



North Ayrshire Housing Allocation Policy

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ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਰੂਪਾਂ ਵਿਚ ਵੀ ਮਿਲ ਸਕਦਾ ਹੈ, ਜਿਵੇਂ ਸੁਣਨ ਵਾਲੀ ਟੇਪ 'ਤੇ, ਸੀ ਡੀ 'ਤੇ, ਬ੍ਰੇਲ ਅਤੇ ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ।
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یہ دستاویز دیگر شکلوں میں بھی دستیاب ہے، جیسے آڈیو ٹیپ، سی ڈی، بریل اور بڑے حروف کی چھپائی میں۔ درخواست کرنے پر یہ دستاویز دیگر زبانوں میں بھی مہیا کی جا سکتی ہے۔

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SECTION 1: INTRODUCTION

1.1 Background

The allocation policy describes how we let houses to applicants on the North Ayrshire Housing Register.

The partners are:

- North Ayrshire Council
- ANCHO
- Cunninghame Housing Association
- Irvine Housing Association

The partners are referred to generally as “we” or “the partners” throughout this document.

This policy is also linked to the partners’ strategic policies such as:

- the Council Plan
- the Community Plan
- the Local Housing Strategy
- management or corporate plans

1.2 Strategic Commitments

The allocation policy promotes **five** key strategic commitments.

- It is important to meet our legal obligations, as well as good practice guidance. We address varying forms of housing need in this policy, including needs covered in law.
- It is influential in creating balanced and sustainable communities. This means creating areas that are popular and where people want to live.
- It promotes equal opportunities. For example, we promote opportunities for disabled people and people from minority ethnic groups to apply for housing. This is done through our positive action initiatives.
- We aim to let houses quickly to maximise our revenue and to ensure we can continue to provide quality services.
- We consult with tenants and other service users in the development and review of this policy. This is an important part of our commitments concerning tenant participation.

SECTION 2: POLICY STATEMENT

This section describes the aims or objectives of the allocation policy; it also highlights the regulatory standards that we meet. Appendix 2 lists other policies that are linked to the allocation policy; these policies are available, on request.

2.1 Policy aims

Our policy aims relate to the strategic policy commitments described in section 1. Our key principles to ensure effective implementation of the allocation policy are:

- meeting all relevant legal and good practice standards, for example, addressing the specific housing needs of groups specified in law
- avoid discrimination on grounds covered in our equality policy such as discrimination on grounds of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, or sexual orientation
- promoting equal opportunities through positive measures, for example, developing accessible services in consultation with disabled people
- basing allocation practice on a comprehensive assessment of local housing needs and demand; this includes taking account of applicant preferences
- making best use of the housing stock through promoting tenants' rights such as the right to exchange homes
- forming partnerships with other housing providers to address housing need
- maximising income by letting empty houses quickly in line with time scales
- offering applicants comprehensive advice and information concerning their housing options
- processing personal information confidentially to meet relevant legal obligations
- providing comprehensive staff training so that policy is implemented effectively and quality services are delivered
- dealing with appeals and complaints fairly in line with time scales
- assessing if policy aims are met through our audit and performance management system, including informing applicants and tenants of progress
- reviewing policy every **three** years; policy review is done in consultation with tenants and other service users as part of our tenant participation strategies

2.2 The Scottish Social Housing Charter

We meet the outcomes of The Scottish Social Housing Charter specified by The Scottish Government. The relevant outcomes are noted below:

1: Equalities

- 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.

2: Communication

- 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.

3: Participation

- tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

7, 8 and 9: Housing options

- people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them
- tenants and people on housing lists can review their housing options.
- people at risk of losing their homes get advice on preventing homelessness.

10: Access to social housing

- 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 on their prospects of being housed.

SECTION 3: ALLOCATION LAW

We will ensure that the allocation policy satisfies legal provisions. The purpose of this section is to explain legal provisions for housing applicants.

Legal rules on allocations are contained in the **Housing (Scotland) Act 1987** (as amended).

These rules cover the following matters:

- access to the common housing register
- groups that are to be given reasonable preference when letting houses
- factors that must be disregarded when letting houses
- information
- publicity
- access to personal information.

3.1 Access to the North Ayrshire Housing Register

Any person who is sixteen years or more may apply to the North Ayrshire Housing Register. This is not, however, an automatic right to receive offers of housing. Section 5 explains how we prioritise applications in line with law and good practice.

We provide application forms at all our housing offices and on our websites. In line with our equality commitments, this form can be made available in different languages and in other formats such as large print. We also offer interpreting services, if needed, and meet relevant costs. We can arrange for interpreting services so that housing information is accessible to hearing impaired people. We can assist applicants to complete their application form, on request. Applicants can use our online services to apply for housing, update an existing application, review housing options, contact us and search and apply for a mutual exchange.

3.2 Reasonable preference groups

The law requires us to give reasonable preference to certain groups when letting houses. We use the word “house” in this policy in its Scottish sense of referring to all housing types. The groups to which we must give reasonable preference when letting houses are:

- (a) people who are homeless or threatened with homelessness and have unmet housing needs
- (b) people who are living in unsatisfactory housing conditions and have unmet housing needs
- (c) tenants of a social landlord who are under-occupied (not using all of the bedrooms in the property they live in)

As there is specific law that regulates our responsibilities to homeless people, the council has a separate homelessness policy. This policy is available, on request.

