

REPORT TO: Housing Committee, 23 October 2006

**REPORT ON: Letting Policy Review
Outcome of Consultation and Final Draft**

REPORT BY: Director of Housing

REPORT NO: 605-2006

1. REASON FOR REPORT

- 1.1. This report details the outcomes of a consultation on the draft Letting Policy which was presented to the Housing Committee in June this year.
- 1.2. The report suggests amendments to be made to the draft Letting Policy which are suggested in the light of the consultation exercise.
- 1.3. The report goes on to suggest that the draft policy is adopted by the Council and sets out a process for its implementation.

2. RECOMMENDATIONS

- 2.1. It is recommended that the outcomes of the consultations summarised in Appendix II are noted by the Housing Committee.
- 2.2. It is recommended that the final draft Letting Policy (Appendix 1) is agreed by the Council.
- 2.3. It is recommended that the Director of Housing makes arrangements to implement the Letting Policy early in financial year 2007/2008.
- 2.4. It is recommended that the Director of Housing reviews the policy and reports back to the Housing Committee after 12 months of operation.

3. FINANCIAL IMPLICATIONS

Implementing the recommendations of this report will have no implications for the Housing Revenue Account or Council Tax.

4. SUSTAINABILITY POLICY IMPLICATIONS

4.1. Anti-Poverty

Adoption of this Policy will help deliver services which meet identified housing needs. It will achieve this by prioritising Council housing for people who are homeless, people who live in poor quality housing or who live in housing which does not meet their needs.

5. **EQUAL OPPORTUNITIES IMPLICATIONS**

- 5.1. The draft Policy has been subject to a full Equality Impact Assessment in accordance with the Council's Equalities Schemes.
- 5.2. Adoption of the Policy will help to ensure that discriminatory practices and procedures are eliminated and that the needs of women, ethnic minorities, people with disabilities and other target groups have been assessed.

6. **MAIN TEXT**

- 6.1. This report follows report 379-2006 Letting Policy Review – Consultation Draft, which was presented to the Housing Committee on 26 June 2006. The Committee approved the report and instructed the Director of Housing to consult with stakeholders on the draft Letting Policy and bring forward a finalised Letting and Allocation Policy to the Committee.
- 6.2. This report describes how the consultation on the draft Letting Policy was conducted. It summarises the comments received and it recommends changes to the previous draft which should be adopted as final.
- 6.3. This report also describes the steps which need to be taken to achieve implementation of the Policy.

CONSULTATION

- 6.4. A letter inviting responses to the draft Letting Policy was sent out to 114 organisations and individuals. In addition to this meetings were arranged with a number of groups, forums and other consultative bodies to explain the draft Policy and record responses. The meetings which took place were:
 - Dundee Housing Association Forum.
 - Dundee Common Housing Register Working Group.
 - Dundee Domestic Abuse Forum.
 - Dundee Racial Incidents Multi-Agency Panel.
 - Dundee Homeless Hostel Sub-Group of the Homeless Strategy Group.
 - Two open meetings with representatives of tenant's groups within the city.
 - Tayside Medical Advisory Service.
- 6.5. In total, 15 written responses to the consultation were received (copies of responses have been left on deposit in the members' lounge). A summary of the responses can be seen at Appendix II.

SUGGESTED AMENDMENTS TO THE CONSULTATION DRAFT

- 6.6. In response to the consultation exercise and other discussions which have taken place, a number of changes to the consultation draft are recommended. These suggested changes are listed below.
- 6.7. Tayside Medical Advisory Service drew attention to the current arrangement where people who are an "outright medical priority" (often people who are able to be discharged from hospital but have no accommodation to go to) are matched to available accommodation as a priority. It is proposed that these arrangements continue and categorised as "Emergency Housing".

- 6.8. As a result of consultations within the department and after discussions with homeless providers, concerns were raised about restricting overcrowding points only to householders. Fears were raised that this may encourage some applicants to worsen their situation in order to gain access to the homeless category. It was argued that this may work against efforts to prevent homelessness. It is suggested that:
- i. Overcrowding points are awarded to either householder or their guest household.
 - ii. The non-priority award of points is raised from 20 points to 30 points (this gives equity between non priority homeless people and those living “care-of” and who are overcrowded).
- 6.9. To meet concerns from tied applicants, people leaving prison and people leaving the armed forces, it is proposed that priority points are awarded 3 months prior to a notice to quit or release.
- 6.10. A number of respondents thought that the award of points for social tenants underoccupying their house was insufficient to encourage them to contemplate a move. As this part of the policy aims to recycle large houses for letting to families it is recommended that the draft Policy is amended to award 40 points to a household under occupying their accommodation by 2 rooms and 70 points for under occupation of 3 or more rooms.
- 6.11. For redevelopment (where an applicant’s house is to be demolished) the original draft Policy suggested an award of 20 points for a tenant of less than five years occupancy, 40 points for 5-10 years occupancy and 70 points for over 10 years occupancy. It is considered more appropriate to base the award of points on continuous time of tenure with the landlord. This change is to avoid penalising tenants who may have previously been subjected to a demolition of their home and find themselves again in a demolition programme.
- 6.12. It is also suggested that a category is included to cater for “Essential Incoming Workers”. Such cases are rarely encountered, but occasionally housing needs to be made available to a worker whose skills are of strategic importance to the City. It is proposed that this category is included and that any cases proposed must be considered by the Council where an appropriate priority will be awarded.
- 6.13. The amendments suggested in paragraphs 6.7 to 6.12 have been incorporated into the final draft Letting Policy to be seen at Appendix 1. The Housing Committee is asked to agree the final draft appended.
- 6.14. There is still much work to be done prior to implementation of the Letting Policy, so it is recommended that the Director of Housing progresses plans to implement the Policy early in financial year 2007/2008.
- 6.15. It is recommended that the operation of the policy is reviewed 12 months after implementation. This will allow the Council to evaluate whether stated aims and objectives are being met and to take any necessary action.

