The City of Edinburgh Council

Letting Policy

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1. INTRODUCTION

The City of Edinburgh Council wants to make finding a home as simple, fair and open as possible. We aim to do this in a number of ways :-

- by working in partnership with other social landlords in the city through EdIndex, the Edinburgh Housing Register and through nomination arrangements.

- by maximising choice to people through advertising our empty homes and alternative tenures in our "Key to Choice" scheme.

- having a strong focus on housing advice to ensure that people get the best possible advice and assistance on all their housing options.

Our policies are written in line with the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001, 'Performance Standards for Social Landlords and homeless functions' and best practice guidance including "Suspending Housing Applicants- A practical Guide." We will keep our policy under review to ensure that we are meeting our aims and our statutory requirements.

1.1 EdIndex

We work in partnership with 20 partner social landlords in the city to provide a single housing register for Edinburgh. This gives access to over 95% of social rented housing in the city through completion of a single form. EdIndex aims to maximise access to housing within the city for our customers while minimising duplication of effort through use of a common application form, a single register and where appropriate shared information.

By completing the EdIndex form a person can access housing with any of the partner landlords. The landlords let their available properties through two systems- choice based letting scheme or under a common points system. Each landlord will then let properties in accordance with their own letting policies.

1.2 Key to Choice

The City of Edinburgh Council lets houses through a choice based letting scheme called "Key to Choice"

To take part in the "Key to Choice" scheme people must first register.

As the City of Edinburgh Council is part of EdIndex, the single housing register for Edinburgh, this is done by completing an EdIndex application form.

Registering with EdIndex is the route into “Key to Choice”.

All available empty homes are advertised. Rather than wait for an offer to be made, people who wish to be considered for an advertised property bid against that property. Properties are then let according to the rules set out in this document. This allows people to be pro-active in their rehousing, to see at any time what properties are available and to choose which they are interested in.

We aim to be transparent about our policy and processes. Properties let are published each week on our web site with the information on the length of waiting time or tenancy time of the new tenant. In this way anyone seeking a property can check their position against current supply and demand and decide on their best housing options. Assistance in looking at housing options is also available at local area offices.

2 EDINDEX

2.1 Registration

Before bidding for property people must first register. As The City of Edinburgh Council is a member of EdIndex, the Single Housing Register for Edinburgh, registration is done through EdIndex**. An EdIndex form must be completed in full and returned**. These forms are available from all The City of Edinburgh Council locality offices and from any of the EdIndex partners or by contacting the EdIndex Team. This allows applicants to be considered by all partners as well as allowing bids through Key to Choice. The EdIndex Team can be contacted by e mail at EdIndex@edinburgh.gov.uk.

Anyone over 16 can apply to register with EdIndex. Choice bids will be accepted by anyone over 16 subject to the terms of the letting policy in particular Sections 3 and 8.

Once the registration form has been processed a reference number will be generated. This will normally take up to 5 working days if the form has been completed correctly.

An unsigned or incomplete registration form will not be processed. It will be returned to the person advising what is needed to correctly complete the form.

If a bid has been made before the registration process has been completed the bid cannot be considered.

2.2 People from Abroad

People subject to immigration control must declare this on the registration form. Eligibility for housing with The City of Edinburgh Council will require to be assessed in terms of the Housing (Scotland) Act 1987 (as amended) and Asylum and Immigration legislation. People may remain on the EdIndex register but may be asked to provide evidence of their immigration status before we can confirm whether they are eligible for Council housing.

2.3 Assessment

After registration further assessment of the application will be carried out this may include further housing support needs assessment and homelessness assessment as outlined below.

2.3.1 Housing Needs Assessment

If the person has told us on their EdIndex form that they or a member of their household is having difficulty accessing or managing within their current property the Assessment and Advice Service will undertake an assessment of their housing needs to determine if their current home can be adapted. If not then gold priority may be awarded to their application to assist the household to move to more suitable accommodation. The service will write to applicants within seven days of the home visit to confirm the outcome of the assessment. This letter will include a copy of the assessment report.

2.3.2 Homelessness Assessment

If the person has told us on their EdIndex form that they are homeless or threatened with homelessness, they will be invited to contact their locality office, so that their application and possible entitlement to priority for housing can be fully assessed under the terms of part 1 of Housing (Scotland) Act 2001.

