

Highland Housing Register Allocations Policy

April 2023



| Change Control | Section | Details | Who |
|----------------|-----------------|--|-----|
| October 2023 | 5.4 | Updated Homelessness Section | A.B |
| December 2023 | 5.5, 5.9 & 5.12 | Updated under-occupation, insecure tenure and Two Households for One | A.B |
| January 2024 | 5.8 & 5.11 | Updated Overcrowding and Need to Reside | A.B |
| | | | |
| | | | |

Contents

| | |
|--|----|
| Section 1: Introduction and Policy Context..... | 4 |
| 1.1 Highland Housing Register..... | 4 |
| 1.2 Allocations Policy Statement | 4 |
| 1.3 Allocations Principles | 4 |
| 1.4 Aims of the Allocations Policy..... | 5 |
| 1.5 Confidentiality | 6 |
| 1.6 Information and Advice..... | 6 |
| Section 2: Legal and Regulatory Requirements..... | 7 |
| 2.1 Legal Requirements..... | 7 |
| 2.2 Regulatory Standards | 7 |
| 2.3 Factors which cannot be taken into account..... | 7 |
| 2.4 Residence Factors | 8 |
| 2.5 Non-UK Nationals and Access to Social Housing..... | 8 |
| 2.6 Tenancies to Staff / Committee Members / Councillors and their Relatives | 8 |
| Section 3: Housing Options | 10 |
| 3.1 Housing Options..... | 10 |
| 3.2 Mutual Exchanges | 10 |
| 3.3 National Exchange Schemes..... | 10 |
| 3.4 Nominations from Participant Landlords | 10 |
| 3.5 Section 5 Referrals | 11 |
| 3.6 Rightsizing Scheme | 11 |
| Section 4: Applying for Housing | 12 |
| 4.1 Access to the Housing List | 12 |
| 4.2 Where you want to be Housed | 12 |
| 4.3 Application Checking and Verification | 12 |
| 4.4 Tenancy References | 13 |
| 4.5 Suspensions | 13 |
| 4.6 Anti-Social Behaviour | 14 |
| 4.7 Review of Applications | 14 |
| 4.8 Cancelled Applications | 14 |
| Section 5: Housing Need Categories and Priorities | 16 |
| 5.1 Assessing Housing Need..... | 16 |
| 5.2 Property Type and Size..... | 16 |
| 5.3 Sheltered and Amenity Housing | 16 |
| 5.4 Homelessness and Threatened with Homelessness..... | 17 |

| | |
|--|----|
| 5.5 Insecurity of Tenure | 18 |
| 5.6 Sharing Facilities | 18 |
| 5.7 Poor Housing Condition | 18 |
| 5.8 Overcrowding | 20 |
| 5.9 Under-Occupation | 20 |
| 5.10 Care and Support | 21 |
| 5.11 Need to Reside | 21 |
| 5.12 Two Households for One | 22 |
| 5.13 Accessible Housing | 22 |
| 5.14 Special Allocations Status | 22 |
| 5.15 Summary of Housing Need Categories and Points | 23 |
| Section 6: Allocation of Housing | 24 |
| 6.1 How Houses are Allocated | 24 |
| 6.2 By-Passing Applications | 24 |
| 6.3 Offers and Refusals | 24 |
| 6.4 Caithness Choice Based Letting | 25 |
| 6.5 Sensitive Lettings | 25 |
| 1) Antisocial Behaviour | 26 |
| 2) Serious / High Risk Offenders | 26 |
| 3) Violence Against Women/Domestic Abuse | 26 |
| 4) Witness Protection – The National Witness Mobility Service (NWMS) | 26 |
| Section 7: Local Lettings Initiatives | 28 |
| 7.1 When a Local Lettings Initiative is Appropriate | 28 |
| 7.2 Eligibility for Local Lettings Initiatives | 28 |
| 7.3 Housing Applications for Designated Local Lettings Initiatives | 28 |
| 7.4 Allocations Quotas in Local Lettings Initiatives | 28 |
| 7.5 Local Lettings Initiatives – General | 29 |
| Section 8: Monitoring | 30 |
| Section 9: Appeals and Complaints | 31 |
| Section 10: Contact Details | 32 |

Section 1: Introduction and Policy Context

1.1 Highland Housing Register

This is the Allocations Policy for Highland Housing Register (HHR). It sets out:

- How to apply for social housing from any of the Partner Landlords. (Section 4)
- How your application for housing will be assessed by all Partner Landlords. (Section 5)
- How the Partner Landlords will allocate empty properties. (Section 6)

The Highland Housing Register Partner landlords are:

1. The Highland Council
2. Albyn Housing Society Ltd
3. Cairn Housing Association Ltd
4. Lochaber Housing Association Ltd
5. Lochalsh and Skye Housing Association Ltd
6. Caledonia Housing Association Ltd

There are other social housing providers in Highland who operate their own separate housing registers for allocating their properties. The Highland Housing Register Partners will cooperate with these Participant Landlords and use the Highland Housing Register to select applicants when requested to do so.

The Highland Housing Register Participant Landlords are:

- Hanover Housing Association Ltd
- Key Housing Association Ltd
- Link Housing Association Ltd
- Blackwood Homes
- Trust Housing Association Ltd

1.2 Allocations Policy Statement

The purpose of this Allocations Policy is to define a consistent needs-based approach to allocate social housing in Highland for rent.

Highland wide monitoring information will also be made available from the Highland Housing Register and will be of value in helping to identify housing investment priorities.

1.3 Allocations Principles

The Highland Housing Register Partners agree to be guided by the following principles:

Consistency: This Allocations Policy will be delivered fairly and consistently across the Partner Landlords in all areas of Highland.

Openness: This Allocations Policy and details of how it operates will be freely available. Details of the turnover of social housing across the Partnership will also be freely available to help applicants make informed choices and to ensure HHR does not raise unrealistic expectations.

