



Policy Name	Choice Based Letting Policy		
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Department	Housing Management

Approval Date by Committee	August 2024*
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Notes	
<p>We will comply with all relevant legislation and associated regulations, including:</p> <p>The Housing (Scotland) Act 1987, 2001, 2010 & 2014 The Homelessness etc (Scotland) Act 2003 Data Protection Act (1998) Sex Discrimination Act 1975 (As Amended) Race Relations Act 1976 (As Amended) Disability Discrimination Act 1995 Matrimonial Homes (Family Protection) (Scotland) Act 1981 Protection from Harassment Act 1997</p> <p>Reference made to the following sources and other guidance:</p> <p>Social Housing Allocations in Scottish: Practical Guide February 2019</p> <p>Policy Development</p> <p>First Produced: 16 February 2022 Reviewed: 10 February 2022 Reviewed: May 2023 Reviewed: August 2024</p>	

1. Introduction

Welcome to Angus Housing Association's Choice Based Lettings Policy. We have introduced this policy as we believe it supports our commitment to offering applicants more choice of where they decide to live which in the longer term will create stronger, more sustainable communities.

The Scottish Government website states Choice-based letting (CBL) systems are intended to offer a more customer-orientated approach to housing allocation systems, and the Scottish Government support the practice of choice based letting. Evidence suggests that people who obtain their home in this way tend to be more satisfied and more likely to maintain their tenancies than those who are allocated a home through more traditional allocation systems.

The introduction of CBL at Angus Housing Association will represent a shift towards tenant empowerment by placing housing applicants at the centre of the lettings process. The Association believe this will improve access to social housing throughout Angus and Dundee whilst maintaining the required legal, regulatory and policy standards expected from us.

To improve efficiency, the Association's CBL system will be electronic with appropriate provision in place to support less able applicants through the registration process. Priority for housing is awarded through a 'banding' system that places people in one of four bands according to their housing need. Most properties are advertised, and applicants can exercise choice by registering interest in properties. At the end of the advertising period a shortlist is compiled, considering the applicants—

- Bandings
- The pass award date

The usual practice would result is the applicant at the top of the shortlist being offered the property however in certain situations exceptions to the policy will apply as detailed later in this document. Exceptions, include Management Transfers and local lettings plans which allow the Association to respond appropriately to emergency cases and to effectively manage their housing stock. All exceptions to the general Allocation's policy are escalated and authorised at Managers level or above. Expectations are recorded, monitored and reported to the Service Delivery Sub Committee.

The Association will treat those applying to the scheme fairly; will be inclusive of all groups and the procedure will be transparent. The Association will provide greater choice for applicants but the demand for housing will continue to be greater than the supply. Through good quality feedback to customers the scheme will enable people to be clearer about their prospects of being offered accommodation. For people unlikely to be offered accommodation through the scheme there will be advice about alternative housing options.

2. Policy Statement

The Association aims to provide a high-quality service to its customers, and we recognise that the availability of affordable rented accommodation will never fully meet the demand. As a result, this is one of the reasons the Association have made the decision to move to a Choice Based Lettings Policy.

In accordance with the Housing (Scotland) Act 2001 the Association will identify and prioritise applicants most in need, including:

- People who are homeless or threatened with homelessness
- People living in under occupied housing
- People living under unsatisfactory housing conditions
- People living in houses that are below the tolerable standard

The Association will offer housing applicants as much choice as possible whilst also ensuring we continue to make best use of the stock to meet the housing need of applicants living in Angus and Dundee.

The Association aims to provide long term housing solutions for applicants so will allocate properties in a way that helps create sustainable tenancies and communities.

3. Policy Objectives

- To improve how local people gain access to social housing by providing a straightforward, easy to understand allocation system which allows choice and is fair, transparent, and accountable.
- To ensure a lettings service that embraces equality and diversity by being open, transparent, and fully accessible to all individuals and to provide support to applicants where required.
- To make the best use of our housing stock across Angus and Dundee.
- To attract new customers to areas of low demand and reduce void times on Difficult/hard to let properties.

4. Statutory & Regulatory Framework

The Association is registered with the Scottish Housing Regulator as a Registered Social Landlord (RSL). This policy has been developed in line with good practice from the Scottish Government, the Scottish Housing Regulator, the Scottish Federation of Housing Associations, and the Chartered Institute of Housing. By taking account of good practice, we have made sure that our policy is fair and gives reasonable preference to those in housing need. This policy is also compliant with, and takes account of, the following Scottish and UK legislation on housing:

- Housing (Scotland) Act 1987
- Housing (Scotland) Act 2001
- Housing (Scotland) Act 2006
- Housing (Scotland) Act 2014
- Homelessness etc. (Scotland) Act 2003

- Leasehold Reform, Housing and Urban Development Act 1993.

