



**West
Granton**

Housing Co-op

sustaining and championing the co-operative way

West Granton Housing Co-operative

Allocation Policy

This policy was approved by the Committee of Management on 9th October 2019.

It should be reviewed again no later than 2023.

The policy has been assessed through the organisational impact assessment process.

We can produce this document in different formats such as larger print or audio-format; we can also translate the document into various languages, as appropriate.

This policy was developed jointly between West Granton Housing Co-operative and Doctor Stewart Montgomery, Montgomery Housing and Equality Services. If this document is copied, either in part or in full, then our joint authorship should be noted on any copy.

Revisions:

09.01.20 Minor revisions made to format by CEO.

Contents

Section 1: Allocations policy: strategic aims

Section 2: Key allocation policy objectives

Section 3: Law, regulation and guidance: a summary

Section 4: Allocation system

Section 5: Allocation Procedures and rules

Section 6: Staff training

Section 7: Allocations and social justice

Section 8: Performance management

Section 9: Appeals or complaints

Section 10: Consultation and review of policy

Appendices

Appendix 1: Our partner housing associations and the common housing register

Appendix 2: Law and guidance framework

Section 1: Allocations policy: strategic aims

Allocation policy is implemented through our housing management services, but is a policy with objectives that are linked to organisational governance. This is explained by reference to four factors.

Firstly, we promote equality and social inclusion objectives through our allocation policy by addressing any form of discrimination. This is explained in detail in Section 7.

Secondly, we promote sustainable tenancies and the prevention of homelessness through working with a range of housing partner organisations. A list of our partner organisations and information about the common housing register is provided in Appendix 1.

Thirdly, income through rents is an essential part of our financial governance framework. We allocate our houses quickly in line with targets, therefore, in order to maximise income.

Finally, our allocation policy is linked to our strategic governance objective of meeting housing law and relevant quality standards. For instance, we provide quality housing by ensuring that our houses meet the Scottish Housing Quality Standard. Again, the allocation policy is based on housing law and relevant guidance (see Section 3).

Note: West Granton Housing Co-operative is referred to generally as “we” or “WGHC” throughout this policy.

1.1. Summary

We implement allocation policy through housing management services, but its scope is strategic in nature. Strategic governance objectives promoted by allocations include social justice, sustainability and quality housing standards.

Section 2: Key allocation policy objectives

This section covers our key allocation policy objectives which are comprehensive and holistic in nature as they cover a range of organisational activities.

In line with our twelve allocation objectives, we:

- meet relevant legal and regulatory standards, including promoting allocation guidance;
- include equality issues throughout allocation services, a process generally referred to as “mainstreaming of equality;”
- offer housing applicants advice and information about their housing prospects and options;
- develop an area in which people want to live and work (“sustainable community”);
- define housing need and address various types of housing needs, including applicants’ choices and aspirations;
- let houses against quality housing standards (“our letting standard”) and in line with targets to maximise income;
- make best use of the housing stock, including reducing under-occupation, as appropriate;
- work with a range of housing partners through the common housing register to promote sustainable communities in West Granton;
- manage allocation performance through a range of performance indicators;
- provide staff training to promote effective implementation of the allocation policy;
- offer housing applicants advice and information about our internal appeal system or complaint system; and
- review our allocation policy every four years or sooner, as required, for example, because of legal changes or new guidance.

2.3. Summary

Section 2 explains our allocation objectives and is, therefore, the essential part of this document. Our objectives are the basis upon which we develop all allocation service.

Section 3: Law, regulation and guidance: a summary

This section summarises key sections of allocation law and refers to regulatory standards and allocation guidance.

It is emphasised that this section is for the guidance of readers only and is not intended as a precise statement of law.

Appendix 2 provides information about sources of allocation law and allocation guidance. It also provides information about other laws that are relevant to allocation practice.

3.1. Relevant Law covering allocations

Allocation law covers a range of issues, including suspensions. This is explained separately given its complexity.

Section 3 covers the following issues:

- access to the common housing register;
- allocation policy consultation;
- groups to be given reasonable preference when allocating houses;
- factors we must not take into account when allocating houses;
- rent arrears;
- home ownership;
- residency;
- other restrictions;
- allocation information and publicity; and
- entitlement to access housing application information.

3.2. What the law says: Access to the common housing register

Any housing applicant who is **sixteen** years or over may register on our common housing register. Being registered does not give applicants an automatic entitlement to receive offers of housing.

Details of how our own tenants can access our own internal transfer list is covered in Section 4.

3.3. What the law says: Allocation policy consultation

As well as being required to make and publish an allocation policy, we have specific duties relating to consultation.

Before making (or altering) our allocation policy, for example, we must consult with the following persons:

- housing applicants for our area;
- our tenants;
- any registered tenant organisations; and
- any other organisations/persons that we believe we should consult with.

We must also consult with housing applicants in our area and other organisations about:

- our priority groups when letting houses; and
- our particular policies on transfers and exchanges.

After the formal consultation is ended, we must prepare and publish a report. This report must cover specific matters, including the method of consultation and the issues we consulted on.

In developing our consultation process, we take account of the accessibility requirements of persons with whom we consult.

For instance, we make reasonable adjustments when providing information to disabled applicants so that this information is linked, as appropriate, to their specific needs. This approach, it is noted in passing, promotes the Scottish Housing Regulatory Standard concerning equality and diversity.

Note: We consider the following documents, too, before making or altering our allocation policy:

- Edinburgh City Council housing strategy; and
- any other allocation guidance produced by the Scottish Government.

3.4. What the law says: Groups to be given reasonable preference when allocating houses

Allocation law does not specify specific groups that must be offered housing. But it specifies groups of applicants to whom we must give reasonable preference when allocating houses. This section explains what these groups are.

Note: The word “allocation” is itself jargon and includes house letting. The words “allocation” and “house letting” are both used in this policy.

When selecting tenants, we must give reasonable preference to three main groups as follows:

- homeless people and those threatened with homelessness with unmet needs (see note);
- people living in unsatisfactory housing conditions with unmet needs; and
- Scottish secure tenants who wish to move to other housing because their existing home is under-occupied.

Note: The legal term “unmet housing needs” means housing applicants whose needs cannot be met through other housing options.

