



Policy:

**Internal
Transfer**

Housing Services

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CONTENTS

	<u>Page Number</u>
1. Introduction.....	4
2. Balanced and Sustainable Community.....	4
3. Aims of the Internal Transfer Policy.....	5
4. Scottish Social Housing Charter Outcomes.....	5
5. Annual Return on the Charter (ARC) Indicators.....	6
6. Access to the Internal Transfer List.....	6
7. Internal Transfer Applicant Groups.....	6
8. Date of Application & Processing Timescale.....	8
9. Target Lets & Yearly Lettings Plan.....	9
10. Relationship Breakdown.....	9
11. Clearance Cases.....	10
12. Sensitive Lettings.....	10
13. Management Transfer.....	10
14. Size of House Required.....	11
15. Confirmation.....	12
16. Offers of Housing.....	12
17. Failure to Provide Information or Access for Tenancy Inspection.....	13
18. Suspended Applications.....	13
19. Cancelled Applications.....	15
20. Vulnerable Tenants.....	15
21. Tenancy Sustainment.....	15
22. Partnership Working.....	16
23. Benchmarking.....	17

24.	Equality & Diversity	17
...		
25.	Legal Framework.....	18
26.	Guidance and Good Practice.....	19
27.	Good Governance.....	19
28.	Role of the Management Committee.....	20
29.	Delegated Authority.....	20
30.	Decision Review.....	20
31.	Complaints.....	21
32.	Confidentiality.....	21
33.	Review of Internal Transfer List.....	21
34.	Monitoring and Reporting.....	21
35.	Audit Trail.....	21
36.	Notifiable Events.....	22
37.	Review of Policy.....	22

INTERNAL TRANSFER POLICY

1.0 Introduction

- 1.1 Provanhall Housing Association is a community based not-for-profit organisation located in the Provanhall area of Easterhouse. The Association is run by an elected and voluntary Management Committee made up of local tenants and residents. Policies of the Association are agreed and approved by the Management Committee with the implementation of these policies the responsibility of staff.
- 1.2 The main aim of the Association is to provide good quality affordable accommodation and to allocate our houses in a way that gives reasonable preference to those in the greatest housing need, while at the same time, helping to maintain a balanced, stable and sustainable community.

2.0 Balanced and Sustainable Communities

- 2.1 The Association believes a balanced and stable community is one which includes people with a wide range of life and employment experiences, ages and household types and a mix of tenure forms. A sustainable community is one in which people aspire to live and stay. Residents are free to enjoy their homes without nuisance, distress or fear and where residents identify with, and participate in the life of, the community. This gives the community the strength to welcome and support individuals or families in times of difficulty.
- 2.2 The Scottish Government in their 2012 'Affordable Rented Housing: creating flexibility for landlords and better outcomes for communities' proposals wanted to *'create more flexibility for social landlords to decide who should get priority for their housing'*. The aim is that *'greater flexibility can give local communities more of a say in who is being housed'* and allow *'allocations to be more responsive to local needs and demand for housing and also simpler and more transparent'*. The Housing (Scotland) Act 2014 delivered on these proposals and informed the development of this policy.
- 2.3 The Association believes the main factors which contribute to the development of a sustainable balanced community are:
- 2.4 Residents have chosen, and applicants aspire, to live and stay within that community
- 2.5 Communities try to meet the different needs, from serious housing need to aspirational need, of its current and future residents
- 2.6 A socio-economic mix and balance of current and future residents
- 2.7 Community, social and family needs are encouraged and supported

3.0 Aims of the Internal Transfer Policy

In addition to all the aims outlined in the Allocations Policy:

- 3.1 To address and meet the changing housing needs of current tenants in relation to household size, medical or support needs
- 3.2 To recognise and try to meet the different needs and aspirations of current tenants
- 3.3 To assist in sustaining family, social and community networks and support
- 3.4 To help current tenants experiencing relationship breakdown or serious neighbour disputes or lifestyle clashes

4.0 Scottish Social Housing Charter Outcomes

- 4.1 The following charter outcomes and standards are directly relevant to the Internal Transfer Policy:

- 4.2 **Charter Outcome 1 'Equalities':**

'every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services'.

