



## **Inverclyde Common Housing Register Allocations Policy (A Guide to Applying for Housing)**

[www.inverclydechr.org.uk](http://www.inverclydechr.org.uk)

Copies of the summary Allocations Policy are available from ICHR and our website or from any of the participating landlords. A copy of the full policy is available on request in large print, or in an alternative format or language.

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## **INTRODUCTION & POLICY CONTEXT**

### **1 Introduction**

- 1.1 Inverclyde Common Housing Register (ICHR) is a partnership between Cloch Housing Association, Oak Tree Housing Association, Larkfield Housing Association, Link Housing Association and Sanctuary Scotland Housing Association. The participating landlords provide and manage good quality, affordable homes for people in housing need. The ICHR provides the lettings service to allocate the homes provided. Inverclyde Health and Social Care Partnership (HSCP) are stakeholder members and support the work of ICHR.
- 1.2 Inverclyde Common Housing Register's Allocations Policy covers the letting of most properties owned by the participating landlords within the Inverclyde area as they become vacant. The policy allows for lets to people referred by other agencies and to applicants who register direct to the ICHR for housing. The participating landlords will allocate housing to direct applicants to the housing register according to a Choice Based Lettings system. The demand for available accommodation for most areas exceeds supply and the participating landlords cannot realistically hope to re-house all applicants. However, we will seek to maximise the opportunities for housing open to each applicant. We aim to advise applicants about the range of housing options available to them as well as seeking rehousing within the social rented sector.

### **2 Policy Aims and Objectives**

- 2.1 The aims and objectives of our allocation policy are:
- to let good quality homes at affordable rents to those in greatest housing need
  - to ensure applicants are given choice and allocations result in sustainable tenancies
  - to provide a choice of housing to meet a diverse range of housing needs and where appropriate assist with housing support
  - promote, maintain, and support sustainable communities through our allocations system
  - make best use of our housing stock in line with good practice (e.g., minimising under-occupation)
  - work with Inverclyde HSCP to address the needs of people affected by homelessness.
  - let empty houses, as soon as possible, to reduce rental loss
  - provide applicants for housing with comprehensive information and advice about our allocations services and housing options
  - meet appropriate legal and regulatory standards and promote good practice
  - embed equalities into our allocations services

- review the allocation policy regularly and consult with tenants, housing applicants and other stakeholders if policy changes are being considered
- ensure people have fair and open access to our housing register and ensure reasonable preference is given to those in housing need

### **3 Legal & Regulatory Framework**

3.1 There is a comprehensive list of legal, regulatory, and good practice guidance that has been considered when developing this policy. The primary legislation governing the allocation of social housing is contained within the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001 and 2014. The legislation identifies specific groups that we must give reasonable preference to including:

- Social housing tenants who are under occupying their home.
- People who are homeless or threatened with homelessness (including those at risk of harassment or abuse) with unmet housing need.
- People living under unsatisfactory housing conditions with unmet housing needs e.g., people whose homes are unsuitable because they are below the tolerable standard or because the physical layout is unsuitable for health or disability reasons or those living in overcrowded conditions.

3.2 At a minimum, we will comply with all relevant legislation including:

- The Housing (Scotland) Act 1987 (as amended)
- The Housing (Scotland) Act 2001
- The Housing (Scotland) Act 2014
- The Homelessness etc (Scotland) Act 2003
- The Human Rights Act 1998
- The Equality Act 2010
- Domestic Abuse (Protection) (Scotland) Act 2021 (once enforced)
- The Data Protection Act 1998 & 2018, General Data Protection regulation (GDPR)

3.3 The Scottish Social Housing Charter (updated 2017) aims to improve the quality and value of the services that social landlords provide, and supports the Scottish Government's long-term aim of creating a safer and stronger Scotland.

For more information on the Charter outcomes please click the following link: <https://www.gov.scot/publications/scottish-social-housing-charter-april-2017/>

## **4 Sustainable Tenancies and Communities**

- 4.1 ICHR partner landlords have tenancy sustainment processes that seek to identify and address potential problems at the point of allocation and ensure that appropriate support is provided to enable the applicant to successfully remain in the tenancy.
- 4.2 If an applicant states that they need support to maintain a tenancy or appears unlikely to be able to maintain an independent tenancy without support, the application may be bypassed. The suspension will last as long as it takes us to confirm that an appropriate support package has been identified and confirmed to be available to the applicant.
- 4.3 We want to create and maintain communities that people want to move into and stay in. To achieve this aim we will avoid over concentrating any group in any area for example, we may allow under-occupation in an area of all 2-bedroom flats/houses to reduce child density in a small area. Wherever possible, we will identify any imbalance, and the action required to address it before the property is advertised and will include information about any criteria to be applied in the property advert.

## **5 Allocations Not Covered by this Policy**

- 5.1 There are occasions when we will not advertise properties and allocate them differently. We will do this in various circumstances including:
- Where we cannot identify suitable applicants for a specially adapted property through advertising.
  - Homeless applicants being rehoused under Section 5 of the Housing (Scotland) Act 2001
  - Where we are seeking to accommodate people coming to the UK under an official resettlement program.
  - Where we have referral arrangements in place with specialist agencies or organisations providing support to people with specific needs.
  - Mutual Exchanges
  - Where a person succeeds to, or is assigned a tenancy
  - We may lease properties to other organisations or enter into nomination agreements with agencies providing support to people with particular needs.
  - Garage/Lock Ups may not be advertised through ICHR

## **6 Lettings Plan**

- 6.1 Each landlord who is part of ICHR will produce a Lettings Plan on an annual basis. The letting plan sets targets of lets that are to be made available to each of the housing priority groups detailed above in addition to ICHR applicants. This is done to ensure a balance of allocations to each group, ensuring preference to the housing need groups covered in law. Each Lettings Plan will be developed in consultation with Inverclyde HSCP.

