



FEB 2012

ALLOCATION POLICY

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 housing need of applicants.

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

In terms of performance the Council applies the following standards: -

1 Access to Housing

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

2 Lettings

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

3 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.

4 Equal Opportunities

In operating the Allocation policy the Council will not discriminate against any person because of race, colour, disability, religion, gender or sexual orientation.

The Allocation policy is underpinned by procedures to ensure its consistent application across Aberdeenshire.

Consultation

Representatives from tenant participation groups have been involved in reviewing the Allocation policy and 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 organizations for consultation.

Admission to the Waiting List

The Council's 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.

In relation to houses in Council ownership or through nomination agreements with Housing Associations who provide housing in Aberdeenshire in the selection of tenants or nominees reasonable preference will be given to those who can demonstrate a housing need such as: -

- Applicants with medical and/or social need for a move
- Unsatisfactorily housed applicants
- Applicants occupying overcrowded accommodation
- Statutory homeless cases
- Applicants with large families
- Applicants occupying house which do not meet the tolerable standard.

In areas where the Council has no or low demand, applicants not meeting the above criteria i.e. have no real housing need, may subject to approval by the Housing Manager be considered for accommodation.

Applications may be accepted from persons from countries within and out with the EU provided there are no immigration restrictions.

The Council's Points Scheme

The waiting list will consist of the following groups: -

- Direct Housing Applications,
- Transfer Applications (from the Council's Tenants),
- Registered Social Landlord Transfer Applications (from Registered Social Landlord Tenants who currently live within Aberdeenshire)
- Homeless priority cases.

Within the above four groups applicants can also apply for Sheltered Housing. Applicants may apply for as many areas of choice as they wish but mainstream applicants must select a minimum of five areas of choice.

Applications from Homeless persons with a priority need, a local connection to Aberdeenshire, and who have been assessed as unintentionally homeless 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 held in order of date of homelessness in the Homeless priority group.

The Children (Scotland) Act 1995 also places on the Council new statutory duties to provide accommodation for 16 and 17 year olds and new powers to provide accommodation for young people aged 16 to 21.

The allocation of a vacant property will be based on the number of points awarded 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) Points Scheme (appendix1 of the policy)
- b) General Regulations (appendix2 of the policy)
- c) List of other housing options in Aberdeenshire (appendix3 of the policy)

SELECTION AND NOMINATION PROCEDURE

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

- the top priority applicant
- the top homeless applicant
- the top applicant in the direct housing application group
- the opportunity for a management transfer
- the possibility of a transfer applicant releasing a vacancy for a priority case
- the availability of particular sizes of accommodation

When selecting applicants for specially adapted properties consideration will be given to the recommendations of the Associate Specialist in Community Medicine, NHS Grampian.

Nominations to other Housing Providers

The Council has nomination rights to a percentage of vacancies, which arise in Housing Association and Housing co-operative stock. When a request for a nomination is received the council will nominate a number of prospective tenants in line with the selection procedure outlined above and the specific requirements of the Housing Association/Co-operative.

Please refer to appendix 3 of the policy for details of other housing options in Aberdeenshire.

POINTS SCHEME

DIRECT HOUSING APPLICATIONS

1 Overcrowding Points – these will be calculated on bedroom deficiency as follows:

A separate bedroom will be allowed for:

- (a) the applicant or the applicant and their spouse/partner.
- (b) one child, or two children of the same sex both of whom are under the age of 10 years
- (c) each member of the applicant's household aged 10 years or over.
- (d) a member of the applicant's household whom the Associate Specialist in Community Medicine, NHS Grampian considers should sleep in a room alone.

For every bedroom by which the applicants accommodation falls short of the standard as calculated above: **10**

2 Size of Family

Size of Family points are awarded to any applicant whose household is overcrowded. Their purpose is to help give greater priority to larger families and those households containing older children and family members.

Each member of the applicant's family

Under 10 years	5
10 years and over	10

When calculating Size of Family points the applicant and spouse/partner shall not be counted but all other family members of the applying household will be counted.

In assessing points for bedroom deficiency / overcrowding:

- (a) one living room, kitchen and bathroom will be disregarded except where the accommodation is a bedsit.

POINTS SCHEME

**Points
to be
Awarded**

- (b) a room under 6.5 square metres in area or without natural lighting shall be disregarded.
- (c) in the case of caravan occupation, the assessment shall be made on the same basis as for houses.
- (d) where a household requires a house size with more bedrooms than the Council can provide, or would find difficult to provide, an applicant may choose to accept a property with fewer bedrooms provided that it has more bedrooms than the applicant's existing accommodation.
- (e) no points for overcrowding will be awarded where an applicant wishes to move to a house with the same number of rooms as the existing accommodation and there would be no improvement in bedroom accommodation.
- (f) where an applicant is sharing existing accommodation, bedroom deficiency points will be assessed with reference to the number of bedrooms within the property and the total number of persons occupying the accommodation.
- (g) The Council will take into account the number of rooms in the applicant's current accommodation when assessing overcrowding points.

