



POLICY ALLOCATION

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Chair Person/Office Bearers Signature:	

CASSILTOUN HOUSING ASSOCIATION LTD
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Cassiltoun Housing Association is a recognised Scottish Charity SC035544

CASSILTOUN HOUSING ASSOCIATION LIMITED

ALLOCATION POLICY

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Introduction

- 1 Cassiltoun Housing Association Limited is a Registered Social Landlord (RSL) with the Housing Regulator, and was registered with its forerunner, Communities Scotland and the Housing Corporation in Scotland, in 1985.
- 2 The Association is committed to providing high quality, affordable and accessible social rented housing to those in greatest housing need, contributing to the physical, social and economic regeneration of the area, the provision of housing for people with specialised needs and to provide a safe environment for our residents to enjoy. To facilitate this and to give guidance and clarification to both staff and members of the public, the Association has an Allocation Policy, which incorporates Succession to Tenancy, Joint Tenancy, Assignment, sub-letting and mutual exchange and has been approved by the Board of Management.
- 3 The purpose of this policy is to set out the statutory provisions governing admission to housing lists, the allocation of housing and tenancy changes by Cassiltoun Housing Association Limited as amended by the Housing (Scotland) Act 2001 ("the 2001 Act") and the Housing (Scotland) Act 2014.
- 4 The legislation governing these matters is to be found in sections 19 and 20 of the Housing (Scotland) Act 1987 ("the 1987 Act"), as amended by sections 9 and 10 of the 2001 Act and the Housing (Scotland) Act 2014.
- 5 This policy is issued in terms of section 79 of the 2001 Act and Section 2 of the 2014 Act and will be taken into account by the Housing Regulator, in due course, when monitoring the performance of local authorities and registered social landlords.

Policy Background

- 6 The legislative and regulatory framework for the allocation of social rented sector homes has evolved over time, including through the Housing (Scotland) Act 1987, the Housing (Scotland) Act 2001 and the Housing (Scotland) Act 2014. These provisions, therefore, complement the new Scottish Secure Tenancy and single regulatory framework (established by Parts 2 and 3 of the 2001 Act) which will apply equally to local authorities and registered social landlords. This was further amended with the Housing (Scotland) Act 2010 which introduces the Scottish Housing Regulator who will oversee the Regulation of both Local Authorities and RSLs in Scotland and the 2014 Act which abolishes Right to Buy and brings in new qualifications for Succession to tenancy etc.

Allocation Policies will also need to comply with the homelessness rules set out in Part II of the 1987 Act (as amended by the 2001 Act and the Homelessness etc. (Scotland) Act 2003).

- 7 Cassiltoun Housing Association Limited will take into account all the legislation described above and also the Scottish Social Housing Charter for Social Landlords and Homelessness Functions published by the Scottish Government. The Charter Indicators 1, 2, 3, 7, 8, 9, 10, 11 and 12 are indicated below:

Equality

- Outcome 1: *“every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.”*

Communication

- Outcome 2: *“Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.”*

Participation

- Outcome 3: *“Social Landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord’s decisions at a level they feel comfortable with.”*

Housing Options

- Outcome 7: *“People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them.”*
- Outcome 8: *“Tenants and people on housing lists can review their housing options.”*
- Outcome 9: *“People at risk of losing their home get advice on preventing homelessness.”*

Access to social housing

- Outcome 10: *“people looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being rehoused.”*

Tenancy Sustainment

- Outcome 11: *“Social landlords ensure that tenants get the information they need on how to obtain support to remain in their home; and ensure support is available, including services provided directly by the landlord and by other organisations.”*

Homeless People

- Outcome 12: *“Homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to.”*

Equalities

- 8 The Association acknowledges that certain people are discriminated against by the housing system and are forced to remain in unsuitable housing. Consequently, the Association is committed to equal access to housing and services in relation to the needs

of all groups.

- a) The Association recognises that discrimination can be direct or indirect and can take place at a personal or at an institutional level.
- b) The Association will consult with its tenants and prospective tenants to provide appropriate housing and suitable environment. To encourage participation by all sections of the community, in meaningful consultation, the Association will be sensitive to: -
 - (i) Religious and cultural requirements e.g. women only meetings, early meetings.
 - (ii) The needs of those with young children e.g. provision of transport, crèche, child friendly rooms, appropriate opening and closing hours.
 - (iii) The needs of people with disabilities e.g. provision of transport, access for disabled people.
 - (iv) Language differences e.g. appropriate communication format, assistance with forms and questionnaires, provide the use of interpreters and translators.
 - (v) The Association will consult relevant agencies working with groups of interest to the Association with a view to seeking, identifying and meeting the needs of these groups.
 - (vi) There will be a regular review of consultation procedures and policies to ensure we continue to be responsive to our tenants' and prospective tenants' needs.
- c) The Association will take positive action measures to ensure that all members of the community are aware of the services it provides including availability of stock.
- d) The Association will seek to ensure within its means that all people benefit equally from its services.
- e) The Association will have maximum openness about what it is doing and ensure that all policies and procedures are openly and widely advertised.
- f) The Association will provide tenants with full, clear and accurate information about their particular tenancy in compliance with the law and good practice guidelines. This information will be accessible to all. An oral explanation will be given at the beginning of the tenancy, which will be confirmed in writing. Tenancy agreements will not contain any unduly restrictive or unnecessary conditions.
- h) The Association will ensure that no communication barriers are put in place or maintained and will consider equality of access when designing permanent office accommodation. All application forms and materials published will be in simple jargon free language and where appropriate help will be given to fill out the relevant forms.
- j) The Association will be sensitive to people with difficulties in communicating
- k) All people will have equal access to housing and will be treated equally when they become tenants
- l) Selection and allocation policies will be clear, comprehensive and unequivocally non-discriminatory, providing equal access for all. All selection and allocation

procedures will be designed to deal quickly and fairly with applicants for housing. Proper recording, reporting and monitoring procedures will be carried out. To ensure accountability and fairness more than one person will be involved in each decision.

