

CLYDE VALLEY HOUSING ASSOCIATION

Housing Allocation Policy (North Lanarkshire)

Policy Number HM 01 NL

• Policy Prepared by	Stewart MacKenzie Operations Director
• Reviewed by Committee	May 2010
• Approved by Board of Management	August 2010
• Date of Next Review	August 2013
COMPATIBLE WITH:	
• Legislation	Yes
• Equality Policy	Yes
• Business Plan	Yes
• Performance Standards	Yes
• Tenant Participation Strategy	Yes
• Risk Strategy	Yes
• Statement on Openness and Confidentiality	Yes

**Please Note**

On request, the Association will provide translations of all our documents, policies and procedures in various languages and other formats such as computer disc, tape, large print Braille etc. This can be arranged by contacting the Association's offices.

## **Contents**

### **PART ONE – GENERAL**

1. Introduction
2. Legislative & regulatory framework
3. Aims & objectives
4. Corporate fit
5. Stable & sustainable communities
6. The Board
7. Notification
8. Decision making
9. Equalities
10. Confidentiality

### **PART TWO – ACCESS TO HOUSING**

1. Applying for housing?
2. Types of application
3. Letting quotas
4. Joint applications
5. Assessing applications
6. Applications which may be removed or suspended
7. Tenancy references
8. Nominations & referrals
9. Changes of tenancy
10. False or misleading information
11. Tenancy conditions
12. How to apply for housing
13. Allocation areas
14. Mutual exchanges
15. Local letting initiatives
16. Granting of tenancies to relatives of staff and Board members
17. What happens after an application is made?
18. What size of house are applicants entitled to?
19. Interviewing & counselling new applicants
20. Our minimum lettable standard
21. Decant accommodation
22. Keeping pets
23. Lock-up garages

### **PART THREE – PRIORITISING APPLICATIONS FOR HOUSING**

1. The groups and points system
2. Our groups and targets
3. Mobility and the transfer grouping
4. The points system
5. Applicants applying to join households together
6. What we do not take account of
7. Gathering supporting information
8. Homelessness
9. Abuse and harassment
10. Health and housing needs assessment
11. Applicants leaving the Armed Forces

#### **PART FOUR – OFFERS AND REFUSALS**

1. Matching you to a property that suits you
2. Number of offers
3. Making an offer
4. Not making an offer
5. Refusing offers
6. Failure to contact regarding an offer

#### **PART FIVE – APPEALS**

1. Appealing against a decision made
2. Appealing about the way we have handled an application
3. Appealing to the Scottish Public Services Ombudsman
4. Recourse through the legal / judicial system

#### **PART SIX – INVOLVING AND INFORMING TENANTS / APPLICANTS**

1. How we will involve and inform tenants and applicants

#### **PART SEVEN – PERFORMANCE STANDARDS AND MONITORING**

Purpose of monitoring

Reviewing our policy

What we will monitor and our targets

#### **APPENDIX 1 – ALLOCATION PERFORMANCE INDICATORS**

## PART 1 – GENERAL

### 1. **Introduction**

Clyde Valley Housing Association's Housing Allocation Policy (North Lanarkshire) is intended to be clear, comprehensive and non-discriminatory and to provide equal access for all.

The rules contained within our Housing Allocation Policy (North Lanarkshire) apply to all of our houses in North Lanarkshire and this policy sets out how we will allocate our vacant houses.

This policy has been set by the Board of Clyde Valley Housing Association and will be operated by officers of Clyde Valley Housing Association.

### 2. **Legislative & regulatory framework**

We will comply with all relevant legislation, standards and targets set down by the Scottish Housing Regulator in terms of allocations.

### 3. **Aims & objectives**

The aims of our Housing Allocation Policy (North Lanarkshire) are to create stable and sustainable communities, and to ensure that we treat everyone who applies to us for housing in a fair, consistent and professional manner.

Our objectives include:

- providing a customer-focused allocations service that is transparent, consistent, accountable and fair;
- utilising allocations processes that are efficient, effective and economic to administer;
- ensuring that there is open access to our housing list and that our housing can be accessed by all those aged 16 years and over who need it, regardless of their race, colour, nationality or ethnic origin, faith, religion, gender, sexual orientation, marital status, responsibility of dependents, HIV status, mental or physical health or disability;
- providing appropriate advice and assistance to customers on their housing prospects so that they can make informed choices in relation to requesting specific allocation areas, house types, etc;
- allocating our houses principally on the basis of need, giving those in greatest need the highest priority for housing;
- making the best use of our housing stock, including seeking to match applicants with particular needs to vacant houses that are designed or have been adapted and specifically meet their needs;
- minimising the time taken to allocate empty properties and thereby minimising void rent loss; and
- monitoring and reviewing housing needs data, including developing appropriate strategies for tackling proactively any concentrations of emerging low demand or unsustainable housing stock.

## 4. Corporate Fit

### Legislation & best practice

When processing applications and allocating houses we will comply with the law and the principles contained within performance standards and guidance notes issued by the Scottish Housing Regulator.

Our Housing Allocation Policy (North Lanarkshire) complies with legislation, guidance and good practice including:

- The Housing (Scotland) Act 1987;
- The Housing (Scotland) Act 2001;
- The Homelessness etc. (Scotland) Act 2003;
- The Sex Discrimination Act 1975;
- The Race Relations Act 1976;
- The Race Relations (Amendment) Act 2000;
- The Matrimonial Homes (Family Protection) (Scotland) Act 1981;
- The Disability Discrimination Act 1995;
- The Civil Partnerships Act 2005;
- The Data Protection Act 1998;
- The Access to Personal Information (Housing) (Scotland) Regulations 1993;
- The Human Rights Act 1998;
- Management of Offenders etc (Scotland) Act 2005 (Multi Agency Public Protection Arrangements – MAPPA);
- Performance Standards for Registered Social Landlords (AS1.1 and AS1.2); and
- Raising Standards in Housing (Chapter 1).

Specifically the Housing (Scotland) Act 2001 and the Housing (Scotland) Act 1987 lay down the legal requirements that Clyde Valley Housing Association and all other Registered Social Landlords (RSLs) must comply with in:

- setting out policy for admission onto the housing list;
- priority of allocation of social rented houses;
- transfer of tenants to other landlords;
- mutual exchange of houses; and
- assistance to homeless persons.

In line with Performance Standards laid down by the Scottish Housing Regulator, we let houses in a way that gives reasonable preference to those in greatest housing need, makes best use of available stock, maximises choice and helps sustain communities.

Throughout the Housing Allocation Policy (North Lanarkshire) we have used certain words and unless stated otherwise, the definition given is applicable throughout the policy. To avoid any doubt, the Interpretation Act 1978 applies to this policy. This means, for example, that any reference to a male also includes reference to a female and any reference to the singular also includes any reference to the plural.

Our Housing Allocation Policy (North Lanarkshire) complies with the Association's Equality Policy. Clyde Valley Housing Association is committed to the elimination of all forms of unlawful or unfair discrimination and to promoting equality in all our functions. The Association is committed to equality for all people irrespective of their

gender, marital status, family circumstances, disability, race, ethnic or national origins, age, religion or belief, political or sexual orientation. However we may look at individual cases where it may be prudent to exercise positive action to ensure that certain groups are allocated appropriate accommodation (e.g. applicants with appropriate medical needs). To enable us to fulfil our commitment to equality, we will record and monitor the ethnicity, gender and disability of all applicants and review our performance and policy accordingly.

### **Business Plan & risk management**

Our Business Plan depends significantly upon generating revenue from the properties that we rent. We therefore seek to mitigate against business risk through minimising our void rent loss. Allocating properties in an efficient, effective and economic manner should minimise our void rent loss.

## **5. Stable & sustainable communities**

Through partnership working with local authorities and others we will actively seek to encourage the development of stable and sustainable communities. To assist in this we will:

- collect and monitor the number of vacant houses, the turnover, the number of refusals, the reasons for the refusals, the reasons for terminating tenancies, the household type being allocated houses and the cost of re-letting houses;
- collect and monitor letting outcomes on a wide range of equalities groups, e.g. by age, gender, disability, ethnicity etc and to participate in SCORE. (SCORE is the Scottish Continuous Recording system which collects data from RSLs on allocations and provides benchmarking information to the Scottish Housing Regulator and all participating RSLs);
- collect and monitor information on the number of transfer list applicants we have rehoused;
- collect and monitor information on the number of waiting list applicants we have housed;
- collect and monitor information on the number of homeless applicants we have housed;
- use this information to:
  - feed directly into partner local authority's Local Housing Strategy which will help with informing priorities for regeneration, remodelling and other initiatives;
  - identify and justify courses of action, such as local lettings initiatives, intensive estate management and prioritising work within our investment programme to deal with issues that are identified;
  - help provide a better understanding of the problems within a community and by doing so initiate support and assistance from the wider community and other agencies in taking a joint approach to alleviating the situation and making the area a better place to live; and
  - measure our performance in achieving and maintaining stable and sustainable communities by setting targets for the recovery of an area, e.g. we will set targets to reduce the property turnover, improvement in customer satisfaction, etc.

## **6. The Board**

The Board, via the Operations Committee, will monitor the implementation of this policy to ensure that it is properly operated, that there is appropriate officer involvement in the allocations system and that there is effective scrutiny of the Housing Allocation Policy (North Lanarkshire).

The Board will ensure that the Housing Allocation Policy (North Lanarkshire) is meeting its intended objectives and that monitoring and reporting of activities takes place in accordance with the Performance Standards and monitoring as detailed at Part 7 below.

The Board will also carry out annual reviews of the points scheme and letting quotas set out in the Housing Allocation Policy (North Lanarkshire) to ensure that they remain appropriate in relation to changing housing needs or statutory requirements.

In implementing the Association's Housing Allocation Policy (North Lanarkshire) certain functions are the responsibility of the Board or nominated committee, although staff have delegated authority to undertake many tasks. Examples of key functions / tasks are summarised below.

<b>Function / task</b>	<b>Responsibility</b>
Housing Allocation Policy (North Lanarkshire) – review, amendment & approval (including establishment of local letting initiatives)	Operations Committee responsible for making recommendations to Board for approval.
Assessment of applications	Housing Services staff (and Common Housing Register partners).
Authorisation of allocation of available property	Operations Director, Housing Operations Manager and Housing Services Manager (except Schedule 7 cases which require Board approval).
Monitoring of Lets & Housing Lists	Operations Director, Housing Operations Manager and Housing Services Manager reporting to the Operations Committee.
Appeals relating to assessment of applications or offers of accommodation	Clyde Valley Housing Association's Formal Complaints Procedure.
Periods of suspension in relation to ASBOs	Operations Director recommendation to Operations Committee to determine reasonable period of suspension (on a case by case basis).
Special circumstances	Operations Director recommendation to Operations Committee regarding clarification on a point of policy.

There may be special circumstances where the provisions of our Housing Allocation Policy (North Lanarkshire) do not adequately reflect an individual's unique housing situation. In such circumstances we may seek clarification on a point of policy. If the Operations Director recommends that this should happen, this will require to be considered by the Operations Committee. If this occurs, we will not tell committee members your name to protect your confidentiality.

## **7. Notification**

We will write to every applicant to notify them of their acceptance onto our housing list. At that time we will advise the applicant of any points entitlement and their application number.

If we have suspended an application, we will write to the applicant and advise them of our decision and give the reasons for our decision. We will offer our help and support so that the applicant may make informed choices about having their housing needs met.

## **8. Decision making**

We will make sure that our decision-making is transparent and will:

- make applicants aware of our reasons for any decision on their application;
- base all of our decisions on objective criteria which applicants are aware of;
- make our policy readily available;
- have a clear appeals procedure in place; and
- continually monitor the allocation process.