7. **CONSULTATIONS**

- 7.1. The Chief Executive, Depute Chief Executive (Finance), Depute Chief Executive (Support Services), Assistant Chief Executive (Community Planning), Director of Economic Development, Director of Planning and Transportation, Head of Communities and Dundee Federation of Tenant’s Association have been consulted on this report.

8. **BACKGROUND PAPERS**

- 8.1. Housing Committee Report 379-2006, Letting Policy Review & Consultation Draft.

ELAINE ZWIRLEIN
DIRECTOR OF HOUSING

Appendix 1

ALLOCATION REVIEW FINAL DRAFT

INDEX

PAGE NO

1.	Applying for a House	1
2.	Making Offers of Housing.....	6
3.	Description of Groups	8
4.	Making Offers of Housing that is Readily Available	15
5.	General Issues.....	15
6.	Monitor and Review	17
7.	Appeals and Complaints	18
8.	Appendix 1 Summary of Points Awards and Targets	

General Principles

The purpose of this policy is to ensure that everyone who applies to us for housing is treated fairly, consistently and with respect.

Our policy aims to promote equality and diversity, by eliminating discrimination between persons on grounds of race, colour, ethnic and national origins, marital status, domestic circumstances, gender, sexuality and transgender, age, class, ethical or religious belief, basic skills, disability, trade union activity or long term unemployment.

It is proposed that the aims and objectives for our Letting Policy are that:

- i. It will contribute to keeping voids down to annual targets.
- ii. It will give greatest priority to people with housing need, in particular:
 - a. Homeless people.
 - b. People living in poor housing conditions (i.e. below the tolerable standard).
 - c. People who are overcrowded.
 - d. People who live in houses or areas which are causing them stress (e.g. suffering racial or domestic abuse, people who need to live close to carers or support).
 - e. People who have a medical reason for rehousing.
 - f. People who are under-occupying a social-rented house.
 - g. People whose houses are to be demolished.
- iii. It will contribute to enabling the regeneration programme to progress (rehousing for demolition areas to help progress to meeting the Scottish Housing Quality Standard by 2015).
- iv. It will be as clear, simple and understandable as we can make it.

1. APPLYING FOR A HOUSE

1.1. We wish to make the application process as straightforward and as accessible as possible. We will achieve this by:

- Making application forms available in appropriate formats at all offices and on the Council's website.
- Enabling applicants to apply by telephone.
- Accepting applications from anyone aged 16 or over who wishes to live in Dundee.
- Ensuring that all applications are acknowledged, registered and assessed.
- Allowing applicants to choose the type of housing in areas they would prefer.
- Setting a qualifying age for sheltered housing of 60.
- Offering applicants help to complete their form if required.

- Providing, in appropriate formats, advice and information on the availability of houses in the City, as well as applicants' housing prospects and options.

1.2. **Processing an Application**

Applications will be accepted at any of our housing offices.

- Upon receipt, applications will be acknowledged, registered and assessed.
- Points will be awarded to reflect the applicant's housing need as set out in this policy.
- Applications will then be placed in their priority group.
- Applicants will be advised of the points awarded, how they have been calculated and how to appeal if they feel they have been treated unfairly.
- Applicants will be advised of where they can get further advice and information about their housing needs.
- At the time an application is being assessed the applicant's previous addresses will be confirmed and a check carried out for any outstanding debt related to a Council tenancy where there is no existing agreement to repay.
- Applications will be placed on the Active Waiting List, (*for those applicants who are currently seeking housing*), or the Inactive Waiting List, for applicants who will not be considered for housing at the present time.

1.3. **Joint Applications**

The Council welcomes joint applications from persons aged 16 or over who wish to be housed together.

Where joint applications are not from the same family, no more than 2 joint applicants may apply, otherwise a "House in Multiple Occupation" is created.

They do not have to be living at the same address to apply, but each will have to supply details of their present circumstances, so that their application for housing can be assessed. Any priority for housing will be based on whichever applicant has the greatest need to ensure they get the highest number of points possible.

Should their circumstances change, and they no longer wish to be rehoused together, a new assessment will be carried out for each applicant. They will not lose the date of application originally made by them. Where the application was originally submitted in one name, but another joint applicant was subsequently added, then each applicant will be entitled to the date they applied.

1.4. **Review of Application**

All applications for housing will be reviewed regularly. For those applicants who have been suspended through the Access Policy, their applications will be reviewed at a time determined by the Access Officer, but will be reviewed at least once a year. Where there has been no activity on an application form for twelve months, applicants will be contacted to check if their circumstances have altered, and if they wish to remain on the Council's Waiting List.

