



ALLOCATIONS POLICY

Status: APPROVED

Policy Lead :	Neighbourhood Services Lead
Owned By :	Director of Customer and Communities
Date Approved:	March 2026
Approved By :	BHA Board
Review Date:	March 2029
Regulatory / Legislative Considerations/ References	<p>The policy should be considered with reference to:</p> <ul style="list-style-type: none"> • The Housing (Scotland) Acts 1987, 2001, 2014 & 2025 • The Homelessness etc. (Scotland) Act 2003 • The Race Relations Act 1976 and (Amendment) 2000 • The Sex Discrimination Act 1975 • The Disability Discrimination Act 1995 • The Equality Act 2010 • The Human Rights Act 1998 • The Management of Offenders (Scotland) Act 2005 • The Data Protection Act 2018 • General Data Protection Regulations (GDPR) 2018 • Scottish Social Housing Charter
Other BHA documents to be read in conjunction with this policy :	<ul style="list-style-type: none"> • Complaints Policy • Allocation Procedure • Mutual Exchange and Transfer Policy • Assignment and Succession Policy • Sublet Policy • Pet Policy

Policy Title:	Allocation Policy
<p>Purpose / Aim of policy:</p>	<p>The purpose of this policy is to ensure Berwickshire Housing Association (BHA) allocates its available homes in line with legislation and to prioritise those in highest housing need.</p> <p>This policy applies to all applicants who wish to be considered for BHA homes. The aims of the policy are to:</p> <ul style="list-style-type: none"> • Provide access to good quality, affordable housing • Provide housing options for a diverse range of people in housing need • Provide homes to contribute to communities and deliver on our vision 'To Realise the Power of Home' • Achieve high levels of satisfaction for the delivery of our allocations service
<p>Scope of Policy:</p>	<p>Provide information on how BHA will allocate our homes in an open, fair and transparent manner</p>
<p>Definitions:</p>	<p>Choice Based Lettings (CBL) is a different approach to allocations that is designed to put the individual/household at the heart of the lettings system. Properties are advertised weekly and applicants apply to register their interest. At the end of each week, the applicant who makes best use of the property (will use all rooms and any adaptations) and with the highest priority (oldest first) is offered the home.</p> <p>These Homes is BHA's digital choice based lettings solution available to applicants at www.thesehomes.com.</p>
<p>Specific detail related to each strand in the scope:</p>	<p>Access & Eligibility Allocation of Properties Management Move/Decision Protocols Discrimination & Equal Opportunities Housing Options Advice & Support The Registration Process Assessment of Need Poor References/Transfer Criteria Suspensions/Held Applications/Bypassing New Build Developments Applications from Homeowners Adapted & Amenity Housing Housing in Multiple Occupancy Decant Local Lettings Initiatives Review of Registrations Appeals and Complaints The Role of the Board Allocations to colleagues or family members Review of Policy</p>
<p>Approval Source:</p>	<p>BHA Board</p>
<p>Equality Impact Assessment:</p>	<p>BHA is committed to providing fairness and equality of opportunity to prevent discrimination. This policy will be applied in line with the Equality Act 2010.</p>

	An equality impact assessment was carried out at the point of review and provided to BHA's Board.
Risk Implications:	<ul style="list-style-type: none">• The policy complies with all legal and regulatory requirements including support to discharge homelessness duties, equality law and wider requirements for housing associations.• The policy provides a transparent overview of the way that BHA allocates its homes for the benefit of applicants, stakeholders and colleagues• The policy sets out how we allocate our homes to mitigate any operational or demand management risks, or potential risk of difficulty prioritising housing need• The policy has been developed in line with BHA's vision 'To Realise the Power of Home' and acknowledges there may be increased turnover of homes due to internal transfers for customers in order to access most suitable housing options at the time they are most needed

1. INTRODUCTION

- 1.1. Berwickshire Housing Association (BHA) is a Registered Social Landlord providing affordable housing across Berwickshire. As the largest social housing provider in the area, BHA aims to meet housing need and support the development of stable, sustainable communities.
- 1.2. BHA provides a range of housing including:
 - General needs housing
 - Amenity housing
 - Independent housing
 - Wheelchair accessible housing
 - Shared ownership housing
- 1.3. This policy explains how BHA allocates its homes and ensures housing is allocated fairly, transparently and to those with the greatest need. The policy reflects guidance issued by the Scottish Government in *Social Housing Allocations in Scotland: A Practice Guide (2019)*.

