

at home with...



Allocations Policy

Reference / Issue No:	H/2	2
Date of this version:	July 2022	
Next review due:	July 2025	
Lead responsibility:	Housing	
Contents:	49 pages	1 Appendix

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1. Introduction

1.1 This policy is part of a range of statements that set out Fife Housing Association's arrangements for access to, and management of its housing stock. Together these detail the Association's arrangements for:

- Assessing housing and wider needs through the Fife Housing Register (FHR);
- Overall management of our housing including arrangements for promoting mobility throughout our stock;
- The prevention of homelessness; and
- Responding to those with specific or particular housing needs.

1.2 In line with Fife Housing Association's commitment to equality and diversity, this policy can be made available in a variety of formats, including large print, translated into another language or on audio tape. Reasonable adjustments will also be made to assist individuals who have a disability.

2. Aims and objectives

2.1 This policy sets out how we aim to respond to the needs, demands and aspirations of Fife's households who have expressed an interest in moving home, who have a need to move home for different reasons, are looking for housing for the first time or who are homeless.

2.2 Our aims:

- To be fair, efficient and consistent in allocating tenancies;
- To ensure that accommodation offered is suitable to applicant's needs;
- To make best use of housing stock;
- To help achieve stability, balance and diversity within sustainable communities;
- To consider relevant medical, social and any other specific factors in assessing relative needs;
- To facilitate mobility for family support and employment;
- To fulfil our commitment and obligation to assist the Local Authority in its statutory housing role;
- To assist other agencies to address urgent housing needs;
- To maximise our income by allocating void properties timeously;
- To allocate properties in a way that is consistent with the Allocation Policies of other housing providers in Fife; and
- To assist in the provision of Housing Options relative to the applicants' needs.

2.3 Our objectives:

- To promote sustainable communities by balancing individual housing needs and wider community needs;
- To promote sustainable tenancies;
- To address housing need and demand within local planning arrangements which are responsive to local population and housing stock profiles;

- To bring together choice with more effective assessment services to respond to the needs and aspirations of individual stakeholders; and
- To provide opportunities for individuals and wider stakeholders to challenge decisions made regarding the allocation of Fife Housing Association properties and provide an effective appeals process.

3. Access to housing

- 3.1 We allocate properties on the basis of housing and social need. The level of need is assessed by awarding points for different forms of housing need to each applicant. The applicant is then placed in one of three groups depending on their main need (please see section 6 of this policy for further explanation of the need groups).
- 3.2 We are members of the Fife Housing Register (FHR). The Register is a partnership made up of Fife Council and housing associations based in Fife, or who have stock in Fife, who have decided to pool their resources and have a common application form, a common assessment of need and a centralised team for the processing of housing applications and administration of housing lists. This team assesses applications for all partners.
- 3.3 The partners include – Cairn, Caledonia, Dunedin Canmore, Fife Council, Fife, Glen, Hillcrest, Kingdom, Ochilview, Ore Valley, Horizon and Link Housing Associations.
- 3.4 Throughout this policy, unless specifically stated otherwise “we” and “our” refers to Fife Housing Association and our partners in the FHR and “you” refers to the applicant or tenant.

4. Eligibility criteria

- 4.1 Anyone over the age of 16 can apply to the Association for housing. All persons wishing to apply for housing must complete an FHR application form. If the applicant has restrictions placed upon them by immigration and asylum legislation, they can still apply to the FHR, however, not all of the partners may be able to house them because of legal constraints. Applicants in these circumstances should contact individual partners for further clarification.
- 4.2 If any applicant requires assistance in completing their application or requires information to be translated into another language or format, Fife Housing Association will facilitate this.

5. Making an application

- 5.1 FHR provides a single point of access to housing in Fife. To gain access to the FHR, applicants must complete an application form explaining their housing circumstances and provide all relevant supporting information which is marked on the application form. The information will be confirmed when applicants are being considered for an offer of housing. Applicants express an interest in being housed by us by ticking the relevant box on the form.
- 5.2 Applicants who do not provide the necessary information will not be placed on the housing list. Where necessary, further information will also be sought from relevant third parties as part of the assessment process. i.e. previous or current landlord.

6. Assessing an application

- 6.1 All applications are assessed in the same way through the FHR arrangements and should be assessed within a maximum of 28 days. In every circumstance applicants will be contacted in writing. This is necessary to confirm:
- How the application has been assessed and the points awarded;
 - The category in which the application is held;
 - Any information that is outstanding that will affect the application assessment; and
 - How to enquire or appeal against an application assessment decision.
- 6.2 When assessing applications, the FHR cannot take account of:
- The income of the household;
 - Whether the applicant and his/her spouse currently live together;
 - Marital status or any civil proceedings affecting a relationship breakdown;
 - The length of time the applicant has lived in Fife;
 - The age of the applicant (provided they are 16 or above); and
 - Any tenancy related debts where:
 - The applicant is, or was not, the tenant;
 - The debt has been cleared;
 - Less than one month's rent is outstanding;
 - An on-going repayment arrangement is in place and has been paid for three months; and
 - There are outstanding debts which do not relate to a tenancy.
- 6.3 Reasonable preference**
- 6.4 In line with the Housing (Scotland) Act 2014, the application assessment gives reasonable preference to those who:
- Are homeless or threatened with homelessness;
 - Are living in unsatisfactory housing conditions; or
 - Are under-occupying and are existing tenants.
- 6.5 In the first two categories, the applicant must have unmet housing needs.
- 6.6 There are two elements we should consider when deciding whether someone has unmet housing needs. These are:
- The applicant's circumstances; and
 - The existing housing options which are available and accessible to them.
 -
- 6.7 Social landlords have a duty to give reasonable preference to all people who are homeless or threatened with homelessness. Local authorities also have specific duties to secure settled housing for certain categories of homeless people, and housing associations have a duty to help local authorities to carry out this duty.
- 6.8 In line with guidance and good practice, the assessment also takes account of people:
- Experiencing domestic abuse or other abuse or harassment within or around their home;

- Who have housing difficulties because of health, disability, social support, educational or employment reasons;
- Who live in insecure accommodation or are at risk of losing their home;
- Who are leaving the armed forces or other forms of tied tenancy;
- Non-householders and those with no settled accommodation;
- Who require Social, community or family support; or
- Who need alternative housing to provide caring roles for children or relatives.

6.9 All applications are assessed according to the Common Assessment of Need agreed by the FHR partners and are subject to the same levels of verification and confirmation.

6.10 Applicants who have indicated housing issues caused by illness or disability or require specialised forms of housing will be assessed by a specialist team of housing occupational therapists. This assessment may recommend a restriction on the size or type of properties that applicants are eligible for. The applicant may refuse this recommendation but by doing so will lose any medical points awarded.

6.11 Applicants may get points for different circumstances but will be placed in the needs group where they have the highest points. The application assessment will reflect the individual circumstances of each applicant and it is the applicant's responsibility to keep the application up to date.

7. Managing allocations

7.1 We have set a quota for the number of applicants we aim to house from each of the need groups. This is reviewed annually to ensure we meet the aims and objectives of our policy. Our aim is to give a number of people who have different needs an opportunity to be rehoused.

7.2 The groups are as follows:

Urgent Housing Need

This category is for applicants who are statutory homeless and in priority need, those who are subjected to severe harassment, domestic abuse or racial harassment. It also covers those who are losing their current home due to a 'Closure Order' or 'Closure for Redevelopment'. This meets the provisions of the Housing (Scotland) Act 1987 by giving reasonable preference to those who are homeless.

Poor Housing Circumstances

This category is for applicants who lack basic facilities in their current home, such as having an unsafe water supply, inadequate drainage, rising and penetrating dampness, lack of central heating, overcrowding, under occupancy, sharing facilities, children's social needs (recognises a need for a play space if under 16). This group gives reasonable preference to those whose properties do not meet the tolerable standard, are overcrowded or have large families.

Lack of Security

This category is for people who are not Statutory Homeless and currently in priority need but do not have a secure tenancy of their own. This includes time-limited tenancies, those with a Notice to Leave, tenants without a lease, owners in the process of repossession or being advised to sell, non-householders (people living with friends or relatives), living in tied accommodation and being required to leave because of retirement or redundancy. This group gives reasonable preference to those who are threatened with homelessness.

Management Needs

These points are awarded by Managers for best use of stock and to meet the needs of applicants in acute need, when the particular housing problem is not covered by our policy.

Social and Medical Needs

We recognise that some individuals, due to medical conditions and disabilities, need access to housing which has been designed or adapted in some way to meet their particular needs. They may also require support. Sometimes people do not have medical, mobility or support needs themselves but they may be supporting someone who does, therefore, we have set up this group to meet the needs of applicants in these circumstances. If you have medical problems and restricted mobility you will be considered for ground floor and adapted housing. If you are supporting someone in this position, you will be considered for a general needs property but placed into this category because you are providing support.

We stated earlier in our policy that we try to create sustainable and diverse communities. We would give preference to applicants in this category where there is an adapted or ground floor property which becomes available to help people with medical conditions that affect their mobility or for people, who, due to age and other issues, need ground floor accessible accommodation.