## **9. Equalities**

We will consider all applications, regardless of sex, faith or religion, race, ethnic origin, sexual orientation, mental or physical health, disability or marital status.

We will operate at all times within our Equality Policy.

## **10. Confidentiality**

We recognise that confidentiality is important to applicants and will treat information that we receive in the strictest confidence under the Data Protection Act 1998 and in line with our Openness and Confidentiality Statement.

We will not pass on or discuss with any third party any information provided by any applicant without the applicant's written permission, except for the purposes of processing the application through the North Lanarkshire Common Housing Register or as may be required by law. If there is personal information about someone other than the applicant on the application, we will not release that information unless we receive written permission from that other person.

To ensure an applicant's own confidentiality within their household, we can if instructed, contact the applicant at an alternative address, provided that we receive full details and the instruction in writing with the application, or at a later date.

All applicants who would like to check the details that we hold on their application can contact us at any time. Except as may otherwise be required by law, we will allow only the applicant access to their file, unless we have a signed mandate from the applicant authorising us to allow another named person access to the file and we are able to satisfy ourselves as to the identity of that other named person.

## PART 2 – ACCESS TO HOUSING

### 1. **Applying for housing?**

Anyone can apply for housing with us if:

- they are aged 16 years and over.

We will welcome applications from all regardless of colour, gender or sexual orientation, faith or religion, race, ethnic or national origin, mental or physical health, disability, marital status, language or social origin.

An applicant may be, but does not have to be:

- one of our tenants;
- the tenant of another housing association or co-operative;
- the tenant of a local authority;
- the tenant of a private landlord;
- an owner occupier; or
- someone who does not have a permanent home of their own (e.g. a person who lives with relatives or friends, in a caravan, in residential accommodation, etc.)

We work with North Lanarkshire Council and other housing associations to maximise choice and simplify access to housing. By filling in a single application form, an applicant's information can be held on a 'Common Housing Register' and applicants can be considered for housing through a range of providers.

Applicants must provide us with all of the information and any supporting evidence that we need to assess their housing application. It is also critical that applicants provide accurate information and advise us of all changes of circumstances that may affect their housing application.

We will carry out a rolling review of our housing list so that applicants have their circumstances checked and updated routinely. Every 12 months we will issue a review letter to applicants, requesting confirmation of circumstances. If the applicant does not respond by the set date, a reminder letter will be issued. If we fail to receive a response to this reminder letter we will remove the application from the housing list. If an applicant who has been removed from the list and contacts us at a future date, they can reapply to join our housing list.

### 2. **Types of application**

Within the North Lanarkshire Common Housing Register there are different categories of applicants. Part 3 of the Housing Allocation Policy provides further information.

All of our housing applications are held on a Common Housing Register that we manage in conjunction with North Lanarkshire Council and other partner landlord organisations.

### 3. **Letting quotas**

In order to achieve stable and sustainable communities we seek to use a quota system to maintain a balance when we are allocating properties. We currently aim to achieve the broad targets summarised below.

<b>Category</b>	<b>Target %</b>
• CVHA Transfer List Applicants	25%
• CVHA Waiting List Applicants	25%
• Section 5 Statutory Homeless Referrals from Council	35% - 45%
• Other Nominations from Council	5% - 15%

We will make selections throughout the year by rotation, seeking to ensure that the target percentages are broadly achieved on an ongoing basis. However quotas achieved may vary depending upon a variety of circumstances such as turnover, availability of Council referrals / nominations, local letting initiatives, etc.

Typically where we are reletting vacant properties or involved in a new development, the local authority will be offered up to 50% nominations. However there may be new developments or regeneration schemes where different quotas are agreed for first lets, such as where existing tenants require to be rehoused as part of the development programme.

Council referrals and nominations will be managed, recorded and monitored via the Common Housing Register. Outcomes will be reviewed annually and future quotas adjusted as appropriate in discussion with North Lanarkshire Council.

From time to time the Council, as strategic housing authority, may analyse patterns of housing demand and supply and propose local letting plans that will seek to specify variable quotas for local letting areas.

#### **4. Joint applications**

We will consider an application from more than one person, where the applicants wish to live together as joint tenants. We will consult all applicants, who have requested a joint application, on the number of people who apply to be housed together as joint tenants. When doing so we will take into account all relevant legislation at that time. We will grant joint applications unless we have reasonable grounds to refuse the request.

When we make an offer of housing to joint applicants, we will generally create a joint tenancy in respect of each of the applicants.

#### **5. Assessing applications**

When assessing applications and working out your group and points, we will **not** take account of any of the following:

- whether you live in the area you want housing in;
- the length of time you have lived in the area;
- any debts you have that are not related to your current tenancy;
- any debts you have already repaid;
- debts related to your tenancy where:
  - they are less than 1/12<sup>th</sup> of the yearly amount of rent you pay; or
  - you have already arranged a repayment plan and kept to it for at least three months and you are still keeping to the repayment plan;
- your and your family's income (including any benefits you receive);
- the value of any property you or your family own; or
- your age, as long as you are over the age of 16 and the home you want to move to has not been designed or adapted for elderly people to live in.

We will seek to assess all housing applications **within 10 working days** from date of receipt. We will provide applicants with a unique application reference number and advise of any points awarded.

## 6. **Applications which may be removed or suspended**

We aim to operate the North Lanarkshire Common Housing Register so that it is open and can be accessed by people in a variety of housing circumstances. However although we may accept an application, there are circumstances where we may remove or suspend an application and therefore not make an offer of housing.

We will **remove** an application from our housing list if:

- an applicant has asked in writing to be removed from the list;
- an applicant has failed to respond to a periodic review of the housing list; or
- an applicant has died.

In certain circumstances it may be appropriate to **suspend** an application for housing for a period of time. Where your application has been suspended you will not be considered for or receive an offer of housing during the period of the suspension. A suspension will not affect your points level.

We may suspend you from our housing list if the following happen.

### **If you owe rent that you have not agreed a repayment plan for**

If you have owed your landlord rent in the past but have now paid what you owe, we won't suspend you from our list for this. But, we need to make sure that if you owe your landlord money in rent, you plan to repay this as soon as possible.

If you owe your current landlord rent, or service charges or money for repairs to your property because of damage you caused while you were the tenant, we may suspend your application from our housing list unless:

- you have paid what you owe in full;
- you owe less than or equal to 1/12<sup>th</sup> of the yearly rent you pay; or
- you have arranged to pay what you owe and have kept to that arrangement for at least the last three months, and you are still keeping to this arrangement.

If you do owe rent or other charges, we may suspend your application until you meet the conditions above.

### **If you have behaved anti-socially**

We may suspend your application from the housing list if you or anyone in your household:

- has been evicted for anti-social behaviour;
- has reached the 'final warning' stage in the process for dealing with antisocial behaviour;
- has been given an Anti-Social Behaviour Order (ASBO) that is currently in force;
- is waiting for a court decision on whether they will be given an ASBO; or
- has had a 'Notice of Proceedings for Recovery of Possession' served on them because they have broken the conditions of their tenancy.

Anti-social behaviour includes violence, verbal abuse, harassment, vandalism, noise disturbance, arson, carrying an offensive weapon (such as a knife), or using or selling illegal drugs. We will consider each case of anti-social behaviour on an individual basis. We will be fair when we look at whether or not we will suspend you. If we do suspend you, we will usually do so for **six months**. After this time, we will review your suspension and consider whether you will be able to keep to the conditions of your tenancy if we make you a housing offer. If we need to or if we think it is appropriate, we will seek to help you keep to the conditions of your current tenancy by referring you to an agency that might be able to provide support for you (for example by providing you with a support worker or putting you in touch with independent organisations that can help).

**If you break the conditions of your current tenancy agreement**

If you break any conditions of your current tenancy agreement, we may suspend you from the housing list until you meet the conditions of your tenancy. For example if you do not keep your home in an acceptable state of repair, or do not maintain your garden.

**If you provide false or misleading information on your application**

If you do this, we will usually suspend you from our housing list for **six months**. But, we will consider your case on an individual basis. If we provide you with housing as a result of information on your application that is false or misleading, we may take action to repossess the property.

**If you do not give us the information we need to process your application**

If you do not give us the information we ask for so that we can process or review your application, we may suspend your application until you give us the information that we need. We will write to you asking for this information, and the letters we send will clearly explain what happens if you do not give us the information we need.

**If you are an asylum seeker or are under immigration control**

You can still apply for housing, but we can't offer you permanent housing if you are still subject to immigration control.

This means we would suspend your application until your household has been granted leave to remain in the UK, or your circumstances change so that you are able to access public funds.

**If you do not have the support you need**

We will work with you and with other agencies and organisations to try to make sure that you have support if you need it (for example, from a tenancy support worker). If we think, after looking at your application, that you are not being supported in the way that you should, we may, as a last resort, suspend your application until we are sure that your needs are being met.

**If you are violent or aggressive towards our staff**

If you do this, we will suspend you from our housing list for **six months**.

**If you refuse two reasonable offers of housing**

If you refuse two offers, we will normally suspend you for **three months**. The suspension will apply from the date that you refused our second offer of housing. We will use this time to explore your housing needs, preferences and options.

### **If you ask us to suspend your application**

You can also choose to have your application suspended voluntarily, for example, if you want to suspend your application until you are actually in need of rehousing, perhaps because you have moved to work abroad for a period of time. You can do this in writing or by speaking to us. You must let us know how long you want the suspension to last for when you first apply. You can only voluntarily suspend your application once.

If we suspend your application, we will send you a letter telling you why we have done this, what you can do so that we remove the suspension and how you can appeal against the suspension. We will review your suspension every month.

We will monitor the number of suspensions we make from our housing lists and how these affect our allocation process.

## **7. Tenancy references**

When you apply, we will ask you for the contact details of any landlords you have had over the past three years. We will seek references from the appropriate landlord/s for any applicant who has been a tenant of:

- any local authority;
- any Registered Social Landlord; or
- any other landlord.

We must be satisfied that the information provided in the tenancy reference confirms that the applicant satisfies our eligibility criteria detailed in Part 2 before we will consider an application for an offer of housing.

We will suspend all applications until we have received the tenancy references. We will ask all applicants, and anyone applying to be housed with them as a joint tenant, who has held a tenancy to sign a mandate confirming that they are happy for us to write to any current and all previous landlord/s within a **3-year period** prior to the date of the application for a tenancy reference. Without this authorisation we cannot contact landlord/s for a reference and we cannot process an application.

We will contact your current landlord before we offer you a property and ask them to fill in a tenancy reference form. If your landlord tells us you owe them rent, have behaved anti-socially or have broken your tenancy agreement with them, we may suspend you from our housing list. We will not make an offer of housing if we are not satisfied with any of the tenancy references that we receive. We will suspend the application and monitor the case for improvement, e.g. in terms of rent arrears, anti-social behaviour, tenancy breaches, etc. However if the tenancy reference is unacceptable because of rent arrears, which the applicant accrued as tenant of a house, it is the applicant's responsibility to advise us when the account is clear or that the applicant has kept to an agreed repayment plan in respect of the arrears for a **continuous period of 3 months**. If the tenancy reference is unacceptable because the applicant or a member of the applicant's household is subject to an Anti-Social Behaviour Order (ASBO) under relevant legislation, we may consider making an offer of housing with a Short Scottish Secure Tenancy (SSST).

Where we suspend an application because we are not satisfied with a tenancy reference the applicant can request to see the reference. We will deal with the request under the Data Protection Act 1998.

