

EAST RENFREWSHIRE COUNCIL

CABINET

4 June 2015

Report by Director of Environment

HOUSING ALLOCATION POLICY

PURPOSE OF REPORT

1. To obtain the Cabinet's approval for the introduction of a minor revision to the Housing Allocation Policy. The revised policy is attached as Appendix 1.

RECOMMENDATIONS

2. It is recommended that the Cabinet approve the introduction of a revised Housing Allocation Policy.

BACKGROUND

3. East Renfrewshire Council, in common with all other local authorities, is required to have and make available copies of any rules which govern how houses within its ownership are allocated. These rules are commonly described as the Housing Allocation Policy.

4. The policy currently in place has been in operation since it was approved by the Cabinet in 2013.

5. The current policy commits the Council to review the policy on an annual basis. Some reviews result in changes to the policy and some reviews conclude that no change is required. The last review, undertaken in 2014, did not require any changes. A thorough review is currently underway and the outcome of the review will be presented to Cabinet later in 2015

6. However as a result of the Council building new homes to rent a minor revision is proposed to the current policy.

REPORT

7. Ordinarily applicants applying for housing will be placed into 1 of 5 groups, depending on their circumstances.

- Group 1 holds all applicants who have applied as homeless and have been assessed as being homeless and in priority need. Group 1 also includes all applicants who have been awarded a "special case"
- Group 2 holds East Renfrewshire Council tenants whose house is subject to a demolition order or have been awarded a 'two for one' priority, families living in separate Council properties who wish to be re-housed together. This group also contains East Renfrewshire Council tenants who are adversely affected following the introduction of the Welfare Reform Act in relation to under-occupying bedroom(s).

- Group 3 holds all applicants who have been given medical priority
- Group 4 holds all other applicants with a local connection
- Group 5 holds all applicants without any connection with the area

8. Subject to certain conditions, when a house becomes available to let, staff will check if there is a group 1 applicant for the empty property. If there is not, staff will check group 2, then group 3, and then group 4 and finally group 5.

9. The proposed revision is contained at paragraph 5.2 of the allocation policy.

10. The full wording of the revision states “ ... *the first let for any new build property owned and managed by East Renfrewshire Council will not be allocated in this manner. For such properties the property will be initially offered to an East Renfrewshire Council tenant registered for housing on the East Renfrewshire housing register. The new build property will be let to the tenant with highest priority under the terms of the allocation policy. Should the first three East Renfrewshire Council tenants on the East Renfrewshire housing register refuse the property the property will then be allocated in the normal manner.*”

11. The outcome of this proposed change would mean that existing Council tenants would be considered for the new build properties in advance of other people on the waiting list. The rationale for this proposal is to reward the loyalty of existing Council tenants. Other people in housing need on the waiting list will not be adversely affected as they will be considered for the properties that subsequently become available.

FINANCE AND EFFICIENCY

12. There are no adverse financial implications with the proposed policy revision

CONSULTATION AND PARTNERSHIP WORKING

13. Consultation has been undertaken with colleagues from Legal Services. A wider consultation exercise with tenants and affected applicants has also been undertaken.

IMPLICATIONS OF THE PROPOSAL

14. There are no implications with these proposals in terms of legal, IT, equalities or sustainability. The existing housing management IT system is able to accommodate the change in policy.

CONCLUSIONS

15. The proposed revision to the allocation policy will permit existing Council tenants to benefit from the building of new Council homes to rent without having an adverse impact on the Council’s primary aim of addressing housing need.

RECOMMENDATIONS

16. It is recommended that the Cabinet approve the introduction of a revised Housing Allocation Policy.

Director of Environment

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HOUSING ALLOCATION POLICY

May 2015

CONTENTS

<u>Section</u>	<u>Title</u>	<u>Page</u>
Section 1:	Introduction	3
Section 2:	Objectives of the Policy	3
Section 3:	Eligibility	4
Section 4:	How to Apply	6
Section 5:	Groups, Points and the Allocation Process	8
Section 6:	Size of Property to be Allocated	16
Section 7:	Other Considerations	16
Section 8:	Complaints and Appeals	18
Section 9:	Monitoring and Review Arrangements	18
Section 10:	Contact Information	19

1. Introduction

- 1.1 This is the sixth allocation policy to be introduced by East Renfrewshire Council.
- 1.2 East Renfrewshire Council became part of the East Renfrewshire Housing Register in 2010 with our partners Arklet Housing Association & Barrhead Housing Association. The partners have chosen to retain separate allocation policies. An applicant can choose which of the partners they wish to be considered for re-housing, however if they choose East Renfrewshire Council, their circumstances will be assessed using East Renfrewshire Council's allocation policy. Our partners will assess an applicant's circumstances using their own allocation policies.

