

**South Lanarkshire Council
Housing Allocation Policy**

Contents	Page
Section 1	Introduction
	3-4
1.1	Background
1.2	Aims of the policy
1.3	Consultation
1.4	Access to information
1.5	Equal opportunities
1.6	Service standards
Section 2	Applying for a house
	5-7
2.1	HomeOptions
2.2	Who can apply for housing
2.3	How to apply for housing
2.4	Applying for sheltered housing
2.5	Applying for amenity or adapted housing
2.6	Applying for multi storey housing
2.7	Areas of choice
2.8	Combining applications
2.9	Joint working arrangements:
	Referral of homeless applicants to RSLs
	Nomination agreements
Section 3	Housing lists and priorities
	8-14
3.1	HomeFinder – our housing register
3.2	Urgent housing need
3.3	Transfer list
3.4	Waiting list
3.5	Other categories
3.6	Definition of points categories available to Transfer and Waiting list applicants:
	Medical need
	Insecurity of tenure
	Tied tenants
	Overcrowding
	Care and support
	Under occupancy
3.7	Summary of points categories
Section 4	Occupancy standard
	15-16
Section 5	Allocations between the housing lists
	17
Section 6	Local letting plans
	18

Section 7	Managing applications for housing	19-23
7.1	Offers of housing – Transfer and Waiting list	
7.2	Offer of housing to priority applicants	
7.3	Cancellation of housing applications	
7.4	Suspension of housing applications	
7.5	Information provided to suspended applicants	
7.6	Deferment of housing applications	
7.7	Review of housing applications	
7.8	Change of applicant's circumstances	
7.9	Change of applicant's preferences	
Section 8	Medical assessment and priorities	24-25
8.1	Medical points	
8.2	Medical priority	
Section 9	Appeals and complaints	26-27
9.1	Allocation appeals	
9.2	Homelessness appeals	
9.3	Complaints	
9.4	Arrangements for monitoring and reviewing the policy	
9.5	The Scottish Housing Regulator	
Section 10	Miscellaneous provisions	28-29
10.1	Residence and contact with children	
10.2	Expectant mothers	
10.3	Fostering and adopting children	
10.4	Part-time occupants	
10.5	Joint tenancies	
10.6	Mutual exchanges	
Section 11	Sheltered housing – assessment and priorities	30-32
11.1	Introduction	
11.2	Aims of the policy	
11.3	HomeOptions	
11.4	Who can apply	
11.5	How to apply	
11.6	Choice of sheltered development	
11.7	The housing register	
11.8	Assessing need for sheltered housing	
11.9	Allocation process	

Section 1 - Introduction

1.1 Background

This policy sets out how vacant Council housing in South Lanarkshire will be allocated. Following consultation, the policy was approved by Housing and Technical Resources Committee on 20 March 2019 and is effective from 1 May 2019.

The policy was developed in accordance with the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001, the Housing (Scotland) Act 2014 and other relevant legislation.

1.2 Aims of the policy

The policy aims to:-

- be responsive to local needs, demands and aspirations to ensure the best use of available Council housing stock
- make sure that those assessed as being in most housing need are prioritised
- make sure that the allocation process helps to achieve balanced and sustainable communities
- be fair, transparent and consistent in the allocation of all Council housing
- comply with all relevant legislation
- make sure that equality of opportunity is achieved in the allocation of Council housing

A monitoring framework has been developed to ensure that the policy aims are being met. On an annual basis the policy outcomes will be reported to a range of relevant audiences including Housing and Technical Resources Committee and tenant representatives.

1.3 Consultation

The Housing (Scotland) Act 2014 requires the Council to prepare and publish a report on the consultation carried out during the development of the allocation policy. A copy of the consultation report is available from the Council's website (*hyperlink to be added following approval*).

1.4 Access to information

Any information that is held regarding an individual must be treated lawfully and correctly in line with the safeguards outlined in the General Data Protection Regulation 2016 (GDPR); which requires data to be:

- lawfully, fairly and transparently processed
- processed for limited purposes
- adequate, relevant and limited to what is necessary in relation to the purposes for which it is processed
- accurate and kept up to date
- kept no longer than the period necessary and
- kept securely against unauthorised or unlawful processing and protected against accidental loss, destruction or damage.

The processing shall be carried out in a way that ensures compliance with the rights of data subjects, including:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure (so far as applicable)
- the right to restrict processing
- the right to data portability (so far as applicable)
- the right to object to processing (including profiling); and
- the right not to be subject to fully automated decision making including profiling.

Further information is available by viewing the Council's Privacy Policy, Data Sharing Policy, Information Security Policy and Information Compliance Policy.

1.5 Equal opportunities

South Lanarkshire Council has an Equality and Diversity Policy which is committed to the principle that everyone has the right to be treated with dignity and respect. In relation to the allocation of council housing, this policy is consistent with the requirements of the Equality and Diversity Policy and ensures that we act fairly and lawfully in all that we do. We do not discriminate against applicants in any way on the grounds of age, disability, gender, gender identity (reassignment), marriage and civil partnership, pregnancy and maternity, race, religion or belief or sexual orientation.

To support this and as part of the development of the policy, an equality impact assessment has been carried out to ensure that the policy is inclusive and does not unfairly disadvantage any of the particular groups detailed above. A copy of the impact assessment is available on the Council's website at www.southlanarkshire.gov.uk. The Council will continue to monitor the policy to ensure that it achieves all equalities objectives set.

