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**Title:** Lettings - Sanctuary Scotland Policy

**Business Function:** Housing Functions across Sanctuary Scotland

**Author:** Policy and Equalities Manager

**Authorised by:** Executive Committee  
Sanctuary Scotland Board of Management

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## 1. Policy statement

- 1.1 This policy sets out the standards and general guidance which Sanctuary Scotland (Sanctuary) will follow to ensure that properties are allocated to those most in need of them.
- 1.2 Sanctuary's primary aim is to provide affordable and well managed rented accommodation to those in housing need, and at the same time contribute to providing balanced and sustainable communities. Sanctuary aims to achieve this by pursuing the following objectives:
- allocating homes to people with high levels of housing need;
  - providing choice and empowerment to applicants enabling them to make informed decisions about their housing options;
  - ensuring that access to the allocations process is open at all times to all sections of the community;
  - making the best use of available stock and using the allocations process to assist in the creation and maintenance of balanced and sustainable communities;
  - establishing comprehensive and clear targets for the allocation of properties;
  - ensuring that allocations can be readily monitored through current information systems by staff; and
  - processing applications efficiently and effectively whilst ensuring confidentiality and access to information will be in line with legal requirements.
- 1.3 The lettings service will play a vital role in delivering the priorities set out in the Sanctuary Scotland Operations Plan, and in the context of the Sanctuary Group Business Plan Objectives and Core Values, including specifically:
- providing excellent services, making sure the needs and ambitions of all tenants and potential customers are understood;
  - increasing income as far as possible by managing debts and empty properties effectively;
  - acting with honesty and integrity in all it does;
  - focusing on delivering positive outcomes for customers;
  - maintaining high standards;
  - providing efficient and effective services; and
  - providing fair access to services for all of its customers.

## 2. Roles and responsibilities

- 2.1 The Housing Manager in each office is responsible for:
- ensuring that this policy is implemented by their staff;
  - ensuring that officers are designated to deal with the allocation of properties;
  - monitoring the systems and practices at local levels in terms of dealing with applications and allocation of properties, ensuring that there is a consistent, fair approach; and

- preparing Local Letting Plans for approval by Area Committees and the Board of Management.

### 3. References and sources

- [A Housing Practitioner's Guide to Integrating Asylum Seekers and Refugees, Second Editions, Scottish Refugee Council](#)
- [Customer Contact, Complaints Handling and Compensation Procedure - Sanctuary in Scotland](#)
- [Data Protection Act 2018](#)
- [General Data Protection Regulation](#)
- [Data Protection - Group Policy and Procedure](#)
- [Equality Act 2010 and the Equality Act 2010 \(specific duties\) \(Scotland\) Regulations 2012](#)
- [Homelessness etc. \(Scotland\) Act 2003](#)
- [Housing \(Scotland\) Act 1987](#)
- [Housing \(Scotland\) Act 2001](#)
- [Housing \(Scotland\) Act 2001 'Homelessness Section 5: Guidance on Good Reason'](#)
- [Housing \(Scotland\) Act 2006](#)
- [Housing \(Scotland\) Act 2010](#)
- [Housing \(Scotland\) Act 2014](#)
- [Human Rights Act 1998](#)
- [The Legal Framework for Social Housing Allocations, Statutory Guidance for Social Landlords. Housing \(Scotland\) Act 2014 \(Scottish Government 2018\)](#)
- [Looked After Children \(Scotland\) Regulations 2009](#)
- [Management of Offenders etc. \(Scotland\) Act 2005](#)
- [Minimum Period for Applications to remain in force – Suspensions Under Section 20B of the Housing \(Scotland\) Act 1987. Statutory Guidance Housing \(Scotland\) Act 2014 \(Scottish Government 2018\)](#)
- [Scottish Government's Code of Guidance on Homelessness 2005](#)
- [The Scottish Social Housing Charter \(2017\)](#)
- [Scottish Government Social Housing Allocations in Scotland: A practice guide February 2019](#)
- [Suspending Housing Applicants: A Practical Guide \(CIH \(book\) 2009\)](#)

### 4. Impact on diversity

- 4.1 This policy applies to the allocation and letting of Sanctuary properties as outlined above.
- 4.2 Sanctuary Group demonstrates its commitment to diversity and promotes equality by ensuring that this policy is applied in a manner that is fair to all sections of the community, with due regard to the protected characteristics identified under the [Equality Act 2010](#) and in accordance with its '[Fairness for All](#)' Single Equality Scheme.

- 4.3 This includes a key objective which is to 'Ensure customers have fair access to the services they need.' Sanctuary considers the lettings service to be a key driver in ensuring this objective is met. The value of diversity is also recognised at every stage of the lettings service to ensure affordable, quality housing is accessible, fit for purpose, meets peoples' needs and through effective allocations, create fair, equal, balanced and thriving communities.
- 4.4 Sanctuary also evidences its obligation to equality and diversity by having due regard when shaping policy and delivering services. All applicants for housing are asked to provide diversity details. It regularly monitors allocations outcomes to ensure that housing is being offered and allocated fairly.

## 5. Customer consultation

- 5.1 Applicants and existing tenants were invited to consultation events on the policy changes proposed by the [Housing \(Scotland\) Act \(2014\)](#). The events took place in November 2018 and January 2019. Recommendations were subsequently presented to Area Committees and the Board of Management for approval and incorporation.
- 5.2 Key changes included additional suspension reasons and the timescales for suspensions. The removal of a high priority banding reason was agreed, and the retention of other existing suspension reasons approved. Urgent priority and high priority for under-occupation has been extended to all applicants in addition to existing tenants on the Sanctuary housing list.
- 5.3 Consultation on the [Housing \(Scotland\) Act \(2014\)](#) also took place with HomeHunt North East Scotland (the Choice Based Lettings (CBL) system in operation within Aberdeen) which included other local agencies.

## 6. Monitoring and compliance

- 6.1 The Director - Sanctuary Scotland will commission or carry out an audit of a sample of allocations carried out in each year. The size of the sample will be representative of the proportional intake of different types of applicant housed in the year. Details of any such audit will be presented to the Board of Management of Sanctuary Scotland if requested.
- 6.2 Period of review
- 6.2.1 Until a new policy is formally adopted this document will remain in force and operational.
- 6.2.2 This policy will be reviewed in accordance with the policy review programme agreed by Executive Committee.
- 6.2.3 If there are significant changes to legislation or regulation or there are found to be deficiencies or failures in this policy, as a result of complaints or findings from any independent organisations, the Group Director - Housing will initiate an immediate review.

## 7. Approval

- 7.1 This policy is approved by Sanctuary Group's Executive Committee and Sanctuary Scotland Board of Management.

## 8. Operational arrangements

- 8.1 This policy must be used in conjunction with the following, as appropriate:

- [Lettings \(Scotland Housing and Nominations\) - Sanctuary Scotland Procedure](#)
- [Lettings \(Common Housing Register\) - Sanctuary Scotland Procedure](#)
- [Lettings \(Choice Based Lettings\) - Sanctuary Scotland Procedure](#)

## Operational processes

### 1. Access to housing

- 1.1 There are a number of ways of gaining access to Sanctuary's properties depending on local circumstances. Applicants may gain access to general rented, sheltered, housing for older people, and supported properties through one or more of these routes:

- Sanctuary's housing list;
- Common Housing Registers (CHR), (for example North Lanarkshire and Inverclyde);
- local authority nominations and section 5 referrals;
- nominations from referral agencies as stated in Local Lettings Plans;
- Special Needs move on targets approved by the Committee;
- existing tenants wishing to transfer;
- mutual exchanges;
- CBL schemes such as HomeHunt in the North East;
- reciprocal arrangements with other organisations; and
- non-standard selections (section 4).

- 1.2 Sanctuary will accept applications for general rented properties from any applicant over the age of 16 years regardless of any protected characteristic they may have, home ownership, income or financial circumstances. There may be certain circumstances where it would be helpful to accept an application from someone six months prior to their 16<sup>th</sup> birthday; for example, to help the transition of a young person leaving care however an applicant will not be allocated a property until they have turned 16.

- 1.3 Sanctuary has only a small number of properties available for allocation each year, so cannot guarantee being able to offer a house to all applicants accepted onto the housing list. Applicants will be actively encouraged to apply for housing with other Housing Associations and local authorities, for example through CHRs. Even if the circumstances of an applicant merit a high priority, it cannot be guaranteed that a house will become available within a reasonable timescale.

1.4 Applicants come from a variety of different housing circumstances. This policy seeks to ensure that a balance of applicants from a range of circumstances are given the opportunity to be housed.

1.5 Eligibility for different property types

1.5.1 General needs housing

General needs housing is accommodation that is suitable for anyone regardless of age, mobility or other impairment and makes up the majority of Sanctuary's housing stock.

1.5.2 Sheltered housing

The allocation of sheltered housing properties will be restricted to those who qualify for Housing Support through the local authority. Sanctuary will not normally consider people for Sheltered Housing who:

- require 24 hour nursing care or supervision;
- have moderate or severe dementia;
- currently have housing which is regarded as suitable for their medical and social needs; or
- have younger family members or dependents who wish to be re-housed with them.

1.5.3 Supported housing

Supported housing provides housing for individuals with specific housing support needs who require up to 24 hour per day support from a local authority appointed contractor to live independently. Tenants in supported housing receive specialist support via tailored packages. Eligibility for supported housing is based on an assessment of need by the local authority. Sanctuary will allocate supported housing by inviting nominations rather than using the CBL system.

1.5.4 Housing for older people

The allocation of these properties is age-defined, direct applicants or local authority nominations must be aged 60 years or older; as agreed during customer consultation in 2018 where specific sheltered properties were being converted to housing for older people.

## **2. Local Lettings Plans**

2.1 To ensure the best use of stock, and in meeting the needs of applicants and the local communities, Sanctuary operates Local Lettings Plans, which are reviewed at least on an annual basis by the Board of Management or any Committee to which this function has been delegated.

- 2.2 Each Local Lettings Plan will set out the expected number of properties for letting during the coming year and set targets based on local population and mix. Additionally, annual Lettings Targets are set for each Housing List Band and local authority nominations. Local authority partners must be consulted with regard to Local Lettings Plans particularly in relation to nominations targets.
- 2.3 Where possible Lettings Plans will also be used to monitor the proportion of lets to people with protected characteristics, such as ethnic minorities and people with disabilities, to demonstrate that allocations are made equitably and without discrimination.
- 2.4 The performance of Sanctuary in meeting the targets set will be reported regularly to the Board of Management or any Committee to which this function has been delegated.

### 3. Banding

- 3.1 Where Sanctuary accepts direct applications, a banding system is operated using OneSanctuary to assess whether applicants have a sufficient housing need to be considered for rehousing or a transfer. Applicants will be placed on the housing list in the appropriate band in accordance with housing need and date of registration. Details of the banding system Sanctuary use to award priority for different needs are shown in Section 9 below.
- 3.2 The percentage of lettings to be made to applicants from each band will be determined by Local Letting Plans to ensure reasonable preference is given to those in greatest housing need and in accordance with the categories outlined in the [Housing \(Scotland\) Act 2014](#) (as amended):
- social housing tenants who are under occupying their home;
  - homeless persons with unmet housing needs; and
  - persons who are living in unsatisfactory housing conditions with unmet housing needs.
- 3.3 Applicants referred to Sanctuary through, for example, local authority nominations or via CHRs or CBL schemes, will be banded using separate systems as set out in additional guidance documents. For example, the North Lanarkshire CHR and Inverclyde CHR retain a point based system. Refer to **AG01** for more details.
- 3.3.1 The HomeHunt CBL scheme awards three levels of 'passes' - Gold, Silver, and Bronze for different groups of applicants to prioritise shortlists. More information on this can be found in **AG02**.



#### 4. Non standard selections

- 4.1 Sanctuary may from time to time depart from the standard selection process to assist in the maintenance or development of balanced communities or make best use of the stock. Any applicant bypassed would normally be offered housing in the near future. The decision to bypass applicants must be sanctioned by the Housing Manager or Area Manager and a clear audit trail provided.
- 4.2 Existing tenants may be transferred due to exceptional circumstances using a management transfer, even though they do not have high enough priority to be considered for the house they are allocated. Such transfers will be kept to a minimum, authorised by two people in the position of Housing Manager or above, and a clear audit trail will be kept. Use of management transfers will be monitored through Local Lettings Plans. Sanctuary may make a decision that an applicant would be unable to sustain a tenancy, and offer to consider them for supported accommodation, rather than rehousing through general needs housing.

#### 5. Information for applicants

- 5.1 Where there is information available, Sanctuary will try to provide applicants with an estimate of the likely waiting time for their choice of property. This will be based on recent turnover of property and demand in their area(s) of choice.

#### 6. Suspensions

- 6.1 Where Sanctuary accepts direct applications the applicant(s) will be suspended from the waiting list for the following reasons outlined below. Any additional suspension reasons used for different schemes are stated in **AG01** and **AG02**:
- Where the applicant has rent arrears, or any other debts attributed to a current or previous tenancy.
  - Where the applicant has tenancy related convictions and Sanctuary is not satisfied that such behaviour has ceased and is unlikely to re-occur;
  - On grounds of conduct: where the applicant has certain previous convictions; the applicant has had an order for recovery of possession on certain grounds made against them; and/or a previous tenancy has been terminated on the grounds of abandonment or neglect of the property.
  - Where the applicant has provided false or misleading information or withheld relevant information.
  - Where the applicant has intentionally worsened their own circumstances to promote their application for housing (use of this reason requires approval from an Area Manager or person of equivalent seniority).
  - Where the applicant is not eligible for assistance (for example an asylum seeker).
  - Where a direct applicant has refused three reasonable offers of housing. A reasonable offer is defined as an offer for a property which based on application information and preferences, will meet the applicant's housing need.

- Applicants voluntarily suspend themselves (for example due to ill health or change in employment reasons); this is the only reason under which a suspension will be applied up to six months.
  - Where an applicant has been violent or aggressive towards staff.
- 6.2 The length of time that Sanctuary will consider when looking at an applicant's history and whether any of the suspension reasons in 6.1 apply will be up to three years. This would start from the time the act was perpetrated and will apply on a rolling basis. For example, if three years was applied, and the tenancy breach was carried out one year before an application was made, then the applicant would be suspended for a further two years.
- 6.3 Suspensions will be the subject of a regular review process. However, applicants may appeal in writing against a decision to refuse access or suspend them to the Housing Manager or person with equivalent seniority within 15 working days. If the applicant is not satisfied with the outcome of the appeal, the next stage to follow is Sanctuary's complaints handling procedure. Any suspended applicant will be informed in writing with full reasons for the decision, outlining the steps they need to take to remove the suspension.
- 6.4 For applicants who wish to voluntarily suspend themselves from the direct waiting list, any re-instated applications will have the 'review date' of the application as the date the suspension is removed.
- 6.5 Suspensions cannot be applied to a homeless household which the local authority has a duty to rehouse (section 5 referrals) or applicants with a homeless priority unless the applicant has requested a voluntarily suspension.
- 6.6 Arrears and other tenancy related debts
- 6.6.1 Where a tenant or applicant owes more than one twelfth of the annual amount payable in relation to a current or former tenancy, their application will be suspended from the active housing list unless there is an appropriate arrangement to pay outstanding debts and this arrangement has been maintained for the previous three months. The Housing Manager has the discretion to approve an offer of housing to an applicant who does not meet these conditions where there are extenuating circumstances.
- 6.6.2 If the applicant was the member of a household but not the tenant, Sanctuary will not take into account tenancy related debt for the purposes of assessing their application. Any arrears which are equal to or less than one twelfth of the annual amount payable for any tenancy the applicant held will not be taken into account.
- 6.6.3 Where tenancy debts are over five years old, applicants will not be suspended. The Housing Manager may remove the suspension in exceptional circumstances, taking into consideration the personal circumstances of the applicant, the level of debt and the reasons for the debt arising. Any tenant who is allowed to start a tenancy with arrears owing to us must sign an undertaking to pay off the arrears within a reasonable time period which will be determined by Sanctuary.

## 6.7 Antisocial behaviour (ASB)

6.7.1 Applicants will only be suspended for ASB which is serious, and which is tenancy related, for example, a breach of tenancy agreement. When deciding if any ASB is serious enough to merit suspension, the criteria for eviction set out in the [section 16\(3\) of the Housing \(Scotland\) 2001 Act](#) will be taken into account.

6.7.2 Where applicants have caused serious ASB problems within the previous three years, or terminated or abandoned a Sanctuary Scotland Housing Association tenancy or other Landlord's tenancy where they were responsible for willful damage other options such as granting a Short Scottish Secure Tenancy will be considered.

## 6.8 Threatening or abusive behaviour

6.8.1 When an applicant behaves in a threatening or abusive way towards a member of staff, Sanctuary will consider a suspension based on the seriousness of the behaviour. Careful judgement must be used as the behaviour may be a symptom of mental ill health or a momentary expression of frustration. When deciding if the behaviour is serious enough to merit suspension, Sanctuary will consider:

- the level of the seriousness of the behaviour, with some consideration as to whether the level could or should have led to the applicant being charged;
- the frequency of any behaviour; and
- any mitigating circumstances such as mental ill health.

## 7. Nominations and referrals

7.1 Sanctuary will seek to enter into formal partnership arrangements with the local authorities in every geographical area of operation.

7.2 The partnership arrangements will set out nomination agreements between the two bodies and the basis on which Sanctuary will assist the local authority in meeting housing needs and its statutory homelessness duties.

7.3 Partnership arrangements will normally allow the Council to either nominate, or accept through section 5 referrals, 50 per cent of all local lets (after transfers, mutual exchanges, management transfers and decants). Nomination agreements may in exceptional circumstances be up to 100 per cent in some areas where this is a contractual requirement.

7.4 Sanctuary will aim to work with local partners in the development of CHRs where practical. Where CHRs are in operation arrangements for nominations and section 5 referrals may be discontinued where Sanctuary is satisfied that the CHR allows us to adequately assist in meeting statutory homelessness duties.

7.5 Sanctuary will provide both temporary and permanent accommodation for homeless people upon the request of the local authority as part of its duty to secure permanent accommodation under the homelessness legislation.

7.6 Where this is not possible, there must be a good reason as per the [Housing \(Scotland\) Act 2001 'Homelessness Section 5: Guidance on Good Reason'](#), for example:

- Sanctuary is unable to make suitable housing available within six weeks of the request and the local authority is satisfied that it can source appropriate accommodation from another provider in a reasonable period;
- the only housing available is a type which is not appropriate for the applicant, for example sheltered housing, specialist accommodations, or significantly adapted properties for occupation by people with a disability.
- where the local authority withdraws the referral (this could be related to the first bullet point as an example); or
- where the applicant has voluntarily suspended their application.

7.6.1 There are no other grounds on which a section 5 referral can be refused.

**Note:** It is not appropriate to place a victim of domestic abuse near the area where the perpetrator lives unless the victim has specifically requested this due to access to local schools, friends or family nearby.

7.7 Any dispute arising from the operation of these arrangements will be resolved either through the dispute process agreed with each of the local authorities or through the use of an Arbiter.

7.8 Referral arrangements with voluntary or other agencies that specialise in providing support to particular groups of people may also be agreed. Such arrangements will be identified within Local Lettings Plans.

## 8. House types and sizes to be allocated

8.1 Sanctuary will generally attempt to allocate houses of the type expressed as a preference given on the application form. Where a medical priority recommends that a ground floor house all on one level is required, properties with some stairs may be allocated if this would alleviate the applicant's situation, and is in line with any guidance from a local Medical Adviser.

8.2 Sanctuary will not normally allow an applicant to move into a property which is too small for their needs. Direct applicants will normally only be considered for a property that has the correct number of bedrooms needed. If a property is advertised via CBL and there are no applicants eligible for that size of property based on the guide below, then the property will normally be re-advertised.

### 8.3 General guide to house size

8.3.1 The following table is a general guide to the minimum size of houses which may be offered to applicants. Any exceptions to this are covered in **AG01** and **AG02**.

Household	Minimum Size
Single person	1 bedroom
Couple	1 bedroom
Single parent or couple + 1 child	2 bedroom
Single parent or couple + 2 children	2 or 3 bedroom*
Single parent or couple + 3 children	3 or 4 bedroom*
Single parent or couple + 4 children	3 ,4 or 5 bedroom*
Single parent or couple + 5 or more children	4, 5 or 6 bedroom*

\* Depending on ages and sexes of children

### 8.4 Sharing bedrooms

8.4.1 The minimum number of bedrooms that are required by a household with children will be based on the following:

- Children of the same/opposite sex under age eight will normally be allocated one bedroom to share.
- Children of opposite sexes age eight or over will normally be allocated one bedroom each.
- Children of same sex age eight or over and under the age of 16 will normally be allocated one bedroom to share.
- Children of the same sex, with a minimum of eight years age gap between them will normally be allocated one bedroom each
- Once a child reaches the age of 16, he or she will be classed as an adult and will be allocated a separate bedroom.

8.4.2 All the above are restricted to a maximum of two persons sharing a bedroom, with parent(s) having a separate bedroom from their children.

8.4.3 Where a member of the applicant's household is pregnant, the unborn child will be counted in household size calculations from two months before the birth of the child.

8.4.4 Bedroom sizes will comply with the minimum standards set out in the [Housing \(Scotland\) Act 1987](#).

### 8.5 Overcrowding priority

8.5.1 Any household currently living in conditions where they do not meet the minimum standards set out above will be given overcrowding priority (see section 9 - the banding system). Applicants will also be given overcrowding priority where they do meet these minimum standards, but two or more members of the same household are required to share a single bedroom.

8.5.2 Overcrowding priority will not be awarded where the overcrowding is caused by household members who will not form part of the household when they move in.

## 8.6 Additional bedrooms

8.6.1 The following households will be offered properties with one extra bedroom (in addition to the minimum requirements at sections 8.3 and 8.4):

- households with a medical need (for example for equipment) for an extra bedroom;
- households with access to children (shared parental responsibility);
- couples and single applicants will be eligible for both one bedroom and two bedroom properties, due to the short supply of one bedroom properties; and
- households with a need for an extra bedroom for a permanent carer or for fostering (if a fostering application is pending Sanctuary will consider granting an extra bedroom before a child becomes a member of the household. This may depend on how far advanced the application is and the views of any relevant organization such as the local authority handling the application. Any decision to award an extra bedroom in this circumstance should be approved by a Housing Manager or person of equivalent seniority).

8.6.2 Sanctuary may also set out more flexibility for specific developments in local lettings strategies, which would be presented to committee. For additional arrangements specific to CHR and CBL refer to **AG01** and **AG02**.

## 8.7 Access

8.7.1 Where separated parents have joint custody, the children are counted as part of each household where children are resident with one parent for three or more nights, with the exception of CHR North Lanarkshire which is one or more nights a week. Specific details on this can be found in **AG01**.

8.7.2 Separated parents with access only will be entitled to a property with only one bedroom extra, over and above the minimum bedroom requirement the household would have without the children they have access to. The same arrangements will apply to any adult who has kinship care responsibilities as defined by the [Looked After Children \(Scotland\) Regulations 2009](#).

8.7.3 Evidence is required from the applicant that they do have access, such as confirmation from the partner with full access or confirmation from a solicitor.

## 8.8 Lettings areas

8.8.1 Sanctuary's housing stock will be divided into logical lettings areas. There will be no limit to the number of lettings areas within which direct applicants can request to be rehoused. Any restrictions for CHR and CBL are outlined in **AG01** and **AG02**.

## 9. The banding system

9.1 Applications made direct to Sanctuary will be placed in one of the following four bands following an assessment of the applicant's circumstances and housing needs. Within bands, applicants will be prioritised based on their dates of application or on their dates of being placed in a new band following a change of circumstances.

9.2 More information on the pass categories and prioritisation methods for CHR and CBL, refer to **AG01** and **AG02**.

9.3 Band 1: Urgent Priority

9.3.1 The following criteria are awarded Urgent Priority banding:

<b>Domestic abuse</b>	<p>Where the applicant needs accommodation due to domestic abuse.</p> <p><i>Confirmation may be requested with the applicants' consent from relevant agencies such as the Police, Health Professional, Social Work, Women's Aid, etc. However, verification of domestic abuse from other agencies is not a condition required for an applicant to be given priority.</i></p>
<b>Harassment/ racial harassment/ homophobia</b>	<p>Where the applicant is suffering serious harassment at their current accommodation and being rehoused will help to alleviate this.</p> <p>Harassment can take many forms including intimidating, threatening or aggressive behaviour, both verbal and physical, and can involve attacks on property as well as people. Incidents of harassment can include sexual comments or gestures, offensive or racist graffiti, abusive language and behaviour, violence towards people of all ages, damage to homes or possessions and threatening letters or phone calls. Harassment is often premeditated and reoccurring.</p> <p><i>Confirmation may be requested with the applicants' consent, either from agencies such as the Police, Social Services and Health Organisations or from other witnesses which can include staff. Where appropriate, confirmation can also be provided by the customer's advocates, i.e. local councillors, Members of Parliament, Members of the Scottish Parliament, advice workers and from voluntary organisations. However, verification of harassment from other agencies is not a condition required for an applicant to be given the appropriate priority.</i></p>

<b>Severe under occupation</b>	<p>All applicants and existing social housing tenants who are living in houses with two or more bedrooms over and above the minimum requirement for their present needs.</p> <p><i>The household or circumstances (including financial circumstances such as a change in housing benefit regulations, or a household member losing employment) of the applicant must have changed since they accepted the tenancy of their current accommodation before they can be eligible for under occupation priority.</i></p>
<b>Urgent health/ disability</b>	<p>Where the applicant's existing property is so unsuitable that re-housing would significantly result in an improvement in health or wellbeing.</p> <p><i>Applicants requiring re-housing on medical grounds will be assessed by an independent Medical Advisor if this service is available.</i></p> <p><i>Where this service is not available, an assessment will be made by in house staff based on details provided by applicants on their medical condition and current housing situation.</i></p>
<b>Inappropriate accommodation</b>	<p>Where a Sanctuary Scotland Housing Association tenant no longer needs an adapted property or support provided with the accommodation.</p>
<b>Move on</b>	<p>Where an applicant or tenant occupying supported housing no longer requires this service.</p> <p><i>Confirmation is required from the supported housing provider/ agency.</i></p>
<b>Management transfer</b>	<p>Where there are <b>exceptional circumstances</b>, and the need for a transfer applicant to be moved as soon as possible is both acute and urgent and is authorised by appropriate senior staff (see section 4 - non-standard selections).</p>

#### 9.4 Band 2: High Priority

##### 9.4.1 The following criteria are awarded High Priority Banding

<b>Medical</b>	<p>Where the applicant has a medical condition, which will be alleviated by re-housing.</p> <p><i>Applicants requiring re-housing on medical grounds will be assessed by an independent Medical Advisor if this service is available.</i></p> <p><i>Where this service is not available, an assessment will be made by in house staff based on details provided by applicants on their medical condition and current housing situation.</i></p>
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<b>Giving and receiving support</b>	<p>Where an applicant needs to move to either give or receive support i.e. for personal or medical care.</p> <p><i>The Medical Advisor will award a medical priority for re-housing for applicants requiring or providing support.</i></p> <p><i>Where this service is not available, an assessment will be made by in house staff based on details provided by applicants on their medical condition and current housing situation.</i></p>
<b>Overcrowding</b>	<p>Where the applicant's current accommodation is overcrowded when assessed against criteria set out at section 7 - nominations and referrals.</p>
<b>Under occupation</b>	<p>All applicants and existing social housing tenants who are living in houses with bedroom over and above the minimum requirement for their present needs.</p> <p><i>The household or circumstances of the applicant must have changed since they accepted the tenancy of their current accommodation before they can be eligible for under occupation priority.</i></p>
<b>Repeated victim of ASB</b>	<p>Where the applicant is suffering from current and serious ASB which will be alleviated by moving house.</p> <p><i>Requires supporting evidence e.g. from the police, health professional, social worker or housing officer.</i></p>
<b>Poor quality property in terms of condition/disrepair</b>	<p>Where the existing property of the applicant is unsafe or unfit and falls into the following categories:</p> <ul style="list-style-type: none"> <li>• serious structural defects;</li> <li>• no running water;</li> <li>• no inside toilet;</li> <li>• no bath or shower;</li> <li>• damp; and</li> <li>• no full central heating.</li> </ul> <p><i>Requires documented evidence from Environmental Health or another relevant agency.</i></p>
<b>Non-secure accommodation</b>	<p>Applicants who have been assessed as unintentionally homeless or threatened with homelessness by a local authority.</p>

## 9.5 Band 3: Medium Priority

9.5.1 Transfer applications (applications from existing tenants of Sanctuary to move to another property) will generally be awarded Medium Priority banding. However, transfer cases that meet the higher priority bandings criteria are placed in the relevant higher priority bands.

## 9.6 Band 4: Standard Priority

9.6.1 All other applicants who satisfy the eligibility criteria will be awarded a Standard Priority banding.

## 9.7 Nominations/Statutory Homeless Band

9.7.1 Persons nominated or referred by local authorities will be placed in this band.

9.7.2 Designated staff must ensure that customers who have made an application based on homelessness are guided to the appropriate local authority Homelessness Unit/Department who are responsible for assessing homeless applications.

## 9.8 Sheltered Housing

9.8.1 Applicants who are 60 years or over requesting sheltered housing will be placed in the appropriate band following an assessment by the Medical Advisor. Where this service is not available a relevant health professional will be required to provide information to support the application.

9.8.2 Sheltered Housing Banding will range from:

Urgent Band A	Priority (urgent medical or social need for sheltered housing)
High Band B	Priority (high medical or social need for sheltered housing)
Standard C	Priority (standard medical or social need for sheltered housing).

9.8.3 The award will depend on the needs of the applicant.

9.8.4 It is important to have a mix of residents with different support needs in the sheltered housing schemes. Local Lettings Plans will be used to set quotas for lets to different bands each year in order to achieve this balance.

## 9.9 Special Needs Housing

9.9.1 Applicants requiring specially adapted housing will be referred by the Special Needs Group where this operates within the local authorities. In these areas, all applicants will be assessed by these specialist panels to determine the degree of housing need. Where this service is not available information will be required from relevant Social Work or Health Professional. Sanctuary will also try to pre-allocate all new housing specially adapted for wheelchair users at the development stage to allow Development to design accommodation to suit individual needs in consultation with the applicant and other relevant professionals.

9.9.2 Priority will be given to applicants who have a medical need when allocating the following types of properties:

- ground floor properties;
- lift accessible properties which are all on the one level;
- properties which have been substantially adapted; and
- properties with wet rooms/level access showers.

- 9.9.3 If an applicant is allocated a property that has been adapted for their health needs and their medical condition deteriorates after moving in to the extent that they now need a wheelchair and are in unsuitable housing, the tenant should be offered the opportunity to transfer to more suitable housing, and given an urgent medical priority.
- 9.9.4 For CHR or CBL arrangements for allocating adapted properties, refer to **AG01** and **AG02**.

## **10. Responding to applications**

- 10.1 Sanctuary will aim to respond to all applicants who have submitted a completed direct within 15 working days of receipt of application advising them of the outcome of their application and whether or not any additional information in support of the application is required.
- 10.2 Applicants will be advised of the likely availability of housing that suits their needs and an indication of timescales will be provided if possible. Those who are asked for further supporting information will be given 15 working days to provide it. Sanctuary reserves the right not to process the application if the necessary information is not provided, or if no suitable response is received within that timescale.
- 10.3 Timescales for inputting and assessing CBL and CHR applications are set by the managing organisations.

## **11. Making, receiving, accepting and refusing an offer of housing**

- 11.1 All applicants who apply for housing will be shortlisted based on the priority criteria given to reasonable preference groups set out in this policy and additional guidance documents. Applicants at the top of the shortlist will then be considered for a property if they are eligible (for example, they meet the criteria in a CBL advert), they meet the household size for the property, and are not subject to a suspension.
- 11.2 Reasonable offers
- 11.2.1 A reasonable offer is defined as an offer for a property which based on application information and preferences, will meet the applicant's housing need. When determining whether an offer is reasonable, Sanctuary will also take into account:
- stock availability and demand;
  - legislative requirements;
  - based on the reason for the refusal and the information provided about the property, was it reasonable that the applicant should have recognised the property was unsuitable before making a bid or accepting an offer; and
  - has there been any change in the applicant's circumstances.

- 11.3 Applicants will be given up to three working days from the date of an offer letter to respond either by refusing the offer, or by making an arrangement to view the property. Failure to do so will result in the offer being withdrawn in writing by Sanctuary and recorded as a refusal. Any specific timescales for accepting offers are included within **AG01** and **AG02**.
- 11.4 An applicant must normally accept an offer and sign the Tenancy Agreement within one working day of viewing the property, although this may be extended by a further working day in special circumstances. Failure to do so will result in the offer being withdrawn and recorded as a refusal.
- 11.5 Sanctuary does appreciate that applicants may wish to view and sign for a property the same day and in exceptional circumstances staff will facilitate this request when required.

## 12. Confirmation of circumstances

- 12.1 The onus of proof of circumstances lies with the applicant in most circumstances.
- 12.2 Applicants unable to provide adequate evidence as to their housing needs or circumstances will have their application cancelled (see section 15 - cancellation of applications). Verification of domestic abuse or harassment from other agencies is not a condition required for an applicant to be given the appropriate priority. Evidence requirements for CHR points for people with certain circumstances are set out in **AG01**.
- 12.3 Responsibility for notifying changes of address and other changes of circumstances lies with the applicant. Failure to notify changes may materially affect the banding priority the applicant is awarded.