2. Objectives

- 2.1 East Renfrewshire Council aims to ensure that all allocations are made in a fair and consistent way, ensuring applicants considered to be in the greatest need are housed in the shortest possible timescale. We aim to ensure that affordable housing of a good quality is available to those who need it, regardless of an applicant's race, creed, colour, political beliefs, sexual orientation, marital status, financial status, disability or ethnic origin.
- 2.2 Our allocation policy aims to give the highest level of priority to those applicants considered to have the greatest need. Applicants who are currently living in housing which is suited to their needs are unlikely to be considered to have any high priority, and are unlikely therefore to be considered for housing in a short timescale.
- 2.3 We have identified applicants who are statutorily homeless as having the greatest need, and homeless applicants therefore receive the highest priority available. Sections 5.10 to 5.15 provides further detail of how we deal with homeless applicants. Other applicants are dealt with in "Groups", further detail of which is provided in sections 5.16 to 5.48
- 2.4 In order to assess the needs of applicants, we will award points for particular reasons. For example, we will award points if a person is living in a house which is too small for them, or one which is medically unsuited to their needs. By adding all the points a person is entitled to together, this will give a points total, which will determine how high up the waiting list a person will be placed. The greater the person's need, the more points will be awarded, and this will be reflected in their placing on the waiting list.
- 2.5 We have a computerised allocation system, which allows us to allocate accommodation to applicants suited to their needs. The system also allows us to examine where an applicant is placed on the list for various property types, and offer advice in relation to approximately how long a person will require to wait for an offer. This system also allows us to monitor offers/allocations, and by continually reviewing this we will be able to ensure that the operation of the policy is meeting its objectives.

- 2.6 Our computerised allocation and housing management system also allows us to identify properties which have been built or adapted, to meet the needs of particular client groups, for example applicants with disabilities. Regardless of the general terms of this policy, the Senior Officer (Allocation & Sheltered Housing) reserves the right to allocate these dwellings to applicants who would benefit from the facilities within a particular house, regardless of where they are placed on the waiting list. Examples of this would include dwellings where stair-lifts are installed, doors widened to accommodate a wheelchair user, lowered kitchen units etc. In these circumstances, it will be necessary for the Senior Officer (Allocation & Sheltered Housing) to confirm any proposed offer of accommodation.
- 2.7 The council has a responsibility to ensure it reviews the housing needs of the entire community, and to work in partnership with other housing providers to ensure this is achieved. In addition to the East Renfrewshire Housing Register we have in place "nomination agreements" with most of the housing associations within the council area and, through these agreements, applicants if they wish, may be able to access a housing association tenancy. Further details of nomination agreements, or housing associations operating within the council area, are available from any of the housing offices detailed at the back of this policy document.

3. Eligibility

- 3.1 Any person aged 16 or over is eligible to be included on the waiting list for housing in this area. A person does not require to have any connection with the area however, in the allocation of housing, preference will be given to those applicants with a "local connection" with the area. Detail of what constitutes a "local connection" is shown in section 5.27 of this policy.
- 3.2 We do not exclude any applicant from the waiting list, although generally applicants with a housing debt (rent arrears, rechargeable repairs, former tenant arrears or a housing benefit overpayment) will not be offered a property until an acceptable repayment arrangement has been in place for 12 weeks, or where the debt is less than 1/12th of the annual amount which is/was due to be paid. The only exception to this will be in relation to East Renfrewshire Council tenants who have been adversely affected by the introduction of the Welfare Reform Act in relation to restrictions in payment of housing benefit as a result of under-occupying bedroom(s) – such cases will be dealt with on a case by case basis. It should be noted that these restrictions do not apply to applicants housed through homeless legislation.
- 3.3 Where an applicant is not a UK citizen, appropriate proofs will be required before an application can be processed - proof of indefinite leave to remain, access to public funds and workers registration certificate. If the applicant cannot provide this information but wishes also to be housed by one of the other ERHR partners they will be placed on the partners list only.
- 3.4 Employees of East Renfrewshire Council can apply to be added to list. If the employee is selected for a property the offer must be approved by the Housing Services Manager or the Director of Environment.
- 3.5 We will not normally allocate sheltered housing to applicants under 60 years of age. If it can be demonstrated that there is no demand from applicants aged over 60 and above we will look at applicants between 55 & 60 years of age. Sheltered housing will only be allocated to single applicants or couples. If no applicant meets these requirements the Housing Services Manager is authorised to allocate using the discretion stated in 7.1.

- 3.6 We will accept applications from households not currently living together, but who wish to do so. The application will be assessed as though the household is living together in the most appropriate accommodation.
- 3.7 When an applicant has been offered and accepted a house, the applicant will generally be asked to sign a tenancy agreement known as a Scottish Secure Tenancy (SST). This is a legally binding contract between the applicant and East Renfrewshire Council as landlord. The tenancy agreement details the tenant's responsibilities, and those of East Renfrewshire Council as landlord. If any of these conditions are broken, there is a "breach" of the tenancy agreement, which can result in legal action being taken. East Renfrewshire Council places a particular importance in ensuring that tenancy conditions in relation to anti-social behaviour are enforced.
- 3.8 An applicant may be offered a Short Scottish Secure Tenancy (SSST). The circumstances in which a SSST can be used are as follows (these are detailed in schedule 6 to the 2001 Act):
- lets to persons evicted for anti social behaviour from a tenancy in the UK, in the previous 3 years
 - lets to persons where they or members of their household are subject to an ASBO
 - temporary lets to persons taking up employment in the area
 - temporary lets pending development affecting the house
 - temporary lets to homeless persons for tenancies of 6 months or more
 - temporary lets to persons requiring or receiving housing support services (as defined in s91(8) of the Act
 - lets of houses leased by the landlord from another body where the terms of the lease preclude the landlord subletting under an sSST
- 3.9 Our policy is based on equal opportunities for all, and every application is assessed the same way, taking account of any connection the applicant may have with this area, their needs, health and present housing conditions. The council has legal responsibilities (under the Housing (Scotland) Act 1987, Housing (Scotland) Act 2001 and Homelessness Etc (Scotland) Act 2003), which require us to give reasonable preference to certain groups and categories of applicants. These have been taken into account in the development of our system of groups and points.

