



hebridean housing
partnership



► Allocations Policy

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ALLOCATIONS POLICY

INTRODUCTION

- 1.1 This Allocations Policy sets out the rules that Hebridean Housing Partnership will follow when allocating empty houses. The process of allocation involves selecting applicants from the Housing List, making a formal offer of a house and entering into a contract with the applicant by signing a tenancy agreement.
- 1.2 This Policy has been reviewed and has been developed to take account of Scottish Government Guidance and seeks to ensure that we allocate our properties to applicants who have priority in terms of housing need.

AIMS & OBJECTIVES

- 2.1 The Allocations Policy has been designed to meet the following aims:
 - a) Ensure accountability, openness, consistency and responsiveness throughout the allocation process;
 - b) Maximise access and choice available to applicants to ensure we offer people accommodation that meets their needs;
 - c) Promote social inclusion and contribute to the sustainability of balanced communities throughout the Outer Hebrides;
 - d) Meet all legislative and good practice requirements;
 - e) Set and meet high standards for the delivery of all services; and
 - f) Monitor performance and satisfy the equal opportunities agenda.
- 2.2 Our Allocations Policy seeks to:
 - a) make the best use of the housing stock taking into account the needs and aspirations of individuals and local communities;
 - b) be open, fair and accessible;
 - c) prioritise those applicants in housing need;
 - d) optimise the level of void properties to balance financial loss against flexibility in meeting need;
 - e) provide high quality outcomes for service users;
 - f) recognise and address the needs of people with special needs;
 - g) work in co-operation with CNES to respond to the accommodation and service needs of homeless persons; and
 - h) encourage participation by having processes in place to involve tenants, applicants, Board Members and staff involved in the development and implementation of the Allocation Policy and related procedures.

GENERAL PRINCIPLES

- 3.1 The policy takes account of legislation and best practice advice guidance issued by the Scottish Government, the Chartered Institute of Housing, the Scottish Housing Regulator and the Scottish Federation of Housing Associations.

- 3.2 We have a firm commitment to equal opportunities in the allocation of housing. We will take no account of race, ethnic origin, religion, disability, gender, sexual orientation, marital status or age, providing that the eligibility for certain property types is satisfied.
- 3.3 All information provided to us will be treated as confidential and will be dealt with in compliance with the General Data Protection Regulation (GDPR) and other appropriate statutory requirements.
- 3.4 We will provide information to all service users and potential service users in a straightforward and appropriate manner.
- 3.5 All practicable efforts will be made to assist applicants who have literacy or communication problems.
- 3.6 An accessible and fair appeals mechanism will be provided for all aspects of the operation of the Allocations Policy. If an applicant is not satisfied with any decision concerning their application a complaint should be submitted, as detailed in our Comments, Compliments and Complaints Policy, and as outlined in this policy.
- 3.7 We will manage and allocate our properties in line with the Matrimonial Homes (Family Protection) (Scotland) Act 1981 which protects a person's rights to live in the family home.

APPLICATIONS FOR HOUSING

- 4.1 We will accept Housing Applications from all applicants, subject to being aged 16 or over. The right to be admitted to the housing list is not the same as the right to be allocated a house.
- 4.2 Applications for housing must be made on our official application form which can be downloaded from our website and completed online. These forms are also available at our offices in Stornoway and Balivanich. Copies of the Application Form are also available from the Comhairle's Area Offices.
- 4.3 We have two Housing Lists. These are known as the Waiting List and the Homeless List. The Homeless List includes only those applicants who have been assessed by Comhairle nan Eilean Siar as being homeless, in priority need and unintentionally homeless. Applicants placed on the Waiting List include all other applicants, including current tenants of Hebridean Housing Partnership.
- 4.4 The ratio of allocations to be made to each category of applicant will be determined annually by our Board.
- 4.5 We will operate a Mutual Exchange Scheme to enable tenants to move to different parts of the islands by exchanging houses. We will also enable tenants to move to any other social landlord in the United Kingdom through exchange schemes. Such requests will be considered under the terms of the Housing (Scotland) Act 2001 and permission to exchange will not be unreasonably withheld.

PROPERTY SIZE ENTITLEMENT

- 5.1 We will aim to make best use of our available housing stock. To make the most efficient use of stock, applicants will normally be included on the Housing List for a property size appropriate to their household's needs, including any medical or support circumstances. An applicant may choose to apply for a

property which is larger than their household size entitlement but such an allocation would only be made in situations of low demand, where there is no appropriate matching applicant for the property.

- 5.2 Applicants should be cautioned that accepting a property which is larger than their household size entitlement may have financial consequences in terms of the 'bedroom tax'.

