

**West Lothian Council:**

**Housing Allocations Policy**

**March 2021**

This document is available, on request, in a range of different formats such as in larger print, audio-format and Braille and in different languages, as appropriate.

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## **Section 1: Background issues**

This section describes the context that explains why the allocation policy has been developed. This section also describes how this policy is structured.

### **1.1. Context**

The allocation policy is a strategic policy document that explains how we address a wide range of housing needs in the West Lothian area. Although this policy is part of housing management practice, allocation practice has a crucial part to play in promoting sustainable and inclusive communities. Sustainable and inclusive communities are areas in which people want to live and work. This approach is closely linked to corporate council objectives to foster social justice and the elimination of unlawful discrimination.

The council experiences significant demand from people applying for council housing. To adhere to housing legislation social rented housing is let to people in the highest housing need.

This policy is based mainly on allocation law but also promotes other legislative provisions, for example, those relating to equal opportunities. The policy also incorporates good practice guidance, including guidance issued by the Scottish Government.

Allocation policy is also aligned to a wide range of other council strategies and policies. For example, the allocation policy aims to promote objectives contained in the council's local housing strategy, as well as its homelessness strategy and the West Lothian Rapid Rehousing Transition Plan (RRTP) 2019/20 to 2023/24. This policy is, therefore, part of a holistic or unified approach to addressing housing need in the local area.

### **Notes**

The term "allocation" is a technical term and refers simply to the policy and practices concerning the **letting** of houses.

West Lothian Council will generally be referred to as "we" throughout this document.

The word "house" is intended to refer to all house types unless this is otherwise stated.

### **1.2. Structure**

This policy is divided into a number of sections to make the document more accessible; this also enables us to update the document more easily as required, for example, due to changes in allocation law or other related housing law. The main issues covered by each section are summarised below.

Section 2 is a very important section as it describes the key allocation objectives of this policy. These objectives are the framework on which all of our practices are based, for instance, commitments to meeting law.

Section 3 sets out, in plain language, the main law and good practice guidance that the allocation policy must satisfy. This is essential as the policy is based on allocation law and good practice guidance.

Section 4 summarises other organisational policies that are linked to allocation practice. This is to explain clearly that the allocation policy does not operate in isolation from our other services.

Section 5 explains how we let houses to applicants. This also explains important technical terms such as housing need. Applicants may be either existing tenants or applicants on the common housing register.

Section 6 covers our commitments to promoting equal opportunities through allocation practice. This includes a full explanation of the important principle known as positive action.

Section 7 outlines the types and variety of training that we carry out to ensure that our allocation policy objectives are implemented effectively.

Section 8 describes how we manage our allocation performance. This is achieved through having a range of performance indicators that allow us to monitor practice on an ongoing basis.

Section 9 explains the process for appealing allocation decisions and/or using our complaints system.

Section 10 covers our commitment to consultation on allocation policy review and describes how we review the policy.

Finally, the appendices provide general information for tenants and applicants, or to allow them to check sources or make contacts with other organisations.

## **Section 2: Allocation objectives**

### **2.1. General**

This section is very important as it describes our main allocation objectives, that is, our practical commitments. These objectives are incorporated throughout the allocation system that includes:

- allocation policy;
- allocation procedures;
- allocation documentation, for example, our application form and the summary allocation policy; and
- other policies that are linked to allocations, for instance, mutual exchanges and suspension of offers.

### **2.2. Our allocation objectives**

Our allocation objectives cover **twelve** core commitments; these are described below.

#### **Objective 1: Law and good practice guidance**

We meet all appropriate legal and good practice guidance standards.

#### **Objective 2: Promoting equal opportunities**

We promote services to ensure that there is no unlawful or unfair discrimination on any of the issues covered by equality law.

#### **Objective 3: Addressing housing need**

We define housing need comprehensively in our policy and use this definition to address a wide range of housing needs.

#### **Objective 4: Developing sustainable and inclusive communities**

We implement allocation practices to assist in developing sustainable and inclusive communities in which people want to live and work.

#### **Objective 5: Making appropriate use of our housing stock**

We make appropriate use of our housing by promoting tenants' rights such as mutual exchanges, or by reducing under-occupation, whenever possible.

#### **Objective 6: Establishing effective partnerships**

We establish partnerships, at local and national levels, to address the needs of individual service users, as well as community needs.

#### **Objective 7: Minimising lost income**

We let empty houses in line with set timescales to avoid unnecessary loss of rental income; these timescales are contained in our void policy (empty house policy).

#### **Objective 8: Providing advice and information**

We provide service users with comprehensive advice and information about our allocation services; this includes assisting applicants with information on their housing options.

#### **Objective 9: Providing training and development programmes**

We provide comprehensive training to our housing staff to ensure that allocation services are delivered effectively and efficiently. Training is also provided to tenant groups through our tenant participation strategy.

#### **Objective 10: Managing allocation practices**

We manage allocation practices through an internal audit system that is based mainly on performance indicators and appropriate satisfaction surveys.

#### **Objective 11: Dealing with appeals and complaints**

We deal with appeals and complaints fairly in line with our organisational policy, including dealing with issues within set timescales.

#### **Objective 12: Consulting on the policy and its review**

We review the allocation policy every three years or sooner, if appropriate; we do this in consultation with service users and other relevant partner organisations.

### **Section 3: Legal and good practice framework**

#### **3.1. General**

This section summarises, in plain language, the main legal provisions that this policy includes. This covers both allocation law and other law. The section also refers to the main guidance that our policy promotes.

## **3.2. Allocation law**

This section summarises the main law on allocations that forms the basis of the allocation policy. These provisions cover:

- access to our common housing register;
- suspensions of offers to applicants;
- groups to be given reasonable preference when letting houses;
- matters to disregard when selecting tenants;
- publicity; and
- access rights to information relating to the housing application.

### **3.2.1. Access to our common housing register**

People who are **sixteen** years or more can apply to join our common housing register. It is emphasised this does not give applicants a right to receive an offer of housing; offers of housing will depend on priority given to applications.

As part of our commitment to promoting equal opportunities, we offer applicants guidance in completing our application form. We also offer support to applicants to assist them to complete this form, as appropriate. This includes meeting the legal duty of making reasonable adjustments in service provision when providing information to disabled applicants.

We can also provide a wide range of information about our housing stock and housing options locally, as well as details of where further information can be obtained.

### **3.2.2. Suspensions of offers to applicants**

Applicants are entitled to register on our housing list if they are sixteen years or over. We cannot exclude applicants from our common housing register. We may, however, suspend offers to applicants in line with law or good practice guidance. We have established a separate policy and procedure on this matter (see section 4.4). Information on this policy is notified to all of our housing applicants in our allocation pack.