4. How to Apply

- 4.1 In order that the council can assess an applicant's situation, it is necessary that a housing application form is completed giving personal details about the applicant, their family, health and current living conditions. The application form is available on the council's website, from any of the offices listed at the back of this policy document and can be hand delivered or posted to any of these offices.
- 4.2 As part of the application process, applicants will be asked to provide proof of identity, address and national insurance for themselves and all members of the moving group. Applicants will also be asked to provide proofs for dependant children. We ask for this information to prevent fraudulent applications. Applicants may also be asked to provide this information again if successfully selected for an offer of accommodation.
- 4.3 The date an application is received and recorded will be the date of application. We will inform an applicant within 21 days of receipt of application and relevant proofs that it has been accepted. In certain circumstances we may request further information before the application can be processed.
- 4.4 Prior to accepting an application onto the waiting list, we may ask applicants to provide an impartial reference. Alternatively we may ask applicants to provide an impartial reference prior to being made an offer of accommodation. This will be from their existing landlord or, if the applicant does not have a landlord, another referee able to provide a character reference. East Renfrewshire Council reserve the right to challenge the impartiality of a reference and refuse to accept the reference if it is deemed not to be impartial. An unacceptable reference will not prevent a person from being added to the waiting list. It is possible however, that the application could be suspended or an offer of accommodation not given, if the landlord advises that the person has rent arrears with no acceptable arrangement in place, if the person's house is in a poor condition, if there is a history of anti social behaviour or if the references are unacceptable. This suspension will be at the discretion of the Senior Officer (Allocation & Sheltered Housing). If an applicant is suspended or bypassed for an offer, they will be notified in writing and advised of their appeal rights.
- 4.5 Applicants whose references are unacceptable, especially where there is evidence of previous anti-social behaviour or convictions under the Misuse of Drugs Act may be asked to sign an Acceptable Behaviour Contract, prior to signing for a tenancy, with specific references to their expected standards of behaviour, and the penalties that may be imposed should these conditions be breached.
- 4.6 East Renfrewshire Council currently has an information sharing protocol with Strathclyde Police and local Registered Social Landlords. The protocol may be used to supply information to identify tenancy related anti-social behaviour and tenancy breaches which may come to the attention of the local police.
- 4.7 It is important that the information an applicant provides is accurate and honest and we request that all applicants read and sign a declaration on the application form. We may suspend an application if we find the information provided is false, however, the applicant will have a right to appeal this decision. We will also take steps to evict a tenant if we find a tenancy has been obtained as a result of a false or misleading statement.
- 4.8 For the purpose of allocating houses to waiting list applicants in East Renfrewshire, the area is split into "letting areas". An applicant is able to select up to a maximum of 10 letting areas, and a number of different properties and heating types. We will decide, based on the applicant's

- household, the size of the property the applicant will be considered for. Further detail of this is provided in section 6.
- 4.9 Applicants are able to request a choice of areas, however it should be recognised that as rented housing is in very short supply in certain areas, it is possible that an applicant, if restrictive in their choice, may wait a long time for a house. Housing staff will try to give the best possible advice regarding an applicant's housing options.
 - 4.10 Applicants from groups 2, 3 4 and 5 will receive 2 offers of accommodation. If an applicant refuses 2 offers, the application will be suspended from the housing list for 6 months. It is important therefore that an applicant only requests areas and property types they are willing to accept.
 - 4.11 Applicants who are in group 1 will receive 1 offer of accommodation under group 1. If the applicant refuses the offer, their application will be moved to group 3 or 4 where they will be provided with two more offers prior to a suspension being imposed. The applicant will be awarded 120 insecurity points as discussed in sections 5.39 and 5.40. The applicant will be written to and offered an appointment to re-assess their circumstances.
 - 4.12 We can assist with the completion of an application form at our offices, or arrange a house visit should an applicant reasonably require this service. We can also translate the form in Braille, large print, audio tape, or another language on request.
 - 4.13 When an application form is received and assessed, an acceptance letter will be sent out with a reference number. It is important that this reference number is retained to assist with any future enquiry.
 - 4.14 We will review all applicants on our housing list on a periodic basis. If an applicant fails to respond to the review request, the application will be cancelled and may not be reinstated.
 - 4.15 An applicant may wish to check the details of their application, accrued points or queue position and this should be done by contacting a member of staff. Housing staff will ask for an applicants reference number or date of birth and National Insurance number prior to giving any information about an application. If the enquiry is particularly detailed, an applicant may be asked to attend an interview. It should be noted that we will only be able to give approximate queue positions periodically and not, for example, on a weekly basis.
 - 4.16 An application may be suspended for a number of reasons including; refusal of two offers, if further details are required, failure to respond to requests to contact the council, provision of false information or on the applicant's request. If the suspension is imposed by East Renfrewshire Council then we will write to the applicant stating the reason and advising when the suspension will be lifted. Any imposed suspension will be for no longer than six months. Suspended applicants are monitored on a monthly basis by the Senior Officer (Allocations & Sheltered Housing)
 - 4.17 An application may be cancelled for 3 reasons: death of the applicant, applicants request or failure to respond to the Housing Service on three consecutive occasions.
 - 4.18 If an applicant is re-housed their current application will be cancelled however they will be offered a new application form to complete during the sign-up interview.
 - 4.19 Where there is a lack of substantial demand for a property or area, the Housing Service may offer applicants incentives such as decoration vouchers or packs.

