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# ALLOCATIONS POLICY

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## **1. INTRODUCTION**

1.1 Milnbank Housing Association (MHA) is a Community Controlled Housing Association in the East End of Glasgow. The Association is a non-profit making organisation, established in 1975 with the primary remit of improving the housing provision within its area of operation.

A key function of the Association is to allocate available housing within its stock in a manner that is fair and equitable and in line with good practice guidelines. To facilitate this MHA has implemented an Allocations Policy, which is needs based in order to reflect its statutory duty to identify and give priority to the three groups specified in the Housing (Scotland) Act 2014.

The association has 10 operational objectives, which are that we will:

- provide rented housing of the highest standard
- maintain affordable rent levels consistent with our tenants' ability to pay
- effectively maintain our housing stock
- engage with our tenants and other customers
- create financial capacity
- work in partnership with others for the benefit of our community
- support our subsidiary companies
- make our services accessible
- invest in our people
- promote what we do

## **2. LEGAL & REGULATORY REQUIREMENTS**

In terms of the Allocations Policy, there are a number of legal and regulatory requirements which the Association has incorporated and adheres to when allocating accommodation. These include:

- (a) **HOUSING (SCOTLAND) ACT 2010 & 2014** - To meet the requirements of this Act, MHA shall have clear rules governing admission to the housing list and the Association's priority for allocating available accommodation (2010). This is amended by the 2014 Act in terms of the three priority groups.
- (b) **CONTROL OF PAYMENTS BENEFITS FOR STAFF AND COMMITTEE MEMBERS POLICY** - In terms of the above Act, the Association may grant a tenancy to Employees, Committee Members, former Employees, former Committee Members and close relatives of the aforementioned. In the event of such a tenancy being granted, the decisions made with regard to this tenancy will always comply with relevant guidelines.
- (c) **EQUALITY AND DIVERSITY** - The Association will abide by the Equality Act 2010. MHA will not discriminate against any applicant who applies to be rehoused on the grounds of race, religion, gender, age, disability,

sexual orientation, pregnancy & maternity, gender reassignment or marital status.

To help fulfil its commitment to Equal Opportunity MHA collates and monitors data of the ethnic/racial origin, economic status and household details of all those who apply for housing. The Allocation Policy is provided, free of charge, to anyone who applies to be rehoused or who requests a copy. The Policy and application form is also available in Braille, large print, audiotape and a translation to other languages on request.

**(d) OTHER LEGISLATION** – In addition to the above, the Association also adheres to the following legislation:

- Race Relations (Amended) Act 2000
- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- Sex Discrimination (Amended) Act 2003
- Data Protection Act 1998 and 2018

### **Regulatory Requirements**

The Scottish Social Housing Charter was introduced by the Scottish Housing Regulator in 2012. The charter sets the standards and outcomes for all social landlords when performing their housing activities. The outcomes that are relevant to the allocations policy are:

- Outcome One – Equality
- Outcome Two – Communication
- Outcome Three – Participation
- Outcome Seven, Eight and Nine - Housing Options
- Outcome Ten – Access to Social Housing
- Outcome Eleven – Tenancy Sustainment
- Outcome Twelve – Homeless People

### **(e) GUIDANCE**

MHA have signed the Make a Stand Pledge to support people experiencing Domestic Abuse.

We recognise that domestic abuse can be experienced by women, men, or in same sex relationships and that it can involve any family relationship including children. The Association recognises that a person has a right to a life free from violence and abuse and that it is not the victim's fault but the perpetrator's.

The Association will use its best efforts to assist in the rehousing of people experiencing domestic abuse. We will do this whether the abuse is physical, sexual or emotional; and whether the victim is male or female. However as a relatively small landlord, we may not always be able to provide immediate help in such cases.

MHA has also committed to provide assistance to applicants applying via the Glasgow City Council Care leaver's protocol.