### **3.2.3. Reasonable preference groups**

We must give reasonable preference to certain groups when letting houses. The groups to which we must give reasonable preference are:

- homeless persons and people threatened with homelessness with unmet housing needs;
- people living in unsatisfactory housing conditions with unmet housing needs; and
- tenants of houses which are held by a social landlord and we consider them to be under-occupied as defined in this policy.

In law, a person has unmet housing needs if we consider that the person has housing needs which are not capable of being met by housing options which are available.

In practice, we give reasonable preference to applicants:

- who live in unsatisfactory housing; and
- whose preferred housing option to meet these needs is being allocated a council tenancy.

We also explore housing options with all applicants so that they can make informed decisions regarding their housing preferences in both public and private sectors.

It is also emphasised that there is separate law in relation to dealing with applications from people affected by homelessness. We have, therefore, established a homelessness policy to promote our legal duties and good practice guidance relating to homelessness. This policy is based on prevention and is aligned closely to our allocation system. This is explained in section 4.

### **3.2.4. Matters to disregard when selecting tenants**

We must disregard certain matters when we select tenants; these matters are as follows:

- the length of time that applicants have resided in our area;
- any debt related to a tenancy not owed by the applicant, as tenant or former tenant, or any housing debt since paid back;
- any outstanding liability of the applicant not attributable to the tenancy of a house, for example, council tax arrears. And this applies also to anyone else that it is proposed will reside with the applicant;
- the age of applicants unless (a) housing has been designed or substantially adapted for persons of a particular age or (b) the housing is for persons who are – or will be – in receipt of housing support services for a particular age group; and
- the income of applicants, including income of other household members.

The law does enable us to take property ownership into account in limited circumstances. As a policy measure, however, we do not take account of any property owned by applicants or their family members when selecting tenants. This is our policy since applicants may have various forms of housing need irrespective of home ownership.

When letting houses, we must also take no account of whether or not an applicant resides in our area if she/he:

- is employed, or has been offered employment in our area;
- wants to move into our area to look for employment and we are satisfied that this is their purpose;
- wants to move into our area to be close to a relative or carer;
- has special social or medical reasons for being re-housed in our area; and
- wants to live in our area to avoid harassment or runs the risk of domestic abuse and wishes to move into the area.

In law, there are specific conditions that we cannot impose, namely that:

- applications must be active for a minimum period before considering applicants for housing (except in terms of our suspension policy);
- a judicial separation or divorce should be obtained, or a dissolution of a civil partnership or a decree of separation of civil partners be obtained; or
- applicants should no longer be living with, or in the same house, as someone else before they can be considered for housing.

When letting houses, we must also disregard any arrears of rent or other tenancy related debt which is less than one twelfth of the annual amount payable. For example, any rent arrears of less than one month will not stop an offer of housing being made. If an applicant is re-housed who owes us rent, we make appropriate repayment arrangements before the offer is made. This procedure is incorporated into our rent arrears management policy.

If rent arrears are more than one month's rent, this will not stop an offer of housing being made if applicants:

- agree an arrangement with us to repay the debt;
- pay the amount as agreed for at least **three** months; and
- continue to pay this amount.

As noted, this is incorporated into our rent arrears policy and repayments are linked to what are affordable to the person in arrears.

### **Note**

Councillors (Elected Members) are not permitted to take part in the following actions. Firstly, councillors must not take part in allocation decisions involving local authority housing within their wards, that is, the wards where they have been elected.

Secondly, councillors must not take part in allocation decisions where the applicant for the house resides in the electoral division or ward for which the member is elected. This rule also applies to other housing to which the council can nominate applicants such as nominations to housing associations. Elected Members can, however, make representations to appropriate committees regarding their views on these matters.

### **3.2.5. Publicity**

In law, we must both make and publish an allocation policy. This includes information governing:

- prioritising our allocation of houses among different applicant groups;
- transfer applicants, that is, how we deal with transfer applications and the transfer of tenants from houses owned by the council to houses owned by other bodies; and
- mutual exchanges that are concerned with existing tenants who want to exchange tenancies ("swap homes").

We must publish alterations to these rules within six months of making any alterations

A copy of our allocations policy can be found on the council's website at (insert link). Where a customer requires a physical copy of our allocations policy this, along with a summarised version, can be accessed at our principal offices. This a legal requirement. These rules are available for checking at all reasonable times. For instance, summary rules can be obtained during working hours, or are available on our website.

In order to promote access to our common housing register, we also keep copies of our allocation rules at a wide range of other offices and organisations. Examples of these are local libraries and our principle offices.

### **3.2.6. Access rights to information relating to the housing application**

Applicants are entitled, on request, to inspect any information kept by the council that they have provided relating to their housing application. This information must be provided free of charge.

Applicants may also apply to access personal information that we process in line with the **Data Protection law**. We may refuse any requests to access personal information only as permitted by this law.



### **3.2.7. Other specific guidance**

We take account of other specific guidance relating to consultation processes, as well as assessing our local housing strategy when considering allocation reviews. These consultation issues are explained in section 10.

### **3.3. Other law**

Our allocation policy is based on (and largely determined by) housing law that covers legal provisions relating to allocating housing and homelessness. Our policy is also influenced by a wide range of other laws. Examples of these laws are summarised by reference to the key issues of:

- data protection;
- equal opportunity; and
- family law.

#### **Note**

Other law is also relevant such as law relating to immigration and asylum seekers and law concerning offenders.

#### **(a) Data protection**

We include data protection principles throughout allocation practice so that information gathered is processed in accordance with the law.

#### **(b) Equal opportunity**

Allocation policy is a key document for promoting council commitments to promoting equal opportunity, including taking steps to eliminate unlawful or unfair forms of discrimination. This commitment covers all of the grounds in law (now known as “protected characteristics”), as well as other possible forms of discrimination such as discrimination on social origin or class. Further information on how we do this is contained in section 6.

One example of how we promote equality matters is to have housing application forms available at all principal council offices, as well as at housing offices and on our website. Our application can be made available in different languages and in other formats such as in larger print.

In order to explain the questions in our application form, we can also arrange appropriate services to make it accessible to people such as:

- arranging for interpreting services for persons who require information in another language;
- arranging interpreting services for disabled people; and
- providing the information in other formats, for example, in larger print, audio-format or Braille.

#### **(c) Family law**

Family law is extremely important to protect the rights of individuals. For instance, we provide information concerning housing options to people involved in relationship breakdown to ensure that appropriate housing options are considered. This includes information to spouses, civil

partners and cohabiting partners (of the same or opposite sex). Advice and information concerning housing options is also made available, it should be noted, to single people.

### **3.4. Good practice**

Good practice guidance to ensure that allocation practice meets quality standards is contained in a diverse range of documentation. Two key documents whose principles are embedded into allocation policy and practice are:

- the Scottish Social Housing Charter standards; and
- the Scottish Government guidance on allocations.

#### **The Scottish Social Housing Charter standards**

We embed the Scottish Social Housing Charter standards into this policy. The relevant Charter standards are shown in Appendix 1.