Legality: This Allocations Policy will be compliant with relevant legislation including the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001, the Homelessness Etc (Scotland) Act 2003 and the Housing (Scotland) Act 2014.

Equal opportunities: It is intended that no applicant is treated unfairly for any reason, either because of their race, colour, ethnic background, religion, class, sex, age, gender identification, disability, mental health, sexuality, or family circumstances. We will undertake and report on equalities monitoring and respond to any emerging issues. The Allocations Policy will be subject to an Equality Impact Assessment.

Accountability: Decisions and actions are required to be accountable, transparent, and open.

Confidentiality: Partner landlords in the HHR are registered under the Data Protection Act 1998 and 2018 and are duty bound to comply with the conditions set out in legislation. Personal details of individual applicants will not be released to anyone other than the applicant or any advocate for whom the applicant has provided consent for disclosure.

1.4 Aims of the Allocations Policy

The 9 key aims of the Highland Housing Register are:

- 1. To provide housing to those in the greatest need, dependant on individual circumstances.**
The Highland Housing Register is a needs-based system. Applicants will have their individual housing need assessed according to the Housing Need Categories and Priorities set out in this Policy and allocations will be made based on housing need.
- 2. To help to prevent and deal with homelessness.**
The Highland Housing Register supports delivery of Highland's Homelessness Strategy and Homelessness Policy.
- 3. To help create and maintain strong and economically viable communities.**
The Highland Housing Register will use Local Lettings Initiatives where appropriate to help sustain communities with small populations and housing pressure.
- 4. To work with our Partner HHR landlords to provide suitable housing for those with special needs.**
The Highland Housing Register Partners will work together to maximise housing options for people with different needs including planning for future provision of unmet needs.
- 5. To make the best use of the housing available.**
The Highland Housing Register Partners will implement a Rightsizing scheme to encourage tenants that are under-occupying or in a special needs property but have no need for it to move to a suitable property. The Rightsizing scheme will be used when there is high demand for these types of properties. Details are found in Section 5.3.
- 6. To give applicants a range of choices of housing.**
The Highland Housing Register provides applicants with the opportunity to choose from a variety of house types across the 6 Partner Landlords operating in the Highland.

- 7. To help applicants move within the Highland area, and from other parts of the UK.**
The Highland Housing Register makes applying for housing in Highland simpler.
- 8. To monitor performance and respond to changing patterns of needs by regularly reviewing this allocations policy.**
The Highland Housing Register will undertake monthly and annual monitoring to identify where policy and practice may need to be reviewed.
- 9. To inform the Highland Council's planning processes.**
The monitoring information will be used to influence investment priorities in the Highland Housing Strategy.

1.5 Confidentiality

The Highland Housing Register landlords will process the information contained in your application form and any other relevant information they obtain in connection with your application. The Highland Housing Register may use this information in a number of ways:

- They will process the information for the purpose of your application for housing.
- They may also use this information to provide anonymous statistical data to their Committees, Boards of Management, the Scottish Government, and other interested parties.
- If you are successfully housed by one of the HHR landlords, that landlord will retain your information in your tenancy file. You have the right to see any details held in your personal files, on request. There may be a charge for this.
- The housing application includes privacy information and a consent statement. By signing the application form, you give consent to the HHR landlords processing the information in this way.
- Detailed information on how your data is used is published on the Highland Council website: https://www.highland.gov.uk/directory_record/1036192/housing_tenants_and_housing_applicants.

1.6 Information and Advice

A free copy of this policy will be made available to anyone on request. We will also make a shorter version of it available in appropriate formats, including on the website of Highland Housing Register landlords and as a leaflet. We will make the policy available in other languages and formats (such as in Braille, in larger font or on audio tape) if requested.

The Highland Housing Register will treat all applicants sensitively and fairly. You can ask to meet a member of staff to discuss your housing application at any time. You can ask for information, advice, and support with your housing options at any time. If you want, you can have a relative, friend or adviser with you at the meeting. Meetings will be held in private rooms whenever possible, and all information will be kept confidential.

We will provide free information and advice on housing options in the Highland area and will help you get access to independent advice and information.

Section 2: Legal and Regulatory Requirements

2.1 Legal Requirements

This Allocations Policy has been developed with respect to the legal requirements of the Housing (Scotland) Act 1987, Housing (Scotland) Act 2001, Housing (Scotland) Act 2014 and all other relevant legislation.

As a needs-based system the Highland Housing Register will give reasonable preference to households who:

- Are homeless persons and persons threatened with homelessness and who have unmet housing needs
- Are living under unsatisfactory housing circumstances and who have unmet housing needs
- Are tenants of social landlords who are under-occupying their property

The categories of housing need in Section 5 are based on these types of circumstances.

2.2 Regulatory Standards

This Allocations Policy has been developed with respect to wider good practice standards and the Scottish Social Housing Character outcomes and standards. These outcomes and standards can be viewed here: <https://www.gov.scot/publications/scottish-social-housing-charter-april-2017/pages/2/>.

2.3 Factors which cannot be taken into account

The law requires the Highland Housing Register to ignore certain factors when selecting tenants for empty houses. These are:

- How long you have lived in the area.
- Any debts (such as rent arrears) from a property of which you were not the tenant.
- Any debts you had owed from a previous tenancy, but which you have now paid off.
- Any debts you still owe where:
 - the amount you owe is less than 1/12th of the amount you had to pay over a full year for the tenancy; or
 - you have agreed arrangements with the landlord for paying off the debt and have kept to these arrangements for at least three months.
- Any debts (including Council Tax arrears), owed by you or anyone who is going to live with you, which do not relate to the tenancy of a home (including any previous tenancy).
- Your age (if you are 16 or over), unless the tenancy is for a home that:
 - has been designed or adapted for people of a particular age group; or

- is for people who are or will be getting housing support services for a particular age group.
- Your and your family's income.
- Whether you or any member of your household owns or has owned any property that can be inherited, regardless of its value.

As part of good practice, the HHR Partnership will also not consider someone's previous criminal conviction. An applicant may still have their application suspend for Antisocial Behaviour (see Section 4.6)

2.4 Residence Factors

The law also requires that when selecting a tenant, the Highland Housing Register cannot take account of whether an applicant is living in Highland if the applicant:

- works, or has been offered a job in the area
- wants to move into the area to find a job and Highland Housing Register is satisfied of this intention
- wants to move into an area to be near a relative or carer
- has a special social or medical reason for needing to live in the area
- wishes to move into the area to escape harassment
- wants to move into the area to escape the risk of domestic violence

2.5 Non-UK Nationals and Access to Social Housing

The rights of non-UK & Irish nationals to housing and homelessness provisions are a complex area. All non-UK & Irish nationals must have Recourse to Public Funds before they are eligible for allocation. Staff can advise applicants on individual cases.

Legislation includes the following categories as eligible for allocation:

- anyone granted refugee status
- anyone granted exceptional leave to remain
- anyone granted indefinite leave to remain
- any EU/EEA/Swiss national with Settled Status
- any EU/EEA/Swiss national with Pre-Settled Status and is "exercising a right to reside"
- any foreign national with a visa status that grants them Recourse to Public Funds

If you believe that you are homeless or threatened with homelessness, contact the Highland Council homelessness service: https://www.highland.gov.uk/info/997/housing_advice/245/homelessness.

2.6 Tenancies to Staff / Committee Members / Councillors and their Relatives

Special rules apply if you or anyone you live with is a close relative of someone who is or has been at any time in the last 12 months:

- a member of staff of any of the Highland Housing Register Partners
- a member of the Management Committee of a HHR member or a Highland Councillor

In these cases, applicants must declare their interest on the housing application form.

Where the connection is to a Highland Council employee, an elected Member of Highland Council, or a close relative of either an employee or Member, any offer of housing must be approved by the Head of Housing and Building Maintenance. Where the connection is to a Partner Landlord, any offer must be approved through the relevant Management Committee.

A close relative is defined as a direct relative by blood or marriage (including step relatives), for example, your son or daughter (including adopted children), mother or father, brother or sister, grandparent, grandchild, husband/wife, or partner (either sex).

Section 3: Housing Options

3.1 Housing Options

The Highland Council Housing Online service provides members of the public an opportunity to explore alternative housing options. Users can complete a *My Housing Options* questionnaire which will generate housing options suited to their circumstances. To create an account or log-in, follow this link <https://www.highland.gov.uk/info/houingonline>.

Members of the public can also access information about the private rented sector, specialist housing organisations and other housing options on the Highland Council's website: [https://www.highland.gov.uk/info/997/housing_advice/644/housing_options - help and advice](https://www.highland.gov.uk/info/997/housing_advice/644/housing_options_-_help_and_advice).

This webpage includes information about types of housing option in Highland such as:

- Low-Cost Home Ownership
- Highland Rent Deposit Guarantee Scheme
- Private renting in Highland
- Armed forces housing options
- Rural Home Ownership Grants
- Rent to Buy schemes
- Mid-Market Rents
- Adaptions to current property
- Repair work to current property

3.2 Mutual Exchanges

Applicants who are social housing tenants of any Registered Social Landlord or Local Authority can apply to exchange homes through the HHR Partnership's mutual exchange scheme. Requests may be refused where tenants do not meet the eligibility criteria. You can find a copy of the HHR Mutual Exchange policy here:

http://www.highland.gov.uk/download/downloads/id/22815/hhr_mutual_exchange_policy.pdf.

3.3 National Exchange Schemes

Applicants who are social housing tenants can register with national schemes. Highland Housing Register Partners are members of 'House Exchange' which is free to register for tenants of HHR landlords. This scheme allows tenants to exchange in Highland and across the UK. You can get more information about this scheme and other mutual exchange schemes at:

- <http://www.houseexchange.org.uk>
- <http://www.homeswapper.co.uk>
- or from staff from any HHR Partner

3.4 Nominations from Participant Landlords

There are Registered Social Landlords who have housing stock in Highland but who are not Partners of Highland Housing Register. Many of these landlords are the Participant Landlords noted in section 1.1 of this policy.

The Highland Council will nominate applicants from the Highland Housing Register for allocation to a Participant Landlord when requested by them.

Nominations are selected based on housing need in line with the general provisions of this Allocations Policy. Participant Landlords will then assess nominated applications and make offers based on their own separately available assessment system.

3.5 Section 5 Referrals

Section 5 of the Housing (Scotland) Act 2001 provides a statutory mechanism for local authorities to refer applicants with homeless priority need to any Registered Social Landlord for allocation of any forthcoming or currently empty properties.

It is recognised that the need for the Section 5 mechanism reduces within a common housing register such as Highland Housing Register where partner organisations have a shared policy commitment to prevent and help homelessness and are allocating empty properties through a shared register. The Highland Council will continue to submit a Section 5 referral when required to help meet its homelessness duty.

Registered Social Landlords cannot refuse to re-house a person referred through Section 5 unless there is a good reason as permitted by Section 5 of the Housing (Scotland) Act 2001.

3.6 Rightsizing Scheme

The landlords of the Highland Housing Register may offer priority and financial assistance to encourage tenants to move to a suitable property if they are

- under-occupying their tenancy; or
- residing in a property which has been designed or adapted for people with special needs or is part of a group of houses which have been designed or adapted or located near facilities for people with special needs, and the household does not require those features, but we require the house for someone who has.

A Rightsizing payment will only be considered where a HHR landlord considers that there is a genuine and urgent need for the property to meet the needs of another HHR applicant i.e. that the applicants' need could not otherwise be met, and where there is a very low turnover / high demand for these property types in the letting area.

Information about the Rightsizing Scheme is located here:

https://www.highland.gov.uk/downloads/file/12105/downsizing_scheme.

