

Agenda Item	6.
Report No	HP/07/23

## HIGHLAND COUNCIL

**Committee:** Housing & Property Committee

**Date:** 27 April 2023

**Report Title:** Review of the Highland Housing Register Allocations Policy

**Report By:** Executive Chief Officer Housing and Property

### 1 Purpose/Executive Summary

- 1.1 This report sets out recommendations for updates and revisions to the Highland Housing Register (HHR) Allocations Policy. The HHR is a Partnership comprising of the six main Registered Social Landlords in Highland. These are: The Highland Council, Albyn Housing Society, Cairn Housing Association, Lochaber Housing Association, Lochalsh & Skye Housing Association, and Caledonia Housing Association.
- 1.2 The Allocations Policy sets out how to apply for social housing; how an application is assessed for housing priority; and how the Partnership allocates empty homes.

### 2 Recommendations

- 2.1 Members are asked to **APPROVE** the updates to the HHR Allocations Policy as contained in the revised policy at **Appendix 1** subject to consideration of the proposed change to the Caithness Choice-based Letting scheme by the Caithness Area Committee.

### 3 Implications

- 3.1 **Resources:** There are no specific implications arising from this report. A common housing register such as the HHR Partnership has been demonstrated across Scotland to minimise administrative resources and improve applicant access to available housing.
- 3.2 **Legal:** The recommendations are in line with the Scottish Government's Guidance on Allocating Social Housing in Scotland (updated 2019) and they also take into account changes arising from the Housing (Scotland) Act 2014.
- 3.3 **Community (Equality, Poverty and Rural):** Quality, low-cost affordable housing is a key driver for reducing and preventing poverty. The Allocations Policy enables

equitable access based on evidence of each applicant's need for housing. An Equalities Impact Assessment has informed the policy review.

- 3.4 **Climate Change / Carbon Clever:** There are no implications arising from this report.
- 3.5 **Gaelic:** Housing applications and related published material about access to housing meet the Council's standards in relation to Gaelic.
- 3.6 **Risk:** There are no specific implications arising from this report.

## 4 Background

- 4.1 The process for allocating social rented housing is bound by legal duties and informed by statutory guidance. This includes the Housing (Scotland) Act 1987; the Housing (Scotland) Act 2001; the Housing (Scotland) Act 2014 and the Council's statutory homelessness duties.
- 4.2 Anyone looking for social rented housing in Highland can apply from any of the HHR landlords by completing a single shared application form. The Partnership shares a single housing list which improves the applicant experience and provides a more accurate estimate of housing need than would be available from numerous different registers.
- 4.3 The HHR Partnership members are: The Highland Council, Albyn Housing Society, Cairn Housing Association, Caledonia Housing Association, Lochaber Housing Association and Lochalsh and Skye Housing Association. The total stock held by HHR partners was 20,969 as of 31 March 2022.
- 4.4 As reported to Committee in August 2022, the number of households applying for housing was 9,416 as of 31 March 2022 and 2,033 properties were re-let in 2021-22. This demonstrates the continued high demand for social rented housing in Highland.
- 4.5 The 2022-23 Allocations Update will be reported to Committee in August 2023.

## 5 HHR Allocations Policy Review

- 5.1 The review of the HHR Allocations Policy has considered:
  - new legal requirements arising from the Housing (Scotland) Act 2014;
  - changes in national and local policy context;
  - the policy objective that we target those with urgent housing need as fairly and consistently as possible; and
  - the activity detailed in Highland's Rapid Rehousing Transition Plan and its commitment to mitigate the impact of homelessness and provide secure housing outcomes for homelessness applicants.
- 5.2 One of the requirements of the Housing (Scotland) Act 2014 is a legal duty on social landlords to consult with service users on proposed amendments to allocation policies. This was carried out in late 2020 via a well-promoted and widely accessible online survey (with a paper-based option for those without digital access).

- 5.3 A total of 1,328 survey responses were received which found that agencies and members of the public were largely in favour of changes to the HHR policy. The survey was carried out by Engage Scotland and the report is attached at **Appendix 2**.
- 5.4 Following a further review of the proposed changes, Members and Housing Association Boards were surveyed in late 2021. There was general support for the proposals, and these have been reviewed in 2022 to ensure they can be developed both in terms of guidance and in operational and system processes.

## **6 HHR Policy Changes**

- 6.1 The proposed HHR policy changes relate to applicants with the most urgent housing needs, including for those who are homeless or at threat of homelessness: with care or support needs: living in poor housing condition; or living in insecure accommodation. Proposals are also suggested for applicants with a low “accessible housing” need and in relation to the treatment of applicants who are owners of heritable property.
- 6.2 **Appendix 1** is the revised HHR Allocations Policy which the HHR Partnership will begin to implement if approved by Committee. The changes are briefly summarised below:

## **7 Homelessness Priority Points**

- 7.1 This will allow the Highland Housing Register to better assist those found to be threatened with homelessness.
- 7.2 The points award for those threatened with homelessness will increase to **70 points** to match the award given to those who are homeless. Currently those threatened with homelessness are awarded **50** points. This recognises the equal importance in preventing homelessness and should allow more allocations to those who are at risk of homelessness.
- 7.3 Those who receive a negative homeless decision will no longer receive **20 points** and instead will have their Housing Application dealt with according to the general Allocations Policy. This will increase the points they will be eligible for.

## **8 Focusing Priority on Those With Least Security of Tenure**

- 8.1 With the introduction of Private Residential Tenancies, private sector tenants have enhanced rights and security of tenure and can no longer be evicted without specified grounds to do so. As such, the Highland Housing Register will no longer award **20 points** to all applicants who have a private sector tenancy.
- 8.2 The Allocations Policy will instead prioritise those with least security of tenure (e.g., lodgers or those living with family) who are most at risk of homelessness. Applicants who are living in a property with no tenancy rights will have their points award increased from **15** to **20 points**.
- 8.3 Those who have received a Notice to Quit will have their points award increased from **5** to **30 points**.

## **9 Prioritising the Award of Sharing Facilities for Applicants Sharing Facilities with Two or More Households**

- 9.1 The current policy does not prioritise between different situations where people are sharing facilities. For example, a single adult living in a four-bedroom property with their parents will currently receive the same level of priority as a single adult living with three other people in a House of Multiple Occupation (HMO). The change aims to provide greater priority for applicants living in less suitable accommodation, such as a House of Multiple Occupation.
- 9.2 The Allocations policy will no longer award **20 points** to an applicant who shares a property with other people who they will not be housed with. Instead, **20 points** under Sharing Facilities will only be awarded to applicants who share a property with two or more different households such as those living in Houses of Multiple Occupation.

## **10 Amending Poor Housing Condition Points**

- 10.1 The Poor Housing Condition category currently has High, Medium, and Low award levels. The new Allocations Policy proposes to remove the Low award which is worth **5 to 10 points**. Much of the criteria for the current Low award has been moved into the Medium award which is worth **20 points**.
- 10.2 This change means applicants living in very poor housing are given higher priority than those in housing which has relatively minor condition issues which can be resolved through positive engagement with landlords to ensure that they are meeting their legal obligations.

## **11 Amending Overcrowding Points and Providing More Priority for Parents with Access to their Child/Children**

- 11.1 Applicants who have part-time access to their children will now receive **20 points** if that access causes overcrowding (they are awarded **10 points** in the current policy). This recognises that overcrowding is detrimental to family development even when access arrangements are part-time.
- 11.2 As overcrowding is already currently recognised as a points category, the new Allocations Policy proposes the removal of the Extreme Overcrowding category which currently awards **10 points**. By removing this category, the HHR can better target those with the highest housing need such as high Accessible Housing or Poor Housing Condition.

## **12 Prioritising Under-Occupation Priority on HHR Tenancies Only**

- 12.1 HHR landlords have a shortage of large properties, so encouraging people who are currently the tenants of property that is larger than they need to move to a smaller property will help free up much needed larger properties.
- 12.2 The policy has been revised to award **20 points** to current HHR tenants who want to move to a smaller house.
- 12.3 We will also continue to provide further incentives for people to move to smaller homes through the “rightsizing” scheme. Details of this are available at:  
[https://www.highland.gov.uk/downloads/file/12105/downsizing\\_scheme](https://www.highland.gov.uk/downloads/file/12105/downsizing_scheme).

## **13 Moving Aspects of Care and Support into the Accessible Housing Points Priority Category and also Increasing Priority for those Leaving a Care Setting**

- 13.1 Some aspects of the current Care and Support category relate to an applicant wanting to relocate to be closer to medical services. This unmet housing need is now considered to be better prioritised if assessed by an Occupational Therapist under the Accessible Housing points category.
- 13.2 Those who previously would have been eligible for **20 points** because they had to move close to specialist services or **10 points** because they had to move to enable independent living will now be eligible for either **20, 40 or 70 Accessible Housing Points**. This points award will depend on the Occupational Therapist assessment.
- 13.3 Applicants who reside in a care setting and are now ready for independent living, will receive **70 points** rather than **50 points** under the current policy. This is in recognition that allowing applicants to quickly leave a care setting will improve their quality of life and free up space for others more in need of a care setting placement.

#### **14 Increasing Priority Points for Through Care After Care Young Persons and those in certain Kinship Care Arrangements**

- 14.1 This recognises the importance of helping those we have a Corporate Parent Duty towards. Young person's eligible for these points will now receive **70 points** rather than the **50 points** awarded under the current policy.
- 14.2 Families whose property has become unsuitable because of a Kinship Care arrangement will be awarded **70 points** rather than the **20 points** under the current policy. This recognises the specific housing need that a Kinship Care arrangement can create and will hopefully encourage more of these arrangements so children can live with family and not in a care setting.

#### **15 Creating a Points Category for those Approved for Adoption/Permanent Fostering where this cannot Proceed due to Lacking the Required Bedrooms**

- 15.1 This provides priority to parents attempting to adopt or foster. Applicants will receive **70 points**.

#### **16 Removing the Time in Residence Qualifying Period for Awarding "Need to Reside" Points**

- 16.1 The HHR recognises that most of our applicants have a connection to a local area where they wish to be re-housed. The current policy has a 12-month qualifying period in relation to the use of "need to reside points". This requires to be amended to comply with the updated Scottish Government guidance which states that social landlords cannot take account of the length of time an applicant has been resident in an area when they are allocating housing.
- 16.2 The new policy however continues to recognise that applicants will have a relationship to a particular area and the proposed policy will award **20 points** if the applicant lives in a community as their main residence, are employed within a community or have been offered permanent employment within the community.
- 16.3 All applicants currently living in a Highland community for less than 12 months will also now receive these **20 points**.

## **17 Applications from Property Owners**

- 17.1 The introduction of this policy follows changes brought in by the Housing (Scotland) Act 2014. Under this legislation, Social Landlords can now take property ownership into consider when allocating. This change was adopted because homeowners have strong security of tenure and a financial asset.
- 17.2 The 2014 Act sets out three exemptions where Social Landlords cannot take property ownership into account
- in cases where the owner cannot secure entry to the property.
  - where it is probable that occupying the property will lead to abuse from someone currently living in the property or who previously resided with the applicant whether in that property or elsewhere
  - where occupation of the property may endanger the health of the occupants and there are no reasonable steps that can be taken by the applicant to prevent that danger.
- 17.3 It is proposed that, unless one of these exemptions applies an HHR applicant who owns a property will not be allocated a social tenancy. When these exemptions exist, the applicant may be offered a Scottish Secure Tenancy or a Short Scottish Secure Tenancy. A Short Scottish Secure Tenancy will be offered on a temporary basis while their housing need is resolved to allow them to re-occupy their property. For example, provide time to repair their home
- 17.4 The Highland Housing Partnership have proposed that where the property being offered is designated 'low demand', property ownership will not be considered. This decision was taken because it is not best use of stock to allow 'low demand' property to sit empty and incur void rental loss.

## **18 Caithness Choice-Based Letting**

- 18.1 Due to area specific low demand issues a choice based letting scheme currently applies in Caithness. Currently, a HHR application will be suspended after the applicant refuses two reasonable offers of accommodation. In Caithness, HHR applicants can register an interest (also known as a 'bid') in a property and will be considered for allocation to that property.
- 18.2 Despite HHR applicants 'bidding' for properties they have expressed an interest in, Caithness continues to experience the highest level of property refusals within Highland.
- 18.3 By allowing HHR Partners to suspend applications after one unreasonable refusal, it is hoped that this will reduce the number of 'speculative bids' placed on properties resulting in subsequent refusals. This aims reduce the rate of refused offers. This change would not affect any other areas within Highland.
- 18.4 This specific policy change would be subject to approval from the Caithness Area Committee.

