in a register in compliance with Schedule 7 of the Housing (Scotland) Act 2001. Applicants must declare any staff or Board connections on the Edindex application form.

4.4 The Association reserves the right to make special arrangements with voluntary and statutory organisations to provide supported accommodation. We work with a number of organisations who provide for people with support needs. We will target at least 5% of our annual vacancies as supported tenancies, under Management Protocols.

4.5 Applicants must advise the Edindex team at the Council immediately of any changes in circumstances that could affect their application for housing. More information on the operation of Edindex is available on the website www.keytochoice.scotsman.com.

5. Allocation of Properties through Key to Choice

5.1 The Association is a partner in the Edinburgh Common Housing Register, known as Edindex. This allows applicants to complete one application form and to be considered for housing by all partner landlords. The Association advertises and allocates available properties through 'Key to Choice', which is the name of the choice based allocation system where applicants bid for advertised properties they are interested in.

5.2 Applicants will be categorised as either a Starter or a Mover. Starters are generally applicants who do not have their own home. Movers are existing tenants or tenants of other social landlords or the Council who have their own home, but need to move. Starters are prioritised by the length of time since registration and Movers are prioritised by length of time they have had their tenancy or the length of time in their current home, whichever is the longer. Additional priority may be awarded to applicants who need to move for urgent circumstances i.e. homelessness, harassment, medical reasons or overcrowding. Please note that this is not a points based system.

5.3 Priority will be awarded where applicants meet the following assessment criteria:

Gold Priority – Awarded following an assessment by the Council's Advice and Assessment Team for medical or health issues.

Silver Priority – Awarded for the following reasons:

- Homeless and in priority need
- Demolition/regeneration tenants
- Overcrowding
- Exceptional housing need (e.g. living in a home below tolerable standard)

5.4 Any changes to the assessment of applications will be made by Edindex in consultation with the partners.

- 5.5 When shortlisting for a property, priority will be given to those with gold priority (in date order), followed by those who have been awarded silver priority (in date order) and, finally, if there are no eligible applicants in these housing need priority categories, an offer will be considered for those applicants whose position on the list is based simply on waiting time.
- 5.6 More information on the advertising, bidding and allocation process is available on the website www.keytochoice.scotsman.com
- 5.7 Under Section 20 of the Housing (Scotland) Act 1987, we must give reasonable preference (priority) to the following groups when selecting tenants. This is addressed via the silver priority rating awarded through Edindex for these categories:
- people living in housing below the tolerable standard
 - people living in overcrowded houses or in large families
 - people living in unsatisfactory housing conditions
 - people affected by homelessness and those threatened with homelessness
- 5.8 When making an offer, we will not take account of the following:
- the length of time an applicant has lived in the area
 - outstanding arrears or other housing related debt as long as the debt is less than the equivalent of one month's rent or a repayment arrangement has been kept for at least three months
 - the age of the applicant unless the property has been designed for people of a particular age group e.g. sheltered housing
 - income
 - ownership of property, although we will expect tenants to occupy our property as their only or main home, under the terms of the Scottish Secure Tenancy Agreement
- 5.9 We have the flexibility to bypass an applicant at the top of the shortlist if we have concerns about their ability to sustain a particular tenancy or where a sensitive let is required. We will always seek to ensure that the offer is suitable and that the tenancy is likely to be sustainable ie that there is a good probability of it providing a long term and stable solution for the applicant. On rare occasions, we may consider that an applicant may not be able to sustain a tenancy because of its particular location, for example. In order to ensure a suitable match between the applicant and the property, we may decide that we need to carry out a sensitive let. This means departing from our routine allocation process and not necessarily housing the applicant at the top of the list where we have concerns about their ability to sustain the tenancy. Reasons for bypassing someone on the list in these circumstances will be recorded on the system as an audit trail.

6. Quotas

- 6.1 The Association will not necessarily advertise all of its available properties. Properties not advertised will include those properties under management agreements or leases with support agencies, properties required for decants, management transfers and support agency referrals
- 6.2 When allocating available properties, the Association will adhere to the following quotas to ensure that a reasonable balance of our properties is made available to those who don't currently have a home and to those whose home is no longer suitable for their needs:
- Starters only 30% of available properties
 - Movers only 30% of available properties
 - Starters or Movers 30% of available properties
 - POLHA Movers (transfers) 10% of available properties
- 6.3 The Association will monitor the categories of housing need of successful applicants to demonstrate that it is meeting its statutory responsibilities. The Association reserves the right to review and amend these letting categories as required, and will notify Edindex of any changes.

