

1.0 INTRODUCTION

- 1.1 Scottish Borders Housing Association Limited (referred to in this Policy as either the “Association” or “SBHA”) is a Registered Social Landlord with the primary objective of providing affordable social rented housing for those in the greatest housing need.
- 1.2 SBHA’s housing stock is located throughout the Scottish Borders with the exception of Berwickshire.
- 1.3 This Allocations Policy sets out principles and general guidance for the Association’s staff, Tenants and applicants to ensure that properties are allocated fairly to those in housing need, whilst providing the greatest choice possible for applicants. The Policy applies to all housing applicants seeking housing with SBHA and takes account of local pressures for housing in the Scottish Borders.
- 1.4 This Policy should be read in conjunction with SBHA’s Equal Opportunities Policy, Data Protection Policy; Rent Arrears Policy, Decant Policy, Schedule 7 (Hospitality, Gifts and Benefits Policy), Anti-Social Behaviour Policy and Mutual Exchange Policy.

2.0 ALLOCATIONS POLICY AIMS AND OBJECTIVES

2.1 SBHA’s aims are:

- To provide access to good quality, affordable rented housing for people from all sections of the community who have a level of housing or support needs.
- To help create and maintain thriving, stable communities which are attractive places to live.

2.2 In addressing these aims, SBHA will be responsive to the diverse needs of its communities and aims to ensure that its housing is accessible to existing residents and to people wishing to move or return to the area.

2.3 The objectives of this Allocations Policy are:

- To meet all of SBHA’s legal obligations and provide access to its housing list and houses in a way that is clear and fair to all.
- To provide good quality information on housing options available within the Scottish Borders area.
- To let SBHA’s 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 balanced communities.
- To support Scottish Borders Council in meeting the needs of people who are homeless and other vulnerable people.
- To work closely with other partner agencies to ensure that the allocation of its properties contribute to achieving wider aims for communities throughout the area.

3.0 LEGISLATION AND BEST PRACTICE

- 3.1 SBHA will assess housing applications and let houses in line with all applicable legal and regulatory requirements and strives to ensure that performance standards issued by the Scottish Housing Regulator are met.
- 3.2 This Policy complies with current housing legislation, (including the Housing (Scotland) Act 2001 and the Management of Offenders (Scotland) Act 2005), and takes account of the Scottish Federation of Housing Association's good practice guidance.
- 3.3 SBHA is committed to fulfilling its obligations under sections 19 & 20 (1) of the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001, to give reasonable preference to those in need including people who:
- Are homeless or threatened with homelessness
 - Occupy houses which do not meet the tolerable standard.
 - Occupy overcrowded properties.
 - Have large families.
 - Live in unsatisfactory conditions
- 3.4 SBHA complies with Section 20(2) of the Housing (Scotland) Act 1987 (as amended by Section 10 of the Housing (Scotland) Act 2001) and takes no account of the factors detailed within this when allocating its properties.
- 3.5 This Policy complies with the Data Protection Act 1998 and equalities legislation including Section 106 of the Housing (Scotland) Act 2001, the Equality Act 2010, and the Human Rights Act 1998.
- 3.6 Current and former members of SBHA staff and the Board of SBHA and their close relations, are eligible to apply for housing with SBHA. In compliance with Schedule 7 of the Housing (Scotland) Act 2001, SBHA will ensure that anyone in these circumstances who applies for a tenancy does not receive any special treatment as a result of their connection with SBHA, and any resulting offer of tenancy will be made on the basis of housing need in line with the other provisions of this Policy. All such allocations will require prior approval by the Board of SBHA, or under delegated Member authority and will be recorded in the Schedule 7 register.