3.5. What the law says: Factors we must not take into account when allocating houses

When allocating houses, we don't take any of the following issues into account:

- the time that housing applicants have lived in our area;
- housing debt if this is/was not owed by a housing applicant such as rent arrears owed by the housing applicant's husband or wife who was the tenant;
- non-housing debt, for example, council tax;
- the housing applicant's age except for housing that has been designed or specifically adapted for people of a certain age (or people who are to receive housing support services); and
- the housing applicant's income, including income of any other household member.

3.6. What the law says: Rent arrears

We cannot refuse an offer of housing because of rent arrears if the arrears are less than one month's rent.

If rent arrears are more than one month's rent, then do not require to make offers until the following arrangement is in place.

- an arrangement to repay the rent arrears is agreed;
- this arrangement is maintained for at least **three** months; and
- payments are continuing.

3.7. What the law says: Home ownership

We cannot take home ownership into account when selecting tenants when these conditions exist:

- the property is let but the owner cannot enter the property, for example, it is not safe because of structural repairs;
- it is probable that occupying the property will result in abuse from someone living there;
- it is probable that occupying the property will result in abuse from someone who previously lived with the applicant (whether in that property or elsewhere); and
- occupying the house could endanger the health of any occupants and the applicant cannot take any reasonable measures to prevent that danger.

Note: It is our policy to apply these conditions when they exist.

3.8. What the law says: Residency

The law prohibits taking any local residency factors of a housing applicant unless certain conditions apply. These are not listed here as it is our policy that we do not take residency into account.

3.9. What the law says: Other restrictions

Examples of other factors that allocation law prohibits from taking into account before we offer houses are:

- that an application for housing is in force for a minimum period;
- that a housing applicant obtains a divorce or judicial separation order;
- that a housing applicant obtains a dissolution of a civil partnership, or a decree of separation of civil partners; and/or
- that applicants should no longer be living with someone else.

3.10. What the law says: Allocation information and publicity

We are required to make and publish an allocation policy.

We will make our Allocations Policy available to the public. This is provided free of charge.

We must describe how we prioritise our applicant groups. This is explained in Sections 4 and 5.

If we alter our allocation policy, we must publish any alterations within six months of the changes.

3.11. What the law says: Entitlement to access housing application information

Each housing applicant is entitled to access their information, that is, information provided by them as part of the application. Access must be granted free of charge.

Note: An applicant may also apply to access any of their personal information under the General Data Protection Regulation, 2016, and data protection law.

We may refuse such requests only if permitted and/or required in law.

3.12. What the law says: Suspending offers of housing

This section explains, in plain language, the legal rules that apply to suspending offers to applicants at the point of application. Our own policy on internal transfer applicant suspensions is explained in Section 5.

Summary of statutory grounds (for information)

In law, we may withhold offers of housing if an applicant, at the point of application:

- has acted in an antisocial manner towards someone else, for instance, a tenant harassing a staff member visiting the premises;
- has been convicted of certain offences, for example, allowing the house to be used for immoral or illegal purposes such as dealing in unlawful drugs;
- has a court order granted against her/him ending their tenancy;
- has abandoned their home and the tenancy has been ended using abandonment procedures;
- a court order to repossess a property is in force due to the tenant's failure to maintain their house and common parts, as appropriate;
- has outstanding housing debts, for example, if rent arrears are more than one month but no suitable repayment arrangement is in place;
- has made a false statement, knowingly or recklessly, in an application to a housing list; and/or
- has refused one or more previous offers.

3.8. Regulatory standards

The Scottish Housing Regulator has published regulatory standards in the Scottish Social Housing Charter. These standards cover all housing services, including allocation of housing. These are summarised in Appendix 2.

3.9. Summary

Section 3 has described, in plain language, the main elements of allocation law. As allocation law is the basis for this policy, it is important to understand this law as this regulates the policy rules that are now explained below.

Section 4: Allocation: our system

Section 4 explains our allocation system by reference to:

- Our own internal transfer group system;
- our housing groups;
- Edindex common housing register and choice-based lettings;
- our suspension policy; and
- other relevant policies.

Note: Specific procedural rules of importance relating to allocation policy are explained in Section 5.

4.1. Our internal transfer Group system

We operate a group system of allocations. Priority within each group is determined by the banding awarded (based on housing need) and the date of application.

These groups consist of housing applicants with a diverse range of housing needs, including the reasonable preference groups covered in law.

Our policy also ensures that preferences of housing applicants are taken into account when making offers; and this approach promotes sustainable housing too.

4.2. Our housing groups

Our groups are as follows:

- Edinburgh Council referrals;
- other agency referrals (partnerships with other housing providers and non-housing agencies);
- other lets; and
- internal transfers (existing tenants);

Each group is now described briefly below with particular emphasis on how this approach promotes our policy objectives.

Edinburgh Council referrals

This group consists of referrals from Edinburgh City Council and covers people who are homeless or threatened with homelessness. We must accept such referrals unless a relevant exemption applies. These are known in law as section 5 referrals (see the Housing (Scotland) Act 2001).

Note: While we subscribe to the Edindex housing register, it is Edinburgh City Council policy not to make Section 5 referrals.

Other agency referrals (partnerships with other housing providers and non-housing agencies)

WGHC will consider referrals from other local authority departments or external agencies for applicants in housing need.

Other lets

WGHC will consider requests for housing from other sources. Examples of other lets might include: management transfers, requests from qualifying occupiers living in a WGHC property, requests from applicants where exceptional circumstances apply which may include moving to care for family member. In such cases there must be a significant need and a significant benefit must arise from the allocation. Such cases will be exceptional and will require the consent of the CEO. Allocations from the Other lets category will be subject to internal audit and review.

Internal transfers (existing tenants)

This group enables us to meet a diverse range of housing needs for existing tenants of the Co-operative. For example, this includes tenants who might be living in unsatisfactory housing and/or be in housing that is under-occupied. Finally, by promoting internal transfers, we are also making best use of our housing stock and releasing properties for letting to the other groups.

4.3. Edindex common housing register and choice-based lettings

Housing applicants can apply for our housing through the Edindex common housing register and must have a registered application to do so.

Under choice based allocations, housing applicants are categorised as follows:

Starters are homes for people who are:

- Homeless
- Staying with a friend or relative
- Staying in a hostel
- Staying in supported accommodation
- Renting a house or flat from a private landlord

Waiting time for Starters is worked out from the date your application form is registered. This means a **Starter** registered for one year has 365 waiting days. They will get a further day for every day they are registered.