3 Shared Accommodation Points 10

Applicants who occupy accommodation, which they do not have exclusive use of e.g. living c/o others.

Where a caravan is situated next to a house and the applicant uses the facilities within the house and the caravan is used for sleeping purposes only, points will be awarded for sharing accommodation or lack of facilities (whichever is lower)

4 No Fixed Abode Points 20

Where an applicant is assessed as being of no fixed abode

5 Composition of Family Points 5

One award of 5 points will be made to reflect dependent children of the opposite sex sharing a bedroom.

POINTS SCHEME

**Points
to be
Awarded**

6 Structural Condition and Lack of Facilities Points

Where the house in the opinion of the Council's Inspecting Officer:

- | | | |
|-----|--|-----------|
| (a) | is not structurally stable | 10 |
| (b) | is not substantially free from rising or penetrating damp | 10 |
| (c) | does not have an adequate piped supply of wholesome water available within the house | 10 |
| (d) | does not have a sink provided with a satisfactory supply of both hot and cold water within the house | 10 |
| (e) | does not have a water closet available for the exclusive use of the occupants of the house and suitably located within the house | 10 |
| (f) | does not have an effective system for the drainage and disposal of foul water | 10 |
| (g) | does not have satisfactory facilities for the cooking of food within the house | 5 |
| (h) | lacks a fixed bath or shower available for the exclusive use of the occupants of the house and suitably located within the house with an adequate supply of hot and cold water | 10 |
| (i) | lacks satisfactory access to all external doors and outbuildings | 5 |

These points are awarded where a property clearly has major deficiencies.

The Inspecting Officer may also award points for minor deficiencies on a discretionary basis, for example, properties in a poor state of internal repair or no satisfactory provision for natural lighting / ventilation/heating. **Bands of 0, 5 & 10 points**

Where 45 or more points are awarded, but excluding discretionary points, the application will be given priority for re-housing.

7 Medical Need Points

Medical points are awarded where (1) ill health or disability is caused or aggravated by current housing conditions, (2) where a medical condition is likely to improve or can be better managed by relocation to alternative housing. The medical points award and recommendations are made by an independent medical specialist in community medicine, NHS Grampian. **0-20**

Applicants awarded medical points of 18, 19 or 20 are considered to have exceptional need under the Council's Housing Allocation Policy.

POINTS SCHEME

**Points
to be
Awarded**

8 Social Needs Points

Points will be awarded to applicants who have been assessed as having a social need to move to more appropriate accommodation.

**Bands of 0,
5, 10, 15 or
20**

9 Housing Support Points (Applicants for Sheltered Housing)

Applicants must be awarded Housing Support points to be eligible for allocation of sheltered housing. These will be assessed following completion of a self-assessment form with a home visit if require to assist with the assessment.

**Bands of 0,
5, 10, 15 or
20**

10 Insecurity of Tenure Points

These points will be awarded to applicants who are living in insecure accommodation e.g.

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- Tied Tenants (including agricultural workers and sheltered housing officers) who are required to retire from employment on the grounds of age or ill health or have to leave employment for reasons out with their control.
- Applicants who have been served with a valid Notice to Quit and the landlord is seeking repossession of the property
- Points will only be awarded up to 6 months before the anticipated loss of accommodation.

Award of points under this category will be regularly reviewed and if considered no longer relevant will be removed.

11 Children in Flats and Maisonettes Points

Points will be awarded where an applicant with one or more children under the age of 5 years occupies a flat, or maisonette, on the second storey or above in a tenement or maisonette block.

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TRANSFER HOUSING APPLICANTS

12 Transfer Points (Council tenants and Tenants of Housing Associations/Co-operatives within Aberdeenshire)

POINTS SCHEME

**Points
to be
Awarded**

Points for overcrowding, composition of family, children in flats, social need, housing support and medical need will be awarded as outlined previously. Points will also be awarded for the following:

Under-Occupation Points

For bedrooms surplus to requirements (refer to Points Scheme), points will be awarded on the following basis:

for 1 bedroom	20
for 2 bedrooms	40
for 3 bedrooms	60

These points will only be awarded where the surplus bedrooms are unoccupied and the applicant is downsizing to a smaller property and will be withdrawn if, at any time, it is found that the bedrooms are occupied by sub tenants or lodgers.

1 Records

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

Information required for maintaining 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 race, colour, disability, religion, gender or sexual orientation.

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. Changes should be notified to the local Housing Office in writing.

5 Review of Applications

The application for housing will be reviewed annually in the month of the original application. 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. Cancelled application will be sent a letter confirming that their application has been cancelled from the waiting list and will advise them that they can reapply at any time.