### **3. THE BASIS OF SELECTION**

All allocations are made in accordance with the Allocations Policy which is determined by the Association's Management Committee. The Association operates the following 3 lists which applicants can be considered for housing:

- 1) External Housing List (Open to all applicants who are not MHA tenants)
- 2) Transfer List (Open to existing MHA tenants)
- 3) Section 5 referrals (List of statutory homeless applicants)

All information provided by an applicant, or sought by the Association to assess the housing need, will be treated in the strictest of confidence. The information will only be disclosed to MHA staff in line with the Allocation Procedures.

There is continuous opportunity for applicants who consider themselves to be in housing need to apply for housing. Applicants must be 16 years old or over. Completed applications will be entered onto the appropriate list, e.g. 2, 3, 4, 5 apartment etc.

A visit to your home will be arranged prior to you being made an offer.

**Removal from the Housing List** - The Association will only remove an applicant from the housing list for the following reasons:

- 1) Applicant requests that their application be removed from the list
- 2) Death of an applicant
- 3) Applicant fails to respond to the annual review of the housing list or a time specific letter

**Suspension from the Housing List** - Applicants may be suspended from the housing list for the following reasons:

- 1) Any applicant, spouse or co-habitee of an applicant who knowingly provides false or misleading information. If a tenancy has been granted the Association may start proceedings for recovery of possession.
- 2) If an applicant fails to provide the necessary information required to fully assess their application form (e.g. proof of address/identity, details of current Landlord).

Applications will be re-instated onto the housing list once this information has been received and a full assessment has been carried out.

- 3) If an applicant has moved out of their current address or changed circumstances. Applications will be re-instated following assessment of a completed Change of Circumstances form.
- 4) 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, and if appropriate suspend the application from offers of housing.

- 5) Where 2 offers of accommodation have been refused by the applicant. Suspension will be for a 1 year period and the applicant should advise after this time if they wish their application to become live again.
- 6) Where an applicant or person accompanying the applicant, adopts threatening, violent or abusive behaviour to members of staff.
- 7) If an unsatisfactory tenancy reference is received where issues remain unresolved (e.g. rent arrears outstanding with no ongoing payments being made).

**Homeless Referrals from Glasgow City Council (GCC)** - The Association acknowledges its duty to comply with GCC when a referral request is made under Section 5 of the Housing (Scotland) Act 2001.

A Protocol has been established with GCC and Registered Social Landlords and all referrals are considered within the framework of the Protocol.

One offer of accommodation will be made. If this offer is refused the Casework Team will assess whether or not MHA has any obligations to make a further offer.

#### **4. THE ASSOCIATION'S HOUSING STOCK**

The Association's stock is within its one area of operation. Regardless of the location, all available stock will be to the acceptable MHA standard. Area preference will only be considered where there is a specific reason (e.g. domestic violence). The range of housing stock is as follows:

- 1) Mainstream – The largest majority of MHA's stock is general mainstream flats, with a small supply of houses. This accommodation ranges in size from one bedroom to a small supply of 4 bedrooms. Vacant accommodation within this category is allocated from the main housing lists.
- 2) Wheelchair Housing - MHA has a few adapted properties. Selection will be restricted to applicants who can clearly demonstrate the need for such accommodation and must have medical verification.
- 3) Adapted Accommodation - The Association has a small provision of accommodation with specialised features (medically adapted flats). This type of accommodation will be allocated to applicants in terms of their housing need.

The Association's housing stock may also, if required, be allocated for the following:

Decant Accommodation - On occasions it is necessary for the Association to use properties from the Housing Stock for decanting purposes (e.g. in an emergency like a fire, flood etc).

Mutual Exchange – Existing tenants of MHA may arrange mutual exchanges with tenants of any housing association or local authority. The in-coming tenant will be subject to the same scrutiny as other applicants, and must be of a suitable family size for the property. The incoming tenant must accept the condition of the flat as viewed. The Association may refuse a Mutual Exchange in situations where:

- There is an ongoing investigation or history of antisocial behaviour
- Receipt of an unsatisfactory tenancy reference
- The exchange will result in overcrowding, or under occupation, of the property

Lease Agreements - The Association is committed to working with other agencies to support tenants who are allocated a tenancy with MHA. (E.g. Health and Social Care Partnership)

Supported Accommodation - MHA owns and manages a small stock of specialised accommodation that offers support to vulnerable females. The allocation of this accommodation is via referrals from GCC Homeless Team and the Health and Social Care Partnership.