We acknowledge that people may be in housing need for other reasons than those covered in law. Section 5 details the range of housing needs that we address.

3.3 Factors to be ignored

Certain factors must be ignored, in law, when letting houses; these factors are:

- length of time applicants have lived in North Ayrshire
- housing debt not owed by applicants, for example, rent arrears owed by a partner
- housing debt now repaid
- any non-housing debt such as council tax
- age of applicants unless it involves housing designed or specifically adapted for people of a specific age, for example, sheltered housing
- applicants' income, including income or property owned by other household members
- any rent arrears where the amount is no more than one month's rent or where the applicant has an arrangement for paying the arrears, has been keeping to the arrangement for at least three months and is continuing to make such payments

We must ignore whether or not an applicant lives in North Ayrshire if the 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
- runs the risk of domestic violence and therefore wishes to move into the area.

Finally, we must not impose any of the following requirements, namely that:

- applications remain in force for a minimum period before applicants are considered for housing, except as permitted
- a divorce or judicial separation be obtained
- a dissolution of a civil partnership or a decree of separation of civil partners
- applicants are no longer living with another person before they are considered for housing.

3.4 Information

We supply applicants with a summary of this policy; applicants may also obtain a full copy on request. The summary and the full policy are provided free of charge. We have established a Housing Options Guide that provides comprehensive information on a range of housing matters.

3.5 Publicity

We must make allocation rules and publish details of how we assess priority; these policy rules cover applicants on the North Ayrshire Housing Register, including existing tenants who want to transfer to other accommodation.

We have separate rules that cover tenants wanting to exchange their homes with other tenants. These rules are available at the council's headquarters, the council's local housing offices and the housing associations' offices.

We also send a copy of the allocation policy to:

- North Ayrshire Health and Social Care Partnership
- North Ayrshire Council Libraries
- Local Authorities which border North Ayrshire
- Other RSL's operating in North Ayrshire
- Other partners in the voluntary sector

3.6 Mutual exchanges

Scottish secure tenants have a legal right to exchange their homes with other Scottish secure tenants. Landlords can only refuse permission if it is reasonable to do so.

Each of the partners on the North Ayrshire Housing Register has a separate policy that sets out the rules that apply to tenants wanting to exchange their homes with other tenants. These rules are available from any of the partners, on request.

3.7 Access to personal information

Applicants have rights to access personal information in two ways. Firstly, an applicant is entitled to view information supplied in connection with their application. This right is conferred by the **Housing (Scotland) Act 1987**.

Secondly, an applicant may access personal information as determined by rights of access under the **Data Protection Act 2018**.

We may only refuse requests to access personal information as specified in the Act.

We provide this information, on request, within 30 days; in line with the partners' individual policies.

SECTION 4: DEALING WITH APPLICATIONS

This section explains the stages and rules concerning the allocation process. Our staff procedures cover all of these stages. These procedures contain audit trails to ensure that policy objectives are met.

A copy of these procedures is available for inspection at any of the housing offices, on request.

4.1 Admission to the North Ayrshire Housing Register

In order to be admitted to the North Ayrshire Housing Register, we ask applicants to complete an application form.

This can be completed online via our website or a form can be obtained by contacting any of our housing offices

- in person
- by phone
- by post

Our target for assessing completed application forms is **ten** working days from receiving them. Applicants are then sent written confirmation of their housing application details, including their award of points.

Applications with insufficient information may be subject to delay. This means that applications cannot be processed until the relevant information is received; or applications may be processed but not given the full points entitlement until the information is received.

Applicants may contact housing staff during office hours to discuss application details. For example, applicants may want to discuss their re-housing prospects in particular areas.

We also provide support services if required including interpreters for hearing impaired applicants or people who do not speak English. This procedure accords with our policy commitment to make services accessible to service users.

We can also carry out home visits to assist applicants to complete their forms, on request

4.2 Applying for joint tenancies

Applicants, including existing tenants, may apply to have a joint tenancy with someone who is staying (or intending to stay) with them.

We encourage joint applicants – of the same or opposite sex - to apply for joint tenancies to ensure that they have similar legal rights.

4.3 Tenants' rights

We explain tenants' rights in detail at the stage when applicants sign their tenancy agreement. We do this through our Tenants' Handbooks.

4.4 Particular accommodation

Certain houses have been developed to meet particular needs, for example, sheltered housing that is reserved for people of a particular age. We may do this as long as housing has been specially adapted and/or designed for people of a particular age.

4.5 Information and processing applications

We process personal information provided on the application form in line with legal provisions. Therefore, we only share information with other agencies if we have applicants consent, or if allowed in law. We may ask for references from any landlord or mortgage lender to confirm housing and tenancy details. We request applicants' consent to do this on the application form.

We check application details before making offers. This is good practice to ensure that information is recorded accurately so that offers are appropriate. For instance, we may telephone applicants to confirm that their details are as recorded on their application form.