5. Groups, Points and the Allocation Process

- 5.1 Applicants applying for housing will be placed into 1 of 5 groups, depending on their circumstances.

Group 1 holds all applicants who have applied as homeless and have been assessed as being homeless and in priority need. Group 1 also includes all applicants who have been awarded a “special case”

Group 2 holds East Renfrewshire Council tenants whose house is subject to demolition order or have been awarded a ‘two for one’ priority. This group also contains East Renfrewshire Council tenants who are adversely affected following the introduction of the Welfare Reform Act in relation to under-occupying bedroom(s).

Group 3 holds all applicants who have been given medical priority

Group 4 holds all other applicants with a local connection

Group 5 holds all applicants without any connection with the area

- 5.2 Subject to the conditions detailed below, when a house becomes available to let, staff will check if there is a group 1 applicant for the empty property. If there is not, staff will check group 2, then group 3, and then group 4 and finally group 5. However the first let for any new build property owned and managed by East Renfrewshire Council will not be allocated in this manner. For such properties the property will be initially offered to an East Renfrewshire Council tenant registered for housing on the East Renfrewshire housing register. The new build property will be let to the tenant with highest priority under the terms of the allocation policy. Should the first three East Renfrewshire council tenants on the East Renfrewshire housing register refuse the property the property will then be allocated in the normal manner.
- 5.3 Applicants who qualify for group 1 or 2 will be added to the waiting list from the date their group 1 or 2 application is received.
- 5.4 Selection from group 1 will be determined by a number of factors including:
- the length of time an applicant has been on the list,
 - the applicants preferred area(s) in which to be accommodated.
 - the need to maintain a balanced and sustainable community
 - the need to ensure a tenancy is sustainable for the needs of the applicant.
- 5.5 On occasion, it is necessary to exercise discretion in tenant selection. In most cases this will be due to the applicant’s circumstances and issues regarding the property and or its location. The aim is to secure the sustainability of the applicant and the sustainability of the local community and neighbourhood.

Applicants who may be by-passed are:

- a) Applicants or members of the applicant's household who have been evicted for Anti Social Behaviour or who have been subject to an ASBO within the last 3 years.
- b) Applicants who Housing Services have a reasonable belief that their ability to sustain a tenancy is in doubt and for whom further information is required.
- c) Applicants who are not able to provide satisfactory references to demonstrate an ability to sustain a tenancy in an appropriate manner and where there is a reasonable belief their ability to sustain a tenancy is in doubt.
- d) Applicants who have previously been issued with warnings while residing in temporary accommodation.
- e) Applicants who have been responsible for serious Antisocial Behaviour whilst residing in a previous or current property.

If an applicant is bypassed in this manner a written audit trail will be available to ensure the system is fully transparent, accountable and does not discriminate against vulnerable applicants

- 5.6 A group 1 applicant may be bypassed until a pre-allocation support package has been put in place if a support package is required. This is in order to ensure that any tenancy granted is sustainable. If an applicant is bypassed for this reason, they will be notified in writing and advised of their appeal rights.
- 5.7 Applicants who qualify under either group 3, 4 or 5 will be added to the list based on their total number of points. Where we have a property and two applicants with the same number of points, we will select the applicant for the property with the greatest number of points excluding date points. All awarded points will be re-verified at the point of offer.
- 5.8 Information is provided below in relation to each of the 5 groups referred to in paragraph 5.1.
- 5.9 Ground floor properties and level access properties will be restricted to applicants with a medical need for that type of property unless there is no demand or an excess of group 1 applicants requiring to be housed.

Group 1 Homeless Persons and Special Cases

- 5.10 This group does not include all persons who are homeless. It only includes those that have applied as being homeless under the terms of current law, and have been assessed and considered to be homeless, or threatened with homelessness, have a priority need, a local connection and are considered not to have made themselves "intentionally" homeless. Details of this assessment process and the various definitions are contained within our "Homelessness" leaflet, which is available on request.
- 5.11 Qualifying homeless applicants will be offered temporary accommodation until suitable permanent accommodation can be found. Every effort will be made to offer accommodation suited to the applicant(s) needs, wishes and aspirations. It should be recognised that in view of the lack of available housing in certain areas, this will not always be possible. In allocating properties consideration will be taken of the level of demand and the availability of properties. For example, it may not be possible that a homeless

applicant seeking to be housed in one of our high demand small villages such as Newton Mearns, Eaglesham or Busby will be offered housing in any of these areas.