## **5. OFFERS OF ASSOCIATION ACCOMMODATION**

All completed applications will be entered onto the respective housing list.

Offers of accommodation - All offers will be based on housing circumstances and the availability of vacant stock.

MHA Existing Tenants - As the Association is committed to building and maintaining a balanced and stable community it seeks to avoid an excessive number of vulnerable households or a concentration of age range and/or lifestyles in one area. At the same time, consideration must also be given to potential problems caused by possible clash of lifestyles. As such, the Association is required to consider the needs of the existing tenants in an area as well as the needs of the local community before making a specific allocation to an applicant. MHA, therefore, must be able to exercise an element of flexibility and use of discretion when making individual allocations.

Where it is felt to be inappropriate, inadvisable or against the greater good of the immediate community or the applicant, the Association retains the right to bypass the applicant(s) at the top of the housing list for a particular property. The Housing Services Manager must approve the bypassing of any applicant on discretionary grounds, clearly providing a written audit of the reason(s). The applicant(s) bypassed will remain at the top of the housing list and will be considered for the next suitable accommodation that becomes available.

Assessing Housing Circumstances - Where more than one applicant has the same points, circumstances of the applicant and the suitability of the property in relation to the needs of the applicant (e.g. size, medical needs etc), will be taken into account. No account will be taken of the length of time an applicant has been on the housing list.

Rent Arrears -The existence of rent arrears will not debar an applicant from receiving an offer; however MHA reserves the right to establish what arrangements have been made between the applicant and current landlord, and if the arrangement has been adhered to, and may take this into account in determining whether an offer of accommodation can be made, in accordance with the current housing regulations.

Providing Support - In applications where harassment, in any form, is evident or where an applicant has a disability or is from an ethnic background, the Association will work in partnership with the relevant support/advisory body where applicable.

Rejecting an Offer - Applicants will receive a maximum of two offers of accommodation. If both offers are rejected, the application form will be suspended from the housing list for a maximum period of 1 calendar year, unless applicants can clearly justify their reason(s) for rejecting the offer(s). The applicant will be able to re-apply at the expiry of the suspension period.

Accepting a MHA Tenancy - Where an offer of tenancy has been accepted, the applicant will be expected to occupy the property within two weeks of the date of entry or otherwise deemed by the Association.

In the case of a transfer, MHA existing tenants have two weeks from the date of entry to occupy the new property and return the keys for their existing property to the office. Should a tenant require longer than the two weeks additional rent will be charged at a daily rate until the date the keys are handed in.

## **6. APPEALS**

The Association recognises that a situation may occur where an applicant is unhappy with a decision reached over their application, and in such an event may wish to appeal this decision. Where an applicant wishes to appeal, the following mechanism should be observed:

- 1) If a Housing Assistant or Officer does not adequately clarify the decision, you can discuss the situation with the Depute Housing Services Manager.
- 2) If you remain dissatisfied, applicants should submit their appeal in writing to the Housing Services Manager. Where this is not possible, an applicant can make contact at the Association's office whether in person or by telephone.
- 3) If the matter is not resolved by this stage, the Applicant may appeal in writing to the Chairperson of the Management Committee within 14

days of the first appeal decision. At all stages, a written statement can be requested from the Association setting out the reasons for the decisions taken.

- 4) If you are not happy with the outcome from this meeting you will normally be able to contact the Scottish Public Services Ombudsman.

Any appeals received will be dealt with in accordance with the Associations Complaints Procedure Policy, a copy of which will be given free of charge on request.

## 7. MONITORING AND REVIEW

The Housing Services Manager will manage the implementation of this policy ensuring that MHA internal procedures are followed. The Allocations Policy is monitored on a bi-monthly basis by the Services Committee in order to assess whether the stated objectives are being achieved.

The Allocations Policy is reviewed annually by the Services Committee unless there are significant changes to legislation or is otherwise deemed necessary.