We may also carry out home visits to confirm application details. This is of particular importance if no references are available confirming household details. For example, at the home visit, application details may have changed and an offer may no longer be appropriate.

In the case of applicants living outside North Ayrshire, other landlords and agencies may be asked to verify details.

If information held is inaccurate, the application details are amended accordingly. This might result in an offer either not being made, or withdrawn.

If an applicant is re-housed based on false information that an applicant has made knowingly or recklessly, we are entitled to take legal action to recover the tenancy.

Applicants are responsible for advising us of any changes to their housing circumstances. They are advised of this requirement on the application form.

4.6 Suspensions

Applicants are entitled to be registered on the North Ayrshire Housing Register if they are sixteen years or over. We may, however, suspend offers to applicants in certain circumstances, for example, in the case of serious anti-social behaviour. We have established a common suspension policy that is based on good practice. This is available, on request.

4.7 Applicant choice

Our allocation system (section 5) ensures that applicant choice is taken into account. Applicants can state their preferences from a number of factors including:

- area and streets preferred
- house types
- floor level
- amenities like gardens
- heating types

Applicants may also state what they don't want in respect of these factors.

An applicant's choice of housing may be affected by legal orders and relevant guidance that we are required to follow.

An antisocial behaviour order may prohibit an applicant from accessing particular areas. This will, in effect, prevent us from making the applicant offers in these areas as long as the order is in force. This might also apply in the case of other legal orders such as matrimonial interdicts and exclusion orders.

In the case of persons subject to Multi-agency Public Protection Arrangements (MAPPA), the re-housing of applicants who qualify for housing is based on legal provisions, as well as guidance from the Scottish Government.

Finally, applicants' choices are determined often by availability of housing. Therefore, although applicants can request housing in any area, prospects of re-housing will vary from area to area based on actual numbers of houses available for let.

4.8 Offers

We make offers based on the applicant's housing needs and preferences after confirming details on their application form. This is good practice as it aims to reduce inappropriate offers.

Reasonable offers are those that reflect, as far as possible, an applicant's stated choice. For example, we will not offer an applicant house types that she/he expressly states that she/he will not consider.

We counsel applicants, however, on the question of realistic options as demand far outstrips supply of housing in certain areas.

4.9 Tenancies

We offer applicants, who qualify for housing, Scottish secure tenancies in line with our legal obligations. In a limited number of situations, we may offer applicants a short Scottish secure tenancy. This has limited security of tenure.

The partners have developed separate policies that explain when a short Scottish secure tenancy might be granted. Copies of these policies are available, on request.

Examples of when a short Scottish secure tenancy might be granted are if:

- an applicant has been evicted for antisocial behaviour within the last three years; or
- a tenant (or a member of their family) is subject to an antisocial behaviour order.

4.10 House size

This section details the house size for which applicants may be considered. It also outlines rules to address overcrowding and under-occupation.

Table 1: The size of house for which applicants will be considered

	Number of bedrooms applicants will be considered for				
Household Size	Bedsit	One	Two	Three	Four
Single person	●	●	●		
Couple		●	●		
Couple or single adult and one other person			●		
Couple or single adult with two children under 5			●		
Couple or single adult with two people, either of whom is 5 or over			●	●	
Couple or single adult with three people of whom: <ul style="list-style-type: none"> • three are under 5 • one is 5 or over • two are 5 or over • three are 5 or over 				● ● ● ●	● ●
Couple or single adult with four people of whom: <ul style="list-style-type: none"> • four are under 5 • one is over 5 • two are over 5 • three are over 5 • four are over 5 Any larger household				● ● ● ● ●	● ● ● ● ●

4.11 Occupancy standard for assessing over and under occupation

When assessing if overcrowding or under-occupation exists, we use our occupancy standard (Table 2). This standard is used to award points to applicants if they are overcrowding or under-occupying.

The number of bedrooms assessed as being required is based on the household size.

Table 2: Occupancy standard

Household Size	Bedrooms Required
Single Person	Bedsit/One
Couple	One
Other household members who are over 5	One
Two children under 5	One
Any other person	One

Table 2 shows that, as soon as one child reaches **five** years of age, they require a separate bedroom. Overcrowding points are awarded if the child does not have a separate bedroom.

The legal standard for overcrowding is specified in the Housing (Scotland) Act 1987, sections 135 to 137. In assessing if overcrowding exists, the legal standard takes account of the living room and bedrooms as sleeping accommodation.. A copy of this standard is available, on request. Applicants whose homes are legally overcrowded – and in which the overcrowding is detrimental to health - may also apply for housing under the homelessness policy.

Our allocation policy standard excludes the living room when measuring overcrowding. Our standard is more progressive than the legal standard. This is because our standard states that children should have separate bedrooms as soon as they reach **five** years of age. The legal standard has the age limit set at ten years of age.

In some properties, rooms used as a separate dining room are also suitable for use as bedroom accommodation. In these cases, the dining room is regarded as a bedroom.

In the case of medical needs, extra room space may be required. This will be subject to confirmation from the occupational therapist.

The size of house that we let to parents with shared access is based on the specific access arrangement and our shared access procedures.