Applicants eligible for the Social and Medical group include:

- Hospital patients who could, with appropriate housing, live independently;
- Young disabled people who wish to leave home to live independently;
- Families with disabled children who require particular facilities;
- Those who, because of an accident or long term illness, are unable to occupy their present home; and
- People living in housing that no longer meets their physical or mobility needs.

In this group applicants are awarded points according to their current housing situation and how closely their existing accommodation meets their needs.

Please see the table in Section 8 which explains our pointing scheme in greater detail.

8. Points awarded

Category	Housing Need	Points	
Urgent Housing Needs	Domestic abuse	100	
	Severe harassment	100	
	Closure Order or Closure for Redevelopment	100	
Statutory Homeless	Statutory Homeless	100	
	Statutory Homeless medical	100+	
NB Statutory Homeless may be awarded between 20 and 40 medical points if they have a medical need however they cannot accrue points from other categories.			
Poor Housing Circumstances	Lacking amenities	12	
	Lacking central heating	5	
	Unsafe water supply /inadequate drainage/rising damp	12	
	Overcrowding	25 per room	
	Severe overcrowding	10	
	Under-occupation	25	
	Sharing facilities	6	
	Children's' social needs	10/20	
Lack of Security	Time-limited tenancy (no Notice to Quit)	5	
	Notice to Quit	75	
	Tenants without a lease	25	
	Owner occupier – repossession	25	
	Non-householder: Not sharing bedroom Sharing bedroom with a sibling Sharing a bedroom with someone other than a sibling No bedroom No fixed abode Families with children overcrowded	25 25 extra	
	Management Needs	Management Needs General	120
		Management Needs Transfer	120
Social and Medical Needs	Illness and disability	20/40/60	
	Sheltered housing	15/30/50	
	Special needs accommodation	20/60	
	Harassment	10/30	
	Social and personal needs	5/10/25/40	
	Independent living	60	
	Respite care	10	
	Access to children	20	
	Foster care	20	
Children's' educational needs	5/20		
No Immediate Need	Application with no immediate need	0	

9. HM Forces

- 9.1 An access to housing protocol for people leaving HM Forces has been agreed by the FHR Executive as part of a Fife-wide commitment to support former HM Forces personnel to ensure settled accommodation.

10. Occupancy levels

- 10.1 The partners within the FHR have different occupancy standards when they are allocating housing. We all have a different stock profile and this influences what we are able to offer you:
- We will not knowingly overcrowd a property. We will normally expect to offer you a home with the correct number of bedrooms and bed spaces for all permanent members of the household;
 - We expect anyone living together as a couple or partners to have their own double bedroom;
 - Single adults may be offered a property with either a double bedroom or single bedroom or a two-bedroom property; and
 - We expect everyone over the age of 16 to have their own bedroom unless they are sharing with a partner.
- 10.2 We aim to give each child in a household, regardless of gender, a room of their own as early as possible. Where children have to share they will be given a double bedroom; we do not expect them to share a single bedroom.
- 10.3 Where we cannot give each child his or her own bedroom we will do the following:
- Children of the same sex may share a double bedroom until the age of 13, then we regard the family as being overcrowded; and
 - Children of different sexes may share a double bedroom until the age of 8, and then we regard the family as being overcrowded.

11. Amalgamated households

- 11.1 In some cases families are amalgamated and children come from previous relationships or may be half-brothers or sisters.
- 11.2 Half-brothers and sisters are treated in the same way as full blood brothers and sisters; bedroom entitlement is determined on the number, age and sex of the children in the household.
- 11.3 Stepchildren living permanently in the household are not expected to share bedrooms regardless of age or sex.
- 11.4 We will make every effort to meet each applicant's requirements but there may be occasions where this is not possible due to the lack of suitably-sized properties.

12. Access to children

- 12.1 Households who have access to children more than two nights per week on a regular basis will normally be awarded an extra bedroom over and above the entitlement of the permanent number of the household regardless of the number, age and sex of the children they have access to. Proof of overnight access is required.

13. Offers of housing

13.1 Making an offer

In certain circumstances we may invite expressions of interest in a property in writing or verbally. This does not constitute an offer of housing and there is no legal obligation to follow this with a full offer of housing.

Offers of housing are made in writing to the applicant's preferred contact address. The offer of housing will give full information about the potential allocation and should be responded to within the timescales specified in the letter.

We will normally allocate properties to the applicant with the most points in that group. Where applicants have equal points, we will normally allocate to the person who has been on the housing list the longest length of time.

13.2 Refusing an offer

We are committed to making sure all offers of housing are fair and based on the best knowledge of the needs, circumstances and preferences contained within the application.

Applicants may refuse a first offer of housing without penalty but on refusing a second fair offer the application will be suspended for 12 months. It is, therefore, important applicants keep their circumstances up to date and respond to regular review letters.

Applicants who fall into the Urgent Housing Needs category will be made an offer of housing based on their preferences in their application form, should the applicant refuse this offer then they may lose their homelessness points.

If applicants refuse an offer a valid reason must be stated.

14. Suspensions, exclusions and withdrawals from the list

- 14.1 We are committed to ensuring people have open access to the housing list. In some circumstances applications may be temporarily suspended. The FHR manages suspensions on behalf of the partners and we have all signed up to a Suspension Protocol.
- 14.2 A suspension means you will not appear on any matching lists which are run for an empty property for a specified period of time. The partners may suspend an applicant for a number of reasons, some of which are detailed below.

Applicants with housing-related debt

If you have a housing-related debt (rent arrears, outstanding legal costs, rechargeable repairs) and this is more than 1/12th of the annual rent (approximately one month's rent) you may be suspended on FHR until such times as the debt is cleared, or you have made an agreement with the current or previous landlord to pay the debt and have paid that agreement regularly for three consecutive months.

Anti-social and criminal behaviour

It is the policy of the FHR partners to take up tenancy reports on previous tenancies. If you have been involved in serious anti-social behaviour or criminal activity with previous tenancies, this may have a bearing on whether a tenancy will be granted and what type of tenancy is granted.

If you have lost your home during the previous three years for anti-social behaviour or an Anti-Social Behaviour Order has been taken out against you or a member of your household, then in most instances you will be suspended on the FHR. This status will be reviewed annually. There is an obligation during suspension to ascertain whether you or a member of your household has taken steps to address the offending behaviour to ensure you are not by-passed for housing unnecessarily.

In cases where we believe there have been mitigating circumstances or you or a member of your household have taken steps to address the behaviour, we will normally offer a Short Scottish Secure Tenancy (SSST) for a period of one year. During this period we will offer housing support to help prevent the new tenancy being put at risk.

In some cases of urgent and extreme housing need where we believe the need of the applicant outweighs the anti-social behaviour or debt, suspensions may be lifted or not applied and you may be considered for either an SSST or a Scottish Secure Tenancy (SST).

We have the right to suspend applications from applicants who have acted in an antisocial manner, or pursued a course of conduct which is antisocial, in relation to an employee of the social landlord in the course of making an application. A person remains an applicant until they become a tenant; and the whole process of application, pre-let, viewing and sign-up appointments are all included in the 'application process'.

15. Offers of accommodation – suspension

- 15.1 If you refuse two offers of accommodation for your chosen property types and areas, your application will normally be suspended in line with the current Suspension Protocol. You may change your areas at any time and will be encouraged to revise your choices to avoid being in the position of refusing a second offer and risking suspension.
- 15.2 A copy of the current Suspensions Policy is attached at Appendix One.

16. Other exceptions

- 16.1 The legal framework around homelessness legislation is different from other legislation surrounding housing allocations. This means, in cases where you are Statutory Homeless, in priority need and have been accepted as such by the Local Authority, it may not be appropriate to suspend you for debt and anti-social behaviour. We will assess each case on its own individual circumstances. The Local Authority's duty to permanently rehouse may overrule previous debt and behavioural issues.

17. More readily available properties

- 17.1 Some of our properties take longer to allocate than others due to their location and other environmental factors. On occasion there is little or no housing list for certain properties in certain areas. In order to reduce the rental loss on these properties we may adopt some of the following options:
- In exceptional circumstances allocate properties to applicants who have a low level of housing need or no housing need;
 - Allow you to under-occupy the property;
 - Offer you incentives if you are willing to accept a more readily available property;
 - We may use marketing tools such as advertising and inclusion on our website and social media in order to publicise these properties to as wide an audience as possible; and
 - We may set up pilot projects from time to time to deal with the challenges which arise as a result of these properties.

18. Changes of circumstances

- 18.1 You are responsible for notifying any of the FHR partners promptly about any change of circumstances. Failure to do this might affect the level of points awarded and the position on the housing list. When you submit a change of circumstances, you will normally receive a letter confirming any change in points. In some instances you will be asked to complete a new FHR form and will be given full details of why this is required and a letter outlining any changes will be sent after this has been assessed.