2.3.3 Harassment

If the person has told us on their EdIndex form that they are suffering harassment, they will be advised to contact their landlord, or in the case of The City of Edinburgh Council tenants, the locality office to report this matter.

Harassment cases will be investigated by the local area team.

If the circumstances are such that it is necessary for the person to move, and they agree with this, they will be considered as homeless. Temporary accommodation will be offered if required. The person will therefore be considered as a ‘Starter’ as per section 3.3.1 when bidding for homes under the “Key to Choice” scheme.

2.4 Review of Registration

People are required to keep EdIndex advised of any change in circumstances noted on their registration form. Registration through EdIndex will be reviewed on a regular basis. At least once a year people will be contacted to establish if their situation has altered and whether they wish to remain on the register. If they fail to respond to this review their application will be cancelled.

2.5 Cancellation of Registration

Cancellation of a registration will happen in the following circumstances:-

- Where communication from EdIndex or any EdIndex partner landlord is returned due to the person no longer being at that address.

- Failure to respond to a written request for further information necessary to review or process registration or assess priority within a given timescale.

- Where a registration has been cancelled and the person contacts EdIndex within 12 months of the cancellation the application will be re-instated.

- Where agreed, reinstatement will be from original date of application.

Where no request has been made within 12 months then the registration date will be from the date of the new application being made.

3 KEY TO CHOICE

3.1 Advertised Property

3.1.1 What is advertised?

Generally all empty homes will be advertised. Properties will not be advertised where they are required to deal with an emergency rehousing situation. This includes situations where people require to be rehoused immediately due to dangerous property defects and other exceptional cases where immediate housing is required and / or cannot otherwise be dealt with under the ”Key to Choice” scheme.

In cases where there are a number of similar properties available in a single block or stair, only one property may be advertised with the remaining empty properties offered to the people responding to the advertised property. Where this is the case this will be indicated in the advert.

We will advertise properties for starters, movers or for either category of households. These categories are defined in Section 3.4 below. To allow us to meet our statutory obligations to those in housing need and to make best use of available properties the following guidelines will generally apply.

- Properties with 3 or more bedrooms will be advertised for starters and movers.
- Ground floor properties will be advertised for starters and movers.
- Sheltered / alarm wired and adapted properties will be advertised for starters and movers.
- All other properties will be advertised as a third to starters, a third to movers and a third to starters and movers.

This will be subject to continuous review using monitoring information on the properties advertised and the outcome of lets.

3.1.2 Where can adverts be found?

Properties will be advertised every week. Adverts currently appear:-

- On the web at www.keytochoice.co.uk
- In EdIndex partners' reception areas

Free Internet access is available in local libraries.

People with visual impairment can register for telephone or personal advice including help placing bids. If there are other needs which cause difficulty in accessing the advertised properties people can contact their locality office where staff will be happy to assist.

3.1.3 How long are properties advertised for?

New properties are advertised every week with a closing date for bids clearly shown. The closing date is currently the Friday of that week.

To be considered all bids must be received by this deadline.

3.2 Bidding

If people wish to be considered for a property they must make a bid before the closing date. Bids can be made through the web site.

People must make sure they meet the criteria noted on the advert otherwise they will not be considered for the property and it will be a waste of a bid.

Bids must be received by the closing date. Bids arriving after the closing date will not be considered.

3.3 Matching Bids

Once the closing date for bids has been reached and all valid bids have been processed, selection for the individual properties will take place.

This is done by shortlisting all suitable households who have submitted a bid.

Suitable households are those who :-

- meet the criteria listed in the advert
- meet the household size parameters for the property
- do not have a recommendation on the type of property suitable for them following a housing needs assessment
- are not affected by our policy on suspensions which is found in Section 8

Criteria that are always included are :-

3.3.1 Advert Criteria

Starters and Movers

Starters are generally people who do not have their own home. Movers are people who do have a home but who wish to move. Advertised properties will be described as suitable for a starter, a mover or for either.