Movers are homes for people who are:

- A Council tenant
- A Housing Association or Housing Co-operative tenant
- A joint tenant with the Council, Housing Association or Housing Co-operative
- A tenant of tied accommodation that is provided by an employer
- An owner occupier of a home (you may have a mortgage)

Waiting time for Movers is worked out from the date you moved into your current home. For example, if you have been in your current home for 10 years, you will have 3,650 waiting days. You will build up a further day for every day you stay in your current home.

Priority awards are assessed as follows:

Urgent Gold Priority

Applicants who are currently in hospital and cannot go back to the home they lived in before as it no longer meets their needs.

Gold Priority

Applicants whose current home no longer meets their mobility needs and it cannot be adapted. Gold priority is generally only given to people who have been assessed as requiring a ground floor home.

Silver Priority – Homelessness

Applicants who have been assessed by the Council as statutorily homeless.

Silver Priority – Overcrowding

Applicants who need to move due to the following circumstances:

- you need 2 or more extra bedrooms for the size of your household or
- You only have one bedroom and live with one or more children under the age of 16

Each of the partner landlords operate their own allocation policy, therefore their bedroom sharing guidelines may be different.

Your household circumstances will be fully checked by a housing officer before any offer of housing is made.

Silver Priority – Under occupancy

Applicants who currently live in a Council or Housing Association home with 3 or more bedrooms, no longer need all of them and would like to downsize.

Housing applicants can then bid for advertised properties based on other factors such as types of houses available and so on. This is important as some properties are available for letting only to specific applicants such as sheltered housing for people over a certain age.

How to Bid

Once you have registered you will be sent your Edindex reference number. When you log on using your Edindex reference number you will be able to see all available homes.

You can bid for up to 3 homes each week. You must bid by the closing date for your bid to count. You will be contacted by the landlord after the closing date if your bid has been successful. You should carry on bidding until you have been made an offer of housing.

Bid online at www.keytochoice.co.uk or phone 0131 529 5080.

Homes are advertised weekly online from 3.30pm on a Friday until the next Friday at 3pm.

We provide housing applicants wanting to seek housing through this route with comprehensive information on our website about the Edindex scheme.

4.4. Our suspension policy

Our suspension policy covers two main issues: suspension of offers to our tenants seeking a transfer and to housing applicants registered with Edindex.

4.4.1. Offers to transfer applicants

Only a senior staff member can decide if offers to an applicant can be suspended. Each case is assessed on merit and the applicant is notified of our decision, including the reason for the suspension in writing. An applicant has the right to appeal this decision.

If an applicant is suspended from receiving offers, she/he must be advised in writing that the suspension will be for a maximum period of six months.

After the suspension period has ended, the case will be reviewed. This may result in a further suspension period being applied. The applicant must be informed in writing the outcome of the review.

We record all suspensions, including reasons, and report on this to our committee for monitoring and review purposes.

There are five instances in which we may suspend an internal transfer applicant from receiving offers of housing.

Applicants and breaches of tenancy

- **rent arrears**

An applicant may be suspended from receiving housing offers if they have rent arrears which amounts to more than one month's rent and have not had a repayment agreement in place for at least three months; or have failed to adhere to a repayment agreement which has been in place three months or longer. In making this decision, we may also take into account personal circumstances and the extent of the housing need of the applicant.

- **a history of anti-social behaviour**

An applicant may be suspended from receiving housing offers if they have a history of anti-social behaviour.

In deciding whether a suspension is appropriate, WGHC will take into account the following:

- the extent to which the behaviour is because of acts by people other than the tenant;
- the nature, frequency and length of the behaviour;
- the effect the behaviour is having on other people;
- any other action taken by the landlord to address the behaviour; and
- the extent to which the tenant has engaged to try and improve or resolve the behaviour.

- **not taken reasonable care of their house**

An applicant may be suspended from receiving offers of housing if they have not taken reasonable care of their existing house or common parts; or have caused damage to the house or common parts; or they have carried out alterations without consent; or they are otherwise in breach of their tenancy agreement.

Applicants who have refused offers

If two reasonable offers of housing have been refused, we may suspend an applicant from receiving any further offers. We may do

this until we have held an interview with them to review their preferences and housing options.

Applicants who delay in responding

We will withdraw an offer of rehousing if an applicant fails to respond to an offer and WGHC considers the delay unreasonable. This includes applicants who are unable to provide necessary information within a reasonable timescale. In such cases, we will notify the applicant in writing that their offer of housing has been withdrawn and we will proceed to make an offer of housing to the next suitable applicant.

4.4.2. Suspension of Edindex applicants

This suspension process is managed by Edindex. Requests to suspend an applicant will be sent to the Edindex/Choice Panel Co-ordinator. The decision to suspend an applicant from receiving offers will be made by an officer panel in accordance with Edindex policy framework to support the decision making process. Edindex will take responsibility for advising the applicant and monitoring the case.

4.5. Withdrawing an offer of housing and reasons not to proceed with the application process

WGHC may take the decision not to proceed with an applicant or withdraw an offer of housing at any point from receipt of application and prior to a tenancy agreement being signed.

In the case of false information given in an application, this can also be grounds for the Co-operative seeking to end a tenancy should it come to light at a later date.

Other than in the case of refusal of membership, the Co-operative will not automatically refuse to allocate if any of these grounds apply but will consider each case on its merits:

- if we are satisfied that the applicant has knowingly given false information or knowingly withheld relevant information.
- if we are satisfied that the applicant or a member of their household or someone acting for them:
 - has verbally or physically abused or intimidated staff or committee members;

- has bribed or attempted to bribe or otherwise sought to obtain favour from staff or committee members;
- has a history of anti social behaviour which we are satisfied is likely to recur and cause nuisance to our tenants or within our area of operations.
- if the applicant has rent arrears from a current or previous tenancy of more than one month and has not made or is not abiding by an agreement to clear the debt.
- if we are satisfied that the applicant has been in breach of the tenancy agreement in relation to a current or previous tenancy on the grounds of anti social behaviour and has received a written warning, a Notice of Proceedings for Recovery of Possession, an eviction order or an Anti-social behaviour order.
- if a WGHC internal transfer applicant fails to bring the tenancy to a lettable standard at the conclusion of the tenancy. Alternatively WGHC may decide to recharge the tenant for any expense incurred by WGHC in bringing that property up to a lettable standard.
- if we are satisfied that the applicant has unreasonably refused an offer of housing.
- if an application for membership of the Co-operative has been refused.
- Where the applicant owns a property unless:
It is unsafe for them to occupy the property (i.e. a threat of abuse or it is structurally unsafe) OR it does not meet their needs (i.e. if they have a disability and can't access facilities)
- if we are satisfied that it is reasonable to do so on some other grounds.

