

# Common Allocation Policy

A joint approach to housing in Drumchapel involving:



**We can provide this document in full or part in other formats such as audio-format or in larger print. It can also be translated into other languages as appropriate and on request.**

**Approved by Management Committee** \_\_\_\_\_

**Implementation Date** \_\_\_\_\_

**Review Date** \_\_\_\_\_

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## 1. Introduction

This Common Allocation Policy (the policy) has been developed in partnership between:

- Cernach Housing Association,
- Kendoon Housing Association,
- Kingsridge Cleddans Housing Association and
- Pineview Housing Association.

Contact information about the partner housing associations can be found in Appendix 1 of this document.

Further information can be accessed on each landlord's own website or by visiting their office.

The policy sets out an agreed, common approach that we will use to allocate homes that become available for let.

By allocating, we mean the process of selecting people from our housing lists, offering them a property and, if they accept, signing a tenancy agreement with them.

This policy is based on a group plus points system and has a clear focus on meeting housing need.

## 2. Our policy aims and objectives

We are committed to providing high quality, affordable housing that meets housing needs. In implementing this policy, we will aim:

- To meet all appropriate legal, regulatory and good practice guidance standards, for example, addressing the specific housing needs groups set out in housing law.
- To contribute to the regeneration of Drumchapel through the provision of quality housing services at affordable rent levels which will meet the changing needs and aspirations of our customers.
- To maximise opportunities by offering applicants comprehensive advice and information concerning their housing options.
- To establish new tenancies that are successful and build sustainable communities. By 'sustainable community' we mean an area that is attractive to residents and where people wish to live and work.
- To form partnerships with other housing providers to address housing need and to prevent / address homelessness.
- To operate a policy that is easily understood and simple to administer.
- To maximise rental income by letting empty houses quickly and against timescales.
- To make best use of the housing stock and ensure a balanced community.
- To base allocation practice on a comprehensive assessment of local housing needs and demand; this includes taking account of applicants' preferences.
- To avoid discrimination on grounds covered in our equality and diversity policy.

- To include equality matters in all aspects of our housing services in order that services are linked to individual needs.
- To process personal information confidentially to meet relevant legal obligations.
- To deal with appeals and complaints fairly and in accordance with our set timescales.
- To assess if policy objectives are met through our audit and performance management system.
- To review the policy every three years.

We will do this by taking an approach to allocating homes that:

- Is fair, open and transparent.
- Takes a consistent approach to decision-making.
- Promotes equality.
- Treats all applicants with respect, including respecting the confidentiality of information given to us.

This policy is supplemented by detailed working procedures which will be used by staff in implementing the policy.

### **3. Equality and diversity**

We promote equality objectives through this policy and also throughout our housing services. We operate our own individual equality strategies for our own housing stock areas. Therefore, equality related services may vary depending on the needs of the different communities.

However, the following are some examples of general practices we will use to promote / achieve equality objectives:

- Publication of this policy in other formats and different languages, as appropriate and on request.
- Providing accurate and clear information about our allocation policy.
- Promoting awareness of this policy to a diverse range of groups.
- Providing interpreting services for people from black and minority ethnic groups as well as for disabled people as appropriate.
- Monitoring allocation practices to ensure that our services prevent unlawful discrimination.
- Using our allocation policy system to consider referred applicants from equality groups.
- Working in partnership with Glasgow City Council to address homelessness and to promote social inclusion.

### **4. Confidentiality, access to application details and data protection**

Partner housing associations recognise the confidentiality of applicant personal data gathered as part of the allocations process and the importance of complying with the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (DPA 2018) when handling and using such personal data.

We will inform applicants of how their personal data will be handled and used by us by issuing to applicants at the point of application the transparency statement contained in Appendix 3.

Each applicant is entitled, under allocation law, to access any information that she / he has provided in their application. Access to this information is free of charge.

An applicant can also apply to access any of their personal information under the GDPR and DPA 2018.

We may refuse such requests only as permitted by the GDPR and the DPA 2018.

## **5. Information and publicity**

We will publish this common allocation policy on our websites and copies will be available from our offices. We also provide all applicants with a free summary leaflet of our policy.

## **6. Legal and regulatory framework**

### **6.1 Legal Framework**

This policy has been developed to take account of legislative requirements. Some of these are as follows:

- Housing (Scotland) Acts – 1987; 2001; 2006; 2010 and 2014.
- Homelessness etc. (Scotland) Act 2003.
- Equality Act 2010.
- Human Rights Act 1998.
- General Data Protection Regulation and Data Protection Act 2018.
- Matrimonial Homes (Family Protection) (Scotland) Act 1981.
- Civil Partnerships Act 2004.

### **6.2 Scottish Housing Regulator (SHR) & Scottish Social Housing Charter**

The SHR was set up to operate as an independent regulator who is directly accountable to the Scottish Parliament.

The SHR monitors, assesses, compares and reports on social landlords' performance of housing activities.

It requires landlords to collect and provide key information on their performance in relation to achieving the Scottish Social Housing Charter (SSHC) outcomes and standards.

The following SSHC outcomes and standards are directly relevant to this common allocation policy:

## **Charter Outcome 1 – Equalities**

Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

## **Charter Outcome 2 – Communication**

Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides’.

## **Charter Outcome 4 - Quality of housing**

Tenants’ homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (EESH) by December 2020.

## **Charter Outcome 7, 8 and 9 - Housing Options**

People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them.

Tenants and people on housing lists can review their housing options.

People at risk of losing their homes get advice on preventing homelessness.

## **Charter Outcome 10 - Access to Social Housing**

People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and on their prospects for being housed.

## **Charter Outcome - 11 Tenancy Sustainment**

Tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

## **6.3 Good Practice**

This policy takes account of good practice, for example, from the Scottish Government, the Scottish Housing Regulator, the Scottish Federation of Housing Associations and the Chartered Institute of Housing.

(Further information can be found: [www.gov.scot/Publications](http://www.gov.scot/Publications) ;

[www.scottishhousingregulator.co.uk](http://www.scottishhousingregulator.co.uk) ; [www.sfha.co.uk](http://www.sfha.co.uk) and [www.cih.co.uk](http://www.cih.co.uk) )

## **7. Code of conduct / applications from staff or committee members**

It is extremely important that lets to staff, committee members or members of their families are always transparent and accountable.

As Registered Social Landlords (RSLs), the partner housing associations to this policy have adopted and comply with the Scottish Federation of Housing Associations two models of Code of Conduct for Governing Body and staff members.

The codes were developed to provide RSLs with models they could adopt to uphold and promote the standards of behaviour and conduct expected of governing body members and staff and also support RSLs to meet our regulatory standards.