If any applicant feels that they have been treated unfairly they have the right, through the appeals process, to have their case reviewed. Section 9 provides further details on the appeals process.

If information in another language or format is required, please contact the Council to discuss how these needs can best be met by e-mailing equalities@southlanarkshire.gov.uk.

1.6 Service standards

The Service standards relating to the allocation policy are detailed on the Council's website at www.southlanarkshire.gov.uk.

Section 2 - Applying for a house

2.1 HomeOptions

It is important that people have the information that they need to make informed choices about their housing options.

HomeOptions, an online housing information system, can help individuals find out about the housing options available in South Lanarkshire. HomeOptions is a self-assessment service that asks a number of simple questions about an individual's circumstances. Once all the questions are completed, HomeOptions will provide a personal plan detailing the housing options that are most suitable.

Applicants can access HomeOptions on the Councils' website at www.southlanarkshire.gov.uk.

2.2 Who can apply for housing?

In accordance with the terms of the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001, applicants aged 16 years or over can be included on the housing register provided that they are not prevented from doing so by immigration or any other relevant legislation.

2.3 How to apply for housing

Information on applying for a house is available from the Council's website at www.southlanarkshire.gov.uk.

If, as a result of ill health or a disability, an applicant needs assistance in applying for a house, they can contact the Council to discuss how best these needs can be met.

2.4 Applying for sheltered housing

While the process for applying for sheltered housing is the same as detailed at 2.3, there are additional qualifying requirements in relation to the allocation of sheltered housing. Section 11 provides further details on how to apply for sheltered housing and how sheltered properties are allocated in South Lanarkshire.

2.5 Applying for amenity or adapted housing

A number of council properties have been purpose built or adapted to meet specific needs of different groups of applicant, for example, older people, people with a physical disability or with restricted mobility. Priority for this type of accommodation is given to those who have been assessed as having appropriate needs.

2.6 Applying for multi-storey housing

This property type is considered unsuitable for households with children; therefore households with children under 16 years will generally not be considered for an offer of this property type.

2.7 Areas of choice

The Council's housing stock is divided into management areas and within each area, the housing stock is further divided into a number of letting areas. Letting areas vary in size but in general reflect areas that are commonly recognised and requested by applicants.

Applicants can apply for housing in any area of South Lanarkshire and can select as many letting areas as they wish.

Further information is available on the Council's website at www.southlanarkshire.gov.uk.

2.8 Combining applications

There are situations where applicants may wish to submit a joint application for housing with someone else.

Applicants who currently live separately

Applicants who live separately will be assessed on the combined housing needs of the household.

Where one or both applicants have previously made an application for housing, the joint application will be assessed based on the combined needs of the household. Points are awarded based on the applicant who has the highest level of assessed housing need points and the earlier date of application.

Applicants who have moved in together

Where two applicants have separate existing applications for housing and then subsequently move in together, their circumstances will be re-assessed on a joint basis according to their current housing circumstances and earliest date of application.

In both circumstances, if applicants subsequently wish to be considered individually for housing, their application will be assessed from the original date of application and in accordance with their current housing circumstances.

2.9 Joint working arrangements

The Council operates HomeFinder, a Common Housing Register with a number of Registered Social Landlords (RSLs) with properties in South Lanarkshire.

HomeFinder makes it easier for applicants to apply for housing with the Council and participating RSLs through a single housing application form.

More details on HomeFinder and the Council's partners can be found on the Council's website at www.southlanarkshire.gov.uk.

Joint working arrangements are in place with other RSLs who are not part of HomeFinder but have properties in South Lanarkshire.

Referral of homeless applicants to RSLs

In accordance with Section 5 of the Housing (Scotland) Act 2001, and to assist with meeting the demand for housing from homeless applicants, the Council can request RSLs with properties within South Lanarkshire to provide applicants with housing, if they have been assessed as homeless (this is known as a Section 5 referral).

Before a Section 5 referral is made the Council will take account an applicant's needs and preferences and the availability of suitable housing. The key aim of the Section 5 referral is to ensure that applicants are housed appropriately and as quickly as possible.

Nominations agreements

The Council's agreement with RSLs sets out how the nomination process works in practice and the systems in place for monitoring.

When applying to the Council for housing, individuals can select other RSLs who have housing in areas they have chosen.

Section 3 – Housing list and priorities

3.1 HomeFinder - the housing register

The housing register is made up of four separate lists. Applications will be assessed according to the individual circumstances of the applicant and placed on **one** of the following four lists:

- **Urgent housing need**
- **Transfer list**
- **Waiting list**
- **Other categories**

Points 3.2 to 3.6 below, provide details of the qualifying criteria for each of the lists and the points categories.

3.2 Urgent housing need

This list contains the following three categories of applicant;

- **Homeless applicants**

Homeless persons and persons threatened with homelessness, who have unmet housing needs and to whom the Council has a legal duty to provide permanent accommodation under the Housing (Scotland) Act 1987, as amended by Housing (Scotland) Act 2001, the Homelessness Etc. (Scotland) Act 2003 and the Housing (Scotland) Act 2014.

- **Applicants with an urgent medical need**

Applicant (or member of the moving household) whose circumstances have been assessed and it is found that:

- they have an extremely serious and enduring medical condition; **and**
- they are unable to occupy their present accommodation because it is wholly unsuitable in light of their medical needs; **and**
- their present property cannot be adapted or health/care support services cannot be provided.

Section 8 provides further details on the medical categories and assessment process.