The decision and the grounds to refuse to allocate a property to an applicant will be agreed between the Tenancy Manager and Depute Chief Executive Officer (CEO). The Depute CEO will sign off this decision. The applicant will be informed in writing of the decision by the Depute CEO and invited to submit an appeal as a matter of course. The CEO should be kept informed of all refusals.

The applicant may appeal if they disagree with the decision. In the case of rent arrears or breach of tenancy agreement, if the issues are resolved a future application may be considered.

WGHC will keep a list of all those applicants who have been refused housing and the reason(s) for the refusal.

4.6. Other relevant policies

Other housing law is relevant to allocation policy such as mutual exchanges and the rights of Scottish secure tenancies. The latter are explained to our tenants in our tenancy management policy.

Scottish secure tenants have a right to apply to exchange their homes with other Scottish secure tenants. We must make a decision within one month and provide reasons if we refuse such applications. In the event of a refusal, tenants can apply to the sheriff court. The sheriff will decide if our decision was reasonable.

4.7. Summary

Our allocation system is based on groups that reflect a wide range of housing needs. These needs include coverage of the reasonable preference groups covered in law, as well as preference-based needs. The allocation system promotes our policy objectives in various ways such as meeting law, addressing social inclusion and making best use of our housing stock. Section 5 now explains key aspects of allocation procedures.

Section 5: Allocation procedures and Rules

Section 5 explains some key elements that are central to allocation practice. These are as follows:

- housing need;
- admission to our internal transfer list;
- prioritisation of transfer applications;
- other groups;
- verification of application details (pre-offer stage);
- allocation stage; and
- other specific rules.

5.1. Housing need

Housing need is a complex term that can be understood by reference to various standards.

For example, housing law specifies various forms of housing need by defining these in law. This applies to homelessness, threatened with homelessness, overcrowding and housing that is below the tolerable standard.

Housing need covers social and environmental standards, too, and an applicant can be in need due to social exclusion and isolation even if their home is in good condition. This type of housing need is often reflected in the aspirations or preferences of housing applicants.

In assessing applications, therefore, we use a variety of housing needs to ensure comprehensive assessment.

5.2. Admission to our internal transfer list

All transfer applications from tenants aged sixteen or over will be accepted on to our waiting list after they have completed a transfer application form.

On receipt of applications we place applicants on our waiting list. Applications are then assessed as soon as possible thereafter and awarded a banding dependent on the level of housing need. Before making offers, however, we check application details and gather supporting evidence, as appropriate (see below).

We allow applicants to state their preferences regarding property type or street. This ensures that we can reduce the number of refused offers thus promoting our policy objective in this respect.

We advise applicants of their housing prospects through comprehensive advice and information about housing options.

We prioritise applications using our Internal Transfer Priority Banding System.

This is explained below.

5.3. Prioritisation of transfer applications

We prioritise transfer applications into three bands or groups, namely Band A, Band B and Band C. This section explains when an application is placed into one of the three Bands.

Band A:

- Where a tenant needs to be discharged from hospital but cannot return to their current home because it is unsuitable for their needs.
- Where a tenant has a severe health problem that is being worsened by their current property.
- Where a tenant requires an adapted property to meet their needs and their current home cannot be adapted.
- Where a tenant has been identified for a management transfer.
- Where the tenant lacks two or more bedrooms.
- Where the tenant under-occupies by two or more bedrooms.

Band B:

- Where the tenant is releasing an adapted property in high demand.
- Where the tenant lacks one bedroom.
- Where the tenant under-occupies by one bedroom.

Band C:

- Where the tenant has a child who is eleven years or under and lives in a flat above the ground floor level.

- Where the tenant has no identifiable housing need and is in a suitable property for their needs but aspires to live in a different part of the estate or a different property type.

Notes

An applicant must notify us of any changes in their housing needs. She/he will have their application re-assessed and placed into the appropriate Band.

If a transfer applicant's home is not accessible to meet their needs, that is, their home is unsatisfactory, then we may seek appropriate evidence.

5.4. Other groups

We make offers based on a banding system that ensures that all groups are considered for lets.

This promotes sustainable communities and ensures that we address a diverse range of housing needs.

5.5. Verification of application details (pre-offer stage)

The following applies to both internal and Edindex applicants.

Before making offers of housing to housing applicants, we verify application details, as appropriate.

If we are unable to make successful contact with the applicant at this stage or they fail to attend an assessment interview with us we will bypass their application and move on to the next applicant on the shortlist.

If appropriate, we will carry out a home visit to verify details and confirm interest. If a home visit is not practical then the applicant will be invited to attend an interview at our office. When visiting housing applicants at home, we ensure that we visit them at an agreed time respecting their rights to privacy.

We may also contact external agencies or relevant persons to confirm or request information concerning the applicant and their household relating to breach of tenancy, health issues, support needs and so on.

We contact other agencies/persons only if this complies with data protection law and guidance relating to sharing of personal

information. For example, applicants provide written consent to make such enquiries when they complete their housing application form.

Notes

If application details are different from previously provided, then applications are re-assessed to determined housing priority.

Information that we gather through references is aligned to our allocation policy. For example, we do not seek opinions about applicants but only information that might be relevant to an offer being made.

5.5. Allocation stage

At allocation stage, specific factors influence whether or not an offer can be made. These include the size of house and the type of house.

5.6. Other specific rules applied to both Internal and Edindex Applicants

- accessible housing;
- access and fostering;
- antisocial behaviour order;
- rehousing registered sex offenders;
- date of application;
- occupancy standard;
- pets;
- quality control through audits;
- refusal of offers; and
- reviews and cancellations.

5.6.1. Accessible housing

We have several properties that were designed as for older persons, for example, amenity housing.

As such, these properties are allocated only to housing applicants who are:

- sixty years and over; and/or
- who have an assessed need for this type of accommodation.

