



**Allocation Policy
(Ref: HM 02)**

Purpose of Policy: The purpose of this Policy is to outline how the Association allocates properties and complies with relevant legislation.

| Policy Monitoring Details | |
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| Department | Neighbourhood Services |
| Author | Carolyn Hughes, Neighbourhood Services Director |
| Status | Association |
| Date Board Approval | 27 March 2019 |
| Update | |
| Planned Review Date | Generally 5 years after approval |
| Regulatory Outcomes Being Achieved | Scottish Social Housing Charter Outcomes: 1 Equalities 2 Communication 3 Participation 7,8,9 Housing options 10 Access to social housing 11 Tenancy sustainment 12 Homeless people |
| Tenant Consultation Required | Yes |
| Equalities Impact Assessment | Initial/Full/Not Required |

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| 1. | Introduction | |
| 1.1 | The Association owns just over 1000 properties for social rent, mostly located in Edinburgh, but with a small number in outlying villages and Fife. | |
| 1.2 | The Association is a partner in EdIndex, the common housing register for Edinburgh, which enables applicants to complete one application form in order to be considered for housing by all partner landlords. | |
| 1.3 | The Association will liaise with Fife Council to seek nominations for vacancies arising in Fife. | |
| 1.4 | The Association advertises and allocates properties in Edinburgh through 'Key to Choice', the choice-based allocation system where applicants bid for advertised properties they are interested in. | |
| 1.5 | There may be exceptional circumstances resulting in particular properties not being advertised and these are set out in paragraphs 3.9, 3.10 and 3.16 to 3.21. | |
| 1.6 | This Policy complies with the legislative requirements of the Housing (Scotland) acts 1987, 2001, 2010 and 2014. | |
| 2. | Aims and Objectives | |
| 2.1 | <p>Manor Estates' corporate aim (as approved by the Board) is:</p> <p><i>To provide good quality housing and services which help improve people's lives and the well-being of local communities.</i></p> <p>The Allocation Policy is a crucial aspect of how this strategic objective will be achieved. In addition, through implementation of this Policy, the Association aims to allocate houses in a way that is transparent and demonstrates accountability to all service users.</p> | |
| 2.2 | <p>The key objectives of the Allocation Policy are:</p> <ul style="list-style-type: none"> ▪ To create balanced and sustainable communities, though appropriate allocation of housing to those in housing need; ▪ To publish details of the criteria taken into account when assessing the circumstances of those who have applied for housing and how houses are allocated; ▪ To promote accessibility to the Association's housing for all potential applicants through membership of EdIndex, the common housing register for Edinburgh; | |

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| | | <ul style="list-style-type: none"> ▪ To allocate empty houses as quickly as possible to maximise income; and ▪ To work with the local authority and other agencies to meet identified housing needs. |
| | Equalities | |
| | 2.3 | <p>The Association complies with the Equality Act 2010 and does not discriminate against any applicant on the grounds of:</p> <ul style="list-style-type: none"> ▪ Age¹; ▪ Disability; ▪ Gender reassignment; ▪ Race; ▪ Religion or belief; ▪ Sex; ▪ Sexual orientation; ▪ Marriage and civil partnership; ▪ Pregnancy and maternity. |
| | 2.4 | This Policy is published on the Association's web site and can be made available in alternative formats and languages on request. |
| 3. | Policy | |
| | Access | |
| | 3.1 | Any person aged 16 or over is entitled to apply for housing and be registered on a housing list. |
| | 3.2 | Applicants for retirement housing must normally be aged 60 ² or over and applicants for amenity housing must normally be aged 50 or over. Applicants will only be considered for wheelchair and adapted housing on the basis of their health, disability and mobility needs. |
| | 3.3 | <p>Current and former staff and board members and their relatives may apply for housing. Staff and Board members must declare an interest if they are aware when a close relative (as defined in the Entitlement, Benefits and Payments Policy) applies for, and is actively being considered for, housing by the Association.</p> <p>A tenancy will only be granted if the allocation:</p> <ul style="list-style-type: none"> ▪ Complies with this Allocation Policy; |

¹ There are some age restrictions in respect of the allocation of retirement and amenity housing.