7. Advertising and Bidding

- 7.1 The Association will advertise widely its available properties in the City of Edinburgh Council website, Evening News, Key to Choice free supplement and we will also display them in our office window. Applicants should bid through Key to Choice and bids must be received no later than the advertised closing date. Bids received later than this date, whatever the reason, will not be considered. Bids will be input by the City of Edinburgh Council Choice Team. Occasionally, it may be necessary to withdraw a property from allocation after it has been advertised. This may be because the sitting tenant has decided not to move or the property is found to require extensive repair.

8. Ranking and Selection

- 8.1 Once the Association has been informed by the Council that all bids have been input, housing staff will carry out the process of shortlisting and selecting the successful applicant for individual properties. Applications are prioritised according to the criteria in Paragraphs 4.2, 5.3 and 5.4 above. The Association will carry out an interview prior to an offer being made.

9. Housing Advice

- 9.1 The Association will provide a high quality of advice and support to assist applicants in the bidding process, particularly vulnerable applicants experiencing difficulty in bidding. Results of previously

advertised properties will be used to give advice to applicants about supply and demand and turnover of the Association's stock. We will also refer where appropriate to Edinburgh Council's support officer whose role is to give advice to applicants who may be vulnerable for a range of reasons, carry out a home visit where requested and who can bid on their behalf.

10. Occupancy Standards

10.1 When assessing applicants' housing need, the following occupancy standards will apply:

- Adults should not share a bedroom with a child
- Single adults of 16 years and over should have their own bedroom
- No more than two children should share a bedroom
- Children should have their own bedroom unless they are same sex and both under 14 years or unless they are of mixed sex and under seven years of age.
- A single person or a couple will normally only be offered a one bedroom property unless a second bedroom is required for medical or other support needs.
- A household with one child will normally be offered a two bedroom property
- A household with, for example, two children may be offered a two or a three bedroom property depending on the age and sex of their children

10.2 These are minimum standards and the Association may offer larger properties, for instance if the applicant requires a spare bedroom for residential access to children of at least three nights a week or equivalent; if sharing a room is not possible for medical reasons or if an overnight carer is required or space for medical equipment is required.

10.3 In exceptional cases, where transfer applicants are living in very overcrowded conditions (where they require two or more bedrooms to meet the needs of their family) and where it is unlikely that either the Association or another landlord will be able to offer property of an appropriate size within a reasonable timescale, that household can be considered for accommodation that is larger than the optimum size for their requirements.

11. Transfers

11.1 Tenants of the Association who wish to be rehoused must complete an Edindex registration form and bid for available properties through Key to Choice. We will give priority to transfer applicants for 10% of our

advertised properties and this will be stipulated on the advertisement. Tenants are also encouraged to apply to other housing providers to increase their chance of being rehoused.

- 11.2 Transfer applicants must have conducted their tenancies in a satisfactory manner and will require to have maintained a repayment arrangement for any arrears for at least three months prior to an offer being made or owe less than the equivalent of one month's rent. Transfer applicants will be required to leave their homes in a clean, satisfactory condition and a pre-termination inspection will be carried out prior to any offer of tenancy in accordance with our normal procedures when a tenancy is being brought to an end. The Association may withhold or withdraw an offer of transfer if the property is in particularly poor condition due to neglect by the tenant.

12. Management Transfers

- 12.1 In exceptional cases, where no other immediate or practical housing solution is available, a management transfer may be considered. Examples include where there is serious harassment or violence; urgent medical reasons or major repair work required. This will include in sheltered schemes where mobility has deteriorated and residents wish to move to a ground floor flat of the same size in the same scheme because they cannot use the stairs.
- 12.2 Management transfers will only be granted where there is substantiated evidence to support the case and must be authorised by the Customer Services Director. Tenants will normally only be made one offer of a suitable property which, if refused without good reason, will mean that their priority for a management transfer will be withdrawn. Tenants should normally have a clear rent account at the point of sign up for a new tenancy.
- 12.3 Where we have authorised a management transfer, but do not have a suitable property available, we will seek assistance from other landlords. This will be a reciprocal arrangement and we will accept referrals from other landlords on a similar basis.

13. Mutual Exchange

- 13.1 Tenants who wish to exchange their property with another tenant will be offered advice and assistance, including information about the operation of House Exchange, a mutual exchange scheme run by registered social landlords, which is free of charge and which has a website at <http://www.houseexchange.org.uk/>. Tenants should normally have a clear rent account at the point of sign up for a new tenancy unless urgent housing need can be demonstrated.
- 13.2 We will not unreasonably withhold our consent for our tenants to exchange with another tenant. Reasonable grounds for withholding our consent will include, but are not limited to, the following:

- a legal Notice of Proceedings has been served on the tenant;

- an order for recovery of possession of the house has been made against the tenant;
- the landlord has provided the house as part of the tenant's employment;
- the house has been designed or adapted for occupation by someone with specific needs and the new tenant would not need the adaptation;
- the accommodation is substantially larger than that needed by the tenant and the tenant's family, or is not suitable to their needs;
- the exchange would result in statutory overcrowding.