## 13. Review of applications

- 13.1 A review of direct applications will be carried out of all those on the Sanctuary housing list on at least an annual basis. CHR applications will also be reviewed at least once a year. The CBL system operation an automatic annual review for any applicant who is not active on the system.
- 13.2 Applicants will be required to respond to a letter within 28 calendar days of receipt stating whether they still wish to be considered for housing, and listing any changes in circumstances. For CHR specific timescales refer to **AG01**. Failure to do so will result in the applicant being removed from the list. Removal from the list will be confirmed in writing to the applicant. If an applicant contacts Sanctuary within one month of being removed from the list, giving good reasons for not responding, they will be reinstated.
- 13.3 Removed applicants contacting us after the 28 calendar day deadline with no good reasons for not responding, must reapply by completing a new application form. This will be regarded as the new date of application, unless the Housing Manager considers there to be mitigating circumstances.

13.4 The review will only be required for applicants with whom there has been no contact in the previous year.

### 13.5 Tenancy References

13.5.1 With the applicant's consent, Sanctuary will seek references from an applicant's current and former landlord for tenancies that have ended within three years or less from the date an applicant is considered for a property.

## 14. Change of circumstances

14.1 When there is a change in circumstances, this may have an impact on the applicant's priority for housing.

14.2 For a direct applicant who has a change of circumstances which means they will move up a band, the applicant's band date will be the date of the change in circumstances.

14.3 Where an applicant has been rehoused and wants to continue their application, Sanctuary will normally re-assess their application and their band date will be the date of this re-assessment.

14.4 Where there is a change in circumstances for an applicant which means that the applicant remains at their current address but will move down a band, the applicant will normally get to keep their original band date.

14.5 For specific CHR and CBL guidance on changes of circumstance and how this affects points, passes or any other banding system used, see **AG01** and **AG02**.

## 15. Cancellation of applications

15.1 There are a very limited number of circumstances where an application may be removed from the housing list. These are:

- the applicant asks us to cancel their application;
- the death of an applicant; or
- the applicant repeatedly fails to respond to a review of the list or to other correspondence.

15.2 Any applicant whose application is cancelled or suspended will be notified in writing stating the grounds on which the decision has been made. If any applicant is aggrieved by such a decision, they have a right to appeal in writing to the Area/Housing Manager within 15 working days of the date of notification being issued. The Area/Housing Manager will review the case and respond within 15 working days. If the customer is not satisfied with the outcome of the appeal, the next stage is to follow Sanctuary's complaints handling procedure.

## **16. Granting of tenancies to employees, governing body members and relatives of persons connected with Sanctuary**

16.1 Housing applications from employees and relatives of persons connected with Sanctuary will be treated in line with all other applications. All applicants shall be asked to state whether or not, to their knowledge, they are related to a Committee or Staff/Agent member, and Sanctuary will comply with all relevant legislation, regulatory guidance and best practice in dealing with any of these applications.

## **17. High Risk Offenders**

17.1 Some offenders will require accommodation (for example on release from prison) and may require specialist support. As a housing association, Sanctuary has a duty under Multi Agency Public Protection Arrangements to work collaboratively with local authorities and other agencies. This may involve assisting with the provision of accommodation while maintaining confidentiality and ensuring that information is shared in a sensitive and lawful way.

## **18. Tenancies Granted**

18.1 In all cases, excluding those categories below, a Scottish Secure Tenancy will be offered:

- Where a Short Scottish Secure Tenancy is appropriate in line with Schedule 6 of the [Housing \(Scotland\) Act 2001](#).
- Where in shared housing, an occupancy agreement is required. This will be drafted to replicate the terms of the Scottish Secure Tenancy as far as is possible.

18.2 Applicants who are married, in a civil partnership or intending to co-habit will be offered joint tenancies unless specifically requested otherwise.

## **19. Appeals**

19.1 Applicants can appeal against the following decisions:

- A decision on an applicant's priority.
- A decision to cancel an application.
- A decision to suspend an application.
- An offer of a property.

19.2 Appeals will normally be heard by the Housing Manager or Area Manager who will review the case and respond within 15 working days. If the Housing Manager has been involved in the original decision, then the appeal will be heard by another Senior Manager of Sanctuary in Scotland.

19.3 If the applicant is not satisfied with the decision made after appeal, then they will be signposted to Sanctuary's complaints handling procedure.

## **20. Confidentiality**

- 20.1 Confidentiality regarding an applicant's personal circumstances will be respected at all times. Members of staff who are related to, or have a close connection with, any applicants will declare the fact and have no further involvement in the allocations process.
- 20.2 Applicants shall have the right to inspect the information on their files, subject to Sanctuary's legal obligations and rights to protect third parties. Upon request, Sanctuary will give applicants a full explanation as to how their application has been assessed.
- 20.3 Sanctuary will ensure that applicants are informed of any changes made and that its information leaflets are updated accordingly.