The definition for starter and mover is given below :-

STARTER

- Homeless households
- People in hostel, supported or temporary accommodation
- People staying care of friends or family
- New households
- Private rented sector tenants

MOVER

- Council tenants (including joint tenants)
- Registered Social Landlords or other social rented sector tenants
- Owner occupiers
- Households in tied accommodation

Following registration with EdIndex the person will be noted on the system as either a starter or a mover based on the information given on the EdIndex form.

Only those households meeting the appropriate starter or mover definition will appear on the shortlist e.g. if they are a starter and apply for a mover property they will not be considered for that property.

3.3.2 Household Size:

The rules governing the match between household size and property size are generally :-

- A couple will be expected to share a room
- Each household member over 14 years will be entitled to a room of their own
- Two children under 14 of the same sex share a room
- Two children under 7 of different sexes share a room

In addition to these rules a two bedroom property will be available to a single person or couple with no children.

Also if the person wishes to allow two same sex children of 14 years and over to share a bedroom this should be their choice. Due to the lack of larger accommodation a household will be considered for accommodation outwith these parameters where the move would reduce current overcrowding.

Foster Carers who are registered with the City of Edinburgh Council will be considered for additional bedrooms if they can provide evidence that the rooms are required to accommodate foster children.

3.3.3 Other Criteria

Sometimes an advert will give age criteria, used for sheltered or amenity housing only, or household type criteria e.g. single person or couple with no children. Such criteria will be made in response to a specific letting issue or requirement in the local area. eg if there is a large concentration of children in a small area and this is giving rise to management problems. These criteria will be subject to continuous monitoring and review.

3.4 Selection

All households who meet the necessary criteria for the property are ranked according to the following rules.

3.4.1 Starter Properties

Starters are ranked by date order according to length of time since registration. The person with the longest waiting time will be at the top of the list.

Applicants who have left the Armed Forces within the last 3 years may have their application backdated to the date they entered the Armed Forces. This is on the condition that they provide evidence of their enlistment and discharge dates.

3.4.2 Mover Properties

Movers are ranked by length of time in current accommodation i.e.

- For tenants - length of current tenancy at their present address
- For owners - length of time at their present address.

The household with the longest time at their current address will be ranked highest.

In exceptional circumstances where a tenant has been required to move within the last 10 years for reasons outwith their control, and this has not been the result of their actions, inaction or behaviour, then length of time in current accommodation will be considered to include the time spent at their previous address.

3.4.3 Properties advertised for Starters and Movers

In some cases e.g. a sheltered housing property may be advertised for starter and movers. Where this occurs then length of waiting time will be compared with length of time in current address as per above and the person with the longest time will be ranked highest, e.g. a starter with 10 years waiting time will be ranked above a mover who has been in their current accommodation for 5 years.

3.5 Priority Categories

In some cases, following assessment, households will be awarded a priority status. Priority status can be awarded to either starter or movers as set out below. Possible priority status is as follows

3.5.1 Gold Priority

Gold priority is awarded when the current property does not meet, and cannot be adapted, the housing needs of the applicant or a member of their household. This is only awarded after an assessment as described in 2.3.1.

Gold priority (urgent) is usually only awarded in exceptional circumstances, for example to enable a hospital discharge. This priority is also awarded to prevent long term hospital and care home admissions and forms part of a wider support and care package.

3.5.2 Silver Priority

This level of priority can be awarded for different reasons

- Statutory homeless under the terms of Part 1 of the Housing (Scotland) Act 2001.
- Overcrowded households. This will be awarded to households that require :

  a) Two more bedrooms to adequately house their family in accordance with the Household Size rules described at 3.3.2 above.
  b) At least one extra bedroom as they are currently housed in one bedroom accommodation and have one or more children under the age of 16.

Both sets of circumstances apply across all tenures. You may be renting from the Council, from a Housing Association or be in private rented accommodation. It also applies to households who own their home or are buying it with a mortgage. Tenants of tied accommodation (where the home is part of their employment) will qualify but will need to speak with their employer to discuss the implications for their job.

- Under occupation. Households occupying 3 or more bedroom houses who no longer require that size of home and are willing to move to smaller accommodation, should contact their local neighbourhood office to discuss this in detail. This only applies to tenants of the Council, Housing Associations and Housing Co-operatives.

- Where rehousing is required due to demolition or regeneration works in an area. This can be awarded to starter or mover households.