## **7 Homeless Prevention**

- 7.1 This policy works in parallel with our legal commitments under Section 5 of the Housing (Scotland) Act 2001 to target homeless prevention and secure settled housing for homeless households as quickly as possible. We work in partnership with Inverclyde HSCP to assist in meeting the statutory responsibilities including Housing First and the Rapid Rehousing Transition Plan.

## **8 Consultation**

- 8.1 The Law requires landlords to consult all relevant parties on their allocation policy, and then prepare and publish a report on the consultation and review. A separate consultation paper on the review of this policy is available. It outlines the range of methods and opportunities made available for tenants and others to get involved.

## **9 Monitoring and Review**

- 9.1 In addition to partners publishing their annual lettings plan and outcomes, the ICHR also monitor on at least a quarterly basis:

- number of new applications
- houses let by applicant group

We also monitor:

- number of suspensions – including reason
- number of appeals and complaints
- equality information

- 9.2 ICHR and its participating landlords will seek to review the Allocations Policy every three years or sooner as legislation requires.

## **10 Applications from Employees, Governing body members etc.**

- 10.1 ICHR is open and accountable for the way that we allocate properties. If a staff or board member or a person closely connected to them are to be allocated a house by a partner landlord, the landlord has a procedure in place to ensure that there is a clear audit trail. The

applicant or anyone associated with them will not be involved in the letting process.

## **11 Use of Personal Data**

- 11.1 Applicants have a right to view information that they have given in their application. This must be provided free of charge.
- 11.2 Applicants may also access personal information as allowed by the Data Protection Act 2018 and the General Data Protection Regulation.
- 11.3 Fair Processing Notice

From the online housing registration form, we collect the following information:

- Name
- Address
- Gender
- Date of Birth
- Telephone numbers
- Email address
- Ethnicity
- Details of any disability

## **12 Confidentiality & Information Sharing**

- 12.1 We will treat all personal information as completely confidential and use it only for the purpose of operating this policy, it will be processed by our employees within the UK. We will obtain or pass on information only in accordance with the declaration signed by applicants as part of the registration process or with the applicant's consent, or if we are required to do so by law or by our regulators.

## **13 Security**

- 13.1 We take steps to make sure all personal information is safe and secure. All information is stored in password-protected systems. Please refer to our website or contact us for further information on our GDPR Fair Processing Notice.

## **14 Registration and Operation**

Access to Housing Register

- 14.1 Anyone 16 years of age or over can register for housing.
- 14.2 The ICHR aim to advise an applicant within 10 working days of the housing registration form being received and of inclusion to the housing



register. This may take longer if the ICHR are waiting on further information to be provided by the applicant.

- 14.3 All housing registrations will be dealt with fairly and without prejudice. Should an applicant require translation services to assist in making an application the ICHR will make these services available free of charge.

## **15 Registration Process**

- 15.1 To register with the ICHR, applicants must complete an online registration form. Assistance is available over the telephone for anyone who needs support doing this. Our registration form is kept as simple as possible and collects only information essential to the allocation process and equalities monitoring; as the system allows applicants to apply for housing throughout Scotland as part of a shared service, some questions are asked for other participating landlords policies. At the point of registration, applicants are asked to tell us if they are homeless, overcrowded, have health problems or are living in accommodation suffering from disrepair. If they do, they may be asked to provide further information during registration, to allow us to assess if they qualify for a Priority Pass.
- 15.2 Housing register applicants are issued with a unique registration number on the day of their registration. Unless any of the pre-tenancy questions on the registration form have been selected, and we have to verify the information provided, the applicant can begin applying for advertised properties as soon as they are registered.
- 15.3 We may ask for supporting documentation of relevant personal circumstances, e.g., proof of residence or evidence of occupancy, at any time during the registration / allocation process. We may also make relevant enquiries to confirm information given by the applicant

## **16 Joint Applications**

- 16.1 Joint applications for housing will be accepted. Where joint applicants do not live together, either party can make a separate application to have their individual needs assessed.

## **17 Relationship Breakdown**

- 17.1 Either party in a relationship breakdown can register for housing with ICHR and be treated as a separate household for the purposes of awarding any Priority Pass to the registration. If you are a tenant of an ICHR landlord applying for housing following a relationship breakdown, you will not be treated as a transferring tenant.
- 17.2 Any joint applicants who have a relationship breakdown and wish to make a housing registration in their own right will both be required to

complete a new registration. Both applicants will retain the original joint registration date. The original joint registration will be cancelled.

## **18 Gender Based Violence**

- 18.1 We recognise housing need due to gender based violence by the award of a Gold Priority Pass. We also recognise that not all applicants will want to approach their local authority as homeless but know that victims and children are potentially at severe risk and continue to remain in that position whilst they remain in their home. ICHR Partners will seek to support victims who want to remain in their home but may need to move temporarily. Advice will be given to applicants on relevant agencies that can provide support to anyone experiencing gender based violence. Applicants will be asked to provide evidence of the support they are receiving from these agencies before a Priority Pass can be awarded

## **19 Offenders**

- 19.1 The participating landlords will comply with the 'duty to co-operate' with the responsible authorities imposed by the Management of Offenders etc. (Scotland) Act 2005. Each of the participating landlords will appoint a nominated Link Officer. All housing decisions relating to an offender will be in line with the relevant legislation and multi-agency protocols.

## **20 Tenancy Record**

- 20.1 Where an applicant has a previous or existing tenancy in the last five years, the association may request a tenancy reference. Where concern is raised over arrears, rechargeable repairs, anti-social behaviour or any other significant breach of tenancy, the registration may be suspended, and any offer of housing made may be withdrawn. See section 21 for suspensions table and timescales.