In addition, the policy protects the rights of individual applicants by meeting the legal Requirements set out in:

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

5. Registering for Housing

In accordance with the Housing (Scotland) Act 2001 any persons aged 16 years or older can apply for housing. This, however, does not guarantee an offer of housing. This policy explains how we prioritise applications to meet our legal responsibilities in a fair and consistent way.

Registration for housing with Angus Housing Association will be by way of an online registration form at www.thesehomes.com. Applicants will be provided with log in details to allow them to manage their application online. It is important that applicants keep their application up to date by logging onto update changes to their circumstances as and when they occur as the responsibility for updating the application lies with the applicant, this also includes completing requests for information and uploading documents.

In line with our commitment to make services accessible and to comply with our equality commitments, we will help any applicant who has difficulty in applying for housing. This includes online translation services, access to internet and computers, and help to complete the online registration form and apply for properties.

Applicants who do not provide enough information as part of their registration or fail to evidence certain criteria will be placed in the lowest banding, No Housing Need. Applicants will be bypassed for a property if any requested information has not been uploaded once the shortlisting has commenced. Applicants may also be suspended from the waiting list if requested documents have not been uploaded or provided.

Where an applicant deliberately provides false or misleading information they will be suspended from the Housing List. For further information on suspension please refer to Section 8.3 and any offer of housing made will be withdrawn. If a tenancy is granted on the basis of false information, it is likely that repossession action will be taken.

5.1 Applicant choice

An applicant will be able to choose the areas they wish to live in and the type of property they would prefer. We will not put any limits on the numbers of areas an applicant can choose, however there may be instances when this may be affected, for example:

- An applicant has a medical recommendation/requirement for a specific property type;
- An anti-social behaviour order may prohibit an applicant from accessing a particular area;
- Availability of housing

5.2 Property Size Criteria

The Association work out the number of bedrooms that the applicant requires using the following criteria, based on who will be living permanently in the household.

Household Size	Number of bedrooms you can be considered for					
	Bed-sit	One	Two	Three	Four	Five +
Single Person	•	•				
Couple		•				
Couple or single adult and 1 other person/child			•			
Couple or single adult with 2 children under 8			•			
Couple or single adult with 2 children and 1 is aged 8 or over				•		
Couple or single adult with 2 children of the same sex and 1 is aged 8 or over				•		
Couple or single adult with 3 children under 8				•		
Couple or single adult with 3 children and 1 is aged 8 or over				•		
Couple or single adult with 4 children under 8				•		
Couple or single adult with 4 children and 1 is aged 8 or over					•	
Any larger households					•	•

Our 2 bedroom properties will be open to applicants who have been assessed as requiring a 1 bedroom or 2 bedroom property. This is to cater for access to

children. The shortlisting criteria will be set to those who require 2 bedroom highly preferred and those who require 1 bedroom as preferred.

Applicants who have been assessed as requiring 6 bedrooms may be eligible to apply for a 5 bedroom property following an assessment by Angus Housing Association and a discussion with the applicant. This is due to the Association having no properties of this size.

A double room will always be allocated to the parent or parents.

We may make exceptions to these rules, depending on individual circumstances. For example, if an applicant:

- requires an additional bedroom on medical/ welfare grounds
- provides foster care, or have been pre-approved to provide foster care or to adopt children;
- has access to care for children who reside with them through an official Shared Care Agreement
- or a member of their household is pregnant and can provide us with proof pregnancy from an independent source i.e. MAT B1 from doctor or midwife. Whether this entitles you to an extra bedroom will depend on your household's circumstances.

The Association can ask applicants to provide further information in support of their application, if they require larger accommodation than we would normally allocate with the guidance set out above.

Please note the Association size criteria for allocating homes is not based on the regulations set by the Department for Work and Pensions. This means that you may not get housing benefit/Universal Credit to cover any additional bedrooms you are offered or apply for, if this is more than you require.

Regulations set by the Department for Work and Pensions state that each of the following are entitled to one bedroom:

- a couple;
- anyone aged 16 or over;
- any two children under 10 years of age;
- any two children of the same sex under 16 years of age.

As part of the Associations commitment to providing quality advice and information, prior to making any offer of a tenancy; applicants will be notified if they will be under occupying the property and therefore may be liable for the under occupation charge. This will allow applicants to make an informed choice about whether or not to proceed with the offer of tenancy.