6 Size of Accommodation

Single Person	1 bedroom
Single Person or Couple where pregnancy confirmed	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 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	3 bedrooms
Family with three or more children dependent on ages or sex	3 or 4 bedrooms

Note 1: A relative or friend intending to reside with the applicant's household will require a separate bedroom.

Note 2: The Associate Specialist in Community Medicine, NHS Grampian may direct that a person is to have a separate bedroom on medical grounds.

Note 3: Couples will include those living together as co-habitees and will include couples of the same or opposite sex.

Note 4: Applicants with residential contact with a dependent child or children for more than 50% of the year may be considered for larger accommodation.

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

7 Amendments to the Policy

The Policy may only be amended by resolution of the 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.

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 12 months.

If an allocation has been made prior to the discovery of false information that allocation shall 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, or rechargeable repairs or any housing debt to a Local Authority, Housing Association or Co-operative or to a private landlord, may not be considered for a tenancy.

In cases where the amount outstanding is not more than 1/12th 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 agreed arrangements 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 reflect that the total debt will be cleared within an agreed period. Please refer to the Council's Rehousing 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 that have been evicted for anti-social behaviour will be

suspended from receiving an offer of accommodation for 12 months from the date of eviction..

b) Applicants that 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 which 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 had purposely changed address or acted otherwise to worsen their housing circumstances in an endeavour to obtain an increase in points, such additional points will not be awarded for a period of 6 months from the date of which the change was reported, in writing, to the Housing Manager.

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 social landlord 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.

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 deferment 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 points 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 year.

10 Death of an Applicant

Following the death of an applicant, the application will be reassessed and the name of the applicant changed. The only points, which would not transfer to the new applicant, would be those points personally attributable to the deceased person.

11 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.

12 Appeals

Any applicant who is not satisfied that his/her application is being dealt with in accordance with the Council's Allocation policy may appeal against any decision taken by a delegated officer regarding his/her application. Appeals should be made in writing to the Housing Manager. Similarly, an appeal may be made against any decision taken by the delegated officer using discretionary powers.

13 Social Need Points

Points will be available to applicants who have been assessed, as having a serious social need to move. By social need it is accepted that an applicant's or a family member's welfare, or well being, is directly affected by their current housing situation.

14 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.

15 Management Transfer

The Housing Manager will have the discretion to transfer a Council tenant on management grounds, 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.

16 Transfers to Small Property

Tenants be allowed to partially downsize to a property that they will 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 points and will be at the discretion of the Housing Manager who will require to be satisfied that the resultant vacant property can readily be relet to a household that will fully occupy the accommodation.

17 Under-Occupation Grant

In order to increase the supply of 3 and 4 bedroom sized accommodation , a grant may be available to Council tenants transferring to another Council or Aberdeenshire RSL house to alleviate under-occupancy. The grant will be payable in full 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.

ADDITIONAL REGULATIONS

18 For the purpose of mutual exchange applications:

- (a) Tenants will only usually be permitted to exchange to a house of suitable size for their needs, however each case will be considered by the Housing Manager.
- (b) Tenants of sheltered accommodation may exchange with tenants of mainstream houses if a suitable candidate for the sheltered property can be identified. Any tenant exchanging out of sheltered housing should be reassessed as not requiring sheltered housing and, similarly, the person moving into sheltered housing should be assessed as requiring it.
- (c) All properties will be inspected and an application for a mutual exchange may be refused if the tenancy is found to be of an unsatisfactory standard.
- (d) The Housing Manager may use discretion to refuse exchanges, which are not considered to be suitable, e.g. on medical grounds, as advised by the Associate Specialist in Community Medicine, NHS Grampian.

- (e) All mutual exchange applications which are approved are subject to the condition that, in the event of either of the parties concerned not taking occupation of the house, the onus will be placed on the party seeking to retain tenancy of his/her house to satisfy the Council that the exchange has been a genuine one.

List of other housing options in Aberdeenshire

Castlehill Housing Association Ltd.
4 Carden Place
Aberdeen
AB1 1UT
Tel: 01224 625822

Grampian Housing Association Ltd.
Huntly House
74 Huntly Street
Aberdeen
AB10 1TD
Tel: 01224 202900

Hanover (Scotland) Housing Association Ltd.
Northern Area Office
12 Institution Road
Elgin
Tel: 10343 548585

Langstane Housing Association Ltd.
680 King Street
Aberdeen
AB24 1SL
Tel: 01224 423000

Tenants First Housing Co-operative Ltd.
23 Albert Street
Aberdeen
AB25 1XX
Tel: 01224 628400

Aberdeenshire Housing Partnership
22 Abercrombie Court
Arnhall Business Park
Westhill
Aberdeenshire
AB32 6FE
Main Switchboard: 01224 548000

Margaret Blackwood Housing Association
16 Raeden Court
Aberdeen
Tel: 01224 326331

Effective from 1 February 2012