5.12 Homeless applicants will be made one reasonable offer of housing under homeless legislation. In the event that an applicant refuses this offer and, provided the property meets the lettable standard and any medical or other requirements that have been agreed between the applicant and the Housing Service, the applicant's group 1 application will be cancelled. In these circumstances, the applicant will be added to the group 4 waiting list with 120 "insecurity" points, whereupon two further offers of accommodation will be made. The applicant will be written to and offered an appointment to re-assess their circumstances

5.13 Applicants will be asked which areas they would prefer to move to at the initial homeless presentation interview. Applicants can restrict their application to a particular town or letting area in East Renfrewshire for one month. Applicants will be given clear guidance on the likelihood of being housed in their preferred area. If a suitable property has not been identified within the one month period the applicant will be offered the nearest geographical property to their preference area.

Applicants can request an additional eight week area restriction. This request must be put in writing to a senior officer who will consider all requests. Any additional restriction requests must be approved by the Housing Services Manager. The Housing Service retains the right to refuse any (including the initial one month period) area restriction to applicants where there is evidence of anti-social behaviour or tenancy breaches. This applies to previous tenancies and conduct within any temporary accommodation provision.

5.14 If an offer of accommodation that is deemed to be reasonable is made under group one and refused then the council will have discharged its duty to the applicant and no further offers of accommodation will be made to the applicant. Applicants in temporary accommodation will be asked to leave. Owing to the fact the duty has been discharged, if an applicant fails to leave the temporary accommodation by the notified date this may result in a legal "notice to quit" being issued, and legal action taken.

5.15 It should be noted that an applicant can submit an appeal should they believe that their offer was not reasonable. Appeals of homeless offers should be made in writing to the Principal Officer within 21 days.

Special Case

5.16 A special case is a case, which cannot be effectively considered in terms of the allocation policy, as the circumstances of the case are "unique". The Housing Services Manager will have responsibility for making the final decision on any special case. An example of this would be an applicant who urgently requires to be housed following a specific substantiated request by the police or an applicant that has needs that are not properly addressed through the policy.

Group 2 Closing/Demolition Order Dwellings

- 5.17 As with group 1, applicants will be registered from the date the application is received from an East Renfrewshire Council tenant whose home is subject to a closing/demolition order.
- 5.18 “Two for one” applicants will be placed in this group and considered in date order.
- 5.19 East Renfrewshire Council Tenants placed in this group as a result of being adversely affected by the introduction of the Welfare Reform Act in relation to under-occupying bedroom(s) will be calculated on their total points as opposed to the date of application. These applicant(s) will only be considered for re-housing within the settlement area that they currently live in and for the same property type that they live in. The only exception to this will be when the applicant can demonstrate a need to be housed within another area of East Renfrewshire or property type.

Group 3 Medical Cases

- 5.20 Any applicant can apply for medical priority for themselves or a member of their household if they feel their existing accommodation is medically unsuitable, and a change of accommodation may help their medical condition. The ability to demonstrate a medical condition will not ensure a priority award is given. The applicant's medical condition must be caused or be aggravated by the current living situation. Consideration will be given to applicants with both physical and mental health difficulties. An applicant will require to submit a medical application form, which is available on request from Housing or Customer First staff.
- 5.21 The process is chiefly one of “self assessment”. A number of questions are asked regarding an applicant's health problems. Applicants are encouraged to submit any other information they consider appropriate, such as a letter of support from a consultant, clinic or support provider. The Medical Assessment Team will also consider applications in terms of access forms location. Applicants will be required to submit proof of any disability benefits, medication or treatment that they receive. Upon receipt of the application, the Housing Officer may undertake a home visit to verify the application and assess the property.
- 5.22 The Medical Assessment Team will meet on a monthly basis, to consider current applications for medical priority. If it is considered to be appropriate, the Medical Assessment Team at this stage may request further information such as a home visit or a report from an occupational therapist, or some other service provider.
- 5.23 Once an application is considered the applicant will receive a letter advising whether an award has been granted, and if so, the number of points awarded. If an award has been given it will be based on the following criteria:
 - Medical A:** An applicant with a severe or debilitating illness which requires urgent rehousing, will be given **500 points**.
 - Medical B:** An applicant where it is considered has a medical need to be housed quickly, will be given **250 points**.

Medical C: An applicant with a non-serious medical condition, where it is considered this condition may benefit from alternative suitable accommodation, will be given **50 points**.

- 5.24 It is normal practice for the Medical Assessment Team not only to suggest the award to be given, but the type of accommodation which would help the medical problem. Applicants with medical priority will only be considered for the type of accommodation specified by the Medical Assessment Team. Should an applicant decline this, or refuse 2 reasonable offers their medical priority will be removed, and the application will be suspended.
- 5.25 If an applicant is not satisfied with the level of an award, or if the applicant's medical award has been refused, they may appeal the decision. All appeals will be held by The Medical Appeal Team who will meet on a monthly basis to consider all appeals for medical priority.
- 5.26 The Medical Assessment Team consists of a Senior Housing Officer from each ERHR partner landlord and the Medical Appeal Team consists of a Housing Manager from each ERHR partner landlord. If an applicant wishes to defer their application, their Medical award will be removed.