5.3 Retirement Housing

Retirement housing properties allow people of a certain age to live together. Retirement housing is aimed at, but not restricted to over 60's, as the Association recognise that, in some cases, there are people in their 50's who would benefit from this type of housing.

5.4 Supported Housing

Supported housing units are purpose built accommodation built to certain standards which making them suitable for people requiring support. Support housing is subject to 100% nominations from the relevant Local Authority.

5.5 Adapted Properties

Adapted properties include houses purposely built for disabled people as well as homes that have been significantly adapted. When allocating adapted housing, the Association will seek nominations from the relevant Local Authority. There may be instances where it is not possible to find a suitable applicant for a particular adapted property. In these circumstances, and only as a last resort, it may be necessary to remove the adaptation to re-let the property.

5.6 Priority Bandings

When your online registration is complete your application will be assessed and placed in the relevant band. This means that applicants will be placed on the band most applicable to their circumstances and based on their current living arrangements.

If an application is moved into a higher or lower priority Band the applicant retains their original registration date. The Priority Pass Award date will be changed to reflect the change in circumstances. The pass award date will be valid from the date the change was approved by the Association, any requested information has been uploaded or a medical assessment has been received, for example.

Once an applicant is awarded a priority for rehousing, it is expected that they will actively seek accommodation using the Association's Choice Based Lettings (CBL) system.

When several applications are received of equal status then date order is used as the deciding factor.

Moves on the grounds of mental health or learning disabilities will be considered, taking into account advice from relevant professional, medical, and healthcare services, and whether there are properties available which are likely to meet the applicant's needs better than where they are now. However, it would have to be proven that rehousing to another property will play a critical role in addressing an applicant's health problems.

Applicants must not deliberately move into a home that is unsuitable due to medical or health needs. If the Association believe that an applicant has deliberately moved into a property in which a disability or long-term health condition has a substantial impact on independence, making that property unsuitable and where it was otherwise reasonable for you to secure alternative suitable accommodation, priority is unlikely to be awarded or may be removed. The Association will consider the circumstances and merits of such cases very carefully.

The Association uses the Tayside Medical Advisory Service (TMAS) for assessing applicant's medical needs. The TMAS are independent and will

assess the applicant's medical need, following assessment a medical award will be made. The onus is on the applicant to notify the Association should their circumstance, linked to their housing application, change.

Priority between applicants is ordinarily decided using a priority banding scheme, which is set out in the table below. The priority scheme is used to decide who we can make an offer of rehousing to. All applicants are banded according to an assessment of their circumstances by the Association.

Gold Priority

Extreme and immediate risk of harm will result in Gold status being awarded. The banding is awarded due to severity of a situation warranting an urgent move.

Gold priority is awarded to households where, in the current home, a disability or long term health condition has a substantial impact on the independence of the applicant or a member of their eligible household. This includes a dependent child with a long-term limiting illness or a disability. The focus of the medical housing assessment is not on the health condition itself, but on the way, it affects how the person manages in their home. The person may have been diagnosed with a serious illness or condition but may already managing to live independently in their current home. *For further information refer to banding table.*

Silver Priority

Severe risk of harm will result in Silver status being awarded. The Association is committed to everyone having a home which enables them to live independently. *For further information refer to banding table.*

Bronze Priority

Bronze band will apply to applicants with a housing need. These banding will be awarded to applicants who do not qualify under the criteria set out above. *For further information refer to banding table*

The bandings are as follows –

Gold Urgent need for housing	Explanation of criteria to be used in the assessment
Homeless	Applicants who have been assessed – <ul style="list-style-type: none"> • by the local authority as unintentionally homeless or unintentionally threatened with homelessness under Part II of 1987 Act (as amended) • Living in Temporary Accommodation – Unintentionally Homeless Decision Required (Dundee and Angus Only)