19. Review of the Housing List

- 19.1 Housing applications are reviewed annually by the FHR central processing team on the anniversary of application. Those who are Statutory Homeless will regularly be reviewed by the Homelessness team until they are rehoused. An application may be reviewed or withdrawn between times if you fail to contact any of the FHR partners in relation to firm offers of housing. You will be notified in writing if this course of action has been taken.

20. Mobility within our own stock

- 20.1 There are three main ways in which a Fife Housing Association tenant can move to an alternative property. These are through Transfer, Mutual Exchange and other mobility schemes which operate in the UK at the moment. Internal transfers will enable a tenant to move within our own stock, mutual exchange and mobility schemes may involve a move to the stock of another landlord. There are a number of privately-run national mobility scheme providers who offer a mutual exchange service to tenants looking to exchange their property with another tenant. Tenants who wish to exchange in Fife can access Homeswap on the FHR website, this is an FHR partner based exchange scheme. Mutual Exchanges are covered by a separate policy. Tenants seeking a mutual exchange must have tenanted a SST satisfactorily for the 12 months prior to the date of application. If a household's housing needs have significantly changed before the 12 months have elapsed; exceptions can be made by the Housing Manager.
- Inter-Organisational Transfers enable tenants to transfer to another of the FHR partner landlords and are detailed below.

21. Inter-Organisational Transfers

- 21.1 If an existing tenant wishes to apply for a transfer within Fife they must complete a (FHR) application form. We are now members of the FHR Inter-Organisational Transfer Scheme which means that all tenants whose landlord is a member of the scheme will be on one list and will be considered along with the other FHR partners' transfer applicants for any vacancy.
- 21.2 Any forms must be completed as fully as possible as transfer applications are assessed in line with the Allocation policy and points are primarily awarded for housing need.
- 21.3 Whilst we strive as hard as we can to meet everyone's needs and aspirations, we cannot transfer everyone who applies because we do not always have a suitable vacancy. Whilst we will try our best to meet our tenant's needs on some occasions although the tenant may meet all the conditions, a suitable vacancy may not arise within their timeframe.
- 21.4 Where tenants are affected by under occupancy and a transfer would improve their situation, we may give transfer applicants priority over other social housing applicants on the FHR. In addition, if an under occupying transfer applicant does not meet our eligibility criteria then we may consider relaxing the criteria if there is a business case to do so.
- 21.5 Where an applicant, regardless of income, wishes to transfer to a larger property than the Department of Work and Pensions says they need, we will not normally prevent the transfer. We will, however, point out clearly that the tenant will be eligible to pay any shortfall in the rent due to an under-occupancy charge and they must indicate that they are willing to pay this before the transfer is granted.

22. Suspensions – Inter-Organisational Transfers

- 22.1 We may suspend a tenant's application in the following circumstances:
- If they have housing related debt greater than one-month's rent. If they have either rent arrears or rechargeable items they may still be eligible for a transfer if they have an agreement in place and they have paid it for the previous consecutive three-months and continue to pay it;
 - If they have been evicted in the last three years for anti-social behaviour or where either they or a member of their family have an ASBO granted against them;
 - If we have clear evidence that they or a member of their family have caused anti-social behaviour or criminal activity in any of their tenancies in the last three years then this may also lead to suspension;
 - If they are currently subject to legal action by us for housing debt or anti-social behaviour; and
 - If the tenant's property fails to meet a reasonable standard of repair. They must be prepared to allow access to their house for an exit inspection. At the exit inspection their house will be checked for damage, unauthorised alterations or poor decoration. If their property fails the inspection they may still be eligible as long as they are prepared to repair or replace the things which have led to them failing to meet the standard. Their application will be suspended pending completion of the necessary works and reviewed thereafter.

- 22.2 Where a tenant is suspended for housing-related debt or anti-social behaviour, their suspension will be reviewed every six months and they will be contacted as part of this process to update their circumstances.
- 22.3 Where the tenant has taken the required action to address the reasons for the suspension, e.g. made and kept to an arrangement to pay housing-related debt or sought support to address any anti-social behaviour, the tenant must contact us so that we can review the status of their suspended application.

23. Scottish Social Housing Charter

- 23.1 The Scottish Social Housing Charter sets standards and outcomes that describe the results that tenants and others who use their services can expect from social landlords. The relevant standards and outcomes for the activity of managing transfers are listed below. We will use these to measure our performance and also to be accountable to our customers.

Charter Outcome 1: Equalities

Social landlords perform in all aspects of their housing services so that: Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.

We will achieve this Charter objective by ensuring that anyone applying for a transfer is treated fairly and has equal access to assistance in making their application and its assessment. Our comprehensive forms and interview process identify applicants' individual needs in detail so that we can best match their aspirations and needs. We will monitor the number of transfers to which needs groups they go and by gender and other protected characteristics to ensure our access is fair to all groups.

Charter Outcome 2: Communication

Social landlords manage their businesses so that: Tenants and other customers find it easy to communicate with their landlord and get information they need about their landlord, how and why it makes decisions and the services it provides.

Our policies will be available in a number of formats to ensure as many people as possible have access. We will have documents translated or use an interpreter where there are language barriers or where people have sensory impairment. We will use email, telephone, one to one meetings, social media and our website in order to make it easy for people to communicate.

Charter Outcome 3: Participation

Social landlords manage their businesses so that Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.

We will seek the views of our tenants by communicating with them in a number of ways they feel comfortable with namely email, our website, phone, social media and on a one to one basis. We will also use surveys, focus groups and meet with residents groups in order that they can influence our decisions at a level they feel comfortable with.

Charter Outcome 7, 8 & 9: Options

Outcome 7 – People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them.

Outcome 8 – Tenants and people on housing lists can review their housing options.

Outcome 9 – People at risk of losing their home get advice on preventing homelessness.

Charter Outcome 10: Access to social housing - People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed.

Charter Outcome 11: Tenancy Sustainment

Social landlords ensure that: Tenants get the information they need on how to obtain support to remain in their home and ensure suitable support is available, including services provided directly by the landlord and by other organisations.

We will support tenants with housing issues in their own homes to ensure their tenancies are as sustainable as possible. Sometimes when these homes no longer meet people needs, part of the support will be to help people make transfer applications and help them during the whole process including supporting those who obtain a transfer to settle in to their new tenancy successfully.

Charter Outcome 12: Homeless People

Homeless people get prompt and easy access to help and advice; are provided with suitable, good-quality temporary or emergency accommodation when this is needed: and are offered continuing support to help get and keep the home they are entitled to.

24. Applications from Board members, colleagues or relatives

24.1 Applications will be accepted from colleagues, board members or close relatives and family members of either. Applications will be assessed in-line with this Allocation Policy and the FHR in relation to the common assessment of need. If an applicant in these circumstances is eligible to be rehoused, the Board must approve any allocation. Details of the allocation must be entered into our register of benefits and payments. The definition of a close relative or family member is as follows:

He or she is the spouse or he/she cohabits with that person whether the same or different or he/she is that person's:

- Parent
- Grandparent
- Child
- Stepchild
- Grandchild
- Brother
- Sister

25. Applicants giving false information

- 25.1 If we discover you have deliberately given false information to improve your chances of being housed, you will be given the opportunity to correct and submit revised information which accurately represents your circumstances. If you do not do this or the subsequent information is still false, then your application will be suspended in line with the current Suspensions Policy.
- 25.2 If it is discovered after allocation that false and misleading information has been given, we reserve the right to take legal action to repossess the property.

26. Confidentiality – how we handle information

- 26.1 The confidentiality of information provided to us will be respected at all times. We will only use information and any supporting evidence provided, to process applications for housing and make allocations. Applicants' data is available to and held by the FHR and all its partners. We may pass information to other agencies or organisations as required to do so by law and to the Scottish Housing Regulator. Information will be processed and passed on in accordance
- 26.2 You have the right to access the information we hold on you. Anyone wishing to access this right should contact our office and ask for a Data Subject Access Form. Most information will be held centrally by the FHR team. In these instances Data Subject Access requests should be made to the Lead Officer, FHR Team, New City House, 1 Edgar Street, Dunfermline, Fife, KY12 7EP.

27. Enquiries into application details

- 27.1 We reserve the right to make any enquiries we consider necessary to validate the accuracy of the information you provide. The FHR also reserves the right to return any incomplete applications. In signing the application form, you are giving us consent to make enquiries to correctly assess your application. In some circumstances we may need you to sign additional documents to allow the release of information from other agencies to support your application and ensure appropriate points are awarded.

28. Exceptional circumstances

- 28.1 From time to time cases will arise where, because of their sensitivity or the particular nature of housing circumstances, your needs cannot be met by the mainstream Allocation Policy. In some instances we may need to free-up high demand properties to ensure best use of stock. In cases such as these, management points may be used by the Housing Manager to facilitate a move. All such cases will be recorded in the required pro-forma to ensure transparency and accountability.

