

## Allocations Policy

### Document Control

|                                 |                          |   |    |  |
|---------------------------------|--------------------------|---|----|--|
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| Added to Company Website        | Yes                      | ✓ | No |  |
| Associated Documents Considered | Yes                      | ✓ | No |  |

## 1. Introduction

- 1.1. Waverley Housing is a Registered Social Landlord providing general needs housing in the central Scottish Borders. It relets around 150 houses per annum and operates a Choice Based Allocations (CBL) system to allocate the majority of properties to applicants applying for housing.
- 1.2. The Allocations Policy describes how Waverly Housing will manage and allocate social Housing.
- 1.3. The Policy should be read in conjunction with WH Equality and Diversity Policy and Scottish Borders Unified Domestic Abuse Policy.
- 1.4. Applicants must be aged 16 years or over and can apply either online through the Waverley website or by using a paper application form.
- 1.5. Applicants, once registered, may apply for advertised properties of their choice, either in person, by telephone, by post or via our website. Applicants can also give written permission for someone to act on their behalf, e.g. relative or support worker.

## 2. Purpose

- 2.1. To ensure that all people have fair and open access to our housing list and assessment process and to ensure we let our houses in a way that gives reasonable preference to those in greatest need.

## 3. Aims of Allocation Policy

- 3.1. The Policy seeks to achieve the following regulatory requirements contained in the Scottish Social Housing Charter

|                              |  |
|------------------------------|--|
| 1: Equalities                | "Social landlords perform all aspects of their housing services so that: They support the right to adequate housing; and Every Tenant and other customer have their individual needs recognised, are treated fairly and with respect, and receive fair access to housing and housing services."  |
| 7/8/9: Housing Options       | "Social landlords work together to ensure that: People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them; and Tenants and people on housing lists can review housing options. Social landlords have a role to prevent homelessness and should ensure that: People at risk of losing their homes get advice and information on preventing homelessness." |
| 10: Access to Social Housing | "Social landlords ensure that: 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.”   |
| 13: Value for Money | “Social landlords manage all aspects of their businesses so that: Tenants, owners, and other customers receive services that provide continually improving value for the rent and other charges they pay” |

- 3.2. To make best use of the housing stock available for let or re-let.
- 3.3. To give priority to those applicants in greatest housing need who are deemed to be in one of the groups to receive reasonable preference as defined in the Housing (Scotland) Act 2014. These are homeless persons and people threatened with homelessness with unmet housing needs; people living in unsatisfactory conditions with unmet housing needs e.g. people living in houses below the tolerable standard, people living in overcrowded conditions and people with health needs; tenants of a social landlord living in houses we consider to be under-occupied.
- 3.4. We will also give reasonable preference to other applicants such as members of the armed forces due for discharge within 12 months or discharged within the previous 12 months with no settled accommodation, or whereby the family members will be left homeless due to their partner’s dishonorable discharge.
- 3.5. Lesser degrees of priority will be given to applicants with other needs such as a need to move in order to give or receive support from a member of their family.
- 3.6. To consider sustainability of tenancies and creation of balanced communities.
- 3.7. To facilitate transfers of existing tenants to meet changing needs.
- 3.8. To facilitate management moves where doing so will alleviate difficult living conditions (e.g. resolution of serious neighbour dispute etc.).
- 3.9. To minimise the time a property remains empty and to maximise rental income.
- 3.10. To assist in meeting the objectives of the Scottish Borders Council Rapid Rehousing Transition Plan 2019-24.

#### **4. Responsibilities**

- 4.1. Overall responsibility for the implementation of this policy lies with the Housing Services Manager, however operational responsibility for compliance with this policy lies with staff responsible for the re-letting of properties.

#### **5. Monitoring & Review**

- 5.1. This Policy will be reviewed on a 5 yearly basis or as necessary in terms of changes in legislation.

#### **6. How the System will Operate**

- 6.1. All applicants are required to complete an online application form, or a hard copy of our application form, which can be requested from our office.

