



**REPORT TO: HOUSING AND COMMUNITY SAFETY COMMITTEE ON 13
FEBRUARY 2024**

SUBJECT: ALLOCATIONS POLICY REVIEW UPDATE

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 This report provides the Housing and Community Safety Committee with the results of the Allocations Policy review consultation and presents a revised Allocations Policy for approval.
- 1.2 This report is submitted to Committee in terms of Section III (G) (4) of the Council's Scheme of Administration relating to the allocation and letting of houses and homelessness.

2. RECOMMENDATION

- 2.1 It is recommended that the Housing and Community Safety Committee:-**
- (i) considers and notes the results of the public consultation on the Allocations Policy as set out in Section 4 and APPENDIX I;**
 - (ii) approves the revised Allocations Policy as set out in APPENDIX II; and**
 - (iii) agrees that the revised Allocations Policy will be implemented on 1 April 2024.**

3. BACKGROUND

- 3.1 Access to social housing is governed by legislation and guidance. The primary legislation governing allocations of Council housing is contained within the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001, the Homelessness etc (Scotland) Act 2003 and the Housing (Scotland) Act 2014.
- 3.2 The Allocations Policy sets out all aspects of the Council's approach to allocating properties. The main aim of the Allocations Policy is to accurately assess housing need so that vacant properties are allocated to those with the

greatest assessed need, in line with current legislation and guidance, whilst making best use of housing stock. It also assists the Council to achieve, in combination with other actions, balanced and sustainable communities.

- 3.3 Social landlords are expected to regularly review their Allocations Policy. In accordance with Section 20A of the Housing (Scotland) Act 1987 (as amended), social landlords have a duty to consult on and set out how they will prioritise the allocation of houses, transfers and exchanges and to publish these rules in an allocation policy. Social landlords have a legal duty to consult the following groups before making or altering their allocation policies:
- applicants on the housing list;
 - their tenants;
 - registered tenant organisations; and
 - any other persons as landlords see fit.
- In addition, the Housing (Scotland) Act 2014 requires social landlords to prepare and publish a report on the consultation undertaken of its allocation policy.
- 3.4 At its meeting on 12 September 2023, Committee agreed that a public consultation on the revised draft Allocations Policy was undertaken (Para 7 of the Minute refers).
- 3.5 The consultation, which commenced on 13 September 2023 and ended on 27 October 2023, was published on the Council's website and promoted across social media platforms. In addition, tenants and applicants on the Housing List were contacted to inform them of the consultation and request their feedback, as were other key stakeholders.
- 3.6 To assist consultees, the Housing Service developed an easy-to-read version of the Allocations Policy, in a question and answer format, using plain language. The consultation survey provided consultees with an overview of what the current policy is, what the proposed change is and what the potential effect of the change might be.
- 3.7 An online questionnaire was developed for consultees to provide feedback. Paper copies of the consultation information and the questionnaire were available upon request.

4. CONSULTATION RESPONSES

- 4.1 The consultation prompted **268** responses overall. The online questionnaire used question mapping, giving consultees the option either to complete the whole survey or answer the specific questions on those issues which are of interest to them. This is reflected in the variance in the number of responses to each question posed.
- 4.2 The consultation questionnaire asked the following generic questions about the policy:
- (i) Do you support the introduction of the revised Allocations Policy?
 - (ii) Did you find the Allocations Policy easy to read and understand?
 - (iii) Is there a section that you would like to see reworded?

- (iv) Is there something that we've missed that you think should be included?
- (v) Is there anything you think should be removed?

In addition, consultees were asked specific questions regarding the principal changes proposed in the revised Allocations Policy. Consultees were provided with a range of options to indicate their support for the principal change, ranging from strongly agree to strongly disagree. Consultees were also invited to provide additional comments on the principal proposed changes along with any general comments that they may have on the revised Allocations Policy.

- 4.3 An overview of the responses, details of the comments returned and a response to the comments are included at **APPENDIX I**. The comments returned have been amended to correct grammatical and typing errors. Any comments relating to personal circumstances, or which were not relevant to the Allocations Policy review, have been removed.
- 4.4 An overview of the feedback returned for the generic questions asked and a summary of the comments received is set out below.

Do you support the introduction of the Allocations Policy?

- 4.5. **181** respondents opted to answer this question and of these, **158** respondents (87.29% of those who answered the question) supported introduction of the revised Allocations Policy.

Did you find the Allocations Policy easy to read and understand?