- 5.3 In most circumstances the following property sizes are considered appropriate for the household's needs:

Household Size	Apartment
Single Person	2 or 3 apt
Couple with no children*	2 or 3 apt
Couple or single person with 1 child	3 or 4 apt
Couple or single person with 2 children of the same sex under the age of 10	3 or 4 apt
Couple or single person with 2 children of opposite sex until the elder is aged 7	3 or 4 apt
Couple or single person with 2 children of the same sex over the age of 10	4 apt
Couple or single person with 2 children of opposite sex over the age of 10	4 apt
Couple or single person with 3 children	4 apt
Couple or single person with 4 children or more	5 apt (or larger if available)
<i>*If a couple with no children indicate they would accept a 2 apt house they would be placed on the waiting list for a 2 apt house.</i> <i>*If the couple are siblings they would be entitled to a 3 apt house.</i>	

ASSESSMENT AND PRIOTISATION OF APPLICATIONS

- 6.1 On receipt of a completed application form, we will assess each person's eligibility under UK immigration rules and will prioritise the application according to the conditions set out in this policy.
- 6.2 We will establish a framework to verify applications, including seeking evidence to corroborate the applicant's age and identity. To comply with this framework each applicant will be required to submit evidence confirming their identity and address, together with evidence which substantiates their National Insurance Number.
- 6.3 Applicants who have previously held a tenancy with a local authority or Housing Association will be required to provide a satisfactory tenancy reference. We will not take up a reference which relates to a tenancy that was relinquished three or more years prior to the date of the housing application.
- 6.4 Applications for housing can be made jointly between members of a household. Where a joint application is made, a joint tenancy will be offered.

Applications from married, co-habiting, and civil partnerships will be assessed as joint applicants.

- 6.5 Our aim is to allocate all accommodation on a fair and equitable basis for people in housing need. An applicant's position on the Waiting List will be determined by the number of points awarded to the application, on the basis of their current circumstances. Applicants on the Priority Homeless List will be placed in order by the date of homelessness determination.
- 6.6 Housing needs will be assessed and prioritised using a points system. Points will be awarded for different housing needs as identified at Appendix A. Points will be awarded for more than one housing need where appropriate. Points are mutually exclusive within any one category. Where more than one criterion applies within a category the highest points applicable will be awarded
- 6.7 Houses will be allocated on the basis of housing need and offers of housing will therefore generally be made to the applicant for the area, type, and size of house concerned who has the highest need assessed by points at the time a vacancy occurs.
- 6.8 In the event that applicants have equal points then the allocation of a property would be made to reflect the date order of registration on the Housing List.

FALSE OR MISLEADING INFORMATION

- 7.1 Applicants, who give false or misleading information that materially affects either the priority awarded to their application or a subsequent allocation awarded to them, will have their application suspended. They will be advised of the reasons in writing and of their right to appeal. Where a tenancy has already been allocated and the misleading information has materially affected the decision to make the allocation, we may take the necessary legal steps to end the tenancy.

REASONABLE PREFERENCE

- 8.1 The Housing (Scotland) Act 2014, amended section 20 of the 1987 Act, requires landlords to give priority to applicants in the 'Reasonable Preference' categories: These are applicants who:
- homeless persons and persons threatened with homelessness who have unmet housing needs;
 - people who are living under unsatisfactory housing conditions and who have unmet housing needs; and
 - tenants of houses which are held by a social landlord and which the social landlord selecting its tenants considers to be under-occupied.
- 8.2 Reasonable Preference does not mean that landlords must allocate a house to people in the reasonable preference groups regardless of its suitability. The allocation should be likely to lead to a sustainable, successful tenancy and make best use of the stock.
- 8.3 We will use its points system to give 'Reasonable Preference' to such applicants. In addition we will operate a separate waiting list for applicants who are assessed as being Homeless by Comhairle nan Eilean Siar and where they wish HHP to provide permanent accommodation.

HOMELESSNESS (SEE APPENDIX A TABLE 1)

- 9.1 We are committed to assisting the Comhairle in fulfilling its statutory duty to rehouse households assessed as statutorily homeless. A referral will not be refused without good reason.
- 9.2 We have entered into a Service Level Agreement with CNES in respect of how the operational aspects of the homeless service will be delivered. This agreement includes performance standards and details the responsibilities of each party to seek to prevent and resolve homelessness.
- 9.3 The Agreement describes how appeals will be dealt with over issues of homelessness.
- 9.4 We will, in carrying out all functions associated with homeless persons, reflect the objectives of the local housing strategy of CNES.
- 9.5 It is our aim to create sustainable tenancies through its letting process and seeks to ensure that there are adequate measures in place to support new tenancies including those which are created through the Service Level Agreement with CNES.
- 9.6 Where there is doubt about the applicant's ability to sustain a tenancy, and the level of support needed is not available, we may choose to withhold an offer until the landlord is confident that an adequate support package is in place to reduce the risk of the tenancy failing. Provision is made for this in the Bypassing Applicants Section of this policy.
- 9.7 If an applicant has been assessed as unintentionally homeless, a reasonable offer will be interpreted as one which meets the applicant's housing needs, taking into account the general availability of housing in the area, the advice provided in the Scottish Governments Code of Guidance on Homelessness, and the terms of the Service Level Agreement with Comhairle nan Eilean Siar.

TOLERABLE STANDARD (SEE APPENDIX A TABLE 2)

- 10.1 In relation to those applicants who occupy houses which do not meet the tolerable standard. This standard is defined in section 86 of the Housing (Scotland) Act 1987 and amended by section 11 of the Housing (Scotland) Act 2006.
- 10.2 The following definitions will apply to the Condition of Dwelling category at Appendix A:

Seriously Sub-Standard	Structurally unstable No piped water supply No sink with hot and cold water No bath/shower and wash hand basin No WC
Severe Disrepair	Rising or penetrating damp Ineffective drainage Unsatisfactory provision for lighting or heating

Lacking Amenities	Unsatisfactory cooking facilities Electrical Installations do not comply requirements Absent or inadequate insulation Unsatisfactory access to outbuildings
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OVERCROWDED HOUSES (SEE APPENDIX A TABLE 3)

11.1 Part VII of the 1987 Act defines overcrowding. When the number of people sleeping in the house contravenes the room standard or the space standard, a house is overcrowded.

