

## REPORT TO SOCIAL WORK AND HOUSING COMMITTEE – 1 SEPTEMBER 2016

### HOUSING ALLOCATION POLICY UPDATE

#### 1 Recommendations

The committee is recommended to:

- 1.1 **Approve the amendments to the Housing Allocation Policy in line with the draft Guidance issued following enactment of the Housing (Scotland) Act 2014 to be implemented from October 2016.**
- 1.2 **Determine whether or not Area Committees need to be consulted at this stage, given the minor nature of these initial changes being proposed**
- 1.3 **Agree to a full review of the Housing Allocation Policy to be carried out prior to December, 2018, which will involve full consultation with Area Committees.**

#### 2 Background / Discussion

- 2.1 The Housing (Scotland) Act 2014 became law on 1<sup>st</sup> August 2014. Within the Act, there were a number of amendments as reported to Social Work & Housing Committee in June 2016. This report only details proposed changes to the Council's Housing Allocation Policy ("allocation policy") in line with the draft guidance by the Scottish Government. The finalised guidance was due to be released early summer 2016 and is still awaited. The initial implementation date for changes to the allocation policy was October/November 2016 as reported to the Social Work and Housing Committee in March 2016.
- 2.2 Three draft guidance notes were produced on various parts of the allocation policy. The guidance provides direction to landlords on what should be included in their policies, including:-
  - Suspension from receiving an offer of housing;
  - Using Short Scottish Secure Tenancies (SSST) for home owners; and
  - A legal framework for allocations.

The Options and Homelessness Team have assessed the guidance alongside the current allocation policy and some minor changes are proposed (see Appendices). The changes are difficult to see in normal course:

Proposed changes signified by **larger bold text, underlined with border**

### 2.3 **Suspensions from receiving an offer of housing.**

The current allocation policy already describes situations when a housing application may be suspended from the waiting list. Reasons include:

- Anti-social behaviour;
- Rent arrears;
- Providing false information;
- Worsening of housing conditions;
- Refusal of a reasonable offer of housing.

The draft guidance states that the number of suspended applications should be kept to a minimum. It also provides guidelines on how long applications should be suspended for.

Minor changes are proposed to the allocation policy (**all as indicated in Appendix 1**) to reflect this guidance. It should be noted that the length of suspension will be considered given applicants' circumstances and the evidence provided. Internal procedures will be updated to ensure that these guidelines are adhered to.

The guidance provides information on an appeals process for applicants whose applications are suspended. Currently, this is not part of the procedure but has now been produced to ensure that the Council complies with this part of the guidance. This will allow applicants to appeal decisions, consistent with procedures already in place for other parts of the allocation policy.

Suspended applications are already monitored regularly by local area staff and this will continue, as is described as good practice in the guidance.

### 2.4 **Short Scottish Secure Tenancy for Homeowners**

The Housing (Scotland) Act 2014 allows the use of SSSTs for homeowners who require temporary accommodation i.e. if adaptations are required to be carried out in their property.

At present, if a homeowner in Aberdeenshire requires temporary accommodation whilst they cannot access their property, they are given an Occupancy Agreement in line with temporary accommodation procedures. The Options and Homelessness team feel that this is an appropriate and successful method of dealing with these cases and therefore do not recommend that SSST's should be used at this time.

### 2.5 **Legal Framework for Allocations**

Guidance has been produced on a number of general points for landlords' allocations policies.

Flexibility in allocations; review and consultation on the allocation policy is already incorporated into the current policy. It is recommended that Committee agree that a full review of this policy be undertaken by December 2018. This will include full consultation with customers and stakeholders as specified in the

guidance. Area Committees will also be consulted in line with current procedure for changes to policy

The draft guidance specifies grounds for “reasonable preference” that determines priority on the housing waiting list and the current wording in the policy has been amended accordingly.

As all of these categories were already present within the policy, the allocation matrix ensures that applicants that fall into these categories are given the relevant priority on the waiting list. All other recommendations within the guidance were already being adhered to through the current policy and allocation matrix.

- 2.6 Minor amendments have been made to the allocation matrix since the policy was implemented in October 2013. These changes ensured staff had clear guidance on issues that may have arisen through specific cases. The matrix does not require updating as a result of this guidance.
- 2.7 The draft policy was presented to the Housing Options Tenant Working group on 1<sup>st</sup> August. The changes were discussed and the members of the group were in agreement with the revised policy.
- 2.8 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and any comments have been incorporated

### **3 Equalities, Staffing and Financial Implications**

- 3.1 An equality impact assessment has been carried out as part of the development of the proposals set out above. It is included as Appendix 2 to the covering report and no impact has been identified.
- 3.2 There are no staffing implications arising from this report.
- 3.3 There are no financial implications arising from this report.

**Stephen Archer**  
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Date August 2016



Appendix 1.

**DRAFT HOUSING ALLOCATION POLICY**

**Aberdeenshire**  
COUNCIL



Infrastructure

**HOUSING ALLOCATION POLICY**

**September 2016**

The Allocation Policy is consistent with the Council's social inclusion agenda and sets out how Aberdeenshire Council (herein referred to as the Council) carries out its statutory duty of allocating houses based on an assessment of the housing need of applicants.

In order to monitor and evaluate the standard of this service, key performance indicators have been identified. Regular monitoring reports are produced which inform the ongoing assessment of the service and the Council's drive for continuous improvement in services.

With due regard to performance, the Council applies the following standards: -

**Access to Housing**

We ensure that people have fair and open access to our housing list and assessment process. We work with others to maximise and simplify routes into housing.

**Lettings**

We let houses in a way that gives reasonable preference to those in greatest housing need; makes best use of available stock; maximises choice; and helps to sustain communities.

**Quality of Accommodation**

When we arrange temporary or permanent accommodation, we treat all applicants fairly and appropriately in terms of tenancy provision, quality and location.