² Applicants aged between 50 and 60 may be considered, particularly for vacancies arising in upper flats.

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| | <ul style="list-style-type: none"> ▪ People living under unsatisfactory housing condition and who have unmet housing needs; ▪ Tenants of houses of a social landlord which the allocating landlord considers to be under-occupied. |
| 3.7 | <p>There is no current legal definition of 'unsatisfactory housing conditions'. The Association considers such circumstances to include:</p> <ul style="list-style-type: none"> ▪ Physical condition of the property; ▪ Overcrowding; ▪ Property not suitable due to health or disability of the applicant or a member of their household; ▪ Applicant fleeing abuse or harassment; ▪ Moving nearer family to give or receive support. |
| 3.8 | <p>As a partner in the EdIndex system, the Association agrees priority for consideration for allocation along with other EdIndex partner landlords, taking account of legislative requirements. Priority is awarded as follows:</p> <p>Gold Urgent Priority Awarded where an applicant is in hospital or other care facility and cannot move home due to the unsuitability of their current accommodation.</p> <p>Gold Priority Awarded following an assessment by the Council's Advice and Assessment Team for medical or health issues.</p> <p>Silver Priority Awarded for:</p> <ul style="list-style-type: none"> ▪ Homelessness ▪ Unsatisfactory housing conditions ▪ Under-occupation <p>Waiting Time Where no priority is awarded, points are generated based on the length of time an applicant has been on the waiting list.</p> |
| 3.9 | <p>The Association can take the needs of other priority groups into account as long as this does not result in these other groups</p> |

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| | <p>dominating the outcomes of this policy at the expense of the statutory groups.</p> <p>The Association retains the discretion and may offer a proportion of lets via agency referral arrangements to:</p> <ul style="list-style-type: none"> ▪ Those fleeing domestic abuse; and ▪ Ex-service personnel. |
| 3.10 | The Association also has management agreements with City of Edinburgh Council and The Action Group. |
| 3.11 | <p>The Association cannot take the following issues into account when allocating properties:</p> <ul style="list-style-type: none"> ▪ The length of time an applicant has lived in the area where the Association has housing; ▪ Whether or not the applicant currently resides in the area where the Association has housing; ▪ Any of the equalities issues referred to in paragraph 2.3, except: <ul style="list-style-type: none"> - The age of the applicant may be taken into account where the property has been designed for people of a particular age group, e.g. retirement or amenity housing; and - The disability of an applicant or member of their household may be taken into account where a property has been specially designed or adapted to meet the needs of a person with a disability. ▪ Income. |
| 3.12 | <p>The Association will take into account any ownership of property owned by the person applying for housing, a person who lives with or proposes to live with the applicant, where this is a suitable property that they can reasonably occupy.</p> <p>Where the owner requires some flexibility in the short term to make arrangements to otherwise meet their housing needs (for example, to have adaptations carried out to the property they own),</p> <p>In such circumstances the Association will consider offering a Short Scottish Secure Tenancy to facilitate these temporary situations.</p> |

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| Occupancy Standards | |
| 3.13 | <p>The Association uses the following occupancy standards when deciding what size of property a household is eligible for:</p> <ul style="list-style-type: none"> ▪ Adults should not share a bedroom with a child; ▪ Single adults aged 16 years and over should have their own bedroom; ▪ No more than two children should share a bedroom; ▪ Children of the opposite sex where one is more than 6 years old should have separate bedrooms; ▪ Children of the same sex will be expected to share a bedroom up to age 14 years, unless the age gap between the two is greater than 6 years; ▪ Adults living together as partners will be expected to share a bedroom unless there are circumstances that necessitate a separate bedroom, e.g. specific medical needs. Verification of such circumstances will be required. ▪ Where applicants have indicated that they have access to children, the Association will offer accommodation of an appropriate size, provided access is at least fortnightly, the child or children stay overnight on a regular basis and confirmation of access has been provided. |
| Estate Management Considerations | |
| 3.14 | <p>Sensitive letting arrangements (which necessitate departures from the arrangements specified in this policy) may be considered where there have been particular issues in an area immediately prior to a vacancy arising, for example, if neighbours have been subjected to antisocial behaviour over a lengthy period of time. The management of sensitive lets will not be based on the exclusion of any group of applicants (for example on the basis of age) but rather on consideration of individual circumstances and assessment of evidence that indicates potential issues of concern. All sensitive lets require the prior authorisation of the Senior Neighbourhood Officer.</p> |
| Transfers | |
| 3.15 | <p>Tenants of the Association who wish to be re-housed must complete an EdIndex application form and bid for available properties through Key to Choice.</p> |