	<ul style="list-style-type: none"> as having to leave their current home within 8 weeks either due to Eviction (awarded by the Sheriff court or First Tier Tribunal) or confirmed sale of their home
Medical Condition	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> High medical priority has been awarded by TMAS
Unsatisfactory Housing Condition	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> Living in unsuitable accommodation for example mobile caravan/ B&B / HMO Living in a property classified as below tolerable standard by the local authority
<p>Move required due to –</p> <ul style="list-style-type: none"> Leaving Armed Forces Leaving Tied Accommodation Leaving an Adapted Property Leaving Care People ready for discharge from an institution 	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> Armed forces personnel leaving active service Workers leaving tied accommodation Leaving properties which have been specially adapted Looked after and accommodated children who are leaving care Leaving an institution where there is no accommodation available on discharge
Under Occupancy	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> Social housing tenants that are under occupying a property by 2 or more bedrooms who bid on properties with 1 or 2 bedrooms. <p><i>(An assessment will be made on the basis of the current family composition and will also take into account the family composition at the start of the tenancy)</i></p>
Overcrowding	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> Social Housing tenant that are overcrowding a property by 2 or more bedrooms who bid on an alternative sized property which can accommodate the families need.
Silver High need for Housing	Explanation of criteria to be used in the assessment
Non Statutory Homeless	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> Sofa Surfers Those living with friends and family Static Caravans Those who have been assessed as Statutory Homeless/Temp Accommodation out with our Local Authority areas
Medical Condition	Applicants who have been assessed as –

	<ul style="list-style-type: none"> • Medium medical priority has been awarded by TMAS
Insecure Accommodation	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> • Applicants living in private accommodation who have been served with a valid notice to leave the tenancy/ Landlord has provided a fixed date to terminate the lease/ 2 months
<p>Move required due to –</p> <ul style="list-style-type: none"> • Serious Harassment • Serious Anti-Social Behaviour • Domestic Abuse 	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> • Applicant needing to move due to serious harassment or anti-social behaviour
Under Occupancy	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> • Social housing tenants that are under occupying a property by 1 bedroom who bid on properties with 1 or 2 bedrooms.
Overcrowding	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> • Social Housing tenant that are overcrowding a property by 1 or more bedrooms who bid an appropriately sized property
Bronze Low need for Housing	Explanation of criteria to be used in the assessment
Medical Condition	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> • Low medical priority has been awarded by TMAS
Moving for Support	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> • Wishing to move to be close to either give or receive support
Moving for Work	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> • Wishing to move to be closer to employment • Having a lack of public transport near their current home
Homelessness	<p>Applications who have been assessed as –</p> <ul style="list-style-type: none"> • Households living in insecure accommodation but under no immediate threat or homelessness. This includes tenants who are subject to a demolition order but have no date to leave their home • Property for Sale/Tied Accommodation with No Termination Date
Move Required due to – Harassment Anti-Social Behaviour/ Domestic Abuse	<p>Applicants who have been assessed as –</p> <ul style="list-style-type: none"> • Applicants need to move due to sustained harassment or Anti-Social Behaviour

Relationship Breakdown	Applicants who have been assessed as – <ul style="list-style-type: none"> Households wishing to leave their home where there has been a relationship breakdown and both parties still occupy the former joint home (Social tenant only)
Unsatisfactory Housing Conditions	Households whose home does not have central heating and/or double glazing
Overcrowding	Social Housing Tenants that live in the same size of property that they require however, are 1 bed space short.
Mobile Dwelling homes (Park Homes)	These are mobile homes/permanent dwellings owned by applicants who rent the land they are situated on.
No Priority No Housing Need	This band includes all applicants whose current accommodation meets their needs but wish to be considered for rehousing

Applications placed in the Gold banding, will be held in date order, based on the date the decision was made to place the application in that banding. If an applicant qualifies to be placed in the Gold banding they can make as many bids as they choose however if a reasonable offer of accommodation is refused more than 3-2 times the applicant will be suspended. For further information please refer to the Association's Suspension Policy.

Statutory Homeless Applicants who fail to bid on properties or accept reasonable offer of accommodation may have their Gold banding removed following discussions with the relevant Local Authority. Applicants can be registered in one of other groups.

5.7 Reporting a Change in Circumstances

Applicants should report any changes to their housing circumstances as soon as possible to ensure their application is up to date and correctly assessed. Applicants can report a change in their circumstances by reporting a change through they're These Homes Dashboard. The Association has up to 6 working days to deal with changes.

All changes will have to be reviewed and applications reassessed where required. If a change has been made while a property advert is open, if the change has not been dealt with prior to the advert closing, the application for the advert will be submitted with the existing priority pass. If an applicant's priority pass award increases, this will be valid for all adverts that are still open and any future adverts, however, is not valid for any adverts that are closed.

If the change results in the pass award changing, the pass award date will be from when the change was approved. The pass award date will determine the place on the shortlist and not the original registration date.

If a change in circumstances does not change the priority pass, the original priority pass date will remain effective.