Applicants can make changes to their housing application at any time. This can be done by telephone, by e-mail, in person or in writing. All contact we have with applicants will advise them that it is their responsibility to inform the Council if their circumstances change.

1.5. **Cancellations**

Applications can be cancelled in the following circumstances:

- At the applicant's request. *(A letter of confirmation will be sent to the applicant).*
- In the event of failure to respond to correspondence. *(In the event of no contact to a telephone call, a follow up letter will be sent).*
- On the death of the applicant.
- When the applicant has been rehoused by the Council or a partner in the Common Housing Register.

Where an application is cancelled, the applicant has the right to appeal. When considering an appeal, the applicant's circumstances will be taken into account. Where an appeal is successful, the application will be reinstated with the date of the most recent form.

It is the applicant's responsibility to advise us of a change in circumstances to allow us to re-assess their application.

1.6. **Transfer of Applications**

On notification of an applicant's death, the application will automatically be transferred to the surviving spouse or partner as long as they were living with the applicant at the time of their death. Where there is no surviving spouse or partner, the application may be transferred to any other person named on the application form, provided the person is aged 16 or over and has been resident with the applicant for at least 6 months prior to the applicant's death. **The Council may ask for proof of residency when a request to transfer an application is received.**

1.7. **Relationship Breakdown**

In the event of a relationship breakdown, where the partners wish to be housed separately, the following will apply:

- Where the application is in joint names, the joint application will be cancelled and each person can apply for housing separately. A new assessment will be carried out for each applicant, based on their current circumstances. They will not lose the date of application originally made by them. Where the application was originally submitted in one name, but a joint applicant was subsequently added, then each applicant will be entitled to the date they applied.

- Where one of the partners wishes to leave the household and apply for housing, they can submit an application form that will be assessed according to their current circumstances.

Where there is a current joint application for housing, a new assessment will be carried out for each applicant based on their current circumstances. They will not lose the date of application originally made by them.

Where the application was originally submitted in one name, but a joint applicant was subsequently added, then each applicant will be entitled to the date they applied.

1.8. **Inactive Waiting List**

The Council holds list of applicants who are not actively seeking housing at the present time, or who, through the pre-tenancy checking process are suspended. The reasons are:

- Applications deferred at the applicant's own request.
- Those living in tied accommodation and not under notice to quit.
- Those currently serving a custodial prison sentence (two months prior to an applicant's release, their form can be activated).
- Where we are awaiting further information before a priority can be awarded.
- Applicants who are suspended through the pre-tenancy checking process.

Applicants who are held on this list can make changes to their application. Where a change in circumstances is made, that could affect their priority, the Council will review the application to ensure any priority awarded is accurate and up to date.

Where applicants who are deferred at their own request or are living in tied accommodation re-activate their application, they will be placed on the waiting list with their original date of application. Similarly, where an applicant has been suspended awaiting the award of a priority, the original application date will be given.

The Council will only suspend applicants where debt related to a tenancy where that debt is more than one-twelfth of the annual rent owed to the Council in respect of the tenancy in question. Applicants may also be suspended where there is evidence of serious anti-social behaviour or serious breach of tenancy.

The Council will not suspend applicants who have been given a statutory homeless priority.

1.9. **False and Misleading Information**

Where an applicant deliberately makes a false statement in order to gain access to housing, or withholds important information, their application may be suspended for a period of 6 months.

Once the period of suspension is over, the application will be reviewed and re-admitted to the waiting list with the date that their suspension was removed.

The Council may take action to repossess a tenancy that has been achieved by the tenant providing false and misleading information in respect of their housing application.

1.10. **Pre-Tenancy Checks**

All applications will be admitted to the waiting list. Prior to making an offer of housing, a pre-tenancy check will be carried out for all applicants.

These checks will include carrying out interviews with applicants to confirm current housing circumstances and check that, where appropriate, their current tenancy is being maintained to a satisfactory standard. This may include carrying out home visits or, seeking references from other social registered landlords and registered private landlords. Checks will be carried out for evidence of debt related to a tenancy, evidence of serious anti-social behaviour or other serious breach of tenancy.

Where information indicates the applicant will not be able to maintain a tenancy straight away, the application may be suspended for a period of time (*from a minimum of one month, for example to assess needs for support to a maximum of one year for evidence of serious anti-social behaviour*), to allow further investigation, to allow a support package to be put in place or to allow the applicant to take the necessary steps to resolve their problem. Where an applicant has been evicted as a result of anti-social behaviour within the past 3 years, they may be offered a Short Scottish Secure Tenancy with support.

Applicants who have a debt related to a tenancy and who have signed an agreement to repay will be placed on the waiting list. This agreement will be monitored. The applicant will remain on the active waiting list but offers of housing will be dependent on evidence of satisfactory repayments. Where there is evidence of anti-social behaviour which is not regarded as being serious, the applicant may remain on the active waiting list and have their behaviour monitored. No offer of housing will be made unless the level of behaviour is considered satisfactory by the Anti-Social Behaviour Team Leader and the Manager of the Contact Centre.