4.0 ADVICE AND SUPPORT FOR APPLICANTS

- 4.1 SBHA will provide information on how to apply and bid for properties in leaflet and poster form in all its offices and in other appropriate locations. Information will also be provided on the SBHA website.
- 4.2 Information will be translated into relevant languages (currently SBHA makes the information available in Portuguese, Russian and Polish but other languages will be accommodated according to circumstances) and can also be made available in large print or Braille or in audio form on request.
- 4.3 SBHA will ensure that other Statutory and Voluntary agencies are aware of the application and bidding process so that vulnerable adults can be supported in accessing housing.

4.4 SBHA staff will provide help and support with completing application forms and logging bids, when requested. SBHA staff will not place bids on behalf of applicants.

5.0 COMMON HOUSING REGISTER

5.1 In accordance with Housing (Scotland) Act 2001, Section 8, SBHA is committed to exploring options for the development of a Common Housing Register (CHR) in partnership with other local Registered Social Landlords operating within the Scottish Borders.

6.0 THE ALLOCATION PROCESS

SBHA adopts a three stage process in the allocation of its properties:

6.1 STAGE 1: APPLYING TO SBHA FOR HOUSING

(a) Eligibility to Apply

Persons wishing to apply to SBHA to be housed should complete and submit an SBHA HomeChoice application form. The form can be completed on line at www.sbhahomechoice.org.uk or in paper form available from any of SBHA's Offices.

Provided an applicant is aged 16 years or over, SBHA will admit the applicant onto its housing list. Other than an applicant having to be 16 years old or over, SBHA does not take into account the age of the applicant except when allocating its properties except in the allocation of properties which have a) been designated or substantially adapted for the occupation by persons of a particular age group (for example Amenity Housing) or b) applicants of a particular age group are, or to be, in receipt of housing support services

All applicants must provide contact details when applying as all communications from SBHA will be by telephone, text or email.

Incomplete application forms received will be followed up by letter, telephone or email to ensure that applicants less able or familiar with form filling receive equal consideration. Any changes or amendments to Applications will be input within 3 days of written notification of the changes from the Applicant.

(b) Application Assessment

Completed applications received by SBHA will be assessed and if applicable will be awarded points according to housing need. This will take account of the following:

- The Applicant's present housing circumstances and needs.
- The size of house the Applicant and their household need.
- Whether the applicant or any member of their household has any particular needs for a specific house type such as wheelchair accessible, level access or adapted housing
- Any identified need for a particular provision of housing such as amenity or supported accommodation.
- (Details of how points are awarded are set out in **Appendix 1** of this Policy).

(c) Transfer Applicants

Existing SBHA Tenants will be eligible for transfer to another SBHA property after one year in their current tenancy, however consideration will be given to transfers in situations where there are exceptional circumstances such as marital breakdown, domestic violence or severe deterioration of health. SBHA Tenants wishing to transfer from their current property should complete and submit an application form to SBHA. Transfer applicants will be entitled to bid for properties following acceptance of their application, provided that they are not ineligible **Appendix 2** of this Policy, and are not in breach of the terms of their current Tenancy Agreement.

(d) Owner-occupiers

Owner-occupiers may apply for housing with SBHA and will be treated the same as any other applicant in line with this Policy. On being offered a property from SBHA, such applicants will be advised of their legal requirement that they must occupy the property as their only or principal home.

(e) Provision of False/Misleading Information

Applicants are required to declare on their application form that all information supplied is true. Applicants must contact SBHA to advise of any changes in their circumstances. Where the Association can demonstrate that an applicant has deliberately sought to distort or omit information to gain advantage over other applicants their application will be suspended and priority removed. Should it come to the Association's attention that false or misleading information has been given, or information withheld in order to obtain a tenancy, action will be taken to recover possession of any property for which a tenancy has been granted.

(f) Change of Circumstances

SBHA will review all housing applications every year by contacting the applicants to make sure that the information held by SBHA remains up to date. If an applicant does not respond to this contact, SBHA will make contact a second time and if no response is received on this occasion, SBHA will write to the applicant to tell them that their application will be removed from the housing list.

In addition to these reviews, an applicant must advise SBHA of any changes in their household's circumstances as they occur as these could affect the Applicant's priority for housing with SBHA.