Designation: Executive Chief Officer Housing and Property

Date: 12 April 2023

Author: Aodhan Byrne, Housing Policy Officer;  
Brian Cameron, Service Lead - Policy & Performance

Background Papers:  
Scottish Government's Guidance on Allocating Social Housing in Scotland (updated 2019)

# Highland Housing Register Allocations Policy

April 2023





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# Section 1: Introduction and Policy Context

## 1.1 Highland Housing Register

This is the Allocations Policy for Highland Housing Register (HHR). It sets out:

- How to apply for social housing from any of the Partner Landlords. (Section 4)
- How your application for housing will be assessed by all Partner Landlords. (Section 5)
- How the Partner Landlords will allocate empty properties. (Section 6)

The Highland Housing Register Partner landlords are:

1. The Highland Council
2. Albyn Housing Society Ltd
3. Cairn Housing Association Ltd
4. Lochaber Housing Association Ltd
5. Lochalsh and Skye Housing Association Ltd
6. Caledonia Housing Association Ltd

There are other social housing providers in Highland who operate their own separate housing registers for allocating their properties. The Highland Housing Register Partners will cooperate with these Participant Landlords and use the Highland Housing Register to select applicants when requested to do so.

The Highland Housing Register Participant Landlords are:

- Hanover Housing Association Ltd
- Key Housing Association Ltd
- Link Housing Association Ltd
- Blackwood Homes
- Trust Housing Association Ltd

## 1.2 Allocations Policy Statement

The purpose of this Allocations Policy is to define a consistent needs-based approach to allocate social housing in Highland for rent.

Highland wide monitoring information will also be made available from the Highland Housing Register and will be of value in helping to identify housing investment priorities.

## 1.3 Allocations Principles

The Highland Housing Register Partners agree to be guided by the following principles:

**Consistency:** This Allocations Policy will be delivered fairly and consistently across the Partner Landlords in all areas of Highland.

**Openness:** This Allocations Policy and details of how it operates will be freely available. Details of the turnover of social housing across the Partnership will also be freely available to help applicants make informed choices and to ensure HHR does not raise unrealistic expectations.

**Legality:** This Allocations Policy will be compliant with relevant legislation including 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.

**Equal opportunities:** It is intended that no applicant is treated unfairly for any reason, either because of their race, colour, ethnic background, religion, class, sex, age, gender identification, disability, mental health, sexuality, or family circumstances. We will undertake and report on equalities monitoring and respond to any emerging issues. The Allocations Policy will be subject to an Equality Impact Assessment.

**Accountability:** Decisions and actions are required to be accountable, transparent, and open.

**Confidentiality:** Partner landlords in the HHR are registered under the Data Protection Act 1998 and 2018 and are duty bound to comply with the conditions set out in legislation. Personal details of individual applicants will not be released to anyone other than the applicant or any advocate for whom the applicant has provided consent for disclosure.

## 1.4 Aims of the Allocations Policy

The 9 key aims of the Highland Housing Register are:

- 1. To provide housing to those in the greatest need, dependant on individual circumstances.**  
The Highland Housing Register is a needs-based system. Applicants will have their individual housing need assessed according to the Housing Need Categories and Priorities set out in this Policy and allocations will be made based on housing need.
- 2. To help to prevent and deal with homelessness.**  
The Highland Housing Register supports delivery of Highland's Homelessness Strategy and Homelessness Policy.
- 3. To help create and maintain strong and economically viable communities.**  
The Highland Housing Register will use Local Lettings Initiatives where appropriate to help sustain communities with small populations and housing pressure.
- 4. To work with our Partner HHR landlords to provide suitable housing for those with special needs.**  
The Highland Housing Register Partners will work together to maximise housing options for people with different needs including planning for future provision of unmet needs.
- 5. To make the best use of the housing available.**  
The Highland Housing Register Partners will implement a Rightsizing scheme to encourage tenants that are under-occupying or in a special needs property but have no need for it to move to a suitable property. The Rightsizing scheme will be used when there is high demand for these types of properties. Details are found in Section 5.3.
- 6. To give applicants a range of choices of housing.**  
The Highland Housing Register provides applicants with the opportunity to choose from a variety of house types across the 6 Partner Landlords operating in the Highland.

7. **To help applicants move within the Highland area, and from other parts of the UK.**  
The Highland Housing Register makes applying for housing in Highland simpler.
8. **To monitor performance and respond to changing patterns of needs by regularly reviewing this allocations policy.**  
The Highland Housing Register will undertake monthly and annual monitoring to identify where policy and practice may need to be reviewed.
9. **To inform the Highland Council's planning processes.**  
The monitoring information will be used to influence investment priorities in the Highland Housing Strategy.

## 1.5 Confidentiality

The Highland Housing Register landlords will process the information contained in your application form and any other relevant information they obtain in connection with your application. The Highland Housing Register may use this information in a number of ways:

- They will process the information for the purpose of your application for housing.
- They may also use this information to provide anonymous statistical data to their Committees, Boards of Management, the Scottish Government, and other interested parties.
- If you are successfully housed by one of the HHR landlords, that landlord will retain your information in your tenancy file. You have the right to see any details held in your personal files, on request. There may be a charge for this.
- The housing application includes privacy information and a consent statement. By signing the application form, you give consent to the HHR landlords processing the information in this way.
- Detailed information on how your data is used is published on the Highland Council website: [https://www.highland.gov.uk/directory\\_record/1036192/housing\\_tenants\\_and\\_housing\\_applicants](https://www.highland.gov.uk/directory_record/1036192/housing_tenants_and_housing_applicants).

## 1.6 Information and Advice

A free copy of this policy will be made available to anyone on request. We will also make a shorter version of it available in appropriate formats, including on the website of Highland Housing Register landlords and as a leaflet. We will make the policy available in other languages and formats (such as in Braille, in larger font or on audio tape) if requested.

The Highland Housing Register will treat all applicants sensitively and fairly. You can ask to meet a member of staff to discuss your housing application at any time. You can ask for information, advice, and support with your housing options at any time. If you want, you can have a relative, friend or adviser with you at the meeting. Meetings will be held in private rooms whenever possible, and all information will be kept confidential.

We will provide free information and advice on housing options in the Highland area and will help you get access to independent advice and information.

## Section 2: Legal and Regulatory Requirements

### 2.1 Legal Requirements

This Allocations Policy has been developed with respect to the legal requirements of the Housing (Scotland) Act 1987, Housing (Scotland) Act 2001, Housing (Scotland) Act 2014 and all other relevant legislation.

As a needs-based system the Highland Housing Register will give reasonable preference to households who:

- Are homeless persons and persons threatened with homelessness and who have unmet housing needs
- Are living under unsatisfactory housing circumstances and who have unmet housing needs
- Are tenants of social landlords who are under-occupying their property

The categories of housing need in Section 5 are based on these types of circumstances.

### 2.2 Regulatory Standards

This Allocations Policy has been developed with respect to wider good practice standards and the Scottish Social Housing Character outcomes and standards. These outcomes and standards can be viewed here: <https://www.gov.scot/publications/scottish-social-housing-charter-april-2017/pages/2/>.

### 2.3 Factors which cannot be taken into account

The law requires the Highland Housing Register to ignore certain factors when selecting tenants for empty houses. These are:

- How long you have lived in the area.
- Any debts (such as rent arrears) from a property of which you were not the tenant.
- Any debts you had owed from a previous tenancy, but which you have now paid off.
- Any debts you still owe where:
  - the amount you owe is less than 1/12th of the amount you had to pay over a full year for the tenancy; or
  - you have agreed arrangements with the landlord for paying off the debt and have kept to these arrangements for at least three months.
- Any debts (including Council Tax arrears), owed by you or anyone who is going to live with you, which do not relate to the tenancy of a home (including any previous tenancy).
- Your age (if you are 16 or over), unless the tenancy is for a home that:
  - has been designed or adapted for people of a particular age group; or

- is for people who are or will be getting housing support services for a particular age group.
- Your and your family's income.

As part of good practice, the HHR Partnership will also not consider someone's previous criminal conviction. An applicant may still have their application suspended for Antisocial Behaviour (see Section 4.6)

## 2.4 Residence Factors

The law also requires that when selecting a tenant, the Highland Housing Register cannot take account of whether an applicant is living in Highland if the applicant:

- works, or has been offered a job in the area
- wants to move into the area to find a job and Highland Housing Register is satisfied of this intention
- wants to move into an area to be near a relative or carer
- has a special social or medical reason for needing to live in the area
- wishes to move into the area to escape harassment
- wants to move into the area to escape the risk of domestic violence

## 2.5 Heritable Property

The Housing (Scotland) Act 2014 allows Social Landlords to take heritable property (otherwise known as property ownership) into account when allocating. For the purposes of this policy, we define property ownership as

- Property ownership held by the applicant or a household member
- Property previously owned by the applicant or a household member in the last three years

Under the terms of the Housing (Scotland) Act 2014 property ownership will not be considered:

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

The HHR Partnership have agreed that where the property being offered is designated as 'low demand' property ownership will not be taken into account.

When these exemptions exist, the applicant may be offered a Scottish Secure Tenancy or a Short Scottish Secure Tenancy. A Short Scottish Secure Tenancy will be offered on a temporary basis while

their housing need is resolved to allow them to re-occupy their property. For example, provide time to repair their home.

## 2.6 Non-UK Nationals and Access to Social Housing

The rights of non-UK & Irish nationals to housing and homelessness provisions are a complex area. All non-UK & Irish nationals must have Recourse to Public Funds before they are eligible for allocation. Staff can advise applicants on individual cases.

Legislation includes the following categories as eligible for allocation:

- anyone granted refugee status
- anyone granted exceptional leave to remain
- anyone granted indefinite leave to remain
- any EU/EEA/Swiss national with Settled Status
- any EU/EEA/Swiss national with Pre-Settled Status and is “exercising a right to reside”
- any foreign national with a visa status that grants them Recourse to Public Funds

If you believe that you are homeless or threatened with homelessness, contact the Highland Council homelessness service: [https://www.highland.gov.uk/info/997/housing\\_advice/245/homelessness](https://www.highland.gov.uk/info/997/housing_advice/245/homelessness).

## 2.7 Tenancies to Staff / Committee Members / Councillors and their Relatives

Special rules apply if you or anyone you live with is a close relative of someone who is or has been at any time in the last 12 months:

- a member of staff of any of the Highland Housing Register Partners
- a member of the Management Committee of a HHR member or a Highland Councillor

In these cases, applicants must declare their interest on the housing application form.

Where the connection is to a Highland Council employee, an elected Member of Highland Council, or a close relative of either an employee or Member, any offer of housing must be approved by the Head of Housing and Building Maintenance. Where the connection is to a Partner Landlord, any offer must be approved through the relevant Management Committee.

A close relative is defined as a direct relative by blood or marriage (including step relatives), for example, your son or daughter (including adopted children), mother or father, brother or sister, grandparent, grandchild, husband/wife, or partner (either sex).



## Section 3: Housing Options

### 3.1 Housing Options

The Highland Council Housing Online service provides members of the public an opportunity to explore alternative housing options. Users can complete a *My Housing Options* questionnaire which will generate housing options suited to their circumstances. To create an account or log-in, follow this link <https://www.highland.gov.uk/info/houingonline>.

Members of the public can also access information about the private rented sector, specialist housing organisations and other housing options on the Highland Council's website: [https://www.highland.gov.uk/info/997/housing\\_advice/644/housing\\_options\\_-\\_help\\_and\\_advice](https://www.highland.gov.uk/info/997/housing_advice/644/housing_options_-_help_and_advice).

This webpage includes information about types of housing option in Highland such as:

- Low-Cost Home Ownership
- Highland Rent Deposit Guarantee Scheme
- Private renting in Highland
- Armed forces housing options
- Rural Home Ownership Grants
- Rent to Buy schemes
- Mid-Market Rents
- Adaptions to current property
- Repair work to current property

### 3.2 Mutual Exchanges

Applicants who are social housing tenants of any Registered Social Landlord or Local Authority can apply to exchange homes through the HHR Partnership's mutual exchange scheme. Requests may be refused where tenants do not meet the eligibility criteria. You can find a copy of the HHR Mutual Exchange policy here:

[http://www.highland.gov.uk/download/downloads/id/22815/hhr\\_mutual\\_exchange\\_policy.pdf](http://www.highland.gov.uk/download/downloads/id/22815/hhr_mutual_exchange_policy.pdf).