The SHR also monitors RSLs to ensure no-one receives any special treatment as a result of their connection with an RSL.

We may grant a tenancy (if they qualify based on the rules of this policy) to employees, committee members, former employees, former committee members and close relatives of these.

However, any such allocation must meet the requirements of the landlord's Entitlements, Payment & Benefits Policy.



## **8. Housing Allocations - Factors we must take into account and those we cannot consider**

### **8.1. Factors we must take into account**

There are certain factors which the law states we must consider when deciding to whom we offer any properties that become available.

We must give reasonable preference to:

- People who are homeless or threatened with homelessness and who have unmet housing needs;
- People living in unsatisfactory housing conditions and who have unmet housing needs;
- Social housing tenants who the landlord allocating a property considers are under-occupying their current home.

The reasonable preference categories have been considered in the development of this policy.

### **8.2. Unmet housing needs**

The Housing (Scotland) Act 2014 sets out the categories of applicant to whom social landlords must give reasonable preference if they have unmet housing needs (see 8.1 above).

This means that landlords should consider whether applicants have housing needs which cannot be met through other housing options which are available.

Landlords should consider what those other options might be and whether they are accessible to the applicant.

An example of when it may be possible to meet housing need other than by giving an applicant reasonable preference for a social housing allocation would be where someone's current home can be adapted to meet the household's needs, for example, by the installation of a ramp, stair lift or wet floor shower.

### **8.3. Factors we cannot consider**

There are also certain factors which the law states we cannot consider when allocating properties.

These are:

- How long an applicant has lived in the area.
- That an application must have stayed in force for a minimum period.
- Any debt relating to a tenancy of which the applicant was not the tenant.
- Any rent or other liabilities accrued by an applicant on a previous tenancy which are no longer outstanding.

- Any amount which still needs to be paid where:
  - The amount owed is not more than 1 / 12<sup>th</sup> of the yearly amount due (or which was paid) by the applicant to the landlord for the tenancy; or
  - The applicant has an agreement in place with the landlord to repay the money, has made payments in line with the arrangement for at least three months and is continuing to make these payments.
- Any outstanding debts (including council tax) which do not relate to a tenancy.
- The age of the applicant providing that the applicant is 16 years of age or over except in the allocation of:
  - Houses which have been designed or substantially adapted for occupation by persons of a particular age group.
  - Houses for people who are, or will be, receiving housing support services for people of a particular age group.
- The income of the applicant or other household members.
- That the applicant gets a divorce or judicial separation.
- That the applicant no longer lives with, or in the same house as, some other person.

#### **8.4. Property ownership**

We can take home ownership into account when selecting tenants except:

- In cases where the property has not been let but the owner cannot secure entry to it e.g. where it is not safe to do so due to severe structural faults or when there are squatters living in the property.
- Where it is probable that occupying the property will lead to abuse.
- Where occupation of the property may endanger the health of the occupants and there are no reasonable steps that can be taken by the applicant to prevent that danger.

Consideration of the circumstances of each case will be taken into account and we may decide to allocate to an applicant who owns property in some circumstances where there are unmet housing needs.

The 2014 Act gives landlords the ability to grant a Scottish Short Secure Tenancy to homeowners to allow their housing needs to be met by a temporary let.

## **9. Key stages of the allocation process**

This section explains the key stages in the allocation process i.e. what we do when an application has been completed and returned to us by applicants.

### **9.1 Access to the housing list**

Each partner housing association operates their own housing list. You can get information on how to join each landlord's list by contacting them directly. Contact information for each of us is included in Appendix 1.

Any person who is sixteen years or over can register on our housing list. This is not, however, an automatic right to receive offers of housing.

### **9.2 Admission to the housing register**

Applicants must complete an application form for the housing association(s) they wish to apply for housing.

We assist applicants to complete their application form as appropriate.

This includes making reasonable adjustments. For example, we may provide support services including signers for deaf people as well as interpreting services in other languages.

Applications can also be made to us via formal referrals by agencies that have an agreement in place with any of the participating housing associations.

An example of this being Glasgow City Council Homeless Service (also known as a Section 5 Homeless Referral).

Our target for assessing completed application forms is 7 working days, from the date all information / relevant proofs received.

Applicants are sent written confirmation of their points award.

If further information is required following an application submission we will contact the applicant about this.

The application may however still be pointed on the information provided.

Applicants are responsible for advising of any changes to their housing circumstances.

Applicants can contact housing staff during office hours to discuss their application details.

### 9.3. Verifying an applicant's circumstances

To enable the correct housing need assessment to be made, we generally require applicants to provide information to verify their circumstances.

Examples of the verification required include the following (Please note that this list is not exhaustive):

<b>Circumstance</b>	<b>Verification Required</b>
All applicants / joint applicants	Proof of identity: <ul style="list-style-type: none"> <li>• Proof of Current Address (2 items)</li> <li>• Photographic ID</li> </ul>
All household members	<ul style="list-style-type: none"> <li>• Proof of current address if over 16 yrs. (1 item)</li> <li>• Proof of Identification e.g. passport, birth certificate, driving licence</li> </ul>
Homeless or threatened with homelessness	<ul style="list-style-type: none"> <li>• Assessment undertaken by Glasgow City Council and copy of Housing Options Plan</li> </ul>
Asked to leave current accommodation	<ul style="list-style-type: none"> <li>• Copy of valid Notice to Quit</li> </ul>
In need of rehousing as health affected by current housing circumstances	<ul style="list-style-type: none"> <li>• Up to date relevant medical documentation</li> <li>• Medical form completed</li> <li>• Other supporting information</li> </ul>
Residency	Proof of residency <ul style="list-style-type: none"> <li>• Bank Statement</li> <li>• Driving Licence</li> <li>• Tenancy Agreement</li> </ul>
Access to children	<ul style="list-style-type: none"> <li>• Letter from child's other parent</li> <li>• Letter from solicitor</li> </ul>
Experiencing harassment	<ul style="list-style-type: none"> <li>• Corroborating evidence from:               <ul style="list-style-type: none"> <li>• Police</li> <li>• Landlord</li> <li>• Support agencies</li> </ul> </li> </ul>
Pregnancy	<ul style="list-style-type: none"> <li>• MAT B1 form or similar showing expected due date</li> </ul>
Owner Occupiers	<ul style="list-style-type: none"> <li>• Proof of intent to sell</li> </ul>
People from Abroad	<ul style="list-style-type: none"> <li>• Immigration status</li> </ul>

### 9.4 Applying for a joint tenancy

You can make a joint application with someone who is staying with you or someone who intends to stay with you.

If you are offered housing you can choose to have a joint tenancy. This will mean that both of you have the same legal rights.