**Equal Opportunities**

In operating the Allocation policy the Council will not discriminate against any person because of age, disability, gender reassignment, pregnancy or maternity, race, religion and belief, sex or gender, sexual orientation, marriage or civil partnership.

The Allocation Policy is underpinned by general conditions (Appendix 1.) and procedures to ensure its consistent application across Aberdeenshire.

Consultation

Representatives from tenant participation groups have been involved in reviewing the Allocation Policy. Wider service user consultation on the policy has been facilitated through the Council's web site, through the availability of the proposed policy in Council Offices and the distribution of the proposed policy on request. In addition, the proposed Allocation Policy has been issued to the Council's partner organisations for comment/input as part of the consultation process.

**The Council have agreed that the next full review of this policy will be in October 2018.**

#### Admission to the Waiting List

The Council's Allocation Policy is written in accordance with Sections 19-21 of The Housing (Scotland) Act 1987: as amended by The Housing (Scotland) Act 2001.

Applicants for the provision of housing held by the Council will be admitted to the housing list provided they are 16 years of age or older.

With regard to houses in Council ownership, or through nomination agreements with Registered Social Landlords (RSL) who provide housing in Aberdeenshire, the selection of tenants or nominees ensures that reasonable preference will be given to those who can demonstrate a housing need including: -

- Applicants with medical and/or social need for a move
- Unsatisfactorily housed applicants **and unmet housing needs**
- Applicants overcrowded or under occupying accommodation
- Statutory homeless cases **and those threatened with homelessness.**
- Applicants with large families
- Applicants occupying accommodation which does not meet the tolerable standard.

Applications may be accepted from persons from countries within and out with the EU provided there are no immigration restrictions **and the applicant has recourse to public funds.**

#### The Council's Banding Scheme

An applicant will be placed into a banding based on their housing need. Applicants will be assessed against a standard matrix (Appendix 2) to decide what band they will be placed in. An applicant can be awarded a number of need factors appropriate to their housing need. The greater the 'need' a housing applicant has, the more likelihood they have of being allocated housing.

Applicants can also apply for Sheltered Housing or Very Sheltered Housing subject to eligibility criteria. (Appendix 3)

Due to extensive waiting lists, applicants are encouraged to apply for as many areas of choice (settlements) as they can, however in most instances, applicants only have to select a minimum of 1 settlement. If an applicant has been assessed as being in the highest priority banding 'A', their application will be reviewed every three months and they will be required to add an additional 3 settlements at each interval up to a minimum of 7.

Applicants in the highest priority banding 'A', who may have exceptional circumstances which require them to be housed in one particular settlement, will have the right to request an exemption from the requirement to add additional settlements. (Appendix 4).

Applications who have been assessed as unintentionally homeless and have a local connection to Aberdeenshire as defined in Part II of the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001 and the Homelessness etc. (Scotland) Act 2003 are considered to have a priority for housing and will be placed in Band 'A'.

The allocation of a vacant property will be based on housing need and the choices of the applicant, such as letting area/s, and property size.

The components of the policy are: -

- a) General Conditions (appendix 1)
- b) Banding Scheme (appendix 2)
- c) Sheltered Housing and Very Sheltered Housing Allocation Criteria (appendix 3)
- d) Exemptions to adding additional areas for applicants in Band A (appendix 4)
- e) Mutual Exchange Procedure (appendix 5)

## **SELECTION AND NOMINATION PROCEDURE**

When a council property becomes available for let, the applicant to be offered the property will be selected taking account of: -

- the top priority applicant
- a management transfer

When selecting applicants for specially adapted properties, consideration will be given to the recommendations of the Housing Occupational Therapist or other health professional.

### **Nominations to other Housing Providers**

The Council has nomination rights to a percentage of vacancies which arise in Registered Social Landlord (RSL) stock. When a request for a nomination is received the council will nominate a number of applicants in accordance with the selection procedure outlined above and the specific requirements of the RSL.

The Council will also make nominations for mid-market rental properties in accordance with agreed selection criteria set out for each development.

### **Mutual Exchanges**

Tenants are encouraged to consider an exchange of housing with other tenants as a means of meeting their housing needs. There is a procedure that details how this scheme is operated (Appendix 5). In principle, the council will agree to an exchange taking place if specific criteria are met and the exchange does not result in the housing circumstances of either party becoming worse.

## GENERAL CONDITIONS

## (Allocation Policy) APPENDIX 1

### 1 Records

An applicant is entitled to inspect any record kept by the Council regarding information provided by the applicant. 48 hours' notice is required. A fee will be charged where copies of a file are required, in accordance with the Council's policy on "Access to Personal Files".

Information required for maintaining *Apply4Homes*, waiting lists, management information and details required for statistical purposes will be held on computer. Under the Data Protection Act 1998 the Council is registered as a data user. Applicants may request sight of the data held by the Council in connection with their application. A fee will be charged for any copies requested. All applicants have the right to have inaccurate information corrected, whether held on manual or computer files.

### 2 Equality

Where a cohabiting, engaged or married couple apply, any eligibility requirements may be satisfied by either partner. Same sex couples will be treated in the same way as couples of the opposite sex.

### 3 Equal Opportunities

In the operation of this policy the Council will not discriminate against any person because of age, disability, gender reassignment, pregnancy or maternity, race, religion and belief, sex or gender, sexual orientation, marriage or civil partnership.

### 4 Change in Circumstances

Applicants are required to give notification immediately of any change in family circumstances, change of address or any other change, which may affect their housing application. This should be done by updating the housing application on *Apply4Homes* or by contacting the local Housing Office.

### 5 Review of Applications

All applications for housing will be reviewed annually in the month of the original application unless the application has been accessed on *Apply4Homes* in which case the review date will be moved to the anniversary date of when it was last accessed. The applicant will be invited to confirm the relevant details held about their application and to confirm their wish to remain on the waiting list. Failure to do so will result in the removal of the application from the waiting list. Applicants will be sent the review form and those that do not respond will be issued with a

reminder. Failure to respond to the review form and the reminder will result in the application being cancelled and they will be advised in the reminder that this is the last contact about the application. Applicants can reapply at any time.