### 3.3 National Exchange Schemes

Applicants who are social housing tenants can register with national schemes. Highland Housing Register Partners are members of 'House Exchange' which is free to register for tenants of HHR landlords. This scheme allows tenants to exchange in Highland and across the UK. You can get more information about this scheme and other mutual exchange schemes at:

- <http://www.houseexchange.org.uk>
- <http://www.homeswapper.co.uk>
- or from staff from any HHR Partner

### 3.4 Nominations from Participant Landlords

There are Registered Social Landlords who have housing stock in Highland but who are not Partners of Highland Housing Register. Many of these landlords are the Participant Landlords noted in section 1.1 of this policy.

The Highland Council will nominate applicants from the Highland Housing Register for allocation to a Participant Landlord when requested by them.

Nominations are selected based on housing need in line with the general provisions of this Allocations Policy. Participant Landlords will then assess nominated applications and make offers based on their own separately available assessment system.

### 3.5 Section 5 Referrals

Section 5 of the Housing (Scotland) Act 2001 provides a statutory mechanism for local authorities to refer applicants with homeless priority need to any Registered Social Landlord for allocation of any forthcoming or currently empty properties.

It is recognised that the need for the Section 5 mechanism reduces within a common housing register such as Highland Housing Register where partner organisations have a shared policy commitment to prevent and help homelessness and are allocating empty properties through a shared register. The Highland Council will continue to submit a Section 5 referral when required to help meet its homelessness duty.

Registered Social Landlords cannot refuse to re-house a person referred through Section 5 unless there is a good reason as permitted by Section 5 of the Housing (Scotland) Act 2001.

### 3.6 Rightsizing Scheme

The landlords of the Highland Housing Register may offer priority and financial assistance to encourage tenants to move to a suitable property if they are

- under-occupying their tenancy; or
- residing in a property which has been designed or adapted for people with special needs or is part of a group of houses which have been designed or adapted or located near facilities for people with special needs, and the household does not require those features, but we require the house for someone who has.

A Rightsizing payment will only be considered where a HHR landlord considers that there is a genuine and urgent need for the property to meet the needs of another HHR applicant i.e. that the applicants' need could not otherwise be met, and where there is a very low turnover / high demand for these property types in the letting area.

Information about the Rightsizing Scheme is located here:

[https://www.highland.gov.uk/downloads/file/12105/downsizing\\_scheme](https://www.highland.gov.uk/downloads/file/12105/downsizing_scheme).

## Section 4: Applying for Housing

### 4.1 Access to the Housing List

The Highland Housing Register is an open access housing register. Applications can be accepted by anyone provided they are 16 years old or above. Access to the Housing List does not guarantee an allocation of social housing.

You can make an application jointly with another person or people who want to live with you, even if you are not living in the same household.

If you make a joint application your housing needs assessment will be based on the applicant who is living in the worst housing circumstances. We will normally offer a joint tenancy to joint applicants.

Tenants of the Partner landlords will have their applications held on a Transfer List which forms part of the general housing register.

### 4.2 Where you want to be Housed

You can select up to 10 letting areas where you will accept housing. You can consult with Highland Housing Register staff for advice and information about the turnover of empty properties of the size and type you need in the areas you wish to live. This can help you make realistic choices.

Visit the HHR Demand and Supply Prospects tool which will help you make realistic choices [https://www.highland.gov.uk/info/925/council\\_housing/244/apply\\_for\\_a\\_council\\_house/5](https://www.highland.gov.uk/info/925/council_housing/244/apply_for_a_council_house/5).

Applicants with homeless priority have no limit to how many areas they can select. This ensures that reasonable offers of housing can be achieved and that homeless households are prioritised appropriately in terms of a reasonable permanent housing outcome.

Applicants with homeless priority will be offered the best property available to meet their needs as quickly as possible. This offer may not be in their specific areas of choice, but we will only offer a property that we consider is reasonable in terms of the homeless legislation and the Code of Guidance on Homelessness.

A reasonable offer of housing made to a homeless household can be defined as one that

- meets the applicant's housing need by providing the right size of housing
- meeting any particular needs (if applicable)
- allows access by public transport to health / school services - which may be different to the ones currently being used

We also ask applicants to rank the areas they would prefer to live. This is to help us understand and plan for future housing provision.

### 4.3 Application Checking and Verification

All reasonable enquiries will be made to check your household's circumstances. This may include home visits, photo evidence or video calls. We will always make these enquiries in a sensitive and appropriate way. If we receive clear evidence that a particular allocation is unsuitable or inappropriate, we reserve the right to bypass your application and record the reason for this. To help

to clarify household circumstances you are required to provide proof of these. Details of what type of proof we require are listed in the Highland Housing Application Guide booklet which can be found here: [https://www.highland.gov.uk/download/downloads/id/3064/highland\\_housing\\_register\\_-\\_housing\\_application\\_guide.pdf](https://www.highland.gov.uk/download/downloads/id/3064/highland_housing_register_-_housing_application_guide.pdf)

## 4.4 Tenancy References

### Current and Former Tenancies

If you or your joint applicant currently has a social rented tenancy (or has had a social rented tenancy within the last five years), we will ask for a reference from your current or former landlord specifically about:

- your rent account history
- the condition of the property
- antisocial behaviour
- general housing management issues

If a reference is not satisfactory, we will tell you about how this may affect your application.

If you are a tenant and your landlord's reference state that you are not keeping your current home and garden in a reasonable condition, we may suspend your application until you tell us that you have brought your property up to a reasonable standard and your landlord confirms this.

### Tenants of HHR Partners

If you are a tenant of any of the HHR landlords and you want to transfer to a property with the same or any other HHR landlord, we will make the same enquiries to your landlord and inspect your current home and garden before we make you an offer.

If your property is not in a reasonable condition or there are other issues with the tenancy, such as outstanding rent arrears (unless your arrears are less than a month's rent or there is an agreed and appropriate repayment plan and you have kept to this for a minimum of 3 months) we will not normally offer you a transfer.

We will not consider you for a further offer until your landlord confirms that an offer can be made.

## 4.5 Suspensions

We may suspend your application if you:

- have rent arrears or other housing debts which you still owe and have failed to maintain an arrangement to repay
- are an existing tenant of any other provider of public housing and you have not kept your property in a reasonable condition
- are a tenant of one of the HHR landlords and are applying for a transfer and you have not kept your property in a reasonable condition
- have a history of evidenced antisocial behaviour
- have provided false or misleading information
- have refused a second reasonable offer of housing

- have refused one reasonable offer of housing through Caithness Choice Based Letting

If we suspend your application, you will not be offered a tenancy for the period of the suspension unless your household's needs outweigh the other issues. Suspensions will normally last for six months and will be subject to review within this timescale.

We will tell you the reasons for the suspension in writing and give you advice about other possible sources of housing. We will also tell you about your right to appeal our decision.

If we think you have given false or misleading information, your application will be suspended while we make investigations. If this investigation determines that you knowingly gave false or misleading information, your application will be suspended for six months. We will give you written details of why we have taken this decision, and of your right to appeal against our decision.

If you have already been given a tenancy, and the false or misleading information affected the decision to offer the tenancy, the relevant HHR landlord may take legal action to recover the tenancy.

#### **4.6 Anti-Social Behaviour**

We may suspend your application for up to six months if, following investigation, there is clear evidence of antisocial behaviour by you, anyone living with you or visiting you, or if there is clear evidence that you, anyone living with you or visiting you has been subject to legal action in relation to antisocial behaviour (usually within the last three years).

This is further explained in section 6.4 Sensitive Lettings.

#### **4.7 Review of Applications**

Every year we will write to you to ask you to confirm whether or not you want to stay on the housing register. When we write to you, we will tell you what we know about your housing circumstances, housing needs and priority points.

You must let us know of any changes that may affect your assessment and confirm that you want to remain on the register.

Applicants who, due to their health and/or social care issues may not be able to renew their application, should include this information on their application.

#### **4.8 Cancelled Applications**

If we do not hear from you after we have sent our annual review letter, we will send you one final reminder letter. If we do not get a response to that letter, we will cancel your application.

We will also cancel an application if you have moved address as your points are related to your current accommodation.

You can apply to go on the housing list again at any time and we will consider your new application based on your current housing circumstances.

You can also request to cancel your housing application at any other time. We will write to you to confirm that we have cancelled your application.

## Section 5: Housing Need Categories and Priorities

### 5.1 Assessing Housing Need

We will assess everyone's housing need according to their individual housing circumstances and award priority based on the Housing Need Categories and Priorities detailed later in this section.

In this way we can treat everyone's application consistently and fairly.

### 5.2 Property Type and Size

We will not normally offer you a home in which you will have more than one extra bedroom.

We will not normally offer you a home that would result in you being overcrowded. We would only offer this if you have agreed to accept a smaller sized property because this would result in an improvement to your existing circumstances and there is no anticipated turnover of the property size you actually need.

Where there are a limited number of one-bedroom properties in an area, single people or couples will be considered for two-bedroom properties on an equal basis as those with a 2 bed need.

If you have been approved to adopt, permanently foster or for kinship care but this cannot proceed until you have a bigger home, you will become eligible for the size of property which is required.

We will normally give preference to applicants who have a need for any special facilities or features that the property provides or could be provided following adaptation, where budgets allow. For example, suitably sized level access or ground floor accommodation, with walk in showers, will be allocated to people who have need for these property features.

Where an assessment of your needs indicates a need for a particular type of housing you will only be offered housing of this type or housing which can be suitably adapted, where budgets allow.

In certain circumstances we may ask an occupational therapist or another specialist to assess if the property we are thinking of offering you is suitable for your needs.

### 5.3 Sheltered and Amenity Housing

Sheltered housing is aimed at helping older people and younger people with disabilities to live more independently in the community.

Sheltered housing is let to people who meet these criteria:

- People who are aged over 60 years who need and accept the need for the enhanced housing management (warden) service, OR

- People of any age who are assessed as needing the enhanced housing management (warden) service e.g., people with a disability, low level needs such health and social care needs.

All sheltered tenants are provided with an enhanced housing management service. They pay for this through a service charge. If you are entitled to help with your housing costs, this charge may be covered by your benefits. You cannot opt out of paying it.

Amenity housing is mainly for people aged 50 or over; or who have a medical need or physical disability, which requires the provision of amenity standard accommodation.

You would not normally be made an offer of sheltered or amenity housing unless you met the criteria.

## 5.4 Homelessness

Housing Options advice will be offered to anyone who is experiencing the threat of homelessness.

Homelessness assessments are undertaken by Highland Council staff as Highland Council is the only Partner with legal responsibility for homeless assessments.

Under homelessness law, an applicant who becomes homeless through no fault of their own and meets the local connection criteria will be given an offer of settled accommodation. No offer will be given if they resolve their own homelessness e.g., move into a private tenancy.

## 5.5 Homelessness and Threatened with Homelessness

### Homelessness

If under the Housing (Scotland) Act 1987 the Highland Council has found you unintentionally homeless with a local connection or unintentionally threatened with homelessness and meet the local connection criteria, you will be awarded **70 points**.

Applicants with Homeless points are **not eligible** for certain other housing need points such as **overcrowding, sharing facilities, poor housing condition or accessible housing points**. This is because the high level of housing need is already reflected in the homelessness points awarded.

Applicants with Homeless points are eligible for **Need to Reside, Care and Support and Special Allocation Status**.

If you are assessed as not homeless, intentionally homeless, or unintentionally homeless and do not meet the Local Connection criteria, your Housing Application will be dealt with according to our general Allocations Policy.

### Homeless Waiting Points

If you are awarded the **70 homeless points**, you will receive **2 additional points** every month you are homeless or threatened with homelessness. Your start date will begin from the date you received your positive homeless decision.

## 5.6 Insecurity of Tenure

### **HHR tenants in leased properties**

If you are a tenant of a Highland Housing Register landlord living in a home that your landlord leases from a private landlord for a fixed period, you will receive **30 points** once a valid Notice to Leave has been served by the private landlord or when there is 6 months or less until the confirmed lease expiry date.

### **No right or title**

If you are living in a home to which you have no right or title and may be asked to leave at short notice, your application will be awarded **20 points**. This includes but is not limited to bed and breakfast, c/o friends or relatives, parental home and lodgings.

### **Valid Notice to Leave**

If you reside in a private sector tenancy, tied accommodation or HM forces accommodation and have a valid Notice to Leave and you have less than 6 months left on the lease your application will be awarded **30 points**.

Where the Notice to Leave is no longer valid your eligibility for these points will be reviewed.