## 8. **Nominations & referrals**

We allocate a quota of our vacant properties to nominations or Section 5 homeless referrals identified by the Council. Typically where we are reletting vacant properties or involved in a new development, the local authority will be offered **up to 50% nominations**. However there may be new developments or regeneration schemes where different quotas are agreed for first lets, such as where existing tenants require to be rehoused as part of the development programme.

Through the North Lanarkshire Common Housing Register, applicants can ask to be considered for housing with Clyde Valley Housing Association or another landlord who may have accommodation within the applicant's area of choice. Council referrals and nominations will be managed, recorded and monitored via the Common Housing Register. Outcomes will be reviewed annually and future quotas for nominations may be adjusted as appropriate in discussion with local authority partners.

## 9. **Changes of tenancy**

### **Successions**

If a tenant dies and a member of the household applies for the tenancy we will consider them for the tenancy under the provisions of the Housing (Scotland) Act 2001.

The law is very clear on who is eligible to be a 'qualified person' and can therefore succeed to a tenancy. It also specifies the order in which each category is given priority.

Where there is a joint tenancy, the tenancy automatically remains with the other joint tenant/s. In all other circumstances the order is:

- (a) the tenant's spouse or partner, providing that the house has been their only or principal home at the time of the tenant's death;
- (b) if (a) does not apply, then the tenancy may be offered to a member of the tenant's family, providing that it was their only or principal home at the time of the tenant's death;
- (c) if neither (a) nor (b) applies then the tenancy may be offered to the carer, providing that the carer gave up their only or principal home in order to move in with the tenant before their death.

The type of tenancy given after succession is a full Scottish Secure Tenancy.

However where a house has been designed or substantially adapted for the use of someone with special needs, the law clearly states that only spouses, partners, joint tenants or persons with similar special needs can succeed the tenancy. Others who would otherwise be eligible to succeed to the tenancy would therefore be offered reasonable alternative accommodation.

### **Assignations**

If a tenant moves out of their home or is no longer able to live in their home permanently due to their health, we will consider assigning the tenancy to a member of the household under the provisions of the Housing (Scotland) Act 2001.

We will normally do this if the person is the tenant's son or daughter or the person has lived in the house as a member of the household or the person has been a full time carer to the tenant. The applicant (the assignee) must have had our permission to reside in the property and lived in the house as their only or principal home for **at least 12 months** prior to the date of the application seeking our consent to the assignation.

The applicant must apply to us in writing and meet **all** of the following conditions:

- the applicant will be homeless if we do not transfer the tenancy to them;
- the applicant has lived continuously with the tenant throughout the tenancy for **at least 12 months** prior to the date of the application;
- the applicant has given up a tenancy or sold their home to become the full time carer of the tenant;
- we are satisfied that the applicant will be a suitable tenant; and
- transferring the tenancy to the applicant makes best use of the house.

The Housing Operations Manager will consider applications to assign tenancies and will advise the applicant in writing of their decision. If the Housing Operations Manager decides that a tenancy should not be assigned, the Housing Operations Manager may consider the applicant for a different property that is more suited to the applicant's needs.

The assigned tenancy will be on the basis of a full Scottish Secure Tenancy.

### **Subletting**

Tenants may sublet their property providing that our prior written permission has been granted (we will not unreasonably withhold our consent). A property can be sublet for a period of up to one year where the tenant is going to be absent on a temporary basis (e.g. working / training / studying away, prison, extended holiday, etc).

However at all times a sublet property will remain in the name of the tenant and the person subletting the property cannot succeed to the tenancy. The tenant will continue to be legally responsible for ensuring adherence to the conditions of tenancy, including payment of rent, not causing nuisance, etc. If there are any breaches of tenancy we will take legal advice and may take steps to remove the person subletting the property.

### **Lodgers**

Tenants may take in lodgers providing that our prior written permission has been granted.

We will not unreasonably withhold our consent, however we will **not** permit lodgers to move in if:

- overcrowding results;
- the proposed lodger has an outstanding ASBO;
- they owe the Association in relation to rent arrears and / or rechargeable repairs;  
or
- they have been evicted for anti-social behaviour in the past **3 years**.

Lodgers have no rights of succession nor can the tenant assign the tenancy to a lodger.

## **10. False or misleading information**

We will take all reasonable steps to investigate any information we receive which affects an application.

It is important that applications are completed carefully and with as much detail and information as required. Information provided must be accurate and up to date. Applicants must notify us of any changes to the information as soon as the change is known.

Applicants must co-operate fully with any reasonable investigations needed to confirm the details of an application that we carry out or which is carried out on our behalf and must allow our staff access to their home to inspect it.

If we find out that any applicant has provided false, misleading or out of date information to apply for housing with us we may suspend the application. If we suspend the application we will not make an offer of housing. However, we will advise the applicant in writing of our decision and the reason/s for our decision.

If we find that we have created a tenancy that has been the result of an applicant providing false or misleading information we may take appropriate legal action. This may result in us removing the tenant and anyone who lives with the tenant from the house. It may also result in us placing the tenant on a SSST. We will advise the tenant in writing of the action we intend to take, although the results of all investigations will remain confidential.

The Housing Allocation Policy (North Lanarkshire), and this section in particular, applies to joint applicants jointly and severally. This means that even if only one applicant is in breach of any of the sections of this policy we can hold all applicants to be in breach of the policy.

## **11. Tenancy conditions**

Applicants should note that, if they accept any house offered to them, they will sign a Scottish Secure Tenancy (SST) agreement or a Short Scottish Secure Tenancy (SSST) agreement, which is a legally binding contract between them, and Clyde Valley Housing Association.

The agreement sets out the rights and responsibilities of the tenant as occupier of the house, and of Clyde Valley Housing Association as landlord.

When we make an offer of housing to joint applicants, we will generally create a joint tenancy in respect of each of the applicants. This will help protect the rights of each joint tenant, while making them jointly and severally responsible for maintaining their conditions of tenancy.

We will make all reasonable efforts to fulfil our part of the contract and we will expect the applicant to do the same. We may take action against any tenant who breaches any part of the tenancy agreement.

## **12. How to apply for housing**

Through the North Lanarkshire Common Housing Register, applicants can ask to be considered for housing with Clyde Valley Housing Association or another landlord who may have accommodation within the applicant's area of choice within North Lanarkshire. Application forms are available by contacting our office, North Lanarkshire Council or other partner organisations involved in the Common Housing Register.

We can only consider people for housing with us if they complete an application form fully and provide all of the information that we need.

Our staff will be pleased to help any applicant to fill in the application form, and to answer any questions that they may have on allocation areas, house sizes and types available, and indicative waiting times. We can also assist applicants with completing the application form, and will provide the application form and this Policy in different formats such as Braille and in other languages if requested.

When we receive completed application forms we will send a letter to the applicant confirming that we have received it. The letter will also advise the applicant of their personal application number which should be quoted when making any enquiries about their application.

### **13. Allocation areas**

Clyde Valley Housing Association owns a variety of properties in a number of areas, which means that the Association has a broad mix of house types and sizes available for let across North Lanarkshire.

Details of stock numbers, locations and an indication of turnover are available to all applicants and this information is updated routinely.

Many of our areas and house types are in high demand, which means that turnover can be very limited. However some areas and house types have a greater turnover. We are happy to discuss with an applicant the areas that they wish to be considered for and advise on turnover. We can also advise on any local lettings initiatives. This will allow applicants to make informed and realistic decisions when choosing allocation areas that best meet their needs and expectations.

The housing application form allows applicants to choose as many or as few allocation areas as they want. If applicants wish to change their allocation areas, they can do this at any time by notifying us in writing.

Through the Common Housing Register, applicants can ask to be considered for housing with another landlord who may have accommodation within an applicant's area of choice.

### **14. Mutual exchanges**

We will encourage mutual exchanges between tenants where both households would benefit from the exchange and be housed in appropriately sized accommodation.

Any of our tenants may request a mutual exchange with another Clyde Valley Housing Association tenant or with a tenant of another social landlord. Tenants must request the mutual exchange in writing and a form is available for this.

We will not normally permit mutual exchanges **during the first year of a tenancy**. However there may be exceptional circumstances, such as medical cases or to make best use of the housing stock, where there may be justification for approving a mutual exchange within this timescale. Any such exceptions will require to be authorised by the Operations Director who will report the number of exceptions granted annually to the Board.

To qualify for a mutual exchange tenants must:

- obtain our written consent and the written consent of any other landlord involved in the exchange;
- have a clear rent account, or have a repayment arrangement for rent arrears which they are keeping to;
- have a Scottish Secure Tenancy (SST);
- have an acceptable tenancy reference, which will include the condition of the house and garden;
- not have a current Anti-Social Behaviour Order against them or a member of their household; and
- agree to reinstate any unauthorised alterations made to their property, prior to the exchange being approved.

When considering which house the tenant would like to mutually exchange to, the tenant must make sure that they will not overcrowd the house. Similarly they must make sure that they will not underoccupy the house by more than one bedroom. If the move will cause overcrowding or underoccupation as above, we will not approve it.

If someone seeking a mutual exchange is on our housing list and in receipt of medical points, the proposed exchange will not be approved if the outcome would conflict with any recommendations made by our independent medical advisor (e.g. for ground floor accommodation only). If we are concerned that a property may be unsuitable on medical grounds, we will refer this to the medical advisor for clarification.

Any tenant who wishes to exchange with a tenant from another social landlord must advise the other tenant that they must also fill out an application form and must comply with all of the above criteria.

We will make our decision on the application **within 28 days** of the date from which we receive the application. If we do not receive all of the information required to allow us to make a decision within the 28 days, we will refuse the application. However both applicants can re-apply.

If we decide that a mutual exchange application should be refused, we will advise both applicants in writing and will encourage both applicants to complete applications for the Common Housing Register.

If we approve the application, both applicants will require to sign new tenancy agreements for their new homes, regardless of who the landlord may be.

When we approve a mutual exchange and it takes place, we will cancel any previous application for rehousing as the mutual exchange will have met the applicant's housing needs.

## **15. Local lettings initiatives**

In specific areas, such as where there are low demand or difficult to let properties, we may consider introducing local letting initiatives as part of a Local Estate Action Plan. Any local lettings initiative that we propose, such as permitting underoccupation or the introduction of choice based lettings, will comply fully with relevant legislation and with good practice.

The aim of introducing a local lettings initiative would be to ensure that we make the best use of our housing stock in creating stable and sustainable communities.

Clyde Valley Housing Association's Board will authorise all local letting initiatives. When making their decision the Board will take account of the following:

- justification for the initiative;
- identification of the area to which the initiative will apply;
- confirmation of the time period during which the initiative will apply; and
- confirmation of arrangements for monitoring, reviewing and evaluating outcomes.

Areas within North Lanarkshire that we have currently identified as having low or limited demand and subject to a local lettings initiative include:

- Bellsdyke, Airdrie; and
- North Motherwell.

#### **16. Granting of tenancies to relatives of staff and Board members**

To ensure that we comply with the statutory requirements regarding granting of benefits to Clyde Valley Housing Association Board members and staff, or to their close relatives, we will ask all applicants to state whether or not to their knowledge, they are related to a Board or staff member.

Schedule 7 of the Housing (Scotland) Act 2001 and associated Scottish Housing Regulator guidance sets out how such applications may be dealt with. Any member of staff will be able to provide a copy of the guidance. Copies are also available on our website.

The Board will formally approve any allocation of a house to a staff or Board member or their close relative. The formal approval of the Board must be recorded in the minute of the Board meeting with the details of the allocation entered into the appropriate Register of Interest. When the allocation is concerning a Board member or a close relative of a Board member, the Board member must declare an interest and leave the meeting when the issue is being discussed.