29. Homelessness within our own stock

- 29.1 From time to time existing tenants may find themselves either without accommodation or in a situation where it is difficult to continue to occupy their current accommodation.
- 29.2 In cases where tenants have had a fire or a flood or some other disaster which has meant they cannot occupy their home, we will do the following:

- We will liaise with you, and as far as possible, try to extend any help and practical assistance at the time of the crisis and in the aftermath. We do not have temporary accommodation of our own and this will generally mean that you may have to submit a homeless application in order to access appropriate temporary accommodation;
- Where you do not wish to do this and express a preference for us to deal with your situation, we will try where possible, using our own empty properties, bed and breakfasts, hotel accommodation and caravan parks, to arrange temporary accommodation which is appropriate to the circumstances;
- Initiate our Decant Policy; and
- In general the expectation will be that you will return to your own home when the property had been returned to normal condition although, in some cases, it may not be possible or desirable and our Transfer Procedure will be followed.

29.3 Homelessness or threat of homelessness due to relationship or family breakdown:

- In cases where relationships have broken down and no domestic abuse provision has been made to award points via the FHR, the occupant who wishes to leave the family home should submit a housing application based on this.
- In cases where there been a family breakdown for any reason and no provision has been made to award points via the FHR, the occupant who wishes to leave the family home should submit a housing application based on this.

30. Allocation of properties to other housing providers

30.1 In the majority of cases, the Association lets accommodation to individuals and families using Scottish Secure Tenancies. The Association's preferred approach, in line with Regulatory guidance, is to have direct lets to individual tenants. However, there may be circumstances where a lease is the most appropriate. Leases may be appropriate where:

- The accommodation is shared by unrelated adults who require some form of support;
- The accommodation is part of a pool of temporary accommodation, used by a local authority to house individuals who are temporarily homeless;
- Refuge accommodation is being provided, supported by, for example, Women's Aid; and
- There is need for emergency decant accommodation, e.g. where a local authority or another RSL requires such accommodation because of fire, flood etc.

30.2 The Association will make every reasonable effort to safeguard its properties and the people living in them. The Association will ensure that the organisation leasing the property provides tenancy or occupancy agreements which are legally compliant, and within the circumstances, maximise security of tenure for the occupants.

31. Complaints and appeals

- 31.1 If an applicant is unhappy with any aspect of their application, assessment or offer they may appeal against the decision. This is highlighted in all communications issued. Any appeal should be submitted in the first instance to the Operations Manager.
- 31.2 Appeals may be taken to the FHR Management Group if applicants are not satisfied with the response. Further information is available in the FHR Guidance Notes.
- 31.3 If an applicant is unhappy about a decision relating to an internal transfer, they may appeal against the decision. Appeals should be submitted to the Housing Manager within 28 days of receiving the decision.
- 31.4 If an applicant is unhappy about how they have been treated by one of our colleagues, a copy of our Complaints Policy is available in our office, from our website at www.fifehq.org.uk or on request.

32. Review

- 32.1 This policy will be reviewed every three years or earlier if deemed necessary.



Access to Housing Protocol Suspensions and Withdrawals

Policy and Procedure Guidance for FHR Partner Organisations

Draft No	Author	Date	Approval Body
FINAL	Jennifer Dunbar	26 October 2021	FHR Executive
Final Change to rechargeable repairs limit	Jennifer Dunbar	23 October 2019	FHR Executive
Final	Jennifer Dunbar	26 June 2019	FHR Executive
Final Draft	Jennifer Dunbar	April 2019	FHR Executive
Implementation Date	November 2021		
Review Date	March 2023		

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1.0 Introduction

The Fife Housing Register (FHR) partners are committed to improving access to housing and believe that everybody has the right to a decent, warm, secure and affordable home that is appropriate to their needs. The Partners to Fife Housing Register are;

- Fife Council
- Fife Housing Group
- Glen Housing Association
- Kingdom Housing Association
- Ore Valley Housing Association
- Dunedin Canmore Housing Association
- Hillcrest Homes
- Caledonia Housing Association
- Ochil View Housing Association
- Cairn Housing Association
- Link Housing Association
- Horizon Housing Association

This protocol fits with Fife Council and the Fife Housing Partnership's "Increasing Access to Housing" Agenda as well as Scottish Government Guidance. The Protocol also relates to the Scottish Social Housing Charter set out by the Scottish Ministers as required by section 31 of the Housing (Scotland) Act 2010 which sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The standards that relate to this protocol are:

- Standard 1 - Equalities
- Standard 2 – Communication
- Standard 6 – Estates Management, anti-social behaviour, neighbour nuisance and tenancy disputes
- Standards 7, 8 & 9- Housing Options
- Standard 10 - Access to Social Housing
- Standard 11 - Tenancy sustainment
- Standards 14 & 15- Rents and Service Charges

The protocol was revised in 2019 to take into account the Government's Guidance regarding Housing (Scotland) Act 2014, Legal Framework for Allocations for Suspensions.

By developing a series of "Access to Housing Protocols" the FHR partners are setting out policy and procedure that have been established to achieve best practice and ensure compliance with legal and regulatory guidance in responding to individual circumstances through the housing application and wider housing access systems. This Protocol recognises the range of circumstances where applicants may be temporarily or permanently removed from the housing list.

Access to housing operates on a non-discriminatory basis therefore no account is taken of ethnicity, financial status or other personal status issues. The Fife Housing Register partners aim to be sensitive to cultural beliefs and have established systems capable of responding to individual or specific housing needs where it is appropriate to do so (e.g. for people with disabilities)

2.0 Strategic Context

The Housing (Scotland) Act 2001 requires local authorities to prepare a local housing strategy supported by an assessment of housing need, demand and provision. The Local Housing Strategy (LHS) 2020-2022 provides a plan for housing improvement across all tenures. It is developed by the Fife Housing Partnership. The partnership supports the Scottish Government's vision 'a housing system which provides an affordable home for all'. In light of this national vision, the Fife Local Housing Strategy 2020-2022 provides a range of housing outcomes to address housing needs and aspirations, aiming to provide housing choices for people in Fife.

Eight priority areas have been identified within the LHS. Four of these priorities relate to this protocol

- Prevention of homelessness
- Access to Housing
- Healthy heating and poverty
- Housing Health & Social Care

The “*Access to Housing Protocols*” operate within the Fife Housing Register operational framework but are also part of the wider Local Housing Strategy Building Social Inclusion Theme Agenda. In this context, this Protocol contributes to all of the aforementioned priorities and strategic outcomes outlined in the Local Housing Strategy:

3.0 Objectives

The FHR Partners recognise the specific commitment to:

- promote open and equitable access to housing in Fife
- ensuring applicants are responsible for the information on their application and keeping this up-to-date
- minimising suspensions and maintaining regular contact with suspended applicants
- providing a system that recognises individual circumstance and acute housing need
- being accountable through an open and transparent complaints process

Fife Housing Register is designed to provide a single point of access to housing in Fife and therefore the partners recognise that a decision to suspend or withdraw an application can have serious implications for individuals in housing need. This policy ensures that applicants are treated fairly in accordance with law and best practice but incorporating flexibility to recognise individual circumstances. Suspensions should be the exception rather than the norm

and FHR partners should try to minimise the number of suspensions made and the period of time that any suspensions are made for.

FHR partners are committed to ensuring that anybody over the age of sixteen will be registered and placed on the housing list therefore there is no concept of exclusions. However, in cases where applicants have 'no recourse to public funding', applicants will be ineligible for council housing. Applicants will still be placed on Fife Housing Register and housing association partners will take allocations decisions on the basis of their respective Allocation Policies for this customer group. Applicants in these circumstances will be advised of the decision not to add Fife Council as a housing provider of choice.

4.0 Suspensions

The term suspension refers to a temporary period of time during which an applicant (including existing tenants) will not be actively considered for an offer of housing. Suspensions are applied in accordance with the circumstances or behaviours and time-scales outlined below. If there is a decision to suspend an application there must be clear and robust evidence to support this.

In Fife, an application for housing is only suspended when there is evidence provided to support suspension for any of the statutory grounds:

- Anti-social behaviour
- Previous convictions for ASB offences related to a tenancy
- Recovery of possession
- Abandoning or neglecting a property
- Rent arrears or other tenancy debt
- Re-let standard of property
- Making a false statement in an application
- Refusal of previous offer

Applications/applicants can be suspended at the time of assessment or if additional information is provided at a later date the suspension can be initiated, e.g. Safer Communities Team could undertake an investigation after an application is assessed and they will notify the FHR Team of this, Housing Options Officers completing Active Housing List Management (AHLM) could be provided with new information that could result in the application being suspended and therefore advise the FHR team of this.