- **Members of H.M. Forces**

Applicants who have completed a minimum of three years' service, have been injured in combat or have been discharged on medical grounds; and

- lived in South Lanarkshire immediately prior to commencing service; or
- whose partner is permanently resident in South Lanarkshire or previously lived in South Lanarkshire immediately prior to commencement of service, marriage/relationship; or
- parents or kinship care are permanently resident within South Lanarkshire; or
- have an offer of full-time employment within South Lanarkshire.

Priority under this category will be awarded up to six months prior to and up to six months following the date of discharge from the service. Applicants will be required to provide confirmation of their date of discharge and the period of their service either in the form of a letter from a senior officer or by providing a copy of their certificate of discharge.

Applicants placed on the Urgent Housing Need list are considered to have the highest priority for housing and will be placed solely according to the date of application or date of application for urgent medical need or date H.M. Forces priority was awarded.

If placed on the Urgent Housing Need list we aim to make an offer of housing which matches applicant's preferences within a reasonable timescale. To assist in achieving this aim, applicants cannot be unreasonably restrictive in terms of the area or property choices made and these preferences will be regularly reviewed to make sure that they are reasonable.

If an applicant's preferences are considered too restrictive or limited, an offer of housing will be made which the Council consider to be reasonable in light of assessed needs.

Applicants will receive one offer of housing as an applicant with the highest priority. Where applicants unreasonably refuse this offer, their circumstances will be reassessed and will be placed on one of the other lists, where they will be eligible to receive a further two offers of housing.

One reasonable offer of housing made to a homeless applicant will discharge our legal duty under the relevant homelessness legislation.

3.3 Transfer list

Applicants will be placed on this list if they are:

- a tenant of South Lanarkshire Council; or
- a tenant of a housing co-operative which manages properties on behalf of South Lanarkshire Council; or
- a tenant of a HomeFinder partner living in South Lanarkshire; or
- a tied tenant of South Lanarkshire Council.

Applications will be assessed on the basis of the points categories outlined at point 3.6.

Applicants will be placed on the Transfer list in order of the applicant with the highest combined points total (most need).

Where more than one applicant has the same level of points, the date of application for housing will be used to determine the priority placing on the list.

3.4 Waiting list

Applicants will be placed on this list if they are:

- a tenant of another local authority or non HomeFinder Registered Social Landlord
- a sub tenant or lodger
- living care of relatives, friends or others
- an owner occupier
- individuals living in houses in multiple occupation (for example, hostels)
- a tied tenant who is not employed by South Lanarkshire Council

- Short Assured Tenancy, an Assured Tenancy, or a tenant within the private sector with a short Private Residential Tenancy

Applicants will be assessed on the basis of the points categories outlined at point 3.6. Applicants will be placed on the waiting list in order of their combined points total (most need).

Where more than one applicant has the same level of points, the date of application for housing will be used to determine the priority placing on the list.

3.5 Other Categories

Applicants will only be placed on this list in exceptional circumstances where their housing need cannot be effectively met through any of the other lists. As the needs of those placed within this list are likely to be varied, each applicant will be considered for housing on the basis of their individual circumstances. Examples of applicants who may be eligible to be placed on this list include:

- applicants with significant community care needs, such as those returning to the community from long stay residential care
- applicants who have previously been in the care of the local authority
- applicants living in accommodation which does not meet the tolerable standard
- applicants who require to be re-housed as part of a regeneration programme.

The examples provided above are not exhaustive and other circumstances will be considered on an individual basis.

All applicants placed on the Other Categories list will be considered to have the same urgent need for re-housing. Priority on the list will be determined by the individual circumstances of applicants and **not** on the basis of an award of points.

If placed on this list, applicants are likely to have a need for a specific type of housing. This means that they will only be offered a property type which is suitable for their needs.

If placed on the Other Categories list, the Council aims to house applicants within a reasonable timescale and make an offer of housing which matches their preferences. To assist in achieving this aim, applicants cannot be unreasonably restrictive in terms of the area or property choices made and these preferences will be regularly reviewed to ensure that they are reasonable.

If it is considered that preferences are too restrictive or limited, an offer of housing will be made which is considered to be reasonable in light of assessed needs.

Applicants will receive one priority offer of housing as an applicant within this category. Where applicants unreasonably refuse this offer, their circumstances will be reassessed and will be placed on one of the other lists, where they will be eligible to receive a further two offers of housing.

Section 7 of this document provides further details on this and information on offers of housing can be found at www.southlanarkshire.gov.uk.

3.6 Definition of points categories available to Transfer and Waiting list applicants

Set out below are the points categories available to Transfer and Waiting list applicants.

Medical need

Medical points will only be awarded if:

- the applicant or a member of their household has been assessed as having a medical condition; **and**
- their present accommodation is unsuitable in light of their medical needs; **and**
- cannot be adapted and/or health/care support services cannot be provided to meet their needs.

Section 8 provides further details on the medical assessment process and the definition of the priority categories.

Points available: 120 points

Insecurity of tenure (only available to waiting list applicants)

Insecurity of tenure points will only be awarded to applicants who are considered not to have security of tenure. Insecurity of tenure points will not be awarded to applicants who have a Scottish Secure Tenancy, an Assured Tenancy or a Private Residential Tenancy within the private rented sector or own their own home.

Where an applicant has a Private Residential Tenancy or an Assured Tenancy and received a Notice to Quit (non-conduct grounds), then they will be eligible for points under this category.

Points available: 60 points

Tied tenants

Tied tenant points will only be awarded if applicants are required to leave tied accommodation as a result of one of the following reasons:

- redundancy;
- retirement;
- ill health; or
- death of a spouse.

