

Housing Allocations Policy

Reviewed 2021

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Arabic

هذه الوثيقة متاحة أيضا بلغات أخرى والأحرف الطباعية الكبيرة وبطريقة سمعية عند الطلب.

Hindi

अनुरोध पर यह दस्तावेज़ अन्य भाषाओं में, बड़े अक्षरों की छपाई और सुनने वाले माध्यम पर भी उपलब्ध है

Punjabi

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਰਿਕਾਰਡ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

Urdu

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی میسر ہے۔

Chinese (Cantonese)

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Polish

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British Sign Language

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1. Introduction

1.1 Background

This Allocations Policy sets out how the Council intends to let its houses. It lays out a hierarchy of need, in order to best allocate a limited supply of housing. It aims to ensure the best use of housing stock in terms of meeting housing need and deliver transparency for applicants in relation to their housing options. The allocation of properties has a crucial part to play in promoting sustainable communities, in which people will want to live and work. The Allocations Policy ties in with objectives from the Local Housing Strategy, the Homelessness Strategy and the Rapid Rehousing Transition Plan to provide a holistic approach to addressing housing need in the area.

1.2 Aims and Objectives

This policy aims to:

- Let homes to those who are most in need;
- Make the best use of housing stock;
- Promote sustainable communities; and
- Meet statutory requirements and reflect good practice guidance outlined in the Allocations Practice Guidance and other sources.

Our key objectives are to:

- Provide all applicants with detailed advice and information about their housing options, the allocations process, including their prospects for re-housing;
- Allocate properties based on a consistent assessment of housing need, applied in a fair and equitable manner;
- Allocate housing to applicants with different housing needs in order to achieve balanced and sustainable communities;
- Make the best use of the housing stock and promote tenants' rights such as the right to exchange homes;
- Maintain clear audit trails of the allocations and lettings process;
- Let houses against quality housing standards ("our re-let standard") and in line with targets to minimise rental income lost due to properties being empty;
- Provide support to applicants to maximise tenancy sustainment;
- Reviewing our policy every three years in consultation with tenants, housing list applicants and other relevant stakeholders;
- Ensure that the policy doesn't discriminate on the grounds of race, gender, transgender, sexual orientation, marital status, ethnic origin, faith or religious belief, disability, or age; and,
- Ensure that there is an open and transparent appeals process.

2. Legal Framework

2.1 Housing Act 2014

The allocation of social housing in Scotland is governed by the provisions within the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001 and again by the Housing (Scotland) Act 2014. The legislation sets out the principles that should guide the practice of social landlords in relation to holding and managing a housing list, the extent to which circumstances and needs should be assessed and the applicant characteristics that should be prioritised in the assessment of housing need.

The Housing (Scotland) Act 2014 changed certain aspects of the law on social housing allocations and management:

- The Right to Buy was abolished for all social housing tenants in Scotland by this Act;
- The Act made changes to allocation rules for social landlords, to increase flexibility and allow them to make best use of their stock; and
- The Act allows landlords more flexibility to use Short Scottish Secure Tenancies (SSSTs) to address anti-social behaviour.

The other legislative provisions surrounding the allocation of social housing in Scotland relate to meeting the needs of homeless households set out in the Housing (Scotland) Act 2001 and Homelessness etc. (Scotland) Act 2003.

2.2 Applicable Legislation

There is a framework of rights based legislation which also influences the allocation of housing and with which the Councils must comply with. These are:

- Human Rights Act 1998;
- Matrimonial Homes (Family Protection)(Scotland)Act 1981;
- Children Scotland Act 1995;
- Civil Partnership Act 2004;
- Immigration & Asylum Act 1999;
- Protection from Harassment Act 1997;
- Domestic Abuse (Scotland) 2011;
- Management of Offenders etc. (Scotland) Act 2005;
- Equality Act 2010;
- Adult Support & Protection (Scotland) Act 2007; and
- Data Protection Act 2018.

2.3 Scottish Social Housing Charter

The Scottish Social Housing Charter (the Charter), sets out the outcomes and standards that all social landlords should be delivering for their tenants and other customers.

The first Charter came into effect on 1 April 2012 and following a review in 2016. A revised Charter was approved by the Scottish Parliament and came into effect from April 2017.

Scottish Ministers consulted the Scottish Housing Regulator; tenants in social housing and their representative bodies; social landlords; homeless people; and other stakeholders about the Charter's contents to ensure that the outcomes in the Charter:

- Describe the results that tenants and other customers expect social landlords to achieve;
- Cover social landlords' housing activities only; and
- Can be monitored, assessed and reported upon by the Scottish Housing Regulator.

The Charter does not replace any of the legal duties that apply to social landlords, but in several cases the outcomes describe the results social landlords should achieve in meeting their legal duties.

The Council has to report on these outcomes annually to the Scottish Housing Regulator and makes this information available to the public each year, in October.

The following Charter Outcomes are of direct relevance to the allocations policy and practice:

Outcome 1: Equalities

Social landlords perform all aspects of their housing services so that:

- *Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.*

This outcome describes what social landlords, by complying with equalities legislation, should achieve for all tenants and other customers regardless of age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex, or sexual orientation. It includes landlords' responsibility for finding ways of understanding the rights and needs of different customers and delivering services that recognise and meet these.

Outcome 2: Communication

Social landlords manage their businesses so that:

- *Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.*

This outcome covers all aspects of landlords' communication with tenants and other customers. This could include making use of new technologies such as web-based

tenancy management systems and smart-phone applications. It is not just about how clearly and effectively a landlord gives information to those who want it.

It also covers making it easy for tenants and other customers to make complaints and provide feedback on services, using that information to improve services and performance, and letting people know what they have done in response to complaints and feedback. It does not require landlords to provide legally protected, personal or commercial information.

Outcome 3: Participation

Social landlords manage their businesses so that:

- *Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.*

This outcome describes what landlords should achieve by meeting their statutory duties on tenant participation. It covers how social landlords gather and take account of the views and priorities of their tenants, other customers, and bodies representing them such as registered tenant organisations; how they shape their services to reflect these views; and how they help tenants, other customers and bodies representing them such as registered tenant organisations to become more capable of involvement – this could include supporting them to scrutinise landlord services.

Outcomes 7, 8 and 9: Housing options

Social landlords work together to ensure that:

- *people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them*
- *Tenants and people on housing lists can review their housing options.*

Social landlords ensure that:

- *People at risk of losing their homes get advice on preventing homelessness.*

These outcomes cover landlords' duties to provide information to people looking for housing and advice for those at risk of becoming homeless. This could include providing housing 'health checks' for tenants and people on housing lists to help them review their options to move within the social housing sector or to another sector.

Outcome 10: Access to social housing

Social landlords ensure that:

- *people looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and on their prospects of being housed.*

This outcome covers what social landlords can do to make it easy for people to apply for the widest choice of social housing that is available and suitable and that meets their needs. It includes actions that social landlords can take on their own and in partnership with others, for example through Common Housing Registers or mutual exchange schemes, or through local information and advice schemes.

Outcome 11: Tenancy sustainment

Social landlords ensure that:

- *Tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.*

This outcome covers how landlords on their own, or in partnership with others, can help tenants who may need support to maintain their tenancy. This includes tenants who may be at risk of falling into arrears with their rent, and tenants who may need their home adapted to cope with age, disability, or caring responsibilities.

Outcome 12: Homeless people

Local councils perform their duties on homelessness so that:

- *Homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed; and are offered continuing support to help them get and keep the home they are entitled to.*

This outcome describes what councils should achieve by meeting their statutory duties to homeless people.

3. Equal Opportunities

The Council is committed to fulfilling the three key elements of the general equality duty as defined in the Equality Act 2010:-

- Eliminating discrimination, harassment and victimisation;
- Advancing equality of opportunity between people who share a protected characteristic and those who do not ; and
- Fostering good relations between people who share a protected characteristic and those who do not.