## 6 Size of Accommodation

Single Person	1 bedroom
*Single Person or Couple where pregnancy confirmed	1 or 2 bedrooms
*Couple with no family resident	1 or 2 bedrooms
Family with one child	2 bedrooms
Family with two children of the same sex both under 10 years of age	2 bedrooms
*Family with two children of the same sex with either one or both aged 10 years or over	2 or 3 bedrooms
*Family with two children of the opposite sex both under 5 years of age	2 or 3 bedrooms
*Family with two children of the opposite sex with either one or both aged 5 years or over	2 or 3 bedrooms
*Family with three or more children dependent on ages or sex	3 or 4 bedrooms

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Note 1: It should be noted that the categories of size of accommodation as indicated by an asterisk \* above, provide applicants with a choice of property size. **However if applicant chooses the larger property, they may only be entitled to a banding for the smaller property**

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**Due to changes in housing benefit and universal credit entitlement the number of bedrooms an applicant has in their property will affect the amount of Housing Benefit or Universal Credit housing element they are entitled to if they are of working age.**

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**This equates to a 14% reduction in Housing Benefit or Housing element if the applicant has one bedroom too many, and 25% if they have two or more bedrooms too**

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many.

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**Therefore, although there are some exemptions, generally all of the categories marked with an asterisk above provide the option of a property larger than what has been determined by the government as an adequate size.**

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Applicants can request more information on this at time of application **as this situation is being regularly reviewed and changed.**

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Note 2: A relative or friend intending to reside with the applicant's household will require a separate bedroom.

Note 3: The Occupational Therapist or other health professional may direct that a person is to have a separate bedroom on medical grounds.

Note 4: Couples will include those living together as co-habitees and will include couples of the same or opposite sex.

Note 5: Applicants with residential contact with a dependent child or children for more than 50% of the year may be considered for larger accommodation but will only be entitled to one additional bedroom irrespective to the number of children covered by the access agreement. Due to the shortage of housing stock the priority for the authority is to provide suitable sized accommodation for households where the child or children lives with the applicant on a permanent basis.

In areas where low demand exists applicants may be offered accommodation larger than the sizes indicated above.

## **7 Amendments to the Policy**

The Policy may only be amended by resolution of the Aberdeenshire Council's Social Work and Housing Committee.

## **8 Conditions**

In all of the cases below, the Housing Manager has discretion to waive or vary any condition where the circumstances of the case justify it and are exceptional.

## 8.1 False Information

Where an applicant deliberately gives false information, or knowingly withholds relevant information in relation to an application it shall be suspended from the waiting list for a period of **up to** 12 months.

If an allocation has been made prior to the discovery of false information that allocation shall be considered to be null and void. Where a tenancy has been created, prior to the discovery of false information, the Council shall take such steps as considered necessary to repossess the house. Any new application will be suspended from the waiting list for a period of 12 months.

## 8.2 Outstanding Debts

Any applicant who owes rent, rechargeable repairs, or any housing debt to a local authority, a Registered Social Landlord or to a private landlord, may not be considered for a tenancy.

In cases where the amount outstanding is not more than 1/12<sup>th</sup> of the annual amount payable (or which was payable) by the applicant to the landlord in respect of the tenancy consideration will be given for the allocation of housing.

Consideration will be given to applicants with housing debt where the Applicant has an agreed arrangement with the landlord for paying the outstanding liability; is continuing to make such payments in accordance with that arrangement for at least 3 months; and the repayment agreement reflects that the total debt will be cleared within a reasonable period. Please refer to the Council's Re-housing with Debt policy for further details

## 8.3 Unsatisfactory Tenancy

Any applicant whose present house is in a neglected, unclean or damaged condition or garden is in an unkempt condition will not be considered for a tenancy until the situation is rectified and monitored over a reasonable period. The monitoring period will normally be for 3 months but may be longer depending on the circumstances of the individual case.

## 8.4 Anti-Social Behaviour

a) Applicants who have been evicted for anti-social behaviour **may** be suspended from receiving an offer of accommodation for 12 months from the date of eviction. **An individual's circumstances will be taken into account before suspending an application.**

b) Applicants who have been evicted for anti-social behaviour in the preceding three years, or where a member of the applicant's household is subject to an Anti-Social Behaviour Order, may be considered for the allocation of a Short Scottish Secure Tenancy **for a period up to 18 months.** This may lead to a secure tenancy where the Housing Manager is satisfied that the tenancy has been conducted in a satisfactory manner

## **8.5 Worsening of Housing Conditions**

If it is found that an applicant purposely changed address or acted otherwise to fraudulently worsen their housing circumstances in an endeavour to obtain an increase in priority, such additional priority will not be awarded for a period of 6 months from the date of which the change was reported.

## **8.6 Reasonable Offer**

If an applicant on the waiting list is to be considered for housing the Council will make one reasonable offer of accommodation (this will include an offer received from another RSL as a result of a nomination by the Council) taking into account what the applicant has applied for, the size of the property required and the availability of property in the applicants area/s of choice and any medical need. This will also apply if an applicant has bid and has subsequently been offered a property via *Homehunt* and then chooses to refuse it.

If an applicant decides not to accept a nomination to a mid market rent property this will not be taken as a refusal.

## **8.7 Refusal of an Offer**

Where an applicant refuses one reasonable offer of accommodation, the application will be suspended for 6 months. The Council will determine what is a reasonable offer taking into account the criteria detailed in paragraph 8.6 above and the reasons for refusal. Following the completion of the suspension period, the applicant will be required to re-apply to the waiting list.