2. POLICY OBJECTIVES

- 2.1. The objectives of the policy are:
 - To make best use of our housing stock letting our homes giving reasonable preference to those in greatest housing need.
 - Ensuring consistent use of policy when allocating homes, ensuring we are fair and transparent.
 - Provide choice as far as reasonably possible.
 - To meet our legal obligations.
 - To ensure access to our housing register is fair and open.
 - Provide good quality housing options to all those seeking housing within the Scottish Borders.
 - Support Scottish Borders Council (SBC) to meet the needs of those assessed as homeless and other vulnerable applicants via protocols and agreements.
 - Develop and maintain sustainable communities

3. ACCESS & ELIGIBILITY

- 3.1. BHA welcomes anyone aged 16 and over from the UK to register for housing. UK legislation sets out eligibility for persons from outside the UK; this can depend on various factors such as:
 - Nationality (including that of family members)
 - Economic activity of the applicant and that of their family member
 - Immigration status and rules around asylum and immigration; and
 - Entitlement to public funds
- 3.2. Any request to register from persons outside of the UK will be assessed in accordance with current legislation and guidance.
- 3.3. The right to be admitted to the register differs from the right to be allocated property.

4. ALLOCATION OF PROPERTIES

- 4.1. Properties are allocated by the Neighbourhood Managers in the following manner:
 - Best use (Note that in the allocation of two bed upper flats couples and those with access of less than three nights per week are classed equally to those requiring both bedrooms. Those with access of more than three nights per week, should they wish, will also be considered.)
 - Level of priority
 - Date of priority
 - Date of registration
- 4.2. For the purpose of this policy BHA will normally look to allocate to a family group in the first instance. A family group is defined as a basic unit consisting of immediate family: parents and their children. Extended family such as Uncle, Cousin, Sister (of parent) etc. will be considered after the family group. Full-time live-in carers are classed as a family unit, overnight carers with their own home will be classed behind a family unit. The Neighbourhood Services Lead (NSL) may override this rule, and we reserve the right to do so in exceptional circumstances or where we feel this is reasonable.
- 4.3. We aim to contact the applicant who is successful in securing a property within 48 hours of the closing date. Contact will be via the applicant's registration in These Homes or 'phone call unless there are exceptional circumstances. An applicant has 24 hours to respond to any offer, if the applicant has not responded we will try and make contact the next working day. If contact fails, we will move to the next suitable applicant and the offer will be classed as a refusal. If the applicant has homeless priority, then we will liaise with a homelessness officer within SBC. Applicants are entitled to two reasonable offers, should an applicant refuse two reasonable offers then their application can be placed on hold for six months.
- 4.4. Any offer is provisional and subject to circumstances being confirmed, proof of residency (if required) provided, and a tenancy reference obtained. We recognise that a reference may not always be obtainable, however should a reference not be satisfactory we may decide to retract the provisional offer.
- 4.5. Offers that are retracted are normally due to a poor reference, change in circumstances (e.g. different household makeup) or false information. When an offer is retracted the applicant has 2 working days to appeal the decision. The NSL will review the appeal as a Stage 1 complaint whilst holding the property. If the appeal is not upheld then the applicant has the right to register a Stage 2 complaint, however BHA will not hold the property for the applicant at this stage.
- 4.6. The NSL will audit a random selection of allocations from each Neighbourhood Manager each quarter.