6. Advertising of Properties & Bidding

Available property will be advertised on the Associations website on a Tuesday with Applications open until the following Tuesday at Noon and on a Thursday with applications open until the following Thursday at Noon.

The Association expects applicants to check adverts regularly. Applicants can opt to be notified by email when a property becomes available that fits their criteria. This proactive approach will ensure applicants do not miss property adverts. Where the applicant does not have access to text or email other arrangements can be made, and in special circumstances automatic bidding can be implemented.

Each advert identifies key features of the property:

- size
- suitability (i.e. for people who need accessible housing)
- tenancy type
- monthly rent
- service charges
- restrictions (i.e. if the property is only available to people aged over 60).
- Information Sheet detailing – schools, Councillors etc
- Video Clips and photos
- Council Tax Band
- Property Attributes

Applicants can apply for properties they are interested in by applying through These Homes.

An eligible application is one which:

- Is for a property of the size for which the applicant is eligible
- Is for the correct mobility categories, if these apply
- Meets any special criteria included in the advert.

Applicants can make as many applications as they want on properties which they are eligible for. This will be made clear on the website so that the process is transparent.

7. Deciding who will receive an offer

Properties are allocated in line with appropriate Housing legislation.

- The Housing (Scotland) Act 1987
- The Housing (Scotland) Act 2001
- The Housing (Scotland) Act 2014

so we must ignore the following:

- The age of the applicant, provided they are aged 16 or over
- The length of time the applicant has lived in Angus or Dundee area.
- The income of the applicant and their family
- Any housing debt now repaid
- Any non-housing debt such as Council tax
- Any rent arrears where the amount is no more than one month's rent or where the applicant has an arrangement for paying the arrears, has been keeping to

the arrangement for at least three months and is continuing to make such payments

- Age of applicants unless it involves housing designed or specifically adapted for people of a specific aged, for example, sheltered housing

The Association will organise a pre allocation visit following the shortlisting process for applicants with the highest priority who meet the criteria *for further information please refer to section 7.1 Pre-Allocation Checks*

Decision making will be based on:

- Status (Gold, Silver, Bronze, No Priority)
- Pass Award Date
- Registration Date

If the highest applicant refuses the property, it will be offered to the applicant with next highest status or priority date. Applicants shortlisted for a property will be contacted with the viewing details. Once an offer is made an applicant must view the property within the time stated and if they don't it will be counted as a refusal unless previously agreed.

Applicants are encouraged to actively make applications for accommodation.

Whilst choice is a very important part of the scheme, the severe shortage of available properties particularly larger, family sized housing means that applicants who want to move need to be as flexible as possible about where they will live, and what type of property they will live in (for example, on which floors and area).

It is important to remember that Angus Housing Association cannot offer housing to everyone who expresses an interest in our properties. Some applicants will be offered housing options advice and assistance. Housing options may include:

- Private rented
- Low-cost home ownership and mid-market rents: schemes to help applicants buy their own home, if they cannot afford the full cost, or to rent properties if they cannot afford market rents
- Making a property more suitable for an individual needs. This may include assistance to make the best use of space or adapting a home to make it more accessible.
- Mutual exchange (swapping homes with another tenant).

7.1 Pre Allocation Checks

At the time of shortlisting, the Association will request a tenancy reference from a current or previous landlord.

In the case of tenancy debt of more than one month's rent, Applicants will not be considered for any offers of accommodation until they have repaid the debt in full or maintained the agreed repayment plan for the required period of time (3 months).

A pre-tenancy check will be carried out for all applicants prior to making an offer of housing. These checks will be carried out to confirm current housing

circumstances. This will include carrying out a telephone assessment and seeking up to date references from other social registered landlords and registered private landlords as well as a home visit. Checks will be carried out for evidence of debt related to a tenancy, evidence of anti-social behaviour or any other breach of tenancy. This may also include any supporting documents to substantiate a priority pass award.

Prior to an allocation or offer being made a pre-allocation visit assessment is carried out by the Housing Officer or Housing Assistant. During the visit applicants will also be asked if the details of their housing application form remain the same. If there have been any changes this may mean that the application is suspended pending re-assessment, and you may no longer be considered for the allocation at that time.

In the case of transfer applicants, the pre allocation visit will consist of a property inspection to ensure that the property has been maintained in accordance with the tenancy agreement and to discuss end of tenancy procedures as well as to verify the applicant's circumstances

Applicants will also be asked if they currently receive support or whether they feel they would benefit from support to help them in their prospective new tenancy. To help the Association understand ongoing affordability of the potential tenancy applicants will be offered a Financial Health Check from the Associations Financial Inclusion Team. During the Financial Health Check applicants will be asked to detail income including employment details and/or the welfare benefits receive. To ensure the best start applicants in their new tenancy we will ask applicant if they have furniture to move in with, assistance to help move, or if they have any concerns about managing a tenancy. The Association will then decide whether you would benefit from a referral to an external agency for support and/or furniture assistance.