- m) The Association will avoid being seen as inaccessible to those in housing need. As a result, the Association will keep its waiting list open and encourage applications to be submitted and assessed throughout the year.
 - n) Copies of the policies and procedures on selection and allocation will be available and accessible to all.
- 9 Cassiltoun Housing Association will develop our allocations and lettings policies with our tenants.
- 10 Cassiltoun Housing Association has taken into account the Scottish Government's guidance 'Social Housing Allocations in Scotland.'

Human Rights

- 11 Cassiltoun Housing Association recognises that applicant's human rights must be respected and that the right to housing is a human right enshrined in international law. Both will aim to ensure that this is achieved during the assessment and allocation process.

Housing Lists

- 12 Section 19(1) of the 1987 Act (as amended by section 9 of the 2001 Act) sets out the entitlement for anyone aged 16 or over to be admitted to a housing list.

No one in housing need will be excluded from a housing list, and, therefore, will not be 'lost from the system' as a result. Although it is recognised that, once admitted to a housing list, Cassiltoun Housing Association Limited will continue to determine the priority of the application.

Definition of Housing List

- 13 Cassiltoun Housing Association Limited operates an open waiting list for housing.

Definition of Housing Provider

- 14 Cassiltoun Housing Association is a registered social landlord and is there defined in the Housing (Scotland) Act 2001 as a "housing provider".

Admission to the Housing List

- 15 Cassiltoun Housing Association Limited will operate an open waiting list to allow people in housing need to have the opportunity at all times to apply to the Association for housing.
- 16 Anyone age 16 and over will be regarded as an independent household within their current place of residence and will be eligible to apply for housing with the Association.

- 17 The Association will take reasonable steps to ensure that information and promotional material is widely available to the public. In order to achieve this, information on the Association and how to access the housing will be made available on the Association's web site, through all other housing organisations both in Castlemilk and on the periphery as well as law centres and citizen advice bureaux.
- 18 Cassiltoun are part of Housing Options and as such persons wishing to apply for a house with the Association will have a housing options interview, where their circumstances will be assessed and information and advice given on the best housing option for that person. A housing options application will be completed which will be assessed in accordance with the Allocation Policy ensuring that all applicants' circumstances are taken into account when assessing housing need.
- 19 Housing Options ensures that although every applicant is entitled to be placed on the waiting list for housing according to the size of house required, they are fully advised of the realistic possibilities of housing with the Association and will be given the opportunity to decide if they wish to remain on the waiting list.

Waiting Lists Held

- 20 Applicants will be placed onto the waiting list that best reflects their housing needs, taking into consideration the house size required to accommodate the applicant's household.

A separate waiting list for each property size will be held

- 2 Apartment – 1 Bedroom
- 3 Apartment – 2 Bedrooms
- 4 Apartment – 3 Bedrooms
- 5 Apartment – 4 Bedrooms
- 6 Apartment – 5 Bedrooms
- 7 Apartment – 6 Bedrooms

According to their requirements or preferences, applicants will be added to the list for the suitable house type and floor level:

House, Tenement, No preference

Ground floor, Upper floor, No preference

The type of property required and the need for any special amenities:

- (i) General Housing: applicants with no medical or social need for a specific type or level of housing.
- (ii) Amenity/Medical Housing: applicants with a recognised medical condition that requires low level (i.e. ground or first floor) housing or housing with specific amenities.

Applicants with a medical certificate stating that ground floor housing is required will not be considered for first floor accommodation or housing with internal stairs

Allocation of Housing

Reasonable Preference

21 The 2014 Act which amended section 20 of the 1987 Act sets out three categories of applicants who should be given reasonable preference. These are:-

- *Homeless persons and persons threatened with homelessness and who have unmet housing need.*
- *People who are living under unsatisfactory housing conditions and who have unmet housing needs*
- *Tenant of houses which are held by a social landlord, which the social landlord selecting its tenants considers to be under-occupied.*

22 In addition to this it is recognised that there is a range of problems and circumstances, which a household may face, that places that household in some degree of housing need that could be alleviated by re-housing

23 As a means of identifying applicants in greatest housing need the Association will prioritise applications in accordance with a Points System. This system allows points to be awarded under the reasonable preference groups and for degrees of housing need.

24 Points will be awarded in recognition of the following elements of housing need:-

a) Homeless Persons and persons threatened with homelessness

It is recognised that there are a number of definitions and degrees of homelessness, with some situations being regarded as more serious than others, which, therefore, place that household in greater housing need. As such, points will be awarded to each category of homelessness according to the level and severity of the housing need.

The categories of homelessness for which points will be awarded are:-

(i) Statutory Homeless– Glasgow City Council has the legal duty to assess homeless applications and to provide or otherwise obtain housing for statutory homeless people, including asylum seekers who have leave to remain, refugees and those leaving the prison system e.g. sex offenders. These applicants will be referred to the Association by Glasgow City Council as a Section 5 referral and will be rehoused on housing need in line with this policy.

(ii) No Fixed Abode - i.e. the applicant has short-term, temporary accommodation in a number of places; or

Applicants will be regarded as living with friends or relatives but will be advised to register as homeless with the appropriate Local Authority and advise the Association of the outcome of that application in order that they may be re-pointed accordingly

(iii) Hostel, Homeless Units or Bed and Breakfast Accommodation - applicants that have been placed in temporary accommodation such as hostels and bed & breakfast units will be regarded as Statutory Homeless; or

(iv) People in Imminent Danger:- i.e. the applicant or a member of their household runs the risk of violence if they remain living in their present accommodation. This risk may arise out of ongoing harassment, domestic abuse or sexual abuse and will be at a level where the applicant can no longer continue to reside safely in their current accommodation but cannot be assisted in a move by their present landlord.