- 6.2. Priority for any Housing Application will be assessed and if confirmed, will be awarded by granting of a Gold, Silver or Bronze Priority.
- 6.3. Properties available for re-let will normally be advertised and notified to applicants directly via email addresses, displayed in our office windows, on our website and social media. If a property is advertised and is subsequently deemed suitable for a management move, it can be withdrawn from offer. Properties which are let through Protocol Agreements will not be advertised for let.
- 6.4. Applicants can apply for advertised properties and are eligible to apply for any number of available properties. Where multiple applications are made for properties advertised with the same closing date, applicants must indicate their choice in order of priority, e.g. first, second, third choice properties.
- 6.5. Whilst applicants can make an application and apply for properties on the same day, applicants cannot change any priority limitations already in place in order to increase their priority for a property currently being advertised. Housing application details cannot be altered during the first week of the advertising cycle of a property.
- 6.6. When applicants bid for a property, their bid is ranked in relation to other bids received for the property. It is not always the case that an applicant bidding for another property at a later date will have a higher ranking than their first bid received. As an example, if a bid is ranked second for an advertised property and an applicant bids for another property the following week then it is not always the case that this second bid will be ranked first. Depending on the number and priority of other bids received, the applicants bid for the second property could be ranked lower than their bid for the first property.
- 6.7. Selection criteria for offering of properties, is as follows:

6.7.1 Best use – taking account of the house size and type

Applicants are considered to meet best use in the following circumstances. These circumstances are ranked in order of priority:

- a) By having a recognised need for any adaptations or amenities within the property.
- b) If the property is on the ground floor and the applicant has a confirmed and specific need for the ground floor accommodation.
- c) If the applicant has a confirmed and specific medical need for the type and size of property.
- d) If the applicant would make best use of all the bedrooms within the property for the family composition; please note that this applies to bedrooms and not bedspaces.

An illustrative example:

2-bedroom, 2nd floor flat - Couple with 1 child OR Single applicant

The couple with 1 child would make best use of this two-bedroom property. However, should the single applicant also have a child to be rehoused with him/her, then both would make best use, as both bedrooms would be used.

There will be no discrimination because the applicant with one child is single. Similarly, for allocation of a one-bedroom property, a single applicant would be treated as making equally best use as that of a couple.

#### 6.7.2. Priority Passes

The Housing (Scotland) Act 2014 requires us to give reasonable preference to certain groups of applicants when letting properties. An example of these groups are:

- a) Homeless persons, and people threatened with homelessness with unmet housing needs.
- b) People living in unsatisfactory housing conditions with unmet needs e.g. people living in properties below the tolerable standard, people living in overcrowded properties or where the property is unsuitable because of the persons health needs.
- c) Tenants of properties which are held by a social landlord and we consider them to be under-occupied as defined in this Policy.
- d) We would consider that a person has unmet housing needs if they have a need which is not capable of being met by their current housing circumstances.

To ensure that we are correctly assessing the housing needs of applicants we generally require applicants to provide information to verify their circumstances and applicants will be advised of this when required.

Priority is given in the following circumstances, at either Gold, Silver or Bronze level:

|   | <b>PRIORITY LEVEL</b> |               |               |
|---|-----------------------|---------------|---------------|
| <b>Priority Type</b>                          | <b>Gold</b>           | <b>Silver</b> | <b>Bronze</b> |
| Homelessness                                  | ✓                     |               |               |
| Homelessness Prevention                       |                       | ✓             |               |
| Duty to co-operate                            | ✓                     |               |               |
| Care Leavers                                  | ✓                     |               |               |
| Domestic Violence                             | ✓                     |               |               |
| Medical                                       | ✓                     | ✓             | ✓             |
| Overcrowding                                  |                       | ✓             |               |
| Under-occupancy                               |                       | ✓             |               |
| Property below Tolerable Standard             | ✓                     |               |               |
| Other Community Needs (including key workers) | ✓                     | ✓             | ✓             |
| Armed Forces Personnel                        | ✓                     |               |               |
| Regeneration                                  | ✓                     |               |               |

#### 6.7.2.1. Homeless

Applicants who are homeless or threatened with homelessness referred by Scottish Borders Council to Waverley in accordance with the Section 5 Homelessness Duty Protocol will receive a Gold Priority Pass.

#### 6.7.2.2. Homeless Prevention

If an applicant has been given notice by their current Landlord to leave the property or have been asked to leave their home for any other reason, and the date they have been asked to leave by is more than 56 days in the future, they can apply for a Bronze Homelessness Prevention Priority Award from Waverley Housing.

#### 6.7.2.3. Duty to Co-operate

Priority will also be afforded to applicants where there is a Duty to Co-operate (the Management of Offenders (Scotland) Act 2005). Where an applicant has declared on their application form that they are required to register under the Sexual Offences Act 2003, any offer of a Waverley Housing property will require risk assessment which takes account of any victim prior to an allocation. A joint protocol is agreed with Scottish Borders Council's Criminal Justice Team and Registered Social Landlord's operating within the Scottish Borders, in relation to the allocation of properties to Sex Offenders. Waverley Housing has a duty to co-operate in accordance with the National Accommodation Strategy for Housing Sex Offenders (NASSO) and will work jointly with Scottish Borders Council, Criminal Justice, and Police Scotland in terms of community safety to ensure that sex offenders are housed appropriately.

#### 6.7.2.4. Care leavers

Waverley Housing has protocol arrangements in place to support the sustainable rehousing of care leavers in the Scottish Borders. Care leavers referred by Scottish Borders Council to Waverley Housing will be awarded Gold Priority.

#### 6.7.2.5. Domestic Violence

Gold Priority will be awarded to an applicant who is experiencing domestic abuse. This approach aligns to the Scottish Borders Unified Domestic Abuse Policy.

#### 6.7.2.6. Medical

Applicants who suffer from a medical condition where rehousing would alleviate the medical condition will need to complete a Health Assessment Form which might result in a Gold, Silver or Bronze Priority Pass being awarded.

#### 6.7.2.7. Overcrowding

Applicants who are living in properties which have insufficient bedrooms for their household needs will be considered for the award of a Silver Priority Pass. Overcrowding occurs when the following applies:

- a) Same sex children where one is aged over 16 years of age are sharing a bedroom.
- b) Children of different sexes are sharing a bedroom where one child is over 10 years of age.

However to ensure tenancy sustainment, applicants can be awarded an extra bedroom if the child is within 12 months of their qualifying birthday i.e. 10<sup>th</sup> birthday for opposite sex children sharing and the 16<sup>th</sup> birthday for same sex children.

Please note that overcrowding priority will not be awarded until the child's actual birthdate

- c) Children who reside with their parent or parents for 3 or more nights each week will be classed as permanent members of the household. Written confirmation of these access arrangements will be required.
- d) Due to the shortage of larger properties e.g. 4 or more bedrooms there may be occasions when we will allocate a property to a family which will provide them with more bedrooms than they currently have but which does not fully alleviate their overcrowding.

#### 6.7.2.8. Underoccupancy

If you are the tenant of a Registered Social Landlord and have one or more spare bedrooms in your current property, you will be eligible for under-occupancy priority.

#### 6.7.2.9. Property Below Tolerable Standard

Applicants who live in a property which is below the Tolerable Standard will be awarded a Gold Priority Pass. The Tolerable Standard is defined in the Housing (Scotland) Act 2006 and lists 12 criteria that a property needs to meet including items such as the property must be substantially free from rising or penetrating damp and must have a sink that has a supply of hot and cold water. Applicants will be expected to provide evidence from the Councils Environmental Health Section, their Landlord or an approved contractor that the property is below the Tolerable Standard.

#### 6.7.2.10. Other Community Needs including Key Workers

Applicants can be considered for other community needs e.g. where the applicant wishes to move to the area to give or receive support from a family member, to take up a job offer in the area. Depending on circumstances, these applicants will receive Gold, Silver or Bronze priority.

If an applicant who has Key Worker status (NHS Worker, Police, Teacher etc.) who needs to move to the Scottish Borders to take up a post, these applicants will receive Gold OCN Priority.

#### 6.7.2.11. Armed Forces Personnel (AFP)

Applicants who are current or former members of the Armed Forces can apply for housing 12 months before their date of discharge up to 12 months after their date of discharge in order to be awarded a Gold Priority Pass. To qualify the applicants must:

- a) Be currently serving with one of the recognised Ministry of Defence Armed Forces with less than 12 months to discharge.
- b) Have been discharged from the Armed Forces within the previous 12 months.
- c) Be the surviving spouse/partner or a non-dependent child, aged 16 or older of a deceased Armed Forces member who was either serving or has served within the last 12 months.

#### 6.7.2.12. Best Use

Where there are multiple applicants for a property who demonstrate best use, selection of the successful applicant will then be determined by the one with the highest priority level

and the length of time with this priority level. In the case of applicants referred by SBC as priority homeless, priority will be given to the applicant with the earliest referral date passed to Waverley or as guided by SBC.

Priority will not be awarded to any applicant who is found to have intentionally taken action resulting in worsening their housing situation.

Priority for an extra bedroom for an overnight carer will not be awarded. However, if the applicant has a medical need for a 24/7 carer, and we have medical evidence to corroborate this, the extra bedroom will be allowed.