#### **The Scottish Government Guidance**

We take account of any guidance that is produced by the Scottish Government in respect of allocation matters.

### **3.5. Summary**

Our allocation policy and its related procedures are based on allocation law, other law and good practice guidance. This is very important for two reasons. Firstly, this enables us to meet our statutory duties. Secondly, this ensures that we promote allocation services that contribute to meeting our corporate goal of developing inclusive and sustainable communities.

#### **Section 4: Other related policies**

This section describes four policies of specific relevance to allocations; while Appendix 2 lists the full range of policies to which allocation policy is closely linked. This includes a wide range of council policies, both at organisational level and within housing services itself.

The policies summarised below are:

- harassment;
- homelessness;
- mutual exchanges; and
- suspension of offers.

The section below summarises only the main aspects of each policy; full details are available publicly in separate policies and related documentation.

We have also noted beside each heading what policy objectives these policies address.

#### **4.1. Harassment (allocation policy objectives: 1 and 2)**

We regard harassment on any grounds as being inappropriate and we address harassment through various policies and related procedures. Allocation policy may be used, for example, to move those affected by harassment away from the area in which it is taking place.

Examples of other policies that we use to address harassment are:

- our anti-social behaviour policy; and
- our estate management policy.

We also address harassment on specific grounds contained in the Equality Act 2010. These grounds that are known, in law, as protected characteristics are:

- age;
- disability;
- gender re-assignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

We may also address harassment that could occur on other grounds such as harassment on grounds of someone's social origin or class, their personal characteristics or language.

A key objective that we promote is to adopt a supportive approach to people experiencing harassment. This includes providing them with access to information to consider and seek appropriate remedies.

#### **4.2. Homelessness (allocation policy objectives: 1,3,4 and 8)**

We have established a comprehensive homelessness policy that we use to address applications from people who are homeless or threatened with homelessness. As part of our approach to prevent homelessness, we discuss housing options with applicants including options of being re-housed through the common housing register, other registered social landlords (RSLs), through the mid-market rented sector, private rented sector or the owner occupier sector.

#### **4.3. Mutual exchanges (allocation policy objectives: 1, 3, 4 and 5)**

Scottish secure tenants are entitled to apply to exchange their tenancies ("swap homes") with other Scottish secure tenancies anywhere in Scotland.

Although tenants must first obtain our written consent before exchanging homes, we can refuse consent only if it is reasonable to do so. We take account of reasons contained in law when considering applications, as well as other grounds that might be relevant. Each case is assessed individually taking account of the particular circumstances of the case. Full details are contained in our separate mutual exchange policy and its related procedures.

After we receive an application to exchange homes, we must provide our written decision within **one month**. If we don't formally reply within this timescale, consent is deemed to have been granted. If we refuse an application to exchange homes, we must provide reasons in writing. This is important to enable tenants to consider our written response and to prepare an appeal against our decision. This appeal is to the sheriff court. In line with our commitments to a fair hearing under the Human Rights Act 1998, we provide tenants with information about their appeal rights when informing them of our decisions.

#### **4.4. Suspension of offers (allocation policy objective 1)**

We have established a separate suspension policy and procedure that sets out when we might suspend making offers to applicants whose applications remain on our common housing register. There are three main reasons for suspending offers that relate to:

- an applicant's conduct;
- an applicant's eligibility; or
- deferred or delayed applications.

##### **An applicant's conduct**

We may suspend offers of housing to applicants if they are not complying with their tenancy conditions. For instance, we could suspend offering housing to a transfer applicant due to their anti-social behaviour that is causing a nuisance to other tenants.

In the case of rent arrears, we may suspend offers only if the rent arrears exceed one month's rent and arrangements to repay are not made and kept to as discussed in section 3.

Again, we might refuse offers to applicants who have refused a specified number of previous offers that were based on applicants' stated preferences.

If we suspend offers to applicants, this is subject to timescales as set out in our suspension policy.

In line with our commitments to a fair hearing, applicants can appeal our decision as explained in section 9.

##### **An applicant's eligibility**

We may defer offers of housing to applicants who fail to qualify for housing due to particular allocation policy rules. For instance, offers might be deferred if applicants do not meet the age or support criteria required to access specific housing types such as sheltered housing.

##### **Deferred or delayed applications**

An application could be deferred if an applicant wants to register on the common housing register, but does not want housing at present.

An application can be delayed if an applicant supplies insufficient information to enable us to process the application.

#### **4.5. Summary**

This section explains how we have established a number of specific policies and procedures to cover particular aspects of allocation practice. An overview of the diverse range of policies to which allocation policy is connected is given in Appendix 2.

### **Section 5: Allocation system: key elements**

#### **5.1. Introduction**

This is a very important section of the allocation policy as it sets out our rules on:

- housing need;
- assessing housing need;
- our allocation system, including key procedures;
- our points system;
- local lettings initiatives; and
- partnerships with other social landlords.

## **5.2. Housing need**

Housing need refers to standards that we use to assess an applicant's housing circumstances. For example, allocation law already sets out certain housing need factors such as overcrowding or unsatisfactory housing.

This section describes the various standards that we use to define housing need and covers a wider range of factors than those mentioned in allocation law. This is in line with good practice that recognises that housing need is also related to environmental and social factors, not simply housing conditions.

The standards that we use to define housing need are now explained by reference to standards that include legal, professional, socio-environmental and socio-economic standards.

### **Legal standards**

Legal standards that we use to assess housing need exist in respect of homelessness, overcrowding and the tolerable standard. These standards are set out in law and we must meet such standards in practice, for example, we are required to deal with housing that does not meet the tolerable standard.

### **Professional standards**

Professional standards relate to our own internal standards that can be higher than the legal standards. For example, in assessing overcrowding we consider a family that has to use their living room for sleeping accommodation as being overcrowded.

### **Socio-environmental standards**

We recognise that people may be dissatisfied with their housing situation if the general environment in which they live is considered to be inadequate. This could include local infrastructure such as a lack of facilities, shops, schools, places of worship and/or transport links.

For example, a person's house may be in good condition, but an applicant who is isolated due to lack of local amenities and inadequate transport systems may prefer to move to other areas. This type of housing need is closely connected to individual applicants' choices and preferences.

### **Socio-economic standard**

This standard relates to housing need linked to affordability of housing. For example, an applicant who cannot afford either their rent or mortgage payments may fall into arrears with their payments and risk losing their home.

### **5.3. Assessing housing need**

We assess the various forms of housing need on an ongoing basis. We do this for four main reasons. Firstly, it is our statutory duty to evaluate specific types of housing need in West Lothian such as homelessness, overcrowding and housing below the tolerable standard.

Secondly, we are required to assess patterns of housing need existing in West Lothian, for example, the needs of disabled people.