## **9 Household Composition**

In order to determine the composition of an applicant's household, for the purpose of assessing the priority in relation to any application the following shall be disregarded: -

Any member of the household

- (i) Who is a hospital patient and who is unlikely in the opinion of the Associate Specialist in Community Medicine, NHS Grampian to be discharged; or
- (ii) Who is serving in Her Majesty's Forces and will not be discharged within the next 6 months; or
- (iii) Who is serving a prison sentence longer than 13 weeks; or
- (iv) Who is a child under the care of a Local Authority and who is unlikely to return to live with the applicant or;
- (v) A child who only visits in accordance with a contact agreement less than 50% of the time calculated over a period of a year.

## 10 Flats and Maisonettes

In recognition of the unsuitability of tenement flats and maisonettes for families with young children, no penalty in terms of general regulation 8 .7 will be imposed where an applicant with a child, or children, under the age of 5 refuses an offer of accommodation on the second storey or above in a tenement or maisonette block.

## 11 Reviews

Any applicant who is not satisfied that his/her application is being dealt with in accordance with the Council's Allocation policy may request a review of any decision taken by a delegated officer regarding his/her application. Requests should be made in writing **within 21 days** to the Housing Manager. Similarly, a request for review may be made against any decision taken by the delegated officer using discretionary powers.

## 12 Joint Tenancies

Married couples, co-habitees and single persons sharing accommodation will normally be granted a joint tenancy. A joint tenancy ensures that all parties are jointly and severally responsible for all tenant obligations including the payment of rent.

## 13 Management Transfer

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The Housing Manager will have the discretion to transfer a Council tenant on management grounds, **following the Housing Management Team's approval and** only in situations where it is in the best interests of all concerned that a tenant is transferred with minimum delay. This discretion is only to be exercised in exceptional circumstances and where it promotes the best use of the housing stock. **A separate procedure which details this process is available on**

**request.**

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**14 Transfers to Smaller Property**

Tenants be allowed to partially downsize to a property that they will still under-occupy but to a lesser extent e.g. from a 3 bedroom to a 2 bedroom in order to free up family sized accommodation and to provide for best use of housing stock. The transfer will be through the award of under-occupation priority and will be at the discretion of the Housing Manager who will require to be satisfied that the resultant vacant property can readily be re-let to a household that will fully occupy the accommodation.

**15 Under-Occupation Grant**

In order to increase the supply of 3 and 4 bedroom sized accommodation, a grant and/or assistance may be available to Council tenants who meet specific criteria who transfer to another Council or Aberdeenshire RSL house to alleviate under-occupancy. The grant will be payable providing that the tenant has a clear rent account and has no housing debts outstanding. The details of the grant conditions are available from local Housing Offices.

Housing Allocations Policy  
Mainstream Priority Banding Matrix

Need Factor	Band A	Band B	Band C	Band D	Evidence
<p><b>Housing Needs Assessment</b></p>	<p>Extreme need for accommodation to enable discharge from hospital where previous accommodation is unsuitable or unavailable to return to.</p> <p>Or</p> <p>Due to functional ability, it is no longer possible for the individual to remain in their current accommodation</p>	<p>Able to access facilities in the current accommodation but with considerable difficulty and this is likely to get worse in the short term due to their impaired functional ability.</p> <p>Or</p> <p>Current accommodation is a substantial risk to the health and safety of the applicant or others and rehousing would be of benefit.</p> <p>Or</p> <p>Minimal support in their present accommodation and the applicant needs a significant level of support from others that could otherwise not be provided.</p>	<p>Able to access facilities with some difficulty but this is not having a major or adverse impact on the health and safety of the applicant or others.</p> <p>Or</p> <p>Current accommodation is a potential risk to the health and safety of the applicant or others and rehousing would be of benefit</p> <p>Or</p> <p>Some difficulty with access to the property but it is suitable inside.</p> <p>Or</p> <p>Support is available in their present accommodation and it would be beneficial to move to another area where additional support could be provided.</p>	<p>Functional ability may moderately improve with a change of property.</p>	<p>Assessment by Council's in house staff assisted by housing OT, Social Work and other professionals using housing needs assessment procedure.</p>

Need Factor	Band A	Band B	Band C	Band D	Evidence
<p><b>Unsuitable Accommodation</b> <b>(includes Overcrowded and Under-Occupied Accommodation)</b></p>	<p>Social housing tenants from Aberdeenshire who are under-occupying by 2 bedrooms or more.</p>	<p>Social housing tenants from Aberdeenshire who are under-occupying by one bedroom</p>			<p>Northgate database along with tenancy reports for RSL tenants</p>
	<p>Overcrowded as lacking two or more bedrooms</p>		<p>Overcrowded as lacking one bedroom</p>		<p>House visit, confirmation from landlord or other agency</p>
	<p>A social housing tenant in Aberdeenshire releasing adapted accommodation where adaptations no longer required and demand exists or where property can be adapted to meet a specific need and existing tenant wishes to move</p>				<p>Northgate database along with tenancy reports for RSL tenants. If appropriate, advice will be sought from the Council's OT service and/or NHS</p>
	<p>A sheltered or very sheltered housing tenant in Aberdeenshire who no longer requires that type of accommodation due to a change in their household support needs.</p>				<p>Communication with the local area co-ordinator and other social work staff Through communication with housing.</p>
			<p>Applicant is sharing facilities with someone they do not want to move with</p>		<p>Apply4Homes application</p>
	<p>Applicant is overcrowded and has 4 or more family members excluding applicant and spouse/partner</p>	<p>Applicant is overcrowded and has 3 family members excluding applicant and spouse/partner</p>	<p>Applicant is overcrowded and has 2 family members excluding applicant and spouse/partner</p>	<p>Children of the opposite sex who are sharing a bedroom</p>	<p>Apply4Homes application</p>