Applicants will not be awarded points if they:

- voluntarily gave up their employment; or
- have been dismissed as a result of their own actions.

Applicants must be able to demonstrate that they are required to live in the tied accommodation in order to carry out their job and occupancy of the house is a specific condition of their employment.

Points will not be awarded where applicants are merely allowed (rather than required) to live in accommodation because of the job they are doing.

Applicants will be required to provide written confirmation from their employer:

- of their length of service
- if their employment is being terminated
- if they are required to leave the tied tenancy
- of the reason for termination of employment and
- of the date they are required to vacate the property.

Applicants will only be awarded points under this category if:

- employment and accommodation are within South Lanarkshire; and
- length of service is in excess of two years.

Points will be awarded under this category up to six months prior to and up to six months following the tenancy termination date.

Applicants will not be eligible for points under this category if they obtain permanent accommodation, i.e. where:

- applicants have a Scottish Secure Tenancy from another local authority or Registered Social Landlord; or
- applicants have an Assured Tenancy or a Private Residential Tenancy; or
- applicants have purchased a property.

For applicants assessed as a tied tenant we aim to make them an offer of housing which matches their preferences within a reasonable timescale. To assist us to achieve this aim, applicants cannot be unreasonably restrictive in terms of the area or property choices they have made. These preferences will be regularly reviewed to make sure that they are reasonable. Applicants will not be able to select only one housing area or type of property unless this has been identified as the only housing option that meets their needs.

If the Council considers applicants preferences as too restrictive or limited, an offer of housing will be made which is considered to be reasonable in light of assessed needs.

Applicants will receive one priority offer of housing as an applicant within this category. Where applicants unreasonably refuse this offer, their circumstances will be reassessed and they will be placed on one of the other lists, where they will be eligible to receive a further two offers of housing.

Applicants awarded tied tenant points will not qualify for points under any of the other categories.

Points available: 150 points

Overcrowding

Overcrowding points will be awarded if applicants are currently occupying a property which is too small for their households needs (under the terms of the occupancy standard – see Section 4).

Applications will be pointed on the basis of the number of bedrooms that the household requires in order to meet the occupancy standard, regardless of the property size applicants qualify for.

The table below provides details of the points available under this category.

Additional bedrooms required	points awarded
1 additional bedroom required	40
2 additional bedrooms required	80
3 additional bedrooms required	120
4 additional bedrooms required	160

Points Available: 40 points per extra bedroom required up to a maximum of 160 points

Care and support

Care and support points will be awarded if an applicant is applying to move house to give care and support, or to receive care and support.

Applicants will only receive points under this category if they can demonstrate that:

- the care and support is essential to allow either the applicant or the person they care for, to remain in their own 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; or
- if the carer is no longer able to provide support it will place a significant demand on care services.

Points under this category will only be awarded for specific letting areas that are within reasonable distance of the person providing/requiring the care and support. Individual circumstances and availability of accommodation will be taken into account when considering letting area preferences (e.g. ability to access transport).

Points available: 60 points

Under occupancy

Under occupancy points will be awarded if:

- the applicant is a current tenant of South Lanarkshire Council or a HomeFinder Registered Social Landlord; and
- the applicant and their household do not require all of the bedrooms in their current home.

In line with the occupancy standard (see Section 4), points will be awarded for each bedroom applicants do not require. Applicants living in a one or two bedroom property, which is suitable in terms of the occupancy standard, will not be eligible to receive under occupancy points.

The table below provides details of the points available under this category.

Under occupancy criteria	points awarded
Household requires 1 bedroom less	10
Household requires 2 bedrooms less	20
Household requires 3 bedrooms less	30
Household requires 4 bedrooms less	40

3.7 Summary of points categories

Set out below is a summary of the points categories detailed in 3.6 above.

Points category	Points awarded	List eligibility
Medical need	120	Transfer list Waiting list
Insecurity of tenure	60	Waiting list
Tied tenants	150	Transfer list Waiting list
Overcrowding	40 points per additional bedroom required to a maximum of 160 points	Transfer list Waiting list
Care and support	60	Transfer list Waiting list
Under occupancy	10 points for each bedroom not required	Transfer list

Section 4 - Occupancy Standard

4.1 The standard

The standard set out below is used to determine the number of rooms that the applicant and their household require.

A separate bedroom is required by:

- a single person aged 16 years and above
- a couple
- two children of the opposite sex unless one is aged eight years or over, in which case each child will require a separate bedroom
- two children of the same sex under 16 years, unless the age difference is 10 years or over.

It should be noted that in calculating the occupancy standard, no more than two people, regardless of age, are expected to share a bedroom.

4.2 Size of property

The table below provides details of the size(s) of property that applicants can choose, based on their household composition.

Number of bedrooms required	1	2	3	4	5
Bedroom sizes that can be chosen	Bedsit 1 2	2	3	3 4	4 5

Given the variations in the supply and demand profile across South Lanarkshire, it may be necessary in some areas to vary the above occupancy standard. Variations from the general occupancy standard are detailed within local letting plans. Section 6 provides further details on local letting plans.

Rules on the occupancy standard

Applicants can select the size(s) of property that meets their household's needs as determined by the occupancy standard:

- if applicants are living in an overcrowded situation and there is no accommodation of the size required within their area(s) of choice, then they can be considered for accommodation which is smaller than their needs if it eases their overcrowding
- if applicants have equal or majority access to a child(ren), they can select the size of property required by their household when all members are permanently resident
- where applicants have overnight access to a child(ren), they can select a property size which provides one bedroom more than they would otherwise be entitled to under the occupancy standard. If they are already placed on the list for one bedroom more than their permanent household requires, they are not able to be placed for an additional bedroom.