5. MANAGEMENT MOVE/DECISION

- 5.1. BHA reserves the right to make management transfers or decisions in exceptional circumstances which do not follow the general rules of allocation. These decisions are made by the NSL or Director of Customer & Communities (DoCC) and are recorded within the shortlist and application. Such instances where a

management move could be requested could include but are not limited to:

- Succession, where a person is entitled to a succession of tenancy but wishes to move from their current property. We will consider their request and may identify an alternative property for them.
- Sensitive lets, where there have been issues within the area such as serious antisocial behaviour OR there are vulnerable people living in the immediate vicinity of an available property, we may consider a sensitive let.
- When there is a serious medical need.
- When a property is to be intrusively surveyed or demolished

6. PROTOCOLS

- 6.1. BHA is committed to working in partnership with other agencies and Registered Social Landlords to address local housing issues and needs. Protocols are established and adhered to with formal working arrangements to ensure applicants with particular needs or vulnerabilities avoid housing crisis. Protocols include rehousing for care leavers, sex offenders, people experiencing homelessness, victims of domestic abuse and persons leaving prison. Such protocols are held centrally within the organisation and will be regularly reviewed in line with local and national priorities in partnership with SBC.

7. CHOICE BASED LETTINGS

- 7.1. We advertise our available properties each week using These Homes. This is a choice-based lettings system whereby our vacant properties are advertised and persons registered can apply for properties of their choice. We aim to deliver a simple system which captures all information required to make a decision on need. We will achieve this by consulting with tenants, persons registered and other stakeholders when developing our policy.

8. DISCRIMINATION & EQUAL OPPORTUNITIES

- 8.1. The Equality Act 2010 defines nine protected characteristics that are legally protected from discrimination, harassment, and victimisation in work, education, and service provision. Our registration form will ask applicants to provide details of their ethnic origin in order for us to report in order for us to report equality information, however this is entirely voluntary.
- 8.2. We will follow our Equality and Diversity Policy and not discriminate against applicants or treat anyone less favourably because of a protected characteristic they have or are thought to have.

9. HOUSING OPTIONS ADVICE & SUPPORT

- 9.1. BHA will provide advice and support for all persons seeking housing. This will include how to apply for our homes and how to apply for any priority a person may be entitled to. This information will be available on our web page, via These Homes and all neighbourhood colleagues will be trained to assist where required.
- 9.2. Information can be translated upon request and can also be made available in large print, braille, or audio form on request.

- 9.3. BHA colleagues will assist with Housing Options as required including helping to connect with SBC homeless service and supporting through the registration process.
- 9.4. On occasion BHA will work with SBC to apply or match properties to applicants who require support in their search for housing.
- 9.5. When we are aware that an applicant requires support to sustain a tenancy, we will ensure that this is in place with support agencies before any tenancy commences.

10. THE REGISTRATION PROCESS

- 10.1. Persons searching for housing can register with BHA online. Assistance is available for anyone who has difficulty in registering and we will support using alternative methods.
- 10.2. Once a person is registered then they are issued with a unique registration number and are required to make a password of their choice. When an applicant contacts BHA, colleagues will go through identity checks at the beginning of the contact. An applicant can begin to apply for housing as soon as their registration is live.
- 10.3. We aim to verify any registration within five working days providing all information is complete.

11. ASSESSMENT OF NEED

- 11.1. BHA allocates approx. 150-180 properties each year so demand for our properties is in excess of supply. To ensure we meet our objectives and obligations of housing those in most need, we operate a priority pass system whereby those who meet the criteria of need are awarded a priority pass. This is assessed via the information the applicant provides when registering. BHA can help and support this where required.
- 11.2. Priority will be awarded in the following reasonable preference groups, there are levels of Platinum, Gold, Silver and Bronze Priority along with no priority need – see **Appendix 1**:
 - Strategic Decision (eg. Serious Antisocial behaviour or Harassment; Domestic Abuse Risk to Life; House Fire; Releasing Adapted Property)
 - Statutory Homelessness/Relationship Breakdown (BHA tenants)
 - Domestic Abuse
 - Health
 - Sustainable Housing Outcomes on Release for Everyone (SHORE)
 - Armed Forces Veterans & Families
 - Through Care After Care
 - Prevention of Homelessness
 - Overcrowding
 - Underoccupancy
 - Unsuitable Housing (against tolerable standard)
 - Kinship Carers, Foster Carers and those Adopting
 - Flat to House

12. POOR REFERENCES/TRANSFER CRITERIA

- 12.1. Should an applicant be in arrears (or tenancy-related debt) at point of offer then the Association will expect the debt to be under one twelfth of the annual rental due and the applicant to have made payments for at least three months. If this is not the case, then the applicant will be expected to clear the outstanding debt in order to be allocated a tenancy with us. In exceptional circumstances the NSL may waive this condition.
- 12.2. Where a reference is provided stating that a property is in poor condition or there is active anti-social behaviour then we will retract any provisional offer made and place the application on hold (see Suspensions/Held Applications/Bypassing). In exceptional circumstances the NSL may waive this condition.