Suspension reason (previous 3 years from application)	Prompt	Suspended	Review/Included on a report
Anti-social behaviour	Application form Tenancy ref (Appendix 1)	For 12 months but can be extended to 18 months after any investigation completed. For 12 months	From 12 months of suspension included on report. Partners contacted to check if suspension needs extended.
Anti-social behaviour to member of staff	Staff members manager		On report at 12 months to uplift suspension.
Previous conviction for ASB offences related to a tenancy	Application form Tenancy ref (Appendix 1)	For 12 months	On report at 12 months to uplift suspension
Recovery of possession (eviction)	Tenancy Ref (Appendix 1)	For 12 months	On report at 12 months to uplift suspension
Abandonment or neglecting a property	Tenancy Ref (Appendix 1)	For 12 months	On report at 12 months to uplift suspension.
Rent arrears or other tenancy debt	Tenancy Ref (Appendix 1)	Until debt is equivalent to less than 1 months rent or 3 continuous payments & continuing to pay	Letter to applicant at 12 monthly intervals. Highlighted when reaches 3 year from suspension – reviewed by FHR Team/new form.
Rechargeable repairs		Until debt is equivalent or less than £350 or 3 continuous payments and continuing to pay	
Re-let exit standard	Advised by Housing Team/partner	Until required work completed	12 months but Housing Team/Partners should have advised when up to exit standard

Making a false statement in the application	Application form Advised by someone	Until applicant provides updated information	Case managed and no contact process followed by FHR LO if no response
Refusal of previous offers	System generated	6 months	On report at 5 months after suspension and applicant contacted to update application and made LIVE

All suspended applicants will receive a letter advising why their application has been suspended and for how long.

The aim is to have as few as possible applications suspended for as minimal amount of time as possible.

Review letters will now include letters to applicants that are suspended in attempt to maintain contact while suspended.

New reports have been introduced to support the review of suspended applications to support making them LIVE as soon as possible. New working practices have been introduced to support accurate FHR applications being made LIVE after a period of suspension.

4.1 Behaviour

Suspension for Anti-Social Behaviour (in previous 3 years from date of application)

Circumstance/Behaviour – Applicant currently living in Fife

- The applicant, or a member of the applicant’s household, has carried out a serious act of anti-social behaviour (in the locality of a property occupied by them) which has affected another person
- A course of conduct (more than one incident) identified as ASB or harassment.
- Current ASBO

Client Group: Current tenants, new applicants and members of their household

Code for reporting: SPU (SBH)

Review Period: Included in a review report from Housing Systems 12 months from suspension date for FHR Team to check circumstances.

FHR Prompt	Evidence required by FHR Team	Action
Applicant answered YES on application to	Completed tenancy reference confirming that	Application suspended for 12 months when completed tenancy reference returned.

<p>Have you or anyone applying with you ever received warnings about anti-social behaviour.</p> <p>If FC, partner or private tenant a tenancy reference will be requested. If answered YES to if there/was there any anti-social behaviour arising from this tenancy.</p> <p>Tenancy references FC tenant or care of FC tenant goes to HMO area email Partner tenant goes to partner email Private tenant goes to landlord Owner in Fife goes to Safer Communities Team Those living c/o in Fife should go to Safer Communities Team</p> <p>Outwith Fife goes to landlord (assessment from appendix 3)</p>	<p>there has been Anti-Social Behaviour</p> <p>FHR partners aware of when the tenancy reference should be returned as YES.</p> <p>Partners use checklist appendix 2 to support decision regarding level of anti-social behaviour Includes: Under investigation for ASB</p> <p>Currently have a SSST</p> <p>ASBO/History of ASB</p> <p>Assess information provided on returned tenancy reference. May need to request further information to compare with Fife Safer Communities categories of Extreme, Serious and Minor. (Appendix 3)</p>	<p>Applicant can be suspended while under investigation. If investigation finds no issues then SCT will advise FHR to uplift suspension. If reason to be suspended then suspension will continue until advised by SCT. This will not exceed 3 years but could last up to 18 months from beginning of any SSST.</p> <p>From 12 month report FC tenant – email to Lead Officer to establish if suspension can be uplifted/Area Housing Lead Officer/contact can be made with Safer Communities Team if required Partner landlord – email to customer service email to establish if suspension can be uplifted</p> <p>Private tenant and Outwith Fife – suspension uplifted at 12 months.</p> <p>Extreme and Serious will result in suspension for 12 months.</p>
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Circumstance/Behaviour - ASB or a course of conduct amounting to ASB in relation to an employee of a social landlord in course of making an application

Client Group: Current tenants, new applicants and members of their household

Code for reporting: SPU (SBH)

Review Period: Included in a review report from Housing Systems 12 months from suspension date for FHR Team to check circumstances.

FHR Prompt	Evidence required by FHR Team	Action
Advised by a Manager/Lead Officer	Copy of letter from social landlord to tenant/applicant advising of inappropriate behaviour. Social landlord will already have investigated If reported to Police – an incident number	Suspension from the Housing List for 12 months. Suspension uplifted at 12 months

Circumstance/Behaviour – Minor incident of Anti-social behaviour (within and out with Fife)

Client Group: Current tenants, new applicants and members of their household

Code for reporting: SPU (SBH)

Review Period: Not required

FHR Prompt	Evidence required by FHR Team	Action
Application for housing and completed tenancy reference	Tenancy reference confirms minor incident Details that enable comparison with Safer communities and confirm Nuisance/minor anti-social behaviour. (Appendix 3)	No action required

Suspension for previous conviction for ASB related to a tenancy
(in previous 3 years from date of application)

Circumstance/Behaviour

- Convicted of using a property or allowing a property to be used for immoral or illegal purposes
- Convicted of an offence/conviction punishable by imprisonment which was committed in or in the locality of a property occupied by them.

Client Group: Current tenants, new applicants and members of their household

Code for reporting: SPU (SBH)

Review Period: Included in a review report from Housing Systems 12 months from suspension date for FHR Team to check circumstances.

FHR Prompt	Evidence required by FHR Team	Action
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Application for housing and completed tenancy reference	<p>Completed tenancy reference from FC HMO. Partner landlords, private landlords</p> <p>If convicted after FHR application assessed Safer Communities Team will provide a copy of the formal warning letter to support suspension.</p>	<p>Suspension from the Housing List for 12 months from when evidence provided.</p> <p>At 12 months suspension uplifted</p>
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Suspension for previous eviction

(in previous 3 years from date of application)

Circumstance/Behaviour – Order for recovery of possession under certain Acts. Includes rent arrears, anti social behaviour and the termination of a SSST. (Acts include The Housing (Scotland) Act 2014, 1998, 2001, The Housing Act 1985, The Housing (Northern Ireland) Order 1983, The Private Housing (Tenancies) (Scotland) Act 2016)

Client Group: Current tenants, new applicants

Code for reporting: SPM (SPE)

Review Period: Suspension review letter sent at 11 months, to receive an update in circumstances before application made LIVE at 12 months.

FHR Prompt	Evidence required by FHR Team	Action
Completed Tenancy reference	<p>Tenancy reference and confirmation that court order was granted for rent arrears, ASB, termination of SSST</p> <p>From landlords across UK</p>	<p>Suspension from the Housing List for 12 months from when evidence provided.</p> <p>Suspension uplifted at 12 months</p>

Suspension for abandonment or neglect

(in previous 3 years from date of application)

Circumstance/Behaviour

- Tenancy terminated by landlord using s18 abandonment notice procedure
- Tenancy terminated by landlord using s20 abandonment by a joint tenant notice procedure
- A previous tenancy was terminated by the landlord on the basis of ground 3 (condition of property) or 4 (condition of furniture) of the 2001 Act and The Private Housing (Tenancies) (Scotland) Act 2016 on basis of ground 11.

Client Group: Current tenants, new applicants

Code for reporting: SPM (SAB)

Review Period: Suspension review letter sent at 11 months, to receive an update in circumstances before application made LIVE at 12 months.

FHR Prompt	Evidence required by FHR Team	Action
Completed Tenancy reference	Tenancy reference From Scottish Social Landlords	Suspended from the Housing List for 12 months Suspension uplifted at 12 months

4.2 Debt

An application is suspended when we have been informed that there are arrears from the applicants 3 year address history. The arrears have been identified through the completion of tenancy references (attached appendix 1) by the landlord and have not been disputed by the applicant.

In all cases the application would be suspended if the arrears/housing debt:

- Remain unpaid, in full **OR**
- The arrears are equal to or more than one month's rent/rechargeable repairs equal to or more than £350 **OR**
- The applicant has failed to comply with a repayment agreement for 3 months plus,
- OR there has been no Homeless award or urgent housing award e.g. domestic abuse, serious harassment

Applications cannot remain automatically suspended after a **3 year** period. This is because it can be difficult to pursue a legal action to recover rent arrears in certain circumstances.

The grounds for suspension above continue to apply, however, there is an additional requirement where the rent arrears/housing debt are older than **3 years**; the application would no longer remain suspended unless:

- Legal Action has been taken by the landlord in the previous 3 years to recover the debt in the Sheriff Court, or

- The debt has been acknowledged by the Applicant but this has not resulted in a repayment agreement or the terms of any repayment agreement has not been complied with, or
- The landlord can evidence that they are continuing contact with the applicant to secure a suitable repayment arrangement and the applicant has made no effort to acknowledge or dispute the debt.

If you have any doubt concerning the suspension of an application, legal advice should be sought.