4.12 Overcrowding rules

We do not let houses to applicants if this creates statutory overcrowding, as this would not meet our legal requirements. The size of houses that we let to applicants is based on our policy standard (See section 4.10 Table 1). This is to meet applicants' choice in certain circumstances, for instance, where moving house meets other needs.

We use our occupancy standard to assess need. Applicants receive points based on their present circumstances.

Overcrowding assessments include people who normally live in the house but who are temporarily absent. This could include family members working away from home for a short period and students.

Bed-sit accommodation is considered suitable only for single people. Couples living in bed-sit accommodation would be regarded as being overcrowded.

In the case of households that are living apart in separate houses but want to live together, overcrowding points are granted based on the main applicant's address.

Applicants may also choose to move to accommodation that does not reduce overcrowding. No points for overcrowding would be awarded in such cases.

Demand for larger houses exceeds supply in many areas. This makes it necessary, on occasion, to consider applicants for smaller houses than specified in our occupancy standard. (See Table 2, section 4.11) This decision is based, of course, on the stated preferences of applicants.

4.13 Under-occupation

We use our occupancy standard to assess need. Applicants receive points based on their present circumstances.

We may allow under-occupation of larger accommodation, if required. This may be necessary if:

- a house is located in an area of low demand and there is no demand from particular groups on the North Ayrshire Housing Register; or
- an applicant can show a need for such accommodation, for example, medical needs or family needs.

4.14 Low Demand

Individual partners may devise specific strategies to address areas of low demand. Such strategies must take account of law and good practice.

4.15 Asylum seekers and immigrants

We have established separate policies that cover the rights of asylum seekers and immigrants, including the rights of other European Union citizens. The policies cover access to the North Ayrshire Housing Register and the rules concerning the allocation of houses to these groups. Details of these policies are available, on request.

4.16 Gypsy travellers

Applications from gypsy travellers, or other applicants living in a caravan, are placed in the appropriate group based on their present housing conditions and are awarded points based on their actual housing conditions. Applications from gypsy travellers who have nowhere to pitch their caravan would be referred to the Council's Homeless Services.

North Ayrshire Council manages a Gypsy Travellers' Site. A separate allocation policy for pitching caravans is in place; this is available, on request.

4.17 Harassment

Harassment may occur on various grounds for example harassment on grounds such as age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, or sexual orientation. We have established specific procedures for dealing with this through our harassment policy. This policy does not apply in cases of domestic abuse that are dealt with under the Council's homelessness policy.

In dealing with harassment situations, we assess each case individually and discuss appropriate remedies with the complainant. This might include applying to the court to evict or transfer tenants responsible for harassment.

After investigating complaints of harassment, we may consider that it is no longer reasonable for the applicant to live in their current accommodation. In such cases, a referral will be made to the Homeless Services.

We adopt a victim-centred approach to addressing harassment and consider relevant options in discussion with the victim.

4.18 Council employees and council members

Applications for housing from North Ayrshire Council employees and council members are assessed in accordance with the allocations policy. These applications are dealt with in accordance with relevant codes of conduct.

Council members are responsible for approving the allocation policy and for monitoring its effects in practice. They are not involved directly in decision-making concerning allocation of housing that involves their constituents. The word "constituents" refers to people living in their wards.

4.19 Housing association employees and committee (or board) members

Applications for housing from housing association employees and committee (or board) members are assessed in accordance with the allocations policy. These applications are dealt with in accordance with relevant codes of conduct and Entitlements, Payments and Benefits Policies.

Board/committee members are responsible for approving the allocation policy and for monitoring its effects in practice. They are not involved directly in decision-making concerning allocation of housing.

4.20 Reviewing applications

We review applications on at least a yearly basis. The date of review is based on date of registration. This is important to maintain accurate information about applicants so that appropriate offers are made.

We request applicants to advise us within **ten** working days if they wish to remain on the North Ayrshire Housing Register. We use a standard review letter to gather this information.

If no response is received, we then issue a reminder letter giving applicants another **ten** working days to advise us. If no response is received, we remove applications from the North Ayrshire Housing Register. All applicants who contact us within **six** months of their application being cancelled will have their original application form re-instated. The date of registration will be based on their original application. Applicants may be required to complete a new application form if circumstances have changed.

4.21 Removal of applications

There are other times when we will remove applications from the register apart from the annual review. We will remove an application from the North Ayrshire Housing Register if an applicant:

- is housed by one of the partners
- specifically requests that we remove their application
- fails to respond to correspondence (no response process)
- fails to respond to a periodic review
- dies

SECTION 5: OUR ALLOCATIONS SYSTEM

This section explains the type of allocation system that we have adopted to ensure that we meet our policy objectives effectively. This section covers the following issues:

- housing need
- groups plus points system
- advantages of a groups plus point system
- how our system operates

5.1 Housing need

In line with law and good practice, a major role of our policy is to address housing need. It is essential, therefore, to define what we mean when we refer to “housing need.”