Before we make any offer of tenancy you will be asked to provide proof of ID and residence at your current address.

7.2 Direct offers

In some circumstances, the Association will offer a property to an applicant who has not bid for it. This is called a 'direct offer' and is designed to help a household to find social housing if they need to do so urgently or have been unable to find a home themselves using choice-based lettings.

The Association will seek applicants for Accessible properties from the appropriate Local Authority and direct offers will be made to appropriate applicants.

7.3 Tenancies

Applicants, who qualify for an offer of housing, will be offered a Scottish Secure Tenancy in line with the Association's legal responsibilities. Where appropriate, the Association may offer a Short Scottish Secure Tenancy. A Short Scottish Secure tenant has many of the same rights as a Scottish Secure tenant. However, rights are more limited on eviction, subletting and succession. A Short Scottish Secure Tenancy agreement will state that a tenancy is for a fixed period

of time (at least six months). If by the end of that time, neither party has requested that the lease ends, it will renew itself for the same amount of time again (for example, for another six months).

The Association can only give Short Scottish Secure Tenancies in very specific circumstances as defined by law in Section 37, Schedule 6 of the Housing (Scotland) Act 2001. The circumstances will apply if:-

- The applicant has been evicted for anti-social behaviour in the last three years;
- The applicant or a member of their household is subject to an anti-social behaviour order;
- where a course of antisocial behaviour has been carried out within the previous three years as set out in Section 7 of the Housing (Scotland) Act 2014
- The Association are offering temporary accommodation for people taking up employment in the area;
- The Association are offering temporary accommodation for tenants where work is being carried out on their house;
- The applicant is homeless and the property is let to you on a temporary basis for more than six months;
- The applicant is in receipt of housing support services and the property is let to you on a temporary basis;
- The property is leased from another body by the landlord.

In all cases the Association will serve the tenant with a notice, informing them that the offer is a Short Scottish Secure Tenancy. The notice will also state why the applicant is being offered a Short Scottish Secure Tenancy and the period for which the tenancy is being offered.

If the applicant has been given a Short Scottish Secure Tenancy because of a previous eviction for antisocial behaviour or because a member of their household has an anti-social behaviour order (ASBO) served against them; the Short Scottish Secure Tenancy will be converted to a Scottish Secure Tenancy at the end of 12 months, provided the landlord hasn't given the tenant a notice to quit. The Association will notify the tenant when their tenancy agreement changes, including explaining the new rights and responsibilities.

7.4 Refusing an offer of suitable housing

In order to ensure the efficient allocation of available social housing to those who need it most the Association will review applications based on property refusals.

If an applicant refuses 2 reasonable offers of accommodation, they will be suspended.

Regarding choice-based lettings, the Association considers a refusal to be

- a refusal to view a property having submitted an application for it, without good reason, or
- a refusal to attend a viewing for a property, without good reason, or

- Advising the Housing Officer or any staff member that you are not interested in the property once you have applied for the property.
- a refusal of a suitable property they have been offered

Applicants may seek a review of a decision to suspend their application and to move their priority date to the date of last refusal of a suitable property. Reviews will be conducted by the Housing Manager.

Withdrawn Interest

Regarding choice-based lettings, the Association considers a withdrawn interest to be

- Any refusal to arrange a home visit to discuss your application after you applied for the property
- Any refusal to contact the Association following a Home Visit Letter being issued to you.

The Association will consider all applicants for 2 properties that they have applied for. After 2 refusals or withdrawn interests, the applicant will be suspended for a period of months.

8. Reviewing, Removal and Suspension of Applications

8.1 Reviews

Each customer will have their application reviewed annually.

8.2 Removal of applications

An application will be cancelled from the housing register in the following circumstances:

- At the customer's request;
- The death of an applicant;
- If the customer has been housed;
- Following 2/3 correspondences the applicant fails to respond to a review of the list, request to provided information or other requests.
- Joint Applicant/s may wish to withdraw their own application and reapply separately following a relationship breakdown (where one or both joint tenant/s withdraws their application both applicants will be required to reapply separately) When they reapply the applicants must advise the Association, they previously had a joint application, once their previous joint application is confirmed the applicant/s will be provided with the original application date.

The customer will be notified of the reason why their registration has been cancelled or suspended and of their right to request a review of that decision.

8.3 Suspended applications

The Association will ensure the use of suspensions is kept to a minimum and access to our houses is as open and inclusive as possible. We will therefore

avoid imposing any unnecessary or unreasonable restrictions.

For additional information please refer to the Suspensions Policy.

9 Other Allocations Information

9.1 Community Safety – Multi Agency Public Protection Arrangements

Registered Social landlords have a legal duty to consider the housing requirements of all applicants including persons currently on the sex offenders register and other high risk offenders who are subject to the Multi Agency Public Protection Arrangements (MAPPA). These arrangements require that agencies including the Police, Local Authorities, Registered Social Landlords, Health Boards and the Scottish Prison Service work together to assess and manage the risks posed by such offenders. The aim of MAPPA is to promote public safety and reduce the risk of harm. Allocations to individuals who are subject to these arrangements will follow on from multi agency scrutiny of assessed risk. The Association will be represented at MAPPA meetings by the SOLO to mitigate anyone being able to circumnavigate risk management procedures.

All cases referred through MAPPA must be referred to the Link Officer.

9.2 Local Lettings Initiatives

Section 2 of this policy sets out the objectives we want to achieve when allocating properties. The Association have used those objectives to build a priority status that meets all of our legal responsibilities and prioritises the needs of applicants in a fair and consistent way. Across Angus and Dundee, we have different amounts of housing in each area and different levels of demand. House types and sizes, the availability of local services and the location of our homes can affect the demand for housing. Sometimes the Association will need to make an extra effort to encourage applicants to move to a local area and as part of this, sometimes we may use the way we allocate our homes to support local investment and regeneration plans or to make sure we have a good mix of different household types and ages. To achieve this, the Association may at times introduce a local lettings initiative to address a specific issue within one of our communities, e.g.:-

- New Build to seek and develop stable communities
- In areas of low demand, we may wish to relax the bedroom criteria in order to allow applicants to occupy larger properties
- In flatted accommodation, we may wish to reduce the number of households with children occupying properties in order to create a balanced mix of households
- For new build accommodation in rural locations, we may wish to give priority to local applicants who live in and contribute to the local community
- Enable an existing community to become more sustainable, for example, by encouraging more families to move into the area
- Enable sensitive lettings on schemes which have had high levels of antisocial behaviour

- Enable households to return to an area they left for redevelopment to take place

This list is not exhaustive and local lettings initiatives may be agreed in other circumstances where there is evidence that the local community would benefit from such a plan and there is no significant adverse impact on other communities. The equalities impact of site-specific local lettings schemes will be considered before they are agreed.

If the Association are considering whether to introduce a local lettings initiative, we will consult as appropriate e.g. with the local authority, local community and/or other partners such as Integrated Health and Social Care. The Association will explain clearly:

- Why we feel a local lettings initiative is needed and the evidence we have used to make the decision
- Our specific aims and objectives

All local lettings and scheme-specific plans will have clear criteria and possibly their own qualification requirements, which are openly published. When a property which is being advertised via the website and is subject to a local lettings plan, this will be stated clearly on the advert.

Any local lettings plan will be agreed for a limited time, after which it will be reviewed, and lettings will revert to the main scheme if possible.

9.3 Appeals

The Association is committed to providing customers with the best possible service and to working with them to find a solution to their housing need. If, however, customers are not happy with the service they have received, they can make a complaint. They may also be entitled to a formal or informal review of a decision that we've made. Applicants may seek a review in the following circumstances:

- If they are told that they do not qualify for housing.
- They disagree with the status that has been awarded to their application.
- They are told that their application has been suspended.
- A decision has been made to suspend an application for 12 months if the applicant refuses two suitable property offers, through either choice-based lettings and/or direct offers.

A request for a review should normally be made in writing, within 14 days of the applicant being notified of the decision and should give the Association as much information as possible. The Association will aim to complete the review within 7 days. An applicant may find that an independent legal or specialist housing adviser can help them with the process. If the applicant cannot make a request in writing, they can ask someone else to do this on their behalf or can telephone us and ask us to hear their case orally.

In considering whether or not to seek a review on the status an applicant has received, they should bear in mind that decisions on priority are based upon the Association's assessment of the evidence placed before it. It is highly unlikely that any review will be successful where the applicant's ground of review is simply that the Association's assessments of medical evidence should have led to a higher level of priority. Reviews will be considered by the Senior Housing Officer or Housing Manager.