Where an applicant has moved from their original application address, they will be required to complete and submit a new application to SBHA.

(g) Joining SBHA's housing list does not mean that an applicant will be made an offer of accommodation. This will depend upon the applicant's housing need, demand from other people on the list, the number of properties that become available and the number of properties that are required to meet the needs of homeless people.

5.2 STAGE 2 – ASSESSMENT OF HOUSING NEED

SBHA will award points to an application based on the following categories of housing need and points will be awarded for multiple needs.

(a) Homeless or Threatened With Homelessness

Priority points are awarded to Homeless applicants referred to SBHA by Scottish Borders Council (SBC) under Section 5 of the Homelessness (Scotland) Act 2003 and will be processed and considered for housing in accordance with the protocol developed between SBHA and SBC. Similar priority will also be afforded to applicants where there is a Duty to Co-operate (the Management of Offenders (Scotland) Act 2005).

SBHA will assist SBC to meet its statutory obligations under the Homelessness, etc., (Scotland) Act 2003 in respect of homelessness, by providing Scottish Borders Council with properties for use as interim temporary accommodation where reasonably possible.

SBHA is committed to sustaining tenancies and preventing homelessness. Where support is required in respect of a Section 5 Referral, SBHA will suspend that Referral until such times as an agreed support plan has been put in place.

(b) Occupancy Of House Which Is Below Tolerable Standard

SBHA will award an applicant points if confirmation is received from the Local Authority Environment Health that their current home is below tolerable standards, as defined by section 86 of the Housing (Scotland) Act 1987 and amended by section 102 of the 2001 Act and section 11 of the Housing (Scotland) Act 2006.

(c) Overcrowding Of Current Home

Applicants who are overcrowding their current homes will be awarded points for each bedroom lacking at their present address. All children, unborn children (with Certificate of Confinement) will count as 1 person.

Same sex children up to the age of 16 can share a bedroom. (Once the person reaches the age of 16 they are entitled to apply for housing independently if they so wish). When a child reaches the age of 10 years they will not be expected to share a bedroom with a child of a different sex in their new tenancy.

Due to the lack of larger sized family accommodation to rent in social housing in the Scottish Borders and identified local need for this size of accommodation, at the discretion of the Director of Housing Services applicants with large families who normally permanently reside together and who need a 4 bedroom or more property will be considered for accommodation outwith these parameters where the move would reduce current overcrowding but only where the households occupancy of the new accommodation would not contravene the room and space standards as defined in the legal definition of overcrowding contained within Part VIII of the Housing (Scotland) Act 1987.

(d) Under Occupation of Current Home

SBHA has a shortage of large family sized houses and to encourage Tenants who are underoccupying these properties, priority points for underoccupation will be awarded. These will only be applicable to SBHA Tenants and other Registered Social Landlords in the area in which SBHA operates. Points will be awarded for each additional bedroom their household is not assessed as requiring.

Where a Tenant is resident in an SBHA property which has an excess of more than one bedroom for their household needs, SBHA will consider them for a property with an extra bedroom additional to their household needs.

(e) Health Reasons

SBHA participates in a Health Assessment Scheme operating within the Scottish Borders which has been developed in partnership with Waverley, Berwickshire, Eildon and Cairn Housing Associations and in conjunction with NHS Borders and Scottish Borders Council.

Where an applicant's (or a permanent member of their household) health is affected in some way by their present accommodation which would be improved by moving to more suitable accommodation, all of the participating landlords offer some level of priority under this scheme.

An applicant seeking re-housing on health grounds is required to complete a Health Assessment form which is available to on request or by downloading from SBHA's website at www.sbha.org.uk or www.sbhahomechoice.org.uk. Any household member may complete a Health Assessment form, however, points are awarded based on the household member who is assessed as having the higher grade.

The health assessment will be graded by Housing Staff who, in order to do so, may visit an Applicant at home or seek additional or supporting information from other professionals (such as Occupational Therapists, GP's etc).