#### 6.7.2.13 Regeneration

See Section 9.3.1. in this document

#### 6.7.3 Date of Application

Where more than one applicant makes best use of a property for re-let, and also have the same priority level and the same date of award of priority (or all are applicants with no priority), the successful applicant will be determined by the earliest date accepted onto the housing list.

Allocation of Waverley properties will take account of the following:

- a) One-bed properties – couples and single persons will be treated equally
- b) Two-bed properties – applicants making use of all bedrooms treated equally whether permanent or non-permanent (see access and pregnancy below)
- c) Access to children – where access is for three or more nights per week, children are treated as permanent members of a household providing proof of residency is obtained.
- d) Pregnancy – First unborn child to be treated as requiring one bedroom subject to confirmation (e.g.: Certificate of Confinement). Subsequent unborn children will not normally qualify for an additional bedroom, only bed space, until born and sex known, except where overcrowding of existing bedrooms will occur, irrespective of sex.
- e) Implications of welfare reform legislation in relation to cases of under-occupancy will be advised to applicants at the offer stage, so they are fully aware of their rent obligations.
- f) A maximum of one extra bedroom generally will be permitted and applicants will be advised of the implications of this.

#### 6.7.4 Amenity Housing

Amenity Housing is a form of accessible housing which provides safe and convenient approach routes into and out of the home and outside areas, suitable circulation space and suitable kitchens and bathrooms for tenants who have mobility difficulties. The properties have special features such as wider doorways, and higher sockets to assist tenants to maintain an independent life. This self-contained housing is designed for occupation by people aged 55 or over or for people who have a need for accessible housing.



## **7. Suspensions**

- 7.1 In certain circumstances, applicants may have their application suspended. An applicant who is suspended will remain on the housing list but will not be able to bid for advertised properties.

Each case will be treated on its merits and applicants will be notified in writing of the reason for their suspension, the length of the suspension and action applicants can take to end the suspension. Applicants have the right to appeal against such a decision. The length of any suspension is likely to be between 3 and 12 months.

Applications can be suspended in the following circumstances:

### **7.1.1. Outstanding Tenancy Debt**

Where the applicant or a member of their household has an outstanding arrears balance for rent and/or service charges and/or any other tenancy related debt more than one twelfth of the annual amount owed for rent and/or services charges and/or any other tenancy related debt they may not be considered for a property until such time as a repayment arrangement has been kept for at least three continuous months or more. If, however, the applicant has been adhering to a previously agreed repayment arrangement for a period of three continuous months or more, the application will not be suspended.

Waverley Housing disregards any tenancy related debts which are more than 5 years old with regard to an application for housing. It reserves the right however to pursue tenancy related debts older than 5 years where the applicant is being considered for a further Waverley Housing property.

### **7.1.2. Abandonment of Property**

The application may be suspended where the applicant or a member of their household has previously abandoned a property, until such time as any costs relating to that abandonment, such as unpaid rent, recovery costs or rechargeable repairs have been paid or a repayment agreement as outlined above is in place.

### **7.1.3. History of Anti-social Behaviour or Criminal Activity**

Where we or another Registered Social Landlord (RSL) has taken action such as eviction or applied to the Courts for an Antisocial Behaviour Order (ASBO) or Criminal Antisocial Behaviour Order (CRASBO) against an applicant or a member of their household in a current or previous tenancy, or an RSL can demonstrate that the applicant was/is in serious breach of their tenancy agreement, for which evidence can be obtained from the RSL or police over a period of time, the application will be suspended until such time as Waverley Housing is satisfied that such anti-social behaviour or criminal activity is unlikely to be repeated.

When Waverley Housing is satisfied that there is evidence of an ASBO/CRASBO in place a Short Scottish Secure Tenancy Agreement will be offered with tenancy support offered to help sustain the tenancy. Waverley Housing reserves the right to withdraw any offer of accommodation where it is considered support is necessary but is not accepted by the applicant.

#### 7.1.4. False or misleading information

Applications may be suspended where an applicant, deliberately, gives false or misleading information, or withholds relevant information. After completion of any suspension period the applicant must provide accurate information about their housing circumstances and satisfy the Company that all the information submitted is true.

#### 7.1.5. Violent or Abusive Behaviour

Applications may also be suspended where the applicant or member of their household displays violent or abusive behaviour towards the Company's employees or contractors and the seriousness of that behaviour could lead to the person being charged by the Police.