## 5.7 Sharing Facilities

You will receive **20 points** if you share facilities with two or more different households such as those living in Houses in Multiple Occupation (HMO).

You will not receive these points if you live with one other household. For example, living with your family.

## 5.8 Poor Housing Condition

Private sector tenants and homeowners are eligible for all categories of Poor Housing Condition.

Households living in a caravan or mobile homes are only eligible for **Category 2**.

### **Category 1: High**

Properties which have one or more of the following significant defects will be awarded **70 points**:

- Not structurally safe/stable
- No mains electricity/electricity unsafe
- Inadequate piped supply of wholesale water
- Inadequate drainage system for waste and surface water
- Significant rising or penetrating damp (not condensation)



## **Category 2: Medium**

Properties which have one or more of the following defects will be awarded **20 points**:

- No fixed sink/hand basin / fixed bath/shower
- No inside WC/toilet
- No satisfactory natural or artificial lighting
- No satisfactory ventilation
- No satisfactory heating
- Cooking facilities cannot be installed or supported within the property
- No safe footpath to front door
- No or poor thermal insulation (known as loft insulation)

Tenants in social housing, lodgers in a private property or with parents are not eligible for Poor Housing Condition.

Applications will be referred to Highland Council Environmental Health officers for appropriate statutory inspection. No award will be considered until

- an Environmental Health officer has confirmed that the property is Below Tolerable Standard, and
- the private landlord or homeowner of the property has had reasonable time to make repairs but has failed to make them

**Please note if one of the above is found, Environmental Health and Housing Options will assist you or the owner of the property to bring the property up to standard. Environmental Health may consider enforcement action to bring a property into compliance with Tolerable Standards.**

Applicants living in a caravan or mobile home will not receive an Environmental Health inspection and points will be awarded on the presentation of evidence.

## **5.9 Overcrowding**

The Highland Housing Register has its own criteria for working out if you are overcrowded. A separate bedroom is presumed to be required (assuming no more than two people should share a bedroom) for the following categories below:

- Each couple
- Each person aged over 16 years
- If children are of different sex and one is over the age of 6
- If children are of the same sex and there is an age difference of more than 4 years

We will consider the size of the home you live in now and your application will be awarded **20 points** for each extra bedroom you need up to a maximum of **60 points**.

If you need an extra bedroom because you or your partner is pregnant your application will be awarded **20 points** as soon as we have proof of the pregnancy.

If following a Social Work needs assessment, overnight care is commissioned (either through NHS or self-directed care) an extra bedroom will be awarded to you. **20 overcrowding points** will be awarded if your current property lacks a bedroom for the overnight care.

#### **Overcrowding as a Result of Access to Children**

If you have a child or children who regularly stay overnight as part of a residence or access arrangement, and you can provide proof of this arrangement your application will be awarded **20 points**.

Only one award of overcrowding points will be made under this category regardless of how many children are involved, and you will only be eligible for one extra bedroom for all children. This is because the children are adequately housed by their primary carer.

You **will not** be awarded these points if your application already has 60 overcrowded points.

When we offer tenancies, all other needs being equal, we will give preference to households with permanent overcrowding i.e. to households who are primary carers of children as this is a more significant housing pressure.

### **5.10 Under-Occupation**

You will be assessed as under occupying for every extra bedroom you have relative to the size of property you have, applying the following rules that no more than two people should share a room. Listed below are the rules we apply;

#### **Our Criteria**

- Each couple
- Each person over 16 years
- Child aged 6 years or over and a different sex from other children
- Each child of 4 years or more age difference to other children including of the same sex

If you are a tenant of an HHR Partner Landlord, you will receive **20 points** for each extra bedroom you have relative to the size of house that you need or are applying for.

Only tenants of HHR Partner landlords are eligible for this points award. If you are a private sector tenant, a tenant of another social landlord or a homeowner, you will not be awarded these points.

## 5.11 Care and Support

You will receive an award if one of the following circumstances applies to you:

- The Council has a statutory duty of care in terms of your follow on accommodation as you are an individual under the age of 26 who, at the age of 16, was 'looked after' by the Highland Council in a formal arrangement or was in a care or kinship arrangement **(70 Points)**
- You are a kinship carer whose current property is unsuitable for reasons relating to their caring responsibilities **(70 points)**
- You have been approved to be a permanent Foster Carer or as an Adoptive Parent but cannot have the child or children in your care until you obtain a property with the required number of bedrooms **(70 points)**
- You are leaving, in a planned way
  - a) a residential health and social care settings to move into independent living
  - or
  - b) the parental home with a care and support package
  - or
  - c) supported accommodation

You are leaving as that accommodation has been assessed as no longer suitable, or appropriate, and you have no suitable alternative accommodation. This will be a planned move managed by a Health & Social Care Manager and / or Housing Manager **(70 points)**

- You need to move to give care to a friend or relative to enable independent living **(10 Points)**
- You need to move to receive care to a friend or relative to enable independent living **(10 Points)**

Eligibility will be based on evidence of your circumstances from an appropriate professional in terms of a Care Plan, Personal Outcome Plan, Independent Living Plan or similar.

## 5.12 Need to Reside

The intention of this category is to recognise that households in the following circumstances have a relationship to a particular area. To be eligible for these points applicants must:

- be permanently employed, or been offered permanent employment in the area
- already have their main residence within the area

Your application will be awarded **20 points** if you have a need to reside in the area for the reasons above.

In line with Scottish Government Guidance ex-service personnel who are leaving or have just left armed forces accommodation will be treated as if they have Need to Reside regardless of whether they have a Need to Reside.

### 5.13 Two Households for One

You will receive **30 points** if you are the tenant of an HHR Partner landlord and you want to form a new household with another person who is also a tenant of an HHR Partner landlord.

You will only be eligible for these points providing any allocation will result in both houses being left vacant and available for allocation through the Highland Housing Register.

### 5.14 Accessible Housing

Accessible Housing points will only be awarded if there is evidence that

- You (or a member of your household) have a sustained or enduring medical condition or health issue (either physical, mental and / or developmental) which is being made worse by your existing housing circumstances;
- and your current housing is wholly unsuitable as it cannot be adapted and / or services or assistance cannot resolve their issues (i.e. you have no options enabling you to remain in your home) and as a consequence;
- and your ability to carry out essential day to day tasks can only be significantly and substantially improved by a move to another property.

When considering a re-housing award, we will:

- Assess your home to understand how it is impacting on your health / medical issues and ability to manage day to day essential functions. We use a form to assist with this.
- Consider the options which can enable you to remain in your current home.
- Consider evidence relating to your health / medical issue and housing circumstances.
- Seek a medical assessment from an Occupational Therapist from NHS Scotland

To determine whether you are eligible, we will use the definitions set out in the Equality Act 2010. This defines disability as physical (including sensory) or mental impairment which has had a 'substantial' or 'long term' adverse effect upon a person's ability to perform normal day to day activities. Link to the Equality Act 2010 Guidance on Disability [www.gov.uk/government/publications/equality-act-guidance](http://www.gov.uk/government/publications/equality-act-guidance).

Having a health issue or medical condition is not, in itself, grounds for an award.

We will consider whether it is reasonable to provide adaptations to your current home. If your health condition is deteriorating, we will consider your longer-term needs.

Your application will be assessed across the following levels of priority:

- **High (70 points)** - Re-housing to a specific property type or location is essential to enable functional independence or well-being.
- **Medium (40 points)** - Re-housing to a specific property type or location would be of significant benefit to functional independence or well-being.
- **Low (20 points)** - Re-housing to a specific property type or location would be of benefit to functional independence or well-being.

If the medical assessment identifies a specific type of housing or particular property feature that you need to improve your health (for example, a ground floor flat because you cannot walk easily) your priority points can only apply to the appropriate property type or to a property that can be suitably adapted to meet your need.

If you are not happy with your assessment you have the right to appeal.

### 5.15 Special Allocations Status

If you are experiencing circumstances and have needs which are not recognised by the other categories of housing need in this policy, we may assess your application for 'Special Allocations Status' and seek appropriate independent evidence of your circumstances.

As this status is intended to deal with extreme or exceptional circumstances only one offer of housing will normally be made.

Decisions for an award under this category can only be made by Highland Housing Register senior staff following a full assessment of your circumstances and the housing needs of other applicants with greater assessed need in terms of this policy.

### 5.16 Summary of Housing Need Categories and Points

<b>70 Points</b>
Homeless or threatened with homelessness – Unintentional and meet the Local Connection criteria
Poor Housing Conditions - High
Accessible Housing Need - High
Allocation of a Through Care After Care Young Person
Assessed need to move to independent living from a residential health and social care setting, parental home or supported accommodation
Kinship Care arrangement is making housing worse
Approved for adoption or permanent fostering but lack additional bedroom
<b>30 Points</b>
Tenants in properties leased by any of the HHR Landlords with less than 6 months left on lease
Two households combined – where both houses can be relet through HHR
Valid Notice to Leave
Accessible Housing Need - Medium
<b>20 Points</b>
Under occupation – HHR transfers (per bedroom - no limit)

Overcrowding (per bedroom up to max <b>60</b> ) (including Access to Children)
Sharing Facilities
Poor Housing Conditions – Medium
Need to Reside (Residency and employment)
Insecure Accommodation (e.g., C/o parental home/friends/family/lodgings)
Accessible Housing Need - Low
<b>10 Points</b>
Providing care to or receiving care from family or friends
<b>2 Points</b>
Homeless Waiting Points (2 points every month starting from the date of your positive homeless decision)

## Section 6: Allocation of Housing

### 6.1 How Houses are Allocated

Each application is assessed fairly and consistently with respect to the Housing Need Categories.

In this way the register is able to prioritise and rank your application relative to the needs of other households on the register.

As the system is open access, the ranking changes from day to day as applicants are housed and new households register.

Selection of applicants for empty houses is by a 'shortlisting' process which identifies applicants whose needs, choices and preferences match the property type, size and location characteristics of the available property.

Allocations are then made to the applicant with the greatest housing need for the property type being offered.

### 6.2 By-Passing Applications

In some circumstances it might be necessary to by-pass the highest ranked applicant with greatest overall priority for an offer. Reasons for this could include:

- where the property offered is not suitable for a specific health or medical recommendation
- where an applicant has significant rent arrears or housing debt and no arrangement has been negotiated
- where the existing home has not met transfer inspection standards and an arrangement has not been negotiated

By-pass reasons will be recorded and monitored for all allocations.

## 6.3 Offers and Refusals

Applicants may receive 2 reasonable offers of housing, unless they have 'Homeless Priority', in which case they will be made 1 reasonable offer in line with The Highland Council's Homelessness Policy. Applicants will be made 1 reasonable offer if they register an interest for a property through Caithness Choice Based Letting.

In deciding what is reasonable, account will be taken of the property type and location choices made on the housing application, and the property type and size the household is eligible for.

In the case of households with Homelessness Priority, account will also be taken of the advice in the Scottish Government's Code of Guidance on Homelessness including consideration of the availability of housing in the areas an applicant has selected.

For this reason, offers to homeless applicants may not necessarily be in the preferred areas as also outlined in section 4.2 of this policy.

### **Applicants eligible for 2 reasonable offers**

After a first reasonable offer has been refused, applicants will be contacted and given advice about housing options and to review the application form.

After a second reasonable offer has been refused, the application will be suspended for 6 months.

### **Homeless Priority applicants eligible for 1 reasonable offer**

Where households have Homelessness Priority, the Council will consider its homeless legal duty discharged following a refusal of a reasonable offer of accommodation to resolve their homelessness. We may thereafter end any temporary accommodation provided under the homeless legislation. In addition, applicants will have the Homelessness Priority points removed from their application and will have their housing circumstances assessed in line with the categories of housing need contained in this policy.

Thereafter, the application will be subject to the conditions set out for 2 reasonable offers as with other applicants on the register.

Applicants have a right of appeal against any decisions made.

## 6.4 Caithness Choice Based Letting

All social housing in Caithness, bar sheltered properties, are allocated through Choice Based Letting. Choice Based Letting gives you a greater say over where you live by allowing you to register an interest in a property (also known as 'placing a bid'). The property is then allocated to the 'bidder' with the greatest housing need.

Properties available to 'bid' on are found here

- [https://www.highland.gov.uk/homepage/72/choice\\_based\\_lettings](https://www.highland.gov.uk/homepage/72/choice_based_lettings)
- <https://www.albynhousing.org.uk/my-home/how-we-rent-homes-in-caithness/>
- <https://www.cairnha.com/find-home/homes-available-now/>

'Bids' cannot be placed against sheltered properties. These will be allocated to an eligible applicant who has selected a letting area where sheltered properties are located and has the greatest housing need.