Consideration will be given to: -

- the seriousness of the breach
- any arrangements to remedy the breach including the applicant's commitment to remedying past problems
- the time lapse since the breach
- any change in the applicant's circumstances which may affect their conduct in any future tenancy
- the level of housing need

- 20.2 Applicants will be informed in writing of the reason for the suspension, any steps they can take to remove the suspension and their right of appeal.

## 21 Suspension from the Housing Register

- 21.1 In some specific circumstances, applicants may be suspended from the housing register. We have a clear process in place which sets out the criteria for the suspension, the length of time an applicant will be suspended and what they are required to do to reinstate their housing registration. Applicants will be advised of this by email and of their right to appeal the decision.

Reason for Suspension	Period of Suspension	Criteria for Ending Suspension
Current or previous housing debt	3 months	Until a payment has been made and payments have been maintained for at least 3 months with all landlords where there is an existing debt.
Conviction or eviction for anti-social behaviour associated with occupancy of property or within the local vicinity	2 years	Review after 24 months where it can be shown behaviour has been satisfactory
Conviction for theft or vandalism against any of the participating landlords' property or relating to harassment, violence or threatening behaviour to participating landlords' residents, staff or governing body members.	2 years	Review once conviction is spent.
If an applicant is aggressive or threatening towards a member of ICHR partners' staff or representatives	2 Years	Review 6 monthly; if applicant can demonstrate a willingness to improve their behavior the suspension may be lifted earlier than 2 years.
Where a Notice of Proceedings has been issued by your landlord for recovery of a social rented tenancy or tenancy has been converted to a Short Scottish Secure Tenancy SSST	Until breach of tenancy has been dealt with and Landlord is no longer pursuing eviction action or NOP has lapsed.	Review once you can show the tenancy is being conducted in a satisfactory manner and this is confirmed by the landlord.
Clear evidence of anti-social behaviour associated with the occupancy of property or within the local vicinity	1 year	Review after 12 months where it can be shown behaviour has been satisfactory
Giving false information on your housing registration.	1 year	Registration will be automatically reinstated after 12 months

Deliberately worsening of circumstances through your own actions	1 year	Registration will be automatically reinstated after 12 months
You have abandoned or neglected any social housing tenancy	1 year	Registration will be automatically reinstated after 12 months
Your home including garden or common areas are kept in an unsatisfactory condition	Until property is brought up to an acceptable standard	Review registration once you can show the property is in a satisfactory condition
If we receive an unsatisfactory reference from your current or former landlord for the past 3 years for anyone on your application.	Up to 6 months	When a satisfactory reference is received or when you can show you can maintain a tenancy in a satisfactory way – whatever is the soonest.
Failure to notify a change of address	3 Months	Review after 3 months; if updated the registration will be reinstated otherwise it will be cancelled
If we need more information to assess a registration, we will suspend the registration until we receive the information.	3 Months	We will make sure that requests for information are regularly followed up so that the time suspended time is kept to a minimum. If you do not provide the information required within 3 months your registration will be cancelled.

21.2 Suspended registrations will be automatically re-instated except where noted above that evidence is required to re-instate the registration. In these cases, the onus is on the applicant to supply the relevant information to have the registration re-instated. If information is not provided within the timescales set, the registration will be cancelled.

## **22 Review of Registrations**

22.1 The housing register will be kept up to date by reviewing registrations every 12 months. Applicants will be emailed annually on the anniversary of the date of their registration; they will be asked to log in and update their online housing registration. Failure to respond within 30 days will result in, the registration being cancelled. Applicants will be advised of the cancellation of their housing registration by email.

## **23 Cancellation of Housing Registrations**

- 23.1 We will cancel housing registrations only under the following circumstances:
- At the applicants' request
  - Where the applicant does not respond to an annual review and reminder email
  - If mail is returned marked "gone away" or not known at this address or we cannot contact the applicant via email
  - If the applicant does not respond to requests for information
  - If the applicant dies
  - If the applicant does not provide information on time to lift their suspension
  - If joint applicants have a relationship breakdown and wish to make their own registration, the original joint registration will be cancelled.
- 23.2 Where an applicant has been rehoused, the applicant may elect to stay on the housing register. The current registration will be cancelled, and the onus will be on the applicant to complete a new registration with their new details. Once an applicant is rehoused and chooses to re-register for housing their registration date will commence from the date of their new housing registration.
- 23.3 The applicant will be informed by email that their registration is to be removed from the list.
- 23.4 Applicants can be re-registered on request, taking into account any changes in their circumstances. Their date of registration will normally be the date they re-register.

## **24 Applicants Residing with Tenants of Registered Social Landlords**

- 24.1 An applicant who is staying "care of" a tenant of any Registered Social Landlord and who is not a permanent member of the household may not be accepted as a member of the household until formal permission has been granted to the tenant for them to reside at that address. Priority Passes will not be awarded until permission to reside has been obtained from the relevant participating landlord.

## **25 Owner Occupiers**

- 25.1 We will consider property ownership as part of assessing an applicant's housing needs and circumstances. We will consider the ownership and/or value of heritable property owned by the person registering for housing in accordance with the law. This also extends to anyone currently staying or intending to stay with the applicant. This may result in an owner occupier(s) not being awarded Priority Passes as it is reasonable for them to occupy the property they own.

- 25.2 We will not take into account property ownership in cases where the owner cannot secure entry to the property (e.g. severe structural faults making the building unsafe); in cases where there is a risk of abuse from someone living or previously lived in the property or elsewhere; in cases where the health of the occupants may be at risk by occupying the property and there are no reasonable steps to prevent the danger. Each case will be looked at individually and supporting evidence will be required before an applicant is accepted on to the housing register.