Points under this category may also be awarded if the applicant and his/her household have moved into temporary accommodation but cannot return to their own home. Under such circumstances, the applicant would be assessed as still living in their original accommodation.

- (v) Living in Caravan or Mobile Home and there is no place where he or she is entitled or permitted to place it and live in it.

b) People Living Under unsatisfactory housing conditions who have unmet housing need.

- (i) Living in a property which does not meet the tolerable standard.

A property will be regarded as being Below Tolerable Standards if it has:

Severe Structural Defects that affect the applicant's ability to remain staying in the house.

Structural Defects that represent a danger to the inhabitants

- (ii) Overcrowding: -
The degree of overcrowding being experienced by an applicant's household will be assessed according to the number of bedrooms exclusively available to that household within their present accommodation.

Points will be awarded for each bedroom required to adequately accommodate that household in accordance with the following criteria:

- 1 bedroom for the applicant/applicant and partner
- 1 bedroom for every two children of the same sex under the age 16
- 1 bedroom for every 2 children of different sexes under the age of 10
- 1 bedroom for every household member over the age of 16

The number of points awarded will be calculated on the basis of the number of bedrooms available within the present accommodation compared to the number of bedrooms required.

Only the applicant's household's needs will be considered in assessing overcrowding.

c) Under-occupation

Points will be awarded for each bedroom within the property that is surplus to requirements to adequately accommodate the applicant's household on accordance with the above criteria.

The number of points awarded will be calculated on the basis of the number of bedrooms within the present accommodation compared to the number of bedrooms required.

d) No Security of Tenure

- (i) Living with Friend and Relations:- i.e. on a permanent basis. Points will also be awarded under this category where the applicant is facing marriage or co-habitation breakdown but is still living in the 'marital' home.
- (ii) Tied Accommodation – when the applicant is required to vacate the property

owing to the termination of tenancy, death, retiral etc they will be advised to register as homeless with the appropriate Local Authority and advise the Association of the outcome of that application in order that points may be awarded accordingly.

- (iii) Tenancy with Private Landlord where tenant has a notice to quit or is in financial difficulty.
- (iv) Lodger and Sub-Tenants – will be regarded as being in the same degree of housing need as tenants of a private landlord.
- (v) Personnel Leaving HM Forces – letter confirming discharge will be required in order that application can be assessed correctly.
- (vi) Patients living in Long Term Hospital Care – letter of support may be required from the hospital or social work department.
- (vii) Young People in Local Authority Care.
- (viii) Living with partner facing breakdown in relationship - applicants will be regarded as a separate household living 'care of' and will be pointed accordingly.
- (ix) Leaving Parental Home for the First Time – this is in recognition that this group of applicants have, historically, been at a dis-advantage in the allocation's procedures.

e) Other abuse or harassment including anti-social behaviour

Harassment and abuse can take many forms, it can be verbal or physical and at its most acute, life threatening. It should not be confused with neighbourhood problems, general nuisance, vandalism or disputes. It can be:

- Racial
- Religious or sectarian
- Homophobic
- Harassment of autistic people and people with a learning or physical disability
- sexual

Points will be awarded under this category where the applicant can demonstrate that their quality of life and/or their ability to peacefully and comfortably reside in the house, is being seriously affected because of harassment of themselves or a member of their household.

Harassment points will not be awarded for general problems being experienced within the neighbourhood such as drug dealing, vandalism, etc.

f) Family or Community Support

The Association understands that there are a number of reasons why people may require or seek practical care and support from family, friends and/or community services and that, for many, easy access to these is an essential part of their housing requirements.

- (i) Consideration will be given to awarding points to applicants who can show that the distance and/or travelling difficulties between their current place of residence and the source of the care and support, make it unreasonable for

them to receive the level of care and support required. Conversely, consideration will be given to applicants who wish a move in order to provide these services to a friend or family member. Points will also be considered where the applicant can demonstrate that a move to a property within the Association area of operation would improve current medical, social and/or family difficulties, e.g.:

Assistance with Household Duties
Assistance with Personal Care
Regular Childcare
Special Needs Services

- (ii) To reflect the varying types and levels of care and support that can be given, there will be 3 categories of points that can be awarded:

INTENSIVE LEVELS OF SUPPORT e.g.
daily visits to assist with personal care
special needs schooling or care

MEDIUM LEVELS OF SUPPORT e.g.
daily childminding
regular respite care

LOW LEVELS OF SUPPORT e.g.
assistance with household duties
regular childminding

This is not an exhaustive list but is intended to guidelines as to the situations that will be considered under each category

g) Medical and Health Needs

Having a medical or health condition does not automatically mean that medical points will be awarded. Points will only be given under this category where:

- (i) applicants can demonstrate that they, or a member of their household, has a medical or health condition that is being exacerbated or adversely affected by their current accommodation and/or the applicant's current housing is incompatible with their medical condition

AND

- (ii) the Association is satisfied that rehousing will either ease the medical condition or will help improve the person's quality of life.

Points will **NOT** be awarded for:

- (iii) Stress, anxiety or depression unless the sufferer is receiving ongoing and long-term assistance from psychiatric services and it can clearly be demonstrated that their current housing is aggravating the problem.
- (iv) the health or medical condition is being exacerbated by environmental factors (such as general neighbourhood problems or neighbour disputes) unless the applicant's existing landlord supports the application and explains why they are unable to remedy the problem or move the applicant within their own stock.
- (v) the category and number of medical points awarded will be dependent on the

severity of the health or medical problems being experienced within the house and the extent to which rehousing would alleviate the problems or improve the sufferer's quality of life.

The three categories of medical points are:

(vi) High

Points will be awarded where it is demonstrated that the current accommodation is:

- greatly exacerbating the medical condition or health problem
- severely restricting the person's access to essential facilities within the property
- rendering the person housebound
- severely restricting the person's daily activities
- the present accommodation is totally incompatible with the person's physical disabilities

High medical points will only be awarded where there is clearly an urgent need for re-housing in order to improve the sufferer's quality of life and/or improve the medical condition.