9.4 Complaints

The Association is committed to responding quickly and effectively to any complaints and comments, and to use these and any compliments about the service to review and improve ways of working.

If an applicant feels the Association has not lived up to our commitments to applicants, then they should let us know as soon as possible. If an applicant is not happy with the response given, or if feels uncomfortable doing this, they can make a complaint.

A complaint can be made by telephone, on our website, system, in writing, by email or by someone else on your behalf. The Association will log the complaint and will aim to provide a response within 5 days. If the complaint is more complicated it may take longer, but the team will keep the complainant informed about what is going on. *For further information please refer to the Association's Complaints Policy*

9.5 Personal Information

Any personal information given to us as part of an application for housing under this policy will be handled according to the legal responsibilities placed on us by the Data Protection Act 1998 and the General Data Protection Regulations 2018. This means that any personal information will always be held on a secure IT system and accessed only by authorised individuals. The information will only ever be used for the following three purposes:

- Assessing a housing application in accordance with the policy
- Statistical monitoring of housing supply and demand
- Future consultation and customer surveys

The data will not be passed to third parties unless the request is for one of the purposes stated within Part 4 of the 1998 Act. Applicants have the right to access the personal information we hold on their housing application as set out by both the Housing (Scotland) Act 1987 and the General Data Protection Regulations 2018. The Association cannot unreasonably refuse requests to access personal information and only ever in specific circumstances, e.g. if providing information involved revealing details about another person without their consent. If an applicant requests to see the personal information the Association hold, we will provide that within 40 working days. If the Association incur any charges they may have to pass on the costs to the applicant.

9.6 Equality and diversity

In developing and implementing policies covering all aspects of our work, Angus Housing Association will ensure that our strong principles and commitment to equality of opportunity are evident. In line with the Housing (Scotland) Act 2001 the Association operates in a manner which encourages equal opportunities and observes the equal opportunity requirements described in Section 106 of the Act. The Association also takes account of all applicable legislation, including the Equality Act 2010 and relevant Codes of Practice issued by the Equality and Human Rights Commission -

Our Policy recognises the protected characteristics as defined by the Equalities Act

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Gender
- Sexual orientation

In line with this commitment to equal opportunities, this policy and any summary or information leaflet can be made available free of charge in a variety of formats including large print, translated into another language or on audio tape.

9.7 The Scottish Housing Regulator

The Scottish Housing Regulator (SHR) is the independent regulator of registered social landlords and local authority housing services in Scotland. The SHR has a legal responsibility to: "safeguard and promote the interests of current and future tenants of social landlords, people who are or may become homeless, and people who use housing services provided by registered social landlords (RSLs) and local authorities".

The SHR monitors how well landlords are delivering their housing services, managing their finances and performing good standards of governance. If needed, the SHR will intervene to make improvements where there is evidence that this is needed. The Association provides evidence each year that their performance meets the standards set out by the SHR in the Scottish Social Housing Charter. This means that the SHR will monitor, assess, compare and report on the performance of all landlords in relation to:-

- How easy we make it for you to apply for housing
- How well we communicate with you and give you advice

- How well we manage our allocations process

The Association are fully open and accountable for the way we allocate our housing and therefore will maintain a clear audit trail which allows us to demonstrate how and why we make decisions when allocating our homes. We will ask for approval from our Management Committee if we propose to allocate a property to:-

- One of our current employees;
- A recent employee (e.g. someone who has worked for us in the last 12 months);
- One of our Committee members;
- A close relative of our staff or Committee.

In giving us approval, Management Committee will satisfy themselves that a clear audit trail is in place to support the selection of the applicant before we make such an offer.

10 **Management of the Choice Based Letting Policy**

10.1 Monitoring and Policy Review

Monitoring will be used to ensure:

- Those in the 'reasonable preference' categories are given priority for housing
- Lettings are broadly proportionate to the profile of local communities
- Lettings within 'the Bands' accords with the stated aims of the policy
- Customers in special needs groups are successfully accessing housing
- There is overall customer satisfaction with the scheme

The policy will be reviewed every 3 years or as required due to legislative or regulatory change. The review will be completed by the Housing Manager and circulated to the Housing Management Department and Senior Management Team prior to being presented to Committee of Management for approval.

10.2 Staff training and development

The successful implementation of the CBL policy and supporting procedures is dependent on the knowledge and skills of staff implementing it. Regular training will be provided to relevant staff to ensure a consistent approach and ensure they can carry out the roles and duties linked to the application of this policy effectively.