

1.0 POLICY AIMS

- 1.1 To be fair, transparent and consistent in the allocation of GWAH properties.
- 1.2 To ensure that the allocations process helps to achieve balanced and sustainable communities.
- 1.3 To ensure those assessed as being in most housing need are prioritised.
- 1.4 To facilitate effective partnership working.
- 1.5 To mitigate risk, comply with relevant legislation, best practice and guiding standards.

2.0 CONTEXT

- 2.1 The provision of a high standard of affordable housing for rent, for those in housing need, is integral to the delivery of GWAH's vision of shaping thriving communities.
- 2.2 The association's housing stock is clustered in specific areas of the city centre and west end of Glasgow; just over 20% of stock is multi storey one bedroom flats with a city centre location, a further 20% are deck access properties situated in Finnieston and Hyndland and the remaining 60% is primarily rehabilitated or new build tenemental flats located in the G3, G11, G12 and G20 areas.
- 2.3 With its popular position in the west of the city, the area is serviced by excellent local amenities and transport links. Local services are valued, work accessibility is good and there is considerable neighbourhood and community attachment. Consequently, demand for GWAH's accommodation far outstrips both stock availability and turnover, and offers of accommodation will be available to approximately just 10% of those who apply for housing. With this in mind, it is important to note that a right to apply for housing does not equate to the right to receive an offer of housing.

3.0 STRATEGY

- 3.1 The HAP sits within the Community Sustainment Strategy, with close links to the Void Management Strategy and with direction through the Housing Needs Analysis. Initiatives are introduced through the Corporate Plan *Enhanced Services* driver to move the Association towards its vision of shaping thriving communities; and include sensitive lets (Appendix 2) and letting initiatives (Appendix 3) in clearly defined circumstances; partnership working with other RSLs¹ and the LA² to increase ease of access to a variety of housing options; active participation in the development of a common housing register; and supporting the Housing Access Team to deliver operational improvements in the homelessness referral system.
In addition to the needs of existing tenants and applicants, demographic trends and local circumstances are considered in determining future housing provision and tenure.

4.0 ACCESS TO GWAH HOUSING

- 4.1 GWAH is committed to ensuring that the allocation process supports our objective of creating thriving communities. Each financial year targets for the percentage of lets for each category will be set. These targets will take account of local housing need and I priorities, optimising opportunities and accessibility for homeless persons, existing tenants of GWAH and those who wish to apply for housing with GWAH.
- 4.2 **Project/Development Priority**
 - 4.2.1 In the first instance, those affected by the Association's immediate development programme (i.e. those who have been temporarily decanted) will have priority in terms of rehousing. Thereafter, tenants of future development projects will be given priority to reflect the stage in the development programme.
 - 4.2.2 Once the needs of the current projects have been met, recourse will be made to the Housing Register in accordance with current projections.

4.3 Housing Register

¹ Registered Social Landlord

² Local Authority

- 4.3.1 The Housing Register consists of three separate Lists as noted in sections 7.4 – 7.6. Housing Application Forms (HAF) will be assessed according to each applicant's individual circumstances, and the HAF will be placed on the relevant List. .
- 4.3.2 GWHA will assess Housing and Transfer list applications using the points framework outlined at Appendix 1. Applicants will be placed on the housing list in order of the applicant with the highest combined points total (reflecting level of housing need).
- 4.3.3 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.

4.4 Homeless List (HML)

Whilst the statutory duty to find permanent, secure accommodation lies, at all times, with the Local Authority, GWHA accepts it has an important role in assisting the Local Authority in discharging its housing obligations in line with the Housing (Scotland) Act 2001 and the Homelessness etc (Scotland) Act 2003. Referrals for homeless applicants will be managed in adherence to Section 5 of the 2001 Act, and in accordance with Glasgow City Council's Homelessness Duty Protocol. The following Applicants will be admitted to the HML:

(a) Homeless applicants

Applicants whom the Local Authority has assessed as homeless, or threatened with homelessness, who have an unmet housing need, and for whom the Local Authority has accepted a statutory duty to source permanent accommodation.

(b) H.M. Forces

Applicants who have completed a minimum of three years' service or have been injured in action, or have been discharged on medical grounds.

Priority under this category will be awarded where the applicant has provided their 'Certificate of Cessation of Entitlement to Occupy Service Accommodation', Notice to Vacate, and confirmation of their date of discharge and the period of their service either in the form of a letter from a senior officer or by providing a copy of their certificate of discharge.