We also have accessible housing suitable for wheelchair users. If such housing becomes available for let, we will let this either to a tenant applicant or an applicant from any of the other housing groups.

5.6.2. Access and fostering

Where a parent has joint custody or regular access to a child/children 2 nights per week or more, the child/children will be classed as permanent members of the household. However, no overcrowding priority will be awarded.

For benefit purposes, the legislative position is different, therefore applicants will be asked to make an informed decision on whether they accept an offer of a property which is larger than their “needs” as defined by legislation.

Applicants who foster children or wish to be considered for housing large enough to enable them to foster children, must provide evidence from the relevant government agency confirming the arrangements.

5.6.3. Antisocial Behaviour Order (ASBO)

If an ASBO is in force, we consider the terms of any such order before making any offer of housing.

5.6.4 Date of application

There may be times when two applicants at the top of the shortlist have the same number of points. In such cases, priority is determined by date of application.

5.6.5. Rehousing registered sex offenders

Multi-Agency Public Protection Arrangements (MAPPA) were introduced as a result of the Management of Offenders etc (Scotland) Act 2005. Applications covered by MAPPA arrangements are discussed by staff at a senior level and in consultation with relevant agencies such as the Council’s Sex and Violent Offender Liaison Officer, Police Scotland and Social Work Services. Given WGHC’s stock is situated adjacent to or in the immediate vicinity of a number of children’s playpark facilities (all owned by WGHC) it is unlikely WGHC would be able to proceed with offers of re-housing to offenders in such cases.

Any offers will be dealt in line with MAPPA (Multi Agency Public Protection Arrangements) Protocols which cover the Edinburgh area.

5.6.6 Occupancy standard

Detailed below are the number of bedrooms for which various household types qualify.

Examples of persons considered to need a separate bedroom are:

- two adults who are partners (that is, a couple of the same or opposite sex) will be allocated a double bedroom;
- a single adult (16 years or over);
- permanent carers (support workers);
- foster children;
- a disabled person who needs overnight support.

Notes

A separate bedroom will also be required if there is an assessed medical reason for a couple not to share the same room. This would also apply if a separate room is required for medical equipment.

Table 1 shows our occupancy standard with notes on child and age mix.

Table 1: Property size assessment guide**Table of Household Code and Property Sizes**

<u>Household Type</u>	<u>Number of bedrooms</u>				
1 adult	1				
1 adult	1 or 2	eg. WPT House due to size of 2nd bedroom			
2 adults	1 or 2				
3 adults	2 or 3				
4 adults	3 or 4				
5 adults	4 or 5				
1 adult or couple + 1 child	2				
1 adult or couple + 2 children	2 or 3				
1 adult or couple + 3 children	3 or 4				
1 adult or couple + 4 children	4				
1 adult or couple + 5+ children	5				
2 adults + 1 child	3				
2 adults + 2 children	3 or 4				
2 adults + 3 children	3 or 4				
2 adults + 4 children	5				
1 couple + 1 adult	2				
1 couple + 1 adult + 1 child	3				
1 couple + 1 adult + 2 children	3 or 4				
1 couple + 1 adult + 3 children	4				
1 couple + 1 adult + 4 children	5				
1 couple + 2 adults	3				
1 couple + 2 adults + 1 child	4				
1 couple + 2 adults + 2 children	4 or 5				
1 couple + 2 adults + 3 children	5				
1 couple + 3 adults	4				
1 couple + 3 adults + 1 child	5				
Children under 16 same gender	Share 1	double bedroom			
Children under 10 either gender	Share 1	double bedroom			
Children different gender					
1 over 10 and 1 under 10	Single	bedroom each			
Children same gender					
1 over 10 and 1 under 10	Single	bedroom each			

Note:

Number of Bedrooms depends on the individual circumstances of the applicants and must fall within the guidelines outlined in the Allocations Policy and Lettings Plan.

Under occupation

Applicants may wish to be considered for a property which results in under-occupation according to the housing benefit size criteria rules and this lettings plan. For example, a couple with two children of different sexes under ten may wish to apply for a three bedroom property.

We consider making allocations which may result in allocating properties to households who are deemed to be under occupying. This would be due to the property sizes in Granton Mill and child density concentrations in flatted developments.

In such cases applicants will be advised at the assessment stage how under occupation of the home may affect their Housing Benefit/Universal Credit entitlement.

A household consisting of a single person or couple may be considered for a two bedroom property if they can satisfy WGHC they have a reasonable need for a second bedroom.

In such cases we would normally only allocate a flat and not a house. The exception to this would be the houses in West Pilton Terrace where the second bedroom is considerably smaller in size in comparison to the rest of our two bedroom houses.

Taking future household needs into account

This may mean offering larger properties to give households the capacity to remain in the property and as part of the local community as their children would get older. As a guide this would apply where the age/gender of children in the household would mean that they would be eligible for a larger property within the next 12 months.

If an applicant is pregnant WGHC will not recognise the need for an additional bedspace or bedroom until the child is born.

Downsizing and number of bedrooms

In order to assist internal transfer applicants with downsizing we may choose to allocate them a property which would exceed their bedroom requirements but still be smaller in size than their current tenancy.

5.6.7. Pets

All tenants must ask permission to keep a dog as well as other pets. In relation to properties with enclosed gardens, permission is not unreasonably withheld.

Within the West Pilton Bank and Forth Quarter Development, though, dogs are strictly prohibited, except for qualified assistance dogs required by disabled people.

Within all other flatted developments, dogs are not allowed with the exception of ground floor flats with an enclosed garden or for a fully qualified assistance dog.

5.6.8. Quality control through audits

All decisions made in relation to an application will be recorded in writing and where appropriate confirmed in writing to the applicant. Committee will receive regular updates on allocations and will review and revise this policy on a regular basis.

Using the Edindex Choice Allocations System, WGHC Staff will print off each shortlist from Edindex which will include the reasons for bypassing any applicant(s). A list of the restriction(s) criteria applied to each shortlist will be generated by WGHC Staff and attached to the shortlist along with a copy of the advert for each vacancy.

Where possible, Staff will print off all available audit trails for each allocation from the Edindex System. Audit trails from Edindex are to be used to complement the allocation audit trails generated internally by WGHC Staff for each allocation.

Periodically a Senior Staff Member will review a random sample of allocation decisions and associated paperwork to ensure that the required standards are being followed.