If the application is suspended, the applicant will receive written confirmation of the following:

- The reason why they will not be offered housing now.
- An explanation of the next steps in the process.
- The steps they can take to resolve the problem.
- Advice on when their case will be reviewed.
- Their right to appeal the decision.

2. MAKING OFFERS OF HOUSING

2.1. Information to be Considered when Selecting Applicants

In accordance with the terms of the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001, (Sections 9 and 10), when allocating housing, the Council cannot take account of:

- The age of the applicant (*provided they are aged 16 or over*).
- The length of time the applicant has lived in Dundee.
- The income of the applicant and their family.
- Whether they own or have owned a property.
- Whether the applicant is living in the same house as a spouse or partner.
- Whether a judicial separation or divorce has been obtained.
- Rent arrears or other tenancy related debt from a house where the applicant is/was not the tenant, there is no debt still outstanding, or the amount due is less than one month's rent.
- Any outstanding debts (*including Council Tax*) due by the applicant or their household that are not related to a tenancy.
- No offers will be made to applicants who have not passed the pre-tenancy check.

Offers of housing will be made reflecting applicants assessed housing need.

2.2. Size of Housing

Applicants will be asked to indicate their preferred house size and can request additional bedrooms. Dependent upon demand for housing, applicants may only be offered the size of property their household needs. However, actual house size required (*refer to the guidance included in the table on page 7*) will be taken into consideration when allocating properties. Applicants will not be offered housing that would result in them being overcrowded. When deciding between applicants with the same number of points, priority will be given to the applicant whose household will make best use of the number of bedrooms the property has. Any permanent member of the household who is temporarily absent is still included in the household for the purposes of assessing the size requirements.

The number of bedrooms needed will take into account future or occasional members of the household. This may include:

- An unborn child where a member of the household is pregnant.
- Where there is a separated parent whose visiting or access arrangements mean they require larger accommodation.
- Foster/adopted children where the applicant has Social Work approval and they need a larger house to provide care.

**Minimum Household Sizes
for City Council Housing**

Property Size	Bed Space	Household Size
Studio	Single	1 person
2 Apt (1 bedroom) 1 person	Single	1 person
2 Apt (1 bedroom) 2 person	Double	1 person or couple
3 Apt (2 bedrooms) 3 person	1 Double and 1 Single	Single parent/couple with one child/pregnant woman
3 Apt (2 bedrooms) 4 person	2 Double	Single parent/couple with 1 child or 2 children of the same sex/pregnant woman
4 Apt (3 bedrooms) 4 person	1 Double and 2 Single	Single parent/couple with 2 children
4 Apt (3 bedrooms) 5 person	2 Double and 1 Single	Single parent/couple with 2 or 3 children
4 Apt (3 bedrooms) 6 person	3 Double	Single parent/couple with 2, 3 or 4 children, provided that no more than 2 children of the same sex have to share a bedroom
5 Apt (4 bedrooms) 6 person	2 Double and 2 Single	Single parent/couple with 4 children
5 Apt (4 bedrooms) 8 person	4 Double	Single parent/couple with 4 to 6 children, provided not more than 2 children of the same sex have to share a bedroom
6 Apt (5 bedrooms)	5 Double	Single parent/couple with 6 to 8 children provided that not more than 2 children of the same sex have to share a bedroom

2.3. Definition of a Family

For the application of this policy a “family” is as defined in the Housing Scotland 2001 Act s108. The Act defines a family as:

- A single adult, a married couple or a couple (*regardless of sex*) living as if married.
- Their children, parents, grandparents, grandchildren, brothers, sisters, uncles, aunts, nephews and nieces.
- A child raised or treated by the partner as if their own (*even though the child is not related to them*) shall be considered part of the family.
- Two unrelated households or people who apply for housing will be considered by us as one household.

An application for housing containing any of the above family relationships shall be accepted as a household which can be given a priority reflecting their needs. It may be that the applicant does not currently live with their extended family (*or have not yet taken guardianship of an adopted or foster child*) but wishes to obtain housing to accommodate them all.

3. DESCRIPTION OF GROUPS

The allocation policy is based on housing need, and a group plus points system is used to assess applications. A summary of the points awarded and the targets for each group is attached at Appendix 1.

There are 4 main target groups for letting. These groups are:

- **Homeless** – Target to be 35% of all Council lets.
- **Redevelopment** – Target to be 20% of all Council lets.
- **General Needs** – Target to be 40% of all Council lets.
- **Choice** – Target to be 5% of all Council lets.

The target set for each group is based on the following information:

Homeless applicants account for a growing proportion of the waiting list as a result of legislative changes. Good practice outlined by Communities Scotland suggests that approximately one-third of all lets should be made to this group of applicants. Agreements have been reached with housing associations within the City to accept referrals of homeless applicants who require permanent housing. This figure is approximately 30%. It is believed that to fulfil our obligations to applicants assessed under the legislation as homeless, 35% of lets are needed.

Redevelopment applicants are primarily those who require rehousing because their present house is being demolished. At the present time, in order for the Council's demolition programme to progress, applicants in the redevelopment group need to account for approximately 20% of our annual lets.

The General Needs Group is formed by those applicants who have a variety of housing needs. It will include householders who are overcrowded, or are under occupying their present housing, those with medical priorities and those who are living care of but want their own tenancy. This is likely to be the largest group of applicants, and currently accounts for 41% of all lets.

The Choice group will comprise of non-Council applicants who have no identified housing need, but would like a Council tenancy and Council tenants who are adequately housed but would like another house. At the present time, this group accounts for 4% of all lets.

All of the targets suggested will be subject to annual review by the Housing Department Management Team. The waiting list and all lets will be monitored and analysed to inform future targets. It is anticipated that targets will be altered to reflect changing needs.

A description of the groups and the points awarded to each priority need is outlined below:

3.1. **The Homeless**

The Council has responsibilities in relation to homeless people, people threatened with homelessness and the prevention of homelessness in Dundee. Services to the homeless or those threatened with homelessness are based on current legislative requirements and the Code of Guidance issued by the Scottish Executive in 2005.

Applicants within this group will comprise of the following categories:

- Statutory homeless in priority need.

This group will consist of those applicants who have been assessed by the Homeless Services Unit as being homeless or threatened with homelessness and who have a priority under the terms of the Housing (Scotland) Act 1987 as amended by the Homelessness, etc (Scotland) Act 2003.

Applicants who may be assessed as having a priority need are:

- Those with dependant children.
- Those who are pregnant.
- Those aged 60 or over.
- Young people (*those under 18 years of age, those between 18 and 20 and either living in circumstances which put them at risk of sexual or financial exploitation or misuse of drugs or alcohol, or who had been looked after by the Local Authority, those under 25 years of age if it is felt that they are likely to be at risk of sexual or financial exploitation, those leaving care*).
- Mental ill health, personality disorder or learning difficulties.
- Physical disability or serious chronic ill health.
- Those recently discharged from prison, hospital or the armed forces who has no other means of support.
- Those fleeing domestic violence or abuse.
- Those applicants who may be vulnerable for other reasons.
- Non-priority homeless. This group will consist of those who are homeless, but who are not assessed as having a priority for accommodation for any of the above reasons.

More detailed information about the assessment process can be found in the Council's Homelessness Policy.

Applicants within each of the categories will attract differing amounts of points to reflect their need. Statutory homeless applicants who have a priority need will be awarded 70 points. Non priority homeless applicants will be awarded 30 points. Homeless applicants will be entitled to additional points where they have multiple housing needs that are not related to the award of their homeless priority.

Those due to be Released from Prison and Others Leaving Institution Care

Applicants who are vulnerable as a result of having been discharged from a hospital or prison will be assessed under the terms of the Homelessness Etc. (Scotland) Act 2003. Appropriate points will be awarded three months prior to release.

Where the homeless assessment finds the applicant to have become homeless intentionally the Council could offer the applicant a Short Scottish Secure Tenancy with support.

3.1.1. Armed Forces

Applicants who are vulnerable as a result of being discharged from the regular Armed Forces will be assessed under the terms of the Homelessness Etc. (Scotland) Act 2003. Appropriate points will be awarded three months prior to discharge.

3.1.2. Tied Applicants

Tied applicants will be assessed as homeless upon receipt of Notice to Quit, or upon receipt of written confirmation from their employer that they are required to vacate their tied accommodation within three months. Applicants may be given a priority under the terms of current homeless legislation depending upon their vulnerability and circumstances.

3.2. **Redevelopment**

This group will comprise of applicants where the Council has decided to demolish or redevelop their houses. Applicants will be placed in this group after the Housing Committee has made the decision to declare their houses surplus for demolition. Applicants in this category will have points awarded to reflect the length of continuous tenancy with their current landlord up to a maximum of 70 points. Points will be awarded on a sliding scale from 20 points, for tenancies of up to 5 years, 40 points for tenancies between 5 and 10 years and 70 points for tenancies of more than 10 years' duration.

Applicants who have other housing needs, ie a medical priority, overcrowding or under-occupancy points as detailed in this policy, will have those points added to their redevelopment priority.

3.3. **General Needs**

Applicants within this group will comprise of the following categories.

3.3.1. **Under-Occupation and Overcrowding**

When determining whether under occupation or overcrowding points can be awarded, reference must be made to the table at page 7.

3.3.2. **Under-Occupation**

Points will be awarded to applicants who are under-occupying any socially rented accommodation. Points will be awarded as follows:

- Under-occupation by 2 bedrooms – 40 points.
- Under-occupation by 3 or more bedrooms – 70 points.

For the purposes of this calculation, the degree of under-occupation will relate only to the difference between the number of bedrooms in the applicant's current accommodation, and the number of bedrooms specified on their application.

3.3.3. **Overcrowding**

Points will be awarded to applicants who are currently living in overcrowded conditions. Points will be awarded as follows:

- Where the requirement is for one more bedroom – 20 points.
- Where the requirement is for 2 more bedrooms – 40 points.
- Where the requirement is for 3 or more bedrooms – 70 points.

A household is regarded as being overcrowded if an applicant does not have all the bedrooms they need for their household.

Excluding kitchen and bathroom, a household's requirements are for a living room plus bedrooms as follows:

One single bedroom where it will be occupied by only one person. In addition:

One double bedroom for:

- A single person, couple, single parent or pregnant single woman.
- Two children of the same sex.
- Two children of different sexes under the age of 5.
- Two siblings of the same sex.