#### 7.1.6. Refusals of Offers of Accommodation

Applicants, including those who have priority, who refuse two reasonable offers of accommodation applied for may be suspended.

Homeless applicants will similarly be eligible for two reasonable offers; however Scottish Borders Council will be advised of any homeless applicant's refusal of such offers. Responsibility will then lie with Scottish Borders Council regarding the status of the applicant's housing application. Applicants who refuse two reasonable offers through the Housing Option Protocol for Care Leavers or Sustainable Housing on Release for Everyone Protocol may be suspended.

### **8. Transfer Applicants**

- 8.1. Tenants of Waverley Housing who have breached their tenancy conditions, e.g. are in rent arrears of more than 4 weeks, do not keep their house to a reasonable standard, or have other tenancy related debts owing to Waverley Housing and have no repayment arrangement in place for 3 months, or where there is sufficient evidence of the tenant or members of their family engaging in antisocial behaviour, will be considered to be ineligible for a transfer within our housing stock until they have satisfactorily remedied any breach.

- 8.2. Tenants' properties will ordinarily be required to meet our re-let standard, prior to them obtaining a transfer to another Waverley Housing property. A home visit will be carried out to inspect the condition of the property.

However, it is at the Housing Managers Discretion, if the tenant does not meet the re-let standard, to allow the transfer to go ahead. This decision will be made on a case by case basis, depending on the tenants' circumstances.

- 8.3. A transfer will not normally be considered until the tenant has held their tenancy for at least twelve months. Exceptions may be applied in exceptional circumstances, for example but not limited to, the tenant or a member of their household experiencing domestic abuse or an unforeseen health issue.
- 8.4. Priority may be given to Waverley tenants who wish to downsize for a range of reasons, including but not limited to, affordability. Transfer applicants will be assessed using the same priority system as used for other applicants for housing.

## **9. Management Transfers**

- 9.1. Management transfers are used only in exceptional circumstances, where the living conditions of the tenant will clearly improve through transferring to another property within Waverley Housing's stock. Management transfers will be subject to a report by relevant housing staff and must be authorised by the Housing Services Manager before any management transfer takes place.
- 9.2. Management transfers may also be used in preference to other methods of allocation of stock where that is to the benefit of tenants and/or for the better management of stock. Such examples might include, but not be limited to:
- a) Better use of stock, particularly in regard to downsizing and affordability e.g. tenants are subject to benefit withdrawal from having excess bedrooms.  
and/or
  - b) Where stock has become hard to let (to transfer out remaining tenants or to let stock through hard to let initiatives), or to facilitate redevelopment work (e.g. in order to help empty a block or property so that refurbishment works can take place).
- 9.3. Regeneration
- 9.3.1. Tenants who remain in properties due for demolition in Upper Langley, Galashiels, will be offered new properties once construction is complete. However, if a suitable property becomes available and a remaining tenant wishes to apply for it, they will be awarded Gold Regeneration Priority.
- a) Normally applicants bidding for vacant properties need to make best use of the property available e.g. their household size and composition should make best use of the available property. In order to facilitate securing alternative accommodation for these tenants, this rule will be relaxed, and consideration will be given to offering alternative accommodation to applicants which is no more than one bedroom extra to that which their household requires e.g. a couple with no children will be considered for 2 bed properties however should they wish to move within 12 months, they will not be eligible for under-occupancy priority.
  - b) Normally tenants seeking a transfer need to meet certain criteria e.g., the property is kept to a reasonable standard and any rent arrears are dealt with via a repayment arrangement. In order to facilitate securing alternative accommodation for these tenants a more flexible approach will be taken. As these tenants will be leaving properties which are to be demolished there is less need for the condition of the property to be suitable as there will be no incoming tenant to the property. Efforts will be made to address rent arrears with tenants before they move but given the requirement to secure alternative accommodation for them, a flexible approach to managing these arrears will be adopted.
  - c) Tenants who secure permanent alternative accommodation in accordance with the criteria outlined above will not be entitled to Home Loss Payments or assistance with removal and associated costs.

These tenants will also be supported to apply for housing provided by other Registered Social Landlords operating in the Scottish Borders area if this is an option they wish to pursue.

## **10. Protocols**

- 10.1. Waverley has a duty under Section 5 of the Housing (Scotland) Act 2001 to house statutory homeless applicants and the details of how this operates in practice are contained in the Section 5 Homelessness Duty Protocol which has been agreed between Scottish Borders Council, Waverley Housing, Eildon Housing Association, Berwickshire Housing Association and Scottish Borders Housing Association.
- 10.2. Waverley Housing participates in protocols with other agencies which are designed to support the effective rehousing of applicants.