11.2 The following definition of overcrowding also helps to ensure that HHP awards priority to those who are under or over occupying, as required by the legislation in connection with reasonable preference:

- a) One room in a dwelling should be available for sole or shared use as a living-room when the applicant's family comprises 2 or more persons.
- b) A double bedroom is considered sufficient for:
 - Couple living together;
 - 2 persons of the same sex under the age of 10; or
 - 2 persons of opposite sex until the elder is 7.
- c) If the applicant has sublet any part of the accommodation such room or rooms are included in the assessment of overcrowding.
- d) If the applicant occupies shared accommodation and this causes hardship through overcrowding to the occupants, such room or rooms which are occupied by the applicant but needed by the occupants will be included in the assessment of overcrowding.
- e) One parent family: If no separate bedroom is available 10 points should be awarded for shortage for parent, plus whatever is required for his/her family.
- f) Couple: Where only a single bedroom is available for a couple 10 additional points will be awarded.

Occasional Overcrowding as a Result of Access to Children

Where an additional bedroom is required because of frequent and regular access visits by a child under 16 years the access arrangements can be considered in the determination of the appropriate size of property offered to the applicant.

Note: Proof of access arrangements may be required (e.g. solicitors letter, court judgement etc.). However more informal arrangements will be considered for an additional bedroom.

MEDICAL FACTORS (SEE APPENDIX A TABLE 4)

- 12.1 We will award reasonable preference to applicants that currently occupy unsatisfactory housing conditions under the Medical Factors pointing category.
- 12.2 We will use the following definitions to award Medical Priority:

Urgent	Applicant has a serious, long term condition and their current accommodation poses a major danger to their health and this can be removed or significantly alleviated by re-housing. This priority will be considered for applicants in the most urgent medical need including those with severe mobility or extreme medical conditions. It will also be awarded where the need for re-housing results from residential, institutional or hospital care.
High	This will be awarded to applicants whose ill health is significantly affected by their current accommodation and whose condition is likely to be improved by suitable accommodation. The danger to health is less immediate, but there is still a significant health related housing need. There will need to be clear evidence that alternative housing will significantly improve the health needs of the applicant.
Medium	Where a medical condition is affected by the accommodation and where there would be a clear improvement in the medical condition or quality of life of the applicant by re-housing.
Intermediate	Where there is a housing need to move home to give or gain support or where minor improvement in quality of life can be achieved by a change of accommodation.

EX-SERVICE PERSONNEL (SEE APPENDIX A TABLE 5)

- 13.1 Ex-service personnel and their families can face particular housing challenges as they leave the Armed Forces. The Scottish Government is committed to helping ex-service people and has encouraged landlords to consider their needs and to respond appropriately.
- 13.2 We will give applications from ex-service personnel fair and sympathetic consideration and will ensure these are not disadvantaged, compared with other applicants.
- 13.3 Priority will be awarded to ex-service personnel who have left the Armed Forces within the past 12 months, or expect to leave within six months of submitting a Housing Application Form. This applies to service personnel who leave under honorable discharge or medical discharge and who have completed at least three years' service.

SOCIAL FACTORS (SEE APPENDIX A TABLE 6)

Harassment and Abuse

- 14.1 Reasonable enquiries will be made with partner agencies where an applicant wishes to move because of, for example, harassment, abuse, domestic or other violence. These enquiries will at all times be made in a sensitive and appropriate way. No unnecessary delays will apply in the processing of the application in the case of applicants seeking housing as a result of harassment or domestic abuse nor in subsequent offer of housing.
- 14.2 We recognise that some applicants are subjected to different types of abuse and harassment and that people have a right to live a life that is free from such treatment.
- 14.3 We acknowledge that there are many different types of harassment and that there are different causes and remedies for each type. Some typical types of abuse include the following, although the assessment process is not limited to these:
- domestic abuse;
 - racial harassment;
 - religious or sectarian harassment;
 - homophobic harassment;
 - harassment of disabled people; and
 - harassment of those with learning disabilities.
- 14.4 The award of Social Factor points is determined based on reports from the Social Work Department, Police, or other agencies.

Social Inclusion

- 14.5 Our aim is to promote Social Inclusion through the allocation of housing and to prioritise those applicants who may be disadvantaged in terms of ethnic background, educational ability, physical disability or other social reasons.
- 14.6 In order to promote the wellbeing of vulnerable and socially excluded people, priority under health or social criteria may be awarded when a letter of support is provided by the appropriate agency. We will use the following definitions for the award of Social Factor points:

Urgent	Danger of harassment or domestic violence House with stairs where applicant is unable to access facilities
High	Waiting list applicant that needs adapted property
Medium	Needs bigger house due to custody of children Excessive steps or stairs, needing ground floor accommodation Current property is aggravating mental or physical health To give support or receive support from family member

Intermediate	Needs to move due to neighbour dispute/antisocial behaviour Family with young children living in upper floor flat.
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14.7 Priority will also be awarded to applicants who are leaving institutional or therapeutic care. Examples include:

- Young people who have been looked after by Social Work Department;
- People leaving long term hospital care;
- Patients who are ready to leave hospital and are 'bed blocking' ;
- People leaving residential or nursing care;
- People leaving prison or probation hostels; and
- People leaving supported accommodation.