#### **17. What happens after an application is made?**

If interested parties are aged 16 years and over they can apply to us for housing and be accepted onto the North Lanarkshire Common Housing Register. However we will not make any offers of housing until we have carried out certain checks, including checking any previous tenancies that applicants may have had, and we are satisfied with the application.

When we receive applications we will send a letter to the applicant confirming that we have received it. It is important that the applicant keeps this safe, as it will show the application number, which is helpful for future enquiries.

We will process all applications within the timescales detailed in the table in the Performance Standards and Monitoring section in Part 7 of this policy.

When we have processed the application, we will write to the applicant, confirming the house size, house types and locations chosen and the number of points that we have awarded, if any, under our points scheme.

When a house of the chosen size, house type and heating type becomes available in a requested allocation area, we will offer it to the applicant with the highest number of points, provided that their circumstances have not changed. If there are two or more applicants with the same number of points who qualify for the same house, we will use the date of application to decide who will get the offer. This means that we will offer the house to the applicant with the earliest application date.

We will treat an application from two people or from multiple applicants, as a joint application. We also accept applications from people living in the same house who want to apply for separate housing (e.g. due to relationship breakdown). This includes any of our existing tenants.

If any of the circumstances detailed on an application change and any member of the household on an application no longer wishes to be housed with the applicant, we must be advised. The application will remain on our housing list and we will accept a new application from the person concerned or we will remove their name from our housing list, if they wish. If we remove or add anyone to an application this may affect their points entitlement, which may increase or decrease.

Applicants have the right of access to personal information held by us and the right to confidentiality under the Data Protection Act 1998. Applicants who require access to personal information will need to submit their request in writing and provide proof of identity to allow access.

### **Homeless persons**

If someone presents themselves to their local authority as homeless, the Council will assess their needs using homelessness assessment procedures. If the local authority determines that a homeless applicant is unintentionally homeless and in priority need, they will issue a determination letter.

Clyde Valley Housing Association will consider offering housing to statutory homeless households when a suitable property becomes available for let. In these circumstances, the allocation would be considered as a referral from the Council in terms of Section 5 of the Housing (Scotland) Act 2001, and not through the Association's general Housing Allocation Policy (North Lanarkshire) and points scheme.

We are committed to playing our part in helping to address the housing needs of homeless persons through working in partnership with the local authority and have a protocol in place with North Lanarkshire Council that set out roles and responsibilities. Section 5 of the 2001 Act places emphasis on such joint working and places a duty on all RSLs to house homeless applicants referred to them by the local authority, unless it has good reason not to.

Annually the Association will agree a target with the local authority for the quota of lets for statutory homeless, with such referrals forming part of the overall nominations quota agreed with the Council.

The Council can generally nominate applicants for up to 50% of Clyde Valley Housing Association's vacancies – these can either be homeless applicants or mainstream applicants from the Common Housing Register.

### **Victims of domestic abuse**

Domestic abuse can affect women, children and men, regardless of their age, race, colour, nationality or ethnic origin, faith, religion, gender, sexual orientation or marital status. Adults, with or without children, can experience domestic abuse.

The Home Office definition of Domestic Abuse is ... *“any form of physical, sexual or emotional abuse which takes place within the context of a close relationship. In most cases, the relationship will be between partners (married, co-habiting or otherwise) or ex-partners.”*

We recognise that safety is paramount, confidentiality is crucial and believing the victim is important.

If any applicant advises us that they are suffering domestic abuse, we will complete an application form with them. We can also refer the applicant to the local authority, if they wish, who will deal with the case under homelessness legislation.

### **Relationship breakdown**

If anyone has a breakdown in their marriage or in their relationship with their partner, they may qualify for housing (or rehousing) with us.

We will accept an application for housing even if the applicant has to stay on temporarily in the same house as their former spouse or partner.

In considering admission to the list we will **not** take account of:

- any outstanding liability (e.g. rent arrears ) in a property where the applicant was not the tenant when the liability accrued; or
- whether or not a divorce or judicial separation has been obtained.

We will award points to the applicant for all of their housing needs and we will always consider the nature of the relationship breakdown before we make any offer of housing.

We will give applicants who are experiencing a relationship breakdown and seeking accommodation general advice on occupancy rights. We may also refer applicants to relevant advice agencies and / or solicitor where appropriate.

Depending upon the circumstances, local authorities may also be able to help an applicant suffering from a relationship breakdown through their homelessness service. Such applicants should contact the Council directly for more details if the applicant is homeless or threatened with homelessness due to relationship breakdown. We can refer the applicant to the local authority, if they wish.

### **Victims of harassment**

'Harassment' is defined in Section 8 of the Protection from Harassment Act 1997 (c40) as causing a person alarm or distress. We recognise that people have a right to a life free from violence and abuse as well as alarm and distress caused by harassment. We also recognise that fault in such circumstances rests with the perpetrators and not the victims.

We recognise that victims of harassment may wish to move from their home or from the area where they are experiencing the problems and will consider applications from them.

We acknowledge that harassment can take many forms including harassment, sexual harassment, and harassment against people who have mental health issues, learning difficulties, are HIV positive, are gay or lesbian, or victims of domestic abuse. Harassment can have a seriously detrimental effect on quality of life and at its most acute can be life-threatening.

Where a housing applicant alleges harassment and they appear to be at risk, we will in the first instance believe them and take prompt action to ensure their safety as far as possible. This may mean that we will move the individual/s temporarily or in extreme cases, move them permanently, whilst we investigate the matter.

We will take reasonable steps to obtain information to support the applicant's case. However if it proves impossible to obtain evidence of abuse or threat of violence, the applicant's expressed fears would be considered as sufficient evidence. A statement of circumstances will be requested from the applicant, allowing points to be awarded accordingly.

We recognise that confidentiality is crucial to ensure safety and will ensure that the applicant's wishes are respected with regard to contact points and people. We will also signpost applicants to appropriate agencies that may be able to give detailed or specialist advice and assistance.

#### **Victims of racial harassment**

If an applicant is experiencing racial harassment, we will meet with them to discuss the problem. If they require an interpreter, we will arrange this as quickly as we reasonably can.

As with other types of harassment, we recognise that victims of racial harassment may wish to move from their home or from the area where they are experiencing the problems and will consider applications from them.

Where a housing applicant alleges racial harassment and they appear to be at risk, we will in the first instance believe them and take prompt action to ensure their safety as far as possible. This may mean that we will move them temporarily or in extreme cases, move them permanently whilst we investigate the matter.

We will take reasonable steps to obtain information to support the applicant's case. However if it proves impossible to obtain evidence of racial harassment, the applicant's expressed fears would be considered as sufficient evidence. A statement of circumstances will be requested from the applicant, allowing points to be awarded accordingly.

We recognise that confidentiality is crucial to ensure safety and will ensure that the applicant's wishes are respected with regard to contact points and people. We will signpost applicants to appropriate agencies that may be able to give detailed or specialist advice and assistance.

#### **Young people**

We recognise that many young people have a need for housing of their own as they are in vulnerable situations. We can consider young people for housing providing that the applicant is aged 16 years and over.

As well as providing housing ourselves, we can refer young people to other agencies who can provide accommodation and specialist advice and information services.

### **Asylum seekers & refugees**

We will accept applications from asylum seekers and place their application on our housing list provided that they are aged 16 or over. However if at the time of applying for housing, we are advised that the applicant is homeless and we are unable to offer housing at that time, either because there is no suitable housing available or their immigration status is unclear, we will refer them to the local authority who will assess the case under homelessness legislation. In accordance with legislation we are unable to make an offer of housing to anyone who is subject to immigration control.

### **Community Care needs**

We recognise the key role that housing plays in the planning and provision of community care and seek to address the housing situation of identified community care groups through this policy. Meeting the needs of community care groups involves:

- a joint housing and care services approach;
- identifying the individual needs of service users;
- sustaining people in their own homes, where possible;
- making the best use of the housing stock; and
- avoiding over concentrations of vulnerable people in any one area.

We will work in partnership with local authority and health partners to seek appropriate methods of assessing and addressing the housing needs of a range of care groups, including the following:

- frail older people;
- people suffering from dementia;
- people with mental health issues;
- people with learning disabilities;
- people with physical disabilities; and
- people with HIV or AIDS.

Community care housing needs will be considered via the Common Housing Register. Applications will be assessed and prioritised using the Association's points scheme.

### **Wheelchair & adapted housing**

We can visit applicants who indicate that they are wheelchair users or have a significant physical disability, to complete an application form and where appropriate a medical assessment form. We will request a detailed Occupational Therapist's assessment of the applicant's needs from local authority or health partners. This should identify any problems with the applicant's current accommodation, the suitability for the accommodation to be adapted and any additional needs the applicant may have.

When we receive the Occupational Therapist's assessment we will update our records. If an applicant requires adaptations then they will only be offered a house that either already contains the required adaptations or that can, subject to the availability of resources, be reasonably adapted to meet the applicant's needs.

Wheelchair and adapted housing needs will be considered via the Common Housing Register. Applications will be assessed and prioritised using the Association's points scheme.

To ensure that we make best use of wheelchair-adapted properties, when a wheelchair-adapted property becomes available, we will give priority to wheelchair applicants who meet the property attributes. Where there is more than one potential applicant, we will allocate the property in the normal way to the applicant with the most points.

When ground floor properties become available for relet we will firstly check their potential suitability for wheelchair applicants or for those with a medical need for ground floor accommodation, subject to the availability of resources to adapt such a property. We would consider the following:

- is the house suitable for a ramp?;
- is the house located in a level area?;
- is the house close to amenities?;
- is the house adapted or could it be adapted for wheelchair use?;
- is the bathroom large enough for a wheelchair user?; and
- are there resources available to make reasonable adaptations to the property?

#### **18. What size of house are applicants entitled to?**

We try to make the best use of the housing available. You will be eligible for a particular size of house based on the size of your household but you may also choose to be on the waiting list for a house size smaller than you need (we will only allow you to do this as long as the house size you ask for will not make you overcrowded in terms of housing legislation and as long as this will improve your current housing situation). We will work out your house size based on the following rules.

- One or two bedrooms for a single person or a couple living in a property;
- One bedroom for a single person or a couple with other people living with them. The other people living in this household would be entitled to:
  - one bedroom for every adult aged 16 or over (who are not part of a couple);
  - one bedroom for every two children of the same sex aged under 16;
  - one bedroom for every two children of different sexes aged under 8; and
  - one bedroom for each child of different sexes aged between 8 and 16.

Please bear the following in mind when applying for housing with us.

- We won't expect more than two children to share a bedroom;
- We will give some priority to applicants where children of opposite sexes are required to share a bedroom;
- We won't expect children to share a bedroom if there is an age difference of more than six years between them;
- We will take account of the size of the bedrooms in a house when deciding how many people in the household it would be suitable for. We recognise that some bedrooms are smaller and they will only have enough space for one person. This will be taken into account when calculating overcrowding points and when deciding what size of household we should offer the house to when it becomes vacant; and
- Couples and single people without children can choose whether they want us to consider them for either a one-bedroom or two-bedroom property.

Because of the high demand for, and short supply of, one-bedroom properties, we will let people who live alone (single applicants) apply for a two-bedroom property.

But, when we allocate two-bedroom properties, if a household with children has the same number of points (see Part 3 of the policy below) as a single applicant, we will give the household with children priority for the property.

We will use the applicant's 'time in need' date (the date from which they had the level of need they currently have, for example, when they were awarded the number of points they currently have) as the next factor when deciding who we offer the property to. So if an applicant has had their current circumstances for longer than somebody else with the same amount of points and level of need, we will offer the person who has been in need the longest.

An example of the house size we will consider applicants for is set out below.