Section 4: Applying for Housing

4.1 Access to the Housing List

The Highland Housing Register is an open access housing register. Applications can be accepted by anyone provided they are 16 years old or above. Access to the Housing List does not guarantee an allocation of social housing.

You can make an application jointly with another person or people who want to live with you, even if you are not living in the same household.

If you make a joint application your housing needs assessment will be based on the applicant who is living in the worst housing circumstances. We will normally offer a joint tenancy to joint applicants.

Tenants of the Partner landlords will have their applications held on a Transfer List which forms part of the general housing register.

4.2 Where you want to be Housed

You can select up to 10 letting areas where you will accept housing. You can consult with Highland Housing Register staff for advice and information about the turnover of empty properties of the size and type you need in the areas you wish to live. This can help you make realistic choices.

Visit the HHR Demand and Supply Prospects tool which will help you make realistic choices https://www.highland.gov.uk/info/925/council_housing/244/apply_for_a_council_house/5.

Applicants with homeless priority have no limit to how many areas they can select. This ensures that reasonable offers of housing can be achieved and that homeless households are prioritised appropriately in terms of a reasonable permanent housing outcome.

Applicants with homeless priority will be offered the best property available to meet their needs as quickly as possible. This offer may not be in their specific areas of choice, but we will only offer a property that we consider is reasonable in terms of the homeless legislation and the Code of Guidance on Homelessness.

A reasonable offer of housing made to a homeless household can be defined as one that

- meets the applicant's housing need by providing the right size of housing
- meeting any particular needs (if applicable)
- allows access by public transport to health / school services - which may be different to the ones currently being used

We also ask applicants to rank the areas they would prefer to live. This is to help us understand and plan for future housing provision.

4.3 Application Checking and Verification

All reasonable enquiries will be made to check your household's circumstances. This may include home visits, photo evidence or video calls. We will always make these enquiries in a sensitive and appropriate way. If we receive clear evidence that a particular allocation is unsuitable or inappropriate, we reserve the right to bypass your application and record the reason for this. To help

to clarify household circumstances you are required to provide proof of these. Details of what type of proof we require are listed in the Highland Housing Application Guide booklet which can be found here: https://www.highland.gov.uk/download/downloads/id/3064/highland_housing_register_-_housing_application_guide.pdf

4.4 Tenancy References

Current and Former Tenancies

If you or your joint applicant currently has a social rented tenancy (or has had a social rented tenancy within the last five years), we will ask for a reference from your current or former landlord specifically about:

- your rent account history
- the condition of the property
- antisocial behaviour
- general housing management issues

If a reference is not satisfactory, we will tell you about how this may affect your application.

If you are a tenant and your landlord's reference state that you are not keeping your current home and garden in a reasonable condition, we may suspend your application until you tell us that you have brought your property up to a reasonable standard and your landlord confirms this.

Tenants of HHR Partners

If you are a tenant of any of the HHR landlords and you want to transfer to a property with the same or any other HHR landlord, we will make the same enquiries to your landlord and inspect your current home and garden before we make you an offer.

If your property is not in a reasonable condition or there are other issues with the tenancy, such as outstanding rent arrears (unless your arrears are less than a month's rent or there is an agreed and appropriate repayment plan and you have kept to this for a minimum of 3 months) we will not normally offer you a transfer.

We will not consider you for a further offer until your landlord confirms that an offer can be made.

4.5 Suspensions

We may suspend your application if you:

- have rent arrears or other housing debts which you still owe and have failed to maintain an arrangement to repay
- are an existing tenant of any other provider of public housing and you have not kept your property in a reasonable condition
- are a tenant of one of the HHR landlords and are applying for a transfer and you have not kept your property in a reasonable condition
- have a history of evidenced antisocial behaviour
- have provided false or misleading information
- have refused a second reasonable offer of housing

- have refused one reasonable offer of housing through Caithness Choice Based Letting

If we suspend your application, you will not be offered a tenancy for the period of the suspension unless your household's needs outweigh the other issues. Suspensions will normally last for six months and will be subject to review within this timescale.

We will tell you the reasons for the suspension in writing and give you advice about other possible sources of housing. We will also tell you about your right to appeal our decision.

If we think you have given false or misleading information, your application will be suspended while we make investigations. If this investigation determines that you knowingly gave false or misleading information, your application will be suspended for six months. We will give you written details of why we have taken this decision, and of your right to appeal against our decision.

If you have already been given a tenancy, and the false or misleading information affected the decision to offer the tenancy, the relevant HHR landlord may take legal action to recover the tenancy.

4.6 Anti-Social Behaviour

We may suspend your application for up to six months if, following investigation, there is clear evidence of antisocial behaviour by you, anyone living with you or visiting you, or if there is clear evidence that you, anyone living with you or visiting you has been subject to legal action in relation to antisocial behaviour (usually within the last three years).

This is further explained in section 6.4 Sensitive Lettings.

4.7 Review of Applications

Every year we will write to you to ask you to confirm whether or not you want to stay on the housing register. When we write to you, we will tell you what we know about your housing circumstances, housing needs and priority points.

You must let us know of any changes that may affect your assessment and confirm that you want to remain on the register.

Applicants who, due to their health and/or social care issues may not be able to renew their application, should include this information on their application.

4.8 Cancelled Applications

If we do not hear from you after we have sent our annual review letter, we will send you one final reminder letter. If we do not get a response to that letter, we will cancel your application.

We will also cancel an application if you have moved address as your points are related to your current accommodation.

You can apply to go on the housing list again at any time and we will consider your new application based on your current housing circumstances.

You can also request to cancel your housing application at any other time. We will write to you to confirm that we have cancelled your application.

Section 5: Housing Need Categories and Priorities

5.1 Assessing Housing Need

We will assess everyone's housing need according to their individual housing circumstances and award priority based on the Housing Need Categories and Priorities detailed later in this section.