The protected characteristics are:

- Age;
- Disability;
- Gender reassignment;
- Pregnancy and maternity;
- Race, this includes ethnicity, colour and national origin;
- Religion or belief;
- Sex;
- Sexual orientation; and
- Marriage/civil partnership (for which only the first duty applies)

Everyone has 'protected characteristics', but it is the treatment individuals and groups receive, the level of autonomy they have, and the positive or negative outcomes for them, that are our focus. Therefore we will:

- Remove or minimise disadvantages experienced by people due to their protected characteristics;
- Meet the needs of people from protected groups where these are different from the needs of other people; and
- Encourage people with protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

As well as being legal requirements, these steps contribute to fairer, more efficient and more effective services. Therefore the Council will:

- Take effective action on equality;
- Make the right decisions, first time around;
- Develop better policies and practices, based on evidence;
- Be transparent, accessible and accountable; and
- Deliver improved outcomes for all.

As well as being legal requirements, these steps contribute to fairer, more efficient and more effective services. The policy has been equality impact assessed.

4. Other Related Policies

4.1 Local Housing Strategy

The Local Housing Strategy (LHS) sets out how West Dunbartonshire Council and its partners plan to address housing and housing related issues over the five year period from 2022/2027.

The LHS is a wide ranging and all tenure document covering:

- Housing ;
- Homelessness and Housing Options;
- Housing Support Services; and
- Fuel Poverty.

The Allocation Policy has a vital part to play across a number of policy areas to help in the delivery of the LHS outcomes. The strategy highlights how local lettings planning and other demographic tools can help to make best use of our housing stock to achieve individual tenancy and broader community sustainment and social cohesion. Some of the key themes included within the new LHS are climate change, energy efficiency and health/wellbeing and the wider impact of Housing in parallel with the national ambitions with Housing to 2040.

4.2 Homelessness Strategy

Our current approach to homelessness is outlined in the Council's first Rapid Rehousing Transition Plan 2019-2024 entitled "Home at the Heart". The plan acknowledges that challenges exist in terms of developing appropriate Accommodation and Support Pathways which work for homeless households and has the following four key outcomes:

- Deliver a Whole Systems approach to the prevention of homelessness;
- Enable service users with low or no support needs to access settled housing quickly;
- Develop interim housing options which enable independent living and housing sustainment; and
- Implement a Housing First model which enables the most excluded service users to achieve housing sustainment.

The Council has a duty to provide settled accommodation for households who are homeless or threatened with homelessness and our Allocations Policy gives a reasonable preference to households who are homeless and are at the point of securing settled accommodation (see Section 5).

The Council is committed to developing a housing options approach as an action under the homelessness strategy which will improve access to housing for all applicants. A person centred approach will be created and all different options for housing will be looked at to allow applicants to make an informed choice about their living situation.

5. Allocation of Houses

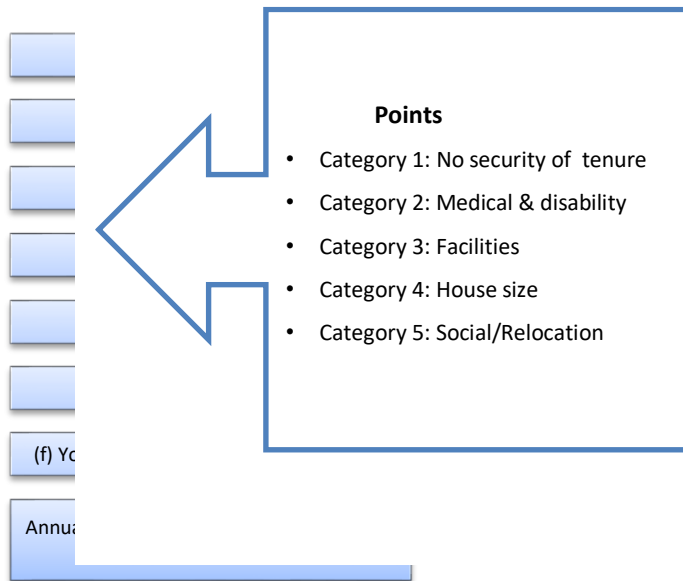
5.1 Stock Profile

The total Council housing stock has at the end of 2020/21 numbered 10,153 properties and rose for the first time in many years. This was due to the Council's bold new build programme and Buy Back Scheme.

The Council's housing stock is split into three main population areas - Clydebank, Dumbarton and the Vale of Leven. Around 51%, of the Council's housing stock is located in Clydebank, 29% is located in the Vale of Leven area and 20% is located in Dumbarton. The terms of size, 2 bedroom properties account for around 45% of the total stock, 1 bedroom and 3 bedroom properties account for around 25% each and 4 bedroom properties make up around 3%, with relatively few numbers of bedsits and larger sized homes. Across the whole of the West Dunbartonshire area, flatted accommodation accounts for around 72% of the total housing stock, with houses accounting for around 28%. Our flats are a mix of four in a block accommodation, tenement flats, multi-story accommodation, maisonettes and duplex flats, with four-in-blocks make up around 30% of the total housing stock. Sheltered accommodation accounts for around 2% of the stock provision. Up to date stock information is available via the Council's website [here](#).

5.2 Groups plus points system

Groups plus points system



Reasonable preference refers to a level of priority given to applicants under certain circumstances. Our Allocation Policy must give a reasonable level of priority to those applicants who fall within one of the reasonable preference groups.

The 2014 Act amended section 20 of the 1987 Act and sets out three categories of applicants who should be given reasonable preference in an allocation policy.

These are:

- Homeless persons and persons threatened with homelessness and who have unmet housing needs;
- People who are living under unsatisfactory housing conditions and who have unmet housing needs; and
- Tenants of houses which are held by a social landlord, which the social landlord selecting its tenants considers to be under-occupied.

The Council uses a group plus points system to allocate its properties, which recognises these applicants that should be given reasonable preference and also other groups identified as being in specific housing need.

This breaks the housing register down to clearly defined groups. A housing needs assessment based on the application is carried out and then the applicant is placed in one of the following groups and pointed accordingly. If an applicant shares the same level of points with another applicant within that group, the applications will be prioritised based on the date of application.

The relative priority given to each of the reasonable preference groups will depend on the profile of identified housing need. Our allocation lettings quotas are reviewed annually and established for each group given a reasonable preference within the policy. This exercise recognises that other groups being prioritised for allocations will not dominate the policy in terms of letting activity, at the expense of the three reasonable preference groups in the 2014 Act.

The annual lettings target for homeless households is influenced by West Dunbartonshire Council's Rapid Rehousing Transition Plan (RRTP), which is updated annually, taking account of the previous years' letting activity and the level of homelessness within West Dunbartonshire. The percentage target agreed for homeless lets is not intended to be a rigid figure however, and any agreed target can be exceeded.

(a) Homeless persons

The Council has a statutory duty to secure permanent accommodation for applicants who have been assessed as being homeless or threatened with homelessness and homeless households are given reasonable preference within our Allocations Policy as per legislation. We have a robust homeless assessment process which ensures that all homeless applicants are treated fairly and equitably.

The policy aims to make sure that the needs of homeless households are met as quickly as possible and does not give homeless people any lesser preference than the other specified groups. This means that the weighting given to homeless households reflects our obligation to make a reasonable proportion of overall lets available to homeless households, having regard to the urgency of their individual circumstances, their housing and medical needs and the constraints of current stock availability.

(b) General Housing List Applicants

All other applicants including those living under unsatisfactory housing conditions and who have unmet housing needs.

(c) Transfer Applicants

All current WDC tenants including those under-occupying their current property.

(d) Strategic Housing Need/Redevelopment Applicants

All WDC tenants and tenants of landlords working in partnership with the council, affected by regeneration/redevelopment programmes.

(e) Young Care Leavers

In Scotland the Staying Put Scotland Guidance (2013) and Housing Options Protocols Guidance (2013) were produced to inform and share best practice and bring consistency to the options and support available to care leavers. Policy and legislation recognises and highlights the fundamental importance of safe, secure and sustainable accommodation in helping care leavers attain and achieve.

In addition, West Dunbartonshire Council is a supporter of the Scottish Care Leavers Covenant which includes a section dedicated to Housing and Accommodation. A key action within the Covenant is that, "*Corporate parents must take action to ensure that care leavers do not have to make a 'homeless application' in order to access suitable accommodation/housing*".

Therefore, the Council gives priority status to young care leavers. This also links in with the Homelessness Strategy, as it has been highlighted that in West Dunbartonshire Council youth homelessness continues to account for over a third of all incidences of homeless. Part of the vision is to change the approach to how young care leavers are dealt with regarding housing; this is also in line with GIRFEC (Getting It Right For Every Child).

Recognising young care leavers as a group means that this group does not have to always access housing via the homeless route. Young care leavers are any looked after or accommodated child within West Dunbartonshire. The Throughcare team work very closely with each young person and will create a pathway plan to support young people's transition from care into their own tenancy to achieve maximum tenancy sustainment.

Should you wish to read more information on this you can see our Young Care Leavers Protocol which lays out in detail the accommodation pathway options available to young care leavers working with Throughcare.

(f) Young people at risk of homelessness

Youth homelessness is a key challenge and West Dunbartonshire is noted as a "youth homelessness hot spot" within the Scottish Government's statistics. Young people aged 16 to 24 make up 9.8% of the population in West Dunbartonshire, yet this age group accounted for 32% of all homeless presentations during 2020/21 (compared to a Scottish average figure of 24%).

Therefore, the council has given priority status to young people at risk of homelessness and have created an additional reasonable preference group within the Allocations Policy, similar to our provision for Young Care Leavers. The young people will be sourced from live cases at risk of homelessness and who are engaging with the Housing Options Service. This quota will be reviewed and updated annually, as is the case with other groups given reasonable preference within the policy. This system change aims to tackle the high levels of youth homelessness in West Dunbartonshire and aligns with our wider policy objectives outlined in our Local Housing Strategy and Rapid Rehousing Transition Plan.

5.3 Matters to disregard when selecting applicants

The Council must disregard certain matters when selecting. These are:

- The length of time that applicants have resided in our area;
- Any debt related to a tenancy not owed by the applicant, as a tenant or former tenant, or any housing debt since paid back;
- Any outstanding debt not attributable to the tenancy, for example, council tax arrears (this also applies to anyone else that it is proposed will reside with the applicant);
- The age of the applicant unless a) housing has been designed or substantially adapted for persons of a particular age or b) the housing is for persons who are, or will be, in receipt of housing support services for a particular age group; and
- The income of applicants, including income of other household members.

The law now does enable Councils to take property ownership into account in certain circumstances. However, the Council is not taking account of any property owned by applicants or their family members when selecting tenants. The policy is based on housing need and applicants may have various forms of housing need irrespective of home ownership.

When letting houses, the Council must also take no account of whether or not an applicant resides in our area if they:

- Are employed, or have been offered employment in our area;
- Want to move into our area to look for employment and we are satisfied that this is their purpose;
- Want to move into our area to be close to a relative or carer;
- Have special social or medical reasons for being re-housed in our area; and
- Want to live in our area to avoid harassment or runs the risk of domestic abuse and wishes to move into the area.

In law, there are specific conditions that the Council cannot impose, namely:

- Applications must be active for a minimum period before considering applicants for housing (except if that tenant has been informed that their application has been suspended);
- A judicial separation or divorce should be obtained, or dissolution of a civil partnership or a decree of separation of civil partners be obtained; and
- That applicants should no longer be living with, or in the same house, as someone else before they can be considered for housing.

When letting houses, the Council must also disregard any arrears or other tenancy related debt which is less than one twelfth of the annual rent amount payable. Therefore any rent arrears of less than one month will not stop an offer of housing being made.

If rent arrears are more than one month's rent this will not stop an offer of housing being made if applicants:

- Agree an arrangement with the Council to repay the debt
- Pay the amount as agreed for at least three months; and
- Continue to pay this amount;

All cases however will be considered on a case by case basis and outstanding arrears should not stop an offer of housing where the applicants is at risk of homelessness.

5.4 Mutual Exchanges

A tenant that is looking to swap their Scottish Secure Tenancy with another tenant of the Council, any of the Local Housing Associations within West Dunbartonshire or anywhere else in the UK, can register with Homeswapper to exchange their property. Homeswapper is an online service that holds details of mutual exchanges within WDC and elsewhere.

Reasonable grounds for refusing a mutual exchange can include:

- The property is subject to a proceedings of recovery;
- The exchange would mean that a property designed or adapted for occupation by someone with special needs was no longer occupied by a person with these needs;
- The mutual exchange would lead to overcrowding, under occupation or one household living in a property that is not suitable to their needs;
- Failure by the tenant to adhere to existing tenancy terms such as anti-social behaviour;
- Having rent arrears or any other housing related debt where there is no arrangement in place to repay the debt;
- The condition of the property is unacceptable;
- Failure by all joint tenants to apply for an exchange; and
- The property is a tied house that has been provided by the landlord for employment purposes.

The above list is not a definitive list and each case will be considered and other reasons may exist for refusing exchange applications. The tenant will have to have been in the tenancy they wish to consider swapping for a year before they will be granted a mutual exchange, unless there are medical reasons for requiring a swap. Instances such as this would be considered on a case by case basis. The Council will aim to give you a response on a decision no longer than one month after the application is received.

5.5 Subletting

Existing WDC tenants may apply to sublet their property. However, before a tenant can sublet their home they must apply in writing to the Council's housing department and get written consent. Tenants must also notify the Council's housing department of any proposed rent increase. The rent cannot be increased if the Council does not consent to the increase.

The 2014 Act makes the following change:

- The tenant must have had the tenancy for the past 12 months immediately before they apply for permission to sublet.

A request to sublet can be for a variety of reasons and can include tenants who have received a custodial sentence for less than one year. Notification of a tenant receiving a custodial sentence can be received from Criminal Justice/Prison Social Worker/tenant/or a representative for the tenant themselves. The actual time likely to be spent in custody should be established, as generally sublets are not granted for more than one year.

If the tenant has indicated that they wish to return to their tenancy on their release, the Housing Officer can consider their application to sublet their tenancy for the duration of the tenants' time in prison. They can liaise with the Resettlement Officer to ensure they know when the tenant is due for release.

5.5.1 Grounds for Refusing a Sublet

The Council will only refuse an application to sublet a tenancy if it has reasonable grounds for doing so.

Each application must be considered on its own merits to determine whether it is reasonable to grant the request. Some specific reasons where it may be reasonable to refuse consent are listed below:

- An eviction process has been served that specifies any of grounds 1 to 7 in Schedule 2 of the Housing (Scotland) Act 2001;
- An eviction order has been made against the tenant;
- The rent proposed is not deemed to be reasonable by West Dunbartonshire Council;
- The deposit proposed is not deemed to be reasonable;
- The subletting would cause statutory overcrowding;
- Proposed works by the landlord that would affect the accommodation to be used by the subtenant, or other person living in the house as a result of the transaction;
- Where the tenant is leaving for an indefinite period and unable to specify when he/she will return. In this case, each application should be considered on an individual, circumstantial basis;
- Where another person's occupancy rights are likely to be adversely affected if permission is granted;
- Where the sublet would lead to substantial under occupation;
- Where the subtenant is unable to understand the terms of the sublet;
- The sub-tenancy is likely to be problematic, due to previous anti-social behaviour of the proposed subtenant that is likely to continue if the sublet is granted;
- Where the proposed subtenant has an unsatisfactory reference for former tenancies, both WDC & Non WDC;
- Where the property would not be deemed suitable for the subtenant for medical reasons.