## 8. THE POINTS SYSTEM

The assessment of housing applications is on a points basis and will be based upon the following criteria:

	<b>CATEGORY</b>	<b>POINTS AWARD</b>
<b>1.</b>	<b><u>MILNBANK HOUSING ASSOCIATION TENANTS</u></b>	
1a.	<p><u>Transfers</u> Tenants of the Association requesting an internal transfer will be assessed in accordance with the points categories within the Allocations Policy.</p> <p>Transfer applicants will be visited at home by MHA staff to determine the housing need, check the circumstances detailed in the application form and identify any other tenancy issues.</p>	40 POINTS
1b.	<p><u>Milnbank HA Tenant's - Relationship Breakdown</u> A MHA couple who can demonstrate that their relationship has broken down and can no longer reside together will be awarded points under this category.</p> <p>Any offer made under this category will normally be out-with their present area.</p>	
<b>2.</b>	<b><u>HOMELESSNESS</u></b>	

	<p>Where a referral is made by Glasgow City Council under Section 5 of the Housing (Scotland) Act 2001 will be added to the relevant Section 5 Referral List in date order of receipt of the referral.</p> <p>Other applicants assessed as homeless will be awarded points as follows:</p> <ul style="list-style-type: none"> <li>- Statutory Homeless, Roofless, No Fixed Abode or Homeless Unit.</li> <li>- Victim of violence or abuse in present accommodation.</li> <li>- Victim of severe racial or other harassment in their present accommodation.</li> </ul>	<p>40 POINTS</p> <p>70 POINTS</p> <p>70 POINTS</p>
<b>3.</b>	<p><b><u>OVERCROWDING</u></b></p> <p>All applicants will receive points where overcrowding or underoccupation occurs. The criteria is as follows:</p> <ul style="list-style-type: none"> <li>- 1 bedroom for applicant and spouse, partner or co-habitee</li> <li>- 1 bedroom for each 2 children of the same gender under 16 years</li> <li>- 1 bedroom for each 2 children under 10 years</li> <li>- 1 bedroom for each other person</li> </ul> <p>All applicants will be awarded 10 points for each extra or additional bedspace.</p> <p>*Where an addition to the family is expected, medical confirmation will be requested.</p>	<p>10 POINTS</p>
<b>4.</b>	<p><b><u>FIRST ACCOMMODATION</u></b></p> <p>In order to assist those applicants who are not overcrowded/under occupied and who are applying for their first property the following applies:</p> <ul style="list-style-type: none"> <li>- All applicants requiring 2 apartment applying for their first accommodation but do not qualify for overcrowding or under occupancy</li> <li>- All applicants require 3 apartment+ property and applying for first accommodation, but do not qualify for overcrowding or under occupancy</li> </ul> <p>Applicants who are leaving local authority care and are referred and accepted via the Leaving Care Protocol.</p> <p>(NOTE: Applicants who are accepted via the Leaving Care Protocol will not receive first accommodation points).</p>	<p>30 POINTS</p> <p>20 POINTS</p> <p>70 POINTS</p>
<b>5.</b>	<p><b><u>LACK OF SECURITY/SHARING ACCOMMODATION</u></b></p> <p>Applicant living with friends or relatives, under the threat of eviction, residing in tied accommodation e.g. leaving Armed Forces, Janitor, obliged to sell but without enough financial resources to buy other suitable accommodation or tenant without a lease</p>	<p>20 POINTS</p>