14.8 In order to achieve an appropriate balance between HHP's responsibilities under the terms of the Management of Offenders etc. (Scotland) Act and also its responsibility to protect community safety, a Bypassing of Applicants Section has been incorporated into this policy.

We acknowledge that, while properties will always be let in line with this Allocation Policy, the landlord should aim to create a tenancy which is both suitable and sustainable and that there may be some exceptional circumstances in which the most appropriate allocation may not be to the applicant at the top of the Housing List.

14.9 The Bypassing of Applicants Section will help us address issues such as the following:

- Avoiding potential lifestyle clashes;
- Keeping a good mix of household type and avoiding over concentration of any specific category of tenant in an area; and
- Where there are circumstances known to HHP which would make a specific allocation inappropriate.

This is not an exhaustive list.

14.10 The above criteria will not prevent us giving reasonable preference to the categories of households as set out at 20(1) of the Housing (Scotland) Act 1987 (as amended); and HHP will also continue to aim to meet the duty to provide permanent accommodation to homeless people under section 31(2) Housing (Scotland) Act 1987 (as amended) or Section 5 of the Housing (Scotland) Act 2001.

Community Safety Statement

14.11 *"HHP will in the process of allocating its houses take account of issues associated with Community Safety. In allocating properties to specific categories of applicants (e.g. registered sex offenders, discharged prisoners who have committed particularly serious offences, including drug dealers, people with a record of violence or serious anti-social behaviour) HHP will collaborate with appropriate agencies to ensure Community Safety is protected. HHP will follow best practice and relevant guidance in this respect and will work closely with partner agencies such as Criminal Justice, Education and Police. Any decision regarding allocation of houses taken solely on Community Safety grounds (i.e. out-with the normal operation of the Allocation Policy) must be approved by the Director of Operations."*

Housing Violent Applicants and Sex Offenders

- 14.12 In terms of the Management of Offenders etc. (Scotland) Act 2005 it is the legal duty of HHP to co-operate with the Responsible Authorities (Police, Health Service, Scottish Prison Service and Comhairle nan Eilean Siar) in the assessment and management of risk posed by violent applicants and sex offenders who are living or who may come to live in HHP's houses. This duty is reciprocal.
- 14.13 The Responsible Authorities will put in place joint arrangements for assessing, monitoring and managing risk posed by sex offenders. These arrangements are known as Multi Agency Public Protection Arrangements (MAPPA) and emphasise information sharing and public safety. We will co-operate fully with MAPPA in our role as housing provider.
- 14.14 We are committed to working within the Scottish Government's National Accommodation Strategy for Sex Offenders (NASSO). NASSO aims to improve public safety by providing a clear and consistent framework for housing sex offenders by ensuring proper resources and procedures are in place to manage risk.
- 14.15 Where community safety considerations require special arrangements to be made to house a sex offender, their victim or someone at risk, pointing will be awarded in line with the Exceptional Circumstances section of the Allocation Policy.

ADAPTED HOUSING (SEE APPENDIX A TABLE 7)

- 15.1 Where properties are designed or adapted for special needs, priority consideration will be given to applications where the applicant or a household member has a mobility or medical requirement and would benefit from the type of adaptation available.
- 15.2 We recognise the changing needs of tenants. Where a specially adapted property is no longer required by a family, then priority and assistance can be given to relocate the family to another general needs property and to allocate the adapted house to a family with matching needs. The pointing table at Appendix A makes provision for prioritising these applicants.
- 15.3 Where we have carried out alterations or adaptations to a property, based on the current tenant's medical needs, the tenant of that property will not be eligible to apply for a transfer to another property, unless an Occupational Therapist can verify that the property no longer suits that individual's physical needs or that the property to which the applicant is moving is assessed as suitable and will not require further significant adaptations.
- 15.4 The Housing (Scotland) 2014 gives landlords the option to apply to the Court to recover an adapted property if it is not being occupied by anyone who needs the adaptations.
- 15.5 We may seek to encourage tenants in such properties to move where the property is required for the household which requires its adaptations. This will always be handled with great sensitivity and would seek to provide assistance and support to move.
- 15.6 We would only take recovery action in exceptional circumstances and this would require Board approval. Exceptional circumstances would be where the property was required for a household:

- Who are unable to occupy their current property due to its unsuitability and where it cannot reasonably be adapted;
- Where a household member is ready to leave hospital but are unable to do so until suitable accommodation is available and are bedblocking;
- Where a family member has to live separately from their family

These are examples and each case would be looked at individually.

UNDER OCCUPATION (SEE APPENDIX A TABLE 8)

- 16.1 We will encourage tenants who under occupy their homes to move to a more suitable size of property and will provide priority to those applicants under the Under-Occupation pointing category of this policy.