Need Factor	Band A	Band B	Band C	Band D	Evidence
<p><b>Lack Of</b></p> <p><b>Or</b></p> <p><b>Insecure Housing</b></p>	<p>Is homeless or threatened with homelessness and owed a duty under the provisions of the Housing (Scotland) Act 1987.</p>	<p>Have no settled accommodation and/or is living at a "care of address"</p>	<p>Living with friends and relatives or in Aberdeenshire Council temporary accommodation and asked to leave within 6 months.</p>		<p>Applicants assessed against the legislation</p> <p>Visit by housing team or environmental health</p> <p>Letter from friend or relative</p>
	<p>Homeless applicant who has been in Aberdeenshire Council placed temporary accommodation for more than 6 months or is no longer occupying Aberdeenshire Council temporary accommodation due to temp duty being fulfilled.</p> <p>OR</p> <p>An applicant who is currently occupying supported accommodation provided by Aberdeenshire Council Throughcare and Aftercare Team for more than 6 months and confirmation has been received through the Youth Housing Forum that the applicant no longer needs this accommodation and is ready to move to independent accommodation.</p>	<p>Homeless applicant who has been in council placed temporary accommodation between 3 and 6 months or is no longer occupying Aberdeenshire Council temporary accommodation due to temp duty being fulfilled.</p> <p>OR</p> <p>An applicant who is currently occupying supported accommodation provided by Aberdeenshire Council Throughcare and Aftercare Team between 3-6 months and confirmation has been received through the Youth Housing Forum that the applicant no longer needs this accommodation and is ready to move to independent accommodation.</p>	<p>Homeless applicant who has been in council placed temporary accommodation between 0 and 3 months or is no longer occupying Aberdeenshire Council temporary accommodation due to temp duty being fulfilled.</p> <p>OR</p> <p>An applicant who is currently occupying supported accommodation provided by Aberdeenshire Council Throughcare and Aftercare Team between 0-3 months and confirmation has been received through the Youth Housing Forum that the applicant no longer needs this accommodation and is ready to move to independent accommodation.</p>		

Need Factor	Band A	Band B	Band C	Band D	Evidence
<p><b>Lack Of</b></p> <p><b>Or</b></p> <p><b>Insecure Housing cont.</b></p>	<p>In supported housing for more than 6 months and capable of sustaining a tenancy and have a local connection to Aberdeenshire.</p> <p>Or</p> <p>Where Aberdeenshire Council has a duty under the Childrens Scotland Act 1995 to a young person leaving care who requires to move to supported or independent accommodation</p>	<p>In supported housing for less than 6 months and capable of sustaining a tenancy and have a local connection to Aberdeenshire.</p>	<p>In supported housing for more than 6 months and capable of sustaining a tenancy.</p>	<p>In supported housing for less than 6 months and capable of sustaining a tenancy.</p>	<p>Multi agency assessment. No suitable/affordable alternative accommodation available</p> <p>Social Work Department</p> <p>Local connection confirmation.</p>
	<p>In private rented, tied, owner occupied* or HM forces accommodation and due to vacate through no fault of own within 3 months and landlord actively pursuing re-possession on stated grounds (for example where Short Scottish Secure Tenancy or Short Assured Tenancy is coming to an end)</p>	<p>In private rented, tied, owner occupied* or HM forces accommodation and due to vacate through no fault of own within 6 months and landlord actively pursuing re-possession on stated grounds (for example where Short Scottish Secure Tenancy or Short Assured Tenancy is coming to an end)</p>	<p>Currently occupying HM Forces accommodation and no action being taken for re-possession by landlord.</p> <p>Or</p> <p>Servicing a custodial sentence in prison or young offenders institute.</p>		<p>Evidence of NTQ</p> <p>Solicitor's letter</p> <p>*Owner Occupied - evidence required that property has to be sold and all steps have been taken to retain the property</p> <p>Army discharge confirmation.</p>

Need Factor	Band A	Band B	Band C	Band D	Evidence
<p><b>Social/Welfare Need/Local Connection</b></p>	<p>At serious risk of harm from racial harassment or neighbour dispute</p> <p>Or</p> <p>Violence/abuse or need to be re-housed urgently because of witness/child protection/community safety issues</p> <p>Or</p> <p>Suffered a significant trauma within the property or in the immediate vicinity making it unreasonable to expect applicant to continue to live there</p>	<p>At risk of physical or violent harm from racial harassment or neighbour dispute or violence/abuse</p>	<p>At risk of non violent or verbal harm from racial harassment or neighbour dispute or violence/abuse</p>	<p>Low level requirement for sheltered housing</p>	<p>Evidence from Police and professional agencies of imminent threat</p> <p>Letter of support from GP/CPN/Social Worker etc</p>
	<p>Extreme level requirement for sheltered housing</p>	<p>High level requirement for sheltered housing</p>	<p>Medium level requirement for sheltered housing</p>	<p>Low level requirement for sheltered housing</p>	<p>*Only applies to applicants who have selected Sheltered Housing. For applicants who select mainstream and sheltered housing banding will only be given to Sheltered Housing Properties.</p>
		<p>Former tenant who by agreement voluntarily or at request of the authority surrendered a previous tenancy (eg admission to supported housing, imprisonment)</p>			

Need Factor	Band A	Band B	Band C	Band D	Evidence
<b>Unsatisfactory Accommodation</b>	Residing in property that is subject to a Compulsory Purchase or Closing Order				Environmental Services assessment
	Where the property is below tolerable standard. This does not apply to Local Authority or RSL properties.	When 3 or more facilities are lacking in the property	When 2 facilities are lacking in the property	When 1 facility is lacking in the property Or Where there are minor deficiencies which merits an award.	Inspection by Clerk of Works
				Children aged under 5 living in a flat or maisonette on the 2 <sup>nd</sup> floor or higher.	Apply4Homes application Visit by Housing Team

**Explanatory Notes**

**A banding scheme is used to meet the Council's main aim which is to address housing need. It**

- is a scheme which is clearer and easier to understand
- ensures that re-housing priority is given to those in greatest housing need
- takes account of the Council's statutory responsibilities
- Presents a local connection priority in order to achieve sustainable communities
- integrates all existing lists into one overall list
- recognises cumulative need within bands.