In this way we can treat everyone's application consistently and fairly.

5.2 Property Type and Size

We will not normally offer you a home in which you will have more than one extra bedroom.

We will not normally offer you a home that would result in you being overcrowded. We would only offer this if you have agreed to accept a smaller sized property because this would result in an improvement to your existing circumstances and there is no anticipated turnover of the property size you actually need.

Where there are a limited number of one-bedroom properties in an area, single people or couples will be considered for two-bedroom properties on an equal basis as those with a 2 bed need.

If you have been approved to adopt, permanently foster or for kinship care but this cannot proceed until you have a bigger home, you will become eligible for the size of property which is required.

We will normally give preference to applicants who have a need for any special facilities or features that the property provides or could be provided following adaptation, where budgets allow. For example, suitably sized level access or ground floor accommodation, with walk in showers, will be allocated to people who have need for these property features.

Where an assessment of your needs indicates a need for a particular type of housing you will only be offered housing of this type or housing which can be suitably adapted, where budgets allow.

In certain circumstances we may ask an occupational therapist or another specialist to assess if the property we are thinking of offering you is suitable for your needs.

5.3 Sheltered and Amenity Housing

Sheltered housing is aimed at helping older people and younger people with disabilities to live more independently in the community.

Sheltered housing is let to people who meet these criteria:

- People who are aged over 60 years who need and accept the need for the enhanced housing management (warden) service, OR

- People of any age who are assessed as needing the enhanced housing management (warden) service e.g., people with a disability, low level needs such health and social care needs.

All sheltered tenants are provided with an enhanced housing management service. They pay for this through a service charge. If you are entitled to help with your housing costs, this charge may be covered by your benefits. You cannot opt out of paying it.

Amenity housing is mainly for people aged 50 or over; or who have a medical need or physical disability, which requires the provision of amenity standard accommodation.

You would not normally be made an offer of sheltered or amenity housing unless you met the criteria.

5.4 Homelessness and Threatened with Homelessness

Housing Options advice will be offered to anyone who is experiencing the threat of homelessness.

Homelessness assessments are undertaken by Highland Council staff as Highland Council is the only Partner with legal responsibility for homeless assessments.

Under homelessness law, an applicant who becomes homeless through no fault of their own and meets the local connection criteria will be given an offer of settled accommodation. No offer will be given if they resolve their own homelessness e.g., move into a private tenancy.

Homeless Points

If under the Housing (Scotland) Act 1987 the Highland Council has found you unintentionally homeless or unintentionally threatened with homelessness and you meet the local connection criteria, you will be awarded **70 points**.

Applicants with Homeless points are **not eligible** for certain other housing need points such as **overcrowding, sharing facilities, poor housing condition** or **accessible housing points**. This is because the high level of housing need is already reflected in the homelessness points awarded.

Applicants with Homeless points are eligible for **Need to Reside, Care and Support** and **Special Allocation Status**.

If you receive a negative homeless decision under the Housing (Scotland) Act 1987, your Housing Application will be dealt with according to our general Allocations Policy.

Homeless Waiting Points

If you are awarded the **70 homeless points**, you will receive **2 additional points** every month you are homeless or threatened with homelessness. Your start date will begin from the date you received your positive homeless decision.

5.5 Insecurity of Tenure

HHR tenants in leased properties

If you are a tenant of a Highland Housing Register landlord living in a home that your landlord leases from a private landlord for a fixed period, you will receive **30 points** once a valid Notice to Quit has been served by the private landlord or when there is 6 months or less until the confirmed lease expiry date.

No right or title

If you are living in a home to which you have no right or title and may be asked to leave at short notice, your application will be awarded 20 points. This includes bed and breakfast, c/o friends or relatives, parental home and lodgings.

Limited security of tenure

If you reside in a private sector tenancy, tied accommodation or HM forces accommodation and have a valid Notice to Leave and you have less than 6 months left on the lease your application will be awarded **30 points**.

5.6 Sharing Facilities

You will receive **20 points** if you live in a home where you **have** to share facilities with other people who will **not** be housed with you.

Applicants assessed as unintentionally homeless and in priority need are not eligible for sharing facilities points as noted in section 5.3.

5.7 Poor Housing Condition

Private Sector properties are eligible for all categories of Poor Housing Condition.

Tenants in social housing are not eligible for any categories of Poor Housing Condition.

Caravans/mobile homes/tents/temporary structures are eligible for category 2 and where the condition of the accommodation is unreasonable to occupy staff should support the household in a homelessness assessment.

Category 1: High

Properties which have one or more of the following significant defects will be awarded **70 points**:

- Not structurally safe
- No mains electricity/electricity unsafe
- No piped water
- No waste system
- Significant rising/penetrating damp/water penetration

Applications will be referred to Highland Council Environmental Health officers for appropriate statutory inspection.

Please note if of the above are found enforcement action will be taken against the landlord to ensure compliance of the Tolerable Standard.

Category 2: Medium

Properties which lack one or more of the following amenities will be awarded 20 points:

- No fixed sink / wash-handbasin / bath / shower
- No inside WC
- No central heating
- Mild dampness or water penetration
- No satisfactory cooking facilities

Applicants require to provide proof where possible; otherwise eligibility for the awarded points requires to be verified at point of allocation.

Category 3: Low

Properties which have one or more of the following condition will be **awarded 5 points per condition up to a maximum of 10 points**:

- Poor ventilation
- Partial central heating
- No satisfactory artificial or natural light
- Other items of disrepair which fail Repairing Standard
- No or poor loft insulation

- Does not have satisfactory access to an external door from the public road, e.g. no footpath to the front door

Applicants require to provide proof where possible; otherwise eligibility for the awarded points requires to be verified at point of allocation.

Applicants indicating Poor Housing Condition on their Housing Application will be provided with information about the Scheme of Assistance and The Repairing Standard.