Shortlists, unsuccessful applications and audit trails will be held on file for two years and disposed of thereafter as confidential waste.

5.6.9. Refusal of offers

Until an applicant has signed a Scottish Secure Tenancy Agreement with us, they have the right to refuse an offer of housing.

We keep a record of all offers refused and the reason(s) for the refusal.

If an applicant has failed to respond to an offer letter within the time scales notified, then we treat this as a refusal and withdraw the offer.

Note: We also delete this information in line with our data retention schedule.

5.6.10. Reviews and cancellations

Edindex Register

Edindex review their register of applications on a regular basis in accordance with the City of Edinburgh Lettings Policy.

WGHC Internal Transfer List

To help us monitor housing need and demand within our own stock accurately, we review our own internal transfer housing list once a year. This process involves sending out letters to all applicants.

We ask applicants to notify us of any changes and to confirm if they wish to remain on the list.

We use freepost envelopes to encourage responses.

Failure to respond to the initial review letter will result in a second reminder letter being sent. If the applicant fails to respond to this second letter we will cancel their application and remove their details from our list.

We only cancel applications in the following circumstances:

- If an applicant asks for their application to be cancelled;
- on the death of an applicant; or
- if the applicant fails to respond to a review of the list.

5.6.11. Summary

We implement our allocation policy through our internal staff procedures. These procedures are comprehensive in nature and promote consistency and coherence throughout our allocation services.

Section 6: Staff training

Training is vital if we are to implement allocation policy objectives effectively.

Our training programme includes for:

- allocation training for housing staff;
- policy and monitoring training for committee members; and
- information and briefing events for tenants, housing applicants, as appropriate.

Section 7: Allocations and social justice

We promote equality and diversity throughout our allocation policy and related procedures. This is often referred to as mainstreaming of equality into practice. This is explained below by reference to our activities.

7.1. General practices to promote social justice

- providing accurate and clear information to housing applicants about our allocation policy;
- using interpreters for people from black and minority ethnic groups, or for disabled people, as appropriate;
- monitoring allocation services to ensure that our services prevent any form of discrimination, as well as promoting awareness of equal opportunity matters;
- promoting access of this common allocation policy to people with the protected characteristics;
- using our allocation policy to consider referrals from external agencies, including equality agencies; and
- working in partnership with the City of Edinburgh Council to address homelessness and to promote social inclusion.

7.2. Specific practices to promote social justice

Our equality policy aims to address equality issues in our community. Thus, we address the issue of social exclusion due to relative poverty of many of our tenants (and prospective tenants). We do this through our anti-poverty activities. This involves housing staff working with tenant – and supported by specialist agencies – to maximise access to entitled benefits.

7.3. Summary

We include equality and diversity matters throughout our allocation services. This is done through mainstreaming of equality issues into all aspects of the allocation service.

Section 8: Performance management

8.1. Why we monitor performance

We ensure that comprehensive monitoring systems are in place to enable allocation practices to be audited. This is very important to demonstrate compliance with law and regulatory standards.

Monitoring the implementation of this policy is central to quality assurance, in particular to assess if we are meeting our stated policy objectives.

Finally, monitoring is key to ensuring that allocation practices are subject to continuous improvement.

We gather information as part of the ARC (Annual report on the Scottish Social Housing Charter) and general information. This is a requirement specified by the Scottish Housing Regulator.

Examples of what we monitor are:

- Quantitative:
 - How many lets do we make each year to applicants who are statutorily homeless?
 - How long does it take us to relet an empty house?
- Qualitative:
 - How satisfied are tenants with the condition of your new home?
 - How satisfied are tenants with the quality of information given to them at their sign up?
 - How satisfied are tenants with the explanation given to them about their tenancy agreement at their sign up?

8.2. Summary

Monitoring performance is essential to promote effective organisational governance. By monitoring allocation practices, we also assess how well we are meeting allocation law and regulatory standards. Finally, we use allocation data to improve our services

Section 9: Appeals or complaints

WGHC will not delay the allocation of the vacant property pending any appeal. If an appeal is successful the applicant will be considered for the next available suitable property.

Appeals

Customers may appeal against decisions taken in relation to allocations. Appeal procedures are set out in the [WGHC Governance Policy](#).

Decisions which may be appealed would include:

- refusal to allocate a property;
- refusal of request for mutual exchange;
- refusal to be considered for a particular size of property;
- refusal to be considered for a particular property type;
- refusal of a request to assign or transfer a tenancy;
- Any other decision relating to allocations which affects an applicant.

Complaints

A complaint is quite distinct from an appeal against a decision.

WGHC define a complaint as “An expression of dissatisfaction by one or more members of the public about West Granton Housing Co-operative's action or lack of action, or about the standard of service provided by or on behalf of West Granton Housing Co-operative.”

In the context of allocations, a complaint would have to be about the way we applied our allocations policy or administered the process, rather than about the decision itself.

Complaints are processed in accordance with [WGHC's Complaints Handling Policy](#).

Section 10: Consultation and review of policy

10.1. Consultation on our allocation policy

We consult with tenants, applicants for housing and other groups as explained in Section 3.

Consultation is part of our tenant participation strategy and we use a wide range of consultation methods to reflect the needs of people in our community. These methods also take into account of accessibility requirements of disabled people.

10.2. Review of allocation policy

We review our allocation policy every four years or sooner, as appropriate. For instance, we may review our allocation policy because of changes to law, or monitoring / reporting reveals that a change is required sooner.

10.3. Summary

We consult with tenants and other people when developing our allocation policy in line with allocation law. We review allocation policy, as required, and plan reviews in a structured and comprehensive manner to ensure full and proper consultation.

Appendices

Appendix 1: The common housing register and our partner housing associations.