There are five grades of Health Assessment (grades A to E):

- Grade A - Where an applicant has a health problem and is unable to return to their home, or unable to continue living in their own home because they would not be able to gain access to essential facilities unaided and/or they are at significant risk of doing so, or due to significant and enduring mental illness they are unable to return or continue to live in their current home and/or environment, and it is not practical to adapt their home to meet their needs.
- Grade B - Where an applicant has a health problem and is living at home and they are unable to gain access to essential facilities unaided, and/or they would be housebound because they could not get out of their home unaided, or their mental illness severely restricts their ability to continue to live in their current home and/or environment and it is not practical to adapt their home to meet their needs.

- Grade C - Where an applicant has a health problem and is living at home and becoming less able to access essential facilities unaided, and/or they are becoming less able to get out of their home unaided, or they are becoming less able to cope in their current home and/or environment due to their mental illness, and it is not practical to adapt their home to meet their needs.
- Grade D - Where an applicant has a health problem and is living at home and for health (physical or mental) reasons the facilities in the home do not meet their current needs (for example the applicant needs a shower rather than a bath, or another form of heating).
- Grade E - No health benefit from a move.

SBHA aims to complete the assessment process within three weeks of receipt of the completed Health Assessment form from the Applicant, however, where reports are required from other professionals this may not always be possible.

Only people involved in assessing an application for housing will have access to the information about an application however, where an Applicant has applied to more than one participating landlord, the final grade and recommendation can be shared between the participating landlords on request.

(f) Social Reasons

Points may be awarded to Applicants in exceptional circumstances, at the discretion of the Director of Housing Services, where it can be demonstrated that they need to move because of a special reason or circumstance, once corroboration has been obtained from an official source e.g. the Police.

Where an applicant is experiencing problems with neighbours of a significant anti-social nature, s/he may wish to apply for alternative accommodation. The main objective for SBHA would be to tackle and resolve the problem by taking appropriate action in accordance with its Anti Social Behaviour Policy, which may include working with or taking enforcement action against the offender and, where SBHA is not the landlord, contacting the other landlord and external agencies for their action to resolve the issue.

Applicants who apply for such a move in relation to problems which are not specific to an individual, but impact upon an area as a whole will not be considered for the award of social points, as SBHA's objective is to address the problem by working with Tenants and relevant partner agencies to identify strategies to resolve the problems.

5.3 STAGE 3 – ALLOCATION OF HOUSING

(a) Bidding for Housing

All of the Association's void properties will be advertised unless there is a management reason for not doing so - e.g. a requirement for a Management Transfer, emergency housing, or those properties which have been earmarked for demolition.

Registered applicants can bid for up to 5 properties per week, which meet their eligibility criteria. Properties will be advertised in the local press, at all SBHA's offices, and on the SBHA's HomeChoice website. Bids must be submitted online or via the automated telephone line (charged at local rates).

Any applicant experiencing problems should contact their local SBHA office within working hours. No written bids will be accepted. SBHA staff cannot place bids on behalf of applicants.

(b) Allocation and Best Use of Properties

After the closing date set by the Association, bids will be analysed and the property offered to the applicant with the highest level of points who demonstrates best use of the property.

In the event of two or more applicants who have bid having the same number of points, consideration will firstly be given to the applicant who makes best use of the property, and then the Applicant with the earliest date of registration. If the tie break is between two or more Section 5 referrals the applicant whose current Section 5 referral was received earliest by SBHA will normally be considered first for the offer.

Applicants being considered for a property will be contacted by the identified means of contact stated on their application form by 5pm on the closing date. If the applicant does not respond to contact by 10am the following day, then this will be deemed a refusal.

SBHA reserves the right to visit applicants (normally at home) prior to making an offer of housing in order to confirm the applicant's circumstances and to explain to applicant what their rights and responsibilities would be as an SBHA Tenant and what to expect from SBHA as a landlord.