(vii) Medium

Points will be awarded where it is shown that the current accommodation is:

- aggravating the medical condition or health problem
- restricting the applicant's mobility within the property
- making it difficult for the sufferer to enter and leave the property independently

(viii) Low

Points will be awarded to applicants that demonstrate that their current accommodation is:

- having a detrimental effect on a recognised and proven medical condition or health problem
- making it difficult for the sufferer to move freely about the house
- causing the person mental and/or emotional problems to such a degree that continued and long-term assistance is required from psychiatric service

This is not an exhaustive list of the medical conditions that will be considered under each category and is intended to give guidance only.

h) Assessing Applications for Medical Points

- (i) The Association aims to ensure that all applications for medical points are assessed in a fair and consistent manner and requires to have all relevant information made available to enable assessment
- (ii) Applicants wishing to have a medical condition considered are, therefore, required to complete a comprehensive medical self-assessment form. The form will ask for verification of the health problem and an explanation of how the current accommodation is adversely affecting the sufferer.

- (iii) A health professional familiar with the applicant's case will be consulted where necessary for verification purposes and/or for further relevant information.
- (iv) The assessment and the category of points awarded will be based on 2 criteria i.e. the severity of the problems being experienced within the current accommodation and the extent to which re-housing would alleviate these problems. Consideration will also be given to the type and floor level of accommodation required and, where appropriate, the applicant will be placed on the list for amenity/medically adapted housing which restricts offers to ground floor housing.

i) Travel to Work

Points will be awarded to applications where a member of the applicant's household works within the Association's area of operations and it can be shown that the distance and/or travelling difficulties between their current place of residence and their place of work is causing undue hardship.

j) Sharing Amenities

Points will be awarded to applicants that are assessed as having to share a living room, bathroom/wc and/or kitchen with another, independent, household living within the same accommodation. However, the points awarded for most categories where this is applicable (e.g. living care of friends/relatives, living with partner facing breakdown in relationship etc.) reflect these circumstances and, therefore, points for sharing amenities will only be awarded as a separate category in circumstances not covered under the normal pointing system

k) Home Owners

- (i) Homeowners will undergo a Housing Options Assessment and their applications will be pointed on a housing need basis in line with this policy.
- (ii) The Association may take the homeowners heritable property into account when assessing their application and the Housing Options Assessment will highlight this.
- (iii) Heritable property will not be taken into account under the circumstances detailed below:
 - in cases where the property has not been let, but the owner cannot secure entry to the property.
 - Where it is probable that occupying the property will lead to abuse from someone living in the property.
 - Where it is probable that occupying the property will lead to abuse from someone who previously resided with the applicant whether in that property or elsewhere.
 - Where occupation of the property may endanger the health of the occupants and there are no reasonable steps that can be taken by the applicant to prevent that danger.

If the owner occupier has the resources to rectify the problems or in time will be able to take repossession of the property consideration should be given to awarding a Short SST. This must be approved by the Housing Manager and reported to the Regeneration/Operations Sub Committee at their next

meeting.

- (iv) Regardless of whether the heritable property has been taken into account the home owner must occupy any property allocated to them by the Association as their only principal home.

I) Exceptional Circumstances

- (i) Points may be awarded under this category in very exceptional circumstances where the Association accepts that re-housing is the only means of resolving a problem, which is not otherwise taken account of in any of the other points' categories.

e.g. The applicant has been a victim of serious crime within the house, where a family member has committed suicide in the property, the applicant is experiencing a significantly greater degree of nuisance than other residents in the area.

Where applicable, awarding of these points will only be considered once corroborative evidence has been provided by the applicant. This would include incident reports from the police, the applicant's existing landlord and other statutory and/or voluntary organisations such as Victim Support.

- (ii) The Director of Operations may award these points and report the circumstances to the Regeneration/Operations Sub Committee.

Size of Accommodation

- 25 When assessing the size of accommodation required to adequately house an applicant and their household the following criteria will be used:

- 1 Bedroom for applicant
- 1 Bedroom for applicant and partner
- 1 Bedroom for every two children of the same sex under the age of 16
- 1 Bedroom for every two children of different sexes under the age of 10
- 1 bedroom for every household member over the age of 16

- 26 Only the permanent members of the applicant's household and those that will be using the accommodation as their principal home e.g. those in the armed forces, will be taken into consideration in determining the size of property the applicant will be placed on the waiting list for.

- 27 **Single persons will only qualify for a 2-apartment house, regardless of the size of accommodation they currently reside in.**

- 28 Couples will share a bedroom unless evidence is submitted showing that there is a medical condition that requires each to have a separate room. Similarly, evidence will be required for any child under the age of 16 for same sex and 10 for different sex that requires a separate bedroom due to a medical condition. The evidence could be a letter from GP, Health Visitor, Social Worker, or other health professional.

- 29 Where the applicant or a member of their household is pregnant, the baby will be taken as part of the household from 20 weeks from expected date of delivery (proof of expected delivery date will be required). From this date, the baby will also be taken into consideration in assessing any overcrowding in the present accommodation.

- 30 Applicants may be asked to provide evidence (e.g. from a legal source or family mediation service) of overnight access to children that do not currently or permanently live with them or can provide evidence of an application for overnight access. This will be viewed as requiring one more bedroom, regardless of the number of children involved. Access must be for a minimum of one night per week.
- 31 Where an applicant can provide official evidence that they have been accepted to provide fostering services, the household will be classed as requiring one more bedroom.

Sensitive Lettings

- 32 i Cassiltoun Housing Association has the discretion to let properties out with this policy to alleviate social or financial hardship e.g. as a result of Welfare Reform moving a single person from a 5-apartment property to a 3-apartment property to alleviate the spare room subsidy. In addition, consideration should be given to the following;
- a) Matching people to appropriate properties (e.g. to meet physical mobility needs).
 - b) Housing people in appropriate locations (e.g. the particular need to try to house older people or people with young children near transport links wherever possible).
 - c) Potential clashes of lifestyles: these can be difficult to overcome and each set of circumstances should be treated individually without generalisations (e.g. some older people like to live near young people; one example might be trying where possible to avoid housing someone with a past record of playing loud music in a property known to have poor sound insulation).
 - d) Avoid over concentrations of one particular household type or housing need type in one area, estate, street or close (e.g. avoiding high levels of child density or an unduly high proportion of vulnerable single people).

Factors not to be taken into consideration in allocation of housing

- 33 Section 20 (2) of the 1987 Act (as amended by section 10(3) of the 2001 Act) details those factors which Cassiltoun Housing Association will not take into account in the allocation of houses held by them for housing purposes.
- 34 The factors that will not be taken account of are: -
- (i) The length of time for which an applicant has resided in its area.
 - (ii) Any outstanding liability (such as rent arrears) attributable to a house of which the applicant was not the tenant;
 - (iii) Any rent or other liabilities accrued by the applicant on a previous tenancy which are no longer outstanding.
 - (iv) Any such liability which is outstanding but where:
 - a) The amount outstanding is not more than 1/12th of the annual amount payable (or which was payable) by the applicant to the landlord in respect of the tenancy; or
 - b) The applicant:
 - Has agreed arrangements with the landlord for paying the outstanding liability;
 - Has made payments in line with that arrangement for at least 3 months;
 - And is continuing to make such payments.

- (v) Any outstanding liability (including council tax arrears) of the applicant or anyone who will live with the applicant which do not relate to the tenancy of a house. This means that any outstanding debts which do relate to the tenancy of a house, such as rent or service charges or cost of rechargeable repairs can be taken into account if they do not fall into the exceptions above.
- (vi) The age of the applicant provided that the applicant is 16 years of age or over except in the allocation of
 - (a) houses which have been designed or substantially adapted for occupation by persons of a particular age group;
 - (b) houses to persons who are nor are to be in receipt of housing support services (within the meaning of Section 91 of the 2001 Act for persons of a particular age group).
- (vi) The income of the applicant and their family.

Income in this context refers to any source of income including benefits.

Other Factors

Landlords cannot specify that:

- An application must have stayed in force for a minimum period. This means that landlords cannot require someone to have been on their housing list for a set period of time before they are eligible for an offer of housing.
- The applicant gets a divorce or judicial separation or
- The applicant no longer lives with, or in the same house as, some other person.

Lettings Plan

- 35 The Association is part of Housing Options and all applicants to the waiting list will receive a detailed interview regarding their housing options and prospects, and their housing need will be assessed prior to being placed on the waiting list.
- 36 The Association have agreements with Glasgow City Council and, in accordance with the agreement will offer at least 30% of lets to the Council for nomination. This quota will be regularly reviewed and is subject to Section 5 referrals and resettlement plans being received from the Council.
- 37 The Association may accept referrals from Glasgow City Council's Social Work Department or Housing Options for Older Persons. This is where a void property has been purpose built or adapted for special needs housing. An allocation will only be offered where a suitable support package is approved and funded.
- 38 The Association will produce an annual Letting Plan which should take account of previous letting performance and trends in demand that will affect future letting performance. It will also take into account specific housing needs and of any particular letting problems (e.g. homelessness, underoccupancy, demand for houses/area's). This will be approved annually by the Board of Management.
- 39 In recognition of the Associations commitment to its existing tenants, internal transfer applicants with an element of housing need will generally be considered for suitable housing which becomes available within the Associations stock. The degree of housing need will be assessed in line with the Allocation Policy and will be placed on a separate list from the general waiting list.

40 **General Waiting List**

Each factor, or degree of need is reflected by a numerical points' total. Applications will be held in point order, allocations will normally be made to the applicant with the greatest number of points in order to achieve the targets set in the Annual Letting Plan.

Where applicants have the same points' total, all or any of the following criteria will be used to decide who will be offered the property. No account will be taken of the applicant's time on the waiting list.

- (i) length of time applicant has been in known housing need
- (ii) the overall space standards in relation to the applicant's household
- (iii) the most efficient use of stock
- (iv) other possible housing options open to the applicant
- (v) the stated requirements or preferences of the applicant

41 **Mutual Exchanges**

Any tenant of the Association can mutually exchange with tenants from:

- (i) Scottish Homes Landlord Division
- (ii) District Councils
- (iii) Registered Social Landlords
- (iv) New Towns

Subject to the prior consent of the Association. Requests for a mutual exchange will be carried out in line with this policy.

The mutual exchange will not normally be granted in the following circumstances:

- (i) one of the properties is adapted for special needs and one of the proposed tenant's household does not have a need for a property with these facilities
- (ii) to any tenant who is in rent arrears of more than one months' rent
- (iii) to anyone with outstanding repair work due to tenant damage or neglect
- (iv) when overcrowding or under-occupancy of the property as defined by the Association would result from or be exacerbated by the exchange
- (v) when in the Association's opinion, the property does not match the needs of the incoming household, for example, the household is deemed to require ground floor accommodation on medical grounds, but is seeking an exchange to a 1 up property with internal stairs.

Full details can be found in the Association's Mutual Exchange Policy and Procedure.

42 **Action for Landlords**

Cassiltoun Housing Association will review this policy in relation to allocation of housing, waiting lists and application forms every three years or when relevant legislation changes. The Association will also ensure that housing staff and Board Members receive appropriate training in the statutory provisions and in the exercise of discretion over those areas such as "reasonable preference" and "unsatisfactory housing conditions" which do not have a statutory definition but decisions on which require to be open and accountable and able to withstand any judicial challenge.

- 43 In relation to persons entitled to move into an area for employment, medical or social reasons or by virtue of harassment or risk of domestic abuse, Cassiltoun Housing Association Limited will check the validity of the reason for the move, such as employment offers, medical certificates, references from a previous landlord, confirmation from a Family Practitioner, Social Worker, Police Scotland. In any event, seeking confirmation will be carried out in a sensitive manner.

Application Process, Confirmation of Information and verification

- 44
- (i) Application forms will be completed by a member of the Operations Staff Team during the Housing Options Interview.
 - (ii) Prior to the interview the applicant will be advised what information they need to provide in order for their application to be processed including, identification for everyone to be included on the application and any supporting evidence. It is the applicants' responsibility to ensure that this information is provided as failure to do so could result in a delay in their application being processed. Should an applicant fail to provide all the information required for their application to be processed within 28 days of their Housing Options Interview, their application form will not be processed and will be dead filed.
 - (iii) Applications will be processed within 5 working days of completion. Provided that all information has been provided. Confirmation of the applicants points total and areas of choice, house type and floor level will be issued to the applicant within 5 working days of the application being processed.
 - (iv) The application form includes a declaration signed by the applicant confirming that the information that they have provided is correct to their knowledge. Under the 2001 Act Cassiltoun Housing Association can raise action for recovery of possession where a tenancy has been allocated on the basis of false information supplied by the applicant.
 - (v) Normally the applicants' current place of residence will be taken as the address their mail is sent to and/or from which they claim benefits.
 - (vi) In very exceptional circumstances where serious anti-social or criminal activity by the applicant (or a member of the household to be re-housed) is made known to the Association police reports may also be requested and considered.
 - (vii) Before an offer of re-housing is made, a staff member from the Association may, where practical, carry out a home visit to confirm that the applicant's housing circumstances remain unchanged. With the applicant's consent and in line with GDPR, a reference may also be requested from the applicant's current or any previous landlord regarding, in particular, the conduct of the tenancy and the rent account.

45 **Review Process**

All applications will be reviewed annually, this may be on the anniversary of their completion or prior to this date, to ensure that the Association has the most up to date information about the applicants and to ensure that the applicants still wish to remain on the housing list. It is also an opportunity for applicants to update the Association on any changes in circumstances that they have had and to update their choices accordingly. If an applicants' details have changed their application will be re-assessed and their points updated accordingly. There is no need to complete a new application form.

This means that someone who completes their form in January will have their review in January at the latest.

46 **Cancellations and Reinstating applications**

- (i) The Association will only remove an applicant from the housing list for the following reasons:
 - The applicant asks that their application be cancelled
 - On the death of the applicant
 - The applicant fails to respond to the review of the list or to other correspondence such as requests for information or an offer of housing. In this case a minimum of 3 attempts will be made to contact the applicant prior to the application being cancelled.
- (ii) The Association will reinstate an application if the applicant gets back in touch within a period of 6 months and the applicant will not require to complete another application form. After 6 months the application will be dead filed and the applicant will need to begin the process again with a Housing Options Interview.

47 **Factors Considered In Making Allocation**

- (i) In recognition of the Association's commitment to housing those in most housing need, a property will, generally, be offered to the person on the relevant list that has the most points.
- (ii) However, one of the stated objectives of the Allocations Policy is to assist in building and maintaining balanced, stable communities and seeks to avoid an excessive number of vulnerable households in one area or a concentration of age range and/or lifestyles in one site. At the same time consideration must also be given to potential problems caused by possible clash of lifestyles, the most obvious example being the allocation of a house to a young family in a block where, historically, there is a large proportion of elderly households.
- (iii) As such, the Association is required to consider the needs of the existing tenants in an area as well as the needs of the local community before making a specific allocation to an applicant.
- (iv) The Association, therefore, must be able to exercise an element of flexibility and use of discretion when making individual allocations. Where it is felt to be inappropriate, inadvisable or against the greater good of the immediate community or the applicant, the Association retains the right to bypass the applicant(s) at the top of the waiting list for a particular property. The applicant(s) bypassed will remain at the top of the waiting list and will be considered for the next suitably sized house that becomes available.

48 Applicants with Particular Needs

- (i) As the Association operates an open waiting list, individuals with special needs such as support needs, physical disabilities etc may apply directly to the Association for re-housing. Where appropriate, the Association will seek the applicant's permission to contact relevant support and/or specialist agencies for advice on meeting an individual applicant's housing needs.
- (ii) Where adaptations are required to a property to meet an individual's needs, the Association's ability to offer suitable re-housing may be dependent on the availability of funding.

Suspending, Bypassing and Deferring Applications

49 There are various circumstances where the Association may choose not to make an offer of housing to an applicant on our list. This will be for the following reasons:-

- (i) Bypass – When the Association does not make of an offer of housing to someone due to the fact that the Association knows that the available property will not meet the applicant's needs or know that the applicant will refuse the offer. E.g. the applicant has recently refused the offer of a similar property in a similar area stating they were not interested in receiving similar offers.
- (ii) Deferral – When an applicant advises the Association that they wish to remain on the housing list but do not want to receive any offers at this time. This may be due for example to health, family or employment reasons. Deferred applications should be kept under regular review and once the applicant requests that the deferral is lifted this should be done and a Housing Options update carried out to check the applicant's circumstances and most suitable re-housing options.
- (iii) Suspension – This is when the Association decides that it will not make an applicant an offer of housing until certain circumstances have changed, conditions are met or a set period of time has passed. The applicant will remain on the housing list while suspended unless they ask to be removed from the list.
Although suspensions can be a useful housing management approach they should be kept to a minimum.

Statutory Suspensions under Section 20B (6)(a) 2014 Act

50 (i) **Anti-Social Behaviour** – The Association may impose a suspension where the person has:-

- Acted in an antisocial manner in relation to another person residing in, visiting or otherwise engaged in lawful activity in the locality of a house occupied by the person.
- Pursued a course of conduct amounting to harassment of such other person, or a course of conduct which is otherwise anti-social conduct in relation to such other person.
- Acted in an antisocial manner, or pursued a course of conduct which is antisocial conduct, in relation to an employee of the Association in the course of making the application.