LACK OF SECURE TENANCY (SEE APPENDIX A TABLE 9)

- 17.1 Priority will be awarded to applicants who are living in insecure accommodation.

The definition of insecure accommodation includes people who:

- a) are tenants but do not have a tenancy agreement;
- b) are an established household and currently share facilities with another household;
- c) live in tied accommodation;
- d) occupy a caravan;
- e) have a short assured tenancy;
- f) suffer financial hardship due to high rents; or
- g) have been issued with a legal notice to leave the property.

TRAVEL TO WORK DIFFICULTIES (SEE APPENDIX A TABLE 10)

- 18.1 Where an applicant requests accommodation in order that travel to work difficulties can be addressed, additional pointing may be awarded, subject to verification by the employer. This priority will be awarded to applicants who need to be near their place of employment where distance, transport arrangements or financial difficulties prevent ease of access.

TIME ON LIST (SEE APPENDIX A TABLE 11)

- 19.1 All applicants for housing will be reviewed annually to establish whether or not they wish to remain on the Housing List. On the anniversary of the Housing Application Form being received, additional pointing will be awarded for each complete year on the Housing List, up to a maximum entitlement of five years.

HOUSING WITH EXTRA CARE

- 20.1 Housing with Extra Care vacancies will be allocated on consideration of an assessment of needs of eligible applicants. We will establish an admissions panel with colleagues in Health and Social Care which will consider individual needs and support requirements. The need for support and availability of that support will be key determinants along with the suitability of the applicant for the particular vacancy.

ACCOMMODATION TO SUPPORT APPLICANTS AND SERVICE PROVIDERS

- 21.1 We recognise our Care in the Community role and the need to support other agencies and support providers. We recognise the requirement for move-on accommodation from care and supported housing and will work with other agencies to identify appropriate properties to meet this need.
- 21.2 Where appropriate we will allocate properties to the support provider where this is considered by partner agencies to be in the best interests of the applicant.
- 21.3 We will work with and support other agencies to assess and meet the needs of communities and to assist in service delivery. Properties will be leased directly to partner agencies where this is considered necessary to enable them to deliver services to the community e.g. Health and Social Care and Police Scotland.
- 21.4 We will work with NHS Western Isles to address and prevent 'bed blocking', where a patient is ready to return to the community but does not have access to suitable accommodation. Applicants who fall into this category will be awarded additional pointing under Medical Factors, to ensure their application is addressed on an urgent basis.

KEY WORKER STATUS

- 22.1 Priority will be given to those with key worker status. Key worker status is defined as where
1. Local recruitment has not been possible for a post or where local recruitment is not likely in view of the skills required
 2. And where failure to recruit will have a serious impact on the local economy or individual business or where failure to recruit will have a detrimental impact on health and wellbeing of local business.
- 22.2 We will enter into agreements with local employers to provide access to housing as quickly as possible after recruitment. This commitment can then be provided as part of the recruitment process.
- 22.3 The property location, type and size will be agreed with the employer and successful job applicant taking into account individual circumstances, the nature of the post and the availability of housing.

PROPERTY OWNERSHIP

- 23.1 Section 5 of the 2014 Act allows ownership of property to be taken into account when allocating properties.
- 23.2 Owners of property will not normally be allowed housing and will therefore be deferred from the Housing list. However, property ownership cannot be taken into account in the following circumstances:
- The owner cannot secure entry to the property for example due to severe structural faults or where there are squatters living in the property;
 - Where it is probable that occupying the property will lead to abuse from someone currently living or was living in the property;

- where occupation may endanger the health of the occupant and there are no reasonable steps that can be taken by the applicant to prevent that danger

FACTORS NOT TO BE TAKEN INTO CONSIDERATION

24.1 The following factors will not be taken into consideration in allocating housing:

- a) The Housing (Scotland) Act 2001 specifies that, in allocating houses, the landlord shall not take account of whether an applicant is resident in their area if the applicant:
 - i) is employed, or has been offered employment, in the area;
 - ii) wishes to move into the area and they are satisfied that his purpose in doing so is to seek employment;
 - iii) wishes to move into the area to be near a relative or carer;
 - iv) has special social or medical reasons for requiring to be housed within the area;
 - v) is subject to conduct amounting to harassment, or
 - vi) runs the risk of domestic violence.

Applicants who satisfy the above conditions will be prioritised in terms of HHP's assessment process. Applicants who do not satisfy the above criteria will be accepted but will only be housed where there is no demand for a property.
- b) Tenancy related debts:
 - i) for which the applicant has no legal responsibility;
 - ii) which no longer exist as full payment has been made;
 - iii) where the amount outstanding is less than one month's rent (net of Housing Benefit Credit); or
 - iv) where a repayment arrangement has been made and agreed with the landlord, in accordance with which payments have been made for at least 3 months and payments are continuing.
- c) Non tenancy debts;
- d) Personal references;
- e) Income of the applicant or his/her family;
- f) Ability to pay; and
- g) Property ownership or the value of property owned.