Further details on the rules in relation to contact with children are provided in Section 10, Miscellaneous Provisions.

In addition to the above, there may be special circumstances in which the occupancy standard would be varied to allow an additional bedroom. For instance, if applicants or a member of their household, requires an additional room to receive medical treatment from home, or have a development disability such as Autism Spectrum Disorder (ASD) that would have an adverse impact on another child who shares a bedroom.

Section 5 - Allocations between the housing lists

5.1 Setting Targets

The Council is committed to ensuring that the allocation process is transparent and accountable. At the beginning of each financial year, the Council sets and publishes banded targets for the percentage of lets intended to offer applicants placed within each of the housing lists.

The targets will be set at both a South Lanarkshire and local level and will be approved by Housing and Technical Resources Committee. The targets will be informed by local needs and circumstances as well as supply and demand information summarised within local lettings plans. The local targets are likely to vary from the South Lanarkshire target, to reflect the different needs that exist across the area. Section 6 provides further details on local lettings plans.

Section 6 - Local lettings plans

6.1 About local letting plans

Local letting plans have been developed for each of the management areas of South Lanarkshire. The plans set out in detail where and how it is intended to vary the allocation policy at a local area level to take account of the supply of housing and the needs and demands that exist locally.

All local letting plans have been developed in consultation with tenants, Registered Social Landlords, partners and other service users.

The plans clearly state aims and objectives which are consistent with those detailed within the allocation policy and in the South Lanarkshire wide letting plan.

Local letting plans are monitored and reviewed to ensure that the outcomes from the plans are consistent with the aims of the allocation policy. On an annual basis, the Council will report on and publish details of performance during the year and revise the letting targets for the year ahead.

The existence of local letting plans ensure that a more flexible and strategic approach is taken to the allocation of housing in South Lanarkshire.

Section 7 - Managing applications for housing

7.1 Offers of housing – Transfer and Waiting list

Applicants will be eligible to receive up to two reasonable offers of housing which meet the preferences as stated on their housing application, based on the following:

- area of choice
- size of property
- type of property
- any other specific requirements.

The Council will consider an offer to be reasonable if it meets the preferences stated on the application, based on the criteria set out above.

Before an offer of housing is made, account will be taken of the applicant's individual needs and circumstances, the effective use of stock and any impact on the wider community. The overall objective is to address housing need in accordance with the policy. This is consistent with both the principles of our Equality and Diversity Policy and the common aims and objectives agreed by the Council and HomeFinder partners.

If applicants refuse an offer of housing, contact will be made to discuss their preferences and housing options in more detail. The Council aims to provide relevant housing options advice and information on supply, turnover and demand to ensure applicants can make informed choices about their preferences.

If applicants refuse a second reasonable offer, their application will be suspended for a period of six months. At the end of this period, the application will be reinstated and the applicant will be eligible to receive a further two offers.

7.2 Offers of housing to priority applicants

If applicants are considered to have a priority for housing, i.e. they are placed on the Urgent Housing Need list or Other Categories list, they will receive **one** offer of housing as a priority applicant.

If applicants unreasonably refuse the offer made to them on this basis, their application will be re-assessed and they will be placed on one of the other housing lists.

7.3 Cancellation of housing applications

Housing applications will only be cancelled from the housing register in the following circumstances:

- applicants have requested that it be removed from the register (in writing or by e-mail)
- the Council has been notified of the applicant's death
- applicants have failed to respond to the review of their application
- applicants have persistently failed to respond to correspondence from us requesting contact
- applicants housing need has been met, either by us, by mutual exchange, by obtaining a Scottish Secure Tenancy or as a result of purchasing a property
- the Council has established that the applicant has no legal right to a tenancy.

7.4 Suspension of housing applications

In certain circumstances it may be appropriate to suspend an application for housing for a period of time. Where applications have been suspended applicants will not be considered for or receive an offer of housing during the period of the suspension. A suspension will not affect an applicant's points level.

Set out in the table below are details of the reasons and circumstances which will result in an application for housing being suspended and details of the timescale that the suspension is likely to apply.

	Suspension reasons and circumstances where a suspension will apply	Rules and timescale of suspension
1	<p>Anti-social behaviour - by an applicant or a member of their household</p> <p>The list below provides examples of the types of behaviour that we consider to be anti-social. It should be noted that the list is not exhaustive:</p> <ul style="list-style-type: none"> • annoyance, harassment, violent or intimidating behaviour towards staff members, neighbours or others • criminal convictions relating to a tenancy e.g. drug dealing, prostitution, fire raising • extensive damage caused to a landlords property • Anti-Social Behaviour Order granted • Eviction decree granted relating to anti-social behaviour • established and sustained pattern of conduct considered anti-social. 	<p>Where the applicant has an existing application for housing and anti-social behaviour has been established or under investigation, the application will be suspended.</p> <p>Where an offer of housing has been made to the applicant, the offer will be held pending the outcome of any investigation.</p> <p>Where the anti-social behaviour has been established, the application will be suspended and the offer of housing withdrawn (where relevant).</p> <p>Suspension timescale - up to 36 months</p> <p>(suspension timescale subject to nature and severity of the anti-social behaviour)</p> <p>Following application of the suspension, the case will be reviewed by the Area Housing Manager to determine whether:</p> <ul style="list-style-type: none"> • the applicant can demonstrate their ability to behave in such a way as not to cause harassment, nuisance or annoyance to others. • the household will be able to maintain a future tenancy in an acceptable manner.