We will treat a second public room, such as a dining room, as being a bedroom for the purposes of this calculation.

No overcrowding points will be awarded to any applicant who is intentionally overcrowds their house because they have allowed other people to move into their accommodation.

In some circumstances extra persons may join an existing household owing to no other housing option being reasonably available, and the house becomes overcrowded. Where such a circumstance occurs, overcrowding points will be awarded to either the main household or the guest household.

3.3.4. People Living in Sub-Standard Housing Conditions

This refers only to housing which is below the tolerable standard (BTS) as defined in the Housing (Scotland) Act 1987, s86 as amended.

For an applicant to be awarded points their accommodation must fail one or more of the following measures:

- Is structurally stable.
- Is substantially free of rising and penetrating damp.
- Has satisfactory provision for natural and artificial lighting, for ventilation and heating.
- Has an adequate supply of piped and wholesome water available within the house.
- Has a sink provided with a satisfactory supply of both hot and cold water within the house.
- Has a water closet available for the exclusive use of the occupants of the house and suitably located within the house.
- Has a fixed bath or shower and a wash hand basin each supplied with a satisfactory supply of both hot and cold water and suitably located in the house.
- Has an effective system for the drainage and dispersal of both foul and surface water.
- Has satisfactory facilities for the cooking of food within the house.
- Has satisfactory access to all external doors and outbuildings.

(**Note:** Private Sector Services Unit/Housing Investment Unit should be requested to confirm all cases of BTS).

Where an applicant is judged to be living in housing below the tolerable standard as outlined above, their application will be awarded 70 points.

3.3.5. Non-Householders

Applicants who are staying with family, friends or as lodgers or sub-tenants and who wish to have their own tenancy, will be awarded 10 points.

Applicants who have been assessed as homeless will not be awarded an additional 10 points under this category.

Applicants who have no fixed address or who are sleeping on the floor or sofa will be assessed under the terms of the Homelessness, etc (Scotland) Act 2003.

3.3.6. Medical Reasons for Re-Housing

To qualify for medical points an application must have been assessed by the Council's Medical Advisor. Up to 70 points will be awarded by the Medical Advisory Service according to assessed need. Applicants will only qualify for this category where the expected house move will alleviate a long term and persistent medical condition.

Where the Council's Medical Advisor has assessed an applicant as having an "Outright Medical Priority", emergency housing will be sought, disregarding the waiting list.

3.3.7. Specially Adapted Housing (Including Sheltered, Very Sheltered, Extra Care Housing, Amenity and Disabled Adapted Housing)

Applicants for specially adapted housing will have their medical needs assessed by the Council's Medical Advisor/Assessment Panel/Single Shared Assessment and will be awarded points to reflect their need. These applicants may also be eligible for points to reflect other defined housing need.

Applications for sheltered housing are invited from people aged 60 years or more (or from other people who have been assessed as requiring this type of housing). An applicant for sheltered housing can also apply for mainstream housing. An applicant awarded points for specially adapted housing can only use these points towards the allocation of such a property.

Applicants' needs will be assessed through the appropriate Committees and will be awarded points to reflect the severity of urgency of their needs.

For Disabled Adapted Housing, Very Sheltered Housing and Extra Care Housing, the Special Needs Unit/Assessment Panel will operate one-to-one matching of applicants to housing.

3.3.8. Special Needs Committee

Applicants in this category will not require specially adapted housing, but owing to a mental illness, learning disability, sensory impairment or other incapacity, may require housing of a particular size, type or location to suit their needs. Up to 70 points will be awarded after a medical assessment and, where appropriate, up to 40 points for a social reason, as per those categories and as applicants who require housing under this category will have their medical needs assessed and agreed by the Special Needs Committee.

Points will be awarded to reflect the applicant's level of need and recommendations regarding suitable housing will be taken into account when offers of housing are made.

3.3.9. Social Need

- **Racial Harassment** Up to 40 points can be given at discretion of the Director of Housing after gaining the advice of RIMAP. In extreme or emergency situations, the applicant may be referred to the Homeless Services Unit.
- **Victims of Domestic Abuse** Up to 40 points to be given at discretion of the Director of Housing. In extreme or emergency situations the applicant may be referred to the Homeless Services Unit.
- **To give or receive support or care**, up to 40 points will be awarded at the discretion of the Director of Housing. Evidence that such a move is necessary would be required from a competent authority. Medical points cannot be added if awarded for the same reason as social points.

3.3.10. Management Transfer

Tenants may be offered a transfer at the discretion of the Director of Housing for an exceptional situation requiring emergency rehousing. This will be to a house which is appropriate to the applicant's requirements and similar in terms of demand. Any application currently held by the applicant will be re-assessed after the transfer has been agreed. Where the management transfer has met their needs, if the applicant wishes to remain on the list, they will be re-assessed according to their new circumstances and will be given a new date of application. Where the move does not meet their assessed housing need, their original application will be retained. No other points can be added to a Management Transfer as they will be given an award of 500 points to reflect the severity of their circumstances.