5.8 Overcrowding

The Highland Housing Register has its own criteria for working out if you are overcrowded. A separate bedroom is presumed to be required (assuming no more than two people should share a bedroom) for the following categories below:

Each couple

Each person aged over 16 years

If children are of different sex and one is over the age of 6

If children are of the same sex and there is an age difference of more than 4 years

We will consider the size of the home you live in now and your application will be awarded **20 points** for each extra bedroom you need up to a maximum of **60 points**.

If you need an extra bedroom because you or your partner is pregnant your application will be awarded **20 points** as soon as we have proof of the pregnancy.

Overcrowding as a Result of Access to Children

If you have a child or children who regularly stay overnight as part of a residence or access arrangement, and you can provide proof of this arrangement your application will be awarded **20 points**.

Only one award of overcrowding points will be made under this category regardless of how many children are involved, and you will only be eligible for one extra bedroom for all children. This is because the children are adequately housed by their primary carer.

You **will not** be awarded these points if your application already has 60 overcrowded points.

When we offer tenancies, all other needs being equal, we will give preference to households with permanent overcrowding i.e. to households who are primary carers of children as this is a more significant housing pressure.

5.9 Under-Occupation

You will be assessed as under occupying for every extra bedroom you have relative to the size of property you have, applying the following rules that no more than two people should share a room. Listed below are the rules we apply;

Our Criteria

- Each couple
- Each person over 16 years
- Child aged 6 years or over and a different sex from other children

- Each child of 4 years or more age difference to other children including of the same sex
- If you are a tenant of an HHR Partner Landlord, you will receive **20 points** for each extra bedroom you have relative to the size of house that you need or are applying for.

Only tenants of HHR Partner landlords are eligible for this points award. If you are a private sector tenant, a tenant of another social landlord or a homeowner, you will not be awarded these points.

5.10 Care and Support

You can receive up to a maximum of **50 points** if any of the following circumstances apply to you:

- You have an identified need for independent living and where you are living is no longer appropriate, for example: in a residential care or nursing home, a hospital, in supported accommodation with a care package, or in the parental home with a care package **(50 points)**
- The Council has a statutory duty of care in terms of your follow-on accommodation; for example, you have been a looked after child in a care or kinship arrangement **(50 points)**
- You need specialist support services (not otherwise available) **(20 points)**
- You need to move to provide care and support services, for example, through kinship care arrangements **(20 points)**
- You need to move so that a carer can live with you to enable you to live independently **(10 points)**
- you need to move to receive care from a friend or relative to enable you to live independently **(10 points)**
- you need to move to provide care to a friend or relative to enable them to live independently **(10 points)**
- you or a member of your household needs to move to be nearer facilities or services to maintain independent living **(10 points)**

Eligibility will be based on evidence of your circumstances from an appropriate professional in terms of a Care Plan, Community Care Plan, Single Shared Assessment, and Independent Living plan or similar.

5.11 Need to Reside

The intention of this category is to recognise that households in the following circumstances have a relationship to a particular area. To be eligible for these points applicants must:

- be permanently employed, or been offered permanent employment in the area
- already have their main residence within the area

Your application will be awarded **20 points** if you have a need to reside in the area for the reasons above.

In line with Scottish Government Guidance ex-service personnel who are leaving or have just left armed forces accommodation will be awarded **20 points** for Need to Reside regardless of whether they have a Need to Reside.

5.12 Two Households for One

You will receive **30 points** if you are the tenant of an HHR Partner landlord and you want to form a new household with another person who is also a tenant of an HHR Partner landlord.

You will only be eligible for these points providing any allocation will result in both houses being left vacant and available for allocation through the Highland Housing Register.

5.13 Accessible Housing

If your physical and/or mental health or medical condition is made worse by your current living circumstances and this is stopping you from carrying out day to day tasks, you can request an Accessible Housing Form. Once completed and returned, the form is sent to NHS Highland for an independent assessment.

Your application will be assessed across the following levels of priority:

- **high (70 points)** - Re-housing to a specific property type or location is essential to enable functional independence or well-being.
- **medium (40 points)** - Re-housing to a specific property type or location would be of significant benefit to functional independence or well-being.
- **low (10 points)** - Re-housing to a specific property type or location would be of benefit to functional independence or well-being.

If the medical assessment identifies a specific type of housing or particular property feature that you need to improve your health (for example, a ground-floor flat because you cannot walk easily) your priority points can only apply to the appropriate property type or to a property that can be suitably adapted to meet your need.

If you are not happy with your assessment you have the right to appeal.

5.14 Special Allocations Status

If you are experiencing circumstances and have needs which are not recognised by the other categories of housing need in this policy, we may assess your application for 'Special Allocations Status' and seek appropriate independent evidence of your circumstances.

As this status is intended to deal with extreme or exceptional circumstances only one offer of housing will normally be made.

Decisions for an award under this category can only be made by Highland Housing Register senior staff following a full assessment of your circumstances and the housing needs of other applicants with greater assessed need in terms of this policy.

5.15 Summary of Housing Need Categories and Points

| |
|--|
| 70 Points |
| Homeless - Unintentional |
| Poor Housing Conditions - High |
| Accessible Housing Need - High |
| |
| 50 Points |
| Assessed need to move to independent living from residential care/hospital/supported accommodation/ other inappropriate accommodation |
| |
| 40 Points |
| Accessible Housing Need - Medium |
| |
| 30 Points |
| Tenants in properties leased by any of the HHR Landlords with less than 6 months left on lease or where NTQ served |
| Two households combined – where both houses can be relet through HHR |
| Valid Notice to Quit on a Private Sector Tenancy |
| |
| 20 Points |
| Moving to access specialist support services not otherwise available |
| Under occupation – HHR Tenants Only (per bedroom - no limit) |
| Overcrowding (per bedroom up to max 60). |
| Sharing Facilities (1 set of points regardless of how many facilities are shared) |
| Poor Housing Conditions – Medium |
| Need to Reside |
| Insecure Accommodation (e.g., C/o parental home/friends/family/lodgings) |
| |
| 10 Points |
| Care & Support – where need to move provide receive care, or improve or maintain access to activities/services where not otherwise available |
| Accessible Housing Need - Low |
| |
| 5 Points |
| Poor Housing Condition – Low (up to maximum of 10 points) |
| |
| 2 Points |
| Homeless Waiting Points (2 points every month starting from the date of your positive homeless decision) |

Section 6: Allocation of Housing

6.1 How Houses are Allocated

Each application is assessed fairly and consistently with respect to the Housing Need Categories.