	<p>Tenants living in private rented accommodation who have difficulties in making rent payments due to excessive rent charges. (Points will be dependant on income/expenditure)</p> <p>(NOTE: Applicants can only be considered for Homelessness <u>OR</u> lack of security).</p>	25 POINTS
<b>6.</b>	<p><b><u>LACK OF AMENITIES</u></b>  No cooking facilities  Where cooking facilities are located in the same room as the applicant sleeps  No permanent heating system</p>	20 POINTS 10 POINTS 20 POINTS
<b>7.</b>	<p><b><u>SHARING AMENITIES</u></b>  Where an applicant shares amenities with other people who are not being rehoused with them, they will be awarded points as follows:  - Sharing a bathroom  - Sharing a kitchen</p>	10 POINTS 10 POINTS
<b>8.</b>	<p><b><u>UNSATISFACTORY PROPERTY</u></b>  - If property suffers from long-standing disrepair, dampness or infestation and is unlikely to be resolved in a reasonable time.  - Where disrepair, dampness or infestation, exists but is localised</p> <p>Proof of disrepair will be required before points are awarded.</p>	30 POINTS 20 POINTS
<b>9.</b>	<p><b><u>MEDICAL CONDITIONS</u></b>  Medical points will only be awarded where it is demonstrated that the current accommodation is unsuitable and by moving to alternative accommodation the applicant, or anyone else in your household, will receive an immediate or long term health benefit.</p> <p>A medical self-assessment form should be completed for each person with a medical condition, and further information may be requested from your GP, Hospital Consultant or other Government agency e.g DWP.</p> <p>Unless otherwise confirmed by a medical professional, all medical applicants will usually be considered for ground or first floor accommodation.</p> <p>If applicants require sole use of a bedroom, or if they need an additional bedroom, due to a medical condition verification from a GP or health professional will be required as confirmation of this.</p> <p>Award will be based upon the details of on the Medical Assessment Form to assess whether the need is high, moderate or low priority.</p>	

<p>9a.</p> <p>9b.</p> <p>9c.</p> <p>9d.</p>	<p><u>High Priority</u> Points will be awarded where it is demonstrated that the current accommodation is:</p> <ul style="list-style-type: none"> <li>- greatly exacerbating the medical condition or health problem</li> <li>- severely restricting the person’s access to essential facilities within the property</li> <li>- rendering the person housebound</li> <li>- severely restricting the person’s daily activities</li> <li>- the present accommodation is totally incompatible with the person’s physical disabilities (e.g. an applicant, with a qualifying condition, living on 3<sup>rd</sup> or 2<sup>nd</sup> floor accommodation requiring ground floor)</li> </ul> <p><u>Moderate Priority</u> Points will be awarded where it is shown that the current accommodation is:</p> <ul style="list-style-type: none"> <li>- aggravating the medical condition or health problem</li> <li>- restricting the applicant’s mobility within the property</li> <li>- making it difficult for the sufferer to move freely around their home</li> </ul> <p><u>Low Priority</u> Points will be awarded to applicants that demonstrate that their current accommodation is:</p> <ul style="list-style-type: none"> <li>- aggravating the medical condition or health problem</li> <li>- causing the person mental and/or emotional problems (e.g. depression) to such a degree that continued and long term assistance is required from psychiatric services. Points will only be considered if accompanied by a Psychiatric report. Also applicants suffering from depression, with supporting letter from Psychiatrist)</li> </ul> <p><u>Additional Medical Points</u> If more than one applicant in each household will benefit additional points per person will be awarded.</p>	<p>60 POINTS</p> <p>50 POINTS</p> <p>40 POINTS</p> <p>10 POINTS</p>
<p><b>10</b></p> <p>10a.</p> <p>10b.</p> <p>10c.</p>	<p><b><u>SOCIAL CONDITIONS</u></b></p> <p><u>Support</u> Points will be awarded to those applicants who need support of, or who have to support, a relative living within MHA’s area of activity</p> <p><u>Employment</u> Points will be awarded to those applicants who wish to reside in the area for employment reasons. (Proof of employment will have to be provided before these points are awarded).</p> <p><u>Other Social Conditions</u></p>	<p>20 POINTS</p> <p>20 POINTS</p> <p>30 POINTS</p>

	<p>The Association recognises that there are some other situations where there are special needs or exceptional social circumstances not adequately covered under other sections of this Policy</p> <p>Points under this category may be awarded by the relevant housing staff. For audit purposes the Housing Services Manager will confirm these points. It may be necessary to request evidence to support this category e.g. Police, Social Work Services, Landlord etc.</p> <p>If you share custody of your children you must have overnight access to your children a minimum of two nights per week, and you must be able to evidence this.</p>	
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