5.5.2 Withdrawing Permission

The Council has the right to withdraw permission if there are complaints of anti-social behaviour as a result of the property being sublet.

5.6 Assignment

Before a tenant can assign their home to someone else, they must apply in writing to the Council's housing department. Once a tenant assigns their interest in the tenancy they no longer have a contractual relationship with the Council. The tenancy is transferred to the assignee and they take on all the responsibilities and liabilities of the tenancy, including any debt related to the tenancy.

Section 12(2) of the 2014 Housing (Scotland) Act makes the following changes:

- The house must have been the tenants only or principle home during the 12 months immediately prior to the tenant applying for written permission to pass their tenancy on to someone else;
- The person the tenant wishes to pass their tenancy on to (assignee) must have lived at the property as their only or principle home for the 12 months prior to the application; and
- The tenant, joint tenant or person the tenant wished to assign the tenancy to must have notified the Councils (Housing Officer) that they are living in the house that they wish to take the tenancy over for. The 12 month period does not start unless the landlord has been told that the person is living in the property as their only or principle home.

The Council can refuse permission to assign a tenancy if it is reasonable to do so. Each case will be assessed individually and consent will not be withheld unreasonably. Specific grounds where it is reasonable to withhold consent are as follows:

- Where the house has been adapted and the person wishing to take over the tenancy does not require these adaptations.
- A notice of proceedings has been served on the tenant under the Housing (Scotland) Act 2002;
- Where the Council is seeking to regain possession of the property;
- The assignation would lead to statutory overcrowding;
- The Council proposes to carry out work to the building that would affect the accommodation to be occupied by the assignee;
- Where the assignee would not be given reasonable preference under the Allocations Policy;
- Where the assignation would result in the property being under occupied;
- Where the proposed assignee(s) have arrears/former tenancy arrears or other housing related debt and an arrangement to pay has not been kept to in accordance with the Allocations Policy;
- Where the existing tenant(s) have arrears (and no Notice/Court order is in place) and an arrangement to pay has not been kept to in accordance with the Allocation Policy;
- Where the proposed assignee(s) have an unsatisfactory tenancy reference;
- Non consent of a spouse with occupancy rights;
- Other legal orders in force, for example an anti-social behaviour order which does not permit the proposed new tenant to be in the area.

5.7 Joint Tenancies

All applicants may apply to have a joint tenancy with someone who is staying with them. (Intention to stay removed due to the 12 month clause) Applications should be made in writing to the Council's housing department. The person the tenant wishes to add as joint tenant must have lived at the property as their only or principle home for the 12 months prior to the tenant applying for them to become a joint tenant. The Council must also have been notified that the person wishing to apply for a joint tenancy has been living in the house. Again, the Housing Officer should be informed

of this. The 12 month period does not start until the Council has been told that the person has been living there as their only or principle home. An existing joint tenant can terminate their interest in the tenancy by providing the Council and the other joint tenants with 4 weeks written notice. The Council with regard to notification of occupancy is considered to be Housing Operations as the landlord of the property.

The Council must consent to an application for a joint tenancy unless there are reasonable grounds for refusing. Possible grounds for refusal would be:

- Where agreeing to the joint tenancy would lead to the household being overcrowded;
- Where the proposed joint tenant would not be granted a tenancy under the Allocations Policy for reasons such as anti-social behaviour or housing related debt; and
- Where the existing tenant had rent arrears and no suitable arrangement was in place for repayment.

5.8 Succession

The Housing (Scotland) Act 2014 introduces a 12 month qualifying period and notification requirement before qualifying persons have the right to succeed to a Scottish Secure Tenancy on the death of the tenant. A succession can only take place where a tenant dies and there is a relevant qualifying person who wishes to succeed to the tenancy. Two rounds of succession can take place.

On the death of a Scottish Secure Tenant, the tenancy passes to the qualifying person. On the death of a qualifying person who succeeded to the tenancy after the first death, the tenancy then passes to another qualifying person; this would be the second succession. There is no qualifying period under the new rules for the tenants spouse, civil partner or joint tenant provided that the house in question was that persons only or principle home at the time of the tenant's death.

The new rules apply to the following 'qualifying persons' where the house has been their only or principle home throughout the 12 months prior to a tenant's death:

- Partners (cohabitants of either sex, including same sex cohabitants);
- Members of the tenants family aged 16 and over; and
- Carers aged 16 or over who have given up a previous or principle home.

Under the new Act the 'qualifying person' must also have notified the Council (Housing department/Housing Officer) that they are living in the property as their only or principle home. The qualifying period does not start until the Council has received this notification. If the property has been adapted for the needs of the tenant who is deceased, and these adaptations are not required by the person wishing to succeed to the tenancy, a like for like property will be sought for this person to ensure that adaptations are available for those tenants who have a medical need for them.

5.9 Suspensions from The Housing Register

A suspension is where a new or transfer applicant will not be eligible to be offered accommodation for a defined period of time. The Council cannot suspend people from applying for a house and joining the housing list but can from receiving offers of accommodation. This section highlights specific circumstances where it is legitimate for WDC to suspend offers.

Suspensions should only occur in instances relating to conduct or eligibility of applicants and are only used as a temporary measure.

Reasons for a suspension are as follows:

- Anti-social behaviour, or applicant currently has a Short Scottish Secure Tenancy (SSST) on antisocial related grounds in place - the Council may seek to suspend an applicant on the basis of anti-social behaviour if the applicant or a member of their household has engaged in anti-social behaviour, including in the vicinity of the house; harassment of others or anti-social behaviour towards a Council employee when applying for housing;
- Has a conviction for using their home for immoral or illegal activity or any other offence punishable by imprisonment committed in the locality of their home, this can also apply to someone who has resided with the applicant;
- Has had a court grant an eviction notice against the applicant;
- If an applicant has previously abandoned a tenancy or neglecting a let property. A suspension can be put in place where an applicant's house was previously repossessed due to abandonment or where a house was repossessed due to neglect and ill treatment. The Scottish Secure Tenancy requires tenants to leave a tenancy in a clean and tidy condition and make sure it is in good decorative order at the end of a tenancy. However, this does not have to occur throughout the tenancy and is not a breach of tenancy condition unless there is a nuisance or hazard caused. Suspensions due to tenancy condition should therefore only be used for a serious breach of tenancy and the tenant's ability to maintain the property should also be taken into consideration with this;
- Where there have been rent arrears or other tenancy related debt. Unless the debt is not more than one month's rent and the applicant has made an arrangement to repay the debt and has maintained this arrangement for more than 3 months. Historic debt that had previously been written off by the Council can be taken into consideration also; and
- Where there has been a false statement made on an application for housing. This will be looked at on a case by case basis according to whether this information was intended to be misleading for fraudulent purposes or was a simple omission on the applicant's part.

Suspensions, when in place, will be for a period of a year but each case will be reviewed in case the circumstances of the tenant change, i.e. rent arrears being paid off or an arrangement made and maintained. The council cannot vary a suspension where it would increase its length and applicants have the right to appeal.

5.9.1 Three Reasonable Offers

The number of reasonable offers of housing an applicant can receive before their application is suspended from receiving further offers of housing has been limited to three. If a tenant refuses three reasonable offers their application will be suspended for 12 months. On the refusal of one or more offers of housing the applicant should be contacted to review their preferences in terms of area choice and house type, to ensure they are up to date.