The Association will only suspend an application where there is robust evidence to support the decision.

If the Association imposes a suspension for Anti-social behaviour the suspension will remain in place until the applicant has not acted in an anti-social manner for a period of 6 months.

(ii) **Previous convictions:-** The Association may choose to impose a suspension if the applicant, or someone the applicant lives with or has lived with, has been convicted of certain offences and where those offences are associated with a residential property or the surrounding area.

- Using a house or allowing it to be used for immoral or illegal purposes.
- An offence punishable by imprisonment which was committed in, or in the locality of a house occupied by the person.

Punishable by imprisonment means that the offence carries imprisonment as a possible penalty. A prison sentence does not need to have been imposed for the conviction to be a valid ground for suspension.

If the Association imposes a suspension for a previous conviction the suspension will remain in place for a period of 12 months. However, in serious cases the Association may suspend an application for a period of 24 months.

(iii) **Order for Recovery of Possession:-** The Association may consider suspending an applicant if an order for recovery of possession has been made against them in proceedings under:-

- The Housing (Northern Ireland) Order 1983
- The Housing Act 1985
- The Housing (Scotland) Act 1987
- The Housing (Scotland) Act 1988
- The Housing (Scotland) Act 2001

Each case will be considered on an on its merits and individual circumstances will be taken into account.

If the Association does suspend an application for an Order of Recovery of Possession the suspension will be for a period of no more than 12 months and no less than 3 months depending on individual circumstances.

(iv) **Abandoning or neglecting a property:-** The Association may consider suspending applicants when as either a tenant or a joint tenant, they have abandoned or neglected a previous tenancy. For example:-

- An applicant's previous tenancy has been repossessed when abandoned under section 18(2) of the 2001 Act. If a joint tenant, the tenancy would have been terminated by the landlord under section 20(3) of the 2001 Act.
- Where the applicant was a tenant or joint tenant of a property for which a court has ordered recovery of possession on the ground of deterioration of the property due to neglect, or deterioration of furniture due to ill-treatment. (paragraph 3 or 4 or schedule 2 to the 2001 Act).

The length of period for a suspension in the category will be 6 months.

(v) **Rent arrears and other tenancy related debt:-** The Association may impose a suspension if there is or was any outstanding liability (for payment of rent or otherwise) in relation to a house which:-

- Is attributable to the person's tenancy of the house and
Either:
(A) Section 20(2A) would not be satisfied in respect of that debt, or
(B) In the case of a debt which is no longer outstanding, Section 20(2A) would not have been satisfied at any time while the debt remained outstanding.

This means that the Association can impose a suspension for rent arrears or other outstanding charges relating to the house, unless:-

- They do not relate to the tenancy of a house
- When the arrears or other liabilities are no longer outstanding.

However, the Association will not suspend an application where:-

- The rent arrears are not more than one twelfth of the annual rent (one months' rent).
- The applicant has agreed with their landlord a repayment arrangement for the debt and has kept to the arrangement for a minimum of 3 months.

Once the rent arrears and/or debt have been paid in full or a repayment arrangement has been entered into and maintained for a minimum of 3 months the suspension will be lifted.

- (vi) **False or Misleading Information:-** Applicants found to have deliberately provided false or misleading information on their application form OR have deliberately withheld information relevant to their application where the information given has deliberately sought to gain advantage (over other applicants in housing need) will have their application suspended.

Under normal circumstances, a new application will not be accepted from that applicant for period of six months.

Where an offer of re-housing has been made or a tenancy awarded on the basis of false or misleading information the Association may withdraw the offer or take legal action to recover the property.

- (vii) **Applicants who have refused an offer of housing:-** The Association does not limit the number of offers given to an applicant therefore refusal of an offer of housing will not result in an applicant having their applications suspended.

Look back period

- 51 The Association will only look back for a period of 3 years unless there are exceptional circumstances.

Monitoring Suspensions

- 52 Suspensions will be monitored on a monthly basis and reported quarterly to the Regeneration/Operations Sub Committee.
The Association will endeavour to keep suspensions to a minimum by working closely with our applicants.

Aggressive Applicants

- 53 Any applicant who has used violence or threatening behaviour towards Association's staff or contractors, whether in the office or in the estate where the Association have houses, will be dealt with under the Unacceptable Actions Policy.

Properties Offered

- 54
- (i) The Association accepts that applicants may have legitimate reasons for not wishing to live in certain areas and should be allowed an element of choice in where they reside.
 - (ii) Applicants will, therefore, be allowed to specify general geographical areas in which they do not wish to be considered for re-housing. Applicants can specify a preference for ground or upper floor flatted accommodation,
 - (iii) Full details of the Association housing stock is available in the Association office at 59 Machrie Road, Castlemilk. GLASGOW. G45 0AZ or on the Association's web site at www.cassiltoun.org.uk

Viewing Property

- 55 Applicants will normally have up to 3 working days from the date of the offer to view the property. The applicant will be accompanied by a member of the Operations Team to view the property. An applicant may be allowed to extend this period of time in very exceptional circumstances such as holidays and work commitments.

Acceptance of Offers

- 56 After viewing the property being offered, applicants will have a maximum of 2 working days to accept or refuse the offer. An extension to this may be granted in exceptional circumstances at the Association's discretion. Failure to advise the Association of a decision within the two days (or agreed timescale) will, normally, result in the offer being withdrawn and the property being offered to another applicant.

Date of Entry

- 57 The date of entry will normally be no more than 1 week from the date of formal acceptance of the offer. A member of the Operations Team will meet the successful applicant at the property on the date of entry to hand over the keys for the property and answer any questions that the new tenant may have.