## **9.5 Tenancy Checks**

We may carry out tenancy checks/ask for references from any landlord or mortgage lender to confirm housing and tenancy details. We will request the applicant's consent to do this.

We will check an applicant's current housing circumstances before making an offer of housing. This is good practice to ensure that information is recorded accurately and enables suitable offers of housing to be made. For instance, we may telephone applicants to confirm details are as recorded on their application form.

## **9.6 Home Visits**

We may also carry out home visits to verify application details, to provide information relating to tenancies and also to consider any support requirements of the applicant.

A home visit is of particular importance if no references are available confirming household details. For example, at the home visit, application details may have changed, and an offer may no longer be appropriate.

## **9.7 Applicant Choice / Selection**

Applicants can state their preferences for a number of factors including:

- Area and streets preferred.
- House / property types.
- Floor level

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

An applicant's choice of area and housing may be affected by legal orders and relevant guidance that we are required to follow e.g. anti-social behaviour orders, matrimonial interdicts and exclusion orders.

Applicants' choices are also often determined by availability of housing.

Therefore, although applicants can request housing in any area, prospects of re-housing will vary from area to area based on numbers of properties available for let.

The matching of an applicant to a property is the single most important task in the allocations process.

We will identify the applicants who have priority in each group in accordance with this policy and each organisation will also have regard for targets set for each group within its Letting Plan.

We aim to give reasonable preference to applicants in the highest housing need. However, we also reserve the right to use flexibility in making individual allocations e.g. to avoid potential clashes of lifestyle; to avoid over concentrations of one particular household type or housing need type in one close etc.

All such allocations will be approved by senior staff and recorded in the audit trail for that allocation. All allocations will be made in line with legislation.

## **9.8. Offers of Housing**

As mentioned previously, admission to the housing list does not mean that we will always be able to make an offer of housing. Whether an applicant receives an offer of housing will depend on:

- The reasonable preference groups and priority / points categories set out in this policy;
- Any quotas or letting targets in place i.e. the number of allocations we need to make to applicants in each of our groups;
- The applicant's individual circumstances, requirements and preferences; and
- The property, its size, location and suitability.

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

Reasonable offers are those that reflect an applicant's stated need for rehousing, for example, we will not offer house types that he / she expressly stated that he / she will not consider.

We will also not offer properties which do not suit an applicant's housing requirements for example we will not offer a top floor property where mobility requirements have been identified.

Each Association will provide advice and information on realistic preferences, as demand generally exceeds supply in certain areas / property types.

In cases where an applicant refuses a number of reasonable offers (i.e. meeting the assessed needs and preferences of the applicant) we reserve the right to re-interview and re-assess the application.

If we decide to offer an applicant a property this will be a written formal offer of housing. We may telephone to tell applicants' we have an offer, but we will always confirm any offer in writing.

## **9.9. Suspension from the Housing List**

A suspension is when a landlord decides that it will not make an applicant an offer of housing until certain circumstances have changed, conditions are met, or a set period of time has passed. The applicant remains on the housing list while suspended unless they ask to be removed from the list.

We operate our own suspension policy rules.

This is not the same as the statutory rules about suspensions that apply at the application stage only.

We do this for two main reasons.

- We register applicants on our housing list and only consider suspending offers after applications have been assessed. We do not, therefore, suspend offers of housing at the point applications for housing are made.
- It allows us to carry out detailed checks before deciding whether to suspend offers.

If an application is suspended we will inform the applicant at the time we suspend them and provide them with the following information:

- If it is a statutory suspension.
- The reasons for the suspension.
- The implications for the suspension – they will not be made an offer of housing while it remains in place.
- The timescale for the suspension, the dates on which the suspension begins and ends.
- If certain conditions are to be met, what those conditions are and what they need to do to satisfy them.
- Where to find independent housing and / or legal advice.
- Their right of appeal, including their right to appeal to the Sheriff Court if they are suspended under the statutory rules.

We will also write to the applicant when we have removed the suspension.

The circumstances which may result in an application being suspended are:

**Rent arrears and other tenancy related debt** (either current or previous tenancy),

For example:

- Unpaid rent and factoring charges.
- Outstanding rechargeable repairs. For example, if a tenant had lost their keys and the landlord changed the locks.
- The cost of cleaning and / or clearing a house if furniture or rubbish is left behind.
- Any legal costs if we have taken an applicant to court.

If an applicant owes money for unpaid rent we will suspend if:

- More than one month's rent is owed and there is no agreed arrangement to repay it; or
- The applicant owes more than a month's rent, an agreed arrangement is in place to pay it, but has not been kept for a period of three consecutive months.

**Anti-social behaviour, for example:**

The applicant has:

- Acted in an anti-social manner in relation to another person residing in, visiting or otherwise engaged in lawful activity in the locality of a house occupied by the person, or

- Pursued a course of conduct amounting to harassment of such other person, or a course of conduct which is otherwise anti-social conduct in relation to such other person, or
- Acted in an anti-social manner, or pursued a course of conduct which is anti-social conduct, in relation to an employee of the social landlord in the course of making the application
- Been given a “Notice of Proceedings” for antisocial behaviour in the last six months.
- Or someone that lives with them has been given an anti-social behaviour order (ASBO) or an interim ASBO (the ASBO must be removed by the Sheriff Court before we can end a suspension).
- A Short Scottish Secure Tenancy because of anti-social behaviour.
- Been evicted for anti-social behaviour in the last 3 years.
- The applicant has been violent or aggressive towards staff.

We may consider anti-social behaviour from up to 3 years previously, or longer in exceptional circumstances.

Suspension under this category will normally be to a maximum of 12 months but we will consider each suspension for anti-social behaviour on a case by case basis and base our decision making on the individual circumstances involved.

### **Previous convictions**

The applicant has been, or has resided with a person who has been convicted of:

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

We may consider convictions from up to 3 years previously, or longer in exceptional circumstances.

Suspension under this category will normally be to a maximum of 12 months but we will consider each suspension on a case by case basis and base our decision making on the individual circumstances involved.

### **Order for Recovery of Possession**

- An order for recovery of possession has been made against the applicant.

This could apply to orders within the previous 3 years and made under Scottish housing legislation and housing legislation for other parts of the UK. Suspension will be to a maximum of 6 months.

### **Other types of breaches of the tenancy agreement, for example:**

- The applicant has been given a Notice of Proceedings for breaking the rules of the tenancy agreement in the last six months



- The applicant has previously had a property repossessed by a social landlord because the property had been abandoned.

Suspensions under this category will be to a maximum of 6 months or until the tenancy breach has been resolved.

### **False / misleading information**

If we believe an applicant has intentionally changed their circumstances in order to secure a higher position on the housing list, we may assess this application as if this change in circumstances had not occurred.