<b>Household size</b>	<b>Accommodation size</b>
<b>Single person</b>	<ul style="list-style-type: none"> <li>• one <b>or</b> two-bedroom property</li> </ul>
<b>Couple</b>	<ul style="list-style-type: none"> <li>• one <b>or</b> two-bedroom property</li> </ul>
<b>Single parent or couple with one child</b>	<ul style="list-style-type: none"> <li>• two-bedroom property</li> </ul>
<b>Single parent or couple with two children of the same sex</b> <ul style="list-style-type: none"> <li>• if the children are both aged under 16</li> <li>• if the children are both aged under 16, but they have more than six years' age difference between them</li> <li>• if one child or both children are aged 16 or over</li> </ul>	<ul style="list-style-type: none"> <li>• two-bedroom property</li> <li>• three-bedroom property</li>   <li>• three-bedroom property</li> </ul>
<b>Single parent or couple with two children of the opposite sex</b> <ul style="list-style-type: none"> <li>• if the children are both aged under 8</li> <li>• if one child or both children are aged 8 or over</li> </ul>	<ul style="list-style-type: none"> <li>• two-bedroom property</li> <li>• three-bedroom property</li> </ul>
<b>Single parent or couple with three children</b> <ul style="list-style-type: none"> <li>• if two children are able to share a room (for example if they are aged under 16 years and are of the same sex, or aged under eight and of the opposite sex)</li> <li>• if no children are able to share a room (for example because they are all over 16 years of age)</li> </ul>	<ul style="list-style-type: none"> <li>• three-bedroom property</li>   <li>• four-bedroom property</li> </ul>
<b>Single parent or couple with four children</b> <ul style="list-style-type: none"> <li>• if all children are able to share rooms</li> <li>• if two children are able to share a room</li> <li>• if no children are able to share a room</li> </ul>	<ul style="list-style-type: none"> <li>• three-bedroom property</li> <li>• four-bedroom property</li> <li>• five-bedroom property</li> </ul>

If you have more than four children, we would work out the size of property you need by following the same rules as in the table above.

We understand that your needs may not be the same as someone else's and we will consider your household's eligibility on an individual basis.

There are a number of circumstances where we may offer you a bigger house. We list some of these below.

- **Where there is a health reason for needing another bedroom** – for example, where a member of your household uses special medical equipment at home and it would be unreasonable for them to share a room while they use this equipment. We will consider their health needs on an individual basis through our health and housing need assessment procedures.
- **Where a separated husband, wife or civil partner has access rights to a child or children** – if you are separated from someone who you have children with and the children stay overnight at your house, we would normally include your children when we work out the size of property we will offer you. If your current house is too small and you need an extra room/s to accommodate your children, we will also give you a single award of 50 points under our ‘over and under occupancy points category’. We will take your individual circumstances into account when we do this. Please mention any specific needs you have when you apply.

We may also allow you to go on the waiting list for a house size smaller than you would normally qualify for. This would normally be:

- **Where we do not have housing that suits the size of your household** – if we don’t own properties of a size suitable for you, or if we have very limited stock and turnover of the house size you qualify for, you may chose to be included on the waiting list for a house size smaller than you are eligible for as well as being listed for the size you qualify for. We will only do this if moving to a smaller property would improve your current circumstances. For example, if you currently live in a two-bedroom house and need a four-bedroom house (which we have very few of and which do not become available very often), we may consider offering you a three-bedroom house to reduce the overcrowding in your current home.

Our approach to working out what house size you are eligible for is meant to take account of the needs of large families, as well as making the most of the housing we have available.

## 19. Interviewing & counselling new applicants

We recognise that there are advantages of direct contact with applicants at the point of their initial application for housing. We will therefore:

- assist applicants with the completion of application forms. This will provide us with detailed and relevant information which will save us time when processing the applications; and
- offer to interview applicants either at the point of application or **within 28 days**. The purpose of this interview is to:
  - ensure all addresses and tenure types during the previous **3 years** are listed. Where an applicant has held a tenancy with a local authority or an RSL we will advise the applicant that we will seek a tenancy reference from their previous landlord;
  - check accuracy of information given on the application form and in the case of home visits check the applicant’s current housing situation;
  - check the applicant’s needs and preferences and give appropriate advice as to their prospects of housing in their areas of choice, property and heating type. Applicants should also be advised only to choose areas where they are prepared to live to keep refusals and void turnaround to a minimum;
  - ensure that applicants are aware that they can choose as many or as few allocation areas as reasonably meets their needs and expectations;

- ensure that applicants are aware that they will only be considered for housing for the size, property type and heating type as stated on their application form;
- ensure that applicants understand the importance of informing Clyde Valley Housing Association of any change of circumstances e.g. change of address, household formation, or any medical or social factors which may affect their application;
- check that the applicant has their full entitlement of points;
- advise applicants of other housing providers available through the Common Housing Register;
- encourage applicants who have expressed an interest in sheltered housing to make a direct application or use the Common Housing Register to register with providers of specialist accommodation who operate within the area. It also provides an opportunity to carry out an initial assessment of need for sheltered housing and to assess the urgency of the need for an Occupational Therapists' assessment; and
- advise applicants who are applying from outwith our area of operation, in writing, of their prospects for housing within their areas of choice, and of the availability of their choice of property and heating types.

## **20. Our minimum lettable standard**

We will seek to allocate all of our houses in good order and in line with our minimum lettable standard.

Our minimum lettable standard is contained within our Estate Management Policy Guide and in our Tenant's Handbook and is available at our office and on our website.

We will provide a copy of our minimum lettable standard with any paperwork we issue when making an offer of housing. This will allow the applicant to contact us if they have any issues about the standard of house we have offered.

If the applicant is a current Clyde Valley Housing Association tenant, we will expect them to have maintained their current house to a good standard. If they have not, we will require them to rectify any defects that we believe are their responsibility before we consider them for an offer of housing.

## **21. Decant accommodation**

There may be times when it will be necessary to move a tenant temporarily to another house to allow us to carry out work in our properties. This is known as 'decanting'. For example, the work to the property may take the form of:

- planned major works or improvements where the disruption would be too great if the tenant remained in the house;
- repairwork due to fire, flood or storm damage; and / or
- work required for health and safety reasons.

If at any time we have to decant a tenant we will follow our Decant Policy and procedures and will do our best to provide temporary accommodation that meets the tenant's needs. In certain circumstances this may take the form of bed and breakfast accommodation. We may also ask the tenant to consider living with a relative if the decant period is for a short time and we are unable to find temporary accommodation to suit the tenant's needs. When we provide decant accommodation, it will be housing on a 'like-for-like' basis whenever possible, which means that we will endeavour to offer the same type of house that the tenant lives in at the time. Where there is no such housing available at the time we reserve the right to offer housing that is approximate to the tenant's needs.

When the work is complete in the tenant's home, the tenant must leave the decant accommodation and return to their home.

**22. Keeping pets**

Anyone allocated a house who wants to keep a pet must get our written permission first.

**23. Lock-up garages**

Our subsidiary, Clyde Valley Property Services (CVPS), has a small number of lock-up garages available for let.

We will allocate lock-up garages in date of application from our lock-up garage waiting list. Applicants who would like a lock-up garage must complete an application form.

<b>PART 3 – PRIORITISING APPLICATIONS FOR HOUSING</b>
---

**1. The groups and points system**

Our policy for allocating housing is a 'groups and points' system. This means that when you apply for housing, we will do the following:

- put your application into one of four groups – either 'homeless', 'transfer', 'aspirational transfers' (see below) or 'general'; and
- give you a certain number of points, depending upon your housing needs (see section 4 below).

We set a target for the number of housing offers we make to each group every year. Normally, we would offer a property to the person in each group with the most points.

We believe that our housing allocation policy means that we can recognise and balance the different housing needs of people who want housing in North Lanarkshire.

**2. Our groups and targets**

We will assess your circumstances and decide which group you fall into.

**Homeless**

This includes people who have applied for housing through a homeless assessment process and it has been decided they are unintentionally homeless (homeless through no fault of their own) and that they are vulnerable and need housing urgently.

## **Transfer**

This includes people who are currently our tenants or joint tenants and who have a need to move, for example because their house is too big or too small for them or because they need to move for health reasons.

A separate group within the transfer group is the 'aspirational transfer' group for people who do not have a housing need. For example this would be for people who do not need to move for health reasons and their home is not overcrowded or underoccupied but they still want to move to be in a different area or to live in a different type of house.

## **General needs**

This includes everyone who has not applied or who does not qualify to be included on the homeless list, and who are not looking for a transfer. For example, this group could include people who are renting a house from a private landlord or people looking to set up a home for the first time.

## **Targets**

North Lanarkshire Council has set the following broad targets for the percentage of housing offers to be made to each group for the whole of North Lanarkshire:

- Homeless 37%
- General 38%
- Transfer 20%
- Aspirational transfers 5%

We have different amounts of different types of housing in areas across North Lanarkshire. The number of people who need housing in each area also varies. So we can match our houses to the people who need them, we work with the Council to agree targets at a local level. We set these targets based upon how many people need and want housing in each of the local areas. We review our targets with the Council regularly to make sure that we continue to meet people's housing needs in each local area.

### **3. Mobility and the transfer grouping**

Over time, your household circumstances can change. Even if you are already a Clyde Valley Housing Association tenant, you may need to move to a different size or type of property (such as a smaller house because your children have moved out) or to a different area (for example, because of work). Overall, one quarter of properties that are allocated will go to our tenants of landlords who participate in the Common Housing Register to help them to move to more suitable housing. This will help us to balance the needs of different communities across North Lanarkshire, by making sure that people with different circumstances will get equal chances of being offered different types of properties in different areas. When we allocate a property to somebody on the transfer list, this gives us a property back which will meet the needs of someone else on one of our other lists. This means we will be able to help two households on our waiting lists.

We give existing tenants who need to move (for example, this could be because their family has grown and they now need a bigger house) priority above our tenants who do not need to move but want to move.

But, we still understand that tenants may simply want to move because they want a house that suits their lifestyle better or because they want to move to a different area. Because of this, one in five of our housing offers to the transfer grouping will go to people who do not need to move but want to move. These applicants are put on the 'aspirational transfer' list.

If you are already a Clyde Valley Housing Association tenant, you can apply for a transfer whenever you like. You do not need to have been a tenant for any particular period of time before you apply to move to another property. We won't consider tenants for a transfer to a property if it means they are worse off, for example if it means their new home would be overcrowded.

#### **4. The points system**

When you apply for housing, you receive a certain number of points based on your current housing circumstances. We award points for six main reasons:

- if you need to move house because of your health;
- if your housing situation is unsettled (for example, if you could soon become homeless or if your home is being demolished);
- if there are too many or too few people living in your home;
- if your current living conditions are not suitable for you (for example because the property is not suitable to live in because it is in a bad state of repair);
- if you are being abused or harassed; or
- if you have social reasons for moving (for example if you need to move to be nearer to support you have from family or friends or from a specialist hospital or school).

These categories take into account the reasonable preference criteria set out in the Housing (Scotland) Act 1987 (as amended by the 2001 Act). We prioritise large families by recognising they could be overcrowded and by making sure that only households who need a certain house size are eligible for it. There is some flexibility in house size choice for smaller households (couples and single people) but not for larger households. This means we can make sure that large properties are only given to large households.

Within the points system, you can usually receive points from each category that applies to you. For example, if you are moving to get access to services that you need, are in an overcrowded property and are being abused or harassed, you would receive points for all of these circumstances. We will assess whether you qualify for these points using our detailed guidelines.