In some circumstances, a landlord may offer you a Caithness property which you have not registered a 'bid' for. This will only happen if the landlord has not received any 'bids' for the property while it was advertised.

If you refuse the offer of a property that you have bid for, and which would have been suitable you may be suspended from further offers / bids for 6 months.

After the suspension is lifted, the applicant will be contacted to provide advice about housing options and to review the application form.

Applicants are entitled to 2 reasonable offers if they are offered a Caithness property, they did not register an interest in.

## 6.5 Sensitive Lettings

In some circumstances there may be a need for a Risk Assessment to confirm whether it is appropriate for a particular offer of housing to be made. The arrangements for Risk Assessment will vary according to the different types of risk factors.

### 1) Antisocial Behaviour

We may not make an offer of housing where there is evidence of antisocial behaviour by you, anyone living with you or visiting you, or there is clear evidence that you, anyone living with you or visiting you has been subject to legal action in relation to antisocial behaviour (usually within the last three years).

We will refer any proposed offer of housing for a risk assessment. Where it is considered that the offer is not appropriate, you will be advised of this decision in writing. You have the right to appeal this, please see Section 9 on page 31.

Details of the Highland Council's Antisocial Behaviour policies can be found here;  
[https://www.highland.gov.uk/info/997/housing\\_advice/222/antisocial\\_behaviour](https://www.highland.gov.uk/info/997/housing_advice/222/antisocial_behaviour)

An applicant's area choices may require reviewing based on any recommendations from the risk assessment.

### 2) Serious / High Risk Offenders

Detailed arrangements are in place for public protection through Multi Agency Public Protection Arrangements (MAPPA).

Occasionally other individuals are identified by police and other agencies as posing a risk to the public and as such require a multi-agency approach to managing the risk. Allocations will be made on basis of where risks can be managed in accordance with available stock.

Any offer made to an applicant subject to these arrangements may be subject to enhanced multi-agency risk assessments and discussions.



An applicant's choice of areas may require reviewing and amendment based on any recommendations from MAPPA or other statutory bodies.

Any enquiries to an HHR Partner about rehousing of serious offenders should be referred to the Highland Serious Offender Liaison Officer (SOLO).

### 3) Violence Against Women/Domestic Abuse

If an HHR applicant indicates that they, or a member of their household, are at risk from domestic abuse, staff will make arrangements with the applicant to undertake a risk assessment to identify the level of risk posed and assess whether current accommodation remains safe to occupy.

Following a risk assessment (and depending on the identified risks) appropriate referrals will be made by staff which may include a referral to the Multi-Agency Risk Assessment Conference (MARAC) or a referral to an appropriate Specialist Support Organisation.

If this information is known to Housing Services, the Highland Housing Register will make every effort to ensure that HHR applicants at risk of domestic abuse are not housed in the vicinity of the perpetrator, nor the perpetrator housed in a location which would put their victims at continued risk.

### 4) Witness Protection – The National Witness Mobility Service (NWMS)

The NWMS works with police forces and Local Authorities to streamline the process of rehousing seriously intimidated witnesses.

Highland Housing Register will work with NWMS when contacted with a possible referral.

Any enquiries to an HHR Partner about referral under this scheme should be referred to the Highland Serious Offender Liaison Officer (SOLO).

## Section 7: Local Lettings Initiatives

### 7.1 When a Local Lettings Initiative is Appropriate

Under current legislation and guidance and providing that the assessment of local connection is not determined by length of residence, landlords may operate a separate allocation system for different parts of their area.

Local Lettings Initiatives may apply when there is evidence that the policy is not delivering the aims as described in section **1.5 of this policy: Aims of the Allocations Policy**.

Local Lettings Initiatives are most likely to be considered

1. in small rural communities with housing pressure where there is evidence of the need for a particular targeted and time limited approach to allocations; or
2. where there are regeneration issues which research indicates can be addressed through a similar time limited approach; or
3. where there is evidence to support an alternative approach to allocations and where HHR monitoring information similarly evidences a divergence from the intended policy outcomes.

## 7.2 Eligibility for Local Lettings Initiatives

A HHR Partner (or Partners) may propose a Local Lettings Initiative when they believe it is required to meet a locally identified need. Before an initiative can be implemented it must

- Be discussed and be subject to agreement by the HHR Partnership
- Be subject to an Equality Impact Needs Assessment
- Be subject to discussion with a representative community organisation and representatives of Highland Housing Register
- Include a review of allocations monitoring information and consideration of any evidence from an independent community needs assessment
- Be subject to approval by participating Partner Landlord's governing body or Housing Committee

## 7.3 Housing Applications for Designated Local Lettings Initiatives

Housing applicants will complete a supplementary application providing evidence of their need to reside in the community which is eligible for a Local Lettings Initiative.

Where an applicant meets the criteria established by the Local Lettings Initiative the applicant will be identified on the HHR system as having an 'enhanced' connection to that community.

Applicants will otherwise have their housing needs assessed according to the general provisions of the HHR Allocations Policy.

## 7.4 Allocations Quotas in Local Lettings Initiatives

Allocations in Local Lettings Initiatives will be by means of a quota system in order to maintain and demonstrate compliance with the general primary provisions of the HHR Allocations Policy. This includes the need to evidence that there is no disadvantage to applicants in what the legislation describes as 'reasonable preference categories.

In a quota system a percentage of allocations are set for different groups of applicants. So that for example: Housing List 50% and Local Lettings Initiative 50%. Local Lettings Initiatives quotas cannot exceed 50% because of the need to demonstrate no disadvantage to applicants from the 'reasonable preference categories.

Allocations will be monitored to make sure that the target allocations quota is met.

The Highland Housing Register annual monitoring report will include information on the demand for Local Lettings Initiatives when requested and the allocations outcomes for each.

## 7.5 Local Lettings Initiatives – General

Local Letting Initiatives are intended to be developed in consultation with local communities through any representative organisation.

Arrangements will be time limited and subject to annual reassessment and review.

## Section 8: Monitoring

To make sure that we act fairly and in accordance with equal opportunities we will monitor our performance by reporting the following information each year:

- The total number of applications received by all Partner landlords
- The number of tenancies offered, and an analysis of the points and needs of those housed
- The number of appeals against or complaints about, for example, offers of housing or how we have processed applications and the outcomes of these complaints and appeals i.e. upheld or not
- The number of cases and circumstances in which applicants were housed
- under special allocations status
- The number of transfers carried out each year
- The number of allocations made to Homeless applicants
- The number of applicants suspended for refusing two suitable offers
- Feedback from customer satisfaction surveys
- Details about any Local Lettings Initiatives

The Highland Housing Register Landlords will review this allocations policy at least once every three years to assess how effective it is and examine whether any changes are needed.

We may change this policy to keep it up to date with changing laws or best-practice guidance, or to tackle issues arising from our reviews.

We always welcome feedback and comments from individuals and organisations.

## Section 9: Appeals and Complaints

If you have a complaint about how your application has been managed or if you feel you have been treated unfairly you can make a complaint at any of the Highland Housing Register offices.

Your complaint will be managed in terms of the complaint's procedure of the HHR Partner which is holding your application.

If you still feel that we have not dealt with your housing application properly or fairly, you can then complain to the Scottish Public Services Ombudsman.

## Section 10: Contact Details

### **The Highland Council**

Housing and Property Service, Glenurquhart Road, Inverness, IV3 5NX 01349 886602

### **Albyn Housing Society Ltd. (Charity No SCO27123)**

Head Office, 98-100 High Street, Invergordon, IV18 0DL: 01349 852978

68 MacLennan Crescent, Inverness, IV3 8DN: 01463 712516

### **Cairn Housing Association Ltd. (Charity No SCO16647)**

Cairn House, 30 Waterloo Place, Inverness, IV1 1NB: 0800 990 3405

37-39 Traill Street, Thurso KW14 8EG 0800 990 3405

### **Caledonia Housing Association Ltd (Charity No. SC013988)**

5 South St Johns Place, Perth, PH1 5SU 0800 678 1228

### **Lochaber Housing Association Ltd. (Charity no SCO30951)**

101 High Street, Fort William, PH33 6DG: 01397 702530

### **Lochalsh & Skye Housing Association Ltd. (Charity No SCO38019)**

Morrison House, Bayfield, Portree, Isle of Skye, IV51 9EW: 01478 612035

Highland Housing Register

# **Allocation Policy Review consultation report**

Report  
January 2021

Lead author: Chris Thornton

**engage**  
scotland

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# 1. Introduction

- 1.1. This report presents findings from a consultation on proposed changes to the Highland Housing Register Allocation Policy. This section sets out the context for the consultation and approach used, section 2 provides an overview of consultation respondents, and section 3 considers key findings.

## Background

- 1.2. The Highland Housing Register (HHR) is a common housing register for Highland, a single route via which people can apply for housing from one of more of the HHR partners. The HHR partners comprise:
- Albyn Housing Society;
  - Cairn Housing Association;
  - Caledonia Housing Association;
  - Highland Council;
  - Lochaber Housing Association;
  - Lochalsh & Skye Housing Association; and
  - Pentland Housing Association.
- 1.3. The HHR Allocations Policy is shared by all partners, with the last update to the policy having been completed in January 2016. Partners identified a need to review the Policy to make sure that they:
- obey the law and act legally in line with the Housing (Scotland) Act 2014;
  - target people in urgent housing need in a fairer and more consistent way;
  - respond to the changing needs of Highland communities and those living in them; and
  - make better use of HHR landlords' housing.
- 1.4. Proposals for a new allocations policy have been developed by Highland Housing Register partners over recent months, supported by work undertaken by Craigforth. This work identified changes across eight main categories of housing need – these were the subject of the present consultation.

## Consultation approach

- 1.5. The overarching aim of the consultation was to gather views from current HHR applicants and other interested parties on proposed changes to the HHR Allocations Policy. Findings were required to inform subsequent drafting of the revised Policy.
- 1.6. The consultation was undertaken in November and December 2020, during a period of widescale government restrictions as a result of the Covid-19 pandemic. As a result, a primarily web-based consultation approach was used, as closure of housing offices limited scope to reach HHR applicants and other potential participants via this route. Nevertheless, the final consultation approach ensured that all participants had the option to respond online, by post or by telephone:
  - A web consultation portal was developed and hosted using Engage Scotland's UK-based survey platform. This provided a summary of proposed changes to the HHR Allocation Policy, and a websurvey for participants to share their view. Postal consultation materials were also developed, including a summary of changes and printed consultation form. A freephone helpline was also established for queries and any individuals who wished to share their views by phone.
  - All current HHR applicants were invited to participate, via email invite or postal consultation pack depending on their communication preferences. A total of 6,526 email invites and 2,605 postal packs were issued to applicants in early November 2020. All HHR applicants were given the option to take part in the consultation via website, postal response, or telephone.
  - Promotion packs were also provided to all HHR partners for sharing with applicants and other potential participants.
- 1.7. All consultation responses were returned direct to Engage Scotland via websurvey, reply-paid envelope or telephone. Engage Scotland's team collated and processed these responses to produce a single dataset of responses – results presented later in this report are based on this dataset. A small number of queries were also received via the freephone consultation helpline. These were primarily concerned with questions regarding specific proposed Policy changes, or to confirm the purpose and validity of the consultation exercise. However, some used this as an opportunity to update their housing application.
- 1.8. A total of 1,328 consultation responses were received during the 5 week consultation period. A profile of respondents is provided in the following section of this report.

