APPENDIX 1

SEARCH

Single East Ayrshire
Register for Community Housing

COMMON ALLOCATION POLICY

Atrium Homes
Cunninghame Housing Association
East Ayrshire Council
Shire Housing Association
Riverside Scotland

June 2023

This information can be made available, on request, in braille, large print or audio formats and can be translated into a range of languages. Contact details are provided below

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“Faodar am fiosrachadh seo fhaighinn, le iarrtas, ann am braille, clò mòr no clàr fuaim agus tha e comasach eadar-theangachadh gu grunn chànanan. Tha fiosrachadh gu h-ìosal mu bhith a' cur fios a-steach”

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Housing Register Team

HousingAdminRegisterTeam@east-ayrshire.gov.uk

Tel: 01563 554400

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1 INTRODUCTION AND POLICY CONTEXT

The Allocation Policy sets out the rules we follow when allocating people our empty homes in East Ayrshire. By allocating, we mean the process of selecting people from our housing list, offering them a home, and if accepted, entering into a legal agreement with them.

We operate a Common Housing Register, known as SEARCH. Landlords within the SEARCH group are East Ayrshire Council, Atrium Homes, Cunninghame Housing Association, Irvine Housing Association and Shire Housing Association (sometimes referred to as 'we', 'our' or 'us' in this document). The SEARCH landlords let their homes following the same process, the same set of rules and from the same pool of applicants.

The Policy has been developed following consultation with tenants, residents, and other stakeholders such as our Community Planning Partners. It has been designed to ensure that homes are allocated on the basis of need. We have undertaken to review this policy every three years, or sooner if legislation changes, and we will publish any changes to these rules.

2 AIMS

The Allocations Policy aims to meet the following key objectives:

- To meet legislative requirements and standards of good practice
- To address housing need;
- To alleviate and assist in the prevention of homelessness;
- To be open, fair and consistent in the allocation of our homes;
- To make best use of our housing stock;
- To give people as much choice as possible;

The Policy is designed to take account of the East Ayrshire Community Plan 2015-2030, East Ayrshire Council's Safer Communities Delivery Plan and the Partners strategic priorities within their Business Plans. It provides a fair, equitable and transparent Housing Allocation Policy which will help towards delivery of the following strategic objectives:

- Make East Ayrshire a safe, secure and attractive place to live, work and visit.
- Improve community safety in neighbourhoods and homes and protect and support our most vulnerable individuals and families.

3 LEGAL FRAMEWORK AND GOOD PRACTICE

Everything we do is based on what the law says we can do, what we should do, what we need to do and what guidance says we could do. This Policy has been developed to meet legal requirements set out in the Housing (Scotland) Act 1987 and regulations made by the Scottish Parliament.

The Allocation Policy takes account of a number of pieces of legislation which are set out below:

- Housing (Scotland) Act 1987, 2001, 2006, 2010, 2014
- Antisocial Behaviour Etc (Scotland) Act (2004)
- Homelessness Etc (Scotland) Act (2003)
- Equality Act 2010
- Human Rights Act (1998)
- Data Protection Act (1998)
- Matrimonial Homes (Family Protection) (Scotland) Act (1981)
- NHS and Community Care Act (1990)
- Children (Scotland) Act (1995)
- Protection from Harassment Act (1997)
- Scotland Act (1988)
- Nationality, Immigration and Asylum Act 2002
- Leasehold Reform, Housing and Urban Development Act 1993
- Scottish Social Housing Charter and Regulatory Standards
- Guidance issued by the Scottish Government
- Relevant good practice issued by organisations such as the Scottish Federation of Housing Associations and the Chartered Institute of Housing

4 EQUAL OPPORTUNITIES

We are committed to providing equal opportunities for everyone who applies to us for housing and preventing discrimination. We will not discriminate against anyone because of their age, gender, marital status, disability, race, nationality, sexual orientation, language or other personal features including beliefs or opinions such as religious beliefs or political opinions.

Please ask us if you would like housing information in different formats and languages. If required, we can help applicants fill in the Housing Application Form and arrange for an Interpreter if an applicant speaks a language other than English. On request, this information can be made available in a variety of formats (other languages, Braille, large print or audio) from Council or partner Registered Social Landlord (RSL) offices.

Note; *The Scotland Act 1998 defines equal opportunity as follows: "Equal opportunities" means the prevention, elimination or regulation of discrimination between persons on the grounds of sex or marital status, or racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions" (The Scotland Act 1998, Schedule 5, L2)*

4.1 EQUALITY AND DIVERSITY

We promote equal opportunities throughout all of our housing services, including allocation practice.

We seek to ensure that allocation practice does not discriminate, either unlawfully or unfairly.

We promote equal opportunities in our allocation policy in a range of ways by:

- providing information about the policy and related services in accessible ways, for instance, producing a summary allocation leaflet in plain language;
- working in partnership with other agencies to promote sustainable tenancies, for example, delivering appropriate support services tailored to individuals' needs;
- monitoring service provision to evaluate that allocation practice is not discriminatory, for instance, through our performance indicators; and
- implementing positive action programmes to promote access to our services

Positive action programmes

Positive action programmes are different from positive discrimination that is, generally, unlawful. Positive action refers to initiatives that are undertaken to address historic forms of discrimination against particular groups. For example, disabled people and people from black and minority ethnic groups have traditionally experienced various forms of discrimination in housing. It should be noted that these are examples only and other protected characteristics have also been affected.

Our positive action programmes are developed continually to address locally identified needs and present initiatives include:

- publishing the allocation policy in other formats and other languages, as appropriate;
- auditing the allocation policy against corporate equality standards (plain language, accessible formats and so on) to ensure that we promote equality objectives;
- publicising the allocation policy widely to promote access to the common housing register, as well as increasing awareness of its content and objectives;
- establishing active partnerships to promote awareness of barriers to accessing housing, for instance, promoting awareness of the social model of disability; and
- monitoring services so that there is no unlawful or unfair discrimination on any of the grounds covered in the Equality Act 2010 or the Scotland Act 1998.

We are required, as a public body, to take steps to eliminate unlawful forms of discrimination and promote equality of opportunity. We do this in allocations by developing accessible services and seeking to address the needs of a wide range of households, including those that have traditionally experienced discrimination in service delivery.

4.2 EQUALITIES IMPACT ASSESSMENT

Equality Impact Assessment (EQIA) is an approach which can be used to assess the actual and positive equality impacts of our policies and practices. This includes examining existing or new initiatives. The aim is to identify the intended and unintended effects of our formal and informal decisions, so that we can:

- eliminate unlawful discrimination and unlawful harassment;

- identify and reduce negative equality impacts;
- promote equality of opportunity and good race relations between groups:
- enhance equality;

The process is intended to ensure thorough and systematic assessment which builds on what is currently being done in relation to equality. This will help mainstreaming of equality into policy development, implementation and day to day thinking and practice. Full EQIA is an evidence-based process.

This policy has been impact assessed and can be viewed at http://www.east-ayrshire.gov.uk or upon request from the Housing Register Manager at East Ayrshire Council.

5 ACCESS TO THE HOUSING REGISTER

Applications for housing must be made on the designated housing application form and will be accepted from persons who are aged 16 years and over who are resident within the UK, Eire, Isle of Man or the Channel Islands. Applications will also be accepted from members of the British Armed Forces overseas.

The aforementioned examples are not exhaustive and other types of application which do not fall into these categories may be considered for inclusion.

Applicants must keep their application up to date by notifying us of any change to their circumstances immediately after they occur.

There are circumstances when an applicant may be suspended from receiving an offer of housing and the right to go on the list is not the same as the right to be allocated a house. We will assess and prioritise applications according to the rules set out further within this Policy.

6 APPLICATION PROCESSING

We aim to process all completed Application Forms within 10 working days. Forms which are incomplete or have insufficient information could be subject to delay. Applicants will be advised of their group, points and application status once their application has been processed.

7 GROUPS

The policy is based on a groups plus points scheme. This means that applicants will be placed on the group most applicable to their circumstances and awarded points based on their current living arrangements. There are 5 different groups and their definitions are as follows:

7.1 HOMELESS GROUP

Applicants will be admitted to this group who meet the criteria specified under Part II of the Housing (Scotland) Act 1987 and the Homelessness etc. (Scotland) Act 2003. Applicants registered on this group will have undergone an assessment of their personal circumstances by a Housing Options Officer employed by East Ayrshire Council prior to inclusion. Applicants will be made two suitable offers of accommodation. Should these offers be refused, the applicant will be removed from the Homeless Group and placed on the group most suitable to their needs. Applicants on the Homeless Group will not be awarded points, but will be ranked according to the date of their homeless presentation.

7.2 STRATEGIC NEEDS GROUP

Applicants within this group include*:*

- Applicants whose home is subject to demolition due to a wider regeneration programme and who require to be permanently re-housed
- Applicants living in residential accommodation or long term care setting who have been assessed as ready to move on to their own accommodation
- Looked After and Accommodated Children
- Applicants being discharged from long term hospital care or residential care and discharge is delayed due to them being unable to return to their own home because their home is unsuitable for their needs
- Applicants who are at risk of being admitted to hospital or residential care setting because their current home is considered unsuitable
- Foster and Kinship Carers referred through protocol arrangements with East Ayrshire Health and Social Care Partnership
- Applicants from the Armed Forces
- Prisoners who have responsibly surrendered their tenancy
- Applicants subject to witness protection
- Tenants who are in specially adapted properties but no longer require its use

The above is not exhaustive, other types of application which do not fall into these categories may be considered for inclusion within this group.

Applicants will be matched to properties which are suitable for their identified needs and not necessarily by date of application. Applicants placed on this group will receive up to 2 offers of housing and if those offers are refused then applicants will revert back to the group most appropriate to their circumstances. Applicant's area housing choices must be reasonable to assist with rehousing at the earliest opportunity.

7.3 TRANSFER GROUP

This group are applicants who are tenants of SEARCH Partners, resident in East Ayrshire and whose needs do not merit inclusion in either the Homeless or Strategic Needs Group and where upon being rehoused their existing property will be released for re-let. Joint tenants who are seeking a home of their own, where the other joint tenant will remain in the property and therefore not releasing a property for re-let, will be placed on the appropriate group and pointed specific to their needs.

7.4 WAITING GROUP

Applicants within the Waiting Group will fall within one of the following categories:

Those applicants who reside within the East Ayrshire boundary and their needs do not merit inclusion within any other group, including

- Sub Tenants
- Owner Occupiers
- Tenants of private landlords
- Joint Tenants who are seeking a home of their own; or

Those Applicants who stay outwith East Ayrshire and their circumstances are such that they do not merit inclusion within any other group and it can be evidenced that they:

- are employed or have been offered employment in the area
- wish to move into the area to seek employment
- wish to move into the area to be near a relative or carer
- have a special social or health or disability reason for requiring to be re-housed within the area
- are subject to conduct amounting to harassment or are at risk of domestic violence and wish to move into the area

7.5 OUTWITH THE DISTRICT GROUP

Applicants who live outwith East Ayrshire and who do not meet the qualifying criteria for the Waiting or any other group will be placed on this group.

8 POINTS CATEGORIES

8.1 OVERCROWDING POINTS

For the purpose of assessment of need, the entire household living within the property will be taken into consideration. Where applicants do not have a home of their own, the bedroom and household requirements of the “host” family will be taken into account first.

For each additional bedroom required there will be an award of 15 points.

Points will be calculated based on the following rules:

Family Composition	Bedroom Requirement
Single Person	own bedroom
Couple	own bedroom
2 children under 8	Can share a bedroom
Children over 8	own bedroom

Single people in bed-sit type accommodation will not be entitled to overcrowding points.

Provided that applicants are being considered for accommodation larger than their existing property a full award of overcrowding points will be made. Should applicants wish to be considered for the same size of accommodation no overcrowding points will be awarded when being considered for that particular size of property.

8.2 UNDEROCCUPATION POINTS

Points for under-occupation will only be awarded to tenants of the social rented sector. Applicants under-occupying and looking to move to smaller accommodation will be awarded 15 points per bedroom under-occupied relative to the size of property being requested.

8.3 HEALTH AND DISABILITY POINTS

Applicants who find that their current home is unsuitable because of an existing health issue or disability can apply to have their housing circumstances assessed and graded to reflect any health or disability priority. Points awarded will be on the following basis.
Priority 1: 15 points
Priority 2: 21 points
Priority 3: 30 points
Health and Disability points awarded will be in addition to any other points the applicant may be entitled to within the terms of the policy.

8.4 CARE AND SUPPORT POINTS

Applicants who either, require a move in order to be supported by a relative or carer; or alternatively, who require to move so that they can provide support to a relative or other person will be placed on the Strategic Needs group. Priority will generally only be awarded to immediate family members such as parents, children, siblings, partner, grandparents, and in-law or step family, however, consideration may be given to extended family, friends or carers not related to the person.

Priority will be awarded when it can be evidenced that:

- A person requires to move to provide support or be supported which will significantly reduce the demand on statutory care services
- Care and support is essential to allow, either, the applicant or the person they care for to remain in their own home and eliminate admission to a care home.
- It is not reasonable for the carer to provide the level of care and support unless they live closer to the person requiring the care and support.

Applications will be assessed by a Housing Occupational Therapy Team and priority awarded based on the information provided in the application together with the required supporting documentation from colleagues in Health and Social Care or other Health Professionals. The Housing Occupational Therapy Team may also make recommendations on house types or adaptations if required.

8.5 SHARING POINTS

Sharing points will be awarded to applicants who share a kitchen, bathroom or both, with people who will not be moving with them as part of their household.

Sharing points may also be applicable to sub-tenants; separating joint tenants and joint owners.

Points will be awarded on the following basis:

Applicants who have dependent children resident with them on a permanent basis and are sharing with others who will not be moving with them will be awarded 8 points.

Applicants who do not have children and are sharing with others who will not be moving with them will be awarded 6 points.

Applicants who have residence and contact with children up to and including 3 nights per week and are sharing with others who will not be moving with them will be awarded 6 points.

These points will be in addition to any other applicable points.

8.6 RESIDENCE AND CONTACT POINTS

Residence and contact points will be awarded to applicants who have agreed overnight residence and contact arrangements with a child or children for up to and including 3 nights per week and in doing so are in an overcrowded situation. Once residence and contact has been established the applicant will be awarded 7 points. Additionally, the applicant will be permitted to be allocated a property with one additional bedroom to that of their minimum entitlement within the terms of the policy. This principle may also be applied where residence and contact arrangements are conditional upon there being appropriate accommodation available.

These points will be in addition to any other applicable points and will only be awarded when the applicant chooses to apply for a property with an additional bedroom to that of their minimum entitlement. For the purposes of calculating points for residence and contact children are defined as a child aged up to and including 17 years old.

8.7 BELOW TOLERABLE STANDARD POINTS

The tolerable standard is defined by the Housing (Scotland) Act 1987. Applicants who reside in a property which is defined by statute to be below the tolerable standard will be awarded 25 points.
These points will be in addition to any other applicable points.

8.8 NO FIXED ABODE POINTS

No fixed abode points will be awarded to applicants who have advised that they do not have an address at which they can stay. Applicants in these circumstances would be advised to seek an appointment with a Housing Options Officer employed by East Ayrshire Council in order that their eligibility for inclusion in the Homeless Group can be assessed. Applicants who return an address of “no fixed abode” will be awarded 5 points but will not be entitled to receive any other points except for Health and Disability or Care and Support points if applicable.

8.9 EXTENUATING CIRCUMSTANCES POINTS

Whilst the policy seeks to identify applicant need and accord priority to address these, there will be instances of severe and urgent housing needs that cannot be met within the general needs assessment of the policy. Where such circumstances are presented, Extenuating Circumstances points can be awarded.

Points will be awarded up to 75.

These points will be in addition to any other applicable points and applicants circumstances reviewed on a six-monthly basis to ensure that points are still applicable.

9 STANDARD HOUSEHOLD MATCHING (OCCUPANCY STANDARDS)

Household Size	Bedsit	One Bedroom	Two bedroom	Three Bedroom	Four Bedroom	Five Bedroom or Larger
Single Person	√	√	√			
Couple		√	√			
Family with 1 child			√			

regardless of age						
Family with 2 children both under 8			√			
Family with 2 children if either is aged 8 or over				√		
Family with 3 children all under 8				√		
Family with 3 children and 1 is over 8				√		
Family with 3 children and 2 are over 8				√	√	
Family with 3 children all of whom are over 8				√	√	
Family with 4 children regardless of age				√	√	√
Any larger size family					√	√

Applicants can apply for and may be offered properties larger or smaller than the standard household matching. However, points will be adjusted accordingly and overcrowding and under-occupation points may not apply.

10 APPLICANTS LIVING IN SPECIFIC CIRCUMSTANCES

10.1 SERVING ARMED FORCES

Applicants applying for housing whilst serving in the Armed Forces will go onto the Waiting Group and be deferred until in receipt of confirmation of their date of discharge. At this point their application will be activated and moved to the Strategic Needs Group where it will remain for a period not exceeding 6 months from notification of their date of discharge. If alternative housing does not become available during this time then the application will revert to the group most appropriate to their circumstances at that point. Arrangements can be made for the applicant to have an appointment with a Housing Options Officer employed by East Ayrshire Council in order that their eligibility for inclusion in the Homeless Group can be assessed.

Applicants who are leaving the forces due to injury or disability and require access to adapted social housing will also be placed on the Strategic Needs Group.

Special consideration will also be given to applications from ex-service personnel and their families who leave the forces due to exceptional circumstances, these will include such individuals whose partner has been killed in action or dies before the date of discharge. Such applications will be judged on merit and an award of Extenuating Circumstance points may be considered.

10.2 TIED TENANTS

Applicants who are tied to their tenancy due to their employment will go onto the Waiting Group and will be deferred until 6 months prior to their employment ending. If alternative housing has not become available 2 months prior to their employment ceasing, arrangements should be made for the applicant to have an appointment with a Housing Options Officer employed by East Ayrshire Council in order that their eligibility for inclusion in the Homeless Group can be assessed. Tied Tenants who are giving up their accommodation but will remain in their employment can choose to have their application made active immediately.

10.3 APPLICANTS WITHIN REGENERATION AREAS

Where an area within East Ayrshire has been identified for regeneration and those whose home will be demolished as a result will be eligible for priority re-housing and placed on the Strategic Needs Group. The applicant would, where possible, be allocated a property equivalent to that which was demolished.

10.4 YOUNG PEOPLE LEAVING CARE (LOOKED AFTER AND ACCOMMODATED CHILDREN)

To ensure a managed and fully supported transition to independent living, young people leaving care will be placed on the Strategic Needs Group. Working with colleagues from East Ayrshire Council's Health and Social Care Partnership, we will seek to identify the accommodation which will provide the best possible opportunity

for the young person. This will be informed by the young person's plan and multi-agency discussions. Account will be taken of existing support networks, augmented by a tailored package of support to develop the skills required to set up and sustain a tenancy at a pace which recognises the progress, attainments and abilities of the young person. Applications from our young people will be deferred on the housing list until they are ready for housing.

10.5 FOSTER AND KINSHIP CARERS

Foster and Kinship Carers may be considered for larger properties than they currently occupy if the need can be met through social rented housing to enable them to foster or care for extended family. Applicants in these circumstances would be referred from East Ayrshire Council's Health and Social Care Partnership and if agreed would be placed on the Strategic Needs Group for matching.

10.6 GYPSY TRAVELLERS AND THOSE LIVING IN CARAVANS

Applications from Gypsy Travellers and people living in caravans will be placed on the group most appropriate to their circumstances. Points will be awarded based on the applicant's housing conditions. Gypsy Travellers who do not have a safe place to legally park their caravan or mobile home will be invited to attend an appointment with a Housing Options Officer employed by East Ayrshire Council in order that their eligibility for inclusion in the Homeless Group can be assessed.

10.7 PRISON LEAVERS

Where one of our tenants is convicted of a crime, and the crime is not connected to any breach of their Tenancy Agreement, and the tenant is subject to a custodial sentence for a period beyond that which will be covered by Housing Benefit or Universal Credit, the tenant can surrender his/her current tenancy and may be given priority for re-housing upon release, or immediately prior to release, without having to make a homeless application. The applicant would, where possible, be allocated a property equivalent to that which was surrendered. To be eligible for this priority the surrender of the tenancy must be intimated in writing within 28 days of conviction or final determination of any appeal, and eligibility for the scheme duly acknowledged by the relevant landlord. Social Work, Criminal Justice will notify the relevant SEARCH landlord at least 8 weeks prior to liberation to allow for planning. Applicants in this category will be placed on the Strategic Needs Group.

10.8 NON UK NATIONALS, REFUGEES AND ASYLUM SEEKERS

The Common Housing Register Partners are committed in their support to both the UK and Scottish Government in supporting the resettlement of those displaced from their homes as a result of conflict and those in fear of persecution. Procedures are in place for dealing with re-housing requests from people who are non UK Nationals, Refugees or Asylum Seekers. These procedures take cognisance of our legal duties concerning the rights of such individuals. The eligibility for Local Authority housing depends on an applicant's immigration status. If the applicant is a person who is

“subject to immigration” control then they may not be entitled to public funds. Each application will require to be assessed against the current applicable legislation and guidance. The rules governing these applicants differ for Local Authorities and Registered Social Landlords

11 HEALTH AND DISABILITY ASSESSMENTS

Applicants who consider that their current accommodation is unsuitable due to the health or disability of someone in their household may apply for additional points. Applicants will be required to complete an additional form outlining their circumstances for assessment.

Any health and disability points awarded will be added to the application in conjunction with any other applicable points.

Only one set of health and disability points will be awarded per application and in cases where separate health and disability submissions within that application have been made, the highest award of assessed points will be applied.

Applicants with a life limiting/terminal illness and currently residing in accommodation that does not meet their current or future needs, will be awarded the highest Health and Disability priority following an assessment of their Health and Disability application by the Housing Occupational Therapy Team. Life limiting or terminal illness is a disease or condition that cannot be cured and is likely to cause death within a limited period of time.

Health and Disability priority will be based on the most recent assessment and the applicant’s chosen house types may be restricted to reflect the recommendations of the assessor.

12 HOUSING FOR OLDER PEOPLE

Applicants requesting housing for older people will be required to complete a further questionnaire which will determine their level of established need for this type of accommodation. The level of need will be determined in the assessment process which will also take account of any identified support needs of the applicant. The allocation of supported accommodation will be made in full consideration of the assessments carried out by the Housing Occupational Therapy Team.

13 ADAPTED PROPERTIES

These properties will include those purposely built for people with disabilities as well as those which have been significantly adapted. Where appropriate, a referral for selection will be made to the Housing Occupational Therapy Team to ensure best use of housing stock whilst taking account of applicant’s needs and current housing circumstances.

The applicant's suitability for the property will be the determining factor in the selection process and an assessment of an applicant's suitability for the property will be carried out by an Occupational Therapist prior to any offer being made.

There may be instances where it is not possible to find a suitable applicant for a particular adapted property. In these circumstances, it may be necessary to remove the adaptation in order to re-let the property. Adaptations will only be removed if no suitable applicants can be identified.

14 DESIGNATED PROPERTIES

We may on occasion, designate blocks or properties for a specific client group provided that the properties were designed or adapted for that particular group of people.

Properties that are specifically developed within the social rented sector to meet particular needs may only be allocated to applicants who fall within that category.

15 APPLICATION REVIEW

Applications will be reviewed on an annual basis on the anniversary of the date of application. Applicants who fail to return their review response within the specified timescale will have their application cancelled.

16 MERGING APPLICATIONS AND HOUSEHOLDS

Applicants wishing to be considered jointly for housing may merge their applications. In these cases the date of application will be determined by the date of the earlier application. Applicants wishing to withdraw from a joint application shall be allowed to have their original date of application re-instated if they wish to re-submit an application in their own right. Points will be allocated based on the household in greater need.

Applicants who are merging 2 households together and applying for social rented housing will have their circumstances assessed and points awarded based on the largest size property occupied.

17 MULTI AGENCY PUBLIC PROTECTION ARRANGEMENTS (MAPPA)

Applications from persons currently subject to the Multi-Agency Public Protection Arrangements (MAPPA). require that agencies including the Police Scotland, Local Authorities, Registered Social Landlords, Health Boards and the Scottish Prison Service work together to assess and manage any risks posed by such offenders. The major 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.

18 DOMESTIC ABUSE

Applicants experiencing domestic abuse will be pointed and grouped most appropriate to their circumstances which supports rehousing at the earliest opportunity to prevent and alleviate homelessness and keep victims of domestic abuse safe.

East Ayrshire Council's Domestic Abuse Protocol sets out the Council's commitment to assist anyone in East Ayrshire who is experiencing domestic abuse, the policy refers to everyone, regardless of gender. The Domestic Abuse Policy has been developed taking account of The Istanbul Convention, the Domestic Abuse (Scotland) Act 2018 and the recommendations contained in Equally Safe – Scotland's Strategy for Preventing and Eradicating Violence against Women and Girls

The policy also complements the Council's Domestic Abuse Policy for our employees in relation to professional practice relating to domestic abuse, which was introduced in March 2019.

Multi-Agency Risk Assessment Conference (MARAC) is a process established to protect victims at highest risk of serious harm or death due to domestic abuse, stalking, harassment and honour based violence.

Information is shared between representatives of Police Scotland, Social Work, Health, Adult Support & Protection, Children's Services, Justice Services, Education, Housing Providers (including Homeless Services), Independent Domestic Abuse Advocates (IDAAS), Mental Health, Alcohol and Drug Services and other relevant organisations from the statutory and voluntary sectors. After sharing all relevant and proportionate information, representatives agree actions (based on the risks identified) to increase safety for all involved through the development of a multi-agency action plan.

19 NOMINATION AGREEMENTS

East Ayrshire Council has Nomination Agreements in place with those Registered Social Landlords who do not participate in SEARCH. Through these Agreements applicants may be nominated for housing with other providers who operate within East Ayrshire.

20 MUTUAL EXCHANGES

Existing social rented sector tenants can apply to exchange their home with another tenant of a Registered Social Landlord or Local Authority. Tenants must not make arrangements to move without first seeking written permission from their landlord, which will not be unreasonably refused.

21 SUSPENSIONS AND DEFERRMENTS

A suspension happens when someone has been assessed for and accepted onto housing register but is not be eligible for an offer of housing until;

- a specified period has elapsed
- it is evident that the conduct has changed; or

- a change in circumstances has occurred

A suspension is **not** a deferred application.

A deferred application is when the applicant is not currently seeking housing, e.g. applicants in tied accommodation, prison, armed forces or supported accommodation. It can also be where the applicant has stated that they do not want to currently be considered for housing for a short period e.g. due to illness or family crisis, but wish to remain on the register. This is known as a *voluntary deferral.*

Homelessness legislation takes priority over this policy therefore none of the grounds for suspension will apply to statutory homeless applicants

Each application will be assessed on an individual basis and all relevant matters will be taken into account

The use of suspensions will be minimised for our existing tenants through the use of appropriate interventions as contained within other housing management policies, for example, rent arrears, debt management, anti-social behaviour and estate management policies.

Reasons for Suspension

Applicants **can be** suspended from receiving an offer of housing for the following reasons;

- Outstanding tenancy debt (social or private rented)
- Anti-social behaviour
- Other breach of tenancy (social or private rented)
- Applicants who are high risk offenders and require to be housed through the East Ayrshire Multi Agency Public Protection Arrangements (MAPPA) protocols. These individuals will not be offered accommodation until the risk has been assessed and any potential accommodation agreed by all agencies as suitable.
- Applicants who have refused 2 offers of housing
- Applicants who have deliberately provided false information within their housing application

Applying and Removing a Suspension

The specific criteria for suspension, length of suspension periods, the review process and the circumstances when the suspension will be removed are detailed in the table below. A suspension can be activated at the point of application or when an applicant

is being considered for an offer of housing. Suspensions can be applied and removed during the course of the application.

Suspension Reason	Period of suspension and review criteria	Requirements to have suspension removed
Tenancy Debt The applicant has tenancy debt currently owed to any landlord (social or privately rented) over the value of one month's rent which is less than 5 years old at the point of application including: • current and former tenant arrears (excluding outstanding Housing Benefit) • rechargeable repairs • missing or wilfully damaged furniture and equipment • house clearance changes • factoring charges • services charges • fuel charges • legal fees for court action Suspension can only take place where there is no repayment arrangement in place or the arrangement has been maintained for less than 3 months. Where there is more than one debt owed, debts cannot be added together to cumulatively make up the value of one month's rent. One debt must be at least equivalent to one month's rent.	No maximum suspension period. Suspension will be reviewed every three months.	Each case will be judged on its own merits. If there are extenuating circumstances that should be taken into account a referral will be made to a Senior Officer to review the suspension. Where a repayment arrangement is maintained for 3 consecutive months the suspension will be removed. Once suspension is removed it will be reapplied if the arrangement breaks down. Re-payment arrangement will be monitored and debt pursued by the landlord. Court action may be taken for non-payment of debt in accordance with the landlord's own policy.

Suspension Reason	Period of suspension and review criteria	Requirements to have suspension removed
Debt accrued from a stay(s) within homeless temporary accommodation will not be taken into account.		

Suspension Reason	Period of suspension and review criteria	Requirements to have suspension removed
Anti Social Behaviour		
The applicant has been evicted from any property (social or privately rented) for anti social behaviour	12 month suspension from the date of eviction	Suspension removed after 12 months
The applicant or a member of their household is subject to an ASBO or an Interim ASBO	Suspension for the duration of the ASBO being in place	ASBO revoked by the Sheriff Court
The applicant has been issued with a Notice of Proceedings for anti social behaviour	6 month suspension from the effective date of the NOP	Suspension removed when NOP is no longer in place.
The applicant has been issued with a final warning for anti social behaviour including Unacceptable Behaviour Notices and Adult Warning Letters	6 months from the date of the final warning	No further action taken after 6 months
The applicant has a Short Scottish Secure Tenancy for anti social behaviour	6 or 12 months	SSST converts to SST
Failure to adhere to terms of the tenancy agreement		
Applicants who have been evicted from any property (social or privately rented) for a breach of tenancy such as failing to maintain their garden to an acceptable standard	12 month suspension from the date of the eviction	Suspension removed after 12 months
There is a Notice of Proceedings in place for breach of tenancy	6 month suspension from the effective date of the NOP	Suspension removed when NOP is no longer in place

Suspension Reason	Period of suspension and review criteria	Requirements to have suspension removed
Refusal of 2 Offers		
Applicants who refuse 2 offers of accommodation (those applicants on the Homeless or Strategic Needs Groups who refuse 2 offers will revert to the group most appropriate to their circumstances).	3 months from the date of the 2nd refusal.	Once the 3 month period has ended the application will be re-activated.
Applicants who have been found to have deliberately provided false information within their housing application in order to better establish themselves for re-housing or secure an offer of accommodation.	6 months from the date the information is found to be false.	Once the 6 month period has ended the application will be re-activated, points and group will be calculated in accordance with applicants true circumstances.
High Risk Offenders		
Applicants who are required to register with the Police are suspended from the Common Housing Register whilst MAPPA (Multi-Agency Public Protection Arrangements) Officer liaises with colleague services / agencies to ensure appropriate risk assessment is carried out.	As directed by MAPPA officer	N/A

NOTIFYING APPLICANTS OF SUSPENSION

Applicants will be notified in writing if their application for housing is subject to suspension of offers. Applicants will be told why they have been suspended from receiving offers, how long they are suspended for and what they need to do to get the suspension removed.

22 REMOVAL OF AN APPLICANT FROM THE HOUSING REGISTER

The partners will only remove an applicant from the housing register when:

- The applicant has requested, in writing, that they wished to be removed from the list
- The applicant has died
- The applicant has failed to respond to the periodic review of the waiting list
- The applicant does not respond to two or more consecutive letters sent out (21 day letter process)
- The applicant has been re-housed by one of the partners or has been re-housed by another Social Landlord through a nomination arrangement with East Ayrshire Council

23 ALLOCATION QUOTAS/TARGETS

Each of the partner landlords will utilise quotas/targets to allocate an appropriate number of lets to each group. These targets will vary from partner to partner and it is the responsibility of each partner to determine their own approach. In determining the target number of lets to each group, partners will take account of any statutory obligations and ensure that the needs of homeless applicants and those in urgent housing need are recognised.

Allocation Quotas will be subject to an annual review.

24 LOCAL AREA LETTINGS PLANS

Partners may implement Local Area Lettings Plans in a particular area so as to make best use of their housing stock and take account of the needs of the community through specific planned action. Any local lettings plans will have clear aims and objectives, be subject to regular review and will only be implemented after full consultation with applicants, tenants and residents involved.

25 EMPLOYEES, BOARD MEMBERS AND ELECTED MEMBERS

Applications received from employees of the partners, Board Members, Elected Members and their relatives will be assessed and pointed in accordance with the Allocation Policy. The employee or Elected Member will play no part in assessing or pointing their Application Form or have any involvement with regard to any prospective offers of housing. Allocations and nominations which fall within this category will be reported to Senior Management who will be required to approve any offer of housing.

Additionally, Elected Members are not allowed, by law, to be directly involved in the allocation of houses concerning people living in their wards.

26 MONITORING AND REVIEW

The partners will ensure that this policy and its implementation effectively comply with our stated aims and objectives and is in line with relevant legislation.

Individual partner's governing body will receive reports as determined by the partner, for example:

- The number of applicants who have applied for housing and the number of lets made to each lettings group
- The number of applications received by age, ethnic group, gender and disability.
- The number of applicants suspended or removed from the housing register and the reasons for this action
- The number of suspended applicants as a percentage of the total number of applicants on the Common Housing Register Appeals information
- Number of offers made and number of offers accepted and any refusal reasons
- Number of days taken to allocate properties, void periods and rent loss

The above reports are not exhaustive and other reports will be made available upon request.

The partners also comply with the monitoring requirements of Audit Scotland, The Scottish Housing Regulator and the Scottish Social Housing Charter. Information will also be provided for the Annual Return on the Charter. Performance information will be collated and reported in line with national good practice.

We will review this policy every three years, or earlier if required in light of changes in the law or good practice guidance.

27 ACCESS TO PERSONAL INFORMATION

Applicants have in terms of the Housing (Scotland) Act 1987 a legal right to gain access to personal information supplied in connection with their application. Applicants may also view other personal information supplied in line with the Data Protection Act 1998. We may only refuse such requests on grounds specified in the 1998 Act. There may be a charge for this service in line with individual partner procedures.

28 RIGHT OF APPEAL

Applicants may appeal decisions concerning this policy. For example, an applicant may appeal if they consider that points are not awarded accurately or if they wish to appeal a decision to suspend their application. We have established a common appeals system that applies to all the partner landlords. There are two stages to this internal appeal process as follows:

Stage 1 - An appeal can be made either in writing, or verbally, to a designated officer within 28 days of the decision to the organisation who made the decision. We will respond to your appeal within 10 working days.

Stage 2 - If the applicant remains dissatisfied with the decision, a written appeal can then be lodged within 28 days of the decision with another more senior officer within that organisation. Assistance will be provided with a written appeal if required. We will respond within 15 working days.

Applicants whose offers are withheld for a minimum period can appeal the decision to the Sheriff Court and should seek appropriate advice from either a Solicitor or Citizens Advice Bureau.

29 COMPLAINTS

If an applicant is dissatisfied with the level of service provided, the complaint will be dealt with through our respective complaints procedures. Details of the complaints policies and procedures are available from individual partners.

Applicants should use our internal complaints procedures in the first instance. Contact details for the partners are as follows:

Atrium Homes
14 Central Avenue
Kilmarnock
KA1 4PS
Tel: 01563 528816

East Ayrshire Council
Housing Service
Opera House
8 John Finnie Street
Kilmarnock
KA1 1DD
Tel: 01563 554400

Shire Housing Association
Netherthird House
Netherthird
KA18 3DB
Tel: 01290 421130

Cunninghame Housing Association
Quayside Offices
Marina Quay, Dock Road
Ardrossan, KA22 8DA
Tel: 01294 607550

Riverside Scotland
44-46 Bank Street
Irvine
KA12 0LP
Tel: 0345 112 6600

If the complaints process has been exhausted and the applicant is still not satisfied with the outcome they have the right to appeal to the Scottish Public Services Ombudsman; this is the public office that deals with complaints involving maladministration. Maladministration is a general term that concerns inadequate or inappropriate practice.

30 AREA CHOICES

Applicants may choose from the following areas:-

KILMARNOCK;

Area 1. Shortlees

Area 2. Bellfield (including Kirkstyle)

Area 3. Riccarton East (including Ayr Rd/Townend)

Area 4. Riccarton West

Area 5. Scott Road

Area 6. London Road

Area 7. Bonnyton

Area 8. Longpark

Area 9. Altonhill

Area 10. Knockinlaw

Area 11. Onthank

Area 12. New Farm Loch

Area 13. Central South (Richardland PL, Gallion Wlk, Springhill, Sth. Hamilton Court)

Area 14. Central North (Hill St, High St, Boyd Ct. etc.)

Area 15. Woodstock (Grange St, Park St, Morton Pl., Nth Hamilton St and Pl.).

Area 16. Kilmarnock - any Area

Area 17. **IRVINE VALLEY ANY AREA**

Area 18. **CROOKEDHOLM**

HURLFORD;

Area 19. Galston Road

Area 20. Drumleyhill

Area 21. Blair Avenue

Area 22. Hurlford - any Area

GALSTON;

Area 23. Gauchalland, Gateside, Portland Road

Area 24. Western Road, Park Road, Chapel Lane

Area 25. Maxwood and Castleview

Area 26. Galston - any Area

NEWMILNS;

Area 27. Gilfoot, Masonholm, Queens Crescent and Strath Crescent

Area 28. Nelson Street, Greenside, Ladeside and Borebrae

Area 29. High Street, King Street, Isles Terrace

Area 30. Newmilns - any Area

DARVEL;

Area 31. Central, Causeway, Drumclog Crescent

Area 32. Dublin, W. Edith Street, Lochore Terrace

Area 33. John Morton Crescent, Glen Crescent

Area 34. Darvel - any Area

Area 35. **PRIESTLAND**

Area 36. **MOSCOW**

Area 37. **CROSSHOUSE**

Area 38. **GATEHEAD**

Area 39. **KNOCKINTIBER**

Area 40. **KILMAURS**

Area 41. **FENWICK**

Area 42. **WATERSIDE**

STEWARTON;

Area 43. Lainshaw, Rigghead

Area 44. Ravenscraig, Dean Street, The Crescent

Area 45. Robertland

Area 46. Stewarton - any Area

Area 47. **DUNLOP**

Area 48. **LUGTON**

CUMNOCK;

Area 49. Netherthird

Area 50. Craigens

Area 51. Skerrington

Area 52. Car Road/Cairn Road

Area 53. Glenlamont Areas

Area 54. Wylie Crescent Area

Area 55. The Glebe Area

Area 56. Keir Hardie Hill Area

Area 57. Drumbrochan Road and Townhead Street Area

Area 58. Barshare Area

Area 59. Cumnock - any Area

MUIRKIRK;

Area 59. Village Area

Area 60. Smallburn Housing Scheme Area

Area 61. Muirkirk - any Area

CATRINE;

Area 62. Village Area

Area 63. Shawwood Housing Scheme

Area 64. St. Cuthbert Street Area

Area 65. Catrine - any Area

Area 66. **SORN**

Area 67. **OCHILTREE**

Area 68. **SKARES**

NEW CUMNOCK;

Area 69. Pathhead Area

Area 70. Village - i.e. Castle

Area 71. Afton Bridgend, Mason Avenue,
the Holm Areas and Afton Road Area

Area 72. Cairnhill Housing Scheme

Area 73. The Leggate Area or Dalleagles

Area 74. New Cumnock - any Area

LOGAN;

Area 75. Logan Village

Area 76. Lugar Village

Area 77. Logan - any Area

AUCHINLECK;

Area 78. Stoner Crescent, Glenshamrock Drive Areas

Area 79. Sorn Road and Coal Road Areas

Area 80. Auchinleck - any Area

MAUCHLINE;

Area 81. Welton Road Scheme

Area 82. Jean Armour Drive Scheme

Area 83. West Park Avenue/Barskimming Road Area

Area 84. Mauchline - any Area

Area 85. **DOON VALLEY ANY AREA**

PATNA;

Area 86. Doonbank Crescent

Area 87. Jellieston Terrace Area

Area 88. Polnessan

Area 89. Carskeoch Drive/Main Street Area

Area 90. Dalvennan Avenue/Keirs Crescent Area

Area 91. Patna - any Area

DALMELLINGTON;

Area 92. Village Area

Area 93. Bellsbank Housing Scheme

Area 94. Dalmellington - any Area

Area 95. **OCHILTREE**

DRONGAN;

Area 96. Mill ‘O’Shield Road Area

Area 97. Barbieston Avenue Area

Area 98. Drongan - any Area

Area 99. **RANKINSTON**

Area 100. **DALRYMPLE**

Area 101. **HOLLYBUSH**

Area 102. **HAYHILL**