The Housing Options Protocol for Care Leavers in the Scottish Borders is an agreement between Scottish Borders Council and Waverley Housing, Berwickshire Housing Association, Eildon Housing Association and Scottish Borders Housing Association designed to ensure that the accommodation and support needs of care leavers are met when they leave care.

- 10.3. Waverley Housing also cooperates with the Scottish Prison Service to meet the Sustainable Housing on Release for Everyone (SHORE) standards which are designed to support prisoners' reintegration into local communities by securing suitable housing for such applicants.  
Please note that prisoners who are being released on license do not qualify to be rehoused under the SHORE standards, their housing application will come to Waverley Housing via MAPPA
- 10.4. Where an applicant is leaving Prison or another Institution, a support package should be in place with a relevant agency unless in the opinion of a relevant professional this is not required, and that this is considered reasonable by Waverley Housing.
- 10.5. Waverley Housing reserves the right to withdraw any offer where a support package is not in place, but which is considered by Waverley Housing to be essential to sustaining the tenancy.

## **11. Homelessness**

- 11.1. As Waverley Housing is not likely to be able to help with immediate accommodation, all homeless applicants or applicants threatened with homelessness will be encouraged, in the first instance, to make application for assessment to SBC's Homelessness Services. SBC is the local authority primarily responsible for meeting the needs of homeless people. The Information Sheet for Homeless Priority gives guidance to applicants on how to apply for priority as a homeless person.
- 11.2. Waverley Housing cannot award a Gold Section 5 Homeless Priority award, however if someone is threatened with homelessness e.g. private landlord has given them Notice to Quit (NTQ), or a relationship breakdown, we will award Bronze Homeless Prevention priority if the NTQ is greater than 56 days.

- 11.3. Waverley Housing gives assistance to Scottish Borders Council to meet its statutory obligations under the Homelessness (Scotland) Act 2003 in respect of homelessness, by providing, where reasonably possible, properties for use as temporary accommodation and offers of permanent accommodation to homeless applicants.
- 11.4. Waverley Housing is committed to sustaining tenancies and preventing homelessness wherever possible. Where support is required in respect of homeless people referred to Waverley Housing by SBC, the application will be held pending necessary support being put in place.

## **12. Multi Agency Public Protection Arrangements**

- 12.1. Where an applicant applies for housing and confirmed they are on the Sex Offenders Register or a Violent Offender, any offer of a Waverley Housing property will require the property to be risk assessed prior to offer and a suitable support package, if required, put in place.
- 12.2. A joint protocol is in place with Criminal Justice and local RSLs, including Waverley Housing, in relation to allocation of properties to Sex Offenders or Violent Offenders. In accordance with the National Accommodation Strategy for Housing Sex Offenders (NASSO), Waverley Housing has a Duty to Co-operate with the re-housing of sex and violent offenders and will work jointly with Criminal Justice and SBC in terms of community safety, in housing sex and violent offenders safely.
- 12.3. Any application from a Sex or Violent Offender will be dealt with responsibly, ensuring privacy and confidentiality is maintained, except where the interests of relevant staff protection may take priority over confidentiality. Information-sharing with staff, other RSLs, Criminal Justice and other statutory agencies, will be in accordance with agreed information sharing protocols.

## **13. Owners**

- 13.1. Owner-occupiers may apply to be on the housing list and will be treated the same as any other applicant on the basis that there is a recognised need for housing. Such applicants, on being given an offer of housing by Waverley Housing will be advised of their legal requirement to occupy the Waverley Housing house allocated as their only or principal home and may be required to evidence this.

## **14. Mutual Exchanges**

- 14.1. Mutual exchanges are encouraged where they will improve the housing circumstances of both parties. Local Authority tenants and tenants of other Registered Social Landlords can normally exchange their homes with tenants of Waverley Housing.
- 14.2. Waverley tenants wishing to exchange must seek the Company's approval which will not be unreasonably refused. Similarly, tenants of other landlords must seek approval of their landlord, which again may not be unreasonably refused. A mutual exchange will not be permitted without the express agreement of all the landlords concerned, unless there are demonstrable grounds for refusal that the landlord(s) of

the respective parties can evidence, e.g. antisocial behaviour or rent arrears whereby a repayment arrangement of at least three months has not been adhered to.