13. SUSPENSIONS/HELD APPLICATIONS/BYPASSING

- 13.1. There are some circumstances where BHA may suspend a registration although we aim to keep these to a minimum. We will inform the applicant why they have been suspended, how long the suspension is in place for and any action the applicant can take to end the suspension. We will also inform the applicant how they can appeal any suspension. We will review suspensions once every three months. Registrations may be placed on hold/suspended for the following reasons:
- Change in circumstances/Incomplete information at registration - we may need verification of the change or additional information
 - Outstanding tenancy related debt – where an applicant or member of their household has outstanding arrears or other tenancy related debt (such as rechargeable repairs) which amounts to more than one twelfth of the annual rent, the registration will be placed on hold unless an agreement has been in place and adhered to for no less than three months.
- 13.2. This also includes antisocial behaviour – where an applicant, or a proposed member of their household, has:
- acted in an anti-social manner or been responsible for harassment in the vicinity of the property
 - caused extensive damage to a current or previous tenanted property
 - behaved in a threatening or violent way towards our staff or tenants
 - been responsible for using a former home for illegal purposes which are, or were, likely to endanger or cause nuisance or harassment to neighbours (e.g. drug dealing, prostitution, fire raising)
- 13.3. There must be documented evidence to support our reasons for suspending any application. This can include a Police or Landlord report, history of criminal conviction, eviction from a former home, ASBO or where an applicant has a Short Scottish Secure Tenancy (or equivalent) due to Antisocial behaviour. If an applicant demonstrates there are valid reasons that their behaviour has changed, and behaviour will not re-occur we will remove the suspension. In any offer of tenancy, a Short Scottish Secure Tenancy will be offered if this behaviour has been within the last three years.

- 13.4 Where an applicant makes two reasonable refusals of offers then they can be suspended for six months. Where it can be evidenced that an applicant has deliberately provided false or fraudulent information within their application, then the registration will be suspended for six months.
- 13.5 Applicants who are suspended receive a quarterly email to request an update to their circumstances. If an applicant received 4 emails and has not responded to the request for information, then their registration will be withdrawn.
- 13.6 On occasion, we may bypass an applicant for a property. Bypassing is where we do not make an offer of a property to an applicant who would have otherwise received a provisional offer. Examples of where this may be done are where we know the property does not meet a person's assessed needs or where the applicant verbally communicates the note of interest/bid was made in error. Should we bypass an offer, we will keep a record of why this happened.

14. NEW BUILD DEVELOPMENTS

- 14.1. Where BHA delivers a new build development 50% will be allocated to existing BHA customers where there is demand. The remaining 50% will be allocated in line with this policy.

15. APPLICATIONS FROM HOMEOWNERS

- 15.1. Homeowner refers to an applicant or member of their household who is the owner of a property. We will make it clear to any person who is a homeowner that there is a legal requirement for them to occupy their tenancy as their only or principal home.

16. ADAPTED & AMENITY HOUSING

- 16.1. When a property which is adapted for physical disabilities becomes available, we will allocate the property to an applicant who requires the adaptations. Should we be unable to identify a household requiring the adaptations then we may let the property to a household with general needs.
- 16.2. Should a household who requires the adaptations subsequently be identified, we will offer suitable alternative accommodation to the occupying household and if necessary, take legal action to recover possession of the property. BHA will make this clear to the general needs household at offer of property and will assist with moving costs.
- 16.3. Some housing may be reserved for those who are age 55 and over. We will clearly stipulate this within our advertising. Should no one apply for the property that requires such housing we will consider health needs first followed by applicants 50-55, 45-50 etc. This does not apply to Gowanlea, Boston or Linkim Court where the minimum age will be 55 unless there is significant supporting evidence that someone may thrive within that environment.