4.4.1 Applicants placed on the HML are:

- i. Considered to have the highest priority for housing and will be placed solely according to the date of the application (as awarded by the Local Authority) or the date H.M. Forces priority was awarded and not on the basis of an award of points;
- ii. Eligible to receive one offer of housing. In the event this offer is refused the HAF will be removed from the HML and the application will be placed on the Housing List, and assessed in accordance with the points framework relative to other applications for housing. Housing List applicants are entitled to receive two offers of housing. The refused HML offer will not count as the first of two refusals.

The Local Authority will discharge their legal duty under the relevant homeless legislation where one reasonable offer of housing has been made to the applicant.

4.5 Internal Transfer List (ITL)

Applicants will be placed on this list if they are a current GWHA Tenant. GWHA will assess Internal Transfer Applications using the points framework outlined at Appendix 1.

Transfer applications are assessed on the same basis of housing need as other applicants, although it is recognised that existing tenants are unlikely to be able to compete with external applicants and, in terms of housing need points, may never be a priority. To ensure that existing tenants do have opportunities to move to more appropriate housing, the Association aim to allocate a proportion of annual lets to this group.

Transfer applications will be expected to comply with GWHA's HAP including the Access Criteria outlined at Section 9.0.

4.6 Housing List (HSL)

Applicants will be placed on this list if they fall within any of the following categories, or if their circumstances do not qualify them to be placed on the Homeless or Internal Transfer List:

- (a) A Tenant of another Registered Social Landlord or Local Authority;
- (b) A sub-tenant or lodger;
- (c) Living care of relatives, friends or others;
- (d) An owner occupier;
- (e) Individuals living in housing of multiple occupation (HMO);
- (f) Have a short assured tenancy, an assured tenancy or a private residential tenancy within the private sector.

4.7 Referrals and Partnership working

4.7.1 Consistent with the housing needs analysis, the Association will identify and prioritise particular needs from within its direct area of operation and from the wider population. Partnership working opportunities will be sought to support needs that cannot be met through other access measures. For example, in the case of wheelchair or specifically adapted accommodation, referrals may be sought from organisations such as Blackwood Homes, Glasgow Centre for Inclusive Living or Glasgow's Health and Social Care Partnership (HSCP). In the case of housing for older people, referrals may be sought from Yorkhill Housing Association who operate a housing list for their 'retirement homes'.

5.0 EXTERNAL TRANSFERS OR EXCHANGES

5.1 Mutual Exchanges

5.1.1 Tenants have a right, in accordance within Section 33 of the Housing (Scotland) Act 2001 to exchange their house with another tenant, providing that both parties hold Scottish Secure Tenancies, and that the landlords of both tenants have given their consent in writing.

5.1.2 Exchanges will not generally be permitted where:

- (a) There are outstanding rent arrears or other tenancy debts
- (b) The GWHA property is within an immediate development programme (i.e. either on site or due to go on site within a year).
- (c) GWHA has reasonable justification that the mutual exchange request results from a financial inducement being offered to one (or both) parties.
- (d) a Decree has been obtained or a Notice of Proceedings for Recovery of Possession of the Property has been served
- (e) GWHA's property has been adapted for particular needs and the exchange would result in no-one with such needs occupying the property.

5.1.3 Permission to exchange will generally be granted where it is demonstrated that:

- (a) both parties would benefit from the exchange
- (b) overcrowding would not occur (account may be taken of the constraints on GWHA's housing stock and of the household requirements).
- (c) underoccupancy would not occur (account may be taken of medical/social factors presented).
- (d) the tenancy record of the incoming tenant is satisfactory.
- (e) there is compliance with the "Access Criteria" (section 7.0)
- (f) both parties intend to permanently reside at the new accommodation. (Further applications to exchange or transfer will not be accepted unless there is a substantial change in the tenant's circumstances.)

6.0 HOMESWAPPER

6.1.1 GWHA recognise that there will be instances whereby existing tenants will request assistance in securing accommodation out with the Association's area of operation. In recognition of this, and to optimise the opportunities for those tenants to be rehoused, GWHA will positively promote and publicise the scheme operated by HOMESWAPPER and will assist tenants to access this scheme.

7.0 ACCESS CRITERIA: ELIGIBILITY

7.1 Continuous opportunity is available for applicants to be assessed for rehousing. Admission to the housing register is open to:

- (a) Any individual aged 16 years or older, provided they are not prevented from doing so by immigration or any other relevant legislation.
- (b) Amenity applicants must be at least 55 years old, or suffering from a medical condition that will be alleviated by a move to alternative accommodation.