- Exceptional housing need. This can be awarded to either starter or mover households but will only be awarded following an assessment by an Officer Panel. This may also include people living in Below Tolerable Standard housing (usually lacking basic amenities such as hot water supply or no kitchen) and people living in unacceptable circumstances.

3.5.3 Ranking Priority

The order of priority is as follows with highest at the top

- Gold, Urgent
- Gold
- Silver
- Waiting Time/ Length of time in last tenancy

In all cases priority cases will be ranked by date of award of priority and then by date of application for starters and length of time at current address for movers.

Where a person/household would be eligible for more than one category of priority the highest level only will apply. Unless otherwise stipulated priority will apply to available property citywide.

3.5.4 Time limited Priority

Priority is awarded to reflect the need for urgent rehousing. As such the priority granted will be time limited and may be removed where it has not been used reasonably or where a property successfully bid for has been refused. Where priority has been removed then the household is free to continue to bid through “Key to Choice” but without priority status

Gold Priority will be time limited but on a flexible basis as households are more likely to be dependant on a suitable type of property which may take time to become available. Priority will be reviewed on a regular basis and where households are not making reasonable use of priority or have refused a suitable property then priority may be removed.

As Gold priority is granted following an assessment, some cases may have a recommendation attached to its use e.g. for ground floor accommodation only in line with assessed need. This is to ensure any property offered meets, or can be adapted to meet, the family’s housing need.

Silver priority for homelessness will be awarded following a homelessness assessment and will be monitored on an ongoing basis. Homeless households will be expected to bid for 3 properties each week where there are properties available that would meet their household needs. Where the priority has not been used reasonably i.e. a household has not made a range of bids likely to result in rehousing or has refused a property they have successfully bid for and which meets their needs then the priority may be removed. In cases where priority has been removed and no offer of property has been made then an offer of property will be made out with the choice scheme to meet our legal requirements to rehouse people and formally discharge duty.

Silver Priority for Demolition or Regeneration

This will be awarded on a time limited basis in line with timescales for the regeneration work in question. The tests of reasonableness will again apply. In some cases the priority awarded may be limited to specific geographic areas or house types.

Silver Priority for Overcrowding

This will not be time limited as there is an acute shortage of larger homes. However the extra value gained by the age award (time) will be limited at 12 months. Any household being considered for an offer of accommodation will be visited at home to verify that their circumstances still qualify them for this award.

3.6 Sheltered Housing and Housing linked to the Community Alarm System

Sheltered housing and housing linked to the Community Alarm system is advertised in the same way as general empty homes, however, these properties are targeted toward people with gold priority who have a support need for this type of accommodation. Where no one meeting these criteria has made a bid for the property priority will be given to older people who have a need for support.

3.6.1 Ranking and Selection

Ranking of bids will be made as follows;

- Gold priority with a need for the support provided through this accommodation.

  Gold priority cases meeting these requirements will be ranked as per section 3.5.1 by date of award of gold priority. ie the person who has had gold priority longest, meets the property criteria and is in need of this type of support will be offered the property. Age will not be taken into account where people with a gold priority

apply for this accommodation to allow targeting to those in need of this type of support.

- People over 55 years who have a need for the support provided through this accommodation, ranked as per section 3.4 with silver priority then length of time on waiting list or length of time in current accommodation.

3.6.2 Assessment of Support Needs

Where the sheltered housing or housing linked to the community alarm system, is adapted or is suitable for extensive adaptation then this will be taken into account in offering the property. The offer will go to the highest ranked bid in which the person or someone in their household requires the adaptations. In this way we will ensure best use of adapted property.

3.7 Offer of Property

The successful bidder will be notified that they are to be offered the property bid for. Unsuccessful people will not be notified. Help is available at locality offices where people wish to discuss their bids or who need help in identifying their best housing options.

3.8 Refused Properties

People with priority who refuse a property unreasonably may lose their priority status.

3.9 No Demand

Where a property has been advertised and no demand generated that meets the advert specification then any other bids received for the property will be considered, which fit with the size criteria for the property ranked as per section 3.4.

In areas known to attract a lower number of bids properties of similar type may be advertised through a single advert. People bidding for these properties will be considered for other similar empty homes in the area or block. Where this is the intention this will be made clear through the advert.