Where deliberately false or misleading information has been provided by the applicant we may suspend for 6 months but we will consider the case on an individual basis.

If we have provided housing as a result of information on an application that is false or misleading we may take action to repossess the property.

## **9.10 Removal of Applications**

An application can be removed from the Housing List under the following circumstances:

- The applicant is re-housed and confirms they wish their housing application cancelled.
- The applicant has requested removal – if this request is made verbally and not in writing, the organisation will then confirm the request by letter.
- The applicant fails to respond to a periodic review within a reasonable timescale
- The applicant is deceased

## **9.11 Reviewing Applications**

A review of applicants on the housing list normally take place annually.

Applicants can however review and update their application at any time.

It is important that applications are kept up to date with accurate information so that appropriate offers of housing can be made.

Proof of any change in housing / personal circumstances will be required.

If no response is received after a standard review and reminder letter(s) applicants are removed from the housing list however they can re-apply at any time.

## **9.12 Tenants' Rights and Responsibilities**

We provide information on tenant rights and responsibilities at various stages of the application process. These are also explained in detail when applicants sign their tenancy agreement.

### **9.13 Tenancies**

We provide applicants who accept an offer of housing a Scottish Secure Tenancy in accordance with our legal obligations.

In some cases, a Short Scottish Secure Tenancy (SSST) will be offered. We can only use a Short Scottish Secure Tenancy in very specific circumstances. These include if:

- You, a household member or a visitor has been involved in anti-social behaviour in or near your house within the last three years. In this case we will give you a Short Scottish Secure Tenancy for a minimum period of 12 months to allow sufficient time for any support services offered to help address the anti-social behaviour. We may extend the Short Scottish Secure Tenancy by an additional 6 months if required.
- An applicant has been evicted for anti-social behaviour within the last three years.
- A tenant (or a member of their household) is subject to an anti-social behaviour order.
- The accommodation is let on a temporary basis for certain reasons.
- You are a homeowner who cannot occupy your home on a short term basis. For example, if you need to move out while repairs are carried out to make the home safe.

If we offer you a SSST we will serve you with a notice which will set out why you are being offered a SSST and the period for which the tenancy is being offered.

### **9.14 Mutual Exchanges**

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

Please contact your own landlord for details of their mutual exchange policy and for further information.

### **9.15 Specially designed or adapted properties**

There may be exceptional circumstances where a property designed for someone with special needs or which has undergone major adaptations becomes available for let but there is no one on our housing list who needs a property of that size and design or who can make good use of the adaptations that have been carried out.

Rather than leaving the property empty, we reserve the right to offer the property on a Scottish Secure Tenancy to an applicant who does not need a property with the special features available.

However, we would expect them to agree to move to another suitable property provided by us if someone requires the specially designed or adapted property at a later time.

If we were offering someone a property on this exceptional basis we would make this arrangement clear to the applicant at offer stage.

If the applicant preferred not to accept the offer, this would not affect their application.

## 10.0 Assessing what size of home you need

We will work out the number of bedrooms that you require based on who will be living with you. Although we want to give you as much choice as possible, we need to balance this with making best use of the properties that become available.

The size of property for which applicants may be considered is noted below:

Apartment size	2 Apt (1 bedroom)	3 Apt (2 bedroom)	4 Apt (3 bedroom)	5 Apt (4 bedroom)
Single Person	✓	**		
Couple	✓	**		
Parent(s) with 1 child		✓		
Parent(s) with 2 children under 16 of same gender		✓		
Parents(s) with 1 girl and boy both under 10 years		✓		
Parent(s) with 2 children of same gender where 1 is 16 years or older			✓	
Parent(s) with 1 girl & 1 boy where oldest is 10 years or older			✓	
Parent(s) with 5 children aged under 16 years or applicant plus 3 adults 16 years or older				✓

**\*\*** At the discretion of the allocating landlord.

6 apartments and above, where available, are let at the discretion of the allocating landlord.

The size and type of properties becoming available will vary depending on the housing stock of each landlord.

We will aim to make good use of each property becoming available by offering it to a household which needs a property of that size, in accordance with the above table.

However, if there is limited interest in a property amongst those needing a property of that size we may consider making offers to other households

## **10.1 Reasons for additional bedrooms**

We understand that there may be other circumstances which can affect the number of bedrooms you need, and we will discuss this with you on a case by case basis.

You may be entitled to an additional bedroom under the following circumstances:

- If there is a health, care or mobility reason for needing an additional bedroom.
- If someone in the household is, or wishes to be, a kinship carer for a child or children but those children are not yet living in the household.
- If someone in the household is caring for a foster child or has been accepted as a foster carer but has no child living with them.
- If someone in the household is adopting a child or has been approved in principle pending suitable housing.

## **11.0 How we allocate our properties**

This section explains the type of allocation system we use to ensure that we meet our policy objectives effectively.

### **11.1 Groups plus points system**

We prioritise applicants on our housing list according to their housing need. To do this we operate a groups plus points system.

This involves having a number of groups that cover a range of housing needs and applicants are placed into a group based on their housing need.

We will allocate housing according to targets for the proportion of lets to each group. Allocation targets are set to ensure that those in housing need receive a fair share of allocations

When setting targets, we will take account of:

- Our legal duty, for instance, to give reasonable preference to certain groups when letting houses;
- The demand for housing; and
- Applicants' choices for housing that becomes available to let.

### **11.2 How a groups plus points system enables us to meet our policy objectives**

- Housing needs specified in law are addressed (the reasonable preference groups), as well as other housing needs
- Enables monitoring of how effectively we are meeting our policy objectives and legal responsibilities
- Ensures accurate identification of housing needs and allows us to respond quickly to changing patterns of need
- Allows us to address and meet a diverse range of housing needs. in order to promote sustainable communities.
- Promotes choice and preference as part of the allocation process.
- Allows us to give applicants comprehensive information about their housing options.
- Facilitates consultation arrangements with tenants, applicants and other customers as the system uses a strategic approach to allocation practice.

### **11.3 Applicants with the same points**

If applicants share the same points and are within the same group, applications will be prioritised based on their date of application.

Therefore, if two applicants have the same points, the applicant who registers first will be given greater priority.

## 11.4 Our application groups

The Common Allocation Policy has four main groups:

**Group 1:** Homeless Persons (as defined by current legislation)

**Group 2:** General Housing List

**Group 3:** Internal Transfers

**Group 4:** External referrals from other organisations

### **Group 1: Homeless Persons**

We recognise our policy objective and legal requirement to give reasonable preference to people who are homeless and / or threatened with homelessness.