The bands are designed to distinguish between applicants whose need is an emergency or urgent and those with little immediate need. There is also recognition of the need to make optimum use of under-occupied council stock.

The definitions of need factors for Band A are fairly tight. This is to ensure the quick re-housing of the most urgent cases and the impact this would otherwise have on temporary and supported accommodation. Applicants in Band A will also be subject to a more robust assessment and a three monthly review to ensure that the needs remain current. To recognise this need applicants in Band A will be asked to add an additional 3 areas of choice every 3 months up to a maximum of 7 unless they have already chosen to do so.

Applicants whose needs have changed will be reassessed and if appropriate placed into a lower band. Applicants can only get one banding award from each line.

(Allocation Policy) APPENDIX 3

Sheltered Housing Allocation Criteria

The allocation of Sheltered Housing (SH) is covered by the Council's Allocation policy. Applications for SH are assessed on their housing, medical and housing support needs.

Sheltered Housing and Linked Cottages:

- SH allows and enables tenants (usually older people) to live in their own rented tenancy.
- Tenants within SH will have an assessed need for both accommodation and housing support.
- All flats are self-contained but there are communal shared areas for tenants and staff to use.
- Linked cottages on the same campus as the main SH complex are also available. The same housing support service is provided.
- All complexes are user friendly to assist tenants with mobility problems. It will meet wheelchair standards where possible.
- Each complex will have a SH **Officer** who will provide a daily check on each tenant, should they wish it. Community alarm provides an emergency contact should this be required out with SH staff working hours.

The aim of Sheltered Housing is:

- To allow tenants to live independently with low level housing support provided to assist this.
- The model of SH and housing support respond flexibly with the best use of money available to meet tenants' needs.
- SH provides a tenancy for older people, usually those over 60 who are no longer able to reside in their current accommodation and will have an assessed need and would benefit from housing support.

- Housing support enables tenants to maintain independent living. Housing support does not include personal care; **however** if this is required **a Self Directed Support assessment can be requested through the Health & Social Care Partnership.**

The allocation criteria includes:

- Applicants who are 60 years of age or above and are deemed to be vulnerable in their current accommodation. However younger applicants will be considered depending on their circumstances.

Allocation will be further assisted and assessed with the completion of a **Sheltered Housing Eligibility Assessment**. This assessment will be instigated by the Local Area Co-ordinator (LAC SH) to further ensure the applicant has an identified need for SH.

- Applicants who refuse to have a **Sheltered Housing Eligibility Assessment** completed will not be considered for Sheltered Housing.
- Applicants who require more support than what is provided in their current accommodation, for example, a daily visit or call.
- Applicants who have a restricted lifestyle due to the unsuitability of their current housing accommodation and can manage daily living with housing support.
- Allocation of SH properties will be **the responsibility of the Housing Service.**

- Depending on the applicants circumstances they will be awarded housing, medical and support priority in accordance with the allocation policy.

### Very Sheltered Housing Allocation Criteria

The allocation of Very Sheltered Housing (VSH) is covered by the Council's Allocation policy. Applications for VSH are assessed on their housing, medical and housing support needs. A multi-agency panel will agree nominated applications based on the criteria and each applicant's priority and circumstances as set out below.

Very Sheltered Housing:

- VSH allows and enables tenants (usually older people) to live in their own rented tenancy.
- Tenants within VSH will have an assessed need for this type of accommodation and support.
- All flats are self-contained but there are communal shared areas for tenants and staff to use.
- All complexes are user friendly to assist people with mobility problems. It will meet wheelchair standards where possible.
- Each complex has a 24 hour staffing model to provide care and support every day of the year to meet tenants' individual assessed needs. This is inclusive of a meals service.

The aim of Very Sheltered Housing is:

- To maximise the independence of older people and people with a disability or people who are assessed as requiring help and care by providing self-contained accommodation with 24-hour care and support tailored to meet individual needs. For example this may include help to get up in the morning, going to bed and daily tasks such as laundry. (Cleaning is not included within tenants flats)
- To enable housing and care services to respond flexibly with the best use of money available to meet tenants' needs.
- To create a housing and social culture that adds to the choice, control, freedom and dignity offered to all tenants to meet individual care needs.
- Provide a meal service within the complex offering lunch and an evening meal.

The allocation criteria includes:

- Applicants who are 60 years of age or above and are deemed to be vulnerable in their current accommodation. However younger applicants will be considered depending on their circumstances.
- Allocation will be further assisted and assessed with the completion of a Single Shared Assessment (SSA) to further ensure the applicant has an identified need for VSH.
- Applicants who have the ability to live independently but require 24 hour support including varying degrees of personal care and housing support.
- Allocation of VSH properties will be a joint Housing and Social Work responsibility.
- Depending on the applicants circumstances they will be awarded housing, medical and care and support priority in accordance with the allocation policy.

## (Allocation Policy) APPENDIX 4

### Exemptions to adding additional areas for applicants assessed in Priority Band A

Requests for exemption from having to add additional areas of choice will be considered for exceptional circumstances which following assessment, has been approved by the Team Leader.

#### Examples of exception circumstances to be given consideration:

1. Essential medical treatment that can only be accessed within area of choice and no transport readily available to the applicant
2. Sensory impairment which may cause difficulties for applicant if required to move outwith area of choice
3. Significant learning disabilities, mental health issues, or physical disabilities which could be exacerbated outwith area of choice e.g. where applicant or member of applicant household can only reasonably access services or support within area of choice.
4. Employees of essential emergency services who are required to live within a certain area e.g. retained fireman who are required to live within an area where the travel time to the fire station is no more than 8 minutes

These exceptions are suggested as guidance and cannot cover every eventuality and the Team Leader should assess each request on a case by case basis depending on their individual merits and circumstances.