Where no appropriate bids have been received then the property will be available for immediate let out with choice to people identified as homeless and in priority need to meet our legal requirements or people identified as homeless and in non priority need, the latter group will be ranked by date of application.

3.10 Re-advertised Property

Where any property is subject to substantial improvement following lack of demand or high levels of refusals the property will be re-advertised through choice.

3.11 Local Lettings

The council may at times operate local letting criteria for some of the available stock. This would result in additional criteria being applied in the allocation process. Where this is the case the additional criteria will be made explicit in the adverts for available properties.

A copy of the local letting policy that operates in the outlying areas of South Queensferry, Dalmeny, Kirkliston, Newbridge, Ratho Station and Ratho is provided in Appendix 3.

A copy of the current local letting policy that operates in the following multi-storey blocks in the city is provided in Appendix 2.

Persevere Court, 10 North Leith Mill
Citadel Court, 25 Admiralty Street
Greendykes House, 14 Greendykes Road
Wauchope House, 16 Greendykes Road
Kilncroft, 1 Hailesland Park
Midcairn, 2 Hailesland Park
Drover's Bank, 3 Hailesland Park

4 NOMINATIONS

The City of Edinburgh Council generally makes nominations to 25% of available properties from the RSLs that operate the common points system. (RSLs are registered social landlords, which includes Housing Associations and Housing Co-operatives).

The nominations are drawn from households registered on EdIndex. Households will be selected for nomination based on Section 3 of the Council letting policy with preference going to those with a gold or silver priority award under the choice system.

The RSL concerned will make the final decision on who is offered the property in line with their own allocation policy.

In some specific cases nomination arrangements for higher levels of nominations are agreed with specific RSL's e.g. where new build developments have been negotiated. These will generally operate on the basis outlined above though in some cases right to return agreements will be in place which allow people who have been rehoused due to regeneration work in their area to return to the new or redeveloped stock.

In line with the Housing (Scotland) Act, referrals to a further 25% of RSL properties can be made through a homelessness duty agreement between The City of Edinburgh Council and RSLs. This means that people who have been assessed as statutory homeless and who have expressed an interest in being housed by an RSL may be referred to RSLs for housing. Referrals will be made on the basis of date of award of silver priority and suitability for the available property e.g. size and RSL eligibility criteria, including need for sheltered accommodation.

5 MUTUAL EXCHANGES

Tenants of The City of Edinburgh Council, Housing Associations and Housing Co-operatives are eligible to exchange property if the following conditions are fulfilled.

- Rent Accounts are clear. (Unless exceptional Housing Need can be demonstrated)
- The City of Edinburgh Council tenants must have a satisfactory Technical Report including electrical and gas check.
- The properties concerned are deemed by the Council to be suitable for both parties to exchange.
- It is agreed with the landlord concerned.
- There are no outstanding rechargeable repairs (a rechargeable repair is when we ask a tenant to pay for repairs that are their responsibility as set out in Section 5.10 of their tenancy agreement due to ‘damage caused wilfully, accidentally or negligently).

If the Council forms the view that a mutual exchange has been obtained by coercion on the part of one of the parties the application for exchange will be refused. If the exchange has gone through and evidence is presented at any time thereafter that the exchange as obtained by coercion, it will be cancelled.

6. SUSPENSIONS

In line with Scottish Government guidelines any one over 16 who is a citizen of the UK or an EU Member State will be allowed to register through EdIndex.

In some cases people may be suspended from being housed. In line with current Strategy our aim is to be strict but reasonable where there are issues of anti social behaviour or debt. This will apply to new people, people who wish to transfer and people who wish mutual exchanges.

In no instance will our suspension policy over ride our statutory obligations for rehousing.

We will **not** take account of the following factors in considering people for rehousing :-

- How long they have lived in Edinburgh
- Whether they are resident in Edinburgh
- Any outstanding debt for a property where they were not the tenant
- Any rent or other arrears which are no longer outstanding
- Any outstanding debts which are not tenancy related
- Their income
- The value of any property they own

However if they have applied for housing with The City of Edinburgh Council, and any of the circumstances outlined below apply, they may be suspended and not considered for permanent rehousing. In some of the circumstances, particularly in relation to Anti Social Behaviour, tenants could however be considered for a Short Scottish Secure Tenancy in accordance with Sections 34-37 and Schedule 6 of the Housing (Scotland) Act 2001.