All applicants who have a Resettlement Plan from Glasgow City Council's Homeless Casework Team and the landlord has accepted as a Section 5 homeless referral will be placed in Group 1.

Homelessness will be confirmed at the time of offer. If homelessness is not confirmed any offer of housing may be withdrawn.

Only accepted section 5 homeless referrals are placed within this group.

If a suitable property is available at the time of or within 6 weeks of receipt of the Section 5 referral, applicants will be made one reasonable offer of accommodation.

If this offer is refused, this will normally result in the applicant being removed from the Homeless Persons Group.

### **Group 2: General Housing List**

Group 2 covers applicants who are applying for a wide range of housing needs and as such most applications will be placed in this Group.

The general housing list is divided into separate categories of housing need as follows:

- Threatened with homelessness (non-statutory);
- Unsatisfactory housing; and
- Social needs and promoting sustainable communities.

Points awarded for each need is detailed in section 12 and a summary table at section 13 of this policy document.

Examples of housing circumstances that we consider under each of the above 3 housing need categories are as follows:

#### **Threatened with homelessness**

- Leaving the armed forces;
- Accommodation with limited security;

- Tied accommodation that is ending due to the ending of employment;
- Properties subject to demolition or regeneration.

### **Unsatisfactory housing**

- Accessibility i.e. if current housing is not accessible to a disabled person.
- Housing below the tolerable standard (see appendix 2).
- Health, Social Care and Mobility needs i.e. if current housing does not meet someone's needs due to these reasons.
- Overcrowding i.e. if current housing does not meet our occupancy standard (see section 12)
- Sharing amenities
- Under-occupation

### **Social needs and sustainable communities**

- care and support;
- employment in the Drumchapel area;
- environmental issues, for example, children at height points;
- harassment if re-housing is the appropriate remedy after assessment of
  - each case in liaison with applicants;
  - relationship breakdown; and
- releasing housing for let to other applicants.

### **Group 3: Internal Transfers**

This group consists of applications for housing from < insert partner organisation name> tenants.

This Group is important to meet allocation policy objectives such as:

- Making best use of our housing stock, for instance, tenants transferring from under-occupied housing can release housing to be let to families; and
- Establishing communities which are popular and sustainable by meeting applicants' housing needs, including their aspirations.

### **Group 4: External referrals from other organisations**

This group consists of applications made as referrals from a range of external organisations.

This is important from the perspective of promoting equality and diversity objectives as referrals can include those from equality groups with whom each partner makes a formal arrangement.



## **11.5 Other housing needs**

### **Armed Forces**

Scottish Government guidance will be referred and adhered to when considering all applications received from people leaving the armed forces.

### **High Risk Offenders**

Persons currently on the sex offenders register and other high risk offenders are subject to the Multi-Agency Public Protection Arrangements (MAPPA).

These arrangements require that agencies including the Police, Local Authorities, Registered Social Landlords, Health Boards and the Scottish Prison Service work together to assess and manage risks.

Multi-agency scrutiny of assessed risk will therefore be the paramount factor in determining when letting properties and whether an allocation may be considered.

### **Gypsy / Travellers**

Applications from gypsy / travellers or other applicants living in a caravan are placed in the appropriate group based on their present housing conditions and are awarded points based on their actual housing conditions.

Applications from gypsy / travellers who have nowhere to pitch their caravan would be referred to Glasgow City Council's homelessness service.

### **Asylum Seekers and Refugees**

Applicants / people subject to immigration control must declare this when completing their application. Eligibility for housing will require to be assessed in terms of housing, asylum and immigration legislation. Applicants will remain on the housing list but will be asked to provide evidence of their immigration status before we can confirm if they are eligible for an offer of housing.

## **11.6 Needs not covered by policy**

There may be exceptional cases where one of the landlords considers it appropriate to make an allocation out with the terms of this policy. It is not possible to predict all the exceptional circumstances that may arise, but these could include:

- Where new build properties will help meet housing needs that we have otherwise been unable to address.
- Where no one currently living in a specially adapted house needs the adaptations but someone else on the housing list does.
- Where a landlord needs to make a management transfer in the event of an emergency.
- To free up a property of a type that is in very short supply and which is needed to meet an urgent housing need.

- Where a landlord makes an exceptional allocation to someone who does not qualify to succeed to a tenancy.
- Where two households both of which live in a social rented property wish to move together into a new home and both of their current properties would be available to be re-let.
- If another agency, such as Police Scotland, asks for assistance.
- As part of a regeneration or similar programme; if a tenant's current home is subject to a closing order or is to be demolished.

We apply this section of the policy only in **exceptional** circumstances if our present policy does not address the housing need in question.

If this applies, we will award points only after each case has been fully investigated and evidence gathered.

Due to the exceptional nature of these lets, the numbers involved will be very low and will be clearly documented for audit purposes.

In order to ensure accountability, each case must be approved by a senior member of staff.

The points award will be withdrawn if the particular need is resolved before an offer is made.

## 12.0 Our points system

This section details the points which may be awarded in each housing need category, provided the stated criteria is met

### 12.1 Group 1: Homelessness

No points awarded.

Applicant priority is based on date of application, that is, the date on which statutory section 5 referrals are received by us from Glasgow City Council.

### 12.2 Groups 2 and 3

For Groups 2 and 3 (General Housing List and Internal Transfers) applicants will receive a certain number of points based on current housing circumstances / housing need ( provided the criteria is met) as follows:

#### a) Properties subject to demolition or re-generation

This applies to applicants whose properties are subject to demolition or regeneration due to action taken by their own landlord and who require permanent re-housing.

We will consider on case by case basis requests by local landlords to assist their clearance programmes.

<b>Points awarded:</b>	<b>250 points</b>
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#### b) People subjected to domestic abuse, harassment

This applies to applicants who need to be rehoused as a consequence of harassment or domestic abuse. The types of abuse and harassment we consider include:

- Domestic abuse;
- Racial harassment;
- Religious or sectarian harassment;
- Homophobic harassment;
- Transphobic harassment
- Harassment of autistic people and people with a learning or physical disability; and
- Sexual harassment

<b>Points awarded:</b>	<b>250 points</b>
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**c) Needs not covered by policy**

We apply this section of the policy only in **exceptional** circumstances if our present policy does not address the housing need in question (see section 11.6).

If this applies, we will award points only after each case has been fully investigated and evidence gathered.

Due to the exceptional nature of these lets, the numbers involved will be very low and will be clearly documented for audit purposes.

In order to ensure accountability, each case must be approved by a senior member of staff.

The points award will be withdrawn if the particular need is resolved before an offer is made.

<b>Points awarded:</b>	<b>250 points</b>
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**d) Health, social care or mobility needs and accessibility**

This applies when an applicant or a member of their household (included on the application) has health, social care or mobility needs **and** which are not being met by the current accommodation.