## **26 Non-UK Nationals, Asylum Seekers & Refugees**

- 26.1 Non-UK Nationals are expected to provide all necessary documentation to show they have a right to reside in the UK before any allocation of housing is made.
- 26.2 Migrants have differing rights to social housing according to their immigration status. Whilst we welcome registrations from those looking to live, work or study in the UK we will ensure the applicant is not subject to immigration control and has an entitlement to a Scottish Secure Tenancy. These applicants require to demonstrate that they have a right to reside and are habitually resident in the UK.
- 26.3 We are unable to accept direct applications from Asylum Seekers until their refugee status is confirmed.
- 26.4 We will accept registrations from refugees directly or through the statutory homeless route (Section 5) and these applicants are given reasonable preference on our housing list as defined by the Housing (Scotland) Act 2014.

## **27 Assessment of Need & Award of Priority**

- 27.1 This section outlines how we assess the needs of each applicant and let homes in a fair and consistent way to ensure those in greatest need are housed, whilst making the best use of our housing stock. Underpinning our allocation policy, is the applicant's choice to select their preferred areas and house types.

## **28 Priority Passes**

- 28.1 After registration and assessment, housing registrations may be awarded a Priority Pass based on your level of housing need and the reasonable preference groups set out by the Housing (Scotland) Act 2014.

The ICHR has three types of Priority Pass:

PRIORITY PASS	PRIORITY LEVEL(S)
Urgent Housing Need - Homeless / Gender Based Violence/Unsatisfactory Housing Conditions	Gold Silver
Urgent Housing Need - Homeless Overcrowding / Under-occupation	Gold Silver Bronze
Health / Medical	Gold Silver

## 29 Assessment of Priority

Priority Pass	Priority Level	You qualify if:	Evidence required
<b>Urgent Housing Need – Homelessness /Gender Based Violence/Unsatisfactory Housing Conditions</b>	Gold	Applicants who are assessed by a local authority as <b>statutorily homeless</b> and there is a duty for them to be re-housed in permanent accommodation	Determination letter from Local Authority confirming that you are deemed statutorily homeless. This should be valid at the point of any allocation of housing.
		You or a member of the household are a <b>victim of</b> gender based violence and they have to leave the home but do not wish to approach the local authority as homeless	Evidence of existing support from a relevant agency
		<b>Tied Accommodation</b> - If an applicant is in tied accommodation and their contract of employment has expired or is due to expire (through no fault of their own) within the next 6 months.	Confirmation from employer that property is tied accommodation, contract is due to expire and that you will be asked to leave accommodation
		<b>Army Discharge</b> - If you are a member of the Armed Forces or a veteran who has left the Armed Forces within the last 12 months, a widow, widowers, or partner of service	Confirmation from HM Armed Forces Commanding Officer of discharge date.

		personnel killed in action for up to one year after their partner's death.	
		Applicants whose property by design does not have an inside toilet, fresh or hot water supply, access to bathroom facilities (bath or shower) or provision for kitchen facilities.	Verified at pre-offer visit.
		Applicants whose current accommodation is structurally unstable or where there is a significant breach of the tolerable standard, or is otherwise confirmed as unfit to live in.	<p>For breach of below tolerable standard this will be verified following assessment by an officer from the Public Health and Housing Team of the Public Protection Service of Inverclyde Council authorised under the relevant Housing legislation who supports the view that the breach of the Tolerable Standard/ circumstances which gave rise to the service of a Work Notice are significant enough to recommend that the property is not fit to live in and provides confirmation of that to the ICHR.</p> <p><a href="https://www.inverclyde.gov.uk/council-and-government/contact-us">https://www.inverclyde.gov.uk/council-and-government/contact-us</a></p> <p>For those living in a property which is in such a condition that an Environmental Protection Act 1980 Section 80 Notice has been served on the property.</p>



<b>Urgent Housing Need - Homelessness</b>	Silver	Applicants who have been asked to leave their current accommodation	Determination letter from Local Authority confirming that you are deemed threatened with homelessness. This should be valid at the point of any allocation of housing.
<b>Overcrowding / Under-Occupancy</b>	Gold	You need two or more extra bedrooms; or  You are a tenant of a registered social landlord and your home has two or more spare bedrooms	Verified at pre-offer visit. Proof of residency.
	Silver	You need one extra bedroom	Verified at pre-offer visit. Proof of residency.
		You are a tenant of a registered social landlord and your home has one spare bedroom	Verified at pre-offer visit. Proof of residency.
		Extra bedroom required due to medical condition or where medical equipment means that an additional bedroom is required	Self-assessment medical form and if required OT Housing Report/Medical Practitioner letter. Verified at pre-offer visit.
	Bronze	You need an extra bedroom to allow residential access to children for up to 3 nights a week	Letter from ex-partner confirming access to child/children and number of nights
		Applicants who have been approved for adoption or are approved for fostering or kinship carers but are unable to progress this due to a lack of bedroom space.	Confirmation from HSCP/ Children's and Young Peoples Services to confirm accommodation issues.
<b>Health/Medical</b>	Gold	A member of the moving household is practically housebound and requires level access accommodation.	Medical self-assessment application. Verified at pre-offer visit. Occupational Therapist housing report at point of allocation. To

			be verified at pre-offer visit.
		A member of the moving household is unable to return home and/or to their environment and cannot be discharged from NHS care.	Medical self-assessment application & letter from hospital occupational therapist/ social worker confirming unable to discharge.
		A member of the moving household is unable to access their bedroom, toilet or bathroom due to the physical attributes or design of their home.	Medical self-assessment application & letter from occupational therapist
		Where a consultant psychiatrist has stated it is a danger, for a member of the moving household to remain in their home due to the detrimental impact on their mental health which is directly related to the physical attributes or design of their home.	Medical self-assessment application & risk assessment completed by consultant psychiatrist
	Silver	A member of the moving household who has a chronic medical condition and whose accommodation is causing serious aggravation to their medical condition that is likely to result in the condition deteriorating.	
		Where a consultant psychiatrist has stated that your home is having a significant detrimental effect on a member of the moving household's mental health.	Medical self-assessment application & risk assessment completed by consultant psychiatrist.