In order to determine if action has been taken by the landlord or the applicant has acknowledged the debt the following proof should be requested:

- Legal documents requested from the Landlord and/or applicant
- Proof of acknowledgement of the debt from the applicant and/or Landlord
- The evidence must be clear and reliable.

Every effort should be made to determine if any action has been taken. This should also be documented appropriately in the scratchpad.

If proof has not been provided by either party then the suspension would no longer apply and the application should be returned to LIVE.

Written Off arrears – If written off as a result of sequestration then the application cannot be suspended. If Written off and not sequestration legal advice to be sought.

Suspension for Rent Arrears Past Tenants Arrears / Former Landlord Debts and other debt (in previous 3 years from date of application)

Circumstance/Behaviour - Current or former tenancy arrears or tenancy related debt (not rechargeable repairs) accrued within previous 3 years of more than one 12th/1 months full rent of the annual rent. Outstanding recharges equivalent to or more than £350.

Client Group: Current tenants, new applicants

Code for reporting: SPM (SCA & SRC)

Review Period: Included in annual review letter at 12, 24 months and at 36 months full review of application and new tenancy reference required before suspension uplifted. Can only be suspended for 3 years.

FHR Prompt	Evidence required by FHR Team	Action
Completed Tenancy reference from current and previous landlords	<p>Monthly rent amount and current/previous rent debt more than this figure</p> <p>Rechargeable repairs equal or more than £350</p> <p>Information regarding payment plan in place</p> <p>Again at Active Housing List Management (AHLM)</p>	<p>Suspended pending a satisfactory arrangement (as determined by the debtor landlord) being maintained for a minimum period of 3 months and continuing to pay.</p> <p>Applicants responsibility to advise that arrears are below 1/12th or rechargeable repairs below £350</p>

Circumstance/Behaviour - Applicant has written off arrears/recharges that have been agreed at partner boards/committees.

Debts which have been written off by the landlord can be the basis of a suspension as long as they would have satisfied the previous conditions at the time that they were outstanding. If written off as a result of sequestration then the application cannot be suspended.

Client Group: Current tenants, new applicants

Code for reporting: SPM (SFA)

Review Period: Included in annual review letter at 12, 24 months and at 36 months full review of application and new tenancy reference required before suspension uplifted. Can only be suspended for 3 years. .

FHR Prompt	Evidence required by FHR Team	Action
Completed Tenancy reference from current and previous landlords	<p>That arrears/housing debt/rechargeable repairs were within 3 years of the application for housing.</p> <p>Monthly rent amount and debt more than this figure Rechargeable repairs equal or more than £350</p> <p>Information regarding payment plan in place</p> <p>Again at Active Housing List Management (AHLM)</p>	<p>Suspended pending a satisfactory arrangement (as determined by the debtor landlord) being maintained for a minimum period of 3 months and continuing to pay.</p> <p>Applicants responsibility to advise that arrears are below 1/12th</p>

The following cannot be taken into account:

- Non housing debt
- Where previous arrears of rent or service charge have been paid
- Where the rent or service charge arrears amount to no more than a month's rent or charges; or
- Where the applicant has come to an arrangement with the landlord for paying arrears, has kept to the arrangement for at least three months and is continuing to make payments.
- Housing related debt of household members.

4.3 Accommodation standards

Circumstance/Behaviour – Where the Relet Exit Standard is applied and found to be unsatisfactory

Client Group: Current tenants

Code for reporting: SPM (SCT)

Review Period: Suspended until property brought up to standard. Not to exceed three years.

FHR Prompt	Evidence required by FHR Team	Action
<p>FHR Team notified by partner housing staff</p> <p>Housing staff completed home visit to assess condition and to advise what is required before application will be LIVE again.</p>	<p>Change request from Housing team to advise to be suspended due to condition of property.</p> <p>To be considered by team at AHLM</p>	<p>Suspended until work completed. Housing teams to send change to advise when suspension can be uplifted</p> <p>Housing Team to case manage to ensure not suspended for more than 3 years for this reason.</p> <p>Exceptional circumstances – Management decision should be used when applicant is infirm due to age/disability or the tenancy is severely overcrowded and the need for rehousing is high. Not suspended.</p>

4.4 Others

Circumstance/Behaviour – Refusing 2 fair offers of housing without good reason

Client Group: General applicants and current tenants

Code for reporting: SPU (SRF)

Review Period: Suspended for 6 months. To be sent a suspension review letter at 5 months to ensure application up to date

FHR Prompt	Evidence required by FHR Team	Action
None	Automatic when Housing team record 2 fair offers refused.	Suspended until FHR Officer reviews application with customer and makes LIVE again. Good reason not to suspend and request offer updated to unfair would include <ul style="list-style-type: none"> - Hospitalisation - Family trauma - Long term illness - Any other exceptional circumstance(s)

Circumstance/Behaviour – Making a false statement

Client Group: General applicants and current tenants

Code for reporting: SPM (SFI)

Review Period: Suspended until applicant rectifies the error. Reviewed after 12 months.

FHR Prompt	Evidence required by FHR Team	Action
Advised that applicant has provided incorrect information	Investigate where possible and notify FHR LO to write to applicant advising that suspended until error rectified. The false or misleading information must be relevant to the decision to rehouse.	Suspended until applicant rectifies. Reviewed after 6 months.

4.5 Exceptions

Where there is a statutory homelessness (UHH) duty or evidence of acute or urgent housing (UH) need the Suspensions process will be ‘set aside’ however applicants will be encouraged to maintain agreements to repay debt or other matters which could affect their application. Decisions to ‘set aside’ the Suspensions protocol on the basis of exceptional circumstance (i.e. acute housing need), will be agreed by the Lead Officer (FHR) or referred to the appropriate partnership group. Applicants will be considered for allocation based on each partner’s current allocations policy. A suspension uplift request proforma is not required, a change request can be made for applicants awarded urgent housing points from domestic abuse or severe harassment.

Homeless Applications

The current guidance for Homeless Applications with rent arrears remains unchanged. Where there is a Homeless priority award the application will be made LIVE.

If the applicant refuses an offer of housing under the Homeless category, UHH will be removed and the applicant will then be entitled to one more offer of housing from the general list, however if rent arrears/re-charges were identified before the Priority award the suspensions policy and the guidance above should be applied.

If no tenancy reference requested as application was UHH at time of registration/assessment, tenancy references will be sent by FHR Team to previous landlord when UHH removed.

4.6 Suspension uplift

Suspensions can be uplifted if:

- A new tenancy reference is received from landlord and no rent arrears/no recharges outstanding (or below one month's rent/1/12th annual rent), arrangements for payment in place for 3 months or more, and no anti-social behaviour
- Lead Officer Area Housing Management/partner Team Leader, completes a suspension uplift giving reasons for the suspension to be uplifted. Appendix 5 – Suspension uplift proforma (Appendix 5)
- Applicant appeals the suspension and provides additional information to support this
- After suspension period completed, review carried out and agreements have been maintained
- Suspension exceeds 3 years from date of application unless landlord can evidence that they are continuing to pursue a housing related debt

4.7 Applicants right to appeal suspension

Applicants that wish to appeal the decision can do this by writing to any of the FHR Partners within 21 days of their suspension letter. This will be forwarded to the FHR Lead Officer at FHR.team@fife.gov.uk or by sending to:

Fife Housing Register Team
Housing Services
New City House, 1 Edgar Street, Dunfermline
Fife, KY12 7EP

The applicant should provide information to support why they feel that their application should not be suspended, providing as much supporting evidence/information that they have available.

The FHR Lead Officer will ensure this is recorded as a stage 1 complaint and investigate the reason for the suspension and take into consideration the new information provided by the applicant or the applicants representative.

Appeals regarding fair offers will be passed to relevant area/landlord to respond to the applicant (offer to homeless applicant that reaches the end the appeals process should be passed to Housing Options Officer to discuss with their Lead Officer).

The applicant will receive a response within 5 working days.

If applicant not happy with the response they can raise their appeal as a stage 2 complaint. This will be responded to within 20 working days by the relevant Service Manager.

The applicant should be asked to detail their reason for their appeal including:

- What has gone wrong
- How they have suffered or been disadvantaged

This will be acknowledged in 3 working days by the corporate complaints team.

If applicant not happy with response they can contact the Scottish Public Services Ombudsman at:

Bridgeside House
99 McDonald Road
Edinburgh
EH7 4NS
Tel 0800 377 7330

5.0 Active Suspension Management

In all circumstances applicants will be contacted (by a system generated letter) in writing to advise that the application has been suspended giving reasons for the suspension. Applicants will be offered advice and assistance to address the situation where possible.