The applicant will be required to complete a separate assessment form which will enable a decision to be made on the suitability for rehousing.

**Priority A**

Critical health, social care or mobility needs which are not being met by the current accommodation.

**Priority B**

Urgent health, social care or mobility needs which are not being met by the current accommodation.

**Priority C**

Moderate health, social care or mobility needs which are not being met by the current accommodation and are impacting on well-being / the carrying out of day to day tasks.

<b>Priority Grade</b>	<b>Points Awarded</b>
A	100
B	75
C	25

No points will be awarded in circumstances where rehousing will not alleviate or address a health, social care or mobility need.

**e) Accommodation with limited security**

This applies to private rented sector accommodation that is ending due to actions by the landlord or agency to seek recovery of repossession.

For instance, this might apply in cases where the landlord is terminating either an assured or a short assured tenancy through the correct legal procedures.

Points in this category may also be awarded to owners whose home is threatened because of mortgage default.

This may happen if owners cannot afford to maintain mortgage payments and lenders have taken court action to recover the property for sale.

Points are awarded once the owner has a date to leave accommodation. In processing applications, we carry out checks as required to confirm details.

Applicants who are living in temporary homeless accommodation and are not entitled to any other points may be eligible for points under this category.

<b>Points awarded:</b>	<b>75 points</b>
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**f) Tied accommodation**

This applies to applicants living in accommodation as part of their employment duties.

We award points under this category when the accommodation is ending due to termination of employment.

Points are awarded six months before the person leaves employment.

<b>Points awarded:</b>	<b>75 points</b>
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**g) Armed forces personnel**

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

We encourage applicants to apply as soon as possible before discharge.

Applicants are required to provide a copy of their certificate of discharge.

Points are awarded six months before the person leaves the services.

<b>Points awarded:</b>	<b>75 points</b>
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## h) Overcrowding / under occupation

When awarding points to applicants in this category, we use the occupancy standard below.

This standard is used to calculate if overcrowding (or under-occupation) exists.

Occupancy standard:

Household size	Bedrooms required
Single person	One
Each adult couple	One
A disabled child who cannot share a bedroom because of their disability	One
Two children of the same sex under 16	One
Two children under 10 regardless of their sex	One

The landlords participating in this Common Allocation Policy may take into account separated parents with shared access to children and award an additional bedroom regardless of how many children the applicant has access to.

<b>Points awarded:</b> (for each extra room over-crowded based on our occupancy standard)	<b>25 points</b>
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## Under-Occupation

Reducing under-occupation helps us to make best use of our housing. Tenants may wish to move to smaller houses as their present home is too large.

Applicants who meet this criteria would be awarded under-occupation points only if under-occupation is reduced.

Only tenants of social landlords will qualify for under occupation points.

<b>Points awarded:</b> (for each room under-occupied based on our occupancy standard)	<b>25 points</b>
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## i) Housing below the tolerable standard

Housing falls below the tolerable standard if it does not meet the relevant legal standard (see appendix 2).

It is anticipated that any award of points in this category will relate to accommodation in the private rented sector.

<b>Points awarded:</b>	<b>20 points</b>
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**j) Relationship Breakdown**

This applies to partners or household members where the relationship has broken down who now want to live separately. As applicants for housing, they now form a separate household.

It should be noted that the current landlord has no obligation to provide housing for applicants in this category.

<b>Points awarded:</b>	<b>20 points</b>
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**k) Shared amenities**

Points are awarded to applicants who are living with other households if they share key amenities. The amenities for which points are awarded are kitchen, bathroom or toilet.

Applicants need to only be sharing one of these amenities to qualify for the points.

<b>Points awarded:</b>	<b>20 points</b>
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Applicants who sublet part of their home or take in lodgers do not qualify for these points.

**l) Care & Support**

Where a person requires support from a friend or relative and the applicant is either the carer or the person requiring support, points will be awarded.

Each application will be assessed on its individual circumstances and a number of factors may be taken into account. For example (this is not an exhaustive list):

- The type and frequency of care being provided.
- Reason(s) for the support.
- The recommendations of health/social work professionals in relation to care and support.

<b>Points awarded:</b>	<b>20 points</b>
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**m) Releasing housing for let to other applicants**

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

Points under this category are at the discretion of each landlord.

<b>Points awarded:</b>	<b>25 points</b>
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**n) Employment**

Applicants who live out with the Drumchapel area who work or are due to take up permanent employment in the Drumchapel area will be awarded this category of points.

Points will not be awarded without the applicant providing sufficient supporting evidence.

<b>Points awarded:</b> (one award per application not per applicant)	<b>10 points</b>
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**o) Children at height**

Applicants will be awarded points in this category in the following circumstances:

- Applicants with a child or children under 10 years living in multi-storey accommodation.

<b>Points awarded :</b> (one award per application)	<b>5 points</b>
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**12.3 Group 4: External referrals from other organisations**

Group 4 covers the following referrals:

- People referred for housing through care and support initiatives such as referrals from Social Work and/or other support agencies.
- From equality agencies with whom a formal referral arrangement is in place.
- Young people looked after and accommodated by Glasgow City Council.
- Residents of hospitals and other institutions who are returning to the community.
- Residents in supported accommodation now ready to move to other accommodation.

<b>Points awarded:</b>	<b>250 points</b>
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### 13.0. Summary of applicants points categories and amounts

Points		Eligibility		
Description	Amount	Group 2	Group 3	Group 4
Properties subject to demolition / re-generation	250	✓	✓	
External referrals from other organisations	250	X	X	✓
People subject to domestic abuse, harassment etc.	250	✓	✓	
Exceptional needs not covered by the policy	250	✓	✓	
Priority A (health, social care or mobility needs & accessibility)	100	✓	✓	
Priority B (health, social care or mobility needs & accessibility)	75	✓	✓	
Accommodation with limited security	75	✓	X	
Tied accommodation (ending due to termination of employment)	75	✓	X	
Armed forces personnel	75	✓	X	
Priority C (health, social care or mobility needs & accessibility)	25	✓	✓	
Overcrowding (per room)	25	✓	✓	
Social landlord under-occupation (per room)	25	✓	✓	
Releasing tenancy for let to other applicants	25	X	✓	
Properties below tolerable standard	20	✓	X	
Shared amenities	20	✓	✓	
Relationship breakdown	20	✓	✓	
Care and support	20	✓	✓	
Taking up employment in Drumchapel	10	✓	X	
Child / Children at height (under 10 years living in multi-storey accommodation)	5	✓	✓	

Group 2 - General Housing List

Group 3 – Internal Transfers

Group 4 – External referrals from other organisations

## **14.0. Appeals and Complaints**

### **14.1 Appeals**

We will always aim to provide an excellent service, but we recognise that applicants may disagree with some of our decisions and may wish to make an appeal.