		Where a member of the moving household is having difficulty accessing their bedroom, bathroom, or toilet facilities because of a chronic medical condition	Medical self-assessment application. Verified at pre-offer visit
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### **30 Limitation of Passes**

- 30.1 We are committed to offering applicants as much choice as possible, however, in some circumstances awarding Priority Passes will result in restrictions on the type of property or area for which the applicant will be considered for.
- 30.2 We may also limit a Priority Pass to a particular type of property, e.g., to ground floor accommodation where a pass has been awarded for health-related mobility problems, or to wheelchair accommodation where this is required by the applicant.

### **31 Size of Accommodation**

- 31.1 Applicants are matched to housing depending on the house size they need as set out below.
- 31.2 The applicant's house size requirement will be worked out on the following basis: -
- One bedroom for each co-habiting couple & for each member of the family over 16 years of age.
  - One bedroom for each pair of children of same gender under the age of 16 years old
  - One bedroom for each pair of children of a different gender under the age of 10 years old.
  - Maximum of 2 persons to each bedroom.
  - Where an applicant can provide their Mat B1, the unborn baby will be considered for assessing the house size required.
  - Where there is a significant age gap between children of the same sex (of 8 years or more) the applicant can be considered for an additional bedroom on request. Overcrowding Priority Passes are not awarded for significant age gap.

- 31.3 Applicants will be advised that the payment of Housing Benefit or the housing element of Universal Credit may be restricted on homes that are larger than the tenant needs.
- 31.4 In general, the participating landlords will not offer accommodation which results in overcrowding of a property by the permanent members of an applicant's household.
- 31.5 In cases of acute housing need and a shortage of the appropriate size of house the ICHR may allow applications for a smaller house with one less bedroom than required by household size.
- 31.6 The ICHR may also allow applications for a larger house with one more bedroom than required by household size. Typical examples include needing an additional room for medical or care reasons. As well as considering the housing need of the applicant, the participating landlords may consider the good management of its stock and seek to avoid high concentrations of any one household structure in individual areas.
- 31.7 Allocations outwith the guidelines specified above will only be considered at the discretion of the relevant officer within each organisation.

## **32 Child Access and Care Providers**

- 32.1 The Associations' will consider requests from applicants for the allocation of a property with one extra bedroom to provide for the access arrangements for children whose parents live apart and overnight accommodation is required for the children.
- 32.2 The Associations' will consider requests for the allocation of a property with one extra bedroom to provide for a professional carer should that carer be required to stay overnight with the tenant for the tenant to sustain their tenancy. Most often this would be evidenced through the applicant's disability benefit entitlement and medical condition information in the self-assessment form.
- 32.3 Such offers of property may be subject to the bedroom tax deductions and in all circumstances the tenant is eligible for the full rent liability.

## **33 Orders relating to Children**

- 33.1 If an applicant has residential access to their child/children (no older than 16 years) for up to 3 nights per week, the applicant will be allocated one extra bedroom, if required, to accommodate the child/children. We will normally ask for proof of this requirement.

- 33.2 If an applicant has access to their child/children for 4 nights a week or more, the child/children will be treated as permanent members of the household, and we will allocate a property of the appropriate size to accommodate them. Proof of child benefit will be required at pre-offer visit.
- 33.3 No more than two people should share a bedroom unless the applicant chooses to share a room with a child or children on residential access of less than 3 nights per week

#### **34 Kinship Carers, Foster Carers & Those Adopting**

- 34.1 A level of priority will be considered for those applicants who have been approved for adoption or are approved for fostering or kinship carers. Though housing need is always based upon current circumstances we will consider giving priority where supporting evidence can be provided. We may work with the Children's and Young Peoples Services to decide at what stage it is appropriate to give priority.

#### **35 Overcrowding**

- 35.1 We recognise housing need due to overcrowding by the award of Gold, Silver and Bronze Priority Passes (see Section 31). This section also covers the priority given to large families (who need 4 or more bedrooms) whose principal housing need is likely to arise from overcrowding. We only assess overcrowding for households that have outgrown their accommodation. If an applicant is living with family or a guardian, we will not take account of overcrowding that may already exist within the family but will only consider the needs of the applicant.

#### **36 Under Occupation**

- 36.1 The Law recognises under-occupation as reasonable preference. Priority passes are awarded based on:
- Registered Social Landlord tenants under-occupying by 1 bedroom silver priority will be awarded
  - Registered Social Landlord tenants under-occupying by 2 or more bedrooms gold priority will be awarded.

We recognise housing need due to changing family circumstances resulting in an applicant now requiring a smaller home by the award of Gold and Silver Priority Passes. In addition to recognising the needs of the applicant, the added benefit of this is to free up larger homes for those who need them.

## **37 Harassment and Abuse**

37.1 Harassment and abuse can take many forms, it can be verbal or physical and at its most acute, life threatening. Types of abuse and harassment may include:

- racial harassment
- religious or sectarian harassment
- homophobic harassment
- transphobic harassment
- harassment of autistic people and people with a learning or physical disability
- sexual harassment.

This list is not exhaustive.