#### The procedure for considering these requests is as follows:

- The applicant or authorised representative will be asked to submit reasons for exemption in writing to the Team Leader.
- Housing staff will log the appeal using the pro-forma and assess the case and pass to the Team Leader for approval.
- The Team Leader will record the outcome of the request in the pro-forma and sign and date the form
- The Team Leader will write to the applicant informing them of the outcome of the request within 21 days of the receipt of the appeal
- The pro-forma will be placed in the applicants file and a copy passed to Information Officer (Housing) for analysis and reporting purposes.

## Procedure for Mutual Exchange (Abbreviated)

All applications for mutual exchange must be processed with applicants being advised of the outcome within 28 days of both forms being received by the relevant Landlord.

1. On receipt of a completed mutual exchange application form it will be processed by the Housing Options Team. All applications will be acknowledged.
  2. A check should be made that each family concerned would be moving to a suitable size of property based on the council's allocation policy and in consideration of the DWP's size criteria. Some flexibility on size criteria can be applied providing either of the parties current circumstances are not made any worse and this should be noted. Only permanent members of the household should be taken account of when considering size criteria. If the properties are not a suitable size or type to suit any specific needs, then both parties should be advised that the exchange cannot go ahead.
  3. If the properties are suitable sizes for both parties the following checks need to be completed:
    - Property Inspection
    - Rent Check
    - Tenancy Management Check
  4. On receipt of all information the application should be approved or declined on the basis of these checks. If one or both applicants have failed to allow the Clerk of Works access to the property or respond to a request for further information within the specified timescale then the application should be declined.
  5. The application can be approved if:
    - The property is in good condition
      - The applicant does not owe rent, or rechargeable repairs or any housing debt to the Council or a Registered Social Landlord.
      - Tenancy has been conducted in a satisfactory manner ( confirmed by tenancy report)
    - There is no RTB application.
- If any of the above do not apply the application should be declined
6. The Housing Manager (Options & Homelessness) has discretion to waive or vary any condition where the circumstances of the case justify it and details of this will be recorded as part of the exchange application.
  7. If the application has been approved both applicants should be contacted in the first instance for an exchange date to be agreed. They should also be informed them that they will have to allow access for a electric & gas safety check to be carried out and any contact/access details will be taken and passed onto the Clerk of Works who will arrange for the gas & electrical checks to be carried out before the exchange takes place. Once agreement is reached both parties should be advised in writing

### CODE OF PRACTICE

<i>Revision Date</i>	<i>Previous Revision Date</i>	<i>Summary of Changes</i>
<i>15<sup>th</sup> October 2015</i>	<i>N/A</i>	<i>Logo updated. Date reviewed. Update to 'Unsuitable Accommodation' table. Update to 'Insecure Housing' table at Band C.</i>
<i>2<sup>nd</sup> Feb 2016</i>	<i>15<sup>th</sup> Oct 15</i>	<i>Update to Page 12 – Matrix Add information on Throughcare/Aftercare care leavers.</i>
<i>30<sup>th</sup> May 2016</i>	<i>2<sup>nd</sup> Feb 2016</i>	<i>Update to Page 12 – Matrix Add information on Temporary Accommodation.</i>

### DISTRIBUTION

The approved versions of these document are distributed to:

<i>Name</i>	<i>Title</i>
<i>Arcadia</i>	<i>Housing And Social Work/ Housing/ Housing Operations/ Policies And Procedures A To Z</i>

Any copies of these documents out with the distribution list above is uncontrolled

## EQUALITY IMPACT ASSESSMENT

Stage 1: Title and aims of the activity (“activity” is an umbrella term covering policies, procedures, guidance and decisions).	
Service	Infrastructure Service
Section	Housing
Title of the activity etc.	Options and Homelessness
Aims of the activity	<p>Ensure that people have fair and open access to the housing list and assessment process. Letting houses to those in the greatest need and making best use of our housing stock while creating sustainable tenancies.</p> <p>Provide temporary accommodation to those in need.</p> <p>Ensure voids are turned around timeously and to a high standard.</p>
Author(s) & Title(s)	Hannah McSherry, Service Development Officer (Options)

Stage 2: List the evidence that has been used in this assessment.	
Internal data (customer satisfaction surveys; equality monitoring data; customer complaints).	<p>Minutes to Options and Homelessness Management Team (OHMT)</p> <p>Tenant Group</p> <p>Customer feedback</p> <p>Monthly Manger’s Report and QA monitoring measures</p> <p>Monthly Voids monitoring</p> <p>Minutes to Voids Group Meeting.</p>
Internal consultation with staff and other services affected.	Tenant Group

External consultation (partner organisations, community groups, and councils).	Apply4Homes Project Team
External data (census, available statistics).	Statistical and performance information is collated, monitored and benchmarked regularly. Annual returned are completed for Scottish Best Value Network, Housemark, the Scottish Housing Regulator and the Scottish Social Housing Charter.
Other (general information as appropriate).	

**Stage 3: Evidence Gaps.**

Are there any gaps in the information you currently hold?	N/A
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**Stage 4: Measures to fill the evidence gaps.**

What measures will be taken to fill the information gaps before the activity is implemented? These should be included in the action plan at the back of this form.	Measures:	Timescale:
	N/A	N/A

**Stage 5: Are there potential impacts on protected groups? Please complete for each protected group by inserting "yes" in the applicable box/boxes below.**

	Positive	Negative	Neutral	Unknown
Age – Younger	Yes		Yes	
Age – Older	Yes		Yes	
Disability	Yes		Yes	
Race – (includes Gypsy Travellers)	Yes		Yes	

Religion or Belief	Yes		Yes	
Gender – male/female	Yes		Yes	
Pregnancy and maternity	Yes		Yes	
Sexual orientation – (includes Lesbian/ Gay/Bisexual)	Yes		Yes	
Gender reassignment – (includes Transgender)	Yes		Yes	
Marriage and Civil Partnership	Yes		Yes	

Stage 6: What are the positive and negative impacts?		
Impacts.	Positive (describe the impact for each of the protected characteristics affected)	Negative (describe the impact for each of the protected characteristics affected)
Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above. Detail the impacts and describe those affected.	All protected characteristics are positively impacted as the allocations process ensures that each applicant is treated in the same way and will not be discriminated against.	