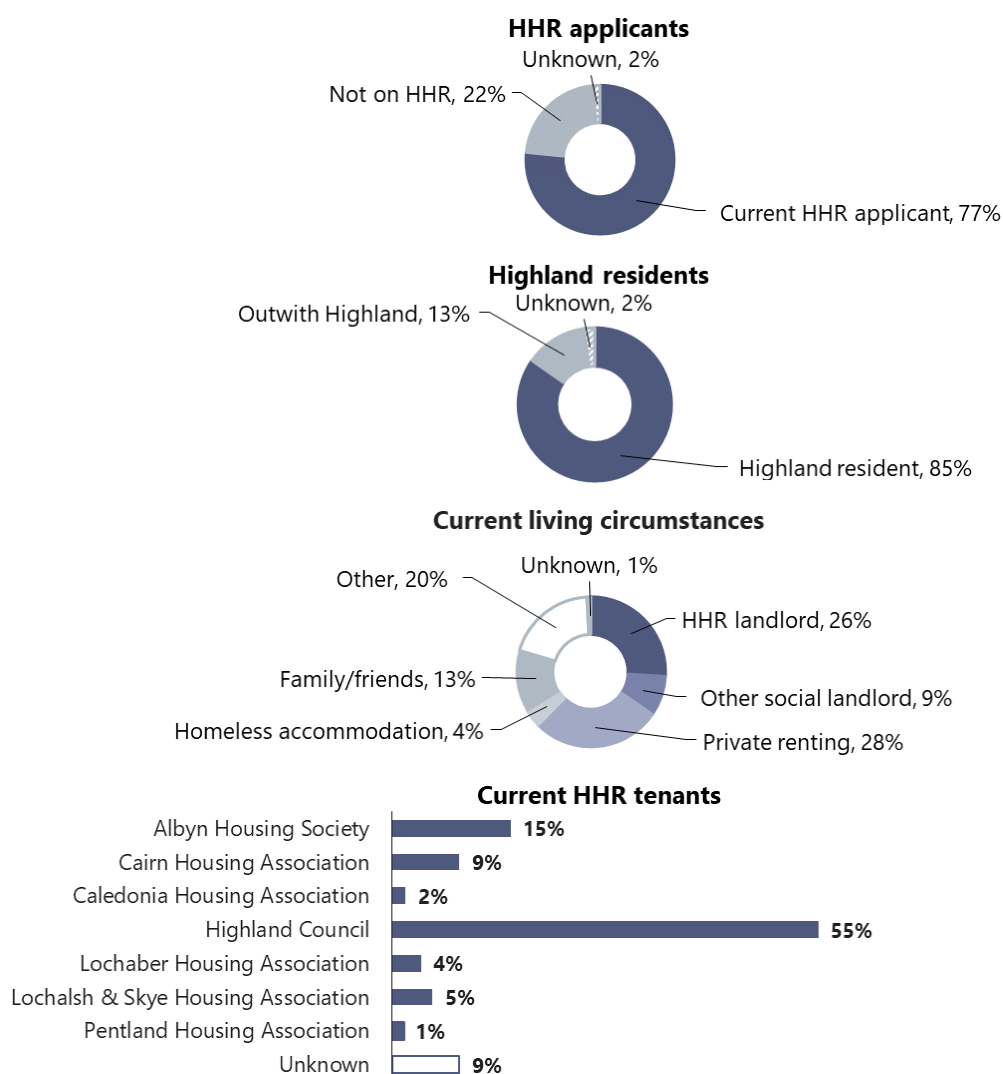


## 2. Profile of Respondents

2.1. The consultation process collected a limited set of information about applicants, including whether they had a live HHR application and their current living circumstances. Figure 1 below provides an overview of respondents. This shows that:

- Around three quarters (77%) of respondents had a current HHR application, and a little more than a fifth (22%) were not on the register.
- Highland residents accounted for the great majority of respondents (85%).
- Social and private tenants were the largest groups in terms of current living circumstances. More than a third (35%) were social tenants, including 26% of a HHR landlord, and more than a quarter (28%) were private renters. Remaining respondents included 13% living with friends/family, 4% in homeless accommodation, and 20% in 'other' circumstances.

**Figure 1: Profile of consultation respondents**



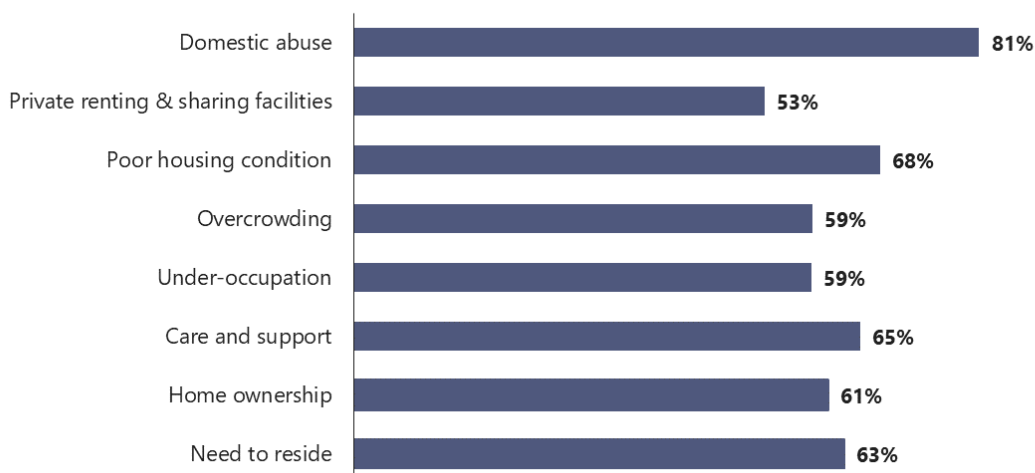
### 3. Consultation Findings

- 3.1. This section considers feedback from consultation respondents on proposed changes to the HHR Allocations Policy.
- 3.2. As noted earlier, the consultation was structured around eight main categories of housing need where changes were proposed. In relation to each category, respondents were asked to indicate whether they agreed or disagreed with proposed changes, and were given an opportunity to add any comments in support of their response. A full set of written comments is provided under separate cover; this section highlights the key themes raised by respondents.

#### Overview

- 3.3. Figure 2 over the page summarises respondent views on each of the proposed changes, showing the proportion of all respondents who agree with changes to each of the eight needs categories.
- 3.4. As this shows, the majority of respondents agreed with proposed changes across each of the eight needs categories. Support was most widespread in relation to proposed changes to domestic violence, with 81% in support of these changes. There was also widespread support for proposed changes to poor housing condition (68% agreed), care and support (65%) and need to reside (63%).
- 3.5. A smaller proportion of respondents agreed with proposed changes to private renting and sharing facilities (53% agreed), although as discussed later this was in part due to a larger proportion of respondents who were unsure about proposals.
- 3.6. We consider variation in support for proposals in relation to each of the needs categories in turn. However, it is notable that HHR applicants and social tenants were generally more supportive of proposed changes. In contrast, those who were not on the HHR, private renters and those living in 'other' circumstances were generally less supportive of proposals.

**Figure 2: Overview of views on proposals (% agreeing with proposed changes)**



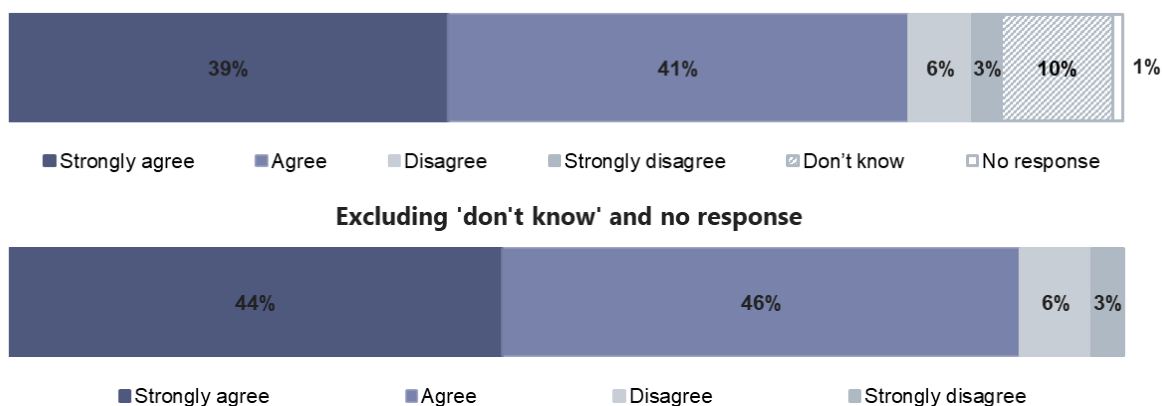
### Domestic abuse

3.7. In relation to domestic abuse, proposed changes focused on creating a new points category to give priority to applicants affected by domestic abuse. Proposed changes are summarised below.

Current Allocations Policy	Proposals (changes highlighted in bold)
Experiencing domestic abuse which will continue unless re-housed.	<b>Change: Provide a high priority to victims of domestic abuse. This is a new category.</b>

3.8. As Figure 3 shows, a large majority of respondents supported the proposed changes; 81% of all respondents agreed, and only 8% disagreed. Around a tenth of respondents (11%) were unsure or did not answer the question – when these respondents are excluded, 91% of those giving a clear view supported the proposed changes. This profile of views was consistent across key respondent groups.

**Figure 3: Views on domestic abuse proposals**



- 3.9. More than half of respondents provided written comment in support of their view on proposed changes to the policy on domestic abuse. Reflecting the overall balance of views, the great majority of respondents were supportive of proposed changes. Comments from these respondents primarily referred to the urgency of housing need for those affected by domestic abuse. This included the need for swift resolution in terms of finding alternative housing, and the seriousness of risk to the applicant's safety if they do not receive sufficient priority. Respondents expressed particular concern regarding the likelihood of children being present in these households.
- 3.10. Comments in support of proposed changes included some from respondents with personal experience of domestic abuse. This reflected a wider trend, with a substantial proportion of respondents reflecting on their personal circumstances and experiences in relation to each of the proposed policy changes. In relation to domestic abuse, those with personal experience highlighted the significant negative impact on the household's health and wellbeing, and the need for this to be recognised by the Allocations Policy.
- 3.11. Only around 75 comments were received from those who disagreed with proposed changes to the domestic abuse needs category. The most common concern expressed by these respondents was a perceived risk that the needs category could be misused as a means to access housing quickly. These respondents wished to see clear evidence requirements to ensure priority is targeted to genuine cases of domestic abuse.
- 3.12. Some also felt that there may be other options to prevent domestic abuse that may not require rehousing, such as the abuser being removed from the home, and support/intervention from other agencies. Comments also included queries regarding how the revised needs category would relate to other types of housing need, such as homelessness or those with health and support needs. Some wished to see these other types of housing need given equal priority alongside domestic abuse.

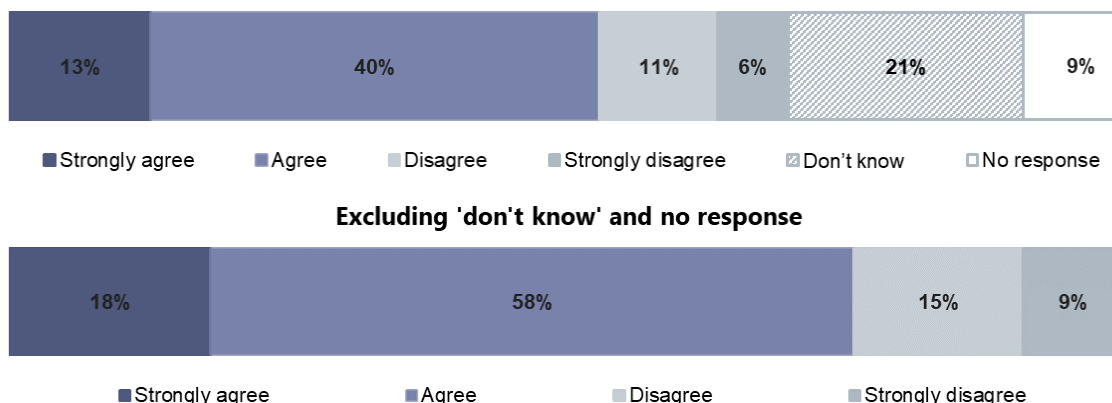
### **Private renting and sharing facilities**

- 3.13. In relation to private renting and sharing facilities, proposed changes were to only give priority points to private renters whose only option is to move out of their housing, and to applicants who share facilities with more than two different households. Proposed changes are summarised over the page.

Current Allocations Policy	Proposals (changes highlighted in bold)
In 'insecure accommodation' or have a 'Notice to Quit' to leave private rented housing, tied tenancy or HM Forces.	Continue to be a priority.
Living in a private rented tenancy, tied tenancy, or HM forces housing but do not need to leave.	<b>Change: only a priority if you need to leave. This recognises that the new Private Residential Tenancy provides a long-term secure tenancy for private renters.</b>
Sharing facilities with other people.	<b>Change: give priority only if sharing facilities with at least 2 other households (i.e. 'HMO' housing).</b>

- 3.14. As Figure 4 shows, a little more than half of all respondents supported the proposed changes; 53% agreed and 17% disagreed. These results in part reflect the large proportion (30%) who were unsure or did not answer the question. When these respondents are excluded, 76% of those giving a clear view supported the proposed changes, and 24% disagreed.
- 3.15. Consultation responses show some variation in views across key respondent groups. Perhaps unsurprisingly, private renters and those living with family and friends (who would be most likely to be affected by the changes) were less likely than others to support the proposals.