5.9.2 Managing and Monitoring Suspensions

A person's behaviour will only be considered back as far as 3 years. In exceptional circumstances the Council can consider behaviour back as long as 5 years ago but the reasons for doing this would have to be justifiable. The Council however wishes to minimise/prevent homelessness and provide services for all, so the use of suspensions should be minimal and alternative approaches will be considered wherever possible.

The Council aims to provide a service that is inclusive and accessible for all and to help those who are vulnerable. Therefore any applicant who has been assessed with a critical housing need with an A medical award will not be prevented from receiving suitable offers of housing that becomes available even if they fall into a category which would warrant a suspension. The Council will work with these applicants to take a proactive approach to manage the problem.

The Council will monitor and manage all cases that have been suspended and anyone who falls into one of the suspensions categories will be informed of their suspension, the length of time it is in place, reasons for the suspension and how this suspension will have an impact on them, i.e. no offers of housing for 12 months.

5.10 Removal from the Housing Register

The Council will only cancel applications for the following three reasons and remove applicants from the Housing Register for the following reasons:

- Death of an applicant – if notification of death of an applicant is received the application will be removed from the housing list;
- At an applicant's request – the Council will require notice from an applicant that they wished to be removed either via telephone, email or in writing; and
- Failure to Re-Register – the Council will carry out an annual review of its housing list. This review will ask applicants to confirm that the information on their application form is still correct and that they would like to remain on the housing list. If an applicant fails to respond to this review, a reminder letter will be sent and if no response the applicant will be removed. A letter confirming their removal from the list will then be sent.

5.11 Short Scottish Secure Tenancies

The Council generally lets its properties as Scottish Secure Tenancies (SST's) wherever possible, to maximise the rights which tenants can enjoy. However in specific circumstances it may not be appropriate to offer a SST. The Council has a SSST policy which defines the circumstances, the Council can offer a Short Scottish Secure Tenancy (SSST). The SSST policy clearly identifies the 9 statutory grounds where the power to use a SSST can be considered and outlines how these would operate.

Tenants with a SSST have less tenancy rights than those with a SST. These restrictions include:

- No provision for succession;
- More limited security of tenure; and
- Limited rights to assign and sublet the tenancy.

More information on SSST's can be found in our SSST policy.

5.12 Economic Migrants and Persons Subject to Immigration Control

Anyone aged 16 and over and from the UK is eligible for housing. This position is more complex for individuals from out with the UK. Legislation sets out who is and is not eligible, eligibility can depend on a number of factors such as:

- Nationality;
- Economic activity of the applicant and their family members;
- Immigration status and rules around asylum and immigration; and
- Entitlement to public funds

An EEA (European Economic Area) national who has the right to reside is eligible for housing and homeless assistance (which is classed as 'entitlement to public funds') from the Council however some will need to satisfy the habitual residency test meeting certain conditions before they can access certain benefits.

Local authorities are subject to the Immigration and Asylum Act 1999. Asylum seekers are permitted to join the Councils housing waiting list, however, we do not have a duty to provide full or short Scottish secure tenancies in these instances. A person's status can change and these cases would be reviewed regularly.

Generally a person is not disqualified from entitlement to public funds (and therefore housing and homelessness assistance) if he/she is:

- A British or Irish citizen;
- Is a person who is a citizen of a commonwealth country with a 'right of abode';
- Falls within one of the prescribed exceptions set out in immigration regulations;
- Has indefinite leave to remain (also known as 'settled status') including an EEA national with EU settled status;
- Has been granted leave because of their refugee status;
- Has been granted humanitarian protection;
- Has discretionary leave (assuming as is almost always the case, that their leave is not subject to a public funds condition) OR
- Has been granted temporary leave under the destitution domestic violence concession.

As housing and homelessness assistance is classed as a public fund, anyone who holds a visa with no recourse to public funds is generally prohibited from accessing it. However, as a local authority we are bound by Human Rights Law and should provide support where failure to do so would result in a breach of an individual's human rights.

This is likely to arise where someone would be destitute and cannot return to their home country or where children are involved.

When the Council is dealing with these cases we therefore are often required to make an assessment of an individual's circumstances, and whether there is a potential claim for leave to remain, to see what services we can provide to the individual. We cannot however provide individuals with immigration advice and given the complexity of these cases it is recommended that all individuals seek their own legal advice.

5.13 Applicants Serving in the Armed Forces

Applications from people serving in the armed forces will be reviewed and processed on receipt of written confirmation from either the applicant or their commanding officer that they will be leaving the armed forces by a specific date. If an applicant has been seriously injured and requires adapted housing, the application will be assessed and points awarded accordingly. Applicants in these circumstances can also apply directly to Homeless services. The Council has also signed up to the Armed Forces Covenant - <https://www.armedforcescovenant.gov.uk/>. The Armed Forces Covenant is a promise by the nation ensuring that those who served or have served in the armed forces, and their families, are treated fairly.

5.14 Housing References

When applying for housing with the Council, references will be sought from previous landlords for the past 3 years. Tenancy references are sought to establish whether the applicant, or anyone wishing to be housed with them, has been subject to an Anti-Social Behaviour Order or has a history of anti-social behaviour, has any previous housing related debt with no repayment arrangement in place or has breached other tenancy conditions. If any of these is the case, the application will be suspended – see section 5.9 on Suspensions for more information on this.

5.15 Tenancy Conditions

When a tenant is offered and accepts a WDC house, a legally binding contract is signed between the tenant and the Council. This is known as a Scottish Secure Tenancy Agreement (SST). This tenancy agreement sets out the tenants' rights and responsibilities and the Councils as a landlord. The Council makes every effort to fulfil its part of the agreement and expects tenants to do the same. If a tenant fails to keep to this agreement, action can be taken to have them removed from the property.

5.16 WDC Tenants with less than 12 Months Tenancy

Applicants who have a tenancy with the Council must demonstrate that they have maintained their current tenancy in a satisfactory manner for a period of 12 months. Unless there are exceptional circumstances applicants will not be considered for another offer of housing, a mutual exchange or a nomination to another housing provider until they have been in their tenancy for 12 months and received a satisfactory tenancy reference from their Housing Officer.

6. Points Categories & Points Structure

6.1 Points Categories

Category 1- No Security of Tenure

Points will be awarded for those with no security of tenure which will include the following circumstances:

- People applying from the family home and those currently living somewhere else with no tenancy agreement of their own;
- Notice to Quit - points can be awarded to an applicant if the landlord has served a valid notice to quit.
- Tied Accommodation – points can be awarded to applicants if they reside in a house that is part of their conditions of employment. This is known as a tied tenancy. If an applicant who resides in one of these tenancies employment ends, it is recognised that they no longer have a right to reside in this tenancy, and points are therefore awarded in the following circumstances:
 - If they are a tied tenant retiring on ill health grounds or having to leave tied accommodation through loss of employment
 - If they are the spouse or partner of a tied tenant who has died in service and you are required to move out of the tied accommodation.
- Regeneration – points will be awarded to applicants if they are required to move to allow redevelopment or demolition works to take place. These points will however only apply to comprehensive redevelopment schemes approved by West Dunbartonshire Council, or where the Council has agreed to rehouse applicants if they are displaced by other landlords working in partnership with the Council.

Category 2 - Medical Needs and Disability

- Medical Needs and Disability – points can be awarded to applicants if they have a permanent or long lasting medical condition or physical disability which is made worse by their current accommodation. A disability is a physical or mental condition, which has a substantial and long term adverse effect on normal day to day activities. This is not an assessment of the severity of the medical condition or disability but an assessment of the need for another house that would alleviate the medical condition or disability. These points can be awarded to the applicant or any member of their household. A separate medical application form will need to be completed to be considered for this award. Application forms are available from local housing offices.