Group 4 and 5 All Other Applicants

- 5.27 All applicants who do not qualify for Groups 1 to 3 will be placed in either Group 4 or Group 5. To assess placement in Group 4 or 5, points are awarded to reflect an applicant's current living situation. Applicants able to demonstrate a "local connection" will be placed in Group 4. Applicants with no local connection will be placed in Group 5. Generally, we will only select from Group 5 when there are no other applicants from higher groups registered on the waiting list.
- 5.28 To qualify for a local connection a person, or a member of the applicant's household, must be able to prove that they either:
- live in the area
 - work in the area, have been offered employment in the area, or wish to move to the area for the purposes of seeking employment
 - have a special social or medical need to be housed in the area, either to give or receive support
 - want to move to the area to be nearer a living relative or carer
 - where there is a risk of domestic violence, and wish to move to the area
 - be subject to conduct amounting to harassment, and wish to move to the area
 - have a relative living in the area. The term relative will include blood relations and relations through marriage which includes parent, grandparent, child (including a child treated by you as a child and stepchildren), grandchild, brother, sister, uncle, aunt, niece, nephew and any of those of your spouse).

Further detail of the calculation of points for Groups 3, 4 and 5 is provided below:

Time Points

- 5.29 Applicants in groups 4 and 5 will receive 5 points per year for ten years. Existing applicants who have more than fifty points will have their existing points total frozen.

Harassment & Abuse

- 5.30 Where an applicant is experiencing harassment or abuse (including racial abuse) at their current accommodation they may be awarded additional points. Harassment is defined by the Protection from Harassment Act 1997 (c40) as causing a person alarm or distress. A victim centred approach will be taken in all instances, however, applicants who are experiencing harassment or abuse but are deemed to be unsafe in their homes should make a homeless presentation. Applicants who are experiencing harassment or abuse but are not deemed to be unsafe will be awarded an additional 200 points but will remain in their current priority group.
- 5.31 Applicants will be asked to provide evidence such as police reports, incident diaries, supporting letters from the CHCP, support providers or an advocacy body. Each case will be judged depending on the circumstances and approved by the Senior Officer (Allocation & Sheltered Housing)

Overcrowding

- 5.32 Where a tenant, owner or lodger is living in accommodation, which is too small for their needs, they will receive overcrowding points. To carry out this calculation, we will assess how many rooms are needed as a family, and how many rooms the family has access to in their current accommodation. In this situation an applicant will receive 50 points for every bedroom and 25 points for every bed space they are short of for their needs.
- 5.33 For example: A household, where the family group seeking accommodation, consists of a husband, wife and 1 child living in a one bedroom property. In these circumstances we will assess that this family needs two bedrooms. As this family is short of one bedroom they will receive 50 points. If the bedroom they have use of is a double room they will also receive 25 points because they are lacking one bed space, as this family group needs a total of 3 bed spaces.
- 5.34 The following criteria are used in this calculation:
- a bedroom is required for single parents, couples, and individuals not sharing with a brother or sister within a certain age criteria
 - a separate bedroom is required for dependant children of the same gender if the eldest child is aged 16 years or over.
 - a separate bedroom is required for dependant children of different gender if the eldest child is aged 10 years or over
 - expectant mothers will be assessed as 2 persons from the date 3 months prior to the expected date of birth until the birth of the child.
 - Separating spouses or partners will be awarded overcrowding points if required, provided proof of legal separation is provided
 - Only parents who have residency agreements will be entitled to overcrowding points due to low levels of socially rented stock in the area.

Parents with rights of contact however, will be entitled to one additional bedroom to assist access arrangements.

Applicants Living in Unsatisfactory Housing Conditions

- 5.35 Where the Housing Service receives confirmation from Environmental Health Officers that an applicant is occupying a dwelling, which is either below the “tolerable standard” or is lacking any of the “standard amenities”, as detailed in the Housing (Scotland) Act 1987 (as amended), they will receive a block award of 80 points.

Sharing Amenities

- 5.36 Where an applicant is sharing accommodation with someone from outwith their own household they will receive points. A household means any person or persons wanting to live on their own. This includes existing family members who now want to live on their own.
- 5.37 Applicants who share amenities with other members of their household do not receive sharing amenity points nor does it apply where householders have sublet part of their property or taken in lodgers. In such an example, only the lodger would receive the sharing amenity points. Sharing points will be awarded to separating spouses/couples where proof of legal separation can be provided.
- 5.38 Where a household meets the requirements for sharing points we will award 60 points to the application if the household shares one or more of the following criteria:
- bath or shower
 - inside toilet
 - kitchen

Insecurity Points

- 5.39 An applicant that is able to provide information they are homeless, but who are not eligible as a group 1 applicant will receive 120 points. In most circumstances this will include applicants found to be either homeless but non priority or intentionally homeless or group 1 applicant(s) who have refused their group 1 offer
- 5.40 In order to qualify for insecurity points, the applicant will be queued for all areas. Should the applicant refuse two offers, the insecurity points will be removed. To ensure applicants do not receive unreasonable or inappropriate offers they will be written to in order that their current circumstances can be re-assessed. Insecurity points will be reviewed every six months by the Senior Officer (Allocations & Sheltered Housing), if they have secured accommodation in the six month period their application will be re-assessed based in their new accommodation.
- 5.41 Applicants living in a “tied tenancy” will also receive 80 points if they have lived continuously in a tied tenancy for over 12 months. A tied tenancy relates to tenancy provided as part of a contract of employment. However,

applications from tied tenants will not be actively considered until three months before they are due to leave their tied accommodation.