37.2 The RSL partner landlords recognise the importance of providing an appropriate and consistent approach to those applicants experiencing gender based violence. Section 28 confirms that priority that will be awarded to applicants in this category. Additionally, each landlord has its own policies and procedures that set out how gender based violence will be prioritised and the support that will be provided.

37.3 Applicants suffering from harassment to the extent that they cannot occupy or must leave their home will be encouraged to apply to the local authority for assessment under the homelessness legislation which could result in the award of a Priority Pass. Applicants will also be encouraged to contact their own landlord for advice, support and assistance. This may include being signposted to other agencies as appropriate.

## **38 Health/Medical**

38.1 We recognise housing need due to health problems by the award of Gold and Silver Priority Passes. We will consider awarding priority for re-housing on health grounds only where a move may result in a significant improvement in the applicants' health or make their health problem much easier to cope with. We do not assess the severity of the medical condition, only look at the impact of their current accommodation on their health.

38.2 Medical Priority Passes are awarded based upon the information provided in the registration form, we provide guidance to staff to assist them in making these assessments. We may seek further information about the applicant's condition, the impact of re-housing and the type of property required from a health professional at the point of allocation, if this has not already been provided.

38.3 Minor ailments or conditions that will not be improved by re-housing will not attract priority on health grounds.

- 38.4 We may place restrictions on the type of property to be offered to an applicant who has been awarded a Priority Pass on health grounds. For example, someone awarded priority due to difficulties managing stairs in their current accommodation will normally only be able to apply for properties on the ground floor.
- 38.5 We will not normally allocate a property that would require significant adaptations to meet an applicant's needs unless we have no properties available that would meet the applicant's needs without adaptation. In these circumstances we will consider each case on an individual basis, in partnership with Inverclyde HSCP.

## **39 Unsuitable Housing**

- 39.1 We recognise housing need resulting from living in property that is below tolerable standard (BTS), suffering from dis-repair ~~or lacking amenities~~ and confirmed by an authorised Officer of the (Public Health and Housing Team) as being unfit to live in by the award of a Gold Priority Pass. Evidence is required from the local authority as detailed on page 13.

## **LETTING OF PROPERTIES**

### **40 Letting Process**

- 40.1 We let our properties through a Choice Based Letting system.

#### Advertising Properties

- 40.2 The majority of empty properties will be advertised through the ICHR website – exceptions to this are noted in each landlords Lettings Plan e.g., Homeless Section 5 Referrals. Properties will be advertised on a weekly cycle. Properties will be advertised on a rotational basis with priority to different pass holders. To ensure efficiency in managing turnover and to minimise void rent loss, in most cases properties will be advertised as soon as the termination notice is given.
- 40.3 The adverts will clearly identify which applicants the property will be prioritised to. It will also detail the size, area, house type, rent and service charges.
- 40.4 If there are no eligible applications for a property at the end of the advertisement cycle, it will be re-advertised the following week.
- 40.5 In exceptional and emergency circumstances, landlords retain the right to withdraw any advertised property without prior notice.

### **41 Applying for Empty Homes**

- 41.1 Applicants will be shortlisted for a property based on best fit and priority. Applications will only be eligible where the property is the correct bedroom size for the household and meets any special criteria (e.g., applicants with mobility issues and awarded priority for ground floor will not be eligible to apply for properties 1 up and above unless it has lift access).
- 41.2 Applicants are expected to check adverts regularly. To ensure that applicants do not miss property adverts, they can opt in to be notified by email when a property becomes available that fits their criteria.

## **42 Making an Offer / Acceptance**

- 42.1 Once the advertising period ends, a shortlist of applicants is prepared made of those who meet the advert criteria including household size and are not affected by the suspensions policy. The property will generally be offered to the applicant with the highest Priority Pass who is best fit for the property. If there are two applicants with the same Priority Pass, then the applicant with the earliest registration date will be made the offer.
- 42.2 Where a property has 'special features' (e.g., ground floor, wheelchair access, wet floor shower etc) this will be allocated to applicants who need the feature. If there is no one on the short list requiring the feature, then the property will be let to the applicant with the highest Priority Pass or earliest registration date.
- 42.3 Successful applicants will be contacted to view the property. Applicants must respond to this contact within 24 hours of being contacted or it will be counted as a refusal unless previously agreed.
- 42.4 If an applicant refuses the property, it will then be offered to the next person with the highest Priority Pass/earliest registration date.
- 42.5 Applicants who applied for properties on the ICHR website will receive an email informing them that they were unsuccessful.
- 42.6 Any offer we make will be conditional upon the applicant's housing circumstances being confirmed, the applicant providing proof of residency, any evidence relating to the award of a Priority Pass being provided and, if appropriate, previous tenancy references being received.
- 42.7 It is expected that rent payment will be made in advance in accordance with the tenancy conditions at the time the tenancy commences. Each participating landlord reserves the right to withdraw an offer of let if the applicant is unable to make a minimum payment of rent at the tenancy commencement. The minimum payment which will be accepted will be



made clear in the offer of let.

- 42.8 An applicant will have 24 hours in which to accept or refuse any offer. This runs from the date of the viewing unless this has been unreasonably delayed in which case it runs from the date on which the provisional offer of accommodation is made. Provision to extend this time will be made, by agreement, in exceptional circumstances.
- 42.9 Acceptance of an offer must be in writing.

### **43 Refusing an Offer**

- 43.1 Applicants who refuse two reasonable offers within a 6-month period, after successfully applying for the available properties will have their registration suspended from receiving further offers for 6 months. This suspension takes effect from the date of the second refusal. Offers may be made verbally or in writing.
- 43.2 Applicants should indicate why a refusal is being made.