Thirdly, we use housing need information that we collect to inform our allocation practices, as appropriate. For example, if housing needs are changing, we can use this information to amend how we prioritise applications.

Finally, we use information that we gather on housing need to inform applicants of their housing options. In practice we do this through our internal Lettings Plan. A Lettings Plan is our internal system to assess:

- the likely number of houses available for letting; and
- the number of applicants seeking access to that housing.

The Lettings Plan is used to set targets of lets to be made to our groups on a yearly basis.

### **5.4. Our allocation system, including key procedures**

This section describes the type of allocation system that we have established to meet our allocation policy objectives. The second part of this section summarises key procedures to inform applicants of our practice. This section covers:

- our points system and policy objectives;
- our points system in practice; and
- key allocation procedures.

#### **5.4.1. Our points system and policy objectives**

When you apply for housing your position on the list is determined by the points you are awarded. Points are awarded under one of four categories dependent on your housing need. Your application will be placed in one of four categories of housing need as detailed in Section 5. Points are awarded on a cumulative basis unless stated otherwise. This system has been selected as it enables us to promote our policy objectives effectively. This is now explained below by reference to allocation policy objectives 1 to 5. The other allocation policy objectives are explained in detail through specific sections within this policy.

#### **Objective 1: Law and good practice guidance**

We meet legal requirements by including the reasonable preference needs as categories within our points system. We also meet good practice guidance by establishing categories that take account of the wider forms of housing need described in section 5.2.

#### **Objective 2: Promoting equal opportunities**

We promote equal opportunities through a variety of ways, for example, we regard housing that is not accessible for disabled people as being unsatisfactory housing. This recognises that the barrier that disabled people experience relates to inadequacies of the housing in which

they live. This approach also promotes the social model of disability in line with good practice guidance.

### **Objective 3: Addressing housing need**

Our system has clearly defined housing need and uses this information to address a wide range of housing needs. By using categories, this enables us to monitor and analyse lets made to each of the categories to ensure we are effectively letting social housing and amend as housing need patterns change.

### **Objective 4: Developing sustainable and inclusive communities**

Our system promotes this objective by spreading lets among a diverse range of categories that include different household types. This includes meeting the needs of existing tenants who may want to move house for a variety of reasons. This objective is also furthered as we align housing offers to applicant choice, whenever possible.

For example, we set target annual lets for all properties (new build and re-let accommodation) to applicants to ensure that applicants from all categories with a range of needs are re-housed. This will include applicants who are overcrowded, living in unsatisfactory housing and who are under-occupying their homes.

#### **Note**

Setting targets also enables us to monitor how effectively we are letting houses to the reasonable preference groups covered in law.

### **Objective 5: Making appropriate use of our housing stock**

It is good practice to make appropriate use of our housing stock and promoting tenancy transfers of existing West Lothian Council tenants is an important part of this process.

**Three** management objectives that we achieve through this approach are now explained.

Firstly, we give extra priority to existing social housing tenants who want to move from under-occupied housing to other housing. This approach allows tenants to move to housing that may be more affordable. For example, rent levels and heating costs may be lower in smaller housing.

Secondly, if existing tenants transfer to other housing, then this enables other applicants to be re-housed in the accommodation vacated by the tenants. For example, when tenants leave under-occupied housing, we can let this to applicants with other needs such as people living in unsatisfactory housing. This could include people living in housing that is:

- below the tolerable standard;
- inaccessible for disabled people; and
- overcrowded.

This list is not exhaustive and details of all the needs that we cover are detailed below in 5.5. Thirdly, re-housing tenants within their areas of choice promotes sustainable tenancies by ensuring that we take account of the preferences of applicants when allocating houses.

#### **Note**

We support transfers of tenants with any of the forms of housing need identified above in

respect of all of our accommodation, including new build housing (see 5.4.3).

#### **5.4.2. Points system in practice**

Our system works by dividing applications into four appropriate categories.

Applications are pointed individually using our points system and placed within one of the categories (see 5.5.1. below).

#### **Note**

When allocating, if applicants in the same category have the same points level, then priority is given to the applicant who registers first on the common housing register.

#### **5.4.3. Key allocation procedures**

This section summarises, in plain language, what happens once an application is completed and returned to us. It is noted that we also have established detailed organisational procedures that our staff apply so that applications are processed consistently and against set timescales. Applicants can access these procedures, on request.

This section covers the following issues:

- admission to the common housing register;
- processing housing applications;
- offers and allocating houses;
- specific housing issues;
- reviewing applications; and
- information.

#### **(a) Admission to the common housing register**

We admit all applications from people who are sixteen or over onto our common housing register. This is in line with allocation law discussed above. This is not the same thing, though, as being offered housing that is determined by our allocation points system (see 5.5).

#### **(b) Processing housing applications**

Applicants can apply for a home using the council's online Housing Application Form and creating an account with password. Through this account applicants will have the ability to access and manage elements of their housing application through the council's Application Portal. For people who cannot access the online application a paper form is available from our principle offices. is available. After receipt the on-line application is assessed and applicants will be notified of their points awarded and any other relevant information based on their application.

The initial assessment is targeted to be done within five working days. We will provide applicants with information primarily through the on-line application system. We also communicate in other ways e.g. writing, that are mutually agreed to meet an applicant's specific needs.

If applicants do not provide us with sufficient information to process their application, this may affect their re-housing prospects, or lead to the application being "delayed" in line with our suspension policy.



As part of our commitment to equal opportunities, we ask applicants about any access needs they may have; and liaise with them about any support services needed. For instance, we may employ interpreters (that is, signers) to provide information to deaf or hearing-impaired applicants.

We process personal information received in line with data protection requirements. For example, we only share applicants' information with other organisations if they have given written consent, or if this is allowed or required in law.

If we contact other landlords or lenders (in the case of home owners) to confirm application details, we will also first seek applicants' consent. If applicants do not provide consent to contact other landlords, and this information is relevant to the application, this could result in our suspension policy being applied.

Home visits to check application details may be carried out before an offer is made. Such visits will be arranged in advance with applicants at appropriate times. This is in line with individuals' rights under human rights law, for instance, their right to privacy. If applicants live outside West Lothian, we may ask other landlords and/or agencies to check details.

Applicants have a legal right to apply for a sole or a joint tenancy; we provide applicants with information about their rights. In order to promote information about tenants' rights, we can also advise applicants of advantages and disadvantages of having a sole or a joint tenancy.

#### **(b) Personal Housing Plans**

On completion of the housing application process all applicants have the right to a Personal Housing Plan. All applicants have the right to have a personal housing plan in place and specifically we will contact applicants where their reason for the housing applications qualifies for one of the strategic needs reasons as detailed in Section 5.5.2.

#### **(d) Offers and allocating houses**

After we confirm application details, we point application forms and put the application into one of our four categories stated preferences, whenever possible.