THE ALLOCATION PROCESS

25.1 Vacant properties will be allocated using a computerised matching process. Allocations will normally be made to the applicants with the highest number of points for particular vacancies:

- a) where the applicant has an indicated preference for housing in the lettings area and where the property size, location and house type meet the applicant's requirements;

- b) where the applicant has a need to reside in that lettings area by virtue of current residence, employment, medical, support or other reasons;
 - c) where Provided this meets the need of community safety; and
 - d) does not compromise on individual safety.
- 25.2 Applicants will be contacted by phone, text, or e-mail to ascertain their interest in a particular vacancy. Prospective tenants will be offered the opportunity to view the property prior to accepting the tenancy. Informal contact will be followed by a written offer of accommodation.
- 25.3 Where an offer matches all the criteria specified in the application form it will be treated as a formal offer, provided the applicant's choices remain unchanged at the date of offer.
- 25.4 If an applicant for housing refuses two reasonable offers of accommodation (provisional or firm offer) within one year, their application will be suspended for 12 months. An offer will be considered reasonable if it meets the applicant's choices and needs. Individual circumstances will be taken into consideration before suspension decisions are implemented.
- 25.5 The Performance Standards make it clear that landlords should maximise choice for applicants when allocating housing. We will gather detailed and accurate information from each applicant, allowing them to be specific about the location and type of housing they would consider most appropriate.
- 25.6 Maximising choice for the applicant aims to reduce the number of abortive offers and refusals which contribute to increased void periods and rent loss.
- 25.7 If it is found that an applicant has purposely changed address or acted otherwise to worsen his/her housing circumstances to increase the award of points, the application will be assessed as if such a change has not been made. In such cases, this decision will be reviewed every 6 months by the Allocations Officer.

CREATING TENANCIES

- 26.1 When a prospective tenant has indicated their acceptance of a property, the date of entry to the house will be provided. This will normally be the day after the tenancy agreement is signed.
- 26.2 The prospective tenant will be advised of the associated responsibilities involved with a tenancy and given assistance where needed. The prospective tenant will be asked to sign the tenancy agreement. Information and advice given will include:
- The key obligations of the landlord and tenant as outlined in our Tenancy Agreement and as required by the Housing (Scotland) Act 2001;
 - Advice on possible entitlement to Housing Benefit or the Housing element of Universal Credit;
 - Advice on rent and service charge payment arrangements;
 - Details of the rent arrears recovery process; and
 - Advice on contents insurance.
 - Advice on heating systems.

TENANCY AGREEMENT

- 27.1 We will in most cases, offer a Scottish Secure Tenancy to applicants being housed. A Scottish Secure Tenancy grants tenants a number of rights including Security of Tenure, Entitlement to a Joint Tenancy, Right of Succession and the Right to Sub-let, Assign or Exchange their tenancy.
- 27.2 The Short Scottish Secure Tenancy will be employed in statutorily appropriate situations as provided by the Housing (Scotland) Act 2014 and in line with any procedural guidelines agreed by the Board. Use of the Short Scottish Secure Tenancy is currently restricted to the following circumstances:
- lets to people evicted for anti-social behaviour within a period of 3 years;
 - lets to people who are the subject of an ASBO granted after 30 September 2002;
 - temporary lets to people moving into the area to take up employment;
 - temporary lets pending development affecting the house;
 - temporary lets to Homeless people;
 - temporary lets to people requiring housing support services; and
 - lets in houses leased by the landlord from another body, where the lease prevents subletting under a secure tenancy.
- 27.3 In the event of housing properties being let by us for non-housing use appropriate commercial leases will be used with rental levels agreed by the Board. Decisions as to whether to offer properties for non-housing use will be made by the Board.

ALLOCATION TO STAFF AND BOARD MEMBER

- 28.1 Board Members, staff and their close relatives will only be allocated a Partnership property under the following conditions, the allocation:
- a) is permitted by Schedule 7 of the Housing (Scotland) Act 2001 or any subsequent legislation; and
 - b) complies with Scottish Housing Regulator guidance.
- 28.2 A "Board Member" is a member of HHP's main Board of Management and includes co-opted members, including those co-opted directly on to subcommittees. A "close relative" is a direct relative by blood or marriage including step-relatives and a person's spouse/partner, parent, grandparent, child, grandchild, sister or brother.
- 28.3 A "member of staff" is defined as an employee of ours or a directly associated company.
- 28.4 A recommendation to allocate a house to a Board Member, or a member of staff who has been a Board Member or a member of staff within the previous 12 months or a close relative of either will be reported to the Board for decision before being recorded in a Register in compliance with Schedule 7 of the Housing (Scotland) Act 2001. This is consistent with HHP's Disclosure of Interest Policy.

SUSPENSIONS

- 29.1 A suspension happens when someone has been accepted onto a Housing List but is told that they will not be eligible for an allocation until:
- a) a certain period has elapsed;
 - b) their conduct has changed; or
 - c) a change in circumstances has occurred.
- 29.2 We will keep the use of suspensions to a minimum and in line with legal requirements and good practice guidelines.
- 29.3 We may in special circumstances decide not to suspend an application where the assessed needs of the household outweigh any other concerns.
- 29.4 We may suspend applicants from the Housing Register on the following grounds:
- a) breach of tenancy conditions;
 - b) arrears of rent or other tenancy debt;
 - c) history of anti-social behaviour; or
 - d) violent or threatening behaviour towards staff.