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| Management Transfers | |
| 3.16 | <p>There are two categories of Management Transfer:</p> <ul style="list-style-type: none"> ▪ Current tenants of Manor Estates who require to move urgently; and ▪ Tenants of other landlords who require to move urgently. |
| 3.17 | <p>In both categories, Management Transfers refers to circumstance in which urgent alternate housing solutions are required and where no other immediate of practical housing solution is available. Examples would include, serious harassment or violence; urgent medical reasons or domestic violence.</p> |
| 3.18 | <p>Management Transfers will only be granted where there is substantiated evidence to support the case for a move.</p> |
| 3.19 | <p>Management Transfers require the prior authorisation of the Neighbourhood Services Director.</p> |
| 3.20 | <p>Where a Management Transfer has been authorised, but the Association has not suitable properties available, referral can be made to other landlords. This is a reciprocal arrangement and referrals from other landlords will be accepted.</p> |
| 3.21 | <p>Approval of a Management Transfer will be time-limited and generally only one reasonable offer of alternative accommodation will be made.</p> |
| Antisocial Behaviour | |
| 3.22 | <p>Where there is evidence that an applicant or a member of their household has previously been involved in antisocial behaviour, the Association may consider offering a Short Scottish Secure Tenancy (SSST) in the first instance.</p> |
| 3.23 | <p>An SSST will be considered where the applicant or a member of their household has:</p> <ul style="list-style-type: none"> ▪ Acted in an antisocial manner in relation to another person residing in, visiting, or otherwise engaged in lawful activity in the locality of a house occupied by the person; ▪ Pursued a course of conduct amounting to harassment of such other person, or a course of conduct which is otherwise antisocial conduct in relation to such other person; or |

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| | | <ul style="list-style-type: none"> ▪ Acted in an antisocial manner, or pursued a course of conduct which is antisocial conduct, in relation to an employee of the social landlord in the course of making the application. |
| | 3.24 | <p>In considering whether to offer an SSST, the Association will take into account:</p> <ul style="list-style-type: none"> ▪ The nature, frequency and length of the conduct; ▪ The extent to which the conduct arises because of acts or omissions of people other than the applicant or member of their household; ▪ The effect the conduct is having on other people; ▪ Previous convictions for antisocial behaviour. |
| 4. | Appeals and Complaints | |
| | 4.1 | If an applicant is dissatisfied with any decision regarding the allocation process, he or she has the right to appeal. |
| | 4.2 | The appeal should be made in writing to the Neighbourhood Services Director, who will review the decision. If the applicant remains dissatisfied, a final appeal can be made to the Chief Executive. |
| | 4.3 | If an applicant believes that the Association has acted out with the terms of this Policy or failed to comply with customer service standards, he or she can make a formal complaint. |
| | 4.4 | Full details about how to make a complaint are set out in the Association's Complaints Policy and leaflet, and are also available on the website. |
| | 4.5 | Any applicant who remains dissatisfied with the outcome of a complaint has the right to raise the issues with the Scottish Public Services Ombudsman. |
| 5. | Monitoring and Reporting | |
| | 5.1 | The Neighbourhood Services Director is responsible for monitoring the outcomes of this Policy. |
| | 5.2 | Outcomes of the Policy will be reported to the Board as part of the quarterly Key Performance Indicator report. |
| 6. | Publicising this Policy | |

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| | 6.1 | This Policy will be available on the Association's website. Hard copies will be made available on request. |
| | 6.2 | This Policy can be made available in alternative formats and languages on request. |