7.2 Applicants for alternative forms of tenure including Shared Ownership, Homestake and MMR must meet the criteria specified within those policies.

7.3 Applicants for supported accommodation projects must have a support need that will be met at the project.

7.4 In circumstances whereby two or more persons wish to submit a joint application for housing, the housing application will be assessed on the combined housing needs of the household(s) wishing to move.

7.5 Property Ownership

7.5.1 Property ownership will not, in itself, disbar an application for rehousing. In such instances applications will be assessed, consistent with other applications for housing, although permanent rehousing may only be considered where it is demonstrated that the circumstances are that:

- (a) In the case of a property which has not been let, the owner cannot secure entry to that property; **OR**
- (b) It is probable that the occupation of the property will lead to abuse (within the meaning of the Protection from Abuse (Scotland) Act 2001) from some other person residing in that property; **OR**
- (c) It is probable that occupation of it will lead to abuse (within the meaning of the Act) from some other person who previously resided with that person, whether in that property or elsewhere; **OR**
- (d) Occupation of the property may endanger the health of the occupants and there are no reasonable steps which can be taken by the applicant to prevent that danger.

7.5.2 In all other circumstances, a Short Scottish Secure Tenancy may be granted to home owners in accordance with section 7A (1) of the Housing (Scotland) Act 2014:

- (a) The house is to be let expressly on a temporary basis to a person pending the making of arrangements in relation to a property which will allow the person's housing needs to be met.

8.0 ACCESS CRITERIA: RESTRICTIONS

8.1 In the undernoted circumstances, GWhA will restrict access to its housing. In all cases, the Applicant will be notified of the reason for the decision and of the right of appeal. The MC will receive an annual report outlining the number of cases falling within these categories.

8.2 Deliberate Overcrowding of GWhA property

To discourage applicants staying "care of" GWhA properties and causing overcrowding (which can lead to the attendant problems of excess refuse, wear & tear, condensation & dampness, noise transference, deterioration in neighbour relations and more serious issues of infestations points will not be awarded in instances where an applicant is residing in a GWhA property which constitutes a breach of tenancy

8.3 Support Requirements

8.3.1 Where the Association consider that a risk assessment is necessary, or that the Applicant requires a structured programme of support in order to sustain an independent tenancy and/or to minimise potential risk to GWhA property and/or other members of the community, appropriate action must be taken to address these issues prior to any offer of rehousing. GWhA may not make an offer of rehousing in instances where a risk assessment is refused and/or where support is refused or is unavailable.

8.4 Arrears

- 8.4.1 The existence of arrears will not in itself prevent a housing allocation, however, where arrears exist, the Association will establish, what, if any, arrangements exist between the Applicant and the current Landlord.
- 8.4.2 An offer of accommodation may not be made to the Applicant unless it is demonstrated that a repayment arrangement has been adhered to for a reasonable period of time (i.e. a minimum of 3 months) or it can be clearly shown by the Applicant that there are exceptional circumstances.
- 8.4.3 An offer would not be made where monies are owed by the applicant to the Association or legal proceedings have been raised against the applicant by the Association. However, no account will be taken of:
- any outstanding liability attributable to a house of which the Applicant is not the tenant.
 - arrears accrued by the Applicant that amount to less than one month's rent.
 - debts that are not tenancy related debts (with the exception of monies owed to GWHA)

8.5 Breach of Tenancy/Occupancy Obligations

- 8.5.1 Whilst an application for rehousing will be accepted, where an Applicant's occupancy of a property has been ended for a serious breach of the occupancy obligations (e.g. serious anti-social behaviour), no offer will be made for a period of 3 years.
- 8.5.2 This restriction will not apply where the Applicant is able to demonstrate, to the Association's satisfaction, through the involvement of other parties, that the issue has been resolved or ongoing support mechanisms have been put in place.
- 8.5.3 Where rehousing is offered, the Applicant may be offered accommodation on a Short Scottish Secure Tenancy Agreement.

8.6 Conduct

- 8.6.1 GWHA will, at all times, endeavour to provide the highest quality information and advice to Housing Applicants in line with the Service Quality Guarantee.
- 8.6.2 In the event a Housing Applicant is verbally or physically abusive to a Committee Member, Officer, Representative, or Employee of the Association, the Association may consider excluding or suspending the Application for Rehousing.