<b>Category</b>	<b>Points we award</b>
<b>If your housing situation is unsettled ('insecure housing')</b>	
<ul style="list-style-type: none"> <li>• if your property is being demolished</li> </ul>	150
<ul style="list-style-type: none"> <li>• if you have been assessed and accepted through an agreed Council protocol (a protocol means a set of rules that has been agreed with another organisation who provides support or a service for a particular group of people)</li> </ul>	150
<ul style="list-style-type: none"> <li>• if you do not have accommodation available for you and you are living outside or if you are living in temporary housing but you are not applying as homeless or you have been awarded a 'homeless – non priority' decision in terms of a homeless application you have made</li> </ul>	80
<ul style="list-style-type: none"> <li>• if you must move out of your current accommodation within two months</li> </ul>	80
<ul style="list-style-type: none"> <li>• if you are living with people who are not going to be part of your household when you move</li> </ul>	30
<ul style="list-style-type: none"> <li>• if your housing situation is unsettled for any other reason</li> </ul>	10
<b>You will only receive one 'set' of points in the 'insecure housing' section</b>	

<b>Category</b>	<b>Points we award</b>
<b>If you or a member of your household is being abused or harassed</b>	
<ul style="list-style-type: none"> <li>• if you or a member of your household is being abused or harassed by someone in your home</li> </ul>	150
<ul style="list-style-type: none"> <li>• if you or a member of your household is being abused or harassed by people who do not live in your home</li> </ul>	50
<b>You will only receive one 'set' of points in the 'abuse and harassment' section</b>	

<b>Category</b>	<b>Points we award</b>
<b>If your moving for health reasons</b>	
<ul style="list-style-type: none"> <li>• if you have an 'urgent' health reason to move (for example you cannot get out of hospital because your current property is no longer suitable for you and it would be dangerous if you returned home)</li> </ul>	90
<ul style="list-style-type: none"> <li>• if you have a 'serious' health reason to move (for example if you cannot get to the bathroom in your property or it would not be practical for the property to be adapted)</li> </ul>	40
<ul style="list-style-type: none"> <li>• if you have any other medical reason to move</li> </ul>	10
<b>You will only receive one 'set' of points in the 'health' section</b>	

Category	Points we award
<b>If your home has too many or too few people in it ('over and under occupancy') – these points will be calculated taking account of the number of bedrooms within your house, the size of the bedrooms and the number of people these can accommodate</b>	
<ul style="list-style-type: none"> <li>if there are too many people living permanently or for the majority of the week in your home</li> </ul>	50 for the first extra room you need and 10 for every other bedroom that you need
<ul style="list-style-type: none"> <li>if you have access to children who stay in your house for one or two nights a week and you need extra rooms</li> </ul>	50
<ul style="list-style-type: none"> <li>if you are overcrowded which means that children of opposite sexes have to share a room</li> </ul>	10
<ul style="list-style-type: none"> <li>if there are too few people living in your home (this applies to tenants on the transfer list)</li> </ul>	40
<b>You will only receive one 'set' of points in the 'over and under occupancy' section</b>	

Category	Points we award
<b>If your home is not suitable to live in</b>	
<ul style="list-style-type: none"> <li>if your property is significantly below the tolerable standard (which means it falls below the standards set out in the Housing (Scotland) Act 1987) and is not in good enough condition for you to live in (for example if your property has no hot or cold running water, mains electricity or is structurally unstable)</li> </ul>	50
<ul style="list-style-type: none"> <li>if your family has to live apart (for example if you do not have any housing available which is large enough for you all and you have to live in different houses)</li> </ul>	20
<b>You will only receive one 'set' of points in the 'unsuitable housing' section</b>	

Category	Points we award
<b>If you have a social reason for moving</b>	
<ul style="list-style-type: none"> <li>if you want a transfer to another home (this only applies to tenants who will be on the transfer and aspirational transfer lists)</li> </ul>	20
<ul style="list-style-type: none"> <li>if you want to move to give or receive support</li> </ul>	10
<ul style="list-style-type: none"> <li>if you want to move to access essential services that you need</li> </ul>	10
<ul style="list-style-type: none"> <li>if you are moving to enable you to get to your place of work</li> </ul>	10
<b>You will only receive one 'set' of points in the 'social reason' section</b>	

**The homeless group**

If you apply to North Lanarkshire Council for housing because you are homeless, the Council will assess your needs using its homelessness assessment procedures.

If the Council finds that you are unintentionally homeless and in priority need for housing as described in the Housing (Scotland) Act 1987 (as amended by the Housing (Scotland) Act 2001), this means you have become homeless through no fault of your own and you are vulnerable, we will put you will be put into a separate 'homeless group' on the Common Housing Register.

If you are in this group, you will be prioritised based upon the date on which you applied for housing through the Council's homeless assessment process.

**5. Applicants applying to join households together**

Where two families want to give up their current homes and swap them for one larger home, we will award them points according to the points system using the following rules. We will consider all extended family members (everybody who wants to live with you as part of your new household) from the two households as being in one household. We will then compare the combined household with the size of the larger of the two properties that your household currently live in, to see if this property would be large enough for the new household to move into. If this property is not large enough we will award points under the overcrowding criteria. We will then assess the new household for any other points we should give them for their circumstances (for example if they need to move for medical reasons or to be near services they need).

If both families wanting to move are our tenants, we will put your application in the 'transfer' group. If only one or neither of the families are our tenants, we will put you in the 'general' group.

**6. What we do not take into account**

When working out your group and points, we will not take account of any of the following when we allocate our housing:

- whether you live in the area you want housing in;
- the length of time you have lived in the area;
- any debts you have that are not related to your current tenancy;
- any debts you have already repaid;
- debts related to your tenancy where:
  - they are less than 1/12<sup>th</sup> of the yearly amount of rent you pay; or
  - you have already arranged a repayment plan and kept to it for at least three months and you are still keeping to the repayment plan;
- your and your family's income (including any benefits you receive);
- the value of any property you or your family own; or
- your age, as long as you are over the age of 16 and the home you want to move to has not been designed or adapted for elderly people to live in.

**7. Gathering supporting information**

For us to assess properly your level of housing need, we will need proof of your current circumstances.

We understand that sometimes the information we need may be personal and sensitive. In these cases, we will only need to see the sensitive documents — we won't need to keep an original or take a photocopy.

Examples of the type of information we will require is listed on the table below.

<b>Your circumstances</b>	<b>Proof we need to see</b>
Whatever your circumstances	Two forms of identity  For example, we will accept a driving license, a passport, an ID card that you were given when you started your job or your National Insurance card.  If you do not have any of these but you have a different form of ID, please contact us to see if we can accept it.
If you are homeless or could soon become homeless	North Lanarkshire Council will assess you through its homeless assessment process to see if you meet the unintentionally homeless and in priority need criteria as described in the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001.
If you have been asked to leave your current home	Copy of a valid 'notice to quit' or a letter asking you to leave.
If you need rehousing because your health is affected by your current housing	We will assess your health and housing needs through our health and housing needs assessment process.
If you need a bigger home because you have access to your child and they want to stay overnight	A letter from your child's other parent, or a letter from a lawyer explaining your access rights to your child or children.
If you are moving for social reasons – to be near services you need	A letter from the service that you use, such as a school or medical centre, explaining your reason for moving and that you need to live near this service.
If you are moving for social reasons – to provide or receive support	A letter from the person receiving or providing support, explaining your reason for moving and that you need to be near them.
If you are moving for social reasons – to be closer to your place of work	A letter from your employer explaining your reason for moving and that you need to be near your place of work.

## 8. Homelessness

If you believe that your household is homeless or could soon become homeless, you have two options in terms of how you would like your application to be processed – you can be assessed through by the Council to determine whether you are 'statutory homeless' or be considered through the points system where you otherwise have 'no accommodation available'..

### **Statutory homelessness**

You can apply directly to North Lanarkshire Council and ask to be assessed under our homeless assessment process. If the Council assesses you and finds that you are unintentionally homeless and in priority need (which means you are homeless through no fault of your own and are vulnerable), they will put you into the homeless group within the North Lanarkshire Common Housing Register. You can't go into this group unless you go through North Lanarkshire Council's homelessness assessment process. If you want more information about our homelessness assessment process, please visit your nearest North Lanarkshire Council office.

Clyde Valley Housing Association will consider offering housing to statutory homeless households, in line with letting quotas, when a suitable property becomes available for let. In these circumstances, the allocation would be considered as a referral from the Council in terms of Section 5 of the Housing (Scotland) Act 2001, and not through the Association's general Housing Allocation Policy (North Lanarkshire) and points scheme.

Where a Section 5 referral is identified and that person has a current live housing application on the Association's general housing list, that housing application would be suspended from the housing register pending the outcome of their statutory homeless status. If such a household is housed, their application on the general housing list will be cancelled and archived. If such a household experiences a change of circumstances whereby their statutory homeless status is removed by the Council, their application on the general housing list will be reinstated and considered in terms of the Association's general Housing Allocation Policy (North Lanarkshire) and points scheme.

Annually the Association will agree a target with North Lanarkshire Council for the quota of lets for statutory homeless, with such referrals forming part of the overall nominations quota agreed with the Council. The balance of lets will be allocated via the Association's general Housing Allocation Policy (North Lanarkshire) and points scheme, which in turn will include an agreed quota for transfer list and waiting list applicants.

### **Not statutory homeless but no accommodation available**

Alternatively you can apply to join the North Lanarkshire Common Housing Register without going through the Council's homeless assessment process. Our points framework has been developed to make sure that the needs of people who are homeless or who could become homeless, are prioritised within the group they are put in. If you choose not to apply through the Council's homeless process, you would go into our 'general' or 'transfer' groups, depending upon whether you are already a tenant or not. We would give you points in line with our points system (see section 4 above).

## **9. Abuse and harassment**

If you or a member of your household are being abused or harassed and it means you cannot stay in your home, you can apply to North Lanarkshire Council for a homelessness assessment. The Council will give you the help and support you need to do this (for example, they could give you temporary housing and put you in touch with independent support agencies such as Womens' Aid).

But, we understand that you may not want to apply through the Council's homeless assessment process. If you choose not to apply through the Council's homeless process, you would go into our 'general' or 'transfer' groups, depending upon whether you are already a tenant or not. We would give you points in line with our points system (see section 4 above).

We also recognise that if you are suffering domestic abuse within the household where you are currently staying, that it is important that you are removed from this situation as quickly as possible. Because of this we will make sure that the options available for rehousing you are maximised and that you are recorded on our waiting lists for as many types of housing and areas of housing as would be suitable for you.

#### **10. Health and housing needs assessment**

If you feel that your health is affected by your current housing circumstances, and that moving would help your health or reduce some of the problems you are experiencing as a result of your health, we will ask you to fill in a 'Health and Housing Need' form.

Medical points will only be awarded where re-housing would significantly improve the suitability of your (or a member of your household who is moving with you) housing in light of your medical needs and **only** for accommodation which meets your medical requirements. Having a medical condition will not in itself be grounds for an award of medical points.

Medical points will only be awarded if the independent medical advisor assesses that your household suffers from a serious medical condition and that your present accommodation is unsuitable in light of your medical needs and cannot be adapted. If you wish to be considered for re-housing on the basis of your medical need, you must complete a medical assessment application form. Application forms are available on request. Applicants should not approach their GP or specialist directly to provide us with information.