Stage 7: Have any of the affected groups been consulted?

If yes, please give details of how this was done and what the results were. If no, how have you ensured that you can make an informed decision about mitigating steps?

Consultation was undertaken when the Allocation Process was changed in 2012.

The Options Tenant Working Group regularly give feedback on any changes made to procedures and were consulted on the latest update to the allocation policy in line with draft guidance.

Stage 8: What mitigating steps will be taken to remove or reduce negative impacts?

These should be included in any action plan at the back of this form.	Mitigating Steps	Timescale

Stage 9: What steps can be taken to promote good relations between various groups?

<p>These should be included in the action plan.</p>	
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Stage 10: How does the policy/activity create opportunities for advancing equality of opportunity?

The Housing Allocation Policy ensures that all applicants are treated in an equal manner regardless of any protected characteristics they may have.

Stage 11: What equality monitoring arrangements will be put in place?

<p>These should be included in any action plan (for example customer satisfaction questionnaires).</p>	<p>Number of complaints received from applicants regarding their application, whether this complaint is due to a protected characteristic and the outcome of this complaint.</p>
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Stage 12: What is the outcome of the Assessment?

<p>Please complete</p>	<p>1</p>	<p>No negative impacts have been identified –please explain.</p>
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the appropriate box/boxes	<p>The Allocation Process is standard for all applicants and is controlled through legislation to ensure equality. The Allocation Policy and related procedures have been developed to ensure that they meet the needs of applicants regardless of their protected characteristics.</p> <p>Regular monitoring of these procedures ensures that there is a consistent approach across Aberdeenshire.</p>	
	2	<p>Negative Impacts have been identified, these can be mitigated - please explain. * Please fill in Stage 13 if this option is chosen.</p>
	<p> </p>	
	3	<p>The activity will have negative impacts which cannot be mitigated fully – please explain. * Please fill in Stage 13 if this option is chosen</p>
<p> </p>		

\* Stage 13: Set out the justification that the activity can and should go ahead despite the negative impact.

<p> </p>
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Stage 14: Sign off and authorisation.

Sign off and authorisation.	1) Service and Team	Options & Homelessness, Housing	
	2) Title of Policy/Activity	Housing Allocation Policy	
	3) <b>Authors:</b> I/We have completed the equality impact assessment for this policy/activity.	<p>Name: Hannah McSherry</p> <p>Position: Service Development Officer (Options)</p> <p>Date: 29/07/2016</p> <p>Signature:</p>	<p>Name:</p> <p>Position:</p> <p>Date:</p> <p>Signature:</p>

	Name: Position: Date: Signature:	Name: Position: Date: Signature:
4) Consultation with Service Manager	Name: Date:	
5) Authorisation by Director or Head of Service	Name: Position: Date:	Name: Position: Date:
6) If the EIA relates to a matter that has to go before a Committee, Committee report author sends the Committee Report and this form, and any supporting assessment documents, to the Officers responsible for monitoring and the Committee Officer of the relevant Committee. e.g. Social Work and Housing Committee.		Date:
7) EIA author sends a copy of the finalised form to: eia@abdnshire		Date:
(Equalities team to complete) Has the completed form been published on the website? YES/NO		Date:



## EQUALITY IMPACT ASSESSMENT

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Author(s) & Title(s)	Hannah McSherry, Service Development Officer (Options)

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Internal consultation with staff and other services affected.	Tenant Group
External consultation (partner organisations, community groups, and councils).	Apply4Homes Project Team

External data (census, available statistics).	Statistical and performance information is collated, monitored and benchmarked regularly. Annual returned are completed for Scottish Best Value Network, Housemark, the Scottish Housing Regulator and the Scottish Social Housing Charter.
Other information (general as appropriate).	

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Are there any gaps in the information you currently hold?	N/A
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Stage 7: Have any of the affected groups been consulted?	
If yes, please give details of how this was done and what the results were. If no, how have you ensured that you can make an informed decision about mitigating steps?	<p>Consultation was undertaken when the Allocation Process was changed in 2012.</p> <p>The Options Tenant Working Group regularly give feedback on any changes made to procedures and were consulted on the latest update to the allocation policy in line with draft guidance.</p>

Stage 8: What mitigating steps will be taken to remove or reduce negative impacts?		
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These should be included in any action plan (for example customer satisfaction questionnaires).	Number of complaints received from applicants regarding their application, whether this complaint is due to a protected characteristic and the outcome of this complaint.

Stage 12: What is the outcome of the Assessment?		
Please complete the appropriate box/boxes	1	No negative impacts have been identified –please explain.  The Allocation Process is standard for all applicants and is controlled through legislation to ensure equality. The Allocation Policy and related procedures have been developed to ensure that they meet the needs of applicants regardless of their protected characteristics. Regular monitoring of these procedures ensures that there is a consistent approach across Aberdeenshire.
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\* Stage 13: Set out the justification that the activity can and should go ahead despite the negative impact.

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	3) <b>Authors:</b> I/We have completed the equality impact assessment for this policy/activity.	Name: Hannah McSherry Position: Service Development Officer (Options) Date: 29/07/2016 Signature:	Name: Position: Date: Signature:
		Name: Position: Date: Signature:	Name: Position: Date: Signature:
	4) Consultation with Service Manager	Name: Date:	
	5) Authorisation by Director or Head of Service	Name: Position: Date:	Name: Position: Date:
	6) If the EIA relates to a matter that has to go before a Committee, Committee report author sends the Committee Report and this form, and any supporting assessment documents, to the Officers responsible for monitoring and the Committee Officer of the relevant Committee. e.g. Social Work and Housing Committee.	Date:	
	7) EIA author sends a copy of the finalised form to: eia@abdshire	Date:	
(Equalities team to complete) Has the completed form been published on the website? YES/NO			Date:



