



# Housing allocations policy

(Revised March 2022)



[www.fife.gov.uk/housing](http://www.fife.gov.uk/housing)

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# Introduction

## Background

This policy is part of a range of statements that sets out Fife Council's arrangements for access to, and the management of, Council housing. These statements detail the Council's arrangements for:

- Assessing housing and wider needs through the Fife Housing Register
- Overall management of Council's housing including arrangements for promoting mobility within Council housing
- The prevention of homelessness
- Responding to the needs of those with specific or particular housing needs

The policy was developed in accordance with the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001, the Housing (Scotland) Act 2014 and other relevant legislation. Following consultation, the policy was approved by Community & Housing Services Committee on February 2019 and is effective from 1st May 2019

## Aims of the Policy

The policy sets out how the Council aims 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 to be housed for the first time or who are homeless.

## Aims:

- To meet legal requirements and comply with standards set out within the regulatory framework and other sources of best practice
- To ensure the principles of equal opportunities are incorporated and decisions are transparent and accountable
- To make best use of available Council housing in a way that is responsive to the needs and demands of Fife's population and links with Community Planning objectives
- To be fair, transparent and consistent in the allocation of all Council housing
- To allocate properties in a way that is consistent with the Allocation Policies of other housing providers in Fife

## Objectives:

- Promote sustainable communities by balancing individual housing and wider community needs through local lettings plans and Area Housing Plans
- Promote sustainable tenancies with opportunities for applicants to exercise control over their housing options on the basis of high-quality housing information and advice
- Address housing need and demand within local planning arrangements which are responsive to local population and housing stock profiles
- Bring together choice with more effective assessment services to respond to the needs and aspirations of individual households
- Provide opportunities for individuals and wider stakeholders to challenge decisions in respect of the management of Council homes and provide an effective appeals process

## Consultation

This Policy has been developed following consultation with tenants, residents, and other stakeholders. The Housing (Scotland) Act 2014 requires the Council to prepare and publish a report on the consultation carried out during the development of the allocation policy. A copy of the consultation report is available from [www.fifehousingregister.org.uk/contact-consultation/](http://www.fifehousingregister.org.uk/contact-consultation/)

## Access to Information

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

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

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

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

Further information is available by viewing the Council's Privacy Policy, Data Sharing Policy, Information Security Policy and Information Compliance Policy. The FHR Privacy Notice can be accessed on the Fife Housing Register website:

[www.fifehousingregister.org.uk/privacy](http://www.fifehousingregister.org.uk/privacy)

## Equality and Human Rights

All the housing providers participating in the Fife Housing Register are committed to ensuring equality of opportunity and treatment of all people, and that their practices allow equal access to services. The FHR aims to ensure that everyone who applies for housing is treated fairly, irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Whilst age is a protected characteristic under the Equalities Act 2010 this protection does not apply in relation to the disposal and management of premises. In some cases, certain types of housing will be particularly or only suitable for certain age groups.

## Service Standards

### What you can expect from us:

- Commitment to provide accredited advice to the National Advice Standards
- A fair assessment
- Good quality housing
- High quality, accessible and responsive local services

### What we can expect from you:

- Inform us of changes in your circumstances
- That you respond to letters or other forms of communication about your application
- That you always provide honest and accurate information

## Applying for a House

### What is the Housing List

Every year more people apply for housing than becomes available to rent therefore Council's and Housing Associations are legally required to maintain a housing register. Locally, Fife Council and the Fife based Housing Associations have come together to provide the Fife Housing Register. This is a single, shared housing list, and a single route of access to all the partners homes.

By law, anyone can apply for a home and all applications must be accepted onto the housing list provided the applicant is aged 16 or over.

Fife Council also:

- Require applicants from outwith Fife to provide and evidence a link to the area, otherwise they will have no priority for accessing Council housing
- Has a duty to assess people who have lived outside the UK in the last 5 years to determine eligibility for Council homes as a form of public assistance
- Applicants subject to immigration controls must declare this on the application form and provide evidence of their immigration status to confirm if they are eligible for Council housing

In all circumstances' applicants will be advised about the information required to complete the assessment and will be notified of the assessment outcome.

## Housing Options Plan

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

The Housing Options Plan, available on the Fife Housing Register website, is a self-assessment service that asks a series of questions about an individual's circumstances. Once the questions are completed a personal plan is created detailing the housing options that are most suitable. Applicants must complete this prior to submitting an application form for housing and provide their Plan reference number.

Applicants can access the Housing Options Plan on the Fife Housing Register website at <https://www.fifehousingregister.org.uk/options/>

Social housing throughout Fife experiences significant demand. We will work with you to prevent homelessness and explore wider housing options which would meet and address your housing needs.

## Applying for Housing - Fife Housing Register

Fife Housing Register (FHR) provides a single point of access to housing in Fife.

Applicants complete an application form explaining their housing circumstances and express their interest in Council housing by selecting the relevant box on the form.

The information is verified during assessment and again when applicants are being considered for an offer of housing.

Applicants who do not provide all essential information will not be placed on the housing list. Where relevant, further information will also be sought from relevant third parties (for example landlords) as part of the assessment process.

Any applicant providing false or deliberately misleading information to influence their application assessment will be suspended from the housing list until this is corrected.

Once the application is assessed the household will be placed on the housing list.

## Assessing an Application

All applications are assessed in the same way through the FHR arrangements and should be assessed within a maximum of 20 days. In every circumstance, applicants will be contacted in writing to confirm:

- How the application has been assessed and the points that have been awarded
- The category which the application is placed in
- Any information that is outstanding that affects the application assessment
- How to enquire or appeal an application assessment decision

When assessing applications, the Council 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)
- Tenancy related debts where:
  - the applicant is / was not the tenant
  - debt has been cleared
  - less than one month's rent is due
  - a repayment arrangement is in place and is paid for 12 consecutive weeks. Payments must continue to be made



## Home Ownership

Section 5 of the 2014 Act removes the previous prohibition on taking ownership of property into account when allocating social housing. Fife Council will now consider property ownership as part of assessing an applicant's housing needs and their circumstances. This applies to the ownership of, or value of, heritable property owned by the applicant, a person who normally resides with the applicant, or a person who it is proposed will reside with the applicant.

## Reasonable Preference

This refers to a level of priority given to applicants under certain circumstances. The 1987 Act as amended by Section 20 of the 2014 Act sets out three categories of applicants who should be given reasonable preference. These are:

- homeless persons and persons threatened with homelessness and who have unmet housing need
- people who are living under unsatisfactory housing conditions and who have unmet housing needs; and
- tenants of houses which are held by a social landlord, which the social landlord selecting its tenants considers to be under-occupied

## Applications from staff, relatives, elected members or committee members

All applicants must confirm if they, or a member of their household, are a member of staff or an elected member, an FHR Housing Association Board or committee member, or related to any such person.

Applications will be accepted onto the housing list in the same way as other applicants. To ensure that no one benefits from a personal

connection, increased scrutiny will be carried out on allocations to those who have declared any relevant staff relationship.

## Applying for Retirement & Very Sheltered

Retirement Housing is rented accommodation designed for anyone 60 years or older who want their independence and peace of mind. Properties are fully self-contained in a safe and secure environment with the benefit of knowing you can call for help in an emergency.

You can socialise with friends making use of the shared lounge and garden. The properties are fully accessible, with lifts and level access from outside and benefit from good car parking, laundry facilities and free internet access in the shared lounge.

Local staff are on hand to make sure the building is well cared for and will assist new tenants as they move into the development. Staff will also help tenants get advice on:

- Reporting repairs
- Paying rent
- Claiming benefits
- Neighbour complaints
- Conditions of their tenancy agreement

Very Sheltered Housing offers the same as retirement housing but is suited more for vulnerable older people who need support with their daily living.

## Preferences

Through the application form, applicants can request unlimited areas of choice, but are asked to indicate where their main preference is for. It is also possible to state areas that would not be acceptable. Applicants also have the choice of property and heating types.

# Housing List and Priorities

## Urgent Housing

This list contains the following four categories of applicant:

- Statutory Homeless Households
- Applicants who are experiencing domestic abuse
- Applicants who are suffering from severe harassment including hate crime
- Closure order for re-development

## Allocations to Statutory Homeless Households

All statutory unintentionally homeless households will be given a single statutory offer of housing in the shortest possible timescale to minimise the time spent in unsuitable or temporary accommodation, and to allow the Council to discharge its statutory duty. Where this is refused, the Council will have discharged all elements of its statutory duty and the household will be entitled to one further single offer of housing based upon normal housing list assessment. However, if a fair offer of housing was made prior to the statutory offer the application will be suspended for 6 months for the refusal of two offers.

To minimise the time spent in unsuitable or temporary accommodation the following applies:

Preferences for rehousing cannot be restricted. Preferences will be discussed and agreed to with your Housing Options Officer. Choices must reflect areas where property turnover and availability is most commonly achieved.

As unlimited areas of choice can be requested this does not remove the opportunity for rehousing in preferred locations, however customers must be prepared to consider areas where housing need can be resolved in shortest timeframe.

All property types for rehousing must be considered. If you have an illness or disability condition which may affect suitable property types, you must complete a Housing Functional Needs Assessment form for your needs to be assessed by a Housing Occupational Therapist.

## Transfer list

Applicants will be placed on this list if they are:

- a tenant of Fife Council; or
- a tenant of a Registered Social Landlord (RSL) on the Fife Housing Register, for more information see <https://www.fifehousingregister.org.uk/about/>

A transfer applicants' tenancy must be available for letting following allocation. Where a joint tenant applies for housing and one tenant will remain, the application will not be classed as a transfer.

Applicants can be awarded points across a range of needs groups. They will be placed in the needs group which holds the single highest pointing.

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

Council new build properties will mainly be let to transfer tenants in the first instance to promote turnover of properties. A proportion of new build Council housing will be let to applicants through Specific Needs Housing Approaches.



## Housing list

Applicants will be placed on this list if they are:

- living care of family, friends or others
- a tenant of a RSL who is not a full Fife Housing Register partner (this includes our 100% nomination partners)
- a tenant within the private sector
- an owner occupier
- a lodger
- any other applicant who does not fall within the Transfer group above

Applicants can be awarded points across a range of needs groups. They will be placed in the needs group which holds the single highest pointing.

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

## Management Needs

There will be occasions when discretion will be applied, and an allocation will be made out with the core policy under exceptional circumstances or to make Best Use of Council housing.

## Occupancy Entitlement

The size of property allocated will depend on the household composition and will generally operate within the following rules:

Household	Bedroom Size
Single Person	1 or bedsit
Single pregnant woman	2 or 1
Couple	2 or 1
Family with one child	2 or 3
Family, two children of the same sex under 13 years old	2 or 3
Family, two children of the same sex over 13 years old	3 or 4
Family, two children not of the same sex (irrespective of children's age)	3 or 4
Family, three or more children	3 or 4*

\* Bedroom entitlement will increase in line with household size and ages

An additional bedroom may be awarded following confirmation of overnight care arrangements, such as access to children, respite care, or foster care.

Applicants who require an additional bedroom to enable a carer to stay overnight will be assessed through a Housing Functional Needs Assessment by the Housing Occupational Therapy Team. Strict criteria applies.

## Area Housing Plan & Local Letting Plans

Area Housing Plans have been produced with our customers for each of the 7 Areas in Fife. Local letting plans have been developed which compliment the Area plans, providing an outline of local stock profile and particular allocation approaches.

The plans set out how we aim to make the best use of available housing, respond to Council pressures and challenges, as well as plan for new build and other changes within the housing stock in each area.

Six monthly updates will be provided on the progress with the plan to Committee, and in between times we will update [www.fife.gov.uk/councilhousing](http://www.fife.gov.uk/councilhousing) with events, progress and completed actions.

## Managing Applications for Housing

### Offers of Housing

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

### Refusing an Offer

The Council is committed to making sure that 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 with the exception of those with an Urgent priority for rehousing, where priority will be removed following a fair offer refusal.

Following refusal of a second fair offer of housing, an application will be suspended for 6 months. If applicants refuse an offer, a refusal reason must be stated.

### Suspension of Housing Applications

The FHR partners have agreed a protocol for suspensions and withdrawals which has been revised in consideration of the Scottish Government's Guidance regarding the Housing (Scotland) Act 2014, Legal Framework for Allocations and Suspensions.

The term suspension refers to a temporary period during which an applicant will not be considered for an offer of housing. If we decide to suspend or withdraw an application there will be clear evidence to support this.

As part of the assessment of an application for housing information is gathered, for example tenancy references from previous landlords, and this could lead to an application for housing being suspended.

All suspended applicants will receive a letter advising why their application has been suspended and for how long; and they will also be told, where relevant, what they can or need to do to have their suspension lifted.

An applicant can be suspended for the following reasons:

- Anti-Social Behaviour (ASB)
- Previous convictions for ASB offences related to a tenancy
- Recovery of Possession or Eviction
- Abandoning or neglecting a property
- Rent Arrears or any other tenancy related debt
- Making a false statement on an application for housing
- Refusal of 2 fair offers of housing

### **Anti-Social Behaviour (ASB)**

Where a housing applicant has been evicted for anti-social behaviour during the 3 year period prior to their date of application, or where an Anti-Social Behaviour Order has been obtained against the applicant(s) or a member of their household during the same period the application will be suspended for a period of 12 months. This status will be reviewed every 12 months in order to assess whether the offending behaviour has been addressed.

An applicant can also be suspended for anti-social behaviour towards any FHR partner staff member if the ASB occurred in relation to the application for housing.

### **Previous conviction for ASB Offences Related to a Tenancy**

Any applicant convicted of ASB offences relating to a tenancy in last 3 years will be suspended for 12 months.

### **Recovery of Possession or Eviction**

Any applicant that has been evicted in the previous 3 years, will be suspended for 12 months.

### **Abandoning or Neglecting a Property**

Any applicant that has abandoned or neglected a property in the previous 3 years will be suspended for 12 months.

### **Tenancy Related Debts**

Any applicant who has tenancy related debt relating to a current or previous tenancy (whether with Fife Council or any other landlord). Rent arrears of 1 month or more, with no agreement in place or not in place for 3 consecutive months. Outstanding rechargeable recharges of £350 or more.

### **Making a False Statement on an Application for Housing**

Applicants must sign a declaration on the FHR application form that all information given is true and accurate. If during assessment or anytime thereafter it is established that false or misleading information has been submitted, or that relevant information has been withheld to obtain a tenancy, the application can be suspended until the correct information is provided.

It is the responsibility of an applicant to keep their application up to date and advise immediately of any changes in their circumstances which could affect their housing application, i.e. a change in household members or a change of address.

If false information becomes available after an offer has been made action could be taken to recover possession of any property for which a tenancy has been granted.

## Refusal of a Fair Offer of Housing

Applicants who refuse 2 fair offers are automatically suspended for 6 months. Before the application is made live again applicants are asked to consider their preferences to reduce the chance of further refusals.

There can be exceptional circumstances that may be taken into account when an application is suspended. Applicants can appeal a suspension by contacting the FHR Team. Appeals relating to offer refusals must be sent to the landlord who issued the offer of housing.

Full information on suspensions is available through the FHR Suspensions and Withdrawal Policy.

## Health Assessment and Priorities

Applicants who have expressed a housing issue caused by illness/disability or require specialised forms of housing will be assessed by a specialist team of Housing Occupational Therapists through a Housing Functional Needs Assessment. This assessment may restrict the size or type of properties applicants are eligible for. The applicant may refuse this recommendation but will also lose any points that are attached to the assessment. The health assessment will be carried out independently of the initial application assessment and will take up to four weeks.

## Miscellaneous Provisions

### Foster and Adopting Children

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

### Mutual Exchanges

To encourage mobility among existing tenants the Council operates a mutual exchange scheme.

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

# Scottish Social Housing Charter

The Scottish Housing Regulator (SHR) is the independent regulator for landlord services provided by local authorities and Registered Social Landlords and statutory homelessness services provided by local authorities. All the partners are required to provide information to, and are regulated by, the SHR. The SHR uses the outcomes and standards in the Scottish Social Housing Charter (SSHC) to assess the performance of social landlords.

The SSHC outcomes that have been considered in the development of this policy are:

- **Outcome 1:** 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
- **Outcome 2:** Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides
- **Outcome 3:** Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with
- **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 homes get advice on preventing homelessness
- **Outcome 10:** 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
- **Outcome 11:** 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
- **Outcome 12:** 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 them get and keep the home they are entitled to

## Appeals and Complaints

If an applicant is unhappy with any aspect of their application assessment or offer they may appeal the decision and this is highlighted in all communications including the details of where to appeal and timescales will be included in relevant letters.

At any time applicants may make a complaint using the Councils Corporate Complaints Procedures. For further information see the Corporate Complaint Leaflet.

## Arrangements for Monitoring and Reviewing Policy

FHR Partners are committed to ensuring equality of opportunity and treatment for all people, and that their practices allow equal access to service. The FHR aims to ensure that everyone who applies for housing is treated fairly, irrespective of gender, race, marital status, sexual orientation, religion, age and physical disability. To ensure the allocations systems operates fairly and achieves the objectives that have been set, performance is monitored:

- at a Fife wide level through the Council's Executive Committee
- at Area level by the 7 Area Committees
- through the on-going monitoring and review of Area Housing Plans
- quality assurance and performance monitoring is managed through close working between Housing Access and the 7 Area Housing Teams



# The Pointing Scheme

Urgent Housing Needs	Points
Statutory Homelessness	100
Severe violence, harassment & abuse	100
Closure Order / Closure for re-development	100
Poor Housing Circumstances	Points
Lacking Amenities (cooking facilities, bathing facilities, inside toilet, hot/cold running water)	12
Unsafe water supply, inadequate drainage, rising and penetrating dampness	12
Lacking Central Heating	5
Overcrowding	25 per room short
Severe Overcrowding (2+ overcrowding factors)	10
Under-occupation (Social housing tenants)	25
Under-occupation (Non-social housing tenants)	5
Sharing Facilities	6
Children's Social Needs	10/20
Lack of Security	Points
Tenants without a lease	25
Time limited tenancy (no NTQ)	5
Notice to Leave Served	Points
Tied Accommodation	75
Short Assured Accommodation	75
HM Forces Discharge	75

Owner Occupation	Points
Process of re-possession / advised to sell	25
Non-Householders	Points
Not sharing a bedroom	25
Sharing a bedroom with sibling	25
Sharing a bedroom with someone other than a sibling	25
No bedroom	25
No fixed abode	25
Families with children overcrowded	25 extra
Social and Medical Needs	Points
Illness and Disability	20 / 40 / 60
Retirement / Very Sheltered housing	15 / 30 / 50
Specific Needs	20 / 60
Harassment	10 / 30
Independent Living	60
Support Needs	10 / 25 / 40
Children Educational Needs	5 / 20
Overnight care arrangements	Points
*Points award only applicable if bedroom need is not currently met	
Respite care*	10
Access to Children*	20
Foster care*	20

**You can seek independent housing advice by contacting Frontline Fife at any Home4Good Centre:**

34 Commercial Road Leven KY8 4LD

Tel: 01334 659391

Email: Leven.Home4Good@fife.gov.uk

16 East Burnside Cupar KY15 4BH

Tel: 01334 659390

Email: Cupar.Home4Good@fife.gov.uk

Segal House, 1-2 Segal Place Pittencrieff Street  
Dunfermline KY12 8AZ

Tel: 01383 602388

Email: Dunfermline.Home4Good@fife.gov.uk

The information included in this publication can be made available in any language, large print, Braille, audio CD/tape and British Sign Language interpretation on request by calling 03451 55 55 00.

Calls cost 3 to 7p per minute from a UK

هذه المعلومات تتعلق بفايف خدمات إسكان مجلس البلدية. لطلب ترجمة هذه المعلومات يرجى الاتصال بالرقم التالي 03451 55 55 77. تكلفة المكالمات من 3 إلى 7 بنسات للدقيقة من الخطوط الأرضية في المملكة المتحدة، تكلفة المكالمات من الهواتف الجواله تختلف.

ফাইফ কাউন্সিল হাউজিং সার্ভিসের ব্যাপারে এসব তথ্য এ তথ্যের অনুবাদ চাইলে দয়া করে 03451 55 55 99 এ নাম্বারে টেলিফোন করুন। কলের জন্য প্রতিমিনিটে ৩ থেকে ৭পি চার্জ করা হবে, মোবাইলের রেট ভিন্ন হতে পারে।

這些訊息說明快富市議會的房屋服務。如欲索取中文翻譯，請致電 03451 55 55 88 提出要求。以英國固定座機打這個號碼的收費為每分鐘3至7便士，以手機打則收費不等。

Są to informacje na temat działu usług mieszkaniowych przy władzach lokalnych Fife. Aby zamówić tłumaczenie tych informacji, prosimy zadzwonić pod numer 03451 55 55 44. Koszt połączenia wynosi 3-7p za minutę z brytyjskich telefonów stacjonarnych, koszty połączeń z telefonów komórkowych mogą być różne.

یہ تجزیہ فائف کونسل ہاؤسنگ سروس کے متعلق ہے۔ اس تجزیہ کے ترجمے کی درخواست کرنے کے لیے براہ کرم 03451 55 55 66 پر فون کریں۔ برطانوی لینڈ لائن سے کال کے نرخ 3 تا 7 پیس ہیں، موبائل کے نرخ مختلف ہو سکتے ہیں۔