- 14.3. The Company reserves the right to refuse an exchange where it considers that the exchange will result in overcrowding or under occupancy or that the house is in an unsuitable condition regardless of any mutual agreements between tenants. The Company will refuse such consent only if it has reasonable grounds to do so, which grounds are in accordance with Section 33(3) of the Housing (Scotland) Act 2001. Consent or refusal will be made within one month of the application being made.

## **15. Communities and Sensitive Lets**

- 15.1. Waverley Housing reserves the right to consider an offer of accommodation to take account of factors relevant to sustainability of tenancies. Where a property becomes available for re-let and the previous tenant caused serious antisocial behaviour to immediate neighbours, Waverley Housing may make a sensitive let in not allocating to any applicant with, or whose household member has, a history of antisocial behaviour.
- 15.2. In exercising the above, approval to overlook any applicant being considered for such a property must be authorised by the written consent of the Housing Services Manager.

## **16. Local Lettings Plan**

- 16.1. Local Lettings Plans may be developed for housing stock where a range of management problems (including but not limited to anti-social behaviour and/or high void levels) have existed. These Plans will operate alongside the Allocation Policy but will contain some different criteria to use when considering allocations within any agreed Local Letting Plan.
- 16.2. We reserve the right to introduce these Local Lettings Plans subject to the caveat that they shall not exist for an unlimited period of time and should be subject to regular review and approval by Waverley Housing's Board, at a frequency considered to be appropriate for the particular area in question.

## **17. Health Assessment Scheme**

- 17.1. Waverley Housing participates in a Unified Health Assessment Scheme operating in the Scottish Borders Council area. The Scheme is used to assess applicants and members of their household's health needs and clarify whether or not any priority should be awarded and if so what degree of priority should apply. It should be noted that priority is only given where a move to alternative accommodation will alleviate the health problems being experienced by the applicant or member of their household.
- 17.2. A Health Assessment form is completed, and a single grading is awarded. Information is shared with other housing providers in the Scottish Borders to whom the applicant has applied. Health Assessments are carried out by Housing staff and applicants are graded in accordance with the Priority criteria. Additional professional information may be sought prior to grading.

Priority is awarded as follows:

### **Grade A – Gold**

Where an applicant or member of their household has a health problem and is unable to return to their home or unable to continue living in their own home because they would not be able to gain access to essential facilities unaided and/or they are at significant risk of doing so or due to significant and enduring mental illness they are unable to return or continue to live in their current home and/or environment and it is not practical to adapt their home to meet their needs.

### **Grade B – Silver**

Where an applicant or member of their household has a health problem and is living at home and they are unable to gain access to essential facilities unaided and/or they would be housebound because they could not get out of their home unaided or their mental illness severely restricts their ability to continue to live in their current home and/or environment and it is not practical to adapt their home to meet their needs.

### **Grade C – Bronze**

Where an applicant has a health problem and is living at home and becoming less able to access essential facilities unaided and/or they are becoming less able to get out of their home unaided or they are becoming less able to cope in their current home and/or environment due to their mental illness and it is not practical to adapt their home to meet their needs.

Priority will be awarded to the applicant and members of their household to move to accommodation that suits the health needs of the person receiving the priority grading. Where more than one member of the household has applied for medical priority the member of household receiving the highest grade of priority will apply to the application.

## **18. Review of Housing List**

- 18.1. Applicants will be contacted on the anniversary of their application to establish whether or not there are any changes to their circumstances and if they wish to maintain their application. If there is no response a further contact will be made, however if no response is received to this second contact the application will be removed from the housing list.
- 18.2. Applicants may re-apply at any time after the removal of their application from the housing list. Where the applicant was unable to respond to review letters for exceptional reasons, e.g. they were on holiday or in hospital, the application will be reinstated.

## **19. Cancellation of Applications**

- 19.1. Applications will be cancelled in the following circumstances:
  - a) At the request of the applicant.

- b) On the applicant successfully being re-housed by Waverley Housing or another housing provider.
- c) On death of the applicant.

## **20. Entitlements, Payments and Benefits**

- 20.1. The granting of a tenancy to existing or former Waverley Housing employees or governing body members and close relatives of such people is considered a benefit. Such allocations will be subject to approval by the Chief Executive or Operations Director in the absence of the CEO and the Board or Emergency Committee. The allocation will be recorded in the Entitlements, Payments and Benefits Register.
- 20.2. Allocations include the granting of new tenancies, transfers and mutual exchanges to relevant persons as defined above.