14. Lettings Plan

14.1 From time to time we may develop local Lettings Plans in particular circumstances, for example where it is considered necessary to achieve a balanced community or where there are difficulties in letting particular properties. Wherever possible, lettings plans will be developed in consultation with local tenants' groups and will be approved by our Board of Management. Any lettings plan in operation will be reviewed annually to ensure it meets the stated objectives.

15. References

15.1 The Association will take up references for current and/or previous tenancies held with registered social landlords and local authorities, where these are available, to confirm circumstances and to get feedback on how the tenancy was managed. The applicant's permission to obtain references will be requested as part of the assessment process and we will normally wish to ensure that references are satisfactory before offering a tenancy. We will not normally seek references for tenancies than ended more than three years ago.

16. Suspension of Applicants

16.1 All applicants who are 16 years or over are entitled to register on the Edindex Common Housing Register. There are a number of situations where we will consider suspending applications for rehousing by us for a period of up to six months. This means that the applicant would not receive any offers of housing from us in that period.

16.2 We may consider suspending offers of housing in the following situations:

- Where false information is knowingly supplied or relevant information deliberately withheld
- Where an applicant refuses 2 offers of suitable accommodation without reasonable cause, in which case we will review the applicant's housing aspirations and housing options before

taking this action

- Where applicants verbally or physically abuse or threaten staff, we reserve the right to suspend the applicant
- Where applicants have been evicted for anti social behaviour in the last three years or have an Anti Social Behaviour Order (ASBO) granted against them in the last three years. We may offer a Short Scottish Secure Tenancy in the first instance.
- If they have rent arrears or other housing related debt which amounts to the equivalent of more than one month's rent with the Association or another social landlord. They will be required to have an agreement with their landlord to pay these arrears and to have maintained it for the previous three consecutive months. The exception to this is applicants with homeless priority, in compliance with the Housing (Scotland) Act 2001 provisions for Section 5 referrals, when the arrears are disregarded.

16.3 The Association will not suspend applicants where:

- The debt is older than five years or
- There is urgent housing need due to, for instance, domestic abuse, violence, harassment, medical needs, serious overcrowding, requirement to move due to serious disrepair

16.4 Applicants who are placed on the Suspended List will not be considered for any offers whilst the application is suspended. Applicants will be notified in writing of the reason for their suspension and will be advised of their right of appeal within two weeks to the Customer Services Director against this decision. Suspended applications may be reviewed at any other time at the request of the applicant.

17. Access to Information and Confidentiality

17.1 The confidentiality of applicants' and tenants' personal information will be scrupulously respected by any member of staff in possession of, or having access to, the information. Under the Data Protection Act 1998 an applicant has the right to see any information stored about him or her on computer. We will respond to a written request to view the information held on computer, or to have sight of any personal records maintained by the Association within 40 days. An administrative fee may be charged for this.

17.2 Staff will need to share certain information on a regular basis with other relevant external colleagues in connection with their duties (e.g. in the processing of a housing benefit claim). Otherwise we will normally only share information with a third party with the written consent of the person/s concerned but, in certain circumstances, we will pass on information to third parties such as the police or social services without this consent where this is in connection with the prevention or detection of crime including fraud, where there are concerns about child

protection issues, where there is an assessed risk to staff and others or where we are otherwise legally obliged to do so.

18. Monitoring Performance

18.1 We record, monitor and report monthly to the Performance Management Group:

- Number of lets (relet and new lets)
- Number of offers made
- Number of refusals and reasons

18.2 And, in addition, annually to the Board of Management on:

- Housing need category at allocation
- Equality information on household type, age, sex, disability and ethnic origin

18.3 We also monitor levels of satisfaction with our allocations process through a questionnaire issued to all new tenants and followed up at the settling in visit, which is carried out approximately six weeks after the start of the tenancy.

19. Right of Appeal and Complaints

19.1 Any applicant who is dissatisfied with the allocation procedure and the way in which it has been administered has the right to make a complaint to the Customer Services Manager - Housing in the first instance. The applicant will be advised of the Association's complaints procedure, which is available from the Association's office and on our website and which includes the right to take their complaint to the Scottish Public Services Ombudsman when they have exhausted our internal complaints process.

20. Review of the Allocation Policy

20.1 The Association's Allocation Policy will be reviewed by the Board of Management every three years.

August 2011