An appeal can be made if an applicant is unhappy with a decision we have made, for example:

- The group or points awarded;
- A decision to suspend from receiving offers;
- A decision to cancel an application; or
- Any decision made which the applicant believes has not been dealt with in accordance with this Common Allocation Policy

Each of the partner housing associations operates its own appeals procedure which is available on their website or from their office on request.

An applicant should appeal in writing to the landlord who made the decision.

### **14.2 Complaints**

If an applicant is dissatisfied with the level of service they have received e.g. published service standards not being met, a complaint should be made to the receiving landlord who will manage in accordance with their complaints policy and procedures.

Information on their complaints process etc. is available on each of the partner housing association's website or from their office on request.

Should an applicant remain dissatisfied having exhausted the organisation's internal complaints procedures the applicant can complain to the Scottish Public Services Ombudsman (SPSO).

## **15.0. Training and Development**

Training is an important element in ensuring that the common allocation policy is implemented and monitored effectively.

The training requirements of Management Committee and staff will therefore be regularly assessed to ensure that they have the skills to effectively implement and monitor this policy.

This includes training on:

- Allocation law and practice.
- Allocation policy and procedures.

- Other relevant legislation such as equality law.

## **16.0. Auditing and Monitoring Performance**

### **16.1 Auditing Performance**

We will ensure that proper mechanisms are in place to allow individual allocations to be audited.

### **16.2 Monitoring performance**

Monitoring the implementation of this policy is an important part of quality assurance and to measure if we are meeting our stated aims and objectives.

It is also essential to ensure that allocation practices are subject to continuous improvement.

We will monitor performance in the following areas:

- The number of new applications added to our housing list, including whether or not they are processed within targets.
- The number of applications suspended and cancelled.
- The number of applications reviewed and removed as part of the review process.
- The number of applicants on our housing list by each group.
- Household type and equality information.
- The number and percentage of lets against targets for each quota in annual lettings plans.
- Numbers and reasons for refusal of offers.
- Reasons for allocations.
- The average time to re-let a property.
- The number of appeals and complaints we receive and how these have been dealt with.

## **17.0 Policy consultation and review**

This policy will be reviewed every 3 years unless amendment is prompted by a change in legislation or monitoring / reporting reveals that a change is required sooner.

Procedures and working methods may be altered more frequently where this is needed.

Policy review will involve consultation with our tenants, applicants on the housing list, any registered tenant organisation and also any other relevant stakeholders / persons that we think should be part of the consultation process.

We will take account of any views, representations or customer survey outcomes in revising our policy and service provision to assist in the development of effective service delivery.

We will prepare and publish a report on our consultation

## **Appendix 1: Common Allocation Policy Partners**

**Cernach Housing Association,**  
79 Airgold Drive, Drumchapel, Glasgow, G15 7AJ

Opening hours: Monday, Tuesday, Thursday, Friday 9am – 5pm  
Wednesday 10am – 5pm

Telephone: 0141 944 3860  
E mail: [admin@cernachha.co.uk](mailto:admin@cernachha.co.uk)  
Website: <https://www.cernachha.co.uk>

**Kendoon Housing Association,**  
Suite 18, Garscadden House, 3 Dalsetter Crescent, Drumchapel, Glasgow, G15 8TG

Opening hours: Monday – Thursday 9am – 12pm 1pm – 5pm  
Friday 9am – 12pm 1 pm – 4pm

Telephone: 0141 944 8282  
E mail: [admin@kendoon.org.uk](mailto:admin@kendoon.org.uk)  
Website: <https://www.kendoon.org.uk>

**Kingsridge Cleddans Housing Association,**  
Commercial Units 2/3, Ladyloan Place, Drumchapel, Glasgow, G15 8LB

Opening hours: Monday – Friday 9.30 am – 12.30 pm 1.30 pm – 4pm

Telephone: 0141 944 3881  
E mail: [admin@kc-ha.com](mailto:admin@kc-ha.com)  
Website: <https://kc-ha.com>

**Pineview Housing Association,**  
5 Rozelle Avenue, Drumchapel, Glasgow, G15 7QR

Opening hours: Monday – Thursday 9am – 5pm  
Friday 9am – 4pm

Telephone: 0141 944 3891  
E mail: [mail@pineview.org.uk](mailto:mail@pineview.org.uk)  
Website: <https://www.pineview.org.uk>



## Appendix 2: Statutory Definitions: Below Tolerable Standard and Overcrowding

### Below tolerable standard

The tolerable standard is set out in the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001.

A house will, for the purposes of the Act, meet the tolerable standard if the house:

- a) is structurally stable
- b) is substantially free from rising or penetrating damp
- c) has satisfactory provision for natural and artificial lighting, for ventilation and for heating
- d) has an adequate piped supply of wholesome water available within the house
- e) has a sink provided with an adequate supply of both hot and cold water within the house
- f) has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house
- g) has a fixed bath or shower and a wash-hand basin, all with satisfactory supply of hot and cold water suitably located within the house
- h) has an effective system for the drainage and disposal of foul and surface water
- i) has satisfactory facilities for the cooking of food within the house
- j) has satisfactory access to all external doors and outbuildings

### Overcrowding

(Section 136 and 137 of the Housing (Scotland) Act 1987)

A house is overcrowded when the number of persons sleeping in the house is such as to contravene:

- a) The room standard
- b) The space standard

#### Section 136 the room standard:

- 1) The room standard is contravened when the number of persons sleeping in a house and the number of rooms available as sleeping accommodation is such that two persons of opposite sexes who are not living together as husband and wife must sleep in the same room.
- 2) For this purpose:
  - a) Children under the age of 10 shall be left out of account, and
  - b) A room is available as sleeping accommodation if it is of a type normally used in the locality either as a bedroom or as a living room.

#### Section 137 the space standard:

- 1) The space standard is contravened when the number of persons sleeping in a house is in excess of the permitted number, having regard to the number and floor area of the rooms of the house available as sleeping accommodation.
- 2) For this purpose:
  - a) No account shall be taken of a child under the age of one and **a child aged one or over but under 10 shall be reckoned as one-half of a unit** and,

- b) A room is available as sleeping accommodation if it is of a type normally used in the locality either as a living room or as a bedroom.
- 3) The permitted number of persons in relation to a house is whichever is the less of:
  - a) The number specified in Table 1 in relation to the number of rooms in the house available as sleeping accommodation, and
  - b) The aggregate for all such rooms in the house of the numbers specified in column 2 of Table 2 in relation to each room of the floor area specified in column 1.