	Suspension reasons and circumstances where a suspension will apply	Rules and timescale of suspension
2	<p>Tenancy related debt - attributable to the applicant as a tenant of a social rented landlord and accrued within the previous 3 years</p> <p>Suspension will be applied where the applicant has rent arrears or any other tenancy related debt (for example, rechargeable repairs/service charges). Exceptions to this would be where:</p> <ul style="list-style-type: none"> • the debt has been paid off in full • the level of debt is equivalent to or less than a month's full rent before any benefit adjustments • an agreement with the tenant has been made to pay the debt off and this has been maintained for at least three months and is continuing • the debt is not the responsibility of the applicant as a tenant 	<p>Suspension timescale - up to 36 months</p> <p>The suspension will be lifted in the following circumstances:-</p> <ul style="list-style-type: none"> • immediately following full payment of the debt; or • where an arrangement to pay off the debt has been maintained for a minimum of three months; or • where the debt has been reduced to less than a month's rent
3	<p>Breach of tenancy condition(s)</p> <p>Suspension will be applied where the applicant is a current tenant of a Council or Registered Social Landlord and has breached their tenancy conditions. For example;</p> <ul style="list-style-type: none"> • unsatisfactory condition of property, garden, common areas, disposal of rubbish, wilful damage, vandalism, control of pets • where alterations/improvements have been carried out on a property without the relevant approval from the Council or Registered Social Landlord 	<p>Suspension timescale – up to 36 months</p> <p>Suspension will be lifted as soon as the Council or Registered Social Landlord is satisfied that the condition of the property, or any other breach of tenancy, has improved to a satisfactory level.</p> <p>The suspension will continue until the landlord is satisfied that the property has been brought up to a satisfactory condition and that any rechargeable repairs associated with bringing the property up to a satisfactory standard have been paid.</p>
4	<p>Refusal of a second offer of housing</p> <p>Suspension will be applied where the applicant has refused a second reasonable offer of housing within a 12 month period (made in accordance with the applicant's preferences).</p>	<p>Suspension timescale - 6 months</p>

	Suspension reasons and circumstances where a suspension will apply	Rules and timescale of suspension
5	Fraud, false or misleading information Suspension will be applied where the applicant has deliberately misrepresented information in order to gain advantage over other applicants in housing need.	Suspension timescale - up to 36 months

7.5 Information provided to suspended applicants

Where a decision has been taken to suspend an application for housing, the following information will be provided:

- the reasons for the suspension
- the implications of the suspension
- the period of the suspension
- the process for appeal against the suspension (see Section 9 – appeals and complaints)
- the steps to be taken in order to have the suspension lifted; and
- the information, advice and support will be provided to assist applicants.

7.6 Deferment of housing applications

An application for housing will be deferred from the housing register where:

- either the applicant has indicated that they are not currently seeking to be housed but wish their application to be considered at a later date; or
- we have agreed a housing plan with the applicant and it is appropriate to defer the application for a period of time.

Once an application has been deferred, the applicant will not be considered for housing, however a deferment will not affect the points level. The Council will agree the period of the deferment with the applicant and advise them when this has ended.

7.7 Review of housing applications

It is important that the information held in respect of applications accurately reflects the applicant's current housing situation. On a regular basis, the Council will contact applicants to verify that the information held remains up-to-date and accurate.

If an applicant fails to respond, their application will be cancelled.

If an application is cancelled due to failure to respond to the review, it will only be re-instated if it can be demonstrated that the individual had good reason for not responding.

7.8 Change of applicant's circumstances

As noted at point 7.7 above, the Council will contact applicants on a regular basis to confirm the application details. Applicants are also required to inform the Council, in writing or by e-mail, of any changes in circumstances as this may have an effect upon the application, for example:

- if the applicant moves house
- if the applicant leaves or joins another household
- if a member of the household reaches either 8 or 16 years of age.

Changes to applications will be processed in accordance with the Council's service standards, see point 1.6.

In addition, applicants must ensure that the Council is informed of any change to their contact details. If the Council is unable to contact an applicant, then their application may be cancelled.

7.9 Change of applicant's preferences

Applicants may at any time change their preferences, as specified on their housing application. Any changes to preferences must be made in writing and will be processed in accordance with the Council's service standards, see point 1.6.

Section 8 - Medical assessment and priorities

8.1 Medical assessment

Medical points will only be awarded where re-housing would significantly improve the suitability of an applicant's (or a member of their moving household) housing in light of their medical needs and **only** for accommodation which meets their medical requirements.

The consideration of health issues includes physical, mental and developmental factors.

If an applicant wishes to be considered for re-housing on the basis of their (or a member of their moving household's) medical need, applicants must complete a medical assessment form. This form is available from any housing office or from the Council's website at www.southlanarkshire.gov.uk.

When considering an applicant's medical needs, the Council will firstly:

- assess their current home and consider how the medical condition affects their ability to manage at home; **and**
- establish to what extent their ability or inability to function or perform essential daily living tasks is impacted on by their current home; **and**
- consider whether the current home can be adapted or a health/care support service arranged to enable them to remain in their home.

Having a medical condition will not in itself be grounds for an award of medical points.