With the applicant's permission further information may also be requested from agencies with whom they have been involved for the purposes of verifying the applicant's housing circumstances before SBHA confirms the offer of tenancy. Where an applicant holds or has held a tenancy in the last 3 years, a satisfactory Landlord's reference in relation to the applicant's conduct of the tenancy will normally be required before being considered for an offer of tenancy by SBHA however, prior to suspending an applicant from consideration of an offer, SBHA will take account of personal circumstances and the extent of housing need into account.

6.0 ALLOCATIONS TO VETERANS AND FAMILIES

6.1 SBHA will allow access to housing for Service Personnel in specific circumstances. Direct applications could be accepted 12 months before discharge and 6 months after. This would allow families to be re-settled at an earlier stage. The applicant would be required to have a local connection with the Scottish Borders.

6.2 To qualify under these criteria the applicants must:

- a) Be currently serving with one of the recognised Ministry of Defence Armed Forces, with less than one full year to discharge.
- b) Have been discharged from the Armed Forces within previous six months of applying for housing.
- c) Have a local connection to the Scottish Borders.
- d) Have completed at least a 3 year fixed term contract or have been or are about to be discharged on medical grounds.
- e) Be the surviving spouse/partner or a non-dependent child (aged 16 or older) of a deceased Forces Personnel (either serving or served within the past 6 months).

- 6.3 Applicants will not be eligible if they have been discharged through disciplinary procedures or as a result of failing the Ministry of Defence's Compulsory Drug Testing programme.
- 6.4 Applicants would be able to exercise the same level of choice over property type and location as any other applying for SBHA housing. However, they will only receive one offer and it will be within 12 months of discharge – they can of course apply for housing through the HomeChoice process in line with current policy.
- 6.5 Applications up to 12 months before discharge enable families to re-settle in advance of a spouse leaving the Forces. Applicants will also be invited undertake profiling to ensure that all support needs are identified in advance of allocation.

7.0 ADAPTED PROPERTIES

A property that is fully or substantially adapted for a disabled person will be offered to the applicant requiring all or most of the facilities, or where the property is particularly suited to the applicant's needs subject to minor adaptations. This is regardless of the circumstances of other applicants.

8.0 AMENITY HOUSING

Properties that have been designated as Amenity Housing will only be allocated where the applicant or, in the case of a joint application, one of the applicants is over the age of 60 years old.

9.0 HOUSES IN MULTIPLE OCCUPATION (HMOs)

SBHA will not normally make offers which would result in three or more unrelated people living in the property, as this would create a house in multiple occupation (HMO).

10.0 COMMERCIAL TENANCIES

SBHA properties may be allocated on a commercial basis, with the consent of the Scottish Housing Regulator. A lease agreement will be established and an occupancy agreement will be used in accordance with the Legislation.

11.0 MANAGEMENT TRANSFERS (From SBHA Properties only)

11.1 A Management Transfer in exceptional circumstance at the discretion of the Director of Housing Services is an emergency housing measure that allows an SBHA Tenant and his/her household to move to alternative housing of a similar property type and size elsewhere within SBHA's stock. The grounds under which a Management Transfer may be considered include:

- Threat of physical violence to the applicant or a member of the household.
- Racial or other physical or mental or emotional harassment of the applicant or a member of the household.

11.2 A Management Transfer is a preventative measure of the last resort to avoid homelessness. SBHA will not consider a Management Transfer where effective action under A.S.B. Policies and procedures can be taken or other enforcement routes. SBHA will investigate each case considered for a Management Transfer and obtain a Police report and/or supporting evidence from another agency.

12.0 PETS

SBHA operates a Keeping of Pets Policy and properties will be allocated in accordance with this. Applicants who will have pets moving with them should be aware of this Policy. A copy of the Policy is available upon request.