8.7 False/Misleading Information

- 8.7.1 Where an Applicant is found to have benefited by withholding relevant information or from providing false or misleading information any offer of accommodation will be immediately withdrawn and the application will be suspended for a period of 6 months.
- 8.7.2 In instances where a Tenancy has been signed, the Association will consider the instigation of legal proceedings for recovery of the Tenancy. The Tenant will not be reconsidered by the Association for rehousing for a period of three years.

8.8 Suspensions

- 8.8.1 Internal Transfer List and Housing List HAFs will be suspended for a period of six months in the undernoted circumstances:
- Refusal of two reasonable offers of housing within a three year period.
 - Tenancy related debt – where the Applicant has rent arrears or any other tenancy related debt (rechargeable repairs/service charges) for any current or former property for which they were the tenant. Exceptions to this would be made where
 - The debt has been paid off in full;
 - The level of debt is equivalent to, or less than, one month's rent;
 - An agreement has been made to pay the debt and has been maintained for at least three months, and is continuing.
 - The applicant has been verbally or physically abusive to a GWHA staff member, representative, contractor or Management Committee Member.
 - The Applicant has provided false or misleading information – where the applicant has deliberately misrepresented information in order to gain advantage over other applicants in housing need. In instances

where a Tenancy Agreement has been signed, the Association will consider the instigation of legal proceedings for recovery of the Tenancy, following which the Applicant would not be reconsidered for housing by GWHA for a period of three years.

8.8.2 HAFs will be suspended for a period of three years where:

- (a) The applicant's occupancy of a property has been ended for a serious breach of the occupancy obligations (for example, serious anti-social behaviour).

This restriction will not apply where the applicant is able to demonstrate, to the Association's satisfaction, through the involvement of other parties, that the issue has been resolved or ongoing support mechanisms have been put in place.

8.8.3 In all cases, the suspension of a HAF will be confirmed in writing and will contain information regarding the reason(s) for the suspension, the period of the suspension and the applicant's right of appeal.

8.8.4 Suspensions will be reviewed by GWHA upon expiration of the agreed period, at which point more information may be sought from the applicant. A further suspension may be applied following review in accordance with the above noted suspension criteria. The onus will always rest with the Applicant to notify GWHA of any change relating to their reason for suspension.

8.8.5 In cases of suspension where an offer of housing has been made, the offer will be immediately withdrawn. A suspension will not in itself affect the applicant's points award.

9.0 GWHA OCCUPANCY STANDARD

9.1 The standard set out below is used to determine the number of rooms an applicant and their household requires.

9.1.1 One bedroom is required by:

- (a) A single person aged 14 years and over;
(b) A couple;
(c) Two children of the opposite sex where one or both is aged eight years or over, in which case each child will require a separate bedroom;
(d) Two children of the same sex under 14 years, unless the age difference is 10 years or more.

9.2 Due to the diverse nature of GWHA housing stock, consideration will, where appropriate, be given to distinguishing between bedrooms and bed spaces in order to best fulfil housing need, and make the best use of housing stock (e.g. bedroom capacity in traditional tenement properties may be more generous than that of new build properties).

9.3 Applicants will be admitted to the list for only the size of property for which they are eligible, in accordance GWHA's Occupancy Standard. Due to demand, GWHA does not permit under-occupancy within its housing stock.

9.4 Additionally, the following criteria will apply:

- (a) If an applicant is living in an overcrowded situation and GWHA does not own accommodation of the size required, the applicant *may* be considered for accommodation which is smaller than their needs so long as it eases the overcrowding by at least one bed space. Exceptions of this nature must be approved by the Tenancy Services Manager and will be explicitly defined in the offer of accommodation.
(b) Where applicants have equal or majority access to a child(ren), the child(ren) will be assessed as permanent members of the household in accordance with GWHA occupancy standard. Where the residence and contact arrangements have been made formally through the court or a lawyer, copies of the court agreement or lawyer's letter should accompany the application.

9.5 Additional bedroom requirements

9.5.1 There are some circumstances in which an additional bedroom may be awarded:

- (a) **Expectant mothers:**
Applicants should provide proof of pregnancy in support of their application, and will be eligible for the size of property which will be required by the expanded household.
- (b) **Overnight access to children:**
Only one additional bedroom will be permitted, irrespective of the number of children the applicant has access to.
- (c) **Fostering and adopting children**
Applicants currently being assessed for suitability to foster or adopt will be eligible for the size of property which will be required by the expanded household.