Breach of Tenancy Conditions

- 29.5 Where a Housing List applicant is or has been a tenant of a local authority or a housing association within the previous 3 years, a tenancy reference will be requested. Where the applicant is a current tenant and the reference is unsatisfactory, the application shall be suspended. Where a suspension is made, this can be lifted at any time if the applicant provides evidence that issues have been addressed. An updated tenancy reference from the landlord will have to be provided.

Arrears of Rent or Other Tenancy Debt

- 29.6 Where applicants have arrears of rent, service charges or rechargeable repairs, which they incurred as tenants they will be suspended from the Housing Register unless:
- a) the debt has been repaid in full;
 - b) the debt is more than 5 years old;
 - c) the debt is less than or equal to one twelfth of their annual rent; or
 - d) a satisfactory arrangement has been made to repay the debt and that an arrangement has been kept to for at least 3 months and is continuing to be met.

History of Anti-Social Behaviour

- 29.7 An applicant shall be suspended from the Housing Register where:
- a) the applicant has been evicted for anti-social behaviour in the last 3 years;
 - b) the applicant has had an ASBO granted against them in the last 3 years relating to their conduct in a previous home;
 - c) the applicant has been evicted for causing substantial damage to the landlord's property within the last 3 years; or

- d) where a relevant authority has taken successful legal action on the grounds of conduct in a previous home within the last 3 years, and where there is a reason to believe that the behaviour will recur.

Violent and Threatening Behaviour

- 29.8 We operate a zero tolerance approach towards violence or threatening behaviour against staff. Evidence of this behaviour by any applicant or member of the applicant's family will result in immediate suspension for 12 months.
- 29.9 Decisions on suspensions will be made by the Area Housing Manager.
- 29.10 After an application is suspended the applicant will be given the following information:
- why the application is suspended;
 - an explanation as to what suspension means;
 - how long the suspension will last; and
 - what they have to do to have the suspension removed.
- 29.11 A suspended applicant will have the right to appeal using the HHP Complaints Procedure which will be enclosed with the letter advising the applicant of their suspension.

BYPASSING APPLICANTS FOR OFFERS OF HOUSING

- 30.1 We will normally offer the tenancy of a vacant property to the applicant with the highest number of points and who has a need for that particular size and type of house. There may be some situations where applicants will be bypassed for an offer of housing and these are detailed below:
- there is evidence that the allocation would place the community, or an individual at risk;
 - enquiries into the household's circumstances provide clear evidence that a particular allocation is unsuitable or inappropriate;
 - an applicant is subject to immigration control and is not entitled to be offered a tenancy;
 - an applicant has an unsatisfactory tenancy reference in terms of rent arrears, condition of property or anti-social behaviour;
 - the property is too large for the household;
 - the property is too small for the household;
 - the property has special features which are not required by the applicant;
 - the applicant or a family member has a condition which makes the property unsuitable;
 - the applicant requires support and assistance to sustain a tenancy and the support is not available or in place;
 - the applicant is in supported accommodation and is not ready to move to independent living;
 - the applicant's circumstances have changed and information is awaited or required to enable their application to be re-assessed; or
 - any quota for that applicant group has been reached.

- 30.2 Applicants have a right to appeal against suspension decisions, as specified in this Policy.

ANNUAL REVIEW

- 31.1 All applicants for housing will be asked annually in writing whether or not they wish to remain on the Housing List. If there is no response to this request within a reasonable time the application will be cancelled. The applicant will be notified of the decision in writing.
- 31.2 Every applicant must inform us in writing of any change in circumstances immediately the change occurs.
- 31.3 All reasonable effort will be made to contact applicants.

INFORMATION AND ADVICE

- 32.1 We will provide applicants with appropriate and good quality information and advice regarding their housing application. We will provide a specific leaflet on the Allocations Policy which will be reviewed after each review of the Allocations Policy.
- 32.2 We will treat all applicants for housing with courtesy, sensitivity and in complete confidence. A member of staff will contact the applicant to discuss their housing application. Applicants will have the right to have a relative, friend or adviser present during any interview.
- 32.3 Applicants will have the right of access to personal files under the General Data Protection Regulation (GDPR). Applicants wishing to exercise this right can do so by contacting the local HHP office. Reasonable notice of such a request is necessary.
- 32.4 Applicants will be told their position on the housing list following assessment or review.

PERFORMANCE & MONITORING

- 33.1 To ensure compliance with equal opportunities, HHP will compile monitoring information at the point of application and each allocation. The information gathered will be recorded and kept separately and will be used for monitoring purposes only, and in accordance with Data Protection requirements.
- 33.2 Performance monitoring and review is an important tool in ensuring that the objectives of the Allocation Policy are met. We will ensure that performance information is used to identify barriers and gaps in the Allocations Policy and practice. Monitoring and review is therefore an integral part of the allocation process and will be accorded appropriate resources.
- 33.3 Monitoring information will be collated and reported to the Board annually and to the Scottish Housing Regulator as required.
- 33.4 Performance reports will include:
- a) time taken to re-let properties;
 - b) rent lost as a result of properties being vacant;
 - c) the ratio of allocations made from the Housing List and Transfer list;
 - d) numbers housed from the Housing, Transfer and Homeless Lists; and
 - e) time to add applications to the register.