13.0 PROTOCOLS

In order to address local issues and housing need, SBHA is committed to working in partnership with other agencies and has set up or is the process of setting up protocols for formal working arrangements with partners to ensure applicants with particular needs or vulnerabilities have their needs assessed and addressed. The focus of these protocols is future planning and the prevention of housing crisis.

SBHA has developed or is developing the following protocols with its partners:

(a) Section 5 Homeless Duty Protocol

This protocol provides a formal working arrangement between Scottish Borders Council and SBHA in relation to the prevention and alleviation of homelessness and the creation and maintenance of sustainable tenancies and communities within the Scottish Borders.

(b) Anti Social Offenders

Where it is known to SBHA that an applicant has a current live Anti-Social Behaviour Order (ASBO); is a previous recipient of an ASBO; or previously displayed serious anti-social behaviour within the last 12 months, SBHA will liaise with identified partner agencies in accordance with the Anti-Social Behaviour Information Sharing Protocol which aims to try to ensure that known anti-social offenders are housed appropriately.

(c) Sex Offenders

Where an applicant has declared on their application form that they are required to register under the Sex Offenders Act 1997, any offer of an SBHA property will require risk assessment which take account of any victim prior to an allocation, and if required, a suitable support package put in place. A joint protocol will be agreed with Scottish Borders Council's (SBC) Criminal Justice Team and RSL's operating within the Scottish Borders, in relation to the allocation of properties to Sex Offenders. SBHA has a duty to co-operate in accordance with the National Accommodation Strategy for Housing Sex Offenders (NASSO) and will work jointly with SBC, Criminal Justice and the Police in terms of community safety to ensure that sex offenders are housed appropriately.

SBHA will ensure that applications from sex offenders are dealt with responsibly by SBHA's designated Liaison Officer and confidentiality will be maintained at all times. Information sharing with staff, other RSL's, Criminal Justice and statutory agencies will be strictly provided on a need to know basis.

(d) Young Person's Protocol

SBHA working in partnership with Scottish Borders Council and other participating RSL's operating in the Scottish Borders will develop and agree a protocol to include the provision of housing for young people leaving care or supported housing.

(e) Hospital Discharge

Where an applicant is currently in hospital and as a result of their medical condition they are unable to return to their own home, as it will no longer fulfil their housing needs, a joint protocol will be agreed with Scottish Borders Council's (SBC) Social Work and NHS Borders to ensure that applicants who are awaiting hospital discharge are housed appropriately

14.0 HOUSING SUPPORT

Where an applicant is leaving prison or any other institution or there is an identified need for support, a support package should be in place with a relevant agency, unless in the opinion of a relevant professional this is not required. SBHA reserves the right to withdraw an offer of accommodation where a package is not in place, but which is considered essential to sustaining the tenancy.

15.0 BALANCED COMMUNITIES

Where a property becomes available for reletting and the previous Tenant has caused anti-social behavior to the immediate neighbours, SBHA will reserve the right in considering an offer of accommodation to take into account factors to ensure the sustainability of tenancies. SBHA will make a sensitive allocation as far as reasonably possible, by ensuring that the potential Tenant or any member of his/her household does not have a history of anti-social behaviour. Only the Housing Manager can provide written authorisation to approve a sensitive allocation, and potentially overlook other applicants.

16.0 LOCAL LETTINGS INITIATIVES

SBHA may from time to time consider the use of Local Lettings Initiatives for specific areas. A Local Lettings Initiative may have the effect of introducing additional criteria in the allocations process which may result in allocations in that lettings area not being determined in accordance with applicant's points levels. SBHA's Board of Management will consider proposals for the declaration of any Local Lettings Initiative and any such initiative agreed by the Board will accord with the overall aims and objectives of the Allocations Policy. Where a Local Lettings Initiative is proposed, detailed evidence to support the need for such an approach and why this cannot be met by the Allocations Policy itself will be considered by the Board. Where a Local Lettings Initiative is agreed for a specific area, SBHA will ensure that applicants are advised of the Initiative and it will be agreed for a specified period and will be reviewed annually by SBHA's Board of Management.