The following process will take place when an applicant is applying for medical points:

- a Health and Housing Need form should be completed by the applicant giving full details of their medical condition, any prescribed medication being taken, contact details of doctor, information on why the applicant's current accommodation is medically unsuitable for their needs, etc;
- the medical advisor appointed by us will independently assess all applications using their medical experience and judgement (our staff are only involved in assisting with completion of the application and passing on details of the applicant's current accommodation);
- the independent medical advisor will make a recommendation on each case based upon the information provided;
- we must follow any recommendations that the independent medical advisor makes on the facilities that the applicant needs (e.g. ground floor accommodation only);
- the independent medical advisor decides which category of medical rating, if any, is to be assigned to the applicant's needs; and
- to award a category of medical priority, the independent medical advisor must be satisfied that the location, design or condition of the applicant's current accommodation is having an adverse effect on the applicant's medical condition and / or the medical condition of the relevant member of the household.

To allow the independent medical advisor to make an informed decision, we will provide full details on each case to be assessed. This may include:

- the Health and Housing Need form which the applicant has completed (this form is strictly confidential between the applicant and the independent medical advisor);
- details of any care or support packages being provided; and
- details of any equipment / adaptations being used.

We will **not** ask applicants to approach their GP or specialist directly to provide us with information. If the independent medical advisor needs clarification or further information they may contact the applicant's GP or specialist directly and in confidence.

Before we send the application to the independent medical advisor we may include any other information which we feel may assist the independent medical advisor in making the decision. This information may include:

- type of current accommodation;
- location of accommodation (e.g. on a hill);
- ease of access (e.g. number of steps to the house from the street);
- location of the bathroom (e.g. ground floor or upper floor); or
- proximity to transport, shops, etc.

In many instances, the above information will allow the independent medical advisor to make a decision. However there may be times when the independent medical advisor will need to discuss the case with the applicant and the applicant should provide contact details to allow this.

We will make a one-off award of medical points, regardless of the number of members within the household who have applied for and been granted medical points.

Applicants are required to keep us advised of any changes in circumstances, including details of any medical conditions that may affect their housing circumstances. Where there are changes in an applicant's medical circumstances we will ask our independent medical adviser to make an assessment. Depending upon the findings of the independent medical advisor, points entitlement may be increased, decreased or kept the same.

The medical assessment procedure and the granting of medical priority will only work effectively if all the cases are genuine and fulfil the criteria. It is essential that medical points are not used as a means of fast-tracking an offer of housing. Both Clyde Valley Housing Association and the independent medical advisor will act at all times to maintain the integrity of the system.

Where a medical recommendation is received which appears to be inconsistent with the policy we will raise this with the independent medical advisor and seek clarification.

We will meet periodically with the independent medical advisor to discuss the operation of this process and to identify and seek to address any concerns or difficulties being experienced by the independent medical advisor or Clyde Valley Housing Association. We will also use such meetings to exchange general information and seek advice and clarity on any issues of concern.

Medical priority will only be awarded where your current accommodation cannot be adapted to meet your medical requirements (or those of a member of your household who is moving with you). We will discuss with you whether installing equipment or carrying out adaptations would make your home suitable to your needs. We may be able provide appropriate equipment or carry out the necessary adaptations required to allow you to continue to live in your home, but when we are assessing whether or not a property can be adapted to meet your households needs, we will take the following factors into account:

- financial constraints;
- level of disruption associated with the required work; and
- landlord consent to the necessary works.

Where more than one person within your household to be re-housed has a medical condition, an assessment of the combined medical needs of your household will be carried out. It should be noted however that only one level of medical points will be awarded.

An independent medical advisor will assess your medical circumstances and will make a recommendation to us on the level of medical award that should be given to you (or a member of your household who is moving with you). There are three levels of medical priority:

- urgent health reason;
- serious health reason; and
- other health reason

If you (or a member of your household who is moving with you) has a health reason to move, it is likely that you will have specific property requirements which we will aim to meet. Where the independent medical advisor has recommended that you (or member of your moving household) be considered for a particular property type or area, for example ground floor level access, we will only award medical points or allow you to queue within the housing list, for preferences that meet your medical needs.

If you wish to be considered for a property or area which does not meet your medical needs, medical priority points will not be applied in relation to 'unsuitable' property / area / heating preferences.

No points will be awarded for health reasons where the independent medical advisor determines that:

- you (or a member of your household who is moving with you) have no medical problems that are due to your current accommodation; or
- you (or a member of your household who is moving with you) have medical problems, but these would be unlikely to be alleviated to any extent by different accommodation.

## **11. Applicants leaving the Armed Forces**

If you apply for housing with us because you are leaving the Armed Forces and you are losing your Force's accommodation we will prioritise your application using the criteria set out in our pointing framework. When you are issued with your discharge papers you should provide a copy of these to us along with your application for housing and any other evidence that would be required to allow us to assess your level of housing need.

## PART 4 – OFFERS AND REFUSALS

### 1. **Matching you to a property that suits you**

When we know that a property will soon become available, we will start to decide who the property is most suitable for.

Firstly, we will decide which group the property should be offered to, such as our homeless, transfer, aspirational transfer or general group (our targets for allocations to each grouping are set out in Part 2 above.) We have procedures for our staff to follow when they decide which group to offer a property to. This helps us to make sure that all our groups have equal access to different types of property in many different areas.

Then we will identify all of the applicants in this group whose needs and preferences match the property. We would then offer the property to the person with the most points. However there are a number of exceptions to this.

#### **If the property we are offering is adapted**

We want to make sure that we make best use of our adapted properties and properties specifically designated as 'Amenity Housing' for older people – this means they have been specifically built to make them suitable for people with particular needs, or have had things changed in them or added to them, for example, a walk-in shower (a shower with a wet floor area that does not have a shower tray to step into) or alarm pull cords to help elderly people to live more safely. If a property has been adapted or specifically designated as Amenity Housing for older people, we will check whether any of the people in the group we choose need an adapted property or, in the case of Amenity Housing, are 60 years old or over. If somebody does meet these criteria, we will offer it to the person who needs an adapted property or Amenity House, with the highest number of points. If nobody in the group we choose **needs** an adapted property or an Amenity House, we may choose to offer the property to a different group so we can match the property to a more suitable person.

### 2. **Number of offers**

We want to make sure that we match you with a property that is suitable for you. We will support you in making your housing choices – in terms of where you are thinking of living and what type of housing you need. We will tell you what your realistic chances are of being offered housing in your preferred areas.

We are happy to discuss with you the house types and allocation areas that you wish to be considered for and to advise on turnover. We can also advise on mutual exchanges and any local lettings initiatives. This will allow you to make informed and realistic decisions on choosing house types and allocation areas that best meet your requirements and hopefully this avoids us making unsuitable offers.

The Common Housing Register application form allows you to choose as many or as few house types and allocation areas as you want, and you can change these at any time. However you should only select house types and allocation areas that you reasonably believe meet your needs and expectations.

Through the North Lanarkshire Common Housing Register, you can ask to be considered for housing with another landlord who may have suitable accommodation within an area of your choice.

We don't expect many people to refuse housing offers because our offers will match the choices you made when you applied.

We understand that sometimes your needs change, so you are free to refuse one housing offer. But, we will ask you why you did this and check if you want to change your housing choices.

If you then refuse a second housing offer which matches your choices, we will suspend you from the housing list for three months from the date you refused our second housing offer. We believe that if you refuse more than one offer, we will need to give you more detailed information and advice about your housing options and your chances of being housed. During this time, we won't consider you for any properties that become available.

We will use these three months to talk to you in detail about your housing options, and we will ask you to see if there are any other housing options that you might be interested in (for example, other types of housing, other areas or other housing providers, such as housing associations). We will assess your case individually.

If you have exceptional reasons for refusing two offers which matched your choices (for example if you are ill and are currently having medical treatment which would make it difficult for you to move), we may decide not to suspend you from the housing list.

We do not have a lot of housing available in certain areas and we have a responsibility to provide homeless applicants with somewhere safe and secure to live within a reasonable amount of time. Because of this, if you are currently on the homeless waiting list, it may not always be possible to offer you housing that matches your preferred areas or type of housing. If we are not able to offer you housing in your preferred areas, we will make sure that the housing we offer you is close to any support or services you need, such as hospitals, schools, and so on. We will make sure that the housing we offer you meets your immediate housing needs (so, for example, we will offer you housing that meets your health needs but that might not necessarily be in the area or the type of house you told us you wanted when you applied).

If you are included in the homeless group and you refuse two offers of housing which the Council thinks are reasonable, we will move your application to one of our other groups, such as our 'general' or 'transfer' group, depending upon your current circumstances. If the properties we offered you were in your preferred areas, we will also suspend your application from the housing list for three months.

If you have been awarded points because you are currently subject to an agreed protocol; because your current property is being demolished; or because you are currently subject to abuse and harassment from someone who currently lives in the same household as you, we recognise that these are all serious reasons for needing to be rehoused and that you will need to be housed within as short a timeframe as possible to remove you from this situation. To allow us to assist you with your housing needs as quickly as possible we will need to review your housing choices and options with you to ensure they are maximised. Therefore where you have been awarded points for any of these reasons we will not allow you to be unnecessarily restrictive in the types of housing you have asked for or the areas you have asked to be housed in and we will ensure that you are listed for as many types of houses in as many areas as would be suitable for you. When making an offer of housing to you we will also make sure that the offer meets your immediate housing needs (so for

example we will offer you a house that is large enough for your family and from which you can still access services you require, but the property might not be the specific type of house you have asked for or in any of the specific areas you have asked for.)

### **3. Making an offer**

When an applicant has met the criteria for a forthcoming vacant house and we match the house to the applicant, we will then consider the applicant for the provisional offer usually in advance of keys being available.

The identification and selection of potential applicants to be offered accommodation is delegated to specific staff who have a detailed knowledge and understanding of the Housing Allocation Policy (North Lanarkshire) and associated procedures. However **all** provisional offers must be checked and authorised by the Operations Director or Housing Services Managers, before they are made.

#### **Applicant lives in a Clyde Valley Housing Association property**

If the applicant lives within a Clyde Valley Housing Association property, we will telephone the applicant to arrange a suitable date and time to visit their home. If we are unable to contact the applicant, we will write to the applicant advising that we need to carry out a home visit to discuss their application and will request that the applicant contact us.

We will always carry out this visit before we make any offer of housing. During this visit we will carry out a house inspection and also check that there has been no change in the circumstances of the application which could affect the applicant's points entitlement. We will ask for proof of residence for all members of the household who may be moving.

We will carry out a house inspection where the applicant has a tenancy. The applicant's current property must be in a lettable condition. If there are any property defects that have been caused by neglect or wilful damage, these must be rectified by the tenant prior to an offer being made.

If the visiting officer is satisfied that all of the details are correct, that there are no breaches of tenancy and that the house inspection is satisfactory, the officer will make a provisional offer of housing. This provisional offer will be made in writing, stating the address, size and rent of the property offered. The officer may arrange a date with the applicant for an accompanied viewing of the house.

If the details have changed and the applicant no longer qualifies for the offer, or the applicant's accommodation is in unreasonable condition, we will not make the offer. However if the details have changed and the applicant still qualifies for the offer, we will make the provisional offer as detailed above.

Where an offer of accommodation is made, the applicant will have a time limit of **3 working days** to contact us to register an interest. Applicants will have **1 working day** to accept or reject an offer after the accommodation has been viewed.

New tenants will normally be offered a Scottish Secure Tenancy but in certain circumstances it may be necessary to offer a Short Scottish Secure Tenancy (SSST). When we make an offer of housing to joint applicants, we will generally create a joint tenancy in respect of each of the applicants. This will help protect the rights of each joint tenant, while making them jointly and severally responsible for maintaining their conditions of tenancy.

**Applicant does not live in a Clyde Valley Housing Association property**

If the applicant does not live in a Clyde Valley Housing Association property, we will pursue a tenancy reference where appropriate. We will telephone the applicant to arrange a suitable date and time to visit their home where it is reasonably practical for us to do so. If we are unable to contact the applicant by telephone, we will write to them requesting that they contact us so that we can carry out a home visit or otherwise arrange to discuss their application and current housing circumstances.