Appendix 2: Law and guidance framework

Appendix 1: The common housing register and our partner housing associations



[Ark Housing Association Ltd](#)

The Priory, Canaan Lane,
Edinburgh, EH10 4SG
Tel : 0131 447 9027



[Barony Housing Association](#)

Canal Court, 40 Craiglockhart Avenue,
Edinburgh, EH14 1LT
Tel : 0845 140 7777



[Cairn Housing Association](#)

Murdostoun House, 5 Linnet Way
Strathclyde Business Park, Bellshill, ML4 3RA
Free from landlines : 0800 990 3405
Local rate from mobiles: 0300 456 1245



[Blackwood Homes](#)

160 Dundee Street
Edinburgh, EH11 1DQ
Tel : 0131 317 7227



[Castle Rock Edinvar Housing Association](#)

1 Hay Avenue,
Edinburgh, EH16 4RB
Tel : 0131 657 0679

Dunedin Canmore Housing 

8 New Mart Road
Edinburgh, EH14 1RL
Tel : 0131 478 8888

Hillcrest Homes



126 Canongate
Edinburgh, EH8 8DD
Tel : 0300 123 2640



Home Scotland Ltd

20 Harvest Road
Newbridge
Edinburgh
Tel : 0131 335 6810



Hunters Hall Housing Co-Operative Ltd

77 Niddrie House Drive
Edinburgh, EH16 4TR
Tel : 0131 657 3379



Link Housing Association Ltd

Watling House
Callendar Business Park
Falkirk, FK1 1XR
Tel : 03451 400 100



Lister Housing Co-operative Ltd

**36 Lauriston Place
Edinburgh, EH3 9EZ
Tel : 0131 229 6176**



Manor Estates Housing Association

**11 Washington Lane
Edinburgh, EH11 2HA
Tel : 0131 337 3222**



Port of Leith Housing Association Ltd

**108 Constitution Street
Edinburgh, EH6 6AZ
Tel : 0131 554 0403**



Prospect Community Housing

**6 Westburn Avenue
Wester Hailes
Edinburgh, EH14 2TH
Tel : 0131 458 5480**



Trust Housing Association Ltd

**12 New Mart Road
Edinburgh, EH14 1RL
Tel : 0131 444 1200**



**4 South Oswald Road
Edinburgh, EH9 2HG
Tel : 0131 668 4247**



West Granton Housing Co-Operative Ltd

**26 Granton Mill Crescent
Edinburgh, EH4 4UT
Tel : 0131 551 5035**

**The City of Edinburgh Council
Locality Offices**



North East Locality

**101 Niddrie Mains Road
Edinburgh, EH16 4DS
Tel : 0131 529 3111**

**28-30 Ferry Road
Edinburgh, EH6 4AE
Tel : 0131 529 5524**



North West Locality

**8 West Pilton Gardens
Edinburgh, EH4 4DP
Tel : 0131 529 5050**

**The Drumbrae Library Hub
81 Drum Brae Drive
Edinburgh, EH4 7FE
Tel : 0131 529 7440**



South East Locality

**40 Captain's Road
Edinburgh, EH17 8HN
Tel : 0131 529 5158**

**249 High Street
Edinburgh, EH11 1YJ
Tel : 0131 529 7061**



South West Locality

**10 Westside Plaza
Edinburgh, EH14 2ET
Tel : 0131 527 3800**

Other landlords

The following 2 landlords let their homes in a different way. If you come to the top of their list for a home, they will contact you directly.



Hanover (Scotland) Housing Association Ltd

**95 McDonald Road
Edinburgh, EH7 4NS
Tel : 0131 557 7404**



Muirhouse Housing Association

**11 Muirhouse Medway
Edinburgh, EH4 4RW
Tel : 0131 336 5282**

Appendix 2: Legal and guidance framework

This Appendix summarises key legal and guidance sources relating to allocations. It also provides a summary of the tolerable standard and the overcrowding standard.

The following law section is intended to refer to law that indirectly impacts on allocations as opposed to allocation law itself. The Housing (Scotland) Act 1987 (as amended) covers all the allocation legal changes since 1987, including the 2001, 2010 and 2014 Acts.

Legal sources

Allocation law is contained in the Housing (Scotland) Act 1987, as amended.

Allocation guidance

Scottish Government, 2019, Social Housing Allocations in Scotland: A practice guide, Scottish Government.

Other relevant law

Key laws that impact on developing allocation policy are (in alphabetical order):

- Data Protection Act 2018;
- Equality Act 2010;
- Housing (Scotland) Act 2014;
- Housing (Scotland) Act 2010;
- Housing (Scotland) Act 2001;
- General Data Protection Regulation 2018; AND
- Human Rights Act 1998.

Note: There are many other laws and secondary legislation that impact on allocation practice. Further information is available by contacting housing staff.

Annex 1: Other relevant information

Annex 1 contains other relevant information for housing applicants.

This covers the following topics:

- our housing stock profile;
- our lettings plan; and
- lettings restrictions criteria.

- our housing stock profile;

AREA	No. of bedrooms	Notes	Family houses	amenity bungalows	wheelchair bungalows	Gen Need Flats	Amenity flats	wheelchair flats
Miller 143	1					8		
	1					2		
Granton Mains	1	103 two storey terraced or semi detached houses; 20 terraced one storey bungalows; 20 one bedroom four-in-a-block flats. Completed 1993-96.					10	
	1			13				
	2				7			
	2			2				
	2			46				
	3			51				
	4		3					
	4		1					
Granton Mill Crescent & Drive	1	59 two storey terraced, semi detached or detached houses. 20 terraced or semi detached bungalows. 10 flats in two three storey blocks. (Ground floor of one block is WGHC office.) Completed 2000-2002.				8		
	1					2		
	1				1			
	1				13			
	2				12			
	2			23		3		
	2				2			
	3			4				
	3		21					
	4		8					
	5		3					
West Pilton Drive	2	Flats in mixed tenure blocks. Built 1935, bought & renovated 2002-05. To be sold when void.				1		
Craigmuir & Ferry Road Avenue	2	34 two and "2½" storey terraced or semi detached houses. 38 two bedroom flats in two or three storey blocks. Completed 2006-				24		
	2				14			
	3			22				
	4			12				
West Pilton Bank	1	11 flats in one four storey block. Completed 2008.				3		
	2				1			
	2				6			
	2						1	
Forthquarter	1				4			
Colonsay Close Waterfront Park	1	45 flats in three blocks. 2 x five storey; 1 x six storey. Completed 2009.				12		
	1					1		
	1						4	
	1							1
	2					3		
	2					15		
	2							2
3					3			
			196	48	3	106	15	4
372								

our lettings plan;

A Introduction

This lettings plan indicates how we intend to allocate empty properties after dispensation of any legal obligations, within a consistent, fair and non-discriminatory framework. It complements the WGHC Allocations Policy and will be used as a tool to help build and sustain the balance of existing communities.