**Figure 4: Views on private renting and sharing facilities proposals**



- 3.16. Around a third of respondents provided written comment in relation to proposals for private renting and sharing facilities, with the majority of comments being from respondents supportive of proposed changes. These respondents agreed with proposals to prioritise those with the most significant need, and the most acute insecurity. This included some with a particular focus on ensuring sufficient priority for those leaving the armed forces.

- 3.17. As with domestic abuse, a number of those providing comment drew on their current circumstances or previous experience of private renting or sharing facilities. This included reference to the negative impact of sharing in an HMO and the insecurity of those leaving an institution.
- 3.18. Around 150 of those providing comment disagreed with proposed changes to private renting and sharing facilities. The most common concerns related to limiting priority to those sharing facilities with 2 or more other households. Some suggested that priority should also be awarded to applicants sharing with 1 other household. This included reference to personal experience highlighting the potential for sharing facilities to be detrimental to quality of life and mental health – particularly for households with children. Some respondents raised concern that proposed changes could specifically disadvantage those being supported in the family home who are seeking an independent tenancy.
- 3.19. Other comments included concerns regarding proposed changes to priority for private renters, with some suggesting that the change could encourage private renters towards a homeless application if they feel that they are unable to access social housing otherwise. Some of these respondents referred to the limited supply of private rented properties in parts of Highland, and suggested that this can lead to private renters being “stuck” in unsuitable properties with limited available alternatives. Others expressed a view that private rented housing is not settled accommodation, and as such should still attract some level of priority.
- 3.20. Finally in relation to priority for private renters, some wished to see priority awarded to households experiencing affordability difficulties. These respondents suggested that private rents were relatively high in parts of Highland, and referred to examples of private tenants struggling to manage their housing costs. The limited supply of private rental properties was referenced again as limiting options for those experiencing affordability difficulties.

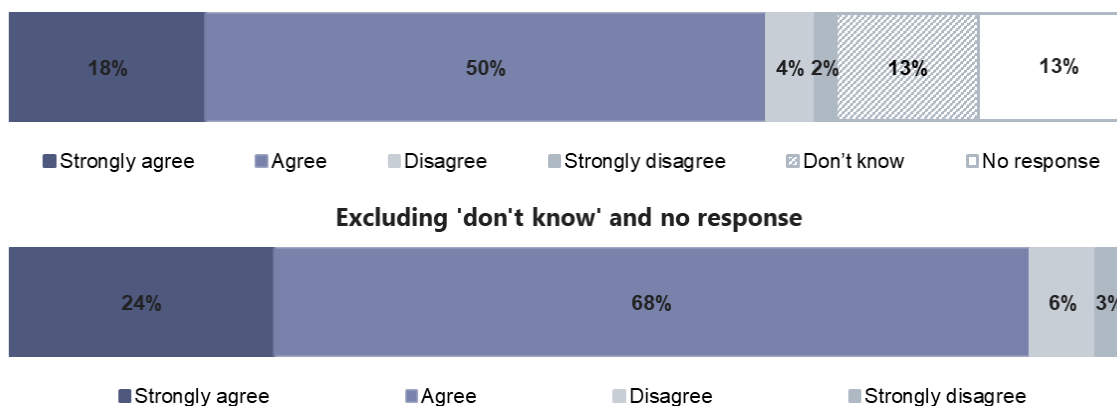
## Poor housing condition

- 3.21. In relation to poor condition housing, proposed changes focused on removing the current ‘low priority’ group, and expanding the ‘medium priority’ criteria. Proposed changes are summarised below.

Current Allocations Policy	Proposals (changes highlighted in bold)
Your home is in poor housing condition or missing essential facilities.	<b>Change: remove low priority category. Give high or medium priority for defects if no options for resolving.</b>

- 3.22. As Figure 5 shows, more than two thirds of all respondents supported the proposed changes; 68% agreed and only 6% disagreed. These results in part reflect a substantial proportion (26%) who were unsure or did not answer the question. When these respondents are excluded, 92% of those giving a clear view supported the proposed changes.
- 3.23. There was some variation in views across respondent groups. In particular, those who did not have a current HHR application and those living in 'other' circumstances were less likely than others to support the proposals.

**Figure 5: Views on poor housing condition proposals**



- 3.24. More than a quarter of respondents provided written comment on poor housing condition proposals, with the majority of comments being from respondents supportive of proposed changes. These respondents felt that proposals struck a fair balance in prioritising those with condition issues that have the most significant impact on health and quality of life. Again this included examples of personal experience, and suggestions that a substantial proportion of private renters in Highland may be living in poor condition housing. These respondents expressed particular concern about specific condition issues such as poor heating and energy efficiency, dampness/leaks and disrepair to bathrooms and kitchens.
- 3.25. Around 60 of those who disagreed with proposals for poor condition housing provided comment. Some of these respondents raised concerns regarding potential for private tenants to damage their own property and saw a need to ensure tenants are not responsible for their condition issues - and have sought to resolve the poor condition of their home. In this context, some suggested that HHR landlords should provide or signpost to assistance for tenants engaging with their landlord to resolve condition issues.
- 3.26. Concerns were also expressed about the definition of "minor" condition issues for Allocations Policy purposes. Some respondents suggested that the impact of condition issues can vary across different households, such that relatively

minor condition issues can still have a significant impact for some. This included particular reference to the impact of minor heating issues for those with health issues. More generally, some also suggested that the cumulative impact of multiple minor condition issues can still be significant, and should be taken into account.

## Overcrowding

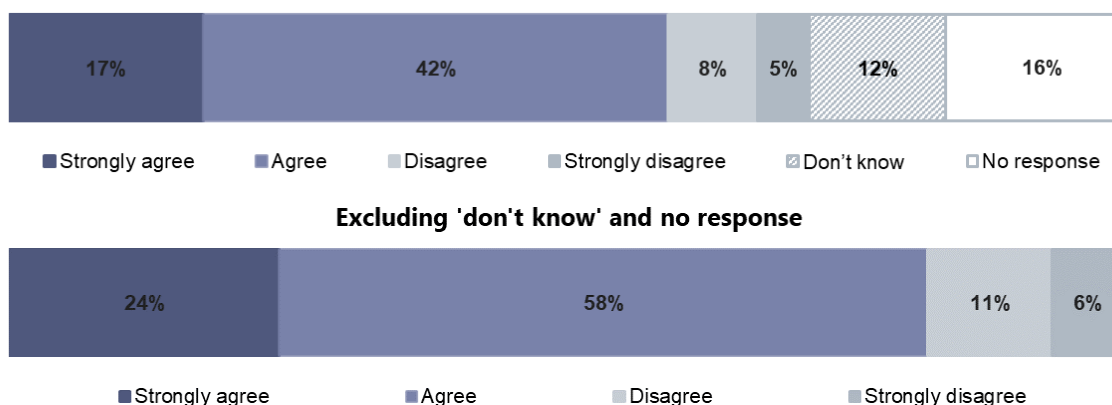
3.27. In relation to overcrowding, proposed changes focused on rationalising the existing overcrowding categories to prioritise those who are overcrowded for much of the time. Proposed changes are summarised below.

Current Allocations Policy	Proposals (changes highlighted in bold)
You are overcrowded – priority given depending on how many extra bedrooms are needed.	<b>Change – No extra priority for ‘extreme overcrowding’ (3 sharing room). No priority for ‘part-time’ overcrowding due to having access to children less than 50% of time.</b>

3.28. As Figure 6 shows, most respondents supported the proposed changes; 59% of all respondents agreed and 13% disagreed. This balance of views is in part due to the substantial proportion (28%) who were unsure or did not answer the question. When these respondents are excluded, 82% of those giving a clear view supported the proposed changes, and 18% disagreed.

3.29. Some variation in views was evident across respondent types. Most notably, those sharing with family and friends and those in ‘other’ living circumstances were less likely than others to support proposals.

Figure 6: Views on overcrowding proposals





- 3.30. Around a quarter of respondents provided written comment in support of their response, the majority of these being from respondents supportive of proposed changes. These respondents most commonly referred to prioritising applicants who are overcrowded at least 50% of the time. This included some describing their own (mostly full-time) overcrowded circumstances, and the impact this has had on their quality of life and mental health, particularly for households with children. These respondents felt that households in these circumstances should be awarded greater priority than those who are overcrowded only part of the time.
- 3.31. Some also raised concerns regarding potential difficulties in providing evidence of access arrangements for applicants who are overcrowded only on the basis of shared custody of children. It was suggested that the Allocations Policy should set out clear criteria and evidence requirements for eligibility for overcrowding priority.
- 3.32. Around a hundred of those who disagreed with proposed changes provided written comment. This included some who objected to the removal of additional priority for "extreme overcrowding", and who suggested that 3 or more household members sharing a room is qualitatively different to two sharing, and should be treated accordingly. Again this included reference to some personal experience, and particular concern regarding impact on older (i.e. high school age) children in overcrowded circumstances. These respondents expressed concern around potential for adverse impact on personal development, mental health and schooling for these children.
- 3.33. Respondents also referred to the potential diversity of applicants' circumstances in terms of overcrowding, including the mix of genders and ages being required to share, and the specific experience of children with different parents being required to share. It was suggested that HHR should retain some scope for additional overcrowding priority to be awarded dependent on the specific circumstances.
- 3.34. Those objecting to proposed changes suggested that it would be unfair to distinguish between households who are overcrowded on the basis of child custody arrangements. These respondents felt that proposals would unfairly disadvantage parents who do not have custody of their children. Moreover, it was suggested that proposals could limit parents' capacity to secure 50% custody of their children; for example where parents have been unable to support 50% access due to a lack of space, proposals could prevent these parents from improving their circumstances.

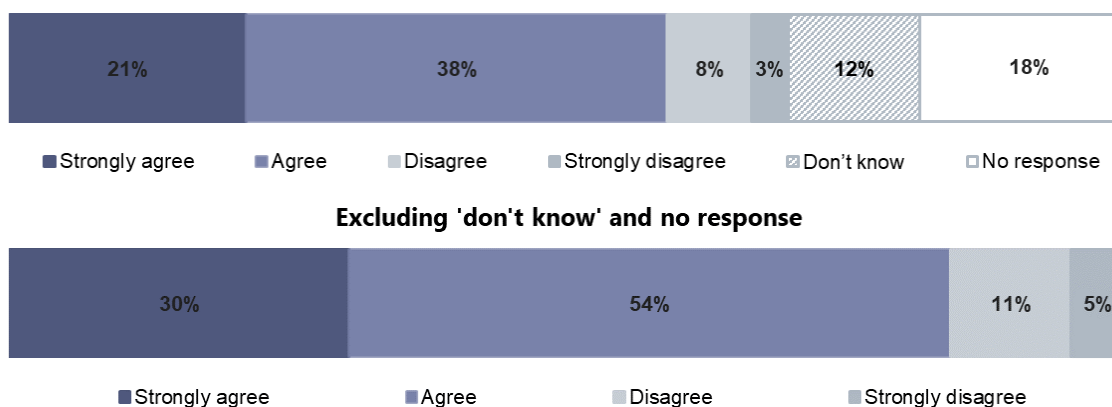
- 3.35. Some respondents also felt that the proposed 50% threshold for overcrowding priority could be too crude, with potential to miss households in genuine housing need. It was suggested that overcrowding priority should apply if an applicant has regular access to their children even if this fall short of 50% (for example, some noted that 3 out of 7 nights per week is a relatively common arrangement). It was also suggested that the number of children and degree of overcrowding should also be taken into account; for example, if 3 children are being required to share a single bedroom, or if children stay with the applicant for extended periods of time (e.g. 2 or more weeks at a time) even if this does not add to 50% custody.

## Under-occupation

- 3.36. In relation to under-occupation, proposed changes focused on limiting the award of priority to tenants in HHR housing who have more bedrooms than they need. Proposed changes are summarised below.

Current Allocations Policy	Proposals (changes highlighted in bold)
You are under-occupying a Council or housing association home.	Continue to give priority based on how many extra bedrooms the household has. This frees up homes for others. <b>Change: no extra priority for DWP criteria.</b>
Under-occupying owner, private renter or tenant elsewhere.	<b>Change: do not give priority.</b>

- 3.37. As Figure 7 shows, most respondents supported the proposed changes; 59% of all respondents agreed and 11% disagreed. This balance of views is in part due to the substantial proportion (30%) who were unsure or did not answer the question. When these respondents are excluded, 84% of those giving a clear view supported the proposed changes, and 16% disagreed.
- 3.38. There was some variation in views across respondent types, most notably in relation to respondents' living circumstances. Private renters and those in 'other' living circumstances (likely to include some owners) were less likely than others to support proposals.