It is the applicant's responsibility to ensure that their application is up-to-date at all times but Fife Housing Register Team will;

- Contact suspended applicants (which are not time limited) every 12 months to review the circumstances
- Contact suspended applicants (which are time limited) in advance of the expiry of the suspension to review the circumstances
- Provide advice and information relevant to the suspension to assist the applicant in progressing their application
- Manage applications back onto the active housing list at the earliest possible opportunity

6.0 Withdrawals

In order to ensure that Fife Housing Register is accurate and up-to-date applications will be withdrawn from the active housing list where;

- An offer of housing that meets the household's needs has been accepted and they have confirmed that the application should be withdrawn
- Applicants indicate in writing that they wish to be withdrawn or they withdraw their online application
- Applicants advise a Partner employee, Housing team member or Customer Service team member that they no longer wish to be on the housing list
- As part of the application review process applicants email FHR.stayonhousinglist@fife.gov.uk to advise they do not wish to stay on the housing list.
- Notification is received that the applicant has deceased
- There is no response to two attempted contacts through the Fife Housing Register system and the no contact process has been followed

Where the application is withdrawn, and a contact address is available, a written confirmation of the withdrawal will be sent to the applicant as confirmation of the withdrawal.

Reason for Withdrawal	Withdrawal Code	Timescale	By whom
Firm offer accepted and form to be withdrawn at applicants request	OAWHA	Immediately on confirmation from applicant received For most FHR Partners application is withdrawn and destroyed when application moves to Offer Accepted/Withdrawn Housed by Partner Withdrawn housed by partner (WHA)	FHR requests Business Support to withdraw and destroy
Applicant request to withdraw application	WAR	Immediately on confirmation from applicant received Confirmation of security questions by anyone that has been advised by the applicant – FHR Partner, Customer Service Application destroyed	FHR Officer If signature provided this is checked. No signatures with on-line form but email required to sign in
Applicant deceased	WDC	Immediately Application destroyed unless there are others on the application	FHR Officer
No response to two attempts of contact	WNC	28 days Application destroyed 3 months after no contact process completed	Business Support once checked to ensure no contact between letters

Fraudulent information	WNC	28 days Application destroyed 3 months after no contact process completed	Applicant to correct the information and the application becomes LIVE again
Duplicate application	WDA	Can happen at registration or monthly report run	FHR Officer – applications filed together

7.0 Applications which are temporarily Held

Where applicants require assessment by the Housing Occupational Therapy Service (HLP) or have not provided all of the mandatory information (HLD) required to access the live housing list they will be temporarily HELD until the application assessment is completed. In all circumstances this will be short term and temporary to ensure that applicants entering the allocation pool are not considered for inappropriate offers of housing.

If applicants fail to respond to requests for information to complete the assessment of their application within 28 days the application will be withdrawn and notification sent to the applicant. The no contact process (appendix 4) will be completed. Application is destroyed 3 months after no contact process completed.

8.0 Monitoring Housing List Maintenance functions

All of the areas covered in this policy statement are regarded as housing list maintenance functions and these are regularly monitored and reported through the FHR Management arrangements.

To promote continuous improvement, all aspects of Fife Housing Register procedures are reviewed regularly. The next scheduled review of the FHR Suspensions and Withdrawals Policy and Practice arrangements is March 2023.

9.0 General Practice Issues

The following provide the standard guidance applied by all FHR partners when dealing with all applications for housing.

9.1 Confidentiality

All applicants have the right to expect that their information will be treated as sensitive and confidential therefore appropriate arrangements should be made through written information and personal contact to ensure that this is conveyed to applicants. Any information supplied in relation to the application for housing, whether as part of the application form or any

supplementary notes, should be handled in accordance with organisational Data Protection Legislation. In all circumstances:

- The applicant's permission will be requested and obtained prior to making any contact with other services or agencies, as part of the application approval by the customer.
- On no account, will any third party be given any information that may compromise safety or well-being generally without the applicants express written consent. This includes references to current location, contact details or any information contained within the application record.
- Where possible private interview facilities should be arranged as required
- All forms of correspondence should be treated as private and confidential including e-mail, change requests etc.
- All reasonable measures should be in place to safeguard the security of electronic and paper based records in accordance with organisational policy.

9.2 Personal Contact

In all circumstances it is regarded as good practice to seek personal contact with the applicant in order to deliver the highest possible quality of housing advice. Where possible this will be through housing options advice interviews that can be offered at all Council Customer Service Centres and the FHR partner offices.

It is the responsibility of the individual / household to decide the most appropriate course of action based on good quality advice, but applicants should always be supplied with emergency contact details for use in the event of emergency situations. In all circumstances, a range of housing options related to the individual circumstances should be identified although in some cases this may mean referring the applicant to another agency for specialist advice.

The basic guidance in relation to personal contact should be;

- In the event of a language barrier (due to sensory impairment, language difficulties or any form of disability), it may be necessary to arrange for interpreting or other translation services. This should be managed within a reasonable time-scale and arranged at a convenient time. These services can be arranged through Fife Community Interpreting Service or other service or organisational contacts. In no circumstances should the applicant's children be used to interpret or pass messages.
- Immediate action may not always be required, it may be enough that applicants are aware of their options and the implications of particular courses of action

- In some cases temporary accommodation may be all that is required to support a longer term housing option. In these circumstances, reference will be made to the local authority's duties under Homeless Persons Legislation.
- In the event of relationship breakdown within Armed Forces accommodation, alternative housing may not necessarily be the most positive course of action and other solutions may be more appropriate. In all circumstances, the applicant should be made aware of their housing options.
- In all circumstances the assessment will be objective and will be made with regard to the relevant legal framework, housing rights and FHR policy and procedure
- Accurate written records should be maintained of any contact but only released to a third party if authorised to do so.
- In all circumstances, the applicant should be advised of any actions that will be taken
- The FHR Administration framework provides the system for recording and storing records including supporting statements from Police, Health, Social Work Staff or any other contributing agency.
- Where there is an issue concerning potential abuse or neglect of children or vulnerable adults, there is a responsibility to inform Social Work (refer to the Child Protection or Fife Adult Protection Guidelines). There may also be responsibilities for housing providers inferred by the Children (Scotland) Act 1995.

9.3 Confirmation of Circumstances

It is the duty of the FHR Partners, and particularly the local authority through Homelessness responsibilities, to make reasonable enquiries as a matter of course. The Fife Housing Register Verification Framework sets out the proofs and other confirmations that applicants are required to provide.

In the main, enquiries will be handled through the FHR Team with reference to local points of contact including the Homelessness Service. However, in all circumstances the following guidelines will be followed;

- It is the applicant's responsibility to complete the application form honestly and accurately
- Applicants are required to provide all relevant proofs and confirmations in relation to their application and to ensure that the application is kept up-to-date at all times.
- The FHR partners, including the Homelessness Service, will inform applicants of the need to provide verification or confirmation of circumstances set out within the application

process. Where possible, advice will also be provided in relation to the content and format of proofs / confirmations.

- Applicants will not receive points or entitlements for any unconfirmed circumstances
- Where the applicant provides false or misleading information the application will be suspended until the issue is rectified.

10.0 Information Sharing

Information will only be requested and provided in accordance with legislative requirements and the data sharing policies of the partner organisations.

Information will be provided timeously and in the prescribed formats. Information will only be shared in respect of named applicants (including joint applicants) and where there is signed authorisation provided by the applicant(s).

Where information obtained within the protocol arrangements highlights a potential risk for staff across the organisations or is relevant to an application on the system, this will be recorded on the Fife Housing Register.

11.0 Exemptions from the Protocol Arrangements

This protocol has been established to provide the communication structure between the housing allocations system and appropriate agencies to provide a single route of communication and designated points of contact. Any information requests must go through this process unless the circumstances meet the criteria of the following exemption.

- Where information sharing is necessary to ensure community safety

12.0 Review Process

As part of the FHR protocols framework, the review of this process is subject to the regular review of partnership working arrangements. This ensures that working arrangements are effectively monitored and up-dated as necessary.



**Appendix - 1
Tenancy Reference**

Applicant Name(s):		
Reference Number:		
Tenancy at:		
Tenancy Ref Number:		
Dates Tenancy Held:	Start Date:	End Date:

Please answer the following questions for your current or former tenant

Debt		Please circle	
How much is/was one month's rent	£		
Is more than 1 month's rent outstanding		YES	NO
Are any other related housing related debt outstanding		YES	NO
If yes, please give the current balance(s) below			
Rent debt	Rechargeable Repair debt	Legal Expenses debt	
£	£	£	
Is there a repayment agreement in place for: rent debt? rechargeable repairs?		YES YES	NO NO
If yes, is this on-going and has this been maintained for 3 months or more?		YES	NO
Are there any rent/recharge debt as a result of property being abandoned?		YES	NO
Are you actively pursuing this debt?		YES	NO
Has the debt been written off?		YES	NO
Was it as a result of sequestration?		YES	NO
If legal action taken to recover debt, when was this?			
Please provide any further relevant information about the debt issues			

Anti-Social Behaviour	Please circle	
Is there/was there any anti-social behaviour arising from this tenancy?	YES	NO
If yes, please provide any further relevant information: include details of the behaviour, if warnings were issued, when and to whom.		