B Lettings Criteria

This Lettings Plan has been developed to ensure that a wide range of applicants can be considered for our properties. In order to create and maintain a stable community WGHC may not always allocate its properties to maximum occupancy.

In addition, to create well managed and well maintained communities and to assist with tenancy sustainment for individual households we will also refer to the criteria detailed our Lettings Restrictions Criteria.

The decision on which designations and criteria are to be used for an individual vacancy will be made by the Tenancy Manager at the point a property is to become void. The decision will take into account the property type, its situation within the estate and surrounding stock types, and any other relevant housing management factors.

C Sensitive Lets

Sensitive Lets are for cases where it is necessary for us to exercise discretion in tenant selection and there is a departure from our standard allocation rules, such as selecting an applicant from the top of a shortlist. The aim of sensitive letting is to secure the social well being of the applicant and the cohesiveness of the local community and neighbourhood.

Sensitive letting will involve applying discretion when making the decision whether or not to offer the applicant the vacant property, in a way which is both justifiable and accountable.

Allocation decisions should aim to provide a stabilising influence in the street, block or cul-de-sac concerned. For this reason we may sometimes bypass an applicant at the top of the list. For example, an applicant at the top of the list aged significantly younger than the remaining tenants in a 4-in-a-block development may have differences in their lifestyle and might therefore not provide a stabilising influence in that block. Additionally, we may use sensitive

lets to avoid an over concentration of vulnerable or inexperienced households.

D Applicants with no recourse to public funds

WGHC may let a property to an applicant who has no recourse to public funds. An assessment will be undertaken to ascertain the households ability to meet their rental liabilities and ensuring a tenancy will be sustainable is the dominant consideration.

E Household Composition

In all cases the onus will be on the applicant to establish clearly and with evidence who the permanent members of the household are or will be and that they will all be moving into the proposed tenancy.

WGHC may request supporting evidence and/or other documentation from various local or national government agencies confirming the permanent address or residency of a household member.

F Child Densities in Flatted Developments

WGHC owns 117 flats

These properties vary in size and numbers within particular stairs and developments.

We will allow households with children to be considered for flatted properties, however, we will generally allocate ground floor, main door flats to applicants who have mobility difficulties.

Each time an empty property becomes available for relet within a flatted development we will look at the existing number of households with children living in the stair.

To avoid an over concentration of children in a particular stair or to avoid potential life style clashes, the Tenancy Manager will exercise discretion over whether the empty property is to be allocated to a household with or without children after discussion and counter signatory with the Depute CEO.

Adopting such a flexible lettings approach to these property types will help us to sustain and promote local communities within our flatted developments.

G Determining the number of bedrooms required by a household

Detailed below are the number of bedrooms for which various household types will qualify.

i) Persons considered to need a separate bedroom:

- Two adults who are partners (i.e. a couple) will be allocated a double bedroom;
- A young person who has reached the age of 16 years (i.e. an adult);
- Where there is an assessed medical reason for a couple not to share the same room;
- Where an additional room is required for medical equipment;
- Permanent carers and foster children who are part of a household;
- Tenant with disabilities who needs a non resident overnight carer (support worker or family member).

ii) Child age mix

A child is someone under 16.

- Children under 16 years of same gender are generally expected to share one double bedroom
- Children under 10 years regardless of gender are generally expected to share one double bedroom.
- A family with two children of different sex with one under 10 and one over 10 will be eligible for a single bedroom for each of the children.
- A family with two children of the same sex with one under 10 and one over 10 can be considered for a property with a single bedroom for each of the children.

iii) Aspirations

If there are no suitable internal transfer applicants defined as being in housing need on our list, then offers of accommodation may be made to those who have an aspiration to move to a similar size property or a different property type within our estates, including another flat in the same development or another house in the same street.

H Best use of amenity and wheelchair properties

These properties were designed as elderly/amenity housing and as such will only be allocated to households who are 60 years and over and/or who have an assessed need for this type of accommodation.

In order to achieve this we may use mobility, wheelchair use or age restrictions in shortlisting or we may allocate to a household which might not achieve maximum occupancy of the property. We may also by-pass a household with a higher ranking on the shortlist if there is no-one within the household who needs this type of accommodation.

If a wheelchair adapted property becomes available to relet and we have no suitable applicants in need of such accommodation we may approach the local authority to ask for suitable nominations or choose to allocate this property type to a household with an assessed mobility need with no wheelchair use.

I Dogs

WGHC tenants must ask permission to keep a dog. In relation to properties with enclosed gardens permission will not be unreasonably withheld.

Within the West Pilton Bank and Forth Quarter Development dogs are strictly prohibited, with the exception of dogs which are considered fully qualified assistance dogs.

Within all other flatted developments, dogs will not be permitted with the exception of ground floor flats with an enclosed garden or for a **fully qualified assistance dog**.

APPENDIX 2: Lettings Restrictions Criteria

DESCRIPTION	LETTINGS & RESTRICTIONS CRITERIA
Wheelchair adapted houses and flats	<p>Preference will be given to households that require this type of accommodation. No age restrictions.</p> <p>Problems may be experienced finding suitable applicants for these types of properties therefore they may be advertised to both Starters and Movers with or without children (dependant on the property type). Edindex has asked all partner landlords to advertise these property types as suitable for both Starters and Movers.</p>
Amenity bungalows & Amenity flats (ground floor, one bedroom flats)	<p>Available to applicants aged 60 years and over or where a member of the household has a mobility/long term health condition. Edindex has asked all partner landlords to advertise these property types as suitable for both Starters and Movers with or without children (dependant on the property type).</p>
Upper flats	<p>Considered to be general needs housing. May be advertised to Starter or Mover or both. Tenancy Manager may exercise discretion whether property to be advertised as suitable for households with or without children (dependant on number of households with children already living in the stair).</p> <p>Exception: 4-in-a-block flats: ground floor flats in these blocks are generally occupied by tenants of pensionable age, so Tenancy Manager will exercise discretion under Sensitive Lets when considering suitable applicants for the upper flats in these blocks.</p>
Granton Mill Crescent Starter Flats with white goods and blinds	<p>Single applicants who are homeless or first time households will be considered for these flats.</p>
General Needs Houses	<p>May be advertised to Starter or Mover or both. Where the property type is a house with 3 or more bedrooms and a private garden, WGHC will generally give preference to households with children.</p>