The process is one of self-assessment. A number of questions are asked regarding health problems. Applicants are not required to submit a letter from their doctor, however, can submit any other information considered appropriate, such as a letter from a consultant, clinic or support provider. Applicants will also be required to supply evidence of any disability benefits, medication or treatment received. Upon receipt of the application, a member of the housing operations team or the occupational therapist may call you to discuss the application and assess the property.

If it is determined that their medical condition may change, the application will be reviewed after an appropriate period determined by a medical professional.

Medical awards will be removed if the condition has improved to the extent that the applicant's current accommodation is no longer medically unsuitable.

Once your application has been assessed by the occupational therapist housing staff, a letter will be sent from the housing operations team advising whether medical points have been awarded and if so, the number of points awarded.

If the applicant is dissatisfied with the category of medical priority, or the medical award has been refused, they can appeal against this decision.

If an applicant wishes to defer their housing application, their medical award will be removed, unless due to circumstances out with their control they need to defer, i.e. hospital admittance. If they wish again to be considered for offers of housing, a new medical assessment form will be required to be completed.

Medical and disability points will be awarded based on the medical needs of each household. A single award of points will be made to the applicant with the most severe medical condition. This is to ensure that applicants with the greatest medical need are matched to suitable accommodation. Medical awards are split into 3 categories:

- Medical Award A: (Urgent) – Current accommodation is causing extreme aggravation to medical condition or disability
- Medical Award B: (Serious) – Current accommodation is causing serious aggravation to medical condition or disability
- Medical Award C (Significant) – Current accommodation is causing significant aggravation to medical condition or disability.

Category 3 – Facilities

- Sharing Amenities – Points can be awarded if an applicant is sharing amenities with anyone other than the people listed on their application to be rehoused with them, as they are considered as the direct household. You should not have to share amenities with anyone other than those in your direct household. Applicants who share amenities – bathrooms and kitchens with other members of their household - do not receive sharing amenities points, nor does it apply to applicants who have sublet part of their property or have taken in lodgers. Points will be awarded to sub-tenants, lodgers, or if an applicant is living with parents, friends or relatives; and
- Lacking Amenities – points can be awarded to applicants if they lack basic amenities – i.e. a bathroom and a kitchen located within the household. This is defined by current housing legislation and these facilities should be available to all occupants. Points will be awarded if an applicant does not have access to these facilities to reflect the fact that their accommodation is below tolerable standard.

Category 4 - House Size

- Overcrowding – points can be awarded to applicants if they are living in accommodation which is too small for their needs. This is calculated by how many bedrooms an applicant should have for the household and how many bedrooms the applicant has at their current location.

Living rooms are not considered suitable for sleeping accommodation, although some applicants may have to use these rooms due to the level of overcrowding in their present homes.

Children over 10 or older will be assessed as needing a room of their own, regardless of gender. A physically disabled child or children should have their own bedroom irrespective of age.

Different generations (grandparent, children, and grandchildren) living together should have separate bedrooms. Expectant mothers will be assessed as 2 persons from 3 months prior to the expected date of birth.

Overcrowding points will be given if a household member has a medical condition that requires an extra bedroom to accommodate an overnight carer or considerable medical equipment.

- Under Occupation – points will be awarded if an applicant who is under-occupying a property wishes to move to smaller accommodation that is more suitable to their needs. Applicants will be awarded under occupation points if they are occupying a property that has more bedrooms than needed to accommodate themselves and members of their household. Points will be awarded for every spare bedroom.

The Council can provide help to remove any barriers existing tenants face by offering incentives to move to smaller accommodation, such as assistance to move items and decoration packages. Tenants can speak to their Housing Officer to access this resource in a way that would suit their specific requirements best.

Category 5 - Social/Relocation Points

- Relationship Breakdown – points can be awarded to applicants if they have suffered a relationship breakdown and are having to move house as a result of this;
- Social/Family support – points can be awarded to applicants if they require to be near family member/social network to give or receive support. Applicants will be required to provide evidence from the person giving or receiving the support; and
- Incoming Worker – points can be awarded to applicants if they currently work in West Dunbartonshire but do not live in the area and are experiencing difficulty in travelling to their place of work.

6.2 Points Structure

Categories	Circumstances	Points
Category 1 Insecurity of Tenure	Applying from the family home	25
	Living somewhere with no tenancy agreement	25
	Notice to Quit	25
	Tied Accommodation	25
	Regeneration	
Category 2 Medical and Disability	A award	100
	B award	60
	C award	10
Category 3 Facilities	Lacking Amenities	
	○ No bathroom	10
	○ No kitchen facilities	10
	Sharing Amenities	
	○ Kitchen	10
	○ Bathroom	10
Category 4 House Size	Overcrowded by 1 bedroom	20
	Overcrowded by 2 bedrooms	25
	Overcrowded by 3 or more bedrooms	30
	Under Occupying by 1 bedroom	20
	Under Occupying by 2 bedrooms	40
	And 20 points further for any further rooms	60+
Category 5 Social / Relocation	Relationship Breakdown	25
	Social / Family Support	10
	Incoming Worker	10

6.3 Verification of Information

To ensure that applications are correctly assessed, applicants will be required to provide information to verify your circumstances. It is recognised that in some cases the information required may be sensitive and of a personal nature, so in these circumstances a position of belief and trust will be adopted. The application form will highlight to applicants what information is required to be evidenced.

6.4 Eligible House Size

The Council aims to make best use of its housing stock and applicants will be eligible for a particular size of house based on the size of their household.

Household Size	Accommodation Size
Single person	Bedsit or 1 Bedroom property
Couple	1 or 2 Bedroom property
Single parent or couple with one child	2 Bedroom Property
Single parent or couple with two children	
- both aged under 10	2 Bedroom property
- one or both aged 10 or over	3 Bedroom property
Single parent or couple with three children	
- if two able to share a room (under 10)	3 Bedroom property
- none able to share a room	4 Bedroom property
Single parent or couple with four children	

- if all children are able to share rooms	3 Bedroom property
- if two children able to share a room	4 Bedroom property (maximum size available)
Expectant Mother	
- treated as two or more dependant of number of unborn children	2 Bedroom property

Where a member of your household is temporarily living away from home, for instance in further education or in the armed forces, they will be included as part of the household, if the individual provides written confirmation that they intend to live with you.

Each application will be considered on an individual basis, however, in order to make best use of housing stock and maximise tenant's choice, there are circumstances where a larger house maybe allocated.

These are listed as below:

- Where there is a medical reason for requiring a separate or additional bedroom. This will be considered on an individual basis;
- Where a separated spouse has access rights to child/children. An additional bedroom will generally be allowed to be used by the child/children during the access period;
- Where children are close to the threshold of requiring their own bedroom. This is to maximise tenancy sustainment, larger properties to accommodate the growing household will be considered; and
- Where there is no stock of a suitable size. In some areas where there are no properties of a suitable size, households can be considered for the next suitable size.

7 Sheltered and Adapted Housing

7.1 Allocation of Adapted Housing

WDC wants to move towards effective allocation of adapted housing, to aim to tackle the inequality experienced by disabled people in accessing suitable housing. An adapted property would be one that would enable a person(s) with a disability to live independently at home for as long as possible. Necessary adaptations help a tenant achieve personal independence and good use of adaptations can have a major impact on a tenant's wellbeing and quality of life. They can make daily tasks easier and help tenants stay in their home for longer.

To achieve this, the Council needs to make best use of existing stock, while meeting the needs of tenants. Instances where adaptations are removed from void properties as no tenant has required the adaption should be avoided. Carrying out adaptations for tenants in properties which would not be suitable for their longer term housing needs, will also be avoided.