The Right of Appeal

- 58 (i) All applicants have the right to appeal any decision, including suspensions, made by the Association regarding their application and will be advised of this right in writing where applicable. Applicants may also make a complaint if they feel aggrieved at the treatment they have received from staff during the allocations process.
- (ii) Appeals and complaints must be in writing and will be dealt with in accordance with the Association's Complaints Procedures. In line with these procedures, applicants have the right to have their appeal or complaint referred to the Association's Housing Manager.
- (iii) A copy of the Association's Complaints Policy and Procedures is available from the office on request or on the Association's web site.
- (iv) After following the above procedures, if the applicant still disagrees with the decision, the applicant may appeal to the, **Scottish Public Services Ombudsman**. Details available from the Association's Offices and will be provided to all applicants on conclusion of the appeal or complaint.

Information & Advice

- 59 (i) Information on the Association's Allocation Policy and Procedures will be made available to applicants and as part of their housing options interview advice and assistance will be provided to applicants.
- (ii) A copy of the complete policy is available on the web site and on request from the office and, where necessary, will be made available on tape or in braille or will be translated into other languages as required.

Delegation of Responsibility

- 60 (i) The practical implementation of the policy and the day-to-day operation of the allocations procedures will be undertaken by the Association's Operations Team. The Operations Team are generic therefore the housing options interview, the assessment of applications and the allocation of void properties will be the responsibility of the Operations Team under the supervision of the Senior Housing Officer and Housing Manager.
- (ii) To ensure accuracy and consistency all assessed applications will be checked countersigned by the Senior Housing Officer, Housing Officer or Housing Assistant.
- (iii) Any special cases or need to deviate from the policy will be reported to the Regeneration/Regeneration/Operations Sub Committee after the decision by the Director of Operations.

Processing Information – General Data Protection Regulations

- 61 (i) Cassiltoun Housing Association will process information and data contained within the Housing Applications in accordance with its Policies and Procedures relating to the General Data Protection Regulations and all applicants will be issued with a Fair Processing Notice.
- (ii) All Staff members will be made aware of their responsibilities in relation to the General Data Protection Regulations and will be trained in the process that the Association has introduced to ensure compliance with GDPR.

Monitoring of Applications and Allocations

- 62 (i) In order to ensure that the aims and objectives stated in the Allocations Policy are being achieved, data on the allocations process and outcomes will be collated and monitored annually. Reports on the information collated will be provided to the Regeneration/Operations Sub Committee as agreed by members.

Factors that will be routinely monitored will include:

- Age Group
 - Equal Opportunities (protected characteristics)
 - Sources of applications (e.g. nominations, referrals, general public etc)
 - Number of applications received
 - Number of applicants suspended from waiting list and reasons for suspension
 - Source of allocation (e.g. waiting list, internal transfer, nomination etc)
 - Housing Need
 - Family complement
 - Previous location
 - Size of accommodation
 - Waiting time
- (ii) In addition, the Regeneration/Operations Sub Committee will review the outcomes of this Policy on an annual basis to ensure accountability and the objectives of the policy are being met. The Association will regularly "benchmark" its performance against its peer groups. Cassiltoun Housing Association will keep a record of all allocations made and such information will be made available to the Associations

internal auditor and the Housing Regulator. The Associations internal auditor will periodically carry out audits of allocations made and “housing need” points awarded to test for compliance with this policy.

Risk Assessment

63 The Allocations Policy aims to control the following risks to the Association:

- Properties being let in an arbitrary manner.
- The Association acting illegally and not meeting good practice guidance in the allocation of houses.
- The financial security of the Association being compromised by high void periods and the corresponding loss of rental income.

Audit Trail

64 It is important that Cassiltoun Housing Association clearly records how particular allocation decisions are arrived at so that it can demonstrate objective fairness, openness and accountability in the operation of its policy.

All applications considered for any property will be pointed in line with the policy. Where house visits are carried out all information collated will be recorded on House Visit Forms and discussed with the Senior Housing Officer or Housing Manager. Allocation decisions will be taken by the Operations Team and Application Assessment Sheets will be signed and witnessed. In the absence of the Senior Housing Officer the Housing Manager will fulfil this role.

Deviation from This Policy

65 The Regeneration/Operations Sub Committee of Cassiltoun Housing Association may approve a deviation from this policy if there are compelling circumstances to support such action. In the event of such, the circumstances and decision shall be recorded in the minute of the meeting at which the decision was made.

Review of this Policy

66 This policy will be reviewed at least every 3 years or in light of changes to legislation. As per Section 4 of the 2014 Housing (Scotland) Act through its insertion of section 20A into the 1987 Act, the Association will consult:

- Applicants on the housing list
- Tenants
- Any registered tenants’ organisations
- Regeneration/Operations Sub Committee
- Any other interested parties

Appendix 1

POINTS ASSESSMENT

Homeless Persons Categories	
Statutory Homeless	50
People in Imminent Danger	50
Hostel, Homeless Units and B&B	45
Living in Caravan or mobile home	45
No Fixed Abode	30
People Living under unsatisfactory housing conditions who have unmet housing need	
Below Tolerable Standard	30
Overcrowded one bedroom	15
Every additional bedroom	20
Under-occupation	
Under occupancy 1 bedroom	15
Every additional bedroom	20
No Security of tenure	
Young People leaving Local Authority Care	50
Personnel Leaving HM Forces	45
Patients Leaving long term hospital care	45
Living with Friends and relations	30
Tied Accommodation	30
Living with Partner facing breakdown in relationship	30
Leaving Parental home for first time	30
Tenancy with Private Landlord	20
Lodger and Sub-tenants	20
Other abuse or harassment including anti-social behaviour	
Harassment	50
Family or community support	
Support – Intensive Level	15

Support – Medium Level	10
Support – Low Level	5
Medical	
Medical – High	40
Medical – Medium	30
Medical – Low	20
Travel to work	
Travel To Work	5
Sharing Amenities	
Sharing Amenities	30
Exceptional Circumstances	
Exceptional Circumstances	30
Applying to CHA	
Anyone applying for housing with CHA	5