(d) **Medical need for additional bedroom**

Where medical evidence has been provided which documents the need for an additional bedroom (such examples may include persons who require an additional room to receive medical treatment at home, or have a development disability such as Autism Spectrum Disorder that would have an adverse impact on another child who shares a bedroom).

(e) **Part-time occupants**

Where a household includes an individual who is absent from the home for regular or pro-longed periods of time (such examples may include off-shore workers, children studying at University, armed forces etc.) then they will be treated as a permanent member where the property continues to be their only or principal home.

(f) **GWAH under-occupation**

Internal transfer applicants occupying larger GWAH accommodation (4Apt or above) may apply for one bedroom greater than their need (as assessed against GWAH occupancy standard) to ensure best use of housing stock through increase in turnover of larger-sized accommodation³.

10.0 MANAGEMENT PROCEDURES: APPLICATIONS FOR HOUSING

- 10.1 Applicants must complete a HAF to facilitate an assessment of housing need, and to enable the award of points in line with the HAP.
- 10.2 HAFs can be accessed from GWAH's offices in person, or by requesting a form by telephone, in writing, email, or via the website.
- 10.3 Applicants who require information in a different format should contact the office to discuss how their needs can best be met.
- 10.4 Staff appointments to assist with the completion of a HAF, or the provision of housing options advice, are available on request.
- 10.5 The onus will always rest with the applicant to notify GWAH, in writing, of any change in circumstances. Such examples may include
- (a) Change of address and/or contact details
 - (b) If someone leaves or joins the household
 - (c) If a member of the household reaches either eight or sixteen years of age
 - (d) Change of preferences specified in the HAF
- 10.6 GWAH reserve the right to request confirmation of any information in respect of an application for housing, and to postpone admission to the housing register, or suspend/reject applications where a satisfactory response has not been provided. Prior to an offer of housing being made, tenancy references will generally be sought for Applicants with a current or previous social tenancy.

10.7 Areas of choice

- 10.7.1 At the point of application, information is provided in relation to GWAH stock demand and turnover: The HAF contains an area selection form in which the housing stock has been divided to show stock type per street. Applicants are permitted to select as many letting areas as they wish to optimise opportunities for rehousing.

11.0 MANAGEMENT PROCEDURES: OFFERS OF TENANCY

11.1 General

- 11.1.1 GWAH will consider an offer of housing to be reasonable if it meets the preferences stated on the Resettlement Plan (Homeless List Applicants) or the HAF (Internal Transfer and Housing List Applicants).
- 11.1.2 Before an offer of housing is made, an account of the Applicant's individual needs and circumstances, the effective use of housing stock and any impact on the wider community will be taken. However, it should be noted that the overall objective is to address housing need in accordance with the policy.
- 11.1.3 Prior to an offer of housing being made, tenancy references will generally be sought for applicants with a current or previous social tenancy.

³ As agreed by MC on 15/11/2016

11.1.4 A Scottish Secure Tenancy Agreement reflecting the terms of the Housing (Scotland) Act 2014 will be offered to prospective tenants, with the exception of the following circumstances whereby a *Short Scottish Secure Tenancy* may be offered:

“where any of the following persons have, in the preceding three years acted in an anti-social⁴ manner in relation to another person in their locality, or pursued a course of conduct⁵ amounting to harassment of another person”:

- (a) The applicant; OR
- (b) Any joint applicant; OR
- (c) A visitor of the applicant; OR
- (d) A person who it is proposed will reside with the applicant.

“The house is to be let expressly on a temporary basis to a person pending the making of arrangements in relation to a property which will allow the person’s housing needs to be met.”

11.2 Homeless List (HML) Applicants

11.2.1 Offers of housing will be made to the applicant with the earliest application date.

11.2.2 HML Applicants will receive one offer of housing which meets the preferences as specified by their Homeless Caseworker on their resettlement plan, based on the following:

- (a) GWHA has been selected as a preferred landlord;
- (b) Size of property required;
- (c) Any restrictions to the type of property required;
- (d) Any other specific requirements.

11.2.3 If the applicant refuses an offer of housing, GWHA will notify the Local Authority, who may choose to discharge their statutory homelessness duty. The applicant will be encouraged to contact their Homeless Caseworker for information relating to their homeless application in the event of an offer refusal. All appeals relating to the reasonableness of a homeless offer of housing should be directed to the Local Authority.