Our allocation system – in line with good practice – is based essentially on applicant preference or choice. For instance, when selecting tenants for housing, we consider their stated preferences in the application form covering things such as:

- area of choice;
- type of housing and floor levels in the case of flats; and
- types of heating system.

We divide West Lothian into specific letting areas that applicants can refer to in selecting their areas of choice.

Specific information about local amenities can also be provided, on request. For example, applicants may not want to live in an area that is not easily accessible by public transport.

In order to ensure that applicants can make an informed selection, we also provide applicants with information on their re-housing prospects for different areas

An important part of this process is to encourage applicants to adopt a realistic approach as widening their areas of choice may increase their re-housing prospects.

#### **(e) Specific housing issues**

We apply specific rules in respect of certain house types as these are aimed to meet particular needs. These rules relate to age, adapted housing and new build accommodation.

## **Age**

We may not discriminate on grounds of age when selecting tenants unless this relates to housing that has been designed or substantially adapted for persons of a particular age group; or housing for persons who are - or will be -- in receipt of housing support services for a particular age group. For example, such housing can include sheltered housing for older people.

## **Adapted housing**

We allocate housing that has been adapted to meet particular housing needs to applicants with such needs, as appropriate. Housing that has been adapted to meet the needs of disabled people will be offered to disabled applicants with the appropriate needs. For example, housing that is adapted to be accessible to wheelchair users will be offered to wheelchair users.

## **Support Accommodation/Care in the Community**

Working with West Lothian Health and Social Care Partnership (WLHSCP) and other social rented landlords, we provide a number of specialist housing provisions for vulnerable people, such as sheltered housing and assisted living for older people, housing with care for older people and supported accommodation for people with learning disabilities and people with mental health issues.

Sheltered Housing and Assisted Living: Applicants 60 years and over are eligible for council owned sheltered housing and assisted living can apply through completing of the housing allocations on-line application form.

Housing with Care: Older people who have housing and support needs may apply. Housing with Care provides a much higher level of support services than are currently available in sheltered or assisted living housing. A generic personal care and support on-site staff team provides the following:

- Housing Support Services
- Domestic Support
- On-site staff available during the hours of 7.30am to 10pm with overnight assistance supported by technology between 10pm to 7.30am

Housing with Care Application forms are available online and at all principle council offices as well as the housing with care developments. Application forms received by the council will be assessed by a Housing with Care manager as either Grade A, B or C depending on the number of hours of support and care outlined at assessment.

Core and Cluster Accommodation: WLHSCP and the council will identify a range of vacant tenancies that will support individuals with learning disabilities or mental health needs to ensure they are provided housing within their identified communities that will be suitable to their assessed support needs. Individuals who wish to be considered for a core and cluster tenancy should be supported by their allocated lead professional or their parent and carer to submit a housing application form. A Social Policy assessment and referral must be made to the Allocations Team for properties to be let.

Learning Disability Complex Care Housing Development: This development is a specialist housing resource for people with learning disabilities who have been assessed as meeting the council's eligibility criteria with complex needs and behaviours meaning that living fully

independently within communities may be more difficult for them. The development provides individuals with their own individual tenancy as well as 24-hour care that is proportionate and responsive to their assessed need and outcomes. Individuals who wish to be considered for the development should be supported by their allocated lead professional or their parent and carer to submit a housing application form. A Social Policy assessment and referral must be made to the Allocations Team for properties to be let.

### **New build accommodation**

We ensure that existing council tenants receive priority when letting new build properties. This ensures that we meet, not only a diverse range of needs of local people, but also allow other applicants' needs to be addressed when tenants move to other housing. The effects of this policy are monitored carefully. Council's policy is that 75% of new builds in the first instance will be allocated to council tenants and 25% will be allocated as mainstream lets.

### **(f) Reviewing applications**

The purpose of reviewing applications is to find out if applicants still want to be re-housed by us. A review system also helps the council manage our allocations processes effectively and minimise offers to people who have moved away or who no longer need or want to be housed. It also ensures that we have an accurate picture of housing need and demand.

Making unnecessary offers is a cost to the council and so reviewing applications is an important part of the council's best value duty. For example, this duty requires us to provide services that are efficient and effective.

The council has clear timescales for reviewing the housing list with an annual rolling review in place. We contact applicants on the monthly anniversary of their application, providing an opportunity to confirm that their housing needs have not changed.

Applicants are requested to advise us in writing within fifteen working days if they want their application kept on the common housing register.

A second reminder notification or letter is then sent out if we get no response; this allows the applicant another seven working days to reply. If no reply is given, we remove the application from the common housing register and a cancellation letter is sent advising applicants of this.

Applicants whose applications have been removed because of failure to respond may have their original applications re-instated by writing a letter of appeal explaining the reasons for failing to respond. This must be done within six months of the application being removed from the common housing register.

After this six-month period, applicants are requested to complete a new application form.

### **5.5. Our points system**

Our points system is a system that is based on allocation law and good practice guidance. Our **four** main groups are people who:

- are homeless or threatened with homelessness (see note);
- have general needs including applicants who live in houses that are unsatisfactory
- are on our transfer list, and
- are applicants outside West Lothian.

The points that we set for individual needs is given at the end of this section (5.5.2).

## **Note**

The phrase “threatened with homelessness” applies to applicants who are likely to become homeless in two months. We seek to prevent applicants becoming homeless by providing detailed advice to applicants about their housing options.

### **5.5.1. Applicant categories explained**

This section explains each category. Before doing so, **three** general points are made. Firstly, an applicant is placed in one category only. This is done to ensure that applicants can easily understand the system and avoid confusion. For example, if an applicant is affected by homelessness then her/his application is placed in the homelessness category.

Secondly, although applicants are placed in one category, applications are awarded all relevant points to which they are entitled.

Finally, we set target annual lets to be allocated so that we can analyse and monitor the allocation of properties across the categories to ensure we are effectively using resources to meet housing demand and need locally. locally.

#### **Category 1: People who are affected by homelessness**

Applicants in this category are assessed through the West Lothian Council homelessness approach and in accordance with statutory legislation. If an application is accepted onto Category 1 following the statutory homelessness assessment, then the application is registered from its date of application. Homeless applicants can select a minimum of three wards areas in West Lothian. The wards of Livingston North and Livingston South are classified as one ward area for homeless applicants. Ward categories area as follows;

- Armadale and Blackridge
- Bathgate
- Broxburn, Uphall and Winchburgh
- East Livingston and East Calder
- Fauldhouse and the Briech Valley
- Linlithgow
- Livingston North and Livingston South
- Whitburn and Blackburn

Where a homeless application has not been provided with an offer within 9 months, they will be asked to open up their areas to a minimum of six wards. Application priority is determined by date of registration and a maximum of 750 points are awarded.