Where tenants live in properties with adaptations which are no longer required, the Council will support these tenants to find a mutual exchange, if they are in agreement. The Council will not take possession back of adapted housing for those who have no need for it, but simply highlight the importance of the adaptations being for those in most need of them and encourage an exchange where possible.

Due to the changes in the Housing Act, the Council has the flexibility to make better use of adapted properties as short term temporary accommodation, where at the point of allocation there is no applicant requiring the adapted property. Adapted properties would therefore only be allocated to those applicants who need them and if no applicant on the list requires that adaptation at that point, to avoid creating lengthy void times for adapted properties, they will be held and utilised for temporary accommodation until a suitable applicant is on the list.

The Council will therefore keep a record of how many properties it has that are adapted and where they are. Moving forward, these properties will flag up as adapted and can be ring fenced for allocation this way. The Council will also explore alternatives to adaptations, as adapting an existing property for the tenant may not always be the best long term housing solution.

When a tenant requires a major adaptation to their household, the Housing Occupational Therapist can work together with the Housing Officer and tenant to explore the housing options available and whether a move to an already suitably adapted property would be the best option. The Housing Occupational Therapist will understand the long term prognosis of the tenant's illness and the impact this will have on their future housing needs. The Housing Occupational Therapist will also be able to assess adapted stock which becomes void and identify people who would be suitable for the adaptations and ensure that the allocation of adapted housing meets the long term needs of the tenant, thus minimising the need for future rehousing.

If a tenant or residents current house does not meet their particular needs there maybe aids or adaptations that can be made to their existing house to enable them to remain there, if that is their preference. Owner Occupiers can request an assessment from Occupational Therapy or the HSCP. The request can be made personally, by family, GP or hospital etc. An assessment will then be carried out by the Occupational Therapist which, if needed, will result in a referral for equipment or an adaptation or both. Referrals for adaptations are then sent to Care and Repair who carry out the full grant application process, this is then sent to Private Sector Housing Grants Section for assessment.

7.2 Allocation of Sheltered Housing

Sheltered Housing is the name given to grouped housing particularly aimed at people of retirement age or for those with a disability approaching retirement age who would benefit from this type of housing. Anyone of retirement age, or anyone with a disability who is approaching retirement age and would benefit from this type of accommodation, can apply. To apply for sheltered housing, applicants can complete a sheltered housing application form. This form will consist of general housing questions and questions relating to the applicants current circumstances and level of mobility etc. An information leaflet is available on the Sheltered Complexes, which details the facilities they all have and support that they can offer.

The layout of each complex is very varied so applicants should consult the information leaflet when completing an application form to see if the needs that are wished/ required can be met by the applicants preferred complex.

Based on the information within the sheltered housing information leaflet applicants should then make their choices depending on which housing complex best suits their needs and rate them in order of preference. The supply of sheltered housing is limited within West Dunbartonshire and demand outstrips supply. The community alarm

service is an option that is available for residents within their own current home. It is not just specific to properties within sheltered complexes, so may work for those who simply would like to reassurance of help being at hand. Applicants should take this into consideration when completing the form and matching their needs with the complexes.

The allocation of sheltered accommodation and adapted houses will therefore be made on the recommendation of qualified HSCP (Health and Social Care Partnership) professionals and/or Occupational Therapists in order to achieve the best match possible according to the assessment process and will not be determined solely by the number of points awarded. More information can be found in our Sheltered Housing Policy.

8 High Risk Offenders

The Council has a duty to consider the housing requirements of all applicants over the age of 16 but procedures are in place to manage and minimise the risk posed to communities by high risk offenders. The Council adopts a multi-agency approach to housing high risk offenders and works with a number of different agencies such as Police Scotland, Criminal Justice Social Work and the Scottish Prison Service. Multi Agency Public Protection Arrangements (MAPPA's) are in place, where all agencies decide jointly on risk management.

The Council and RSL's in the area do not therefore carry the principle responsibility of managing risk relating to high risk offenders. An information sharing protocol is in place, which sets out the processes for information sharing and co-operation. The information sharing helps to assist with the management of risk but it cannot eliminate it entirely. All available properties are profiled to ensure their suitability before an offer would be made.

9 Gypsy Travellers Site

West Dunbartonshire has one travelling person's site located at Dennystoun Forge in Dumbarton. The site has a total of 20 bays and is open all year round. To apply for a pitch, applicants can complete a standard waiting list application form. Applicants simply tick the box option 'Gypsy Travellers Site' under the heading 'House Type'. Applications will be assessed and placed in the appropriate group based on their present housing circumstances, and points will be awarded accordingly. Gypsy Travellers, on receipt of a housing application, will be referred for a Housing Options interview to the Homelessness and Housing Options Team.

The facilities for each pitch includes:

- A hard standing for a caravan;
- Fixed and maintained utilities to Caravan;
- Fenced and gated inclusive to Pitch;
- Space to park a car or other vehicle;
- Toilets, showers and baths;
- A mailbox; and
- A designated Housing Officer for the area.

10 No Home for Domestic Abuse

No Home for Domestic Abuse is housing services' zero tolerance approach to domestic abuse occurring within our properties. It provides victims/survivors of domestic abuse with access to practical help, legal assistance and support to allow them to remain, if this is what they want.

Council tenants who are victims of domestic abuse are offered a range of housing advice based on their circumstances to support them. This includes:

- Supporting victims to remain in their own home – including transferring the tenancy into their own name where possible. Support includes making the victim feels safe and security measures such as lock changes;
- Supporting victims to gain legal information and advice;
- Supporting victims to access specialist domestic abuse support; and
- Providing suitable alternative safe and secure accommodation via the homeless service

The Council:

- Will use the full scope of Anti-Social Behaviour powers in conjunction with Housing and Matrimonial Homes Legislation to legally remove perpetrators if we need to; and
- Recognises that in order to support victims to stay in their own homes and to make them feel safer we must also address the housing needs of perpetrators. Those found guilty of committing domestic abuse will be offered short-term or permanent tenancies dependant on their circumstances, appropriately distanced from the victim.

This aligns with the Domestic Abuse (Protection) (Scotland) Act 2021.

11 Housing Support

Housing support services are defined by the Housing (Scotland) Act 2001 as including any service that provides support, assistance, advice or counselling to an individual with particular needs, with a view to enabling that individual to occupy or continue to occupy their home.

If it is felt that a tenant requires support in sustaining their tenancy they can be referred to our registered housing support service, who will assess their needs and, if appropriate, provide support services to enable them to remain living in their tenancy.

Tenants can also be signposted to HSCP services and referrals can be made to HSCP when it is felt that there is a vulnerable adult or child in the tenancy.

Tenants can also be referred to Working 4 U if they are experiencing financial difficulties. Working 4 U can offer support with benefits and money/debt issues and assist people overcoming barriers to entering employment.

12 Lettings Plans & Initiatives

Lettings Plans and Letting Initiatives are tools to help support strategic priorities and tackle the issue of empty properties and to combat other signs of neighbourhood decline.

Lettings Plans refer to how properties are allocated, whilst Lettings Initiatives refer to incentives to stimulate or increase demand for particular properties or areas.

12.1 Lettings Plans

Lettings Plans can be an important tool to enable the Council to respond to and tackle a range of specific circumstances in specific lettings areas and support wider strategic objectives initiatives.

These could include:

- Making best use of our available housing stock to meet evidenced need supported by our Local Housing Strategy;
- The need to ensure stable communities;
- The desire to improving community stability and cohesion;
- Tackling low demand areas and difficult to let properties; and
- Tackling antisocial behaviour

The Council will ensure that houses are let strategically in a way which gives reasonable preference to those in housing need, makes best use of existing stock, reflects the local needs and circumstances that have been identified and contributes to more sustainable communities.