8.2 Medical priority

Medical priority will only be awarded where the current home **cannot** be adapted or a health/care support service provided to meet the applicant (or a member of the moving household's) medical requirements. The Council will discuss with the applicant whether providing them with support, installing equipment or carrying out adaptations would make their home suitable to their needs. Where possible, the Council or a Registered Social Landlord (if appropriate) will arrange to provide appropriate support, equipment or carry out the necessary adaptations required to allow the applicant to continue to live in their home.

Where more than one person within the household to be re-housed has a medical condition, an assessment of the combined medical needs of the household will be carried out. It should be noted however that only **one** level of medical points will be awarded.

Medical circumstances are assessed by an independent medical adviser, who will make a recommendation to the Council for consideration.

In considering the medical needs of the household, any special circumstances will also be taken into account which would require the occupancy standard to be varied to allow for an additional bedroom. For instance, if the applicant or a member of the household required an additional room to receive medical treatment from home, or has a developmental disability such as Autism Spectrum Disorder (ASD).

If an applicant is assessed as having a medical need, the Council may limit the types of housing that are offered to meet their housing need. For example, if an applicant's needs are assessed and their health would improve if they could move to an accessible property, the applicant would only receive medical points for moving to this kind of property. The Council will not offer housing that might make the applicant's housing situation worse.

Section 9 - Appeals and complaints

9.1 Allocation appeals

Applicants who feel that they have been treated unfairly under the terms of this policy, have the right to appeal.

Appeals against decisions can be made regarding the following:

- the housing list an applicant has been placed on
- the level of points awarded
- the reasonableness of the offer of housing
- the reasonableness of the suspension imposed
- the removal of the application from the housing list; or
- the outcome of the medical assessment.

The Council operates a two stage appeals process. More details on the appeals process can be found on the Council's website at www.southlanarkshire.gov.uk.

9.2 Homelessness appeals

We operate a separate appeals process for homeless applicants. Details on the appeals process for homeless applicants can be found on the Council's website at www.southlanarkshire.gov.uk.

9.3 Complaints

Applicants dissatisfied with any aspect of the service have the right to make a complaint through our comments and complaints scheme. Complaints will be accepted either in writing or verbally and can be registered in two ways:

- through a housing office, where staff will register the complaint; or
- by completing and returning the comments and complaints scheme form.

Further information on the comments and complaints scheme is available at www.southlanarkshire.gov.uk.

If, after making a complaint, an applicant continues to be dissatisfied with the service, that they have received from us, a further complaint can be made to the Scottish Public Services Ombudsman. The Ombudsman will only consider complaints of injustice or hardship as a result of maladministration or service failure.

The address of the Scottish Public Services Ombudsman is:

Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS (FREEPOST SPSO)

9.4 Arrangements for monitoring and reviewing the policy

To support the achievement of the policy objectives and to make sure that the targets set for each of the housing lists are being achieved, the policy will be subject to ongoing monitoring and review.

A monitoring report will be presented to Housing and Technical Resources Committee on an annual basis and will detail progress made against:

- the overall objectives of the policy; and
- the local letting plan targets.

Performance reports relating to the operation of the allocation policy will also be reported to tenants and other customers through groups such as the Tenant Participation Co-ordination Group and local housing forums.

At the end of each financial year, performance information will be published on the progress of the allocation policy and specify the priorities and targets for each of the housing lists for the year ahead.

9.5 The Scottish Housing Regulator

The Scottish Housing Regulator (SHR) is responsible for the regulation of social landlords in Scotland. The SHR exists to protect the interests of tenants, homeless people and others who use the housing services provided by social landlords.

This policy provides the basis for the delivery of a key housing service, the allocation of council housing, and as such, the policy and its outcomes will be an area the SHR will consider when examining the Council's housing services. More information about the work of the SHR can be found at www.scottishhousingregulator.gov.uk.

Section 10 - Miscellaneous provisions

10.1 Residence and contact with children

Where an applicant and a former partner have a shared responsibility for children, they will be considered for accommodation on the following basis:

- where children are mainly resident with the applicant, (i.e. for four or more nights a week) or
- if block contact arrangements are in place for more than six months of the year.

The number of rooms required will be determined by the total number of people within the household (see occupancy standard, Section 4). If an applicant and a former partner have equal residence rights, both will qualify for a property on the basis that the children are resident on a full-time basis.

In general, where applicants have overnight contact with children, they will be considered for accommodation which provides one bedroom more than is required by the permanent household unless this would result in statutory overcrowding. If the current accommodation is adequate for the children then the applicant will not be eligible for an additional bedroom.

In certain circumstances, the Area Housing Manager may exercise discretion in determining the size of accommodation required by a household.

Where the residence and contact arrangements have been made formally through the court or a lawyer, copies of the court agreement or lawyer's letter should accompany the application. Where there is no formal agreement, applicants will be required to provide details of the arrangement and a letter of confirmation from either the former partner or another acceptable source.

10.2 Expectant mothers

Where an applicant or member of their household is pregnant, they will be placed on the housing register for the appropriate size of property required by the household, following the birth of the child. It should be noted that where the birth of a child will result in overcrowding of the household, additional points to reflect this will not be applied to the application until after the birth of the baby.

10.3 Fostering and adopting children

If an applicant is currently being considered for suitability to foster or adopt, the applicant will be eligible to be placed on the housing register for the size of property which will be required by the expanded household.

10.4 Part-time occupants

Where a household includes an individual(s) who is/are absent from the home for regular or pro-longed periods of time (e.g. off-shore worker) then they will be treated as a permanent member where the property continues to be their only or principal home.