## **21. Monitoring Allocations**

- 21.1. Information on all accepted offers of housing will be published on a quarterly basis on the Waverley Housing website to demonstrate transparency in allocation and to allow other applicants to make informed housing choices. Details to be published includes:
  - a) The properties let by size and area.
  - b) The number of applicants bidding for each property.
  - c) Ethnic Origin of successful applicants.
  - d) Number of lets to applicants with priority.
- 21.2. Performance Reports on allocations will be submitted to the Management Team on a monthly basis and the Board on a quarterly basis. Performance will be measured in line with the Scottish Social Housing Charter.

## **22. Confidentiality and Data Protection**

- 22.1. All information provided in connection with an application will be treated as confidential and stored in lockable filing cabinets or electronically, accessible only by relevant members of staff. The only exception to confidentiality will be where the interests of relevant staff protection may take priority.
- 22.2. Applicants sign a Privacy Statement on the application form which allows for publication of certain details. The only details which will be published, relate to whether or not best use was applicable, whether priority applied and the date of application and length of time to re-house. Details, including any priority awarded, will not be disclosed, or discussed with anyone other than the applicant, except where the applicant has delegated authority to another to act on their behalf.
- 22.3. Information given by applicants will not be disclosed to any other party without their written consent, unless required by statutory regulation. Applicants can request to see information held about them and such requests will be responded to within 30 days. Where information is provided by a third party then the written consent of that party will be required before it is provided to the applicant.



## **23. Appeals**

- 23.1. Where an applicant thinks that the priority awarded to their application is not a fair reflection of their housing needs, they think that Waverley Housing has applied an unfair suspension or unreasonably cancelled their application or thinks they have not been made a reasonable offer of housing then they have the right of appeal. Any appeals should be submitted to the Housing Services Manager within 21 days of the applicant receiving the decision on which they wish to appeal. Their appeal will be considered and responded to within 21 days and if an applicant is not satisfied with the outcome of the appeal the matter will be referred to the Operations Director for review. There is no further right to appeal after this stage.

## **24. Other Housing Options**

- 24.1. Waverley Housing will seek to promote access to their housing list by providing information packs to local external agencies, such as Scottish Borders Council Homeless Services, Social Work Departments, Libraries and Citizens Advice Bureau's. In addition, staff will provide advice and information on how to register and bid for properties as well as alternative housing options for applicants.

## **25. Complaints**

- 25.1. If an applicant is unhappy about the way in which their housing application has been dealt with then they should in the first instance, contact our Customer Services Team in order to seek to resolve the matter. If the applicant feels that their concern remains unresolved then they can submit a complaint to Waverley Housing for the matter to be dealt in accordance with our complaints handling process.

## **26. Summary**

- 26.1. Attached at Appendix 1 is a copy of the one-page leaflet summarising the key points from the Policy which is intended for public issue as and when required.

### How does Waverley allocate its houses?

This is a summary of our allocations policy. You can get a full copy of our policy on request, or you can see it online via our website at <http://www.waverley-housing.co.uk>.

You can apply online, or we can send you an application form and help you to complete it if you would prefer. We operate a Choice Based Lettings (CBL) system which means that once you have registered your housing application with us you can view the properties that are available for let each week on our website at <http://www.waverley-housing.co.uk> and choose which properties you would like to bid for.

If you have particular needs – for example, you are homeless, or threatened with homelessness, have health issues which would be alleviated by a move to another property, are living in overcrowded conditions or under-occupying your current home or have other reasons why you need to move urgently you may be entitled to priority status, we will be happy to answer any questions about priority should you have any.

By law we have to give reasonable preference to certain groups of applicants which are:

- homeless persons and people threatened with homelessness with unmet housing needs.
- people living in unsatisfactory housing conditions with unmet housing needs e.g. in overcrowded conditions, needing to move for medical reasons or domestic abuse.
- tenants of properties which are owned by a social landlord and who are under-occupying their property as defined in this Allocation Policy.

In addition to these applicants Waverley Housing also gives the same level of priority to Armed Forces personnel whilst other applicants, for example, those looking to move to the area to give or receive support from a family member will receive a lower level of priority.

We sometimes have hard to let stock available for immediate let, and if you are in urgent need of housing and prepared to explore this option, please contact us directly and we can advise you of what stock is immediately available, and how you can be considered for it. Contact us on 01450 364200 or [info@waverley-housing.co.uk](mailto:info@waverley-housing.co.uk) to obtain more details.