- 4.6 **184** respondents opted to answer this question and of these **162** respondents (88.04% of those who answered the question) found the revised Allocations Policy easy to read and understand.
- 4.7 The Allocations Policy contains complex and detailed information needed to explain the framework within which the policy operates. The Allocations Policy has been developed using plain language where possible and the Council has also developed a plain language, easy read version of the policy. In addition, supporting guidance will be available for applicants which explains the policy framework and its operational context.

Is there a section of the Allocations Policy that you would like to see reworded?

- 4.8 **172** respondents opted to answer this question and of these only **13** respondents (7.56% of those who answered the question) wanted a section of the Allocations Policy reworded.
- 4.9 The comments received regarding a section of the policy which respondents would like reworded related to:
 - a level of detail which is not included in the Allocations Policy but is included in other housing policies and schemes;
 - legislative duties that the Council must comply with; or
 - an issue which is already considered in the Allocations Policy.
- 4.10 Following consideration of the responses returned, no changes have been made to the Allocations Policy.

Is there something that we have missed in the Allocations Policy that you think should be included?

- 4.11 **173** respondents opted to answer this question and of these **128** respondents (73.99% of those who answered the question) did not think that anything had been missed from the Allocations Policy, **13** respondents (21.17% of those who answered the question) thought that an item had been missed.
- 4.12 The comments received regarding an item that had been missed related to:
- legislative duties that the Council must comply with;
 - a level of detail which is not routinely included in housing policies but which is included elsewhere. For example, supporting procedures or separate policies; or
 - an issue which is already considered in the Allocations Policy.
- 4.13 Consideration was given to the feedback received, however given the above, no changes have been made to Allocations Policy.

Is there anything that you think should be removed from the Allocations Policy?

- 4.14 **162** respondents opted to answer this question and of these **151** respondents (93.21% of those who answered the question) did not think that anything should be removed from the Allocations Policy, whilst only **11** respondents (6.79% of those who answered the question) wanted an area of the policy removed.
- 4.15 The comments received regarding an area of the policy that should be removed related to:
- legislative duties that the Council must comply with; and
 - misinterpretation of the policy.
- 4.16 Following consideration of the comments on removing detail included in the Allocations Policy, no changes have been made.

Do you have any other comments on the Allocations Policy?

- 4.17 **161** respondents opted to answer this question and of these **21** respondents (13.04% of those who answered the question) provided additional comments. These related to:
- legislative duties that the Council must comply with;
 - a level of detail which is not routinely included in housing policies but which is included elsewhere. For example, supporting procedures or separate policies;
 - issues which are already addressed in the Allocations Policy;
 - the complexity of the Allocations Policy;
 - personal circumstances which cannot be considered as part of the review; and
 - endorsement of the policy review and changes.
- 4.18 Following consideration of the additional comments provided, no changes have been made to the Allocations Policy.

- 4.19 An overview of the feedback returned on the key questions relating to the principal changes to the Allocations Policy along with a summary of the comments received is set out below.

Key issue one: Awarding points to applicants who are transferring as part of the tenant incentive scheme

- 4.20 **189** consultees opted to answer this question. There was strong support for awarding points to those applicants transferring as part of the tenant incentive scheme. Only **6** consultees (3.18% of those who responded to the question) did not agree with the proposal.
- 4.21 **32** consultees provided additional comments regarding the tenant incentive scheme. These related to:
- personal circumstances which cannot be considered as part of the policy review;
 - detail already included in the Allocations Policy;
 - legislative duties that the Council must comply with; and
 - endorsement of the change.
- 4.22 Based on the feedback received, no changes have been made to the Allocations Policy relating to the award of points to tenants transferring as part of the tenant incentive scheme.

Key issue two: Awarding of points to applicants who experience domestic abuse

- 4.23 **190** consultees opted to answer this question. There was strong support (87.89% of those who answered the question) for introducing the award of points to applicants who experience domestic abuse and who require urgent rehousing. **12** respondents (6.31% of those who answered the question) did not agree with the policy amendment.
- 4.24 **38** consultees provided additional comments regarding awarding points to applicants who experience domestic abuse and who have an urgent need for rehousing. These related to:
- personal circumstances which cannot be considered as part of the policy review;
 - legislative duties that the Council must comply with;
 - actions which are not currently within the parameters of legislation. However, anticipated forthcoming legislation, will provide the Council with powers in the future which would address the issues raised;
 - reassurance that supporting guidelines would be developed to reduce the risk that the points would be exploited and used as a means to circumvent the policy;
 - a level of detail which is not routinely included in housing policies but which is included elsewhere. For example, supporting procedures or separate policies; and
 - support for the change.
- 4.25 Consideration has been given to the feedback received, however no changes have been made to awarding points to applicants who experience domestic abuse and who have an urgent need for rehousing.