Tenancy		
What type of lease is/was held? (Please circle as appropriate)		
Scottish Secure Tenancy (SST)	Short Scottish Secure Tenancy (SSST)	Short Assured Tenancy
Lead Tenancy	Private Residential Tenancy	Other (please state)
Does/did your tenant have a copy of the lease?	YES	NO
Is this/was this a SOLE or JOINT tenancy?	SOLE	JOINT
If this was a previous tenancy, how was the tenancy ended?		
Was the property abandoned?	YES	NO
Was the tenancy ended for ASB?	YES	NO
Date tenancy was ended?		
Was it terminated by you due to the <ul style="list-style-type: none"> - Condition of the property - Condition of the furniture - Other reason (please state) 		
If evicted can you provide copy of decree?	YES	NO
Does the property have central heating?	YES	NO
Does the property have a garden?	YES	NO
• If yes is it sole use or shared garden?	SOLE	SHARED
Number of bedrooms in the property		

Landlord's signature:		Date:	
Organisation:		Position:	
E-mail address			

Thank you for providing this information.

You can send to –The contact on the attached letter, or Fife Council, Fife Housing Register, New City House, Edgar Street, Dunfermline, KY12 7EP Or email – FHR.Team@fife.gov.uk

Appendix 2

Anti-Social Behaviour checklist

Checklist to be completed by HMO/Housing Partner Teams to support completion of tenancy reference question - **Is there/was there any anti-social behaviour arising from this tenancy**. Select Yes on the tenancy reference if any question 2-8 below has been circled as yes and return this with the completed tenancy reference to the FHR Team.

Applicants Name –

Joint Applicant's Name –

FHR number –

Names of Adult Household Member (over 16 years) –

	Please circle	
1. Are the safer communities' team aware of any ASB relating to the applicant/joint applicant?	YES	NO
2. Do they have a SSST? (Short Scottish Secure Tenancy)	YES	NO
3. Does it relate to any of the following? <ul style="list-style-type: none"> - Physical violence - Drug related activity - Hate incidents - Prostitution - Loud music and/or party house – shouting/fighting/disturbance - Vehicle nuisance - Harassment (not family disputes, not gestures/staring/scowling etc) - Any other continual and ongoing ASB causing disturbance and annoyance to community 	YES	NO
4. Have there been 3 serious incidents and have at least 2 of these been within the last 6 months?	YES	NO
When (date) was the last ASB incident?		
5. Has the incident(s) occurred in the locality of the applicant's property? <ul style="list-style-type: none"> - Within sight or sound of the property - Within one mile of the property 	YES	NO
6. Are you aware of a previous conviction for ASB related to this tenancy	YES	NO
7. Has there been ASB towards an employee	YES	NO
When was the incident with an employee (date)? Please provide a copy of the letter to the applicant and any Police incident number to the FHR Team.		
8. Has there been a recovery of possession (eviction) for Anti-Social Behaviour Termination of a SSST	YES YES	NO NO
9. When was the recovery of possession or termination of SSST		

Dates provided above must be in the last three years.

Appendix 3 - Anti-Social categories to enable assessment for out with Fife applicants

Category of complaint	Action
<p>Cat C Nuisance/Minor Anti-Social Behaviour. Occasional noise; family disputes affecting neighbours; behaviour of children; household noise; first complaints or infrequent disturbances; smell of drugs; stair cleaning; dog/pet control; garden upkeep; mild verbal harassment.</p>	<p>Do not suspend</p>
<p>Cat B Serious Anti-Social Behaviour. Verbal abuse; frequent/ongoing serious disturbances - i.e. loud music, parties, shouting & swearing; drug dealing; frequent disturbances; vandalism to property; threatening abusive behaviour; frequent verbal abuse and harassing behaviour.</p>	<p>Suspend</p>
<p>Cat A Extreme Behaviour - Physical violence/assault/unprovoked attack; Threats of violence; Aggressive behaviour causing fear; Drug charges/cultivation; hate incidents; immediate threats; Serious ASB where Court action is being sought; harassment; use or carrying of offensive weapons.</p>	<p>Suspend</p>

Briefing Note



Subject: FHR – Non Contact Procedure	Implementation Date: 6 March 2018 Approved FHR Mgt Group – 2 March 2018
Issue Date: March 2018	Review/re-issue date: February 2019
Distribution for action:	FHR Officers, Homeless Persons Officers, FHR Partners, Customer Service Advisors, Business Support
Distribution for information:	FHR Management Group members Area Housing Management Lead Officers Homeless Lead Officers Customer Service Lead Officers Business Support Lead Officer

1.0 Introduction

This Briefing Note has been prepared to refresh the previous Non Contact Procedure circulated on 4 March 2015.

There is no change to the procedure however a refresh and re-circulation will raise awareness to the procedure.

2.0 Purpose

This Briefing Note has been prepared to provide a procedure for dealing with applicants who have not responded to contacts made either by telephone, letter, email, reviews or visits regarding their FHR application. In order to ensure the Housing waiting list is current everyone has a shared responsibility in maintaining the waiting lists. This will enable the matching process to be fluent and reduce delays in allocating properties.

3. Process

3.1 General/Transfer Applicants

Where an applicant has failed to respond to two attempted contacts, the application will be withdrawn. In all circumstances, at least one contact should be personal (telephone, visit, request for office interview etc.) prior to withdrawing the application – this is to avoid over-reliance on system generated letters. An application should only be withdrawn for lost contact when all reasonable attempts have been made to keep the applicant on the list.

All attempted contacts must be recorded on the FHR Scratchpad by the Officer / Advisor attempting the contact and there must be a clear audit record that reasonable attempts have been made before the application can be withdrawn. There is a standard template letter contained within the FHR Standard Letters, however, each partner may also use their own standard letters depending on the purpose of the attempted contact. If you are aware that the applicant is definitely not living at the address we have on Genero, do not send a letter to the address, use two of the other contact methods e.g. telephone or email.

The minimum withdrawal notice is 28 days. The application will be withdrawn by instruction through the FHR Changes System with all attempted contacts recorded on the FHR Scratchpad after the 28 days has lapsed. No application will be withdrawn without the two attempts of contact recorded in the scratchpad.

The formal notification of withdrawal will be sent to the applicant's last known address (unless we are 100% sure they no longer live there).

The application will be re-instated without the need for appeal or other formal process provided contact is made within 3 months of the withdrawal

Examples of applicants being bypassed for lost or no contact;

- 1) Applicant is no longer at this address.
- 2) Updated form not received.
- 3) Applicant has not responded to AHLM letter.
- 4) Applicant has not responded to EOI/FOP letters.

3.2 Homeless Applicants

Where a Homeless applicant has failed to respond to two attempted contacts, the application will be withdrawn. In all circumstances, part of this contact should be personal (telephone, e-mail) prior to withdrawing the application – this is to avoid over-reliance on system generated letters. An application should only be withdrawn for lost contact when all reasonable attempts have been made to keep the applicant on the list. If you are aware that the applicant is definitely not living at the address we have on HL1/Genero, do not send a letter to the address, use two of the other contact methods e.g. telephone or email.

All notes from HL1 regarding contact **must** also be put on the application scratchpad with clear notes on what action has been carried out. The minimum withdrawal notice for Homeless applicants is 14 days. On the 14th Day the case will be closed on HL1 and will be recorded on the scratchpad.

The application will be withdrawn by instruction through the FHR Changes System with all attempted contacts recorded on the FHR Scratchpad after the 14th day has lapsed. No application will be withdrawn without the two attempts of contact recorded in the scratchpad.

3.3 Withdrawn no contact

After a FHR application has been recorded as Withdrawn no contact (WNC) for three months it will be included in a report to start the withdrawal and destroying of the FHR application.

FHR Officers check each application to ensure that there has been no contact from the applicant either between the no contact attempts or within the three month period. If there had been contact the application would not be withdrawn.

The list of application to be withdrawn are passed to Business Support. Each application is then removed from filing, the number checked on genero to ensure it is the correct application and details on scratch pad support that the withdrawal should continue. Business Support add text to state "Application withdrawn and destroyed".

These applications are then placed in confidential waste.

4. Your Role

It is everyone's responsibility to follow the non-contact procedure to prevent unnecessary by-passing and ensuring the waiting lists are up-to-date. The non-contact process must be adhered to remove applicants that are no longer wishing to be housed through the Fife housing Register. Once you begin the Non-Contact Procedure you should complete the 2 attempted contacts.

If you have any enquires please contact Jennifer.dunbar@fife.gov.uk

Jennifer Dunbar

Fife Housing Register Lead Officer

Appendix 5

REQUEST TO UPLIFT SUSPENSION

Officer Name & Designation					
Organisation			Date of Request		
Application No.			Applicant Name		
Reason for Setting Aside the Suspensions Policy					
For overturning suspensions on the basis of two fair offers please provide the following information	Offer Number				
	Reason offer deemed to be unfair				
	Authorising Officer (if different)				
Description of further supporting information (if applicable) **Please attach**					

Action Taken by Lead Officer FHR						
Date			Request Approved	Y/N		
Considered By	Name			Designation		
	FHR Management Group					
Passed To	FHR Team		Systems Team		Complaints & Appeals Monitor	