- 5.42 Applicants who are currently serving in the armed forces will receive 80 points. These points will be awarded three months before their discharge date.

Smaller Accommodation Points

- 5.43 Any local authority tenant or housing association tenant wishing to move because their current home is too large will receive points. These points are given to encourage social housing tenants who reside in accommodation that is too large for their needs to move to smaller accommodation and free up essential stock for households that are overcrowded.
- 5.44 In addition any East Renfrewshire Council tenants who are adversely affected following the introduction of the Welfare Reform Act in relation to under-occupying bedroom(s) will be moved to Group 2.
- 5.45 East Renfrewshire Council tenants who are re-housed as they are under occupying at least two bedrooms will be offered £1000 disturbance allowance. Prior to this payment being made to the tenant, if the tenant is in rent arrears or owes any other debt to the Housing Service the sum of this debt will be deducted from the £1,000 payment.

In such cases the following assessment will be used:

Number of Bedrooms Needed	Current Number of Bedrooms				
	1	2	3	4	5
Bedsit	210	420	630	840	1050
1	0	210	420	630	840
2	0	0	210	420	630
3	0	0	0	210	420
4	0	0	0	0	210

Support points

- 5.46 Where an applicant needs to give or receive support and requires to move to, or within East Renfrewshire, the applicant may be entitled to 40 points. These points will only be given where the council is satisfied that the support given or received is required for clear reasons, and where appropriate confirmation is received to support the request.

- 5.47 Examples of where support points will be given are shown below, but this is not a complete list, and each request will be considered on an individual basis.
- where the applicant, or the persons they wish to move nearer to has medical problems
 - where the applicant, or the person they wish to move nearer to requires support with child care arrangements to allow them to undertake employment
 - where the applicant needs to be re-housed in an area to access special needs or specialist educational support for their child(ren).
- 5.48 Additionally, the council will require to be satisfied that an offer of accommodation will assist the applicant, or the person to whom the support will be provided. Points will only be given for the area nearest to which the person giving or receiving the support lives. The Senior Officer (Allocations & Sheltered Housing) will be required to confirm any recommendation to award support points, prior to these being awarded.

6 Size of property to be allocated

- 6.1 As there is a limited stock of council housing available and to ensure that the most appropriate use is made of this accommodation, it is not possible to allow applicants to choose the size of accommodation they wish to be considered for. As a general rule, households will be allocated accommodation based on the criteria shown in appendix one. The council however will reserve the right to allocate appropriate accommodation outwith this criteria for group 1 cases and in “special” circumstances. Allocations may be made outwith the criteria if there is no substantial demand for a property or area or if low stock availability prevents the service meeting its statutory duties. In such circumstances approval from the Senior Officer (Allocations & Sheltered Housing) must be sought.

Only parents who have residency agreements will be entitled to overcrowding points due to low levels of socially rented stock in the area. Parents with rights of contact however, will be entitled to one additional bedroom to assist access arrangements

7. Other Considerations

- 7.1 If the situation arises where a vacant house has been offered and refused on three occasions, housing staff, in order to ensure the efficient letting of any property, have the discretion to allocate this property to any applicant on the waiting list. This will be regardless of the group the application is registered under, or the level of points the applicant may have. Similarly if a property has been offered and refused on two occasions and is fit for let housing staff, have the discretion to allocate this property to any applicant on the waiting list. This decision will be taken by the Senior Officer (Allocation & Sheltered Housing).

- 7.2 In order to ensure a transparent process the next 10 eligible applicants (no rent arrears, satisfactory tenancy reference etc) on the waiting list will be contacted and asked to respond if they are interested in the property. The property will be then allocated to the responding applicant with the greatest housing need.
- 7.3 In these circumstances and in order to ensure consistency and transparency, such “Discretionary Allocations” will require to be approved by the Housing Services Manager.
- 7.4 In any circumstances where an applicant is specifically chosen for a property but is not the priority eligible applicant in terms of points the allocation must be approved in writing by the Housing Services Manager.
- 7.5 The operation of this discretion is monitored to ensure that housing are let quickly, housing need is met and the process is fully transparent and accountable.
- 7.6 There are a few circumstances, which will require to be dealt with outwith the allocation policy, and these will be dealt with in the following manner:

"Two for One"

- 7.7 A priority offer, at the discretion of the Housing Services Manager, will be made where two council tenants of different properties wish to combine households. The applicants will be placed in group 2 priority.

"Mutual Exchange"

- 7.8 Existing tenants can carry out a mutual exchange with our agreement, and if appropriate, with the agreement of another landlord. Permission in such cases will not be unreasonably withheld. Examples of where we may refuse permission are contained within our tenancy agreement.