APPEALS AND COMPLAINTS PROCEDURE

- 34.1 If an applicant is not satisfied with the way in which any decision concerning their application has been reached or the way the application has been handled a complaint should be submitted as detailed in our Comments, Compliments & Complaints Policy.
- 34.2 The complaint will be investigated and the outcome advised within 20 working days. If the complaint is complex and there is a delay in reaching a conclusion within the 20 working days the reason for the delay will be given within 20 working days and a revised date of determination of the complaint given.
- 34.3 The final response will be communicated in the most appropriate manner for the service user and any verbal communication followed up in writing.
- 34.4 If the complainant is not satisfied with the final response they should ask the Scottish Public Services Ombudsman (SPSO) to look at their complaint. Contact details are detailed in their final response letter.

REVIEW OF POLICY

- 35.1 We will consult with tenants in accordance with the provision in the Housing (Scotland) Act 2001. We will also consult with applicants where practicable.
- 35.2 Consistent with the terms of the Business Plan, the Policy will be reviewed thereafter at intervals not exceeding three years. The next review will be March 2025.

POINTS TABLES

1. Homelessness

Unintentionally Homeless - Where an applicant is determined by Comhairle nan Eilean Siar as being unintentionally homeless, or threatened with homelessness within two months, (as defined in Part 7 of the Housing (Scotland) Act 2001) the applicant will be added to HHP's Homeless List

2. Condition of Dwelling

Points will be awarded if the property is in poor condition as assessed by HHP.

Seriously Sub-Standard	25 Points
Severe Disrepair	20 Points
Lacking Standard Amenities	15 Points
Maximum Points Available	25 Points

3. Overcrowding

Points will be awarded for each additional bedroom required to meet HHP's eligibility criteria for adequate sized housing:

Shortage of bedrooms		
Waiting List	- Per single bedroom	5 Points
	- Per double bedroom	10 Points
Transfer List	- Per single bedroom	10 Points
	- Per double bedroom	20 Points

4. Medical Factors

Points are awarded based on medical certificates provided by GP's when current housing conditions are detrimental to the applicant's health.

Intermediate	15 Points
Medium	20 Points
High	30 Points
Urgent	50 Points
Maximum Points Available	50 Points

5. Service Personnel

Points will be awarded to ex-service personnel who have left the Armed Forces under honourable discharge or medical discharge and who have completed at least three years service.

Ex – service applicant	20 Points
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6. Social Factors

Social points are determined by the Allocations Officer after receiving a report from the Social Work Department or other relevant agencies. Points are awarded on receipt of report

Intermediate	10 Points
Medium	15 Points
High	20 Points
Urgent	25 Points

Priority under the Social Factors category will also be awarded to applicants who are leaving institutional or therapeutic care as follows:

a) Young people who have been looked after by Social Work Department b) People leaving long term hospital care c) Patients who are ready to leave hospital and are 'bed blocking' d) People leaving residential or nursing care	15 Points
e) People leaving prison or probation hostels f) People leaving supported accommodation	10 Points

7. Adapted Housing

Transfer Applicant	Where applicant is seeking to vacate an adapted house, and tenant no longer requires use of adaptation	30 Points
	Seeking move to a suitable, adapted property, to avoid necessary adaptations to existing home	20 Points

8. Under Occupation

If an applicant is under occupying a house and wishes to move to a smaller house		
Under Occupation of Bedrooms		
Waiting List	- Per bedroom	5 Points
Transfer List	- Per bedroom	10 Points
For pointing purposes a 3-apartment dwelling is regarded as a suitable dwelling for a single person or a couple		
Maximum Points Available	30 Points	

9. Lack of Secure Tenancy

Points will be awarded to applicants who are living in insecure accommodation. The definition of insecure accommodation includes people who:	
a) do not have a tenancy agreement b) share facilities with another household c) live in tied accommodation d) occupy caravans e) have short assured tenancies f) suffer financial hardship due to paying high rents g) are determined as having insecure occupancy rights by the Allocations Officer (only one of the above categories will be applied)	
Maximum Points Available	10 Points

10. Travel to Work Difficulties

Points are awarded where there are factors that affect the applicant's ability to sustain employment. Points will be given to those who need to be near their place of employment where distance, transport arrangements or financial difficulties prevent ease of access, subject to verification by the employer.

Travel to Work Difficulties	5 Points
Maximum Points Available	5 Points

11. Time on List

For each complete year	5 Points
Maximum Points Available	25 Points

12. Key Worker Status

Maximum Points Available	25 Points
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INTERPRETATIONS & ABBREVIATIONS

The following interpretation and abbreviations are used in this policy:

Word	Interpretation
<i>HHP or Partnership</i>	Hebridean Housing Partnership
<i>Board</i>	Means the Board of the Hebridean Housing Partnership
<i>Board Members</i>	All Members of the Board including co-opted Members
<i>Allocations Officer</i>	Staff member
<i>Close Relative</i>	A direct relative by blood or marriage including step-relatives and a person's spouse/partner, parent, grandparent, child, grandchild, sister or brother.
<i>Housing Register</i>	Waiting list
<i>HWEC</i>	Housing with extra care
<i>GP</i>	A GP or any other suitably qualified medical professional
All references to the masculine gender in this policy shall read as equally applicable to the feminine gender	