No account shall be taken for the purposes of either table of a room having a floor area of less than 50 square feet.

- 4) The Secretary of State may prescribe the manner in which the floor area of a room is to be ascertained for the purposes of this section; and the regulations may provide for the exclusion from computation, or the bringing into computation at a reduced figure, of floor space in a part of the room which is of less than a specified height.
- 5) Regulations under subsection (4) shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- 6) A certificate of the local authority stating the number and floor areas of the rooms in a house, and that the floor areas have been ascertained in the prescribed manner, is evidence for the purposes of legal proceedings of the facts stated in it.

**Table 1**

<b>Number of rooms</b>	<b>Number of persons</b>
1	2
2	3
3	5
4	7.5
5+	2 for each room

**Table 2**

<b>Floor area of room</b>	<b>Number of persons</b>
110 sq. ft. or more	2
90 sq. ft. or more but less than 110 sq. ft.	1 ½
70 sq. ft. or more but less than 90 sq. ft.	1
50 sq. ft. or more but less than 70 sq. ft.	½

## Appendix 3: Housing applicant transparency statement

### HOW WE USE YOUR PERSONAL INFORMATION

We, **[INSERT PARTNER HOUSING ASSOCIATION NAME]** are the controller of the personal information that we hold about you. This means that we are legally responsible for how we hold and use personal information about you. It also means that we are required to comply with data protection laws when holding and using your personal information. This includes providing you with the details contained within this statement of how we hold and use your personal information, who we may share it with and your rights in relation to your personal information.

We have appointed a Data Protection Officer (DPO), who ensures that we comply with data protection laws. If you have any questions about this statement or how we hold or use your personal information, please contact the DPO **[INSERT DPO CONTACT DETAILS]**.

You can also contact us **[INSERT PARTNER HOUSING ASSOCIATION NAME CONTACT DETAILS]**.

**Your attention is particularly drawn to section 2 of this statement, which confirms that you consent to your personal information and sensitive personal information being held and used by us as described in section 1 of this statement.**

#### 1. What personal information do we hold and use about you and why?

We may need to hold and use the personal information that you provide to us as part of your housing application and / or other personal information that we may obtain about you from you (for example, during a meeting with you) and from third parties (including your previous landlords, if applicable).

We hold and use this personal information to:

- process and manage your housing application;
- verify the information provided by you as part of your housing application;
- comply with legal requirements that apply to us as a registered social landlord in Scotland;
- comply with our equal opportunity monitoring obligations;
- compile anonymous statistical information on housing needs;
- communicate with and inform you of the outcome of your housing application;
- allocate housing in accordance with our allocations policy;
- obtain references about you from your previous landlords (if applicable);
- prevent and detect fraud and take steps to terminate your tenancy (if you are successful in your application and allocated a property), if fraud is later discovered; and
- otherwise protect and defend our legal rights in the case of a dispute between us.



## 2. What is our legal basis for holding and using your personal information?

Data protection laws require us to have a legal reason for holding and using your personal information. Our legal reasons for holding and using your personal information include:

- complying with the laws that apply to us as a registered social landlord in Scotland;
- taking steps to enter into a tenancy agreement with you, if your housing application is successful; and
- protecting our legitimate interests – in the highly unlikely event that we do not have another legal reason, we may have a legitimate interest in handling and using your personal information. In those circumstances, we will always consider your legitimate interests in the protection of your personal information and will balance those against our own legitimate interests in handling and using your personal information for the purposes described in section 1 of this statement.

In very limited circumstances, we may rely on your consent as the legal reason. By providing us with your personal information and sensitive personal information (including your racial or ethnic origin, sexual orientation, your physical and / or mental health, religious or other similar beliefs and / or political opinions) and the personal information and sensitive personal information of other individuals (including other members of your household), you:

- consent to it being used by us as described in section 1 of this statement; and
- confirm that you have informed the other individuals if they are of 12 years old and above of the content of this statement and they have provided their consent to their personal information and sensitive personal information being used by us as described in section 1 of this statement.

You and the individuals have the right to withdraw your consent to us holding and using your and their personal information and sensitive personal information by contacting us. Once you / they have withdrawn your / their consent, we will no longer use your / their personal information and sensitive personal information for the purpose(s) set out in section 1 of this statement, which you originally agreed to, unless we have another legal reason for doing so.

## 3. Who do we share your personal information with?

We may share your personal information with the following organisations for the purposes described in section 1 of this statement:

- other partner housing associations **[INSERT NAMES OF OTHER PARTNER HOUSING ASSOCIATIONS]**;
- law enforcement and fraud prevention agencies;
- third parties from whom we may seek more information about you and to verify the information provided by you as part of your housing application, including your previous landlords;
- Scottish Housing Regulator;
- our consultants, advisers and IT service providers; and
- our solicitors.

#### **4. How long do we keep your personal information?**

We will only keep your personal information for as long as we need to for the purposes described in section 1 of this statement, including to meet any legal, accounting, reporting or regulatory requirements. More information is contained in our data retention policy, which is available by contacting our DPO.

#### **5. What rights do you have in relation to your personal information that we hold and use?**

It is important that the personal information that we hold about you is accurate and current. Please keep us informed of any changes. Under certain circumstances, the law gives you the right to request:

- A copy of your personal information and to check that we are holding and using it in accordance with legal requirements.
- Correction of any incomplete or inaccurate personal information that we hold about you.
- Deletion of your personal information where there is no good reason for us continuing to hold and use it. You also have the right to ask us to do this where you object to us holding and using your personal information (details below).
- Temporarily suspend the use of your personal information, for example, if you want us to check that it is correct or the reason for processing it or to stop us from using your personal information altogether if we have committed a breach of data protection laws.
- The transfer of your personal information to another organisation.

You can also object to us holding and using your personal information where our legal reason is a legitimate interest (either our legitimate interests or those of a third party).

Please contact our DPO if you wish to make any of the above requests. When you make a request, we may ask you for specific information to help us confirm your identity for security reasons. You will not need to pay a fee when you make any of the above requests, but we may charge a reasonable fee or refuse to comply if your request for access is clearly unfounded or excessive.

#### **6. Feedback and complaints**

We welcome your feedback on how we hold and use your personal information, and this can be sent to our DPO.

You have the right to make a complaint to the Information Commissioner, the UK regulator for data protection, about how we hold and use your personal information. The ICO's contact details are as follows:

Telephone: 0303 123 1113

Website: <https://www.ico.org.uk/concerns/>

If you would like to receive this statement in alternative format, for example, audio, large print or braille, please contact us.

## **7. Updates to this statement**

We may update this statement at any time, and we will provide you with an updated version when required to do so by law. Last updated: September 2019.