Key issue three: Awarding points to applicants who are key workers

- 4.26 **184** consultees opted to answer this question and of these **114** (61.96%) were supportive of the policy change, whilst **48** consultees (26.08%) did not agree with the policy change.
- 4.27 **32** consultees provided additional comments regarding the award of key worker points and these which related to:
- the criteria and definition of a key worker;
 - misconception/concern regarding the use of SSSTs and the 12-month timeframe given to key workers to source alternative accommodation
 - support for the change;
 - apprehension that housing key workers, who respondents considered to be in well paid jobs, will be to the detriment of others who may have a greater need for affordable social housing; and
 - issues outwith the scope of the policy review, including but not restricted to individual cases.
- 4.28 Based on the feedback received, no changes have been made to the Allocations Policy relating to the award of points to key workers. The Council will, however, ensure that criteria and definition of key worker used for the purposes of the Allocations Policy is publicised and kept updated.

Key issue four: Removing the award of need to reside points

- 4.29 **175** consultees opted to answer this question. Of those who responded, **82** (46.86%) supported the change, **46** (26.29%) did not support the change and **39** (22.29%) neither agreed nor disagreed with the change.
- 4.30 **19** consultees provided additional comments relating to the removal of need to reside points. These related to:
- individual cases which are outwith the scope of the policy review;
 - legislative duties that the Council must comply with;
 - support for the change;
 - apprehension that removing the point criteria would risk access to support.
- 4.31 Currently, such a large number of applicants are eligible for the award of need to reside points, that it has diluted their impact and rendered them ineffective. Since so many applicants have need to reside points, removing the points will have minimal impact across the Housing List. Replacing need to reside points with more targeted points for care and support, which has a higher level of points, will assist households to provide and receive ongoing care and support.
- 4.32 Based on the feedback received, no further changes have been made to the Allocations Policy and need to reside points have been removed.

Key issue five: Awarding points for care and support

- 4.33 **181** consultees opted to answer this question. The majority of those who responded were supportive of the change, (**159** consultees/87.84%) while only **6** (3.31%) did not support the change.

- 4.34 **29** consultees provided additional comments relating to the award of points for care and support. These related to:
- support for the policy change;
 - individual cases which are out with the scope of the policy review; and
 - detail already included in the Allocations Policy.

- 4.35 Based on the feedback received, no changes have been made to the Allocations Policy relating to the award of points for care and support.

Key issue six: Amending the criteria for the award of functional assessment points

- 4.36 **159** consultees opted to answer this question. Of those who responded, **106** (66.67%) supported the change, **37** consultees (23.27%) neither agreed nor disagreed with the change and **8** consultees (5.03%) did not support the change.

- 4.37 **23** consultees provided additional comments relating to the criteria use for awarding functional assessment points. These related to:
- individual cases which are out with the scope of the policy review;
 - a level of detail which is not routinely included in housing policies but which is included elsewhere. For example, supporting procedures or separate policies or applicant guidance; and
 - support for the change.

- 4.38 Based on the feedback received, no changes have been made to the Allocations Policy regarding the criteria for functional assessment points.

Key issue seven: Prioritising under occupation of social housing points to transfer applicants

- 4.39 **167** consultees opted to answer this question. Of these, **143** consultees (52.63%) expressed strong support for prioritising points for the under occupation of social housing to transfer applicants. Only **29** consultees (5.39%) did not agree with the change.

- 4.40 **31** consultees provided additional comments on prioritising points the under occupation of social housing to transfer applicants. These related to:
- issues out with the scope of the policy review, including but not restricted to individual cases;
 - legislative duties that the Council must comply with;
 - some respondents being confused regarding the difference between points for under occupancy of social housing and points for those tenants who have been accepted on to the Tenant Downsizing Incentive Scheme; and
 - support for the change.

- 4.41 Based on the feedback received, no changes have been made to the Allocations Policy regarding prioritising points the under occupation of social housing to transfer applicants. Officers will, however, ensure that applicant/tenant information resources explain that points for under occupancy and downsizing are separate points criteria. Although tenants who are under occupying their home may be awarded 250 points (per bedroom under occupied), they might not be on the Tenant Downsizing Incentive Scheme

since they might not meet the eligibility criteria. The award of Downsizing points is in addition to under occupancy points. This approach aims to ensure that those on the Scheme are reached for an offer soonest and free up larger housing which is in great demand.