"Emergency Accommodation"

- 7.9 Emergency accommodation will be provided at the discretion of the Senior Officer (Allocation & Sheltered Housing), where there is a need. For example, to temporarily house a person whose own house cannot be occupied as a result of a fire, flood or serious dampness problem etc.

“Specialist Housing”

- 7.10 There are a number of housing developments, mainly Housing Association properties within East Renfrewshire, that have been designed to accommodate the needs of particular client groups. For example, individuals with mental health difficulties. In relation to the allocation of housing within such developments, the council reserves the right to deviate from the normal

allocation rules. The allocation or nomination will be to those applicants whose housing and support needs can be met through an allocation of housing in any particular development.

“Change of Tenancy”

- 7.11 The tenancy details may require to be changed due a number of reasons including:
- Single to joint or joint to single tenancies
 - Succession
 - Assignment
 - Sub-letting

All the above circumstances are detailed in separate policies and are available on request.

“Letting Initiatives”

- 7.12 Where there is a particular group of houses or an area with a high level of empty properties, the Housing Services Manager has the authority to seek the approval of the Convenor and Director of Environment to designate the area as an ‘initiative area’. The ‘initiative areas’ will be agreed in consultation with the Housing Services Liaison Group and local tenants & residents. Applicants will be asked to provide references to state their suitability as a tenant. If they are unable to provide this information then they may be bypassed, irrespective of housing need. If the suitable references have been provided then selections will be made as per the waiting list priority.
- 7.13 If an area is designated an ‘initiative area’ existing applicants will be given the opportunity to provide the necessary references at the selection stage. In addition, local publicity will be arranged to attract additional applicants.

8. Complaints and Appeals

- 8.1 East Renfrewshire Council operates a scheme called “Complaints, suggestions and compliments”, which offers everyone the opportunity to comment on, or complain about, any aspect of the councils services. A leaflet explaining how this system operates is available from council offices.
- 8.2 In addition to this system, Housing Services offer the opportunity to seek a review of any decision made in relation to the processing of an applicant’s housing application, including any offers made.

An applicant should write giving details of the complaint to the Senior Officer (Allocation & Sheltered Housing), East Renfrewshire Council Offices, 211 Main Street, Barrhead, G78 1SY. If we cannot make a full response within 5 working days, an acknowledgement will be sent. A detailed response will be sent within 15 working days. This letter will inform the applicant whether their appeal has been successful, and if not, the reasons why it has been unsuccessful.

9. Monitoring and Review Arrangements

- 9.1 The council will closely monitor on a regular basis the operation of this policy, through the scrutiny of the allocations made over regular intervals.
- 9.2 The policy will be reviewed as a matter of course on a frequent basis.

10. Contact information

- 10.1 For further advice, assistance or general information, contact can be made to the following:

Barrhead Council Offices
211 Main Street
East Renfrewshire
G78 1SY
Tel: 0141 577 3723
0141 577 3726

Council Headquarters
Eastwood Park
Rouken Glen Road
Giffnock
East Renfrewshire
G46 6UG

East Renfrewshire Council Website: www.eastrenfrewshire.gov.uk

- 10.2 If you require independent advice or assistance, you may wish to contact:

Citizen's Advice Bureau
216 Main Street
Barrhead
East Renfrewshire
Tel: 0141 881 2032

Scottish Public Service Ombudsman
4 Melville Street
Edinburgh
EH3 7NS
Tel: 0131 225 5300

- 10.3 During normal office hours the number to contact for homeless information is 0141 577 3671. The emergency contact number for out of hours is Freephone 0800 0520180.
- 10.4 For specialist advice in relation to housing and homelessness, Shelter (Scotland) can be contacted on 0808 800 4444 or their Glasgow Advice Office can be contacted on 0141 221 8995.

Appendix 1

Household Size	Number of bedrooms the household will be considered for					
	0 (bedsit)	1	2	3	4	5
Single Person	*	*				
Couple		*				
Two adults (not couple)			*			
Couple or single adult with one child			*			
Couple or single adult with two additional adults or dependant children						
<ul style="list-style-type: none"> ○ Both under 10 (different gender) ○ Both under 16 (same gender) ○ Different gender, one child 10 or over ○ Same gender, one child 16 or over 			*	*		
Couple or single adult with three additional adults or dependant children						
<ul style="list-style-type: none"> ○ All same gender and under 16 ○ All same gender and one 16 or over ○ All same gender and two 16 or over ○ All same gender and all 16 or over ○ One gender over 10 and two remaining same gender and under 16 ○ Two same gender but one over 16, remaining child 				*	*	
				*		
					*	

under 10 <ul style="list-style-type: none"> ○ Two same gender but one over 16 and remaining child 10 or over 					*	
Couple or single adult with three additional adults or dependant children <ul style="list-style-type: none"> ○ All same gender and under 16 ○ All same gender but one 16 or over ○ All same gender but two or more 16 or over ○ Different genders but all under 10 ○ Different genders but one or more 10 or over 				*	*	*
				*	*	*

*Only parents who have residency agreements will be entitled to overcrowding points due to low levels of socially rented stock in the area. Parent with rights of contact however, will be entitled to one additional bedroom to assist access arrangements