17.0 SUSPENDING APPLICATIONS

There are some circumstances where SBHA may suspend an application from being considered for housing for a specified period of time. Applicants who are suspended will still be registered on the housing list but will be unable to bid for advertised properties.

SBHA will inform applicants in writing if their application has been suspended. SBHA will provide reasons for the suspension, the timescale and/or any action applicants need to take to end the suspension. Applicants will also receive details of how to appeal against the decision.

18.0 CANCELLED APPLICATIONS

Housing applications will be cancelled in the following circumstances:

- Where the applicant requests a cancellation of their application.
- The death of an applicant.
- The applicant repeatedly fails to respond to a review of the housing waiting list or to other correspondence.

19.0 PUBLICATION OF LETTINGS

SBHA will publish the bidding outcomes, in anonymised form, on a monthly basis on the SBHA HomeChoice website. The purpose of this is to provide transparent information on SBHA allocations and to indicate to applicants the level of demand for particular property types and locations in order to assist them to make realistic and informed choices in finding suitable housing.

20.0 MUTUAL EXCHANGES

SBHA encourages Tenants to undertake mutual exchanges where it will improve the housing circumstances of all of the parties involved. RSL Tenants and Local Authority Tenants in Scotland who have a Scottish Secure Tenancy can normally exchange their homes with Tenants of SBHA. SBHA operates a Mutual Exchange Policy separate to this policy and a copy of this can be obtained from SBHA on request. Tenants wishing to exchange tenancies must seek the prior approval of SBHA. A mutual exchange will not be permitted without the express permission of all Landlords involved.

21.0 EQUAL OPPORTUNITIES STATEMENT

SBHA accepts applications from anyone aged 16 years and over and is committed to providing fair and equal treatment of all of Applicants. SBHA will not directly or indirectly discriminate on the grounds of age, race, disability, ethnic or national origin, language, religion or beliefs, sex, sexual orientation, gender reassignment, marital status, employment status, or political opinion. No restriction is placed on the location of the applicant's current residence, with the exception that the applicant must have the right to reside or work in the United Kingdom.

SBHA will:

- Publicise its housing widely.
- Be flexible in how information and advice is provided, to remove barriers to communication and understanding.
- Monitor access to the housing list and re-housing outcomes for different groups.
- Ensure working practices and procedures are fair and accountable.

22.0 DATA PROTECTION

Personal information provided to SBHA by an applicant will be kept strictly confidential and not shared with any other person or organisation without the applicant's prior permission to do so unless otherwise permitted.

Upon receipt of a written request from an applicant, SBHA will make available to the applicant copies of any personal information SBHA holds on that applicant in accordance with SBHA's Data Protection Policy. This information may be held in electronic or paper file. All such requests will be handled in a confidential and timeous manner.

23.0 MONITORING AND REVIEW

SBHA will conduct regular surveys of applicants to assess how they find the process of applying and bidding for properties.

SBHA will continually monitor the level of applications and bids from vulnerable adults, and ensure appropriate ongoing liaison with Statutory and Voluntary agencies to ensure that help and support is given to this group of people.

SBHA will evaluate all bids made annually, by size of property, area; numbers of bids made and publish the results on the SBHA website.

SBHA will collect information on behalf of SCORE for the purposes of national monitoring and recording of housing allocations. Information is sent to St Andrews University for Housing Policy Research and is disaggregated.

This Policy will be reviewed by the Board of Management every three years or earlier if required by changes in legislation or best practice.

24.0 APPEALS

All applicants have the right to appeal if they feel that SBHA has not dealt properly with their housing application. Those who wish to appeal should contact SBHA for a copy of the Complaints Leaflet.