**Figure 7: Views on under-occupation proposals**

- 3.39. More than a quarter of respondents provided written comment in relation to under-occupation proposals, most of these being from respondents supportive of proposed changes. These respondents agreed that under-occupation is not a hardship (for example as compared to overcrowding), and that it is right to limit priority to existing tenants where rehousing can benefit other HHR applicants. Numerous comments referred to personal experience or cases of family/friends living in properties that were now larger than they required, and some were of the view that there could be substantial “hidden” demand for downsizing.
- 3.40. Some also cited examples of households struggling to access family-sized properties as illustrative of a need for additional supply of larger homes. In this context, some saw a need for a more effective process to identify opportunities to enable under-occupying households to move, for example through mutual exchange. It was noted here that some households may have a limited incentive to move, for example if benefits cover 100% of their rent.
- 3.41. Around 100 of those providing comment disagreed with proposed changes. For some, this was based on a view that tenants may have a legitimate need for an additional room (e.g. for shared custody of children or carers visiting) and should not be forced to move. It was also noted that some HHR tenants with additional rooms may have had limited choice at the time of allocation, referring to examples of applicants taking 2 bedroom properties due to a lack of supply of 1 bed.
- 3.42. Others expressed concern that removing priority from those in the private rented sector could leave some households with very limited options due to a lack of supply of suitably sized private rented properties. This included some respondents who were currently under-occupying private rented properties and who were experiencing affordability difficulties, but had been unable to access alternative private rented accommodation. It was also noted that private tenants may have only chosen the sector due to a lack of social rented supply;

some felt it would be unfair to limit their ability to access social rented housing if this was their preference.

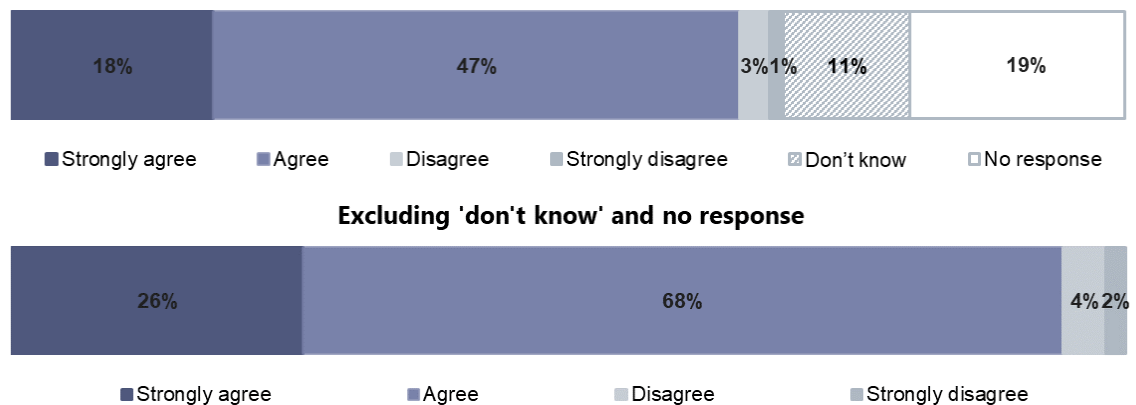
## Care and support

- 3.43. In relation to care and support, proposals sought to simplify the needs category to avoid double counting across sub-groups. Proposed changes are summarised below.

Current Allocations Policy	Proposals (changes highlighted in bold)
Your health or medical condition is made worse by your home - and adaptations or services can't resolve it.	No change to priorities: High = re-housing is essential;
You are moving from care or supported housing into independent living.	Continue high priority for: 'Looked After' Young People and applicants leaving other types of formal care.
You need to move to be nearer facilities to maintain independent living - and you have no other reasonable option.	<b>Change: to medium priority if need to move to be nearer specialist facilities or independence supporting services and you have no other reasonable option.</b>
You need to move to a specific location to give or receive care or support and there is no other reasonable option.	Continue to be a priority.

- 3.44. As Figure 8 shows, around two thirds of all respondents supported the proposed changes; 65% agreed and only 4% disagreed. A substantial proportion (31%) were unsure or did not answer the question. When these respondents are excluded, 94% of those giving a clear view supported the proposed changes.
- 3.45. There was some difference in this balance of views across key respondent groups. In particular, those in 'other' living circumstances were less likely than others to support the proposals.

**Figure 8: Views on care and support proposals**



- 3.46. Less than a quarter of respondents provided written comment in relation to care and support proposals. The great majority of these respondents supported the proposed policy changes and welcomed the high priority assigned to those with care and support needs. This included particular support for proposals to ensure priority is limited to those with no option other than a house move, especially those leaving care. Indeed, some of those providing comment sought reassurance that sufficient priority would be assigned to these applicants, including some of the view that these should be the highest priority group across the Allocations Policy.
- 3.47. A significant number of those providing comment recounted personal experience of care and support needs, either for themselves or family members. These comments reiterated the potentially significant impact of unsuitable housing for these applicants, and noted the broad range of circumstances and specific housing needs (e.g. including physical mobility, mental health and learning disability-related needs). Some also referred to other types of need that they wished to see in the final Allocations Policy, including for applicants without informal support networks and/or affected by loneliness.
- 3.48. Only around 30 of those who disagreed with proposals for care and support needs provided written comment. This included some raising concerns regarding priority to be awarded to those leaving institutions. Some felt that this could enable applicants leaving institutions to “jump the queue”, and wished to see equal priority to be assigned across all applicants with care or support needs. Specific concerns were also expressed regarding priority for applicants leaving prison, including the risk of these applicants not being ready to live independently, and potential impact on neighbours and local communities for example if applicants have drug and alcohol-related needs.

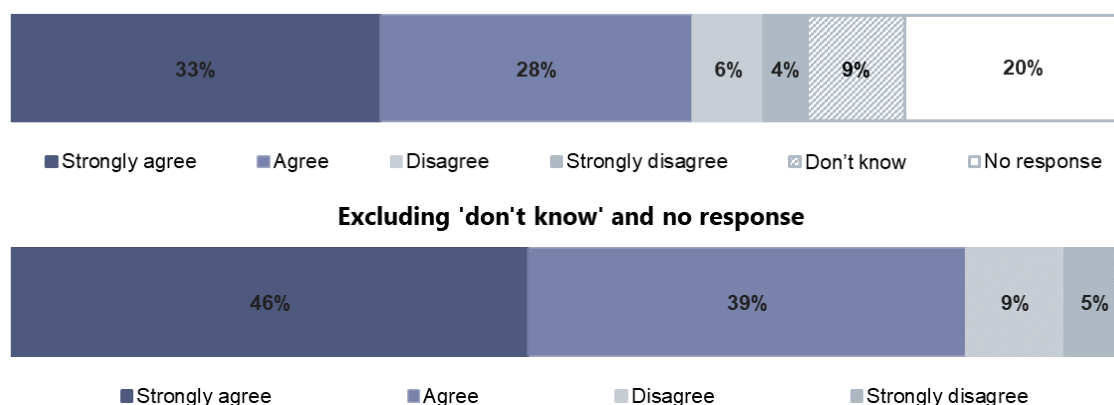
## Home ownership

3.49. In relation to home ownership, proposed changes were to only offer a property to homeowners where it is no longer reasonable for them to remain in their property. Proposed changes are summarised below.

Current Allocations Policy	Proposals (changes highlighted in bold)
You are a homeowner.	<b>Change: we will only make an offer of housing if it is not reasonable for you to remain or occupy your property.</b>

3.50. As Figure 9 shows, most respondents supported the proposed changes; 61% of all respondents agreed and 10% disagreed. These results in part reflect the substantial proportion (29%) who were unsure or did not answer the question. When these respondents are excluded, 86% of those giving a clear view supported the proposed changes, and 14% disagreed. This balance of views was broadly consistent across respondent groups.

Figure 9: Views on home ownership proposals



3.51. More than a quarter of respondents provided written comment in relation to homeowner proposals, most from those who agreed with proposed changes. These respondents expressed a clear view that applicants should not be awarded housing priority if they have the option to live in their own home. This included a wider view from some respondents wishing to exclude any applicants who can afford to meet their own housing need. Some were surprised that this was not already the case.

3.52. Respondents supporting the proposed changes contrasted the situation of those able to remain in owner occupation with other households perceived to be in more significant housing need, such as homeless households, those with care or support needs, and those experiencing significant overcrowding. However, some respondents also recognised that there may be circumstances where it is not reasonable for a household to remain in their own home. These

respondents referred to relationship breakdown, domestic abuse, financial hardship, housing being unsuitable for mobility needs, and households being unable to sell. Some saw a need for HHR to gather clear evidence in these cases.

- 3.53. Around 75 of those providing comment disagreed with proposed changes. This included some who saw scope for further action to enable homeowners to remain in their home (e.g. supporting homeowners to convert their home to suit mobility or care needs) or who felt that some circumstances would not justify priority (e.g. homeowners whose property is in disrepair). Others suggested that homeownership should not be taken into account if the applicant is in the process of selling the property, or gifting the property to family members.

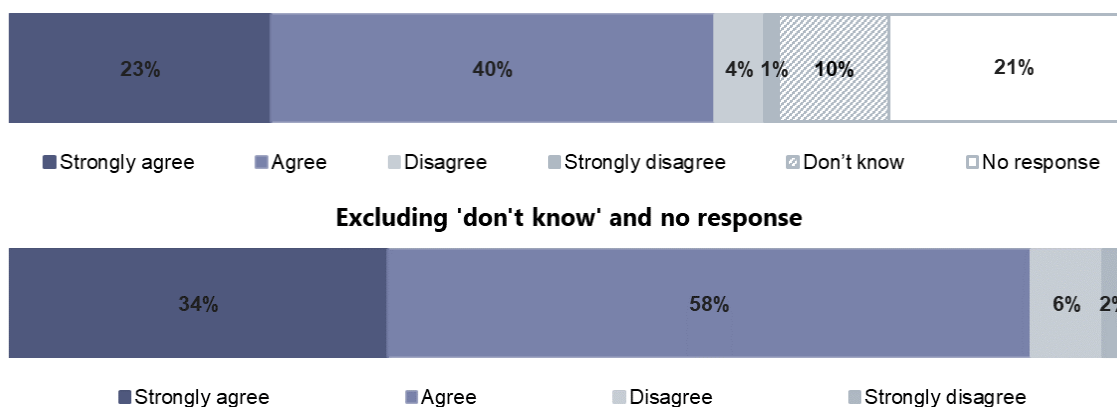
### Need to reside

- 3.54. In relation to the final category, the need to reside, proposed changes focused on how a particular need to reside in Highland will be used when a property becomes available. Proposed changes are summarised below.

Current Allocations Policy	Proposals (changes highlighted in bold)
You have an essential 'need to reside' in a particular community because: of a job there; live there; or need to get or give care and have no other option.	<b>Change: apply to applicants only if two or more are eligible for an offer because they have the same level of housing need.</b>

- 3.55. As Figure 10 shows, nearly two thirds of all respondents supported the proposed changes; 63% of agreed and only 6% disagreed. This in reflects the large proportion (31%) who were unsure or did not answer the question. When these respondents are excluded, 92% of those giving a clear view supported the proposed changes.
- 3.56. There was some variation in views across key respondent groups; most notably, those living in 'other' circumstances and households who did not have a current HHR application were less likely to support proposals.

**Figure 10: Views on need to reside proposals**



- 3.57. Around a quarter of respondents provided written comment in relation to need to reside proposals, a large majority of these being respondents who supported the proposed changes. These respondents felt that proposals struck the right balance in terms of taking account of applicants’ need to reside in the local area, but this not being a primary housing need. Some suggested that it was self-evident that those with a demonstrable need to reside should be given priority over another applicant with equal needs points. This included comments from some current HHR applicants who felt that their local connection and need to reside had not been taken into account.
- 3.58. Some also suggested that some “types” of need to reside should attract higher priority. These respondents referred to key workers and young people looking to live independently for the first time as circumstances where higher priority should apply. This included reference to potential benefits of this policy approach, for example in reducing loss of the younger population from parts of Highland.
- 3.59. Fewer than 50 respondents providing comment had disagreed with proposals. These respondents expressed a view that need to reside should be given greater priority than as a “tie breaker”. This included particular reference to key workers and housing applicants who had been born and bred in the area. Some felt that failing to award “genuine” priority for need to reside could disadvantage households looking to move between towns and villages across Highland.