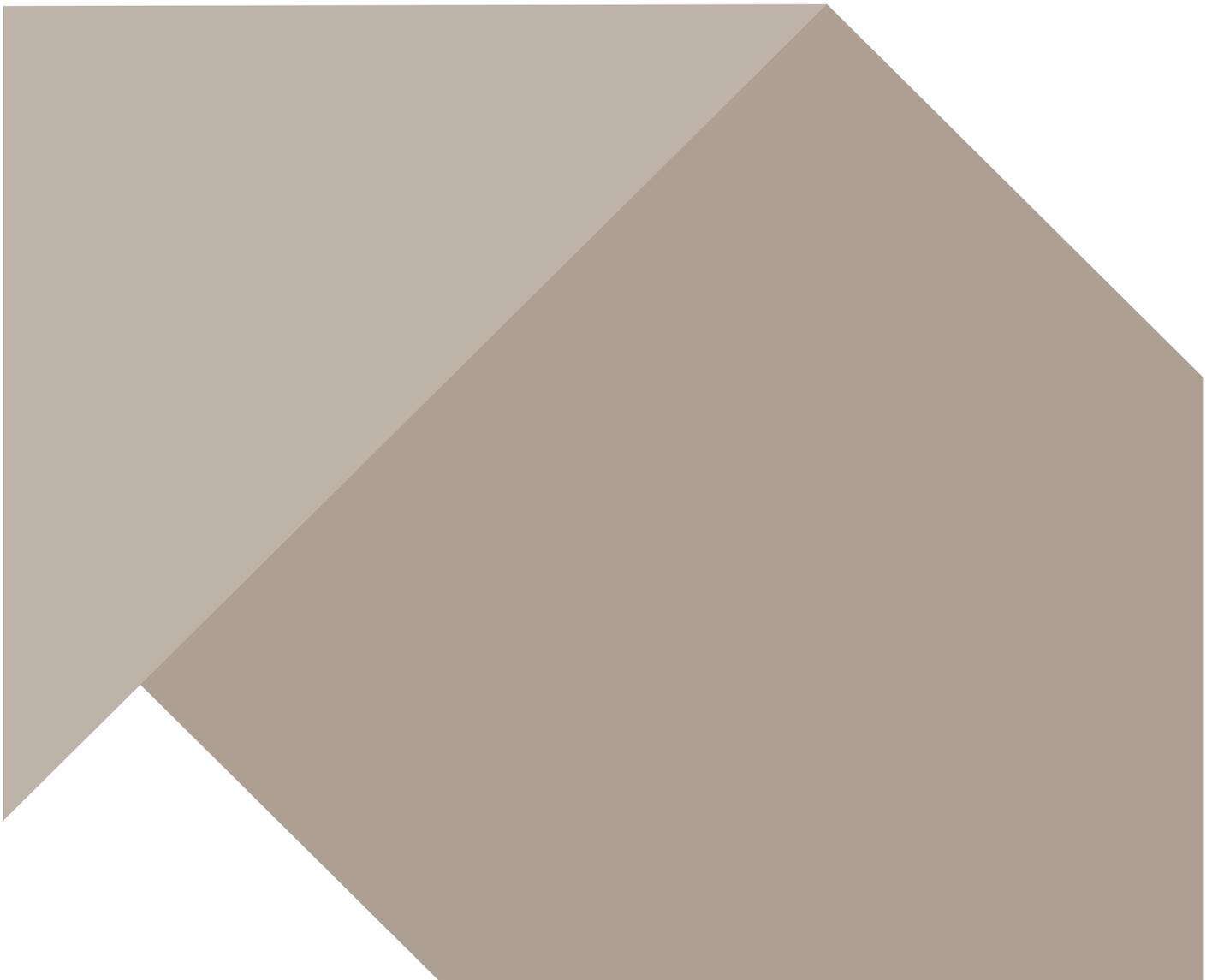


# Advice, Information and Letting Policy Framework



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## **Section 1 – Advice, Information and Letting Policy Framework**

### **1. Introduction**

At Wheatley we want to have a consistent and customer-focused approach to letting homes and providing people with advice and information about their housing needs.

We want to make sure our individual partner organisations have flexibility to tailor their letting and advice services to local needs and arrangements.

That's why we have developed a Group framework which sets out clearly the aims and principles we all share at Wheatley when it comes to letting homes and giving people advice. This is what we call our Advice, Information and Letting Policy Framework.

### **2. Aims**

The aims of this framework are to ensure all parts of the Group:

- let our homes to people who are most in need of affordable housing;
- become a leading provider of tailored housing advice and information;
- support customers to build and own a personal housing plan.

### **3. Key principles**

At the heart of how we let homes and provide housing advice is the customer experience. The following key principles underpin this framework:

- simplicity and flexibility;
- consistency of approach;
- focus on housing options;
- start with individual advice;
- customers in control;
- staff thinking differently to find solutions;
- easy access to good housing advisory services.

Alongside the Group-wide framework, we have an advice, information and letting policy which sets out the detail of how we let homes to people fairly and efficiently. Where possible this is adopted by our partner organisations.

Since the Group operates in many different locations across the central belt of Scotland, demand for properties varies. In such circumstances, we may use local letting plans to address local issues.

These will be developed with clear aims and objectives, will be time limited and will be reviewed regularly. These plans will be monitored by the relevant Governance structures and we will, on an annual basis, report on the outcome of the plan.

Where this is not possible due, for example, to a partner organisation requiring to work with a Common Housing Register, the partner organisation will adapt the policy but still work with their partners to achieve our framework's aims and key principles.

#### **4. Building the customer relationship**

Our customer relationship is key to everything we do at Wheatley and is at the very heart of this framework. All our partner organisations will start building a relationship with the customer from the first contact and will foster positive relationships throughout the tenancy. Here is how we will do this:

- Ahead of taking on a tenancy, we personalise the content and format of information and advice to suit the customer to help them understand their choices and responsibilities.
- Our customers will have access to their own personalised account to view their service history with us and to track advice and letting outcomes. Their account will travel with them developing a customer footprint. This will allow them to access other services including online payments, support services and reporting repairs.
- They can review their Housing Options at any time and those who prefer to engage face-to-face or by phone can do this through their Housing Officer or at our 24/7 Customer Service Centre. Customers will be able to access other support services through their life journey by accessing their preferred customer contact point.
- Some customers registered with us are likely to need support and help to manage the application process and a tenancy. These customers will be given a named officer who will **“walk with”** them through the process.
- Through Housing Options, we will engage partners to address health and social care needs; including NHS, social work services, care providers, family or representatives. This will support early identification and assessment of support needs and the establishment of self-directed support plans, if required.
- As a care and support provider we will also promote our services to new and existing customers who have been identified as needing them.
- Before customers move into their new home, we will highlight community connections including: libraries; leisure centres; jobs and volunteering opportunities; GPs, dentists and health centres; and youth groups. This will better connect people to their new neighbourhoods.
- Customer feedback is important to us and will be gathered from the first contact and used to improve services.

## **5. Responsibilities**

The Wheatley Group Board is responsible for setting and reviewing the Group Advice, Information and Letting Policy Framework and will also scrutinise group performance.

Partner organisations will be responsible for setting their Advice, Information and Letting Policy and reporting on performance. They will also lead on local engagement and consultation.

Partner organisations participating in Common Housing Registers will also require to take account of Common Housing Register arrangements in their areas of operation.

## **6. Legal and regulatory considerations**

A comprehensive list of related legal, regulatory and good practice guidance has been considered in the development of this Policy Framework. Legislation identifies specific groups that we must give reasonable preference to including:

- social housing tenants who are under occupying their home;
- people who are homeless or threatened with homelessness (including those at risk of harassment or abuse) with unmet housing needs;
- people living under unsatisfactory housing conditions with unmet housing needs, e.g. people whose homes are unsuitable because they are below the tolerable standard or because the physical layout is unsuitable for health or disability reasons or those living in overcrowded conditions.

This is managed through our Advice, Information and Letting Policy, where we award priority to reasonable preference groups as defined by law.

The framework is designed to help us meet the outcomes of the Scottish Social Housing Charter and to meet regulatory performance standards.

## **7. Equal opportunities**

We are committed to providing fair and equal treatment for all our stakeholders, including tenants and will not discriminate against anyone on the grounds of race, colour, ethnic or national origin, language, religion, belief, age, gender, sexual orientation, marital status, family circumstances, employment status, physical ability and mental health. We will positively endeavour to achieve fair outcomes for all.

We will make sure that everyone can apply to join our housing list by providing key information in a number of different languages and formats on request. This includes large print, Braille, audio and easy-read.

We have specific products, including sheltered, amenity and wheelchair-adapted homes, built or tailored to meet customer needs. When these properties become available they will be offered to customers, through our matching service, to those

most in need. In addition to these core products customers will have the option of purchasing our Living Well service including care and support packages.

#### **8. Measuring performance**

Our Group Policy Framework aims to deliver sustainable outcomes for our customers. We will review, test with customers and publish service standards at regular intervals and we will monitor performance against these throughout the year.

#### **9. Complaints and appeals**

Our aim is to get it right first time. Where customers are dissatisfied with the letting process, we have a Complaints Policy and procedure. The procedure can be used where there is dissatisfaction with this Policy Framework or its operation. Our Complaints Policy is available online or at any of our local offices.

#### **10. Sharing information**

We will adhere to the Wheatley Group Data Protection Policy and seek advice from the Group Information Governance Team when needed.

#### **11. Reviewing the framework and policy**

We will review this framework every five years or sooner.

#### **12. Consultation**

We will consult with relevant applicants, tenants, registered tenant organisations and any other parties to seek their views and feedback before we implement any key changes to our housing advice, letting and information policy.

# Cube Advice, Information and Letting Policy

## **Section 2 – Cube Advice, Information and Letting Policy**

### **1. Introduction and purpose**

This policy should be read in conjunction with the Wheatley Group Policy Framework. The Group consists of a number of housing and care organisations, namely:

- Glasgow Housing Association (GHA)
- Cube Housing Association
- West Lothian Housing Partnership (WLHP)
- Loretto Housing Association
- Barony Housing Association
- Dunedin Canmore.

There is a significant demand for our homes with customer demand exceeding the supply of properties that become available for let each year. Our turnover is typically less than 10% of our total property portfolio – although demand for homes can vary area by area.

This policy details how we will assess applications and let our homes as part of Wheatley's Choice-based Letting system (CBL).

We aim to assess the needs of each applicant, let homes in a fair and consistent way so that available properties are let to those in greatest housing need, while making best use of our housing stock.

Housing need refers to standards that we use to assess an applicant's housing circumstances. We take into account:

- Legal and statutory obligations; homeless households, overcrowding and housing below tolerable standard and under occupation;
- Housing need across the areas we operate in including the needs of disabled people;
- Housing need and demand to inform how we let our homes and where we will build new homes.

Our housing lists are managed and applicants' details are kept up to date and accurate through service standards, including:

- Instant access to our online Housing Advice, Information and Letting service;
- The creation of individual customer accounts on completion and submission of on-line housing applications;
- The development of online personal plans detailing best housing options and any relevant support services available to meet individual needs;

- Same day confirmation of change of circumstance requests via our online service;
- A review of Housing Options, online or by appointment;
- Annual re-registration of housing applications; and
- Three-monthly reviews of suspended applications.

This approach helps to ensure that the right customer gets the right home and provides us with an accurate reflection of need and demand across Wheatley Group which helps us inform future services and products.

## **2. Applying for a house**

We have an open housing list and, by law, anyone aged 16 or over can apply to register for housing, have their housing needs assessed, and have their application registered.

Applicants can apply on their own, jointly with a partner or with other people aged 16 or over who will be living with them.

**Housing Options** will be the start of the customer journey and underpins our approach to access to housing. This promotes independence, choice and increased housing opportunities by offering tailored and personalised housing advice and information to our customers. This approach identifies when a customer may require support including pre-tenancy support services. We also discuss affordability and the cost of running a home linked to the Government's Welfare Reform Agenda. For example, applicants eligible for Housing Benefit will be subject to Local Housing Allowance (LHA) Housing Benefit Caps. Single applicants under the age of 35 and without dependants are eligible for the Shared Accommodation Rate only, which is typically below average rents.

Applying for a house does not mean that every applicant has an automatic right to receive an offer of housing.

## **3. Finding a home**

We will help customers to build a personal housing plan, giving honest advice about their chances of securing a home with us. We will advise on how best to maximise their chances of success by making it easy for customers to complete an online Housing Application Form using their preferred channel of communications. This includes online, with assistance available by web-chat facility, through our 24/7 Customer Service Centre, at home with a housing officer, and at any local housing office.

Customers will be able to bid for available properties in their priority housing band as soon as they submit their completed application form to us and provide any relevant supporting information – this can be the same day for online applicants. We aim to follow up incomplete forms/need for further information within five working days with customers notified of their outcome including the band which best reflects their priority for housing.

Our policy aims to place those in greatest need in Band A with next priority need B, then C and so on. The use of these priority Bands enables us to achieve letting ratios based on demand, local needs, letting trends and weighting afforded to priority bands as defined in law.

### Common Housing Registers and Local Authority Nomination Agreements

We will provide access to Common Housing Registers with Local Authorities and other RSLs where they operate. This extends customer choice and access to housing beyond our Group.

Customers expressing an interest in a number of areas, where a CHR is in operation may require to complete a further housing application to meet individual CHR requirements.

Some of our newer developments within our portfolio are tied to Strategic Agreements with Local Authorities, because of funding arrangements established at the time properties were first built. This requires us to seek a percentage of nominations from the relevant local authorities' own housing lists, when properties become available.

### **Registration process**

The quickest way to register with us is online. This provides customers with instant access to properties that are available for let and enables them to express an interest immediately once their application form has been accepted as fully completed.

In terms of finding a home, the registration date or the date that applicants are awarded a priority housing band, is important. It is used in the selection process to ensure the applicant who has the earliest registration is selected and offered the next available home first in their priority banding. The only exception to this is when an applicant moves to another priority band following a change of circumstances or assessment.

Once registered with us, customers will receive and have access to:

- A welcome pack with details, including how to access available properties and place notes of interest, to make finding a home as simple as possible;
- An individual My Housing Account on completion and submission of their housing application; which incorporates a personal housing plan.
- A summary booklet of the Advice, Information and Letting Policy and Service Standards;
- Other relevant information such as welfare reform and tenancy support services.

Available properties are advertised online and at housing offices. Help is also available via our 24/7 Customer Service Centre.

Existing tenants who are seeking a transfer will be registered automatically with a National Mutual Exchange scheme at no cost.

#### **4. Our housing list**

Our Housing List is divided into eight bands and each housing application is assessed according to individual circumstances and awarded a priority band, with the exception of customers seeking housing via Common Housing Registers i.e. customers searching for a home in Edinburgh will apply through the Edindex “Keys to Choice” Register at [www.keytochoice.co.uk](http://www.keytochoice.co.uk).

We operate a hierarchy across bands with band A being the highest priority, then B and so on. Customers with multiple housing needs will be placed in the highest priority band for their needs. An applicant will be placed in one band only.

To achieve Group and local objectives, a percentage of homes each year will be advertised and assigned to each band based on demand, local needs, letting trends and weighting afforded to priority groups as defined in law.

Priority housing need is as follows and explained in more detail below:

- Band A: Strategic
- Band B: Homeless
- Band C: Prevention of Homelessness
- Band D: Reasonable Preference
- Band E: Making Best use of our Housing Stock
- Band F: No Housing need
- Band G: Local Authority Nominations
- Band H: Direct Lets to 3<sup>rd</sup> party organisations via lease or support protocols.

Applicants are queued in individual bands by effective registration date or date of award.

All available properties are advertised via our Choice-based Letting system, with the exception of our Strategic Band A where customers are directly matched to suitable properties that meet their needs, as and when they become available.

We will accept nominations from Local Authorities housing lists that are tied to Strategic Agreements when one of these properties becomes available. To achieve openness and transparency we will record these as Band G and will report outcomes annually.

**Table 1 – Priority Housing Bands**

Housing Need	Band	Category	Definition
Strategic	A	Demolition Programme	Tenants of one of our RSLs where a Committee decision has been made to demolish or clear the property.
		Exceptional Housing Need	<p>People who have an exceptional level of housing need that is so unusual, it is not captured within this policy, who require to be rehoused urgently.</p> <p>Due to the unusual nature of these cases they will be minimal, representing a very small proportion of lets.</p>
		Management Transfer	<p>Extreme and very urgent circumstances requiring supporting evidence from Police Scotland or another recognised agency, including Social Work. Authorised by Area Director.</p> <p>This includes Domestic Abuse.</p>
		Return to Community	<p>For our tenants only – reflecting the urgency of these cases includes applicants who are unable to return home from hospital due to property type; who are delayed discharge or in an intermediate care setting. Linking to Housing Options for Older People and our Accommodation Based Strategy</p> <p>Restricted patients as defined by the Management of Offenders etc. (Scotland) Act 2005.</p>
		Community Sustainment/Local Move	<p>This is to alleviate housing need and make best use of our housing stock at a local level.</p> <p>Housing Manager will approve this award to a “like for like” property e.g. tenement to tenement, with the exception of Livingwell products where an older customers can move or downsize within an area to a different</p>

Housing Need	Band	Category	Definition
			<p>property type e.g. a customer moving to an amenity home in the local area freeing up a larger home.</p> <p>Customers must have a clear rent account for 3 months and a good tenancy history. This move will assist with Community Sustainment.</p>
<b>Urgent</b>	<b>B</b>	Statutory Homeless	Applicants assessed as Statutory Homeless by the Local Authority, including refugees
		Young Care Leavers	Applicant who is leaving care or a young offender's institution. These cases are managed via the Care Leaver's Protocols with Local Authorities where we operate.
<b>Prevention of Homeless</b>	<b>C</b>	Separating Partners	<p>Our tenants only: Tenant, Joint Tenant or Partner whose relationship has broken down.</p> <p>Customer will be considered for suitable equivalent accommodation suitable, e.g. tenement to tenement.</p>
		Affordability	<p>Our tenants only: Tenants who are experiencing severe financial difficulties and would benefit from a move to alleviate financial difficulties.</p> <p>If in arrears customers must adhere to agreed repayment arrangement for 12 weeks before application will be accepted.</p> <p>Local Housing Allowance cases will be considered within this band.</p> <p>This band should be used as a pathway preventing homelessness.</p>
		Community Care	Applicants who are leaving residential settings who can live independently with a level of support.

Housing Need	Band	Category	Definition
			<p>To support the personalisation agenda – a Support/Care Plan is required with a named Care Manager.</p> <p>This Band will include return to Community for non-Wheatley Group RSL customers. Customers will be offered our Care products.</p>
		Armed Forces	<p>Applicants serving in the Armed Forces – can apply one year prior to honourable discharge &amp; 6 months after. Must have completed either 3-year service or 1 full tour of duty.</p>
		Tied Houses	<p>Applicants leaving a tied house as a result of retirement or redundancy.</p>
Reasonable Preference	D	Young People	<p>Young people aged &lt; 35 looking to get their <b>first</b> home.</p> <p>If a young person is statutory homeless they will be placed in Homeless Band B.</p> <p>We will review circumstances through our Housing Options model and available products and support services including shared accommodation.</p> <p>In the spirit of our Housing Options approach we will help any young person applying for a home to seek employment, training, educational or volunteering opportunities with Wheatley Group or Wheatley Pledge partner organisations.</p>
		Overcrowding	<p>Applicant in a property that is too small as defined by this Policy, Section 4, table 2.</p>

Housing Need	Band	Category	Definition
		Under Occupation	<p>Applicant in a property that is too big as defined by this Policy, Section 4, table 2.</p> <p><b>This only applies to social landlord tenants.</b></p>
		Below Tolerable Standard	Applicant living in a property that has been deemed as Below Tolerable Standard – confirmation from Local Authority is required.
Making Best use of our Housing Stock	E	Health & Housing Need	Applicant who has an illness, disability or health condition that would be alleviated if they moved to a specific house type.
		Living Well and Living Well Plus	<p>Applicant who meets the requirements for Living Well properties and requires specific support including Living Well and Living Well plus services previously known as sheltered and very sheltered housing.</p> <p>An up-to-date, within 6 months, Housing Options and Support Assessment is required.</p>
		Living Well 55+	<p>Applicant who meets the requirements for housing for 55+ years.</p> <p>An up-to-date, within 6 months, Housing Options and Support Assessment is required.</p>
		Living Well Dispersed	Applicant who has (or household member) a health and well-being need that requires low level adaptations or amenity such as a secure garden to alleviate a non-mobility medical condition e.g. autism.

Housing Need	Band	Category	Definition
		Providing or Receiving Support	Applicant requires support to live independently or provides practical support to a relative requiring care. Relevant up-to-date (within 6 months) supporting documentation required.
<b>No Housing need</b>	<b>F</b>	No housing need/aspirational move	No housing need or applicants/tenants who are looking to move to a different property, house type or location.  Housing Options will be carried out to determine the best product for customers' to access; including MMR, Private Rented Sector or shared equity.
<b>Local Authority Nomination Agreements</b>	<b>G</b>	Nominations	Nominations received from Local Authorities housing lists.
<b>Lets to other organisations</b>	<b>H</b>	On request	From time to time we are approached for properties by organisations providing care and support to vulnerable customers. These will be considered where they meet our strategic objectives and can demonstrate positive outcomes for customers i.e. the provision of temporary accommodation for homeless households.

## 5. The Bands explained

This section explains how awards are made against the assessment criteria, by category, within each band.

Priority bands also reflect the reasonable preference groups as set out in the Housing (Scotland) Act 2014.

### **Band A – Strategic Needs**

Customers placed in this band will be **directly matched to properties that meet their needs** and make best use of our housing stock.

Applications will be held in date order from date priority awarded or registration date, as applicable. A Housing Manager will award this priority with the exception of Exceptional Housing Need cases where the award will be made by an Area Director.

Customers awarded Band A priority will be advised that they will be made **one** offer of alternative suitable accommodation within specific areas/sub-areas and then priority may be withdrawn.

Cases not housed will be reviewed by the Housing Manager within 12 weeks and the priority may be removed if a suitable property has not become available. It may be necessary to have a housing options review meeting with the customer to widen their choices to different sub-areas where there is increased turnover. These cases will be robustly managed and monitored.

This is the highest priority awarded to meet **emergency** or **exceptional housing need** as quickly as possible. When placed in this Band applicants are being given priority over other types of housing applicant because of the serious or very urgent circumstances that they are facing. This Band includes:

- **Demolition** – People who require to leave their existing tenancy with us as a result of a Board decision to demolish the property.
- **Exceptional Housing Need** – People who have an exceptional level of housing need that is so unusual, it is not captured within this Policy, and require to be rehoused urgently. Due to the unusual nature of these cases they will be minimal, representing a very small proportion of lets. Each case will be looked at on its own merit and we will look for recent supporting evidence.
- **Management Transfer** – This is for people who have exceptional housing need **and not an aspirational need** e.g. witness protection for domestic abuse cases. This will be to equivalent housing; e.g. flat-to-flat; block type to block type.

*Domestic abuse is 'any form of physical, sexual or mental, emotional or financial abuse [that] might amount to criminal conduct and which takes place within the context of a relationship. The relationship will be between partners (married, cohabiting, civil partnership or otherwise) or ex-partners. The abuse can be committed in the home or elsewhere'.*

Each case will be looked at on its own merit.

- **Return to Community** – This category is for existing tenants only and is for customers with complex health or social care needs i.e. applicants who are unable to return home from hospital or intermediate care settings due to current property type being unsuitable for their needs and restricted patients, as defined by the Management of Offenders etc. (Scotland) Act 2005.

These cases are dealt with on a one-to-one basis to support independent living. Relevant recent evidence, within three months, is required including the care and support need assessment and resettlement plan with a named Care Manager contact.

- **Community Sustainment / Local Move**

A local move can be used to alleviate housing need at a local level and to make best use of our housing stock. It will also help us to meet the aim of sustainable and balanced communities. It is for equivalent property only – “like for like stock” e.g. tenement to tenement, semi-detached to semi-detached in the local area. The only exception to this is where a customer has been assessed as requiring Living Well products, previously known as sheltered or amenity housing.

An example would be a customer living in a top floor flat requiring ground floor accommodation. A local move could be used to move the customer to the ground floor leaving a property available for re-let.

Customers must have had a clear rent account for three months and a satisfactory tenancy history.

### **Band B – Urgent Housing Need**

Customer applications in this band will **be held in date order from the date on which the statutory homeless priority was awarded.**

Customers awarded this priority will be advised that they will be made **one** offer of alternative suitable accommodation within specific areas/sub-areas and then priority may be withdrawn.

Applicants not housed will be reviewed by the Local Authority Case Work Service within 12 weeks and the priority may be withdrawn if a suitable property has not become available. The Local Authority may undertake a further housing options review meeting with customers to extend their housing choices to additional sub-areas/other providers where there is increased housing turnover.

When placed in this band applicants are being given priority over other types of housing applicant because they are homeless and do not have a permanent home.

This Band includes:

- **Statutory Homeless applicants**

People who have been assessed by the Local Authority as homeless or threatened with homelessness; including refugees, and vulnerable and in urgent housing need.

Local Authorities retain the statutory responsibility for determining homelessness and all applicants who consider themselves homeless or threatened with homelessness should seek a determination from their local authority.

Prior to accepting a Section 5 Referral, as set out in the Housing (Scotland) Act 2001, we will take account of the needs and preferences of the applicant and the availability of suitable accommodation, within six weeks of accepting the referral. We will give reasonable preference to these customers, as they have an urgent housing need.

We would expect the Local Authority to share the applicant's Care /Support/Resettlement Plan.

Some of our partner Local Authorities will also make homeless referrals through agreed nomination processes.

- **Young Care Leavers**

This is for a young care leaver or young person leaving a young offenders institution. These cases are managed via the care leaver's protocol on a case by case basis. We will participate in the Statement of Best Practice for Care Leavers across the Local Authorities where we operate.

## **Band C – Prevention of Homelessness**

Customer Applications in this band **will be held in date order from the date on which priority was awarded or registration date as applicable**

Recent supporting evidence dated within 12 weeks may be required to support an application. An example includes evidence of Debt or Money Advice intervention and mandate from the customer to make interventions and enquiries on their behalf to get the right support in place.

These cases will be approved by a Housing Officer and will be held in date order according to the date the priority is awarded. If in arrears, it is best practice that a repayment arrangement is in place for 12 weeks before a tenant can be considered for this award.

This band includes:

- **Separating Partners**

This category is for our tenants only including sole tenants, joint tenant or partner whose relationship has broken down. The award is for equivalent accommodation of their existing home, for example tenement to tenement, block type to block type.

- **Affordability**

This category is for our tenants only and for tenants who are employed, but in financial difficulty and struggling to pay their rent, where a move would alleviate financial difficulties.

Applicants are likely to be in larger accommodation and require a move to a more financially viable option. Local Housing Allowance cases, where the allowance is less than the rent charge will be considered within this band.

- **Community Care**

Applicants who are leaving residential settings including care settings, who can live independently with a level of support are placed in this category. This will be a planned move managed by a care manager – a pathway out of homelessness.

A support plan will be in place and is required to support an application.

- **Armed Forces**

Applicants in this category must have served or be serving with one of the recognised British Ministry of Defence Armed forces. Evidence will be required to support this and will only be awarded to armed forces personnel:

- With less than one full year to honourable discharge, or
- Honourably discharged from one of the armed forces within the previous six months of applying for housing;

**And**

- Have completed three years fixed-term contract or have completed one full tour of duty or have been or about to be discharged on medical grounds;
- Be the surviving spouse/partner or a non-dependent child (16+ of a deceased Forces Personnel (either serving or served within last six months);

- **Tied Housing**

This category is awarded to those leaving tied housing as a result of retirement or redundancy. Evidence is required from the current/last employer.

Separating partners from tied housing will be referred to the relevant Local Authority and be dealt with under homeless legislation.

**Band D – Reasonable Preference Customer Applications in this Band will be held in date order from date on which priority was awarded.**

When placed in this Band applicants are being given reasonable preference priority over other types of housing applicant because they can demonstrate they have a housing need as defined in law.

- **Young People – under 35**

We recognise that young people are increasingly finding it difficult to get on to the housing ladder. As part of our online application process, housing options will be explored and advice given on all options and products including; shared accommodation products.

We recognise this customer grouping has been affected by Welfare Reform and therefore we will encourage these applicants to complete an affordability assessment to demonstrate they can afford a single tenancy.

- **Overcrowding and under occupation**

Both overcrowding and under occupation of a home is considered as a housing need.

The legal definition of overcrowding and under occupation of a home is defined in law and tells us the criteria for the number of people who is expected to live in a home. This is based on the number of rooms, the size of the rooms and the ages of the people who live there. In law rooms that are counted include living rooms and bedrooms but not the kitchen or bathroom.

There are three situations where overcrowding is allowed – natural growth, temporary overcrowding and licensed overcrowding. Our occupancy standard exceeds the criteria set out by law as it:

- Excludes the living room as being viewed as suitable for use as sleeping accommodation; and
- Consider that as soon as a child reaches 10 years of age, overcrowding will be awarded if the child has no separate bedroom; and
- Consider that children of different gender under 10 can share a bedroom.

The criteria for the number of people expected to live in our homes is set out at table 2 below.

We take into account the size of property which is the number of bedrooms each applicant's household needs. We will only consider children who are **living permanently** with the applicant when assessing bedroom requirements. This will include joint custody arrangements **and** access arrangements where the applicant is noted as a parent on the child's birth certificate.

Where an applicant is fostering or adopting we consider children to be permanently living with the household and where appropriate will award a separate room for the fostered or adopted child. The overcrowding category will be awarded when the applicant can evidence that the arrangements have been agreed through Local Authority panel, and they have been accepted as an adopter or foster carer.

**Under occupation is calculated on the same basis but only applies to Social Landlord tenants.**

Customers who have chosen to under-occupy a property will not be awarded under-occupation priority unless they can demonstrate a material change in household composition from their original application. These customers will be offered alternative options, including enrolment in our mutual exchange scheme.

We aim to have an active downsizing programme focused on proactively encouraging our tenants who live in larger homes to move to more suitable accommodation, where appropriate. We may assist with reasonable costs for removal, decoration and carpets where the move will benefit someone on our housing list.

An applicant can apply to move to other housing that does not reduce their overcrowding, but may meet another housing need, for example a social or aspirational need. Award for overcrowding will not be granted in this instance.

**Table 2 – Criteria for determining the number of bedrooms required**

Bedroom requirements
<p>1 bedroom for:</p> <p>Applicant / applicant &amp; partner            Single adult (aged 16 and over)            Any child over 10 years of age            Any two children under 10 years of age            Any other couple / partners            Two adults of the same sex can share a bedroom where they prefer this.</p>

Table 3 – Is a general indication of the number of bedrooms that different households need and the size of property they can apply for:

**Table 3 – Number of Bedrooms by Household Description**

Household Description	Size of property (Number of bedrooms)
Single person / couple	Bedsit, 1, 2
Couple / single parent with one child or two children under 10.	2
Couple / single parent with two children where one is under 10 and one is over 10.	3
Family with up to 4 children under 10	3
Family with 4 children	3 or 4
Family with 4 adult children	4 or more

We understand modern living and the wish by some households to have an extra room. To meet this we may apply discretion to go up and down one room, where the resulting allocation will alleviate the applicant's present housing circumstances and make best use of our housing stock.

**Housing Benefit will not be awarded for an additional room for any two same sex children under 16 years of age**, as in law they are expected to share a room. Therefore, if an applicant wishes to apply for a larger home to meet their aspirations they will require to make up any shortfall between the rent due and any Housing Benefit award and affordability for this will be discussed as part of Housing Options.

We will also register applicants with a National Mutual Exchange Scheme to try to secure a suitable home, however there may be a cost for applicants who are not currently Wheatley Group RSL tenants.

**Below Tolerable Standard** – Applicant is residing in a property that has been deemed as below tolerable standard by the Local Authority. Recent evidence from Local Authority required to be awarded this category. These applications will be held according to the date the housing application and all supporting documentation has been provided.

### **Band E – Making Best Use of our Housing Stock**

Customers placed in this Band will be **directly matched through our automated bidding services to a property that suits their needs** and will be contacted by the Housing Officer.

We seek to accommodate the needs of older people and applicants with disabilities. We routinely provide specially adapted housing and as such have a stock of adapted properties including houses for wheelchair users and housing for older people.

We work closely with local authorities and partner agencies to ensure we are creating housing that meets the needs of those who consider themselves to have a disability and meet the terms of the Disability Discrimination Act by building new housing to the Scottish Government's Housing for Varying Needs Standards.

In some circumstances it may be more appropriate to consider adaptations to the existing home. This will be considered during the application stage and confirmed in writing by the local Housing Officer.

Mutual exchange will be considered as a viable option where applicable.

Applicants will be placed in the appropriate Health and Housing Need category, in date order, from the date priority Band E is awarded. When a property becomes available that is suitable for customers in this banding they will automatically be considered and matched. The successful applicant will then be contacted by a Housing Officer.

It may be necessary to have a six month housing options review meeting with customers to discuss extending their choices to other areas/housing providers to increase their chances of success based on housing turnover. Following this discussion this priority may be withdrawn if it is clear that we cannot meet the applicant's needs or aspirations and they will be sign posted to alternative housing solutions.

This band includes:

- **Health and Housing Need**

Applicants who have an illness, health condition or disability that would be alleviated if a move to a specific house type would improve their quality of life.

The focus of the assessment is **not** on the health condition or disability itself but the **impact** that it has on the customer's ability to manage in their home.

Applicants who have been awarded 'Health and Housing Need' but also qualify for another band, for example homeless referral will be placed in order of band and then date of award, ensuring applicants with the highest housing need are selected first. If there is no suitable applicant available in the matched list the property would then be advertised to a band generated by the letting system.

- **Living Well and Living Well Plus**

This was previously known as sheltered and very sheltered housing.

This category is for applicants who are 60 years of age and over and have one of the following needs:

- A current medical, social, safety or particular housing need that could be met by support services and allow you to live independently in an amenity home or development,;
- or
- Leaving a larger property (that would make best use of current housing stock) and an amenity home would benefit them.

A recent Support Assessment, within six months, is required to ensure housing need for this property type and to ensure a clear understanding of the role and benefits of the Livingwell Co-ordinator and services they provide.

- **Living Well 55+**

This was previously known as amenity housing. This category is for applicants who are 55 years of age and over seeking to live alongside other customers with similar needs.

Applicants who demonstrate a health need under 55 may also be considered for Living Well 55 + housing products.

- **Living Well Dispersed**

Some customers' require a particular amenity that is not related to the design of a property. An example of this is when a family who have an autistic child as part of a household require a home with a secure garden to meet the particular needs of their child. We would award a priority for a house with a garden.

A further example could be a customer with post-traumatic stress disorder who may require a house with no neighbours living above them. We may award a priority for an upper flat house.

Recent medical evidence, within six months, is required in these cases and each case will be assessed based on housing need and turnover of properties for specific areas. For this award, the customer will be advised of the areas they will be considered for.

- **Providing or Receiving Support**

This category is to provide help to a person to live independently or to satisfy caring arrangements or to receive help to live independently.

The reasons for applying will be required to be evidenced with recent supporting documentation within six months.

## **Band F – No Housing Need**

**A small percentage of our available homes will be let to Band F applicants including our Fast Lets Service, advertised daily.**

At the heart of our policy is the customer experience and we want every contact to feel personal for customers – a significant number of people who contact us for information and advice about how best to access social housing are already deemed to be adequately housed but still have aspirations to secure alternative housing.

Customers placed into Band F may find that their best housing solution is another product that is not likely to be social housing and will be advised, that based on current circumstances, they will be unlikely to access social rented housing with us and other options should be explored. Through our personal planning process we will provide customers with housing solutions to maximise their chances of securing an alternative to social renting including mid-market or full market homes through our Lowther subsidiary or alternative housing solutions with other housing providers including the Private Rented Sector and home ownership.

Customers will be advised that if circumstances change then their application will be reviewed. Customers can remain on the register and will be contacted annually to re-register their application.

## **Band G – Nominations**

We have Nomination Agreements with Local Authorities in areas where we operate. We will accept nominations from Local Authorities in line with individual Strategic Agreements. We aim to revisit and review all Nomination Agreements with Local Authority partners every five years.

For Glasgow only, linked to demolition, we have entered into Strategic Agreements for nominations.

We will publish nomination outcomes on an annual basis.

## **Band H – Lets to other organisations**

These arrangements are considered on request.

From time to time we are approached for properties by organisations providing care and support to vulnerable customers. These will be considered where they meet our strategic objectives and can demonstrate positive outcomes for customers. This includes the provision of temporary accommodation for homeless households.

## **6. Other Policy Considerations**

### **6.1 Owner occupiers**

We will consider property ownership as part of assessing an applicant's housing needs and their circumstances and take into account the ownership and/or value of heritable property owned by the person applying for housing in accordance with Section 5 of the 2014 Act, by a person who normally lives with the applicant, or by a person who it is proposed will live with the applicant.

Relevant guidance from the Act includes:

Heritable property will include land, as well as anything built on land, and can be property currently owned, or that has previously been owned, in Scotland, the rest of the UK or abroad. This means that if the applicant, or a current or future member of the household, currently owns land or property or previously owned land or property, this can be taken into account when deciding on the applicant's priority for the allocation of social housing. This applies to existing tenants as well as new applicants.

We will not take into account property ownership in the following circumstances:

- In cases where the property has not been let, but the owner cannot secure entry to the property. This could, for example, be where it is not safe to enter the property due to severe structural faults or where there are squatters living in the property;
- Where it is probable that occupying the property will lead to abuse from someone currently living in the property or from someone who previously resided with the applicant whether in that property or elsewhere;
- Where occupation of the property may endanger the health of the occupants and there are no reasonable steps that can be taken by the applicant to prevent that danger.

We will look at each case individually and supporting evidence will be required before an applicant is admitted to the Housing List.

### **6.2 Non UK Nationals, Asylum Seekers and Refugees**

Non UK Nationals are expected to provide all necessary documentation to show they have a right to reside in the UK before an application for housing is accepted. They

may make an application for housing however the application will be suspended until they satisfy legislative requirements with the correct documentation.

Migrants have differing rights to social housing according to their immigration status. Whilst we welcome applications from those looking to live, work or study in the UK we will ensure the applicant is not subject to immigration control and has an entitlement to a Scottish Secure Tenancy. These applicants require to demonstrate that they have a 'right to reside' (can legally live here) and are 'habitually resident' (this is the place where you normally live) in the UK, the Channel Islands, the Isle of Man or the Republic of Ireland.

Upon arrival in the UK, most asylum seekers are entitled to housing whilst their asylum claim is processed. This housing is separate from mainstream social housing provision and is provided from The Home Office under current COMPASS contract. Asylum seekers generally have no right to work in the UK and cannot access mainstream benefits.

Whilst the Wheatley Group Subsidiaries will accept waiting list applications from those customers' seeking asylum it will be suspended until their refugee status is confirmed by the Home Office.

Refugee status is awarded to a person whom the Home Office recognises as a refugee as defined by The 1951 UN Refugee Convention. In the main a refugee has the same housing rights as a UK national.

We normally accept applications from refugees via the statutory homeless route Band B and these customers' are given reasonable preference on our housing list as defined by the Housing (Scotland) Act 1987 and the Housing (Scotland) Act 2001.

## **7. Multi Agency Public Protection Arrangements**

Multi-Agency Public Protection Arrangements (MAPPA) were introduced as a result of the Management of Offenders etc. (Scotland) Act 2005. Work to implement these arrangements is led by responsible authorities: Police Scotland, Criminal Justice, Social Work and Health.

Subsidiaries of the Wheatley Group will meet their statutory obligations on information sharing as an agency with a duty to co-operate by working with partner organisations when considering the housing requirements of any person managed under MAPPA.

This is to support the responsible authorities in managing risks posed by sex offenders, violent offenders and mentally disordered restricted patients.

## **8. Advertising and Letting our Available Homes**

Each year we review the percentage of lets awarded per priority banding to ensure that we reflect strategic and statutory priorities and demands of the communities we serve. Any variations to these percentages may be set by Group Subsidiaries based on local needs and requirements. Robust performance and Governance arrangements will be in place.

In some circumstances we may need to let our homes in a different way, as demand for properties varies. In such circumstances, we will use local letting plans to address local issues.

Table 4 provides a forecast of how we expect to allocate our homes as a percentage of available stock, per Band, for 2017/18. Weightings will be reviewed annually and the number and percentage of lets realised per band will be published and may be influenced by participation in Common Housing Registers (CHRs).

**Table 4 – Letting Forecast 2017/18**

Band	Description	Percentage	Parameters
Band A	Strategic Needs Band Community Sustainment	4%	Balanced Communities
Band B	Statutory Homelessness Young People Leaving Care	30%	Determined by Local Housing Strategy and Local Authority Letting Plans
Band C	Preventing Homelessness; Wheatley Group affordability, Wheatley Group Separating Partners, Community Care, Leaving British Armed Forces and Leaving Tied accommodation		
Band D	Reasonable preference – overcrowding, under occupation, BTS, Young Single People under 35	32%	Determined by Legislation  Young people under 35 who either are working and can afford or who qualify for LHA at the equivalent of rent charge for properties offered
Band E	Health and Housing need, Living Well products, providing or receiving support	20%	Managed list – void led – best use of housing stock
Band F	No housing need	14%	Customers advised no likelihood of securing a Social Rented home – other options/solutions explored
Band G	Nominations	Void led	Local Authority or RSL nomination requests where we

			have strategic agreements
Band H	Non-standard lets to organisations	On request	From time to time we are approached for properties by organisations providing care and support to vulnerable customers.

## 9. Selecting Applicants

We will be fair in the way we select applicants and let our available homes. Once the closing date for adverts has been reached, all valid notes of interest are processed and selection for individual properties will take place. This will be done by shortlisting all suitable households who have noted an interest in an advertised property.

All households who meet the advert and shortlisting criteria will be ranked according to their priority. Applicants awarded the Band that the property is advertised to will be considered first and if no suitable applicant from advertised band, the property would become available to all applicants through our Fast Lets service.

Applicants in Band A will be directly matched to properties that meet their needs and make best use of our housing stock.

## 10. Fast Lets Service

Where a property has been advertised and there are no expressions of interest which meet the advert criteria, the property status will be updated to a Fast Let. These will be available to all groups through Choice-based Letting service.

Fast Let Adverts will be closed at 5pm each day and the applicant(s) with the longest effective date will be selected for the property in sequential date order until the property is accepted for Let.

## 11. Offers of Housing Verification Process

Successful applicants will receive an offer subject to satisfactory completing the verification process. This involves checking an applicant's details to ensure that the offer of housing is appropriate. If the information is not correct, the details are updated and this may result in any offer of housing being withdrawn.

We require proof of identification and current address for all persons age 16 or over detailed in an application and proof of identification and supporting documentation for dependent children, to confirm the details on the Housing Registration Form are accurate before we will sign a Tenancy Agreement.

### 11.1 Tenancy References

We may seek tenancy references from current and former landlords for the previous three years for anyone on the application form. Where we receive a reference which is unsatisfactory, we may suspend the application.

## **11.2 Homes for Shared Accommodation and Houses in Multiple-Occupation**

We will advertise any vacancies within our shared accommodation properties.

We do not make offers which would result in three or more unrelated people living in the property, as this would create a house in multiple-occupation (HMO). The only exception to this policy is where the property is let or leased to a support provider to provide specialist accommodation for community care needs.

## **11.3 Refused Priorities**

We will generally refuse to award a priority where the household conditions are the result of a deliberate act or move, which worsens an applicant's housing circumstances. However, we will review any decision not to award a priority when requested i.e. due to a change of circumstances.

## **11.4 False Statements**

We will take action to recover any tenancy which has been obtained by applicant(s) as a result of a false statement made knowingly or recklessly.

## **11.5 Withdrawal of Priority Status**

Priority awards reflect the **urgent** need for housing. It is therefore reasonable to expect a customer to accept a reasonable offer of a home and recognise the limitations to the award of priority. Where priority is not used within a reasonable timescale or where a property has been refused following a reasonable offer the priority may be withdrawn. Where priority is removed the household is free to continue to note interest for a home but will be moved to Band F for customers with no housing need.

## **12 Suspensions of Offers to Applicants**

**Applicants are entitled to register on our housing list if they are 16 years or over.** We may suspend offers to applicants in line with legislation or good practice guidance. We have established a separate guidance on suspensions, available on request.

## **13. Access to Information**

All information given by customers in relation to this Policy will be treated as strictly confidential and will not be discussed with third parties without their permission. We ensure that legislative compliance and duty of care responsibilities are met to protect the information we hold including the Data Protection Act 1998. If an applicant deliberately provides false or misleading information they will be suspended from our housing list.

We may share information under section 29 of the Data Protection Act 1988 (Prevention and Detection of Crime).

## 14. People connected to us

Since 1 April 2012; we are required to comply with the Scottish Housing Regulator's standards on governance and financial management. Of particular relevance to this policy is:

- ***Standard 5: The RSL conducts its affairs with honesty and integrity.***

We aim to treat everyone equally as an individual regardless of whether they have a connection with us. In order to comply with this standard and maintain the confidence of our stakeholders, we will ask applicants who currently, or in the previous 12 months, fall within the following categories to complete a declaration of interest.

The categories are:

- Employees of Wheatley Group and its subsidiaries;
- Board and Committee Members of Wheatley Group and its subsidiaries;
- Applicants who are a close relative of anyone in the categories above.

## 15. Related Guidance and Policies

The overarching Group Advice, Information and Letting Policy Framework will lay the foundations for a suite of supporting subsidiary Advice, Information and Letting Policies and relevant guidance that will be developed during 2016/18. These Policies take account of requirements of the Housing (Scotland) Act 2014 and will include:

- **Suspension Guidance**

We will develop a separate suspension policy and guidance that sets out when we may suspend offers to an applicant(s). Applicants are entitled to register for housing if they are 16 years or over. We cannot exclude applicants from our Housing List but in certain circumstances we may be able to suspend applicants for offers of housing. New guidance is awaited from the Scottish Government following the Housing (Scotland) Act 2014.

- **Succession to Tenancy**

Our Scottish Secure Tenancy Agreement sets out how succession to tenancy operates.

- **Assignment, Sub-Letting and Taking in Lodgers**

Where a tenant wants to assign, sub-let or otherwise give up to another person part or all of his or her house, or take in a lodger; he/she must have our written consent. Details are included in our Scottish Secure Tenancy Agreement and reflect the Housing (Scotland) Act 2014.

- **Mutual Exchange**

Landlords must not unreasonably refuse permission for the mutual exchange of a house. Mutual exchange is not confined to our properties. Our tenants may also exchange with a local authority tenant, housing association tenant or water authority tenant anywhere in the UK.

We will automatically register our existing tenants on Mutual Exchange websites as we see this as an under utilised housing solution. At our Housing Options interviews we will actively check registers to ascertain if there are suitable properties advertised for mutual exchange that would satisfy a customer's need to move.