3.4. Choice

This group will comprise of applicants who currently have no defined housing need. These will be ranked in date order. Applicants from this group may be offered housing if the resultant vacancy will release a house for someone in one of the priority groups. Applicants from this group will also be considered for readily available housing.

3.5. **Essential Incoming Workers**

Where a worker from outwith the City requires housing in the City and their skills are assessed to be of strategic importance, the Director of Housing may bring forward a report to the Council to secure suitable accommodation.

4. **MAKING OFFERS OF HOUSING THAT IS READILY AVAILABLE**

4.1. **Readily Available**

We may, at the discretion of the Director of Housing classify a property as readily available under the following circumstances:

- When there is no demand for a particular empty property, or
- The property has been formally offered and refused three times, or
- The property has been fit to view and had remained unlet after 3 weeks.

Properties deemed to be readily available will be let in a way deemed appropriate by the Director of Housing.

5. **GENERAL ISSUES**

5.1. **Number of Offers**

- To achieve consistency across groups, all applicants will be entitled to 3 formal offers of housing.

Applicants will have the right to appeal against offers of housing made. Where 3 reasonable offers are refused, the application will remain on the waiting list, but no further offers will be made for a period of 6 months. Where an applicant's circumstances change, their case will be reviewed by the manager of the Contact Centre to determine if further offers are appropriate.

5.2. **Homemove Scheme**

We will participate in the Homemove Scheme which is a free scheme for all those wishing to move to Dundee for:

- Employment reasons.
- Medical reasons.
- Social reasons.

Applicants could be eligible if:

- They are taking up a job which is too far away to travel to every day.
- They need to be closer to relatives or friends so that they can give or receive support.
- There are other pressing reasons such as domestic violence or harassment or health reasons.

- Registration is by the completion of a Homemove application form.
- Where we receive an application from another landlord, we will carry out an assessment, a pre-tenancy check in line with the access policy, including any debt related to a tenancy and add the applicant to the General Needs group of the current waiting list.
- Any offers subsequently made will be on the basis of number of points awarded, and the applicant's housing need.

5.3. **Homeswap Scheme**

We will participate in the Homeswap Scheme, which offers:

- A UK-wide database of people who want to swap their home.
- Operates in much the same way as a mutual exchange.
- For secure tenants renting from a Council, registered social landlord or housing association.
- For tenants who wish to swap houses with another tenant anywhere within the UK.
- Registration is by application form.
- Matching process is carried out by Homeswap staff, not by Council staff.
- Homeswap staff provide a list of applicants wishing to move to this area for display in reception areas.

5.4. **Mutual Exchanges**

We will provide the facility for secure tenants to exchange their home.

- Must be with another Scottish Secure tenant whose landlord is a local authority, registered social landlord, water authority or sewerage authority.
- Applications will also be accepted from tenants who wish to exchange with a secure tenant of a local authority in England.
- Both landlords must agree.

We will carry out a pre-tenancy check on both applicants, and require both to have a clear rent account and not subject to ongoing action for antisocial behaviour prior to the exchange being approved.

We will not refuse an application for a mutual exchange without good reason. More detailed information can be found in the Council's Mutual Exchanges policy.

5.5. **Local Letting Initiatives**

In order to allow flexibility where letting performance shows that there are difficulties in letting houses of a particular size, or in a particular area, or where we need to find houses for applicants who need to be housed in a specific area, local lettings initiatives may be investigated.

When setting up initiatives, due regard will be taken of legislative requirements.

Local tenants, residents and Elected Members will be involved in the development of local letting initiatives, in accordance with the Council's Tenant Participation Strategy and details of the scheme will be advertised. We will monitor lettings initiatives in order to assess their effectiveness.

Initiatives will be reviewed every 6 months in order to assess their continued need.

6. **MONITOR AND REVIEW**

- The Council will review this policy every 2 years together with tenant representatives in accordance with the Tenant Participation Strategy.
- It will also be monitored regularly to ensure that equality requirements are met in terms of access to and allocation of housing.

7. **APPEALS AND COMPLAINTS**

- 7.1. Service users who feel that they have been treated unfairly or are unhappy with the level of service they have received, can complain using the Housing Complaints Form, or alternatively, they can use the Corporate Complaints Procedure. We will assist service users wherever necessary to complete complaint forms and associated documentation. We will monitor the number of complaints we receive, analyse the data and use our findings to improve our future performance.

- 7.2. Service users who are unhappy with the decision we have made in their case can appeal against the decision using the Housing Appeals Form. We will assist service users wherever necessary to complete appeals forms and associated documentation.

We will monitor the number of appeals we receive, analyse the data and use our findings to improve our future performance.