1.0 POINTING OF APPLICATIONS –

- 1.1 The pointing system acknowledges the requirement of the Housing (Scotland) Act 2001 for Registered Social Landlords to provide housing for homeless applications under Section 5 of the Act.
- 1.2 SBHA will award an applicant points if confirmation is received from the Local Authority that their current home is below tolerable standards, as defined by section 86 of the Housing (Scotland) Act 1987 and amended by section 102 of the 2001 Act and section 11 of the Housing (Scotland) Act 2006
- 1.3 The pointing system also acknowledges that SBHA has a limited pool of fully wheelchair adapted properties, and level access properties and wishes to ensure that these are allocated appropriately.
- 1.4 In the event that a Section 5 referral and an applicant with identified specific housing adaptations both bid for a property, then the allocation will be made to the applicant requiring the specific adaptation.
- 1.5 The pointing system takes account of multiple needs, with the exception of the award of 150 points for Section 5/Duty to Co-operate/Young Persons Protocol and for the need for a wheel chair adapted property.

ATTRIBUTE	POINTS
Section 5/Duty to Co-operate referral	150
Overcrowding.	20 points for each bedroom over occupied (to the maximum of 60 points).
Under occupation for RSL properties operating within the Scottish Borders area.	20 points for each bedroom under occupied (to the maximum of 60 points).
Tolerable Standards.	20
Social Points	20
Health - based on the Unified Health Assessment	A – 40 points B – 30 points C – 20 points D – 10 points E – 0 points
Need for an adapted property	150 for a fully wheelchair adapted property

2.0 ACCESS TO CHILDREN

- 2.1 Children who reside with their Parents for 3 or more nights per week will be classed as permanent members of the household. Written confirmation of access arrangements will be required.

1.0 SUSPENDING HOUSING APPLICATIONS

- 1.1 **Tenancy Related Debt - Rent Arrears and other tenancy related debt** - If an applicant (or member of the proposed household) has outstanding Rent Arrears or other tenancy related debt such as recharges from a former or current tenancy, the Association will suspend the applicant from bidding for vacant properties until the debt has reduced to a balance of less than one twelfth of the annual rent, or the applicant (or member of the proposed household) has kept to an agreed payment arrangement with the landlord for a period of no less than 3 months.
- 1.2 **Anti-Social Behaviour - Anti-Social Behaviour** - If an applicant has been evicted for anti-social behaviour within the last 3 years, or the applicant (or a member of the proposed household) has been responsible for serious anti-social behaviour resulting in an Anti-Social Behaviour Order (ASBO), the Association will assess what steps the applicant has taken to remedy that behaviour before removing the suspension. The decision on whether to suspend the applicant from bidding will be made by SBHA's Housing Manager and such suspensions will be for a maximum period of 12 months. SBHA will engage with the applicant to review their status at regular intervals during the period of suspension.
- 1.3 **Refusal of Offers** - If an applicant rejects 2 offers of suitable accommodation their application will be suspended for a period of 6 months unless SBHA judges that the applicant needs support in the bidding process. Where this is the case, SBHA will ensure that support is provided either by SBHA or via signposting to the appropriate agency and if the applicant subsequently refuses a further offer of suitable accommodation, their application will be suspended for 6 months.
- 1.4 **Fraudulent or False Information** - Deliberate omission of or provision of false/misleading information - Applicants are required to declare on their application form that all information supplied is true. Where the Association can demonstrate that an applicant has deliberately sought to distort or omit information to gain advantage over other applicants, their application will be suspended for a period of 3 months and any priority previously awarded as a result of the omitted, false or misleading information provided will be removed.

Should it come to the Association's attention that false or misleading information has been given, or information withheld in order to obtain a tenancy, action will be taken to recover possession of any property for which a tenancy has been granted.

- 1.5 **Violent or Aggressive Behaviour** - Applications may be suspended where an applicant, or a member of their household, displays undue violent or aggressive behaviour towards SBHA's employees or any of its appointed Contractors and the seriousness of that behaviour could lead to the person being charged by the Police. In such instances the suspension will be for a period of 6 months and will only be lifted on the basis of clear evidence which demonstrates a change in behaviour.