10.5 Joint tenancies

A joint tenancy is where the tenancy of a property is shared between two or more individuals over the age of 16 years. The Council encourage joint tenancies as they provide security of tenure for each individual.

10.6 Mutual exchanges

To encourage mobility among existing tenants we operate a mutual exchange scheme.

A mutual exchange can occur where two or more tenants agree, with the consent of their landlord, to exchange homes. Exchanges can take place between South Lanarkshire Council tenants, tenants of other Council's or tenants of Registered Social Landlords.

Applications to exchange houses should be submitted in writing or e-mail. The Council will consider each application on an individual basis and will not unreasonably withhold permission. There are certain circumstances which may result in approval not being granted, for example where the exchange would result in one of the parties being overcrowded.

Further details on the mutual exchange scheme can be found on the Council's website at www.southlanarkshire.gov.uk.

Section 11 - Sheltered housing assessment and priorities

11.1 Introduction

Sheltered housing aims to meet the needs of older people who can live independently in their own home with housing support.

Across South Lanarkshire, there is a variety of sheltered housing, from purpose built developments to self-contained bungalows and flats. Tenants who live in sheltered housing developments are required to need and accept the housing support provided by the sheltered housing service.

11.2 Aims of the policy

The aims of the sheltered housing allocation policy are consistent with those set out in Section 1 of the housing allocation policy.

In addition, the Council aims to allocate sheltered housing to applicants who enjoy living independently but also need the reassurance and support provided by the sheltered housing service.

11.3 HomeOptions

The Council want to make sure applicants have all the information that they need in order that they can make informed choices about their housing options.

HomeOptions, the online housing information system can help applicants to find out about the housing options that may be available to them in South Lanarkshire. HomeOptions is a self-assessment system that asks a number of simple questions about housing circumstances. Once the questions have been answered, HomeOptions will provide a personal plan detailing the housing options that are most suitable to you.

HomeOptions can be accessed on the Council's website at www.southlanarkshire.gov.uk.

11.4 Who can apply

To apply for sheltered housing, applicants must normally:

- be 66 years of age or over and be able to live independently with support and/or personal care. Where applicants apply as a couple, one of them must be 66 years of age, or over, unless there are exceptional circumstances
- be retired from full time employment. Where applicants apply as a couple, one of them must be retired from full time employment.

Exceptions to this criteria may apply, for example:

- if the house available is specially designed for a wheelchair user and there are no older applicants with such a need. In this case, applications from younger wheelchair users may be considered
- if applicants have a particular need which would be met by sheltered housing, for example a disability
- if there is no demand for a particular development or property type, applications may be considered from applicants who are not yet 66 years of age.

11.5 How to apply

Applicants should complete the HomeFinder housing application if they wish to apply for sheltered housing, as explained in Section 2.

Applicants can also consider applying for other types of housing as well as sheltered housing. A range of information on housing options for older people is available on the Council's website at www.southlanarkshire.gov.uk.

11.6 Choice of sheltered developments

Applicants can apply for sheltered housing in any area of South Lanarkshire and only select developments where they wish to be housed.

The 'Guide to sheltered housing in South Lanarkshire' may help applicants choose the developments where they would like to live. A copy of this guide can be downloaded from the Council's website at www.southlanarkshire.gov.uk.

In addition to the sheltered housing that the Council own and manage, there are also a number of sheltered housing developments owned by Registered Social Landlords (RSLs). The Council has an agreement with these RSLs to nominate applicants from the housing register.

11.7 The housing register

In accordance with the mainstream allocation policy, applicants will be placed on **one** of the following housing lists as described in Section 3:

- **urgent housing need**
- **transfer list**
- **waiting list**
- **other categories**

Where an applicant is placed on the urgent housing need list, the Council aims to make an offer of housing which matches their preferences within a reasonable timescale. To assist the Council to achieve this aim, applicants cannot be unreasonably restrictive in terms of the area or property choices they have made. These preferences will be regularly reviewed to make sure that they are reasonable. Applicants will not be able to select only sheltered housing unless this has been identified as the only housing option that meets their needs.

11.8 Assessing need for sheltered housing

When an applicant applies for sheltered housing, in addition to the housing need points (set out in Section 3), there are other factors relating to their circumstances and need for the services provided by sheltered housing, that the Council will take into account, including:

- an applicant cannot access services they need because of where they live
- the way the house is designed means it is not suitable for their needs and it cannot be adapted
- if the applicant is isolated, lives far away from people they know or are housebound and they would like more contact with other people

- to what extent the support service provided and living in this type of housing would benefit the applicant for example, assist with day to day living such as help with arranging appointments, reporting repairs or dealing with emergency situations for example, a fall at home
- to what extent the applicant would benefit from the social contact that is available within sheltered housing.

The following levels of points will be available:

Category	points awarded
No need for sheltered housing support service	0
Low need for sheltered housing support service	120
Moderate need for sheltered housing support service	150
High need for sheltered housing support service	180

Points awarded for sheltered housing will be added to any other housing need points that the applicant qualifies for. Properties will be allocated on the total combined points awarded to the applicant.

Where a couple have applied for sheltered housing, an assessment of the combined household will be carried out. It should be noted however, that only one level of points will awarded.

11.9 Allocation process

Applicants will be selected from the relevant housing list as set out at Section 3. Where more than one applicant has the same level of points, the date of application will be used to determine priority.

The housing support service is an integral part of the sheltered housing service. When allocated sheltered housing, applicants will be asked to sign/accept the support provided.