Homeless applicants are entitled to one offer of housing in law and we consider applications taking account of the statutory Code of Guidance on Homelessness ((2020) For example, we consider applicant preferences, although offers are also determined by availability of housing stock for letting. Homeless applicants are eligible for all types of housing accommodation, unless there is a specific medical, based on size.

## **Note**

An applicant will be homeless if their home is legally overcrowded **and** may endanger their health. This applies if the house endangers the health of any occupant within the house.

#### **Category 2: General Needs**

This category covers all elements of the points framework with the exception of council tenants and homeless applicants. Applicants in this group include people with the following housing needs:

- Strategic need
- housing below the tolerable standard (BTS);
- housing conditions relating to overcrowding (see note); or
- housing that is unsuitable to meet the person's access needs such as disabled people (physical or mental health impairments), or a person's medical needs;
- people living in housing within West Lothian that is being demolished and applicants require to be re-housed; and
- social landlord tenants who are under-occupying their homes as defined by our occupancy policy standard.
- with shared amenities;
- wanting to move for affordability, social and employment reasons.

### **Note**

Strategic Housing Needs identifies applicants who are in urgent housing needs with a requirement to meet their needs as quickly and successfully as possible to prevent homelessness. It covers a wide range of local housing need and we work in partnership with a range of agencies, both statutory and voluntary, to address them. For example, in the case of local support and care programmes, we work actively with health authorities and/or social workers. This approach is also important to prevent homelessness and we grant applicants points if they are being re-housed through these programmes

- Hospital Discharge
- Leaving support accommodation to community care
- Medical A
- Looked after and accommodated children (Children (Scotland) Act 195)
- Leaving Forces (leaving full time regular service and within 9 months of discharge)
- Domestic Abuse
- Prison Discharge
- Leaving Care
- Notice to Quit
- People at risk of /experiencing serious harassment
- Forced sale
- Witness protection
- Asked to leave/living in insecure accommodation
- Forced to Live apart

The BTS is a statutory standard and a house fails to meet this standard if it is defective regarding any of the relevant provisions.

Overcrowding covers people whose homes either fail to meet the statutory overcrowding standard, or our occupancy standard that is explained below (Table 1).

### **Our occupancy standard**

Our occupancy standard is more progressive than present overcrowding law as it:

- excludes the living room as being viewed as suitable for use as sleeping accommodation; and
- considers that children aged eight or over should have separate bedrooms (see below).

Our occupancy standard explains how many rooms are needed by households of different sizes. Applicants are granted points if their present house is deemed to be too small to meet their needs. The occupancy standard is also used to assess if a house is being under-occupied. Table 1 indicates that, as soon as one child reaches **eight** years of age, overcrowding points will be granted if the child has no separate bedroom.

**Table 1: Occupancy standard**

Household Size	Bedroom Required
Single Person	One
Couple (of same or opposite sex)	One
Anyone else in applicant's household who is/are <ul style="list-style-type: none"> <li>• Aged 8 years and over</li> <li>• Two people under 8 years</li> </ul>	One One
Any other person	One

**Note**

A household refers to any person who wants to live on their own (or with someone else). For example, a family member wanting to apply for housing on their own would be a separate household.

**Other policy provisions relating to overcrowding**

An applicant can apply to move to other housing that does not reduce their overcrowding, but may meet other needs. For example, an applicant might want to live in another area for social reasons such as living closer to relatives. In such cases, however, no overcrowding points would be granted.

We take account of people who normally live with the applicant but living away temporarily when assessing overcrowding. For example, this could include people working away, or staying in some institutional setting.

In the case of shared care, the size of house that is offered to applicants will be determined by the terms of the actual arrangement. This is covered within our staff procedures and information is provided to applicants concerned.

If social reasons relate to applicants experiencing harassment, we assess each case individually and provide those affected with quality advice to enable them to make an informed decision regarding re-housing options. A point award may be made to applicants who seek to move house if – following detailed investigations – this appears to be the appropriate remedy. This serves to prevent homelessness and therefore accords with one of our key allocation objectives. Harassment could include applicants fleeing domestic violence.

**Category 3: People who are on our transfer list**

We have established a transfer list that consists of existing West Lothian Council tenants applying to move to another house. This is very important to meet the following allocation policy objectives:

- meeting the diverse range of housing needs of tenants that include unsatisfactory housing conditions as explained above;
- meeting tenants' housing preferences since "wanting to move" home is a form of need;
- promoting sustainable and inclusive local communities by meeting tenants' preference needs; and
- making appropriate use of our stock by reducing under-occupation.

West Lothian transfer applicants will receive points based on their assessed housing needs, for example, the condition of their property. West Lothian Council tenants will also qualify for under-occupation points to ensure that they receive reasonable preference.

#### **Note**

Applicants who are tenants of other social landlords, or tenants within the private sector, are placed in one of the other groups, as appropriate. For example, a tenant of another local authority wanting to move to West Lothian for preference reasons only would have their application placed in group 5.

#### **Category 4: Applicants outside West Lothian**

Applicants living outside West Lothian will be placed in one of the above categories if they satisfy the relevant legal rules. Residence in West Lothian must be disregarded when selecting tenants if any of the criteria below apply.

Local residence must be ignored if an applicant:

- is employed or has been offered employment in the area;
- wishes to move into the area to seek employment and we are satisfied that this applies;
- wishes to move into the area to be near a relative or carer;
- has special social or medical reasons for needing to be re-housed in the area;
- is subject to harassment and therefore wishes to move into the area; or
- runs the risk of domestic abuse and therefore wishes to move into the area.

If an applicant lives outside of the West Lothian area and does not meet any of the above, the application will be placed in category 4.

If an applicant lives outside of the West Lothian area and meets any of the above, then the application will be placed in one of the other categories.

#### **Note**

Points are added for each housing need factor so that applicants with more housing needs receive priority

#### **5.5.2. The points framework**

Our points framework takes account of a diverse range of housing needs in line with housing law and good practice guidance.

<b>Non-Cumulative Points Category</b>	<b>Description/Housing Need</b>	<b>Points</b>
<b>Statutory homeless</b>	<p>This category is for people assess as statutory homeless and is designed for the council to respond to homeless quickly. Applicants in this group must be assessed by the council as;</p> <ul style="list-style-type: none"> <li>• Unintentionally homeless (under part II of the Housing Scotland Act 1987 and the 2001 Act.</li> </ul>	750 Points
<b>Care in the Community</b>	<ul style="list-style-type: none"> <li>• Housing with Care – Social Policy assessment and Referral</li> <li>• Core and Cluster – Social Policy Assessment and Referral</li> <li>• Learning Disability Complex Care Housing Unit – Social Policy Assessment and Referral</li> </ul>	Grade A or B 0 points 0 points
<b>Cumulative Points Category</b>	<b>Description</b>	<b>Points Awarded</b>
<b>Exceptional Circumstances</b>	Situations can occur where the current allocations policy does not allow for swift action. These are extreme cases and will be dealt with on an individual basis	1500 points
<b>Local Strategic Needs</b>	<p>This category identifies applicants with urgent housing needs with a requirement to meet their needs as quickly and successfully as possible to prevent homelessness. These applicants will include;</p> <ul style="list-style-type: none"> <li>• Hospital Discharge</li> <li>• Leaving support accommodation to community care</li> <li>• Medical A</li> <li>• Looked after and accommodated children (Children (Scotland) Act 1995)</li> <li>• Leaving Forces (leaving full time regular service and within 9 months of discharge)</li> <li>• Domestic Abuse</li> <li>• Prison Discharge</li> <li>• Leaving Care</li> <li>• Notice to Quit</li> <li>• People at risk of /experiencing serious harassment</li> <li>• Forced sale</li> <li>• Witness protection</li> <li>• Asked to leave/living in insecure accommodation</li> <li>• Forced to Live apart</li> </ul>	750 Points
<b>Below Tolerable Standard</b>	<ul style="list-style-type: none"> <li>• Property assessed as not needing the statutory standard</li> </ul>	500 Points
<b>Overcrowding/ large families</b>	Based on bedroom definition (in line with who can share a bedroom)	250 points per room



<b>Under occupation</b>	Based on each bedroom unoccupied (only social rented sector)	250 points per room
<b>Medical Needs</b>	Medical A	500 Points
	Medical Property Needs Assessment B of Applicant	250 Points
	Mental Health Assessment	250 Points
<b>Sharing</b>	Based on household's composition	150 points per person
<b>Support</b>	To give or receive support	150 Points
<b>No Housing Need</b>	Assessed as having none of the above housing needs	0 Points
<b>Preferred Area</b>	Based on applicants one preferred area of choice, multiple areas can still be chosen on applicant choice but points are only eligible for one area	100 Points

**Note: Needs not covered by the allocation policy**

In allocation practice, it is possible that a situation arises where points have been maximised in accordance with this policy, but this is not enough to allow the person to be re-housed. Examples could include - but are not limited to - an approach by Police Scotland advising that a tenant's life may be in danger if she/he remains in their property; or the Council being asked to re-house someone through the National Witness Protection Programme. These are extreme cases and a further point award may be granted following assessment of the particular circumstances. In order to ensure public accountability, such cases can only be authorised by the Head of Housing, Construction and Building Services, or other delegated senior manager. We will monitor the reasons for allocation of points under this section and review this policy where appropriate.

**5.6. Local lettings initiatives**

These are promoted under good practice guidance and are used to promote sustainable communities at local level. A key part of these initiatives is to address the needs of an area comprehensively so that, not just housing is considered, but environmental and social issues too (see Appendix 3).

We publish details of any initiative so that tenants and other residents understand how the initiative meets legal rules, as well as the processes involved.

**5.7. Partnerships with other social landlords**

We have established partnership arrangements with other social landlords through our common housing register. Details of how these partnerships operate are contained in:

- information that we supply to applicants through the information pack; and
- internal organisational procedures that govern the partnership working arrangements.

## **5.8. Summary**

This section explains that we operate a points allocation system. This system is most appropriate for ensuring that we promote law and good practice guidance effectively.

## **Section 6: Promoting equal opportunities**

### **6.1. Promoting equal opportunities: general**

We promote equal opportunities throughout all of our housing services, including allocation practice. We seek to ensure that allocation practice does not discriminate, either unlawfully or unfairly.

We promote equal opportunities in our allocation policy in a range of ways by:

- providing information about the policy and related services in accessible ways, for instance, producing a summary allocation leaflet in plain language;
- working in partnership with other agencies to promote sustainable tenancies, for example, delivering appropriate support services tailored to individuals' needs;
- monitoring service provision to evaluate that allocation practice is not discriminatory, for instance, through our performance indicators; and
- implementing positive action programmes to promote access to our services (see below).

### **6.2. Positive action programmes**

Positive action programmes are different from positive discrimination that is, generally, unlawful. Positive action refers to initiatives that are undertaken to address historic forms of discrimination against particular groups. For example, disabled people and people from black and minority ethnic groups have traditionally experienced various forms of discrimination in housing. It should be noted that these are examples only and other people affected by discrimination include gay men and lesbian women.

Our positive action programmes are developed continually to address locally identified needs and present initiatives include:

- publishing the allocation policy in other formats and other languages, as appropriate;
- auditing the allocation policy against corporate equality standards (plain language, accessible formats and so on) to ensure that we promote equality objectives;
- publicising the allocation policy widely to promote access to the common housing register, as well as increasing awareness of its content and objectives;
- establishing active partnerships to promote awareness of barriers to accessing housing, for instance, promoting awareness of the social model of disability; and
- monitoring services so that there is no unlawful or unfair discrimination on any of the grounds covered in the Equality Act 2010 or the Scotland Act 1998.

## **Note**

The Scotland Act 1998 defines equal opportunity as follows:

“Equal opportunities” means the prevention, elimination or regulation of discrimination between persons on the grounds of sex or marital status, or racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions”

(The Scotland Act 1998, Schedule 5, L2)

### **6.3. Summary**

We are required, as a public body, to take steps to eliminate unlawful forms of discrimination and promote equality of opportunity.

We do this in allocations by developing accessible services and seeking to address the needs of a wide range of households, including those that have traditionally experienced discrimination in service delivery.

## **Section 7: Training and development**

### **7.1. Our training programmes**

We provide a range of training that is tailored to the jobs of individual staff and their role in allocation services.

Different types of training are provided, for instance, to cover allocation activities such as advising applicants about:

- the allocation policy;
- their housing options;
- preventing homelessness; and
- how to address harassment.

We have established a range of training programmes that are also used as part of tenant consultation procedures. Examples of these training programmes include training on:

- allocation and housing law;
- allocation policy and procedures;
- information technology systems; and
- monitoring and assessing data.

### **Note**

All our training is linked to our customer care policy and our equality and diversity policy to ensure that staff provide services tailored to the needs of individual tenants and other customers.

### **7.2. Summary**

We recognise that training should be seen as a developmental activity and our staff receive a wide range of training that is tailored to their particular job needs. This is done so staff can deliver quality services to applicants for housing who may be tenants or other customers.

## **Section 8: Managing our allocation performance**

### **8.1. Managing performance: general information**

In order to manage allocation performance effectively, we have established management measures as follows:

- data gathering and assessment;
- feedback from tenants and other service users;
- consultation;
- performance indicators; and
- reporting systems.

### **8.2. Data gathering and assessment**

We gather a wide range of data as part of the allocation service, for example, numbers of applicants and lets to different applicant groups. In order to evaluate these data, we assess data both quantitatively and qualitatively. This is explained below.

Quantitative monitoring involves measuring data by reference to numbers. For example, we monitor additions and cancellations of applications to our common housing register to assess demand for housing.

Qualitative monitoring is concerned with quality issues and would include things such as (a) accuracy of advice that we provide to applicants, or (b) quality of written documentation that we provide.

### **8.3. Feedback from tenants and other service users**

We also gather information on our allocation service through our tenants, applicants for housing and other service users. For example, we carry out regular satisfaction surveys to ascertain tenant views on the quality of our services, including allocation services.

### **8.4. Consultation**

We use information gathered to produce reports to tenants' groups, individual tenants, housing applicants and other service users, as appropriate. This information is also used to inform tenant consultation relating to policy review. For example, by providing tenants with accurate information about local housing needs' trends, this can inform debates on targets of lets to be afforded to the various housing groups (see section 10).

### **8.5. Our performance indicators**

Our performance indicators measure a range of issues, both quantitatively and qualitatively. These include monitoring of issues relating to the Scottish Social Housing Charter (see Appendix 4).

### **8.6. Summary**

Managing performance is an important part of our allocation policy and practice. Information that we gather is used to improve our services, as well as addressing any practices that could be discriminatory. Information on performance is also used to inform consultation with housing applicants, tenants and service users as part of allocation policy reviews.

## **Section 9: Our appeal and complaints system**

In terms of appeals against allocation decisions, we have established a formal appeal system. For example, an applicant may appeal against an assessment we make concerning their housing needs.

We have also established a statutory appeal system in relation to homelessness applications. This ensures that any appeal relating to a homelessness decision is heard by a senior officer who was not party to the earlier decision.

We operate a complaint system that is different from appeals. This system addresses dissatisfaction that an applicant may raise in terms of allocation policy and practices. For example, an applicant may complain that their application has not been processed in line with set timescales.

Information about these systems is provided to applicants in their allocation information pack.

## **Section 10: Consultation and allocation review processes**

The allocation policy is reviewed on an ongoing basis in line with West Lothian Council procedures. The review of the policy is linked to our tenant participation strategy to ensure comprehensive consultation with housing applicants, tenants and other service users.

Key consultation activities that we implement when carrying out an allocation review are as follows:

- consulting with a range of groups;
- publishing a formal consultation report; and
- taking account of the local housing strategy and other guidance.

### **10.1. Consulting with a range of groups**

We consult with a diverse range of groups before allocation policy changes are made. The groups we consult include:

- tenants;
- applicants;
- registered tenant organisations; and
- any other bodies we deem to be appropriate, for example, other housing associations, equality groups and so on.

### **10.2. Publishing a formal consultation report**

We publish a formal consultation report that assesses the feedback and implications for policy review of the consultation process. This report will include information on key findings and feedback gleaned through the consultation process. This consultation report will be used to inform decisions relating to the allocation policy review.

### **10.3. Taking account of the local housing strategy and other guidance**

We take account of data from our local housing strategy when developing the allocation policy review. For instance, this will include information about housing trends at local levels. We also take account of published guidance to ensure that we are meeting good practice in allocation policy.

## **10.4. Summary**

We promote consultation with a diverse range of groups and individuals when reviewing our allocation policy. This is in line with our commitments as contained within our tenant participation strategy.

### **Appendices**

Appendix 1: Law and Good Practice

Appendix 2: List of policies to which allocation policy is linked

Appendix 3: Local lettings initiatives

Appendix 4: Performance indicators

Appendix 5: Useful contacts

### **Appendix 1: Law and Good Practice**

The Housing (Scotland) Act 1987 (as amended)

Relevant good practice standards are contained in the Scottish Social Housing Charter, 2012 and The Scottish Government's: Social Housing Allocations in Scotland: A Good Practice Guide February 2019.

### **Appendix 2: List of policies to which allocation policy is linked**

Allocation policy is linked to a wide range of other Council policies including (in alphabetical order):

- antisocial behaviour policy;
- assignation of tenancy;
- estate management;
- exchange of tenancy;
- homelessness policy;
- letting plan;
- rent arrears management;
- subletting;

- succession to tenancy;
- suspensions; and
- taking in lodgers

### **Appendix 3: Local lettings initiatives**

Before we initiate a lettings initiative, we will:

- base its proposals on a sound rationale using clear statistical data sources;
- consult with tenants to obtain their agreement;
- discuss issues with our partners;
- implement a quality monitoring system; and
- review any initiative on an ongoing basis.

As well as housing issues, a local lettings initiative is likely to be concerned with any of the following issues:

- anti-social behaviour;
- low demand housing; and
- unemployment.

Unemployment levels are assessed using internal data that is gathered from various sources, including:

- applicant information forms;
- census information; and
- housing benefit information.



## **Appendix 4: Performance indicators**

Indicators that we use are summarised in this section. These are used to provide regular reports to Councillors and tenant groups.

We present information on allocation practice to Council committee in line with set timescales.

We also provide information on allocation matters to tenants and other service users through methods agreed as part of our tenant participation strategy.

### **(a) Indicators to monitor the Scottish Social Housing Charter**

- percentage of tenancy offers refused during the year;
- percentage of new tenancies sustained for more than a year, by source of let;
- percentage of lettable houses that became vacant in the last year;
- average length of time taken to re-let properties in the last year;
- average length of time in temporary accommodation by type;
- percentage of households requiring temporary or emergency accommodation to whom an offer was made;
- percentage of temporary or emergency accommodation offers refused in the last year by accommodation type; and
- of those households homeless in the last twelve months, the percentage satisfied with the quality of temporary or emergency accommodation.

### **(b) Other monitoring (quantitative)**

We monitor numbers of the following issues under the headings below.

#### **Access to the common housing register**

- applicants on the common housing register, including tenants seeking to transfer or exchange houses;
- new applications to the common housing register, including processing applications against set timescales; and
- deletions from the common housing register.

#### **Offers and lets of accommodation**

- numbers of offers to applicants, including information on accepted and refused offers;
- offers suspended and reasons, as well as appeals against suspensions and outcomes; and
- allocations to each housing group against targets.

#### **Equality monitoring**

- equality information to identify applications, offers and lets by reference to factors such as age, disability, ethnicity and race and gender.

#### **Note**

Full information on the extent of equality monitoring is contained in our internal reports; these are available publicly.

## **Appeals and complaints**

- numbers of appeals and complaints, including outcomes.

### **(c) Other monitoring (qualitative)**

This type of monitoring includes activities such as:

- the quality of our verbal advice and information about allocation matters; and
- the quality of our public information relating to written and electronic formats.

This includes meeting corporate quality standards such as producing information, as appropriate, that is:

- accurate;
- in plain language; and
- accessible to the needs of individual service users.

We also monitor specific issues to inform practice such as reasons why tenants are seeking to transfer to other houses, or to exchange homes with other tenants.

## **Appendix 5: Useful contacts**

These are provided to applicants in a summary leaflet in their information pack.