17. HOUSING IN MULTIPLE OCCUPANCY (HMO)

- 17.1. BHA has two properties with an HMO licence however these are designed for

those with physical disabilities and are allocated via SBC. BHA will not allocate properties which would result in three or more unrelated people residing in the property as this would create an HMO (House Share).

18. DECANT

- 18.1. BHA reserves the right to use an unlimited number of properties as accommodation for customers who need to be decanted on either a temporary or permanent basis. This type of move will take priority over any type of allocation.

19. LOCAL LETTINGS INITIATIVES

- 19.1. We may consider using local lettings initiatives in specific areas. This may mean taking into account local connection where turnover is low and local people have difficulty accessing housing or in areas of low demand to help sustain the community and stimulate demand. There are other reasons where Local Lettings may be taken into consideration, however, any initiative will always operate alongside this policy and comply with legislation. There will be information available supporting why such an initiative is required alongside supporting documentation which is published.

20. REVIEW OF REGISTRATIONS

- 20.1. BHA will contact the applicant on the anniversary of their housing registration via These Homes to ensure that their household makeup remains as stated and their need has not changed. We will also ensure that the applicant wishes to remain on the register. We will ensure that the gathering and holding of information from our applicants complies with GDPR.

21. APPEALS & COMPLAINTS

- 21.1. Any appeals or complaints will be handled using our complaints policy. Stage 1 will normally be dealt with by the NSL and Stage 2 by the DoCC.

22. THE ROLE OF THE BOARD

- 22.1. The role of our Board is to set and review the policy whilst monitoring the progress against policy aims. The Board will approve the policy and ensure it is delivered. The Board have no involvement in the allocation of our properties or decisions about any applicant; this is the responsibility of colleagues within BHA.

23. ALLOCATIONS TO COLLEAGUES OR FAMILY MEMBERS

- 23.1. Any colleagues or their family (for example sister, stepbrother, cousin, uncle etc.) is entitled to apply for housing with BHA. Our application form will ask applicants whether or not they work for BHA or have a family member who works for us. If this is the case the member of staff concerned will have no involvement in assessing any priority or allocating any property.
- 23.2. Where priority is applied a senior member of BHA will check the application and verify this. There will be a clear audit trail.

23.3. Where an offer of housing is to be made a senior member of staff will verify this and another senior member of BHA, who is not normally involved in the day-to-day allocation of properties, will verify the allocation. A full audit trail will be kept.

24. REVIEW OF POLICY

24.1. We will review this policy every three years or when there are any legislative changes. Where the policy is working well BHA will simply make minor compliance changes to the policy reporting to the Board the areas of change for approval. Where a full review is required, we will consult with applicants in line with legislation.

Appendix 1 - Priority pass categories and levels

Level of Pass	Name of Pass	Context
Platinum	Strategic	Includes Domestic Abuse, Risk to Life; Serious Antisocial Behaviour or Harassment, Management Decision e.g. House Fire, Releasing an Adapted Property
Gold	Homelessness	(assessed by Scottish Borders Council)
Gold	Health	Unified Health Assessment
Gold	Armed Forces, Veterans & Families	Agreed locally
Gold	Relationship Breakdown	BHA tenants
Gold	SHORE	Sustainable on Release for Everyone
Gold	Throughcare Aftercare	Protocol with SBC
Gold	Domestic Abuse	Applicants working with a supporting agency with no immediate risk to life
Gold	Overcrowding	BHA Tenants or another Registered Social Landlord (RSL) in Berwickshire only
Gold	Underoccupancy	BHA Tenants only
Silver	Overcrowding	Those with a local connection to Berwickshire
Silver	Underoccupancy	Tenants of a RSL in Scotland
Silver	Unsuitable Housing	SBC assess property as tolerable standard, providing evidenced support, retaining employment; a discretionary pass in exceptional reasons if applicant feels property unsuitable
Silver	Health	Unified Health Assessment
Silver	Prevention of Homeless	For applicants residing in the Scottish Borders
Silver	Kinship Carers, Foster Carers and Those Adopting	
Bronze	Health	Unified Health Assessment
Bronze	Flat to House	BHA tenants only
Bronze	Overcrowding	Applicants with no local connection to Berwickshire
No Pass		No priority need