The Council will use triggers to highlight the need for a local Lettings Plan to be developed and will ensure that tenants, residents and other relevant stakeholder groups are consulted with as appropriate in the preparation of any such plan. The Council can be flexible in their approach for considering the best applicant for a void property by utilising the three lists that are available to them and also by optimising the Homeless and Young Care Leavers and Young people at risk of homelessness lists.

12.2 Lettings Initiatives

Lettings Initiatives are a reflection of best practice to tackle areas where there are high levels of empty houses, small or non-existent housing lists, high refusal rates and low levels of tenancy sustainment.

Where the Council needs to intervene to help to promote sustainable communities and generate demand for areas, a range of initiatives will be available at a local level to address help tackle this.

Such initiatives or incentives could include:

- Advertising of properties on Rightmove for prospective tenants to view; and
- Offering of incentives such as decoration allowances, white goods or carpets.

The success of Lettings Initiatives used will be monitored and assessed to ensure that the aims outlined are achieved. In areas where a lettings initiative is in place, allocations via the allocations policy will be suspended, to allow any prospective tenant interested in a void by the range of initiatives offered to be allocated a property, regardless of their points or place on the waiting list.

13 Exceptional Circumstances

Whilst our Allocations Policy is designed to reflect local housing need, it is important that it is flexible enough to deal with instances of exceptional circumstances, where the Council considers it appropriate to make an offer of housing to an applicant out-with the core policy.

We have an established Allocations Panel to deal with such cases. When exceptional circumstances arise and warrant an offer of housing out-with this policy, the Allocations Panel will review the case and decide the priority of the referral and, where necessary, can also decide on the size, type and location of the property to be offered through the Panel's priority decision.

All referrals to the Allocations Panel will be monitored, decisions recorded and best practice will be adopted, including a clear audit trail when discretion has been used and reasons for an allocation.

Exceptional circumstances cannot be predicted but having the Allocations Panel in place provides a mechanism for such cases to be assessed in a fair and transparent manner. The Panel will focus on the following points:

- Applicants having exceptional level of need where circumstances are so unusual that the allocation policy cannot adequately assess and prioritise; and
- The number of cases being presented to the panel must be minimal, and individual cases will be monitored to highlight any growing patterns.

Examples of circumstances which may be considered by the Allocations Panel would include instances where Police Scotland recommended that someone moves home because they are being harassed and asks a landlord to help rehouse the person immediately or for applications to support kinship care arrangements which are supported by the Health and Social Care Partnership. All such applications will be considered on a case by case basis.

14 Monitoring and Review

14.1 Review of Policy

We will review the Housing Allocations Policy every three years or earlier if required, for example to comply with any legislative changes. We will consult tenants, applicants and other relevant stakeholders when carrying out a review. The percentage quota of the groups will also be reviewed annually and will change depending on the analysis of patterns of housing need and demand to ensure that all groups receive an equitable share of all allocations. We have also committed to provide applicants with annual lettings information and to recommence the annual reviews of all applications.

14.2 Appeals Process

Complaints can be made to the service area directly and an applicant can appeal any decision made during the processing of the housing application in writing, by telephone and/or in person. An area co-ordinator who has not been involved with the initial decision will investigate the appeal and send a written reply within 14 days.

If not satisfied with the outcome of the above or if an applicant does not feel comfortable going directly to the service area, complaints can be made to the Customer Relations Team. See the 'How to Complain' section of the Councils website, where online forms can be completed or alternatively contact Customer Relations by phone or email on the details provided on the website.

Complaints can relate to the way in which an application for housing has been dealt with, staff conduct, any aspect of the allocations of particular properties, or on the Council policy relating to the allocation of housing within West Dunbartonshire.

The Complaints Handling Process has 2 stages:

- Stage 1 allows five working days or less to respond to the complaint, unless there are exceptional circumstances; and
- Stage 2 deals with complaints that have not been resolved at Stage 1 and those that are complex and require detailed investigation. Complaints handled at Stage 2 should be responded to within 20 working days.

If after receiving the Councils final response at Stage 2, a complainant is still not happy they have the right to ask for the complaint to be independently reviewed by the Scottish Public Services Ombudsman. Their contact details will be provided in the Councils final response.

Queries about the Complaints Handling Procedure or any aspect of the above information should be directed to the Council's Customer Relations Team.

15. Satisfaction Monitoring

The Council itself also has the following performance monitoring mechanisms in place to ensure that a quality service is delivered across all aspects of the allocations and lettings service.

The Council therefore monitors numbers of the following issues under the headings below.

Access to the housing register

- Applicants on the housing register, including tenants seeking to transfer or exchange houses;
- New applications to the housing register, including processing applications against set timescales; and
- Deletions from the housing register.

Offers and lets of accommodation

- Numbers of offers to applicants, including information on accepted and refused offers;
- Offers suspended and reasons, as well as appeals against suspensions and outcomes; and
- Allocations to each housing group against targets.

Equality monitoring

- Equality information to identify applications, offers and lets by reference to factors such as age, disability, ethnicity and race and gender.

Appeals and complaints

- Numbers of appeals and complaints, including outcomes.

Other monitoring

This type of monitoring includes activities such as:

- The quality of our verbal advice and information about allocation matters; and
- The quality of our public information relating to written and electronic formats.

This includes meeting corporate quality standards such as producing information, as appropriate, that is:

- Accurate;
- In plain language; and
- Accessible to the needs of individual service users.

We also monitor specific issues to inform practice such as reasons why tenants are seeking to transfer to other houses or to exchange homes with other tenants.

16. Working with other Housing Providers

The Council has Nomination Agreements with Registered Social Landlords (RSL's) within West Dunbartonshire. These arrangements provide the Council with the right to nominate applicants from the housing waiting list for vacancies that arise within RSL housing stock. However, these arrangements do not give the Council the right to allocate such vacancies and any allocations are made in accordance with individual RSL's allocations policies and procedures.

Within the terms of the homelessness legislation, the Council has a Section 5 protocol in place with local RSL's. This provides the formal framework within which the RSL's, in partnership with the Council, provide permanent accommodation for homeless people within West Dunbartonshire.

RSL's agreed to a letting target for section 5 referrals that assists with the Council's Rapid Rehousing Transition Plan "Home at the Heart" aims to house people as quickly as possible reducing times in temporary accommodation. For more information on our Rapid Rehousing Transition Plan please see section 4.2 -Homeless Strategy.

17. Role of Councillors

The role of Councillors in making decisions about housing is restricted by the Housing (Scotland) Act 1987. Councillors are responsible for approving the Allocations Policy and monitoring its effectiveness but this Act excludes Councillors from being involved in any decisions relating to allocating a property (or a property where the Council had nomination rights). Councillors are, however, entitled to provide information in support of an application on the applicant's behalf.

18. Allocations to Members of the Council and Housing Staff

The Housing Application form will ask if the applicant is a member of staff, elected member or are related to either. To ensure transparency in the allocations procedures, approval from the Allocations Panel will be sought in instances where a house is being allocated to any member of Council staff, elected members or members of their immediate family. Where this is the case, the member of staff concerned should play no role in assessing the level of points to be awarded or in making any offers of housing. Any such allocation will be processed by an Area Co-ordinator and approved by the Allocations Panel. A record will also be kept of why the applicant was awarded the points given and why any specific offer of housing was made.

19. Publicity

The Council will publish details of the Allocations Policy and how it assesses priority for housing. The policy published on the Council's website and will be circulated to other Council departments, registered residents and tenants associations, external partner organisations and other relevant stakeholder groups.

20. Access to Information on Applicants

If an applicant would like to check the details held on their application at any time they can contact their Housing Officer. Only the applicant is allowed access to the information held under the terms of data protection legislation. If, however, a tenant appoints a representative information can be passed on to them. Applicants should be aware when accessing information on their position on the lists, that the allocations policy is a needs based policy and that therefore positions can change.