In this way the register is able to prioritise and rank your application relative to the needs of other households on the register.

As the system is open access, the ranking changes from day to day as applicants are housed and new households register.

Selection of applicants for empty houses is by a 'shortlisting' process which identifies applicants whose needs, choices and preferences match the property type, size and location characteristics of the available property.

Allocations are then made to the applicant with the greatest housing need for the property type being offered.

6.2 By-Passing Applications

In some circumstances it might be necessary to by-pass the highest ranked applicant with greatest overall priority for an offer. Reasons for this could include:

- where the property offered is not suitable for a specific health or medical recommendation
- where an applicant has significant rent arrears or housing debt and no arrangement has been negotiated
- where the existing home has not met transfer inspection standards and an arrangement has not been negotiated

By-pass reasons will be recorded and monitored for all allocations.

6.3 Offers and Refusals

Applicants may receive 2 reasonable offers of housing, unless they have 'Homeless Priority', in which case they will be made 1 reasonable offer in line with The Highland Council's Homelessness Policy. Applicants will be made 1 reasonable offer if they register an interest for a property through Caithness Choice Based Letting.

In deciding what is reasonable, account will be taken of the property type and location choices made on the housing application, and the property type and size the household is eligible for.

In the case of households with Homelessness Priority, account will also be taken of the advice in the Scottish Government's Code of Guidance on Homelessness including consideration of the availability of housing in the areas an applicant has selected.

For this reason, offers to homeless applicants may not necessarily be in the preferred areas as also outlined in section 4.2 of this policy.

Applicants eligible for 2 reasonable offers

After a first reasonable offer has been refused, applicants will be contacted and given advice about housing options and to review the application form.

After a second reasonable offer has been refused, the application will be suspended for 6 months.

Homeless Priority applicants eligible for 1 reasonable offer

Where households have Homelessness Priority, the Council will consider its homeless legal duty discharged following a refusal of a reasonable offer of accommodation to resolve their homelessness. We may thereafter end any temporary accommodation provided under the homeless legislation. In addition, applicants will have the Homelessness Priority points removed from their application and will have their housing circumstances assessed in line with the categories of housing need contained in this policy.

Thereafter, the application will be subject to the conditions set out for 2 reasonable offers as with other applicants on the register.

Applicants have a right of appeal against any decisions made.

6.4 Caithness Choice Based Letting

All social housing in Caithness, bar sheltered properties, are allocated through Choice Based Letting. Choice Based Letting gives you a greater say over where you live by allowing you to register an interest in a property (also known as 'placing a bid'). The property is then allocated to the 'bidder' with the greatest housing need.

Properties available to 'bid' on are found here

- https://www.highland.gov.uk/homepage/72/choice_based_lettings
- <https://www.albynhousing.org.uk/my-home/how-we-rent-homes-in-caithness/>
- <https://www.cairnha.com/find-home/homes-available-now/>

'Bids' cannot be placed against sheltered properties. These will be allocated to an eligible applicant who has selected a letting area where sheltered properties are located and has the greatest housing need.

In some circumstances, a landlord may offer you a Caithness property which you have not registered a 'bid' for. This will only happen if the landlord has not received any 'bids' for the property while it was advertised.

If you refuse the offer of a property that you have bid for, and which would have been suitable you may be suspended from further offers / bids for 6 months.

After the suspension is lifted, the applicant will be contacted to provide advice about housing options and to review the application form.

Applicants are entitled to 2 reasonable offers if they are offered a Caithness property, they did not register an interest in.

6.5 Sensitive Lettings

In some circumstances there may be a need for a Risk Assessment to confirm whether it is appropriate for a particular offer of housing to be made. The arrangements for Risk Assessment will vary according to the different types of risk factors.

1) Antisocial Behaviour

We may not make an offer of housing where there is evidence of antisocial behaviour by you, anyone living with you or visiting you, or there is clear evidence that you, anyone living with you or visiting you has been subject to legal action in relation to antisocial behaviour (usually within the last three years).

We will refer any proposed offer of housing for a risk assessment. Where it is considered that the offer is not appropriate, you will be advised of this decision in writing. You have the right to appeal this, please see Section 9 on page 31.

Details of the Highland Council's Antisocial Behaviour policies can be found here;
https://www.highland.gov.uk/info/997/housing_advice/222/antisocial_behaviour

An applicant's area choices may require reviewing based on any recommendations from the risk assessment.

2) Serious / High Risk Offenders

Detailed arrangements are in place for public protection through Multi Agency Public Protection Arrangements (MAPPA).

Occasionally other individuals are identified by police and other agencies as posing a risk to the public and as such require a multi-agency approach to managing the risk. Allocations will be made on basis of where risks can be managed in accordance with available stock.

Any offer made to an applicant subject to these arrangements may be subject to enhanced multi-agency risk assessments and discussions. An applicant's choice of areas may require reviewing and amendment based on any recommendations from MAPPA or other statutory bodies.

Any enquiries to an HHR Partner about rehousing of serious offenders should be referred to the Highland Serious Offender Liaison Officer (SOLO).

3) Violence Against Women/Domestic Abuse

If an HHR applicant indicates that they, or a member of their household, are at risk from domestic abuse, staff will make arrangements with the applicant to undertake a risk assessment to identify the level of risk posed and assess whether current accommodation remains safe to occupy.