In this policy, we define housing need by reference to:

- legal standards such as law covering homelessness, the tolerable standard and the overcrowded standard. These define minimum acceptable housing conditions and occupancy levels
- professional standards, for example, we regard households as being overcrowded if they do not meet our occupancy standard
- social standards that take account of individuals' preferences and aspirations.
- affordability of housing, for example, applicants may become homeless in the private sector because they cannot afford to pay mortgage costs
- unsatisfactory housing including medical and accessibility needs

We assess levels and types of need on a regular basis through our individual Letting Plans. A Letting Plan is the method used to identify and address housing needs.

Some of the factors that we consider when assessing needs are:

- numbers of applicants on the North Ayrshire Housing Register
- the preferences and circumstances of applicants
- supply and turnover of the housing stock that is available for letting

5.2 Groups plus points system

The groups plus points system establishes a number of groups with individual applications placed into an appropriate group. Applicants in the group are then awarded points for any housing needs that they have.

If applicants share the same points within the same group, applications will be prioritised based on their date of application. Therefore, if two applicants have the same points, the applicant who registers first will be given greater priority.

We use our Letting Plans to assess the target of lets that should be allocated to each group. These targets vary continually and are amended based on actual housing needs and housing stock available for letting. We explain our specific groups and how we prioritise applications in section 5.4.

The partners on the North Ayrshire Housing Register follow the general rules detailed in this policy. Individual partners may vary the targets of lets allocated to the different groups within their own areas. This is important to ensure that we take account of both local housing stock and local housing needs. The policy notes where individual partners have developed specific procedures to address local circumstances.

5.3 Advantages of a groups plus points system

We selected this system following a detailed evaluation of other major types of allocation system; the groups plus points approach provided the widest range of advantages compared to other systems.

Key advantages of this system are that it:

- addresses housing needs specified in law (the reasonable preference groups), as well as other housing needs
- facilitates monitoring of allocation practice, in particular how effectively we are meeting our legal responsibilities
- ensures accurate identification of housing needs and, critically, allows us to respond quickly to changing patterns of need
- allows us to take a pro-active stance to addressing need as required legally through the Local Housing Strategy
- provides for a wide range of housing needs to be tackled thereby promoting our aim of creating sustainable communities
- enables us to promote positive action initiatives in line with equality good practice standards

5.4 Explanation of key terms

To understand our system, it is important to explain two terms that we use, namely common housing register and groups.

The common housing register is our housing list and this includes all applicants for housing.

Groups refer to the particular queue in which applications are placed. Groups and how applications are placed into groups are explained below.

5.5 Our groups and placing applications

We have established a total of seven groups. These groups cover the main needs covered in housing law and good practice guidance.

Our groups are as follows:

Group 1: homeless

Group 2: strategic housing needs

Group 3: accessible housing needs

Group 4: transfers

Group 5: overcrowded (or large families)

Group 6: general needs

Group 7: relocation needs

We place applications into a group using the following method.

If an applicant is homeless and meets the legal rules relating to homelessness, their application is placed in the homeless group (**Group 1**).

If an applicant has one of our strategic needs, their application is placed in the strategic needs group (**Group 2**). This applies even if the applicant has other housing needs.

If an applicant needs to move to accessible housing as their current home does not meet their needs due to their health or disability (as assessed by our occupational therapist) and they are not in Group 1 or 2, their application is placed in accessible housing needs group (**Group 3**). This applies even if the applicant has other housing needs.

If an applicant is one of our tenants, and not in any of the above groups, their application is placed in the transfer group (**Group 4**). This applies even if the applicant has other housing needs.

If an applicant is living in overcrowded conditions and not in any of the above groups, their application is placed in the overcrowded group (**Group 5**). This applies even if the applicant has other housing needs.

If an applicant has not been placed in any of the above groups and they currently live in North Ayrshire or meet the legal criteria if they live out with North Ayrshire, their application is placed in **Group 6**.

All other applications are placed in **Group 7**.

(a) Group 1: Homeless

The council operate a specific homelessness policy for dealing with applicants affected by homelessness and those threatened with homelessness. Threatened with homelessness refers to anyone who is likely to become homeless within two months. This policy is used to address the needs of all people affected by homelessness, including people experiencing domestic abuse.

An important part of this policy involves the prevention of homelessness, as well as working in partnership with other housing providers to reduce homelessness.

In general terms, every attempt will be made to offer homeless people genuine choice of accommodation, as this is more likely to ensure sustainability. However, the Council recognises that demand for housing within some areas of North Ayrshire is exceptionally high, and turnover is low. As such the urgency of the housing need of the applicant will be compared to availability of housing across the Council and its' partners, and the competing demands from other applicants in housing need.

The Council will seek to utilise public and private sector housing throughout North Ayrshire to fulfil statutory duties. An assessment of the most appropriate source of housing for the applicant will be undertaken and duty equally discharged across either option. Nomination Agreements and Section 5 Protocols with local Registered Social Landlords (who are not partners) are in place and are monitored and reported quarterly to ensure compliance.

Our target of lets to be allocated to people affected by homelessness is relatively high given:

- the number of applicants affected by homelessness; and
- legal obligations under homelessness law to re-house homeless people.