11.2.4 Where a reasonable offer is refused, a new HAF may be completed by the applicant. Upon assessment, they will be placed within the Housing List, allocated points in accordance with the points framework set out in Appendix 1, and the applicant will be eligible to receive a further two offers in accordance with section 13.3 of this policy.

11.3 Internal Transfer List (ITL) and Housing List (HSL) Applicants

11.3.1 Offers of housing will be made to the applicant with the highest points award for that property. In the event two or more applicants have the same level of points, the offer will be made to the applicant with the earliest application date.

11.3.2 If two internal applicants have the same level of points and the same application date, the offer will be made to the applicant who is also a member of the Rent Reward Scheme.

11.3.3 Applicants will be eligible to receive up to two offers of housing which meet the preferences as stated on their housing application, based on the following:

- (a) Area of choice;
- (b) Size / type of property;
- (c) Any other specific requirements.

11.3.4 If the applicant refuses an offer of housing, GWHA staff will contact them to discuss their application preferences and housing requirements in more detail. It is GWHA’s aim to provide relevant housing advice and information on supply, turnover and demand to ensure informed choices about housing preferences are made.

11.3.5 If a second reasonable offer is refused, the application will be suspended for a period of six months. At the end of this period, the application will be re-instated and the applicant will be eligible to receive a further two offers.

12.0 MANAGEMENT PROCEDURES: CANCELLATIONS

12.1 Cancellations

12.1.1 HAFs will be cancelled in the undernoted circumstances:

- (a) The Applicant has requested, in writing, that their HAF be removed from the register;
- (b) The Applicant is deceased;

⁴ An action or course of conduct causing, or likely to cause alarm, distress, nuisance or annoyance

⁵ Conduct includes speech, and a course of conduct describe two occasions or more

- (c) The Applicant has failed to respond to the annual review of their HAF;
 - (d) The Applicant has failed to respond to at least three items of correspondence from GWHHA about the housing register;
 - (e) The Applicant's housing need has been met, either by GWHHA, another housing provider, by Mutual Exchange, or as a result of purchasing a property;
 - (f) GWHHA has established that the Applicant has no legal right to a tenancy.
- 12.1.2 In all cases, the cancellation will be confirmed in writing and will contain information about their right of appeal. If, following the cancellation of a HAF, the Applicant wishes to re-apply, a new HAF must be submitted for assessment.

12.0 DELEGATED AUTHORITY

- 12.1 GWHHA's Management Committee will monitor and review this Policy, delegating authority to:
- 12.1.1 The Chief Executive: to ensure the implementation of the Policy and Procedures;
 - 12.1.2 The Services Director: It is recognised that in exceptional circumstances, cases may still arise whereby the Points System cannot adequately deal with the situation and HOMESWAPPER/ RSL referral are not appropriate. In such cases, the Services Director may consider a direct housing allocation, out with the standard allocations framework, taking account of the Applicant's particular needs and the urgency of the situation; In this instance a report focussing on the circumstances (rather than the allocation) will be retrospectively made to the MC and amendment to the HAP will be considered to reflect.
 - 12.1.3 The Tenancy Services Manager: to agree sensitive lets in line with criteria set out. (Appendix 2)
 - 12.1.4 The Tenancy Services Team Leader to suspend/cancel applications in accordance with policy.

13.0 FEEDBACK, APPEALS AND COMPLAINTS

13.1 Feedback

GWHHA Tenants and other customers may provide feedback about this document by emailing admin@glasgowwestha.co.uk

13.2 Appeals and Complaints

- 13.2.1 The procedures for dealing with appeals arising from Section 5 Referrals should be directed to the Local Authority and will be considered in accordance with the terms of the Homelessness Duty Protocol
- 13.2.2 In all other cases, applicants with a grievance arising from their application or decisions in the allocations process will be considered in accordance with the Comments and Complaints Policy.
- 13.2.3 Once the Association's Comments and Complaints Policy is exhausted, there is a right of appeal to the Scottish Public Services Ombudsman. The Ombudsman will be concerned with the proper application of the HAP.
- 13.2.4 Section 20B of the Housing (Scotland) Act 1987 gives applicants the right to appeal against their housing application suspension to the Sheriff by summary application within 21 calendar days from the date of suspension. Applicants are advised to seek legal advice, or assistance from an organisation such as Shelter Scotland or Citizens Advice Scotland.