Following a risk assessment (and depending on the identified risks) appropriate referrals will be made by staff which may include a referral to the Multi-Agency Risk Assessment Conference (MARAC) or a referral to an appropriate Specialist Support Organisation.

If this information is known to Housing Services, the Highland Housing Register will make every effort to ensure that HHR applicants at risk of domestic abuse are not housed in the vicinity of the perpetrator, nor the perpetrator housed in a location which would put their victims at continued risk.

4) Witness Protection – The National Witness Mobility Service (NWMS)

The NWMS works with police forces and Local Authorities to streamline the process of rehousing

seriously intimidated witnesses.

Highland Housing Register will work with NWMS when contacted with a possible referral.

Any enquiries to an HHR Partner about referral under this scheme should be referred to the Highland Serious Offender Liaison Officer (SOLO).

Section 7: Local Lettings Initiatives

7.1 When a Local Lettings Initiative is Appropriate

Under current legislation and guidance and providing that the assessment of local connection is not determined by length of residence, landlords may operate a separate allocation system for different parts of their area.

Local Lettings Initiatives may apply when there is evidence that the policy is not delivering the aims as described in section **1.5 of this policy: Aims of the Allocations Policy.**

Local Lettings Initiatives are most likely to be considered

1. in small rural communities with housing pressure where there is evidence of the need for a particular targeted and time limited approach to allocations; or
2. where there are regeneration issues which research indicates can be addressed through a similar time limited approach; or
3. where there is evidence to support an alternative approach to allocations and where HHR monitoring information similarly evidences a divergence from the intended policy outcomes.
- 4.

7.2 Eligibility for Local Lettings Initiatives

A HHR Partner (or Partners) may propose a Local Lettings Initiative when they believe it is required to meet a locally identified need. Before an initiative can be implemented it must

- Be discussed and be subject to agreement by the HHR Partnership
- Be subject to an Equality Impact Needs Assessment
- Be subject to discussion with a representative community organisation and representatives of Highland Housing Register
- Include a review of allocations monitoring information and consideration of any evidence from an independent community needs assessment
- Be subject to approval by participating Partner Landlord's governing body or Housing Committee

7.3 Housing Applications for Designated Local Lettings Initiatives

Housing applicants will complete a supplementary application providing evidence of their need to reside in the community which is eligible for a Local Lettings Initiative.

Where an applicant meets the criteria established by the Local Lettings Initiative the applicant will be identified on the HHR system as having an 'enhanced' connection to that community.

Applicants will otherwise have their housing needs assessed according to the general provisions of the HHR Allocations Policy.

7.4 Allocations Quotas in Local Lettings Initiatives

Allocations in Local Lettings Initiatives will be by means of a quota system in order to maintain and demonstrate compliance with the general primary provisions of the HHR Allocations Policy. This includes the need to evidence that there is no disadvantage to applicants in what the legislation describes as 'reasonable preference categories.

In a quota system a percentage of allocations are set for different groups of applicants. So that for example: Housing List 50% and Local Lettings Initiative 50%. Local Lettings Initiatives quotas cannot exceed 50% because of the need to demonstrate no disadvantage to applicants from the 'reasonable preference categories.

Allocations will be monitored to make sure that the target allocations quota is met.

The Highland Housing Register annual monitoring report will include information on the demand for Local Lettings Initiatives when requested and the allocations outcomes for each.

7.5 Local Lettings Initiatives – General

Local Letting Initiatives are intended to be developed in consultation with local communities through any representative organisations. Arrangements will be time limited and subject to annual reassessment and review.

Section 8: Monitoring

To make sure that we act fairly and in accordance with equal opportunities we will monitor our performance by reporting the following information each year:

- The total number of applications received by all Partner landlords
- The number of tenancies offered, and an analysis of the points and needs of those housed
- The number of appeals against or complaints about, for example, offers of housing or how we have processed applications and the outcomes of these complaints and appeals i.e. upheld or not
- The number of cases and circumstances in which applicants were housed
- under special allocations status
- The number of transfers carried out each year
- The number of allocations made to Homeless applicants
- The number of applicants suspended for refusing two suitable offers
- Feedback from customer satisfaction surveys
- Details about any Local Lettings Initiatives

The Highland Housing Register Landlords will review this allocations policy at least once every three years to assess how effective it is and examine whether any changes are needed.

We may change this policy to keep it up to date with changing laws or best-practice guidance, or to tackle issues arising from our reviews.

We always welcome feedback and comments from individuals and organisations.

Section 9: Appeals and Complaints

If you have a complaint about how your application has been managed or if you feel you have been treated unfairly you can make a complaint at any of the Highland Housing Register offices.

Your complaint will be managed in terms of the complaint's procedure of the HHR Partner which is holding your application.

If you still feel that we have not dealt with your housing application properly or fairly, you can then complain to the Scottish Public Services Ombudsman.

Section 10: Contact Details

The Highland Council

Housing and Property Service, Glenurquhart Road, Inverness, IV3 5NX 01349 886602

Albyn Housing Society Ltd. (Charity No SCO27123)

Head Office, 98-100 High Street, Invergordon, IV18 0DL: 01349 852978

68 MacLennan Crescent, Inverness, IV3 8DN: 01463 712516

Cairn Housing Association Ltd. (Charity No SCO16647)

Cairn House, 30 Waterloo Place, Inverness, IV1 1NB: 0800 990 3405

37-39 Traill Street, Thurso KW14 8EG 0800 990 3405

Caledonia Housing Association Ltd (Charity No. SC013988)

5 South St Johns Place, Perth, PH1 5SU 0800 678 1228

Lochaber Housing Association Ltd. (Charity no SCO30951)

101 High Street, Fort William, PH33 6DG: 01397 702530

Lochalsh & Skye Housing Association Ltd. (Charity No SCO38019)

Morrison House, Bayfield, Portree, Isle of Skye, IV51 9EW: 01478 612035