(b) Group 2: Strategic housing needs

This group assists us to address strategic policy objectives at local level. These objectives relate to strategic matters such as:

- regeneration initiatives
- community care and other support needs

The needs that we cover under this group are:

- foster parents
- houses subject to demolition or regeneration
- people re-housed through care initiatives
- needs not covered by policy.

(c) Group 3: Accessible Housing Needs

If an applicant needs to move to accessible housing as their current home does not meet their needs due to their health or disability (as assessed by an occupational therapist) and they are

not in Group 1 or 2, have their application is placed in accessible housing needs group. This applies even if the applicant has other housing needs.

(d) **Group 4: Transfers**

Transfers are tenants of any social landlord in North Ayrshire wanting to move to houses owned by any of the partners in this policy. Tenants who are not placed in the first three groups have their applications placed in Group 4. A separate transfer group is important to meet policy objectives for the following reasons:

- It promotes households to move to other accommodation, in turn releasing stock for other applicants.
- It addresses the preferences of existing tenants and this is important as preferences are a form of housing need. For example tenants with no housing need points.
- In meeting the needs of tenants is important to establish communities that are popular and therefore sustainable.

(e) **Group 5: Overcrowded (or large families)**

We will give reasonable preference when letting houses to households that are overcrowded, or people with large families.

A household is defined in this policy as any person(s) wanting to live separately, for example, a family member no longer wanting to reside with her/his parents.

(f) **Group 6: General Needs**

General needs recognises other housing needs such like insecurity of accommodation and households who want to move into the social rented sector.

(g) **Group 7: Relocation Needs**

We have explained in section 3, we follow legal rules and do not consider local residence 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
- runs the risk of domestic violence and therefore wishes to move into the area

Applicants who live out with North Ayrshire and who do not meet these relevant legal factors will have their application placed in Group 7. Applicants who meet the factors will have their

application placed in the appropriate group where their circumstances meet the necessary requirements for that group.

Applicants in Group 7 will receive all points to which they are entitled.

5.6 Assessment of Housing Need

Applicants are awarded points for any housing needs that they have. There is no maximum level of points that will be awarded to applicants.

(a) Foster parents

Foster parents can apply for housing with an extra bedroom so that fostering can occur. They will receive points if their existing house lacks this extra bedroom. A protocol has been agreed with North Ayrshire Health and Social Care Partnership that identifies foster parents who will be allocated points within this category.

Points awarded: 50

(b) Houses subject to demolition or regeneration

Applicants whose houses are subject to demolition or regeneration due to action taken by us and who require permanent re-housing are regarded as being in serious housing need.

Points awarded: 250

Applicants who are temporarily accommodated and returning to the regeneration area are also awarded points.

Points awarded: 250

(c) People re-housed through care and support initiatives

This covers applicants who need to be housed as part of community care initiatives. Applicants are referred through the North Ayrshire Health and Social Care Partnership or other support agencies with whom referral procedures have been established. We may also establish specific procedures with other statutory and voluntary sector agencies.

Examples of such groups are as follows:

- young people “looked after” and accommodated by the council
- residents of hospitals and other institutions who are returning to the community including people returning following closure of the institution in question
- residents in supported accommodation establishments now ready to move to other accommodation

Group	Points Awarded
Young People leaving care	150
Other Care in Community	100

(d) Needs not covered by policy

We apply this section of the policy only in **extreme** circumstances if our present policy does not address the housing needs in question. If this applies, we will award points only after each case has been fully investigated and evidence gathered, as appropriate. In order to ensure accountability, each case must be approved by an appropriate senior officer in each partner organisation. The points award is withdrawn if the particular need is resolved before an offer is made. These cases will be monitored closely and if unique circumstances occur, this will be recognised within the policy review.

Points awarded: 300

(e) Housing below the tolerable standard

Housing falls below the tolerable standard if it does not meet the relevant legal standard. This standard is specified in the Housing (Scotland) Act 1987 (as amended) and is available on request. A house is below the tolerable standard if it fails to meet any one of the elements within the tolerable standard.

For example, a house must be substantially free from rising or penetrating damp and must have a sink that has a supply of both hot and cold water. Applicants whose housing is below the tolerable standard may apply for housing under the homelessness policy.

Points awarded: 200

(f) Accessible Housing Need

If an applicant or a member of their household has a health issue or disability which is impacting on their ability to carry out day to day living activities in their home they can apply for an accessible housing assessment.

Accessible housing assessments are carried out by the occupational therapist for housing. It includes:

Grade assessment

There are three grades of priority that can be awarded to an application. These grades are low, medium and high. An applicant whose housing is deemed to be satisfactory for their needs will receive no award.

Grade	Points Awarded
High	400

Medium	150
Low	75

Where two or more people within a household have accessible housing needs, only one award of points is made. The award will be for the person with the highest need.

House type recommendation

If a grade is awarded, the occupational therapist will recommend house types that are suitable for the household's needs. Applicants who do not wish the type of accommodation recommended by the occupational therapist will not receive any award of points.

Reasonable adjustments

We may be able to make reasonable adjustments to housing through North Ayrshire Council's adaptations scheme. This may allow people to remain in their current home. Cases are prioritised and are subject to available resources.

We have a number of houses that have been adapted or designed for disabled people, for example, wheelchair accessible housing. We have developed procedures for allocating highly adapted properties.