SUMMARY OF POINTS AWARDS AND TARGETS

Points Group	Number of Points	Target Groups
Homeless priority	70	Homeless Group 35%
Homeless non-priority	30	
Tied – notice to quit (who have not been assessed as having a priority need under homeless legislation)	30/70	
Those released from prison or who are within 3 months of release (who have not been assessed as having a priority need under homeless legislation)	30/70	
Members or former members of HM Forces - notice to quit (who have not been assessed as having a priority need under homeless legislation)	30/70	
Housing which is below the Tolerable Standard	70	General Needs Group 40%
Overcrowded – require one more bedroom	20	
Overcrowded – require two more bedrooms	40	
Overcrowded – require 3 more bedrooms	70	
Under-occupied by 2 bedrooms	40	
Under-occupied by 3 bedrooms	70	
Medical low	20	
Medical medium	40	
Medical high	70	
Social needs low	20	
Social needs high	40	
Want own tenancy	10	
Redevelopment – less than 5 years tenancy	20	Redevelopment Group 20%
Redevelopment 5-10 years tenancy	40	
Redevelopment – more than 10 years tenancy	70	
Choice	0	Choice Group 5%

APPENDIX II

CONSULTATION RESPONSES

The Council consulted 114 individuals and representatives of organisations and asked for their views on the draft letting and allocation policy.

Responses were received from the following individuals and organisations with the numbers received in brackets:

- Political Party (1)
- Voluntary Sector (3)
- Health Sector (2)
- Registered Tenant Associations (5)
- Ethnic Minority Organisation (1)
- Individuals (3)

In order that views were gathered consistently, representatives were asked to complete a consultation questionnaire. A summary of questions and answers follows, along with any additional comments/viewpoints not covered by the questionnaire.

**Q1 Do you think we have identified the correct priority categories:
Have we missed any out and if so , who are they?**

53% (8) agreed
13% (2) no comment
34% (5) disagreed

Of those that disagreed, they felt the following were missed out or not given sufficient recognition:

- Long standing tenants – loss of waiting time points (3)
- Disabled people/special needs (1)
- Vulnerable service users in hostels (1)
- Outright medical priorities (homeless bed blockers) (1)
- People subject to anti-social behaviour (1)

Although over half of responders have agreed that we have the correct priority categories, some feel that further definition is required within the priority homeless group.

Q2 Do you think the spread of points is fair?

47% (7) agreed
13% (2) no comment
40% (6) disagreed

Of those that disagreed they felt the following applicants should be given more points:

- Under occupancy (2)
- Those fleeing domestic abuse, choosing not to go down homeless route (1)
- Ex. forces (1)
- Applicants placed in 'Choice' Group (including long term tenants) (3)

Q3 Do you think that the percentage targets for each of the four main groups are fair?

67% (10) agreed
 20% (3) disagreed
 13% (2) no comment

Four comments:

- Unclear about target of lets to homeless of 35%, does this include RSL lets? (1)
- Potentially applicants with very different points could be at top of each group and some with great need could miss out due to targets being met (1)
- Homeless target should be monitored and adjusted accordingly (1)
- Dismay at large number of homeless that require rehoused (1)

The majority of responders agreed that the percentage targets are fair. Some confusion about the target for homeless applicants. The target of 35% will be solely Dundee City Council lets, any lets by RSLs will be in addition to this figure.

Q4 Do you feel that any applicants will be disadvantaged by this Policy?

60% (9) agreed that applicants will
 27% (4) disagreed
 13% (2) no comment

Those agreed felt that the following were disadvantaged:

- Good tenants discriminated against (1)
- Applicants in tied accommodation (1)
- Applicants from "good families" (1)
- Non householders (want their own tenancy) (1)
- People with points, but no need (1)
- Applicants requiring smaller housing (under occupancy) (1)
- People fleeing domestic violence (1)
- Applicants with high need including children in the family, where there are also anti-social behaviour problems (possible suspensions?) (1)
- Homeless category (1 with no further comments)

Further comments made:

- Percentage targets can disadvantage persons in most need (1)
- Redevelopment – points should be given on length of time a tenant rather than length of current tenancy (1)

Q5 Should applicants be awarded points for different areas of need and have those points added together to reflect multiply need?

86% (13) agreed
 14% (2) no comment

The majority of responders agreed. Only one comment. No statement in policy as to maximum number of points that can be awarded.

Q6 We are proposing no award of waiting time points in the future – what do you think of this?

20% (3) agreed
 60% (9) disagreed
 20% (3) no comment

Q7 We are proposing only awarding overcrowding points to tenants or householders. Do you think we should consider given them to applicants who are living care of someone and causing an overcrowded situation?

74% (11) agreed that we should give points to people living “care of”
 13% (2) disagreed
 13% (2) no comment

Some of those that agreed felt that:

- Home visits should be carried out (2)
- Should be dependent on circumstances (1)
- Awarded only if a genuine case (1)
- Only awarded if the applicant has other needs (2)

74% felt that we should recognise applicants staying “care of” and causing overcrowding, but some felt that some form of checking should be made, i.e., home visits to verify circumstances.

Those that disagreed felt that:

- Elderly/special needs applicants should have higher priority (1)
- Only householders should be given points (1)

Further comments not covered by the questionnaire

- Those who are “no fixed” abode should not have their application cancelled due to chaotic lifestyle, also those who are currently in hospital.
- Not sure if 2 months is long enough for activating applications for applicants in Prison.
- How can you tell when an applicant is within 3 months of being offered a house?
- Points should be taken away for anti-social tenants.
- Due to shortage of large housing. Should reconsider not placing applicants in overcrowded conditions if offer made is larger than current accommodation, e.g., applicant with 5 children in 2 bedroomed flat waiting for 4 bedroomed flat, but due to short supply would be better in 3 bedroomed flat and slightly overcrowded.