Key issue eight: extending the timeframe for the award of points for the loss of tied accommodation

- 4.42 **132** consultees opted to answer this question. Of these, **85** (64.39%) consultees were in support of extending the timeframe for the award of points for loss of tied accommodation, **25** (18.94%) neither agreed nor disagreed and 21 consultees (15.19%) did not agree.
- 4.43 **20** consultees provided additional comments in relation to extending the timeframe for the award of points for loss of tied accommodation and these related to:
- legislative duties that the Council must comply with; and
 - support for the change to the timeframe.
- 4.44 Based on the feedback received, no changes have been made to the Allocations Policy regarding extending the timeframe for the award of points for loss of tied accommodation.
- 4.45 The revised Allocations Policy is provided as **APPENDIX II** for this Committee's approval.

5. POLICY IMPLEMENTATION

- 5.1 Subject to this Committee's approval of the revised Allocations Policy, an implementation plan will be developed to support a "go live" date from 1 April 2024. This will include:
- changes to the NEC housing system and system testing;
 - updating the Housing Online application form and information; and
 - updating operational procedures and delivering staff briefings / training.
- 5.2 Housing List applicants will be contacted a month prior to the changes being implemented to inform them of changes and to advise of any changes to the level of points their housing applications has been awarded. Applicants will be able to review their application and the level of points that their application has via the Housing Online portal.
- 5.3 It may be necessary to freeze the Housing List and temporarily pause the process for making offers of housing in order for the NEC housing system changes required to be progressed. If this is needed, Officers envisage that this would only be for a maximum five working days. Any such measures would be publicised on the Housing Online application portal, the Council's website and social media platforms to ensure that applicants and stakeholders are informed.
- 5.4 A review of all information resources will be required to ensure they accurately reflect the agreed changes. This will include updating the Council's website and amending guidance for applicants on allocations and related processes.

- 5.5 As part of the implementation process, the revised Allocations Policy and the associated changes will be publicised on the Council's website, social media platforms and on the Housing Online application portal. An article will be included in the next edition of the Tenants' Voice to inform tenants of the consultation outcome and of the changes to the Allocations Policy.
- 5.6 The operation of the Allocations Policy is reported to this Committee on an annual basis most recently on 27 June 2023 (Para 8 of the Minute refers). Officers will report on the operation of the new Allocations Policy after its implementation in summer 2025.

6. **SUMMARY OF IMPLICATIONS**

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP)) identify the need to address the shortage of affordable housing and tackle homelessness. The Allocations Policy seeks to make the best use of the Council's housing stock and promote healthier citizens and adults living healthier, sustainable independent lives safeguarded from harm.

(b) Policy and Legal

The principal legal framework governing the social housing allocations is detailed in the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001, the Homelessness etc. (Scotland) Act 2003 and the Housing (Scotland) Act 2014. Other legislation is also relevant to ensuring allocations are legally compliant in areas such as homelessness, equalities, human rights and data protection.

The Scottish Social Housing Charter sets out standards against which the Scottish Housing Regulator will assess local authorities as part of its inspection regime.

(c) Financial implications

There are no financial implications arising from this report.

(d) Risk Implications

There are no risk implications arising from this report.

(e) Staffing Implications

There are no staffing implications arising from this report.

(f) Property

There are no property implications arising from this report.

(g) Equalities/Socio Economic Impact

An Equalities Impact Assessment was completed as part of the Allocations Policy development and no negative impacts identified. A review of the assessment was undertaken during the policy consultation and did not identify any further changes.

(h) Climate Change and Biodiversity Impacts

There are no climate change or biodiversity implications arising from this report.

(i) Consultations

Consultation on this report has taken place with the Head of Housing and Property, Housing Needs Manager, Housing Services Manager, Housing Strategy and Development Manager and Officers within the Housing Service, Georgina Anderson (Legal Services Senior Solicitor), the Equal Opportunities Officer, Andy Stewart (Principal Environmental Health Officer) and Lissa Rowan (Committee Services Officer) have been consulted and any comments have been incorporated into the report.

7. CONCLUSION

7.1 This report provides the Housing and Community Safety Committee with the results of the Allocations Policy review consultation and presents a revised Allocations Policy for approval for implementation on 1 April 2024.

Author of Report: Gillian Henly, Senior Housing Officer (Policy)
Background Papers: [Allocations Policy Review 2023](#)
[Allocations Policy Review 2019](#)
[Allocations Policy Annual Performance Report 2022/23](#)
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