### **44 Home Visits**

- 44.1 Home visits will normally be carried out prior to an offer of accommodation being confirmed where practical. The purpose of this visit will be to verify the applicant's circumstances are as stated on their housing registration. Where a home visit has been attempted a contact card will be left. The applicant has 24 hours in which to respond to the relevant association. Failure to respond will be classed as a refusal as under Section 43 and may result in the application being suspended.
- 44.2 In the case of transfer applicants, the house visit will allow the participating landlord to check that the property has been maintained in accordance with the tenancy agreement and to discuss end of tenancy procedures as well as to verify the applicant's circumstances.
- 44.3 For those who have been awarded a Priority Pass, we will also check the information provided in the registration form. If the applicant has declared tenancy debt equivalent to more than one month's rent charge, we will also check that the re-payment arrangement is still being maintained.
- 44.4 Please let us know if there are any adjustments to be considered for your home visit.

### **45 Verification**

- 45.1 The Applicant must, when requested, provide confirmation of any of the relevant circumstances stated on their registration. If satisfactory verification cannot be provided within a reasonable timescale of the request, in line with ICHR's procedures, the registration will be reassessed and Priority Passes may be removed. A housing registration will be suspended from receiving offers whilst satisfactory verification is outstanding. Information will be sought regarding current and former tenancies as required.

## **46 Short Scottish Secure Tenancies**

- 46.1 Most of the tenancies that we offer will be Scottish Secure Tenancies that provide long-term security of tenure, however in some limited circumstances, we may offer a Short Scottish Secure Tenancy (SSST) instead. The circumstances where we may offer a SSST are:
- Where an applicant is a homeowner who cannot live in their property because repairs are required to make their home safe or adaptations are necessary to meet the needs of the applicant or a member of their household, or the property is being sold to enable the purchase of an alternative, more suitable property
  - Where an applicant or a member of their household has acted in an antisocial manner within the last three years
- 46.2 If we grant a SSST which we decide not to either extend or convert to a Scottish Secure Tenancy, we will notify the tenant of the reasons for our decision and the tenant has the right to a review of this.

## **47 Local Letting Initiatives**

- 47.1 Partner landlords may consider the use of local lettings initiatives from time to time to for specific letting areas with the aim of building a strong and sustainable community.
- 47.2 A local letting initiative would align with the overall principles and objectives of the allocations policy but through an open and transparent framework it would allow for a variance to the policy to take account of local housing needs and circumstances.
- 47.3 A local letting initiative would be set up in line with good practice guidance and relevant legislation.

## **48 Sensitive Letting**

- 48.1 In allocating housing, the participating landlords aim to balance a range of factors:
- the individual's housing need:
  - the suitability of the house for that applicant:
  - the needs of the community.

- 48.2 We seek to make sure any let made is likely to be sustained providing a long term and stable solution for that applicant. A tool to assist in this matching of property and applicant to avoid housing management issues which may arise, is to make a sensitive let. This means a departure from normal procedure of allocating to the person with the highest level of priority as defined by the allocations policy. Instead, an applicant is selected where there is a match between the suitability of the applicant and the empty property. This is based on knowledge about the applicant, their choices for rehousing and the property, its location, and neighbours.
- 48.3 The participating landlords will document the reasons why a sensitive let is required and specifically why any individual applicant has been bypassed. The decision will be taken by the relevant Manager/Director in each organisation and the volume of such decisions will be recorded and monitored.
- 48.4 The participating landlords will monitor the impact of sensitive lettings on the individual applicant affected including the number of times bypassed, extra waiting time for an offer and the quality of any later offer.

## **49 Management Allocations**

- 49.1 In exceptional circumstances, we may allocate properties on management grounds (i.e., we will not normally advertise the property but will allocate it direct to one applicant), for example:
- High level support needs, severe harassment, or gender based violence
  - Applicants with exceptional circumstances not otherwise covered by this policy
  - Where an individual needs a particular type of property that may not come up for allocation very often so that their health or support needs can be addressed
  - Where a series of moves can meet the housing needs of several applicants and the first suitable property to facilitate this is available
  - Where we require someone to move from an adapted or wheelchair property because the family member who needs the facilities provided dies or is permanently hospitalised
  - Where we urgently need to move a tenant to address issues such as antisocial behaviour, harassment, or abuse.
  - Where a landlord is undertaking a modernisation or demolition programme
- 49.2 The relevant officer in each organisation may decide to provide housing to such a case outwith the usual allocations policy according to each association's own procedures.

## **50 Lettings Process – Choice Based Lettings**

- 50.1 Available properties will be widely advertised by the ICHR to tell applicants what properties they have available for letting. Each property will have a closing date set which is a fixed day each week, currently Sunday at midnight. There may be several properties available at any one time.
- 50.2 Information about the properties available will include the details of the property including the number of bedrooms, type of property, floor level, and all facilities such as central heating, bathing/shower facilities and whether the property has a lift. The details of the rent, service charges, energy efficiency rating and Council Tax banding will be given.
- 50.3 The landlord has the freedom to set the priority order for letting, this will be on a rotational basis in line with each landlords annual Lettings Plan. Priority may be given to certain Priority Pass holders, and this will be clearly specified in the property description. For example:
- Priority will be given to transfer applicants over other Priority Passes when the property is allocated to the transfer quota.
  - Where the property has a level access or a lift, priority will be given to people with restricted mobility.
  - If a property is suitable for a wheelchair user, applicants who have a member of their household who uses a wheelchair will be given priority.
  - Where the property has specific adaptations such as a level access shower or other specialist adaptation, priority may be given to applicants who would benefit from the facility.
  - Priority will normally be given to applicants who require the number of bedrooms that the available property has.
- 50.4 Each participating landlord reserves the right to set the criteria for each property. In relation to the household size accepted for the property, they may choose to widen or restrict the criteria relating to the household size considered for a particular property for management reasons. The criteria will be clearly stated in any advert.
- 50.5 Applicants may apply for a maximum of three properties covering all participating landlords during any week. To apply for the property, the applicant must submit an application before the closing date. Help will be made available if an applicant requires assistance to do this. Applicants can withdraw any applications they have made before the property closing date.
- 50.6 Once the closing date is reached, the list of applicants for the property is assessed against the size and attributes of the property. If there are any priority criteria or restrictions, the list is filtered accordingly. For example, if the property is a 2-bedroom property to be let to the participating landlords transfer quota, the transfer applicants on the 2-bedroom list will be given first priority. If there are none who have applied that qualify for the offer of housing, the offer will be made to the housing list applicant

that fulfils the criteria and has the highest priority on the 2-bedroom list. Applicants can check their online application to confirm the status of their application following the closing date. Landlords are responsible for updating the status of their properties.