Former Tenant Arrears

- People who have arrears of more than 1/12th of the gross annual charge of the property unless they have maintained an agreed repayment plan for at least three months.

Current Tenant Arrears

- People who have arrears of more than 1/12th of the gross annual charge of the property unless they have maintained an agreed repayment plan for at least three months.

Anti Social Behaviour

- People who have been evicted for anti social behaviour from any Local Authority or Registered Social Landlord in the UK.
- Decree for possession of their house had been granted on grounds of anti social behaviour but they left prior to eviction taking place.
- If the person or a member of their household is or has been subject to an Anti Social Behaviour Order anywhere in the UK in the past 3 years.
- Information relating to a serious matter related to the conduct of a tenancy has been obtained through the Joint Protocol with Lothian and Borders Police for Sharing Information for the Prevention of Crime and Disorder.
- If the person has failed to declare any previous eviction, anti-social behaviour order or conviction for a serious offence, which could reasonably be held to be a threat to the community.
- If the person has been convicted of assault on a member of Council staff.

Rechargeable Repairs

- Where tenants have left a former tenancy or are in a current tenancy with debts relating to a rechargeable repair they may be suspended for an offer of housing. A rechargeable repair is when we ask a tenant to pay for repairs that are their responsibility as set out in Section 5.10 of their tenancy agreement due to ‘damage caused wilfully, accidentally or negligently).

Other

- If the person has knowingly misrepresented information or circumstances to obtain a tenancy
- If the person has submitted a right to buy application.

Where any of these circumstances apply they may be suspended from rehousing. Where this is the case they will be advised of this decision, the duration of the suspension before review and what action they are required to demonstrate in order to have this suspension lifted.
The person will also be advised of their right of appeal against this decision.

Appendix 1

Local Lettings Policy

Applying to Outlying Areas

(South Queensferry, Dalmeny, Kirkliston, Newbridge, Ratho Station, Ratho)

1. Introduction

1.1 Background

The outlying areas are small communities within Edinburgh that have been covered by a historical Local Letting Policy that was put in place in response to changes arising from Local Government re-organisation in 1974. The outlying areas were transferred from West/Mid Lothian to the then Edinburgh District Council and an undertaking was given at that time that any council properties in these areas that became vacant would be allocated to local residents or any applicants with a local connection. The premise at that time was that this would allow the local areas to retain their then local village identities.

1.2 Overview

The local letting criteria for these areas are applied in accordance with section 3.11 of the Council Letting Policy. Properties in South Queensferry, Dalmeny, Kirkliston, Newbridge, Ratho Station and Ratho are advertised and allocated as suitable for applicants that have a local connection to the area.

2. Housing Advice

2.1. Local Connection Criteria

Where the local connection criteria applies this will be made clear to applicants in the Choice advert. This transparency enables applicants to determine whether they may be eligible for these properties in terms of the allocation process. Once the shortlisting process has been completed and applicants ranked in accordance with section 3.4/3.5 of the lettings policy and then additional checks will be made to confirm the highest ranking applicants that meet the local connection criteria. Applicants are asked to provide supporting evidence to demonstrate they meet criteria on residency, employment or social connection (support, child care and education). For details of the standard supporting evidence see Appendix 2.

2.2. Area Restrictions

Within the local Lettings Policy there are restrictions on the local areas applicants will be considered for.

Applicants living, working, giving or receiving support, who have child care arrangements in place or children in the household currently in full-time education will be considered for properties in the local areas as follows :-

Local Connection to	Will be considered for
South Queensferry	South Queensferry & Dalmeny
Dalmeny	Dalmeny & South Queensferry
Kirkliston	Kirkliston, Ratho Station & Newbridge
Ratho Station	Ratho Station, Newbridge & Kirkliston
Newbridge	Newbridge, Ratho Station & Kirkliston
Ratho	Ratho

3 Process

3.1 Advert

When advertising properties in the outlying areas specific reference is made to the Local Letting Criteria that is required to be met when bidding for a property.

3.2 Short listing

A seven day period is set for supporting information to be submitted to clearly evidence local connection.

This time limit will only be extended in exceptional circumstances.

3.3 Bypass

Where an applicant is bypassed on the shortlist as they do not meet the local connection criteria the applicant is advised of the decision and this is recorded on the Northgate IT system for audit purposes.

4 Appeals

Where an applicant has been informed they do not hold appropriate local connection and do not agree with the decision they will be advised that they have a right of appeal.

The appeals process has three stages involving Senior Officers within the neighbourhood offices and the Service Support Unit Officer Panel.

Properties will not be held pending the outcome of the appeal. If the appeal is upheld it would apply for any future allocations.

5 Audit

All properties let in the outlying area are audited on a regular basis to ensure consistency when applying this policy.

LOCAL LETTINGS POLICY APPLYING TO OUTLYING AREAS - SUPPORTING EVIDENCE

Applicants wishing to be considered for properties in the outlying areas covered by the local lettings policy are required to provide one appropriate form of supporting evidence to verify their local connection on residency, employment or social connection (support, child care and education) grounds.

The following documentary evidence would be required:

1. Residence in the Local Area

Applicants should have a principle residence within the area. This would include applicants who are currently living on permanent basis within a household.

Supporting Evidence

- Gas or Electricity Bills or,
- Bank Statements or,
- Driving Licence or,
- Council Tax Bills or,
- Other 'official' documentation verifying residence at an address would also be considered, e.g. a benefit award letter from the DWP.

Note: Where an applicant is part of a household that is a current council tenancy the applicant needs to be officially declared as part of the household. e.g. a Qualifying Occupier form; Housing Benefit Claim Form; Council Tax Claim Form, EdIndex Application Form or claiming a Department of Works and Pensions Benefit at the address.

2. Employment

Information is required to demonstrate the normal place of permanent employment of the applicant is located in the specific letting area. The business premises or the registered address for any business operated from a residential property must in the local area.

Note: Business services delivered to residents in the local area such as repairs and building trades or the parking of vehicles overnight would not establish a local connection.

Supporting Evidence

- Letter from the employer
- Copy of a contract of employment

3. Social Connection - Family Support, Child Care and Education

3.1 Family Support

Definition- Where an applicant is providing or is in receipt of support for or from a family member in relation to their health/mobility needs. Family member would include mother, father, aunt, uncle or other close relatives.

Supporting Information

A letter from a :

1. General Practitioner (GP) or,
2. Community Nurse or,
3. Social Worker or,
4. Health Visitor or,
5. Occupational Therapist or
6. Community Psychiatric Nurse (CPN) or
7. Other specialist support would also be considered.

3.2 Child Care/ Education

Definition - Where a member of the household under 16 years of age currently attends nursery, primary, secondary school or college education in the local area.

Supporting Information:-

Letter from;

- Children and Families Department or
- Health Visitor or,
- A representative from nursery, school, college or relevant education facility in the local area.

Appendix 2

Local Lettings Policy

Implemented from 11 October 2011 in the following multi-storey blocks

Perservere Court -10 North Leith Mill Citadel Court -25 Admiralty Street
Greendykes House - 14 Greendykes Road Wauchope House - 16 Greendykes Road
Kilncroft - 1 Hailesland Park Midcairn - 2 Hailesland Park Drover's Bank - 3 Hailesland Park

1. Introduction

1.1 Background

The Council previously applied a minimum age restriction in the blocks to address management problems that then existed. There were a number of contributory factors to the problems but the one of the main areas of concerns was the high turnover rate amongst young, and/or inexperienced tenants. The majority of these blocks were emptied in full due to major improvement works, which enabled the age criteria to be applied when the flats were subsequently re-let. In addition the majority of the blocks were also only let to households without children.

As a result of the previous policy, as well as other management improvements such as concierge services, these blocks are now stable and, in some cases, very popular.

The use of an arbitrary age is however not compliant with section 20 of the Housing (Scotland) Act 1987 as amended in the 2001 Act. The legal position was reported to the Health, Social Care and Housing Committee on 18 May 2010 and with effect from this date a minimum age will no longer be applied when allocating flats in these blocks.

1.2 Overview

The local letting policy for these areas will be applied in accordance with section 3.11 of the Council Letting Policy.

Flats in these blocks will be subject to sensitive lettings pending wider consultation with stakeholders on any future local lettings policy that may be agreed. The main aim of this interim approach is to avoid housing those with identified needs in an environment that is likely to increase their vulnerability or make it less likely that a tenancy will be sustained.
The policy will however be closely monitored to ensure that no groups or individuals are unfairly disadvantaged.

2. Local Lettings Policy

2.1. Local Lettings Criteria

The properties that become available for let in the blocks covered by the letting policy will be advertised via the Choice system and allocated in accordance Council's overall letting policy, which is based on housing need. The following additional criteria will however apply to the final decisions on allocations and as much information will be provided where possible in the adverts to make this process transparent for applicants.

Description of Issue	Block	Property type/sizes	Letting criteria
Wish to maintain existing stable communities within the multi-storey blocks	Persevere Court Citadel Court	Studio flats 2 bedroom maisonettes	▪ Starter and Mover households considered ▪ Allocate sensitively to avoid a concentration of in-experienced and / or vulnerable households ▪ No allocations to households with children under 16 years
Wish to maintain existing stable communities within the multi-storey blocks	Greendykes House Wauchope House	1 and 2 bedroom flats	▪ Starter and Mover households considered ▪ Allocate sensitively to avoid a concentration of in-

			experienced and / or vulnerable households ▪ No allocations to households with children under 16 years
Wish to maintain existing stable communities within the multi-storey blocks	Kilncroft MidCairn Drover's Bank	1 and 2 bedroom flats	▪ Starter and Mover households considered ▪ Allocate sensitively to avoid a concentration of in-experienced and / or vulnerable households ▪ No allocations to households with children under 16 years

Applying a sensitive lettings approach will involve bypassing the highest ranking eligible applicants where it is felt by managers that the allocation would lead to an unsustainable let or impact negatively on other residents in the block.

The criteria where sensitive lettings may be used are as follows:

- Applicants who are vulnerable and/or have social problems, and the allocation of a property would not be suitable for their needs or would not create a balanced or sustainable let.
- Applicants who have been responsible for serious anti-social behaviour in a previous or current property.
- Applicants who have been warned about their conduct or behaviour when occupying temporary accommodation.
- Applicants who have been evicted for anti-social behaviour or who have been subject to an ASBO within the last 3 years. In certain circumstances such applications may be suspended in accordance with Section 6 of the Council Lettings Policy.
- Any other criteria where the Local Housing & Regeneration Managers can evidence that the applicant is not suitable for the offer.

3. Process

3.1 Advert

Available properties will be advertised through the Choice system. Adverts will include as much information as possible on the specific criteria that will be applied when letting the properties.

3.2 Short listing

In accordance with the Council letting policy the highest ranking eligible household will be considered for the property.

3.3. Bypass

Any decision to by-pass a household for the property will be authorised by the locality Team Leader or Housing & Regeneration Manager. Any decision to by-pass will only be made after taking account of the household needs and full consideration of any support or different approaches that may be available to achieve a stable let within the block.

If a household will not be considered for a property within any of these blocks until there is a change in their circumstances they will be advised of this in writing so that they can bid effectively. Where an individual or household will not be considered for any housing the application will be suspended in accordance with Section 6 of the Lettings Policy.

A full audit trail will be maintained of the decisions, which will be monitored to ensure that no individuals or groups are being unfairly disadvantaged.

4. Appeals

Where an applicant has been informed they will not be considered for these blocks and do not agree with the decision they will be advised that they have a right of appeal.

The appeals process has three stages involving Senior Officers within the local neighbourhood offices and the Service Support Unit Officer Panel.

Properties will not be held pending the outcome of the appeal. If the appeal is upheld it would apply for any future allocations.

5. Audit

All properties let in these blocks will be audited on a regular basis to ensure consistency when applying the interim policy.

You can get this document on tape, in braille, large print and various computer formats if you ask us. Please contact ITS on 0131 242 8181 and quote ref.12-0828. ITS can also give information on community language translations. You can get more copies of this document by calling 0131 529 7672 or 592 7545.