(g) **Overcrowding**

When assessing overcrowding, we use our occupancy standard (see section 4.11 Table 2).

We award points for each extra room needed based on our occupancy standard subject to our overcrowding rules (see section 4.12).

Points awarded: 50 (for each extra room needed based on our occupancy standard)

(h) **Insecurity of accommodation**

Applications from people living in insecure accommodation will be awarded points based on their circumstances. Applicants who are homeless or threatened with homelessness can apply for housing through the council's homelessness policy which includes advice and assistance.

Insecurity of accommodation covers a range of situations, including applicants who live in:

- private sector accommodation with limited security
- tied accommodation
- Armed Forces personnel
- people of no fixed abode

Private sector accommodation with limited security

This covers private rented sector accommodation that is ending due to actions by the landlord or agency to seek recovery of possession. For instance, this might apply in cases where the landlord is terminating either an assured or a short assured tenancy through the correct legal procedures.

Insecurity of tenure points may also be awarded to owners whose home is threatened because of mortgage default. This may happen if owners cannot afford to maintain mortgage payments and lenders have taken court action to recover the property for sale. Points are awarded once the owner has a date to leave the accommodation. In processing applications, we will carry out checks as required to confirm details.

Points awarded: 150

Tied accommodation

This applies to applicants living in accommodation as part of their employment duties. We award points under this category when the occupation is ending due to termination of employment. Points are awarded six months before the person leaves employment.

Points awarded: 150

Armed Forces personnel

This applies to Armed Forces personnel who occupy service accommodation and want to be re-housed in North Ayrshire.

Where applicants are leaving the armed forces they do not require to meet the local connection test and should not be placed in group 7. This is in line with the Scottish Government Housing and Regeneration Circular HAR1/2009.

Points will be added on receipt of the certificate of discharge. Points will also be awarded for any other housing needs specified in the allocations policy.

Applicants who own, or have a legal right to occupy other accommodation will not be awarded these points.

If an applicant does not receive a suitable offer of housing prior to the date they are due to leave the Armed Forces, these points will remain in force for a period of twelve months from receipt of the certificate of discharge, provided they have not secured alternative accommodation which they have a legal right to occupy.

The rules in this section will also apply to a surviving partner who confirms that he/she has to leave forces accommodation because of a partner's death.

If an applicant did not have an application for housing while serving in Armed Forces, and has now left service, and has not secured accommodation which they have a legal right to occupy, they may apply retrospectively. This request must be made within 12 months of the date the applicant left the armed forces. The points will remain in force for a period of twelve months from receipt of the certificate of discharge unless the applicant secures alternative accommodation which they have a legal right to occupy beforehand.

This demonstrates our partnership commitment to the UK Armed Forces Covenant.

Points awarded: 150

No fixed abode

Applicants of no fixed abode will be awarded a minimum number of points for the number of bedrooms that they actually need in line with our occupancy standard. This standard is outlined in section 4.11.

Applicants will also be referred, as appropriate, to North Ayrshire Council's Homeless Service for advice and assistance.

Points awarded: 30

(i) Shared Accommodation

Applicants who stay with other people such as friends or relatives or who are lodgers but want their own accommodation are in this group. It also includes partners in a relationship breakdown who now want to live separately and grown up children wanting to leave the family home. As applicants for housing, they now form a separate household.

Applicants who sublet part of their home or take in lodgers do not qualify for these points.

Points awarded: 20

(j) Shared Amenities

We also award points to applicants who are living with other households if they share key amenities. The amenities for which points are awarded are kitchen, bathroom or toilet. Applicants need to only be sharing one of these amenities to qualify for the points.

Household Type	Points Awarded
Single Person and Couples	20
Families	30

(k) Under-occupation

Reducing under-occupation helps us to make for best use of our housing. Tenants of a social landlord may wish to move to a smaller property if they are not using all of the bedrooms in the property they live in.

Tenants can apply to move to accommodation that reduces present under- occupation levels even if the house remains under-occupied. Such applicants would be awarded under-occupation points only if under-occupation is reduced.

Points awarded: 50 (for each room under-occupied based on our occupancy standard)

(I) Releasing housing for let to other applicants

If two tenants of the partners want to live together and re-housing both households releases both their houses for let we award a fixed amount of points.

Points awarded: 50

SECTION 6: POSITIVE ACTION INITIATIVES

We support the development of equality initiatives through all of our housing activities, including allocation practice. This is often referred to as “mainstreaming” of equal opportunities.

An important part of this process involves developing positive action initiatives. Positive action involves establishing initiatives to address discrimination against particular groups such as disabled people or people from minority ethnic groups.

The following are examples of positive action concerning allocation practice that we have implemented.

- publication of the allocation policy in other formats and different languages, on request;
- ensuring that our allocation documentation meets quality standards, for example, that it is produced in plain language;
- promoting awareness of the allocation policy to a diverse range of groups; for example, publicising the policy through groups representative of equality issues;
- providing interpreting services, on request, so that allocation services are accessible to individual applicants;
- working in partnership with other organisations to promote equality initiatives; and
- consulting with national bodies, as required, to promote good practice.