## **51 Appeal and Complaints Process**

51.1 All applicants have the right to appeal against any decision made concerning their registration, the assessment of their housing need, the decision to suspend an application or Priority Pass, the withdrawal of a Priority Pass or the withdrawal of their registration or an offer of housing. Appeals and Complaints will be dealt with by staff at an appropriate level. Staff members who made the original decision or were involved at a previous stage of the process may not be involved in appeals and complaints.

### **51.2 Appeal Stage 1**

Appeals should be made in the first instance within two weeks of the disputed decision. (See table below for where you should submit your appeal). We aim to acknowledge receipt of the appeal within 2 working days and to provide a full response within ten working days.

### **51.3 Appeal Stage 2**

If the applicant is not satisfied with the Appeal Stage 1 decision, or has additional information, they can appeal again. Stage 2 appeals should be submitted within two weeks of the Stage 1 decision. We will acknowledge receipt of the appeal within three working days and aim to provide a full response within 20 working days.

### **51.4 Stage 3**

If the applicant is not satisfied with the Stage 2 appeal decision, their final appeal will be dealt with at Stage 2 of our Complaints Handling Procedure.

51.5 If the appeal or complaint is against a decision not to make an offer of housing, this will be dealt with by the allocating landlord's procedures. The property will not be held until the conclusion of the appeal and/or complaints process.

APPEALS	WHO DEALS WITH APPEAL
I disagree with my Priority Pass award	ICHR Team
My registration was suspended due to pre tenancy questions being selected	ICHR Team
My registration was suspended following 2 refusals	Landlord who instructed suspension
My application for a property was by-passed	Landlord who instructed by-pass
My offer of housing was withdrawn	Landlord who offered the property
COMPLAINTS	WHO DEALS WITH COMPLAINT
My housing registration took too long to process	ICHR Team
The details in the property advert were incorrect.	Landlord who advertised property
I am unhappy with how a staff member spoke to me.	Landlord you contacted or ICHR Team

51.6 We will tell applicants about their right to appeal or the next stage in the process in all decision letters.

## **52 Equalities**

52.1 The ICHR will process housing registrations with regard to the provisions within the Human Rights Act 1998 and the Equality Act 2010 and will not unfairly discriminate against any individual, household or group on the grounds of the protected characteristics as defined in this Act; age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion and belief, sex, or sexual orientation.
















## **53. REVIEW**

The policy will be subject to review a minimum of every 3 years or sooner if relevant.

## Illustration of House Size Required

Appendix I

Adult only households will be calculated based on the relationships between the adults.

Household Type	Number of Bedrooms						
	Bedsit	1	2	3	4	5	5+
Single Person							
Couple (including same sex couple) with no children							
Parent(s) with 1 child							
Parent(s) with two children under 16 years of the same gender							
Parent(s) with 1 girl and 1 boy both under 10 years							
Parent(s) with 2 children of same gender where there is an age difference of 8 years or more							
Parent(s) with 2 children where 1 is over 16 years of the same gender							
Parent(s) with 1 girl and 1 boy where the oldest is over 10 years							
Parent(s) with 3 children regardless of age or gender							
Parent(s) with 4 children							
Parent(s) with 5 + children							

Term	Meaning
Allocations Policy	The document that explains how we let our houses
ICHR	Inverclyde Common Housing Register – a partnership between Cloch, Oak Tree, Larkfield, Link and Sanctuary Housing Associations
HSCP	Health and Social Care Partnership – organisation formed to bring together Health Boards and Local Councils
Choice Based Lettings	A system for letting homes where customers apply for the properties they are interested in.
Sustainable Tenancies	A tenancy that is successful and lasts, either with or without support from other agencies.
Housing stock	The homes that a landlord owns
Section 5 referral	When the local authority refer a homeless applicant to one of the landlords to be rehoused.
Nomination agreement	An agreement between ICHR and another agency to allocate a percentage of houses to their clients.
Consultation	Exchanging information to help reach a decision.
Housing Registration	The online form used to register for housing with ICHR
Apply for property	When you say you want a property advertised by ICHR
Joint Applicants	When 2 people register for housing who want a joint tenancy
Priority pass	A level of priority given to a housing applicant due to their current housing situation
Suspension	When you are unable to apply for available properties for a set period of time
Tenancy Reference	A report from a current or previous landlord giving information about your tenancy, eg any anti-social behaviour or rent arrears
Registered Social Landlord (RSL)	A not for profit, independent housing provider
Owner occupiers	Someone who owns their own home
Scottish Secure Tenancy	The agreement you sign when you become a tenant of any of the ICHR landlords
Short Scottish Secure Tenancy	A short term tenancy that can be created by any of the ICHR landlords in specific circumstances
Appeal	When you do not agree with a decision that has been made about your housing registration or application for a property
Complaint	When you are unhappy about the service provided to you by the ICHR landlords or do not agree with something in our policy