Where it is reasonably practical to do so, we will usually carry out a home visit before we make any provisional offer of housing. During this visit, or through interviewing the applicant where it is not possible for us to visit, we will check that there has been no change in the circumstances of the application which could affect the applicant's points entitlement. We will ask for proof of residence for all members of the household who may be moving.

If the visiting / interviewing officer is satisfied that all of the details are correct, and that any house inspection is satisfactory, the officer will make a provisional offer of housing. This provisional offer will be made in writing, stating the address, size and rent of the property offered. The officer may arrange a date with the applicant for an accompanied viewing of the house.

If the details have changed and the applicant no longer qualifies for the offer, we will not make the offer. However if the details have changed and the applicant still qualifies for the offer, we will make the provisional offer as detailed above.

Where an offer of accommodation is made, the applicant will have a time limit of **3 working days** to contact us to register an interest. Applicants will have **1 working day** to accept or reject an offer after the accommodation has been viewed.

New tenants will normally be offered a Scottish Secure Tenancy but in certain circumstances it may be necessary to offer a Short Scottish Secure Tenancy (SSST). When we make an offer of housing to joint applicants, we will generally create a joint tenancy in respect of each of the applicants. This will help protect the rights of each joint tenant, while making them jointly and severally responsible for maintaining their conditions of tenancy.

**4. Not making an offer**

**Applicant lives in a Clyde Valley Housing Association property**

If the visiting officer is not satisfied with the house inspection or finds that there is a change in the circumstances, which affects the points, the officer will advise the applicant of the issues identified and confirm them in writing. The visiting officer will not make the offer of housing under these circumstances.

If the house inspection has failed due to condition or damage to the property which is the applicant's responsibility, the officer will advise the applicant in writing of the timescale that they have to bring the house up to standard. In exceptional circumstances, the manager may extend the timescale. If the house is not brought up to an acceptable standard within the timescale set by the officer or the manager, we will not make the offer and the application will be suspended. The suspension will continue until the house has been brought up to an acceptable standard. If the house is brought up to an acceptable standard within the timescale, we will make the offer.

If the visiting officer determines that the details on the application have changed and that the applicant no longer qualifies for the offer, we will not make the offer. However if the details have changed but the applicant still qualifies for the offer, we will make the offer.

**Applicant does not live in a Clyde Valley Housing Association property**

If the applicant does not live in a Clyde Valley Housing Association property and they advise us that the details on their application have changed we will re-assess their application using the amended details. If the assessment confirms that the applicant no longer qualifies for the offer, we will withdraw the offer. However, if the assessment confirms that the applicant still qualifies for the offer, we will make the offer as detailed above.

**5. Refusing offers**

We will apply penalties for refusal of offers of housing, to discourage applicants from refusing any reasonable offer (see section 1 above). We define a 'reasonable offer' as one that meets the needs and reflects the choices of the applicant.

**Refusing first offer**

If we offer a house to an applicant that meets the applicant's needs and reflects the applicant's choices, and the applicant refuses it, we will record this on our records and the application will remain on the North Lanarkshire Common Housing Register. We will make a second offer when availability of suitable vacancies permits.

**Refusing second offer**

If we make a second offer of housing that meets the applicant's needs and reflects the applicant's choices, and the applicant refuses it, we will record this on our records and the application will remain on the North Lanarkshire Common Housing Register. However we will normally suspend the application for three months and during this time invite the applicant to reconsider their housing options before making any future offers.

**Refusals in writing**

The applicant must refuse the offer in writing and the reason for the refusal must be clearly stated. We will update our records with the details of all refusals.

We seek to allocate all of our houses in good order and in line with our minimum lettable standard, although some minor repairs may be carried out or items may be upgraded through our investment programme after a new tenant moves into a vacant property. If an applicant has concerns about the condition of the property, outstanding repairs or programmed works, they should discuss this with us before refusing the offer.

If through refusing an offer an applicant wishes to change the housing types or allocation areas that they are interested in, we are happy to discuss the availability of alternative house types and allocation areas. Applicants may be advised to amend their application form so that any future offers better meet their needs and expectations.

When a Council nominee or Section 5 homeless referral refuses an offer of accommodation, we will advise the local authority's Homelessness Service. Section 5 homeless referrals may appeal to the Council that the offer of accommodation was unreasonable, in which circumstances the local authority's homeless appeals procedures will apply and determine whether or not an alternative offer of accommodation should be made.

If an applicant is refusing an offer because the applicant believes that we have not followed our policy, the applicant can complain to us using our Complaints Policy, see part 5 - Appeals.

**6. Failure to contact regarding an offer**

If we have written to an applicant regarding their application and an offer of housing and the applicant has failed to contact us to arrange a suitable date and time for a home visit, we will suspend the application. We will write to the applicant advising of this, stating our reason for doing so. If we receive no further contact we may remove the application from our list, although the applicant will be able to reapply for housing at a future date.

<b>PART 5 – APPEALS</b>
-------------------------

**1. Appealing against a decision made**

If at any time an applicant is unhappy with a decision or with an offer, the applicant may appeal to the Housing Operations Manager in the first instance who will deal with the appeal and advise the applicant of the decision taken. If the applicant is unhappy with the decision made by the Housing Operations Manager, the applicant can appeal to the Operations Director. All appeals must be made in writing. We will be happy to assist applicants with this if they require and request assistance.

**2. Appealing about the way we have handled an application**

If, at any time, anyone feels that we have not dealt with their application in a fair and consistent manner and in accordance with the written policy or that our staff have not treated them reasonably, they may register a complaint through our Complaints Policy. A copy of this is available at our offices or on our website.

**3. Appealing to the Scottish Public Services Ombudsman**

The Ombudsman will deal with complaints of maladministration. If, having followed our complaints procedure, an applicant does not consider that we have dealt with the matter to their satisfaction they have the right of appeal to the Ombudsman.

The address is:

*Scottish Public Services Ombudsman  
23 Walker Street  
Edinburgh  
EH3 7HX*

The Ombudsman will not normally deal with complaints regarding our policies unless it is considered that the policy operates unfairly and the applicant has followed our Complaints Policy.

**4. Recourse through the legal / judicial system**

If at any time any applicant feels that any decision that we have taken is in breach of any legislation, the applicant is free to seek legal advice and pursue the matter through the appropriate legal channels.

## **PART 6 – INVOLVING AND INFORMING TENANTS AND APPLICANTS**

### **1. How we will involve and inform tenants and applicants**

We consulted tenants and strategic partners in developing and reviewing our Housing Allocation Policy (North Lanarkshire) and have sought to reflect current legislation and good practice.

We publicise our Housing Allocation Policy (North Lanarkshire) through our newsletter, our Tenants' Handbook and on our website. A copy of our Housing Allocation Policy (North Lanarkshire) is also available on request at our office.

We also provide information on how to apply for housing through the Common Housing Register, as do North Lanarkshire Council and other local partner organisations.

If any applicant has difficulty in filling out any of our forms, they can contact us or call into our office and our staff will be pleased to help. We may also be able to arrange for one of our staff to call at an applicant's home to help with the form.

We seek to provide information in a format that is clear, concise and in plain English. On request, we will provide translations of all our documents, in various languages and other formats such as computer disc, tape, large print Braille etc. This can be arranged by contacting the Association's office.

## **PART 7 – PERFORMANCE STANDARDS AND MONITORING**

### **1. Purpose of monitoring**

The purpose of the monitoring process is to measure how well we are performing under our Housing Allocation Policy (North Lanarkshire).

Our managers regularly monitor our performance and we will provide reports to the Operations Committee and Board as appropriate, but at least once a year. We will use this information to highlight issues and trends, which will help us to inform recommendations for any future amendments to our Housing Allocation Policy (North Lanarkshire).

### **2. Reviewing our policy**

The Board, through the Operations Committee, will annually review the effectiveness of the Housing Allocation Policy (North Lanarkshire) and associated procedures and will identify areas requiring policy and / or service development.

The Housing Allocation Policy (North Lanarkshire) will be reviewed every three years or earlier if circumstances require it. We will consult our tenants when reviewing our policy and any proposed revisions to policy will be subject to approval by the Board.

We will review the points scheme and letting quotas annually, reporting the outcome to the Board and if appropriate making recommendations for revisions to our policy. We will also specifically review the operation of North Lanarkshire Common Housing Registers and Section 5 homeless referrals, if appropriate suggesting revisions to our policy or procedures.

**3. What we will monitor and our targets**

Appendix 1 details the performance standards, targets and indicators, which we have set for our allocation service. We will also participate in SCORE. This will provide detailed information on applicants and those housed and assist us in our review of this policy. Our officers will be happy to provide full detail of what is included in SCORE.

## Allocation Performance Indicators

Service Standard	Target	Indicator
<p><b>Processing and amending housing applications efficiently</b></p>	<p>Acknowledge receipt of at least 95% of <b>new applications</b> within 1 working day.</p> <p>Notify in writing at least 95% of <b>new applicants</b> accepted on to the housing list within 10 working days of receipt of the completed application.</p> <p>Process at least 95% of <b>application amendments</b> within 5 working days of receipt of the amendment.</p> <p>Process and forward to the independent medical advisor at least 95% of <b>medical priority applications</b> within 3 working days of the application being received.</p> <p>At least 95% of <b>medical priority applications</b> assessed and decision returned by independent medical advisor within 20 working days of the date of referral to the medical advisor.</p> <p>Notify at least 95% of <b>medical priority applicants</b> of the results of medical priority decisions within 3 working days of the decision being received from the medical advisor.</p>	<p>% of new applications acknowledged within 1 working day.</p> <p>% of applications processed within 10 working days.</p> <p>% of amendments processed within 5 working days of receipt of the amendment.</p> <p>% of medical priority applications processed and forwarded to the medical advisor within 3 working days of the application being received.</p> <p>% of decisions returned by the medical advisor within 20 working days.</p> <p>% of applicants notified of the medical priority decision within 3 working days.</p>

Service Standard	Target	Indicator
<p><b>Making effective use of the housing stock</b></p>	<p><b>Rolling review</b> of 100% of applicants on the list, at least every 12 months.</p> <p>Carry out <b>pre-termination visits</b> on all tenancies where appropriate notice is given.</p> <p>Monitor monthly <b>allocation quotas</b> achieved.</p>	<p>% of applicants reviewed every 12 months.</p> <p>% of visits made as a proportion of terminations where notice is given.</p> <p>Quarterly report to committee detailing allocation quotas achieved, including breakdown of points awarded, section 5 referrals, local letting initiatives, etc.</p>
<p><b>Ensuring that allocations are made fairly and promote equality, as well as create stable and sustainable communities</b></p>	<p>Monitor monthly - age groups, household composition, ethnic origin, disability, previous tenure and previous location of new tenants.</p> <p>Monitor as required all allocations made in terms of Clyde Valley Housing Association's Schedule 7 Policy.</p> <p>Monitor monthly the number of void houses, turnover, number of refusals, reasons for refusals and reasons for terminating tenancies, household types being housed and void spend.</p> <p>Monitor annually all allocations made and terminated within a 12-month period.</p>	<p>Quarterly report to committee detailing age groups, household composition, ethnic origin, disability, previous tenure and previous location of new tenants.</p> <p>Full compliance with Clyde Valley Housing Association's Schedule 7 Policy where this applies to allocations.</p> <p>Quarterly report to the Board including trends.</p> <p>Annual report to the committee of allocations made and terminated within a 12-month period, identifying key trends and proposals for local letting initiatives.</p>