SECTION 7: TRAINING

Training is an important element in ensuring that the allocation policy is implemented effectively. We, therefore, provide ongoing training for staff.

This includes training on:

- allocation law and good practice
- allocation policy and procedures
- information technology systems
- other relevant legislation such as equality law
- skills development, for example, conducting effective interviews

We monitor training provision through our training plans and annual staff appraisals and development programmes that link training to job and personal development needs.

This ensures that training contributes to our allocation policy objective of providing quality services.

SECTION 8: AUDITING AND MONITORING PERFORMANCE

8.1 Auditing performance

We ensure that proper mechanisms are in place to allow individual allocations to be audited. A sample of audit checks is carried out by appropriate staff in each partner organisation.

8.2 Monitoring performance

Monitoring the implementation of the allocation policy is an important part of quality assurance. It is also essential to ensure that allocation practices are subject to continuous improvement.

The partners ensure that specific staff are authorised to monitor performance, in the following areas:

- admission to the North Ayrshire Housing Register
- the groups in which applications are placed
- offers
- houses let
- appeals and complaints

Information on allocation trends is presented to our appropriate committees/boards on a regular basis, as required; information is also presented to local tenant organisations.

General information on allocation performance is published for all tenants and service users.

8.3 Admission to the North Ayrshire Housing Register, including groups in which applications are placed

We monitor the following issues concerning admission to the North Ayrshire Housing Register.

- the number of new applications, including whether or not they are processed within targets
- applications reviewed and deleted as part of the review process
- the groups in which applicants are placed
- household type and equality information concerning applications by reference to factors including age, disability, ethnicity and gender.

8.4 Offers

We monitor the following:

- the total number of offers made including whether accepted or refused

- offers refused by reason including the type of house and area
- household type and equality information concerning offers by reference to factors including age, disability, ethnicity and gender.

8.5 Houses let

We monitor the following:

- lets to applicants and groups, including type of house and area
- household type and equality information concerning offers by reference to factors including age, disability, ethnicity and gender.

8.6 Appeals and complaints

We monitor the following:

- number of appeals made including outcomes
- number of complaints made including outcomes

8.7 Quality of information

We monitor the following issues using a variety of methods

- allocation policy documentation to meet agreed standards of plain language
- quality of advice provided to applicants, for example, accuracy of leaflets and correspondence sent to applicants

SECTION 9: APPEALS AND COMPLAINTS

This section describes briefly our appeals and complaints system; details of these procedures are made available to all applicants.

9.1 Appeals

Applicants may appeal decisions concerning this policy. For example, an applicant may appeal if they consider that points are not awarded accurately. We have established a common appeals system that applies to all the partners. There are two stages to this appeal process as follows:

Stage 1

Appeal can be made either in writing, or verbally, to a designated officer in the organisation which first dealt with the application form

Stage 2

If the applicant remains dissatisfied with the decision, a written appeal can then be lodged with another more senior officer within that organisation.

9.2 Complaints

If an applicant is dissatisfied with the level of service provided, the complaint will be dealt with through our complaints procedures. Details of the complaints policies and procedures are available from individual partners.

We also provide information to applicants about the Scottish Public Services Ombudsman; this is the public office that deals with complaints involving maladministration.

Maladministration is a general term that concerns inadequate or inappropriate practice.

Applicants must generally use our internal complaints system before contacting the Ombudsman.

SECTION 10: TENANT PARTICIPATION AND POLICY REVIEW

10.1 General

We review the allocation policy every three years, or as required. For instance, review of the allocation policy may be necessary to address legal changes.

We discuss changes to policy with tenants, applicants and other service users through our tenant participation strategies.

We use our performance indicators to discuss improvements to service delivery.

10.2 Methods of Review

We use a range of methods as detailed in our tenant participation strategies when reviewing allocation policy.

We also carry out regular surveys of service users to gather their views concerning allocation services.

10.3 Other Agencies

We consult with a wide range of local organisations when developing our allocation policy. This includes consultation with:

- tenants' groups
- other housing associations
- North Ayrshire Health and Social Care Partnership
- other council departments such as Public Health, Legal Services, etc.

SECTION 11: APPENDICES

APPENDIX 1: LAW AND GOOD PRACTICE

Law

Housing (Scotland) Act 1987 (as amended)

Good Practice

Social Housing Allocations: A Practice Guide, March 2011, Scottish Government

The Legal Framework for Social Housing Allocations, Statutory Guidance for Social Landlords, Housing (Scotland) Act 2014, October 2016, Scottish Government

Housing Sex Offenders: Implementing the Scottish Executive's National Accommodation Strategy for Sex Offenders, CIH Scotland, September 2007

APPENDIX 2: LIST OF OTHER POLICIES

Below are listed other key policies and procedures that the partners operate and that are relevant to the allocation policy.

Other North Ayrshire Housing Register policies:

- suspension

Separate policies and procedures are held by the partners for:

- assignation of tenancy
- equal opportunities
- mutual exchanges
- short Scottish secure tenancies
- subletting
- succession to tenancy
- taking in lodgers
- void management (empty house policy)
- homelessness (NAC)