- 4.3 **Charter Outcome 2 'Communication':**

'tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides'.

- 4.4 **Charter Outcome 4 'Quality of housing':**

'tenants' homes, as a minimum, meet the Scottish Housing Quality Standard (SHQS) when they are allocated; are always clean, tidy and in a good state of repair; and also meet the Energy Efficiency Standard for Social Housing (ESSH) by December 2020'.

- 4.5 **Charter Outcome 7,8 and 9 'Housing Options':**

*'people looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them'.
'tenants and people on housing lists can review their housing options'.
'people at risk of losing their homes get advice on preventing homelessness'.*

- 4.6 **Charter Outcome 11 'Tenancy Sustainment':**

'tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations'.

5.0 Annual Return on the Charter (ARC) Indicators

- 5.1 The following Annual Return on the Charter (ARC) Indicators are relevant to the Internal Transfer Policy:
- 5.2 Charter Indicator 14 *'Percentage of tenancy offers refused during the year'*
- 5.3 Charter Indicator 16 *'Percentage of new tenancies sustained for more than a year, by source of let'*
- 5.4 Charter Indicator 17 *'Percentage of lettable houses that became vacant in the last year'*
- 5.5 Charter Indicator 18 *'Percentage of rent due lost through properties being empty during the last year'*
- 5.6 Charter Indicator 30 *'Average length of time taken to re-let properties in the last year'*
- 5.7 Charter Contextual Indicator C2 *'The number of lets during the reporting year by source of let'*
- 5.8 Charter Contextual Indicator C3 *'Number of lets during the reporting year, split between general needs and supported housing'*

6.0 Access to the Internal Transfer List

- 6.1 The Association operates an open Internal Transfer List in which all tenants of the Association who wish to apply for a transfer to another Association property are entitled to be placed on the Internal Transfer List and have their application assessed.
- 6.2 Applicants on the Internal Transfer List will be placed in the applicant group in which they have the better chance of rehousing.

7.0 Internal Transfer Applicant Groups

Internal Transfer applicants will be placed into one of the relevant applicant groups on our Housing List:

- 7.1 **Homeless & Serious Housing Need Group:**
- 7.2 **Section 5 Referrals** - the Association has a legal duty under Section 5 of the Housing (Scotland) Act 2001 to comply with a request from Glasgow City Council to rehouse statutory homeless applicants. In meeting its duties under

the Act the Association will also have regard to the 'Homelessness Duty Protocol for Glasgow' established between Glasgow City Council and Glasgow RSL's (Registered Social Landlords).

- 7.3 **Below Tolerable Standards** - living in unsatisfactory housing that is below tolerable standards as defined in Housing (Scotland) Act 1987 with further amendments in the Housing (Scotland) Acts 2001, 2006 and 2014.
- 7.4 **Serious Overcrowding** - overcrowding by 2 or more bedrooms
- 7.5 **Under-occupying** – under-occupying by 1 or more bedrooms
- 7.6 **Serious Medical or Health Needs** - medical or health needs which will only be alleviated by rehousing to a specific type of house.
- 7.7 **Serious Housing Issues** – applicants suffering harassment, antisocial behaviour, domestic abuse or relationship breakdowns for which it is no longer safe or reasonable to remain in their current accommodation
- 7.8 **Kinship Cares** – long-term or permanent looked after children placed with kinship carers by the local authority. Can include non-looked after children with informal kinship carers with sufficient supporting evidence.
- 7.9 **Leaving Armed Forces / Ex-Service Personnel** – evidence such as Notice to Vacate or Certificate of Cessation of Entitlement to Occupy Service Accommodation
- 7.10 **Balanced Community Group:**
- 7.9 **Employment** – in full-time or part-time work
- 7.10 **Training** – in full-time or part-time training
- 7.11 **Education** – in full-time or part-time education
- 7.12 **Social, Support & Location Group:**
- 7.13 **Community Activity** – involved in any local community activity
- 7.14 **Voluntary Work** – involved in any local voluntary work
- 7.15 **Social Support** – provide or receive formal or informal support /care to or from someone living locally
- 7.16 **Location** - while not currently in employment, training or education, will be able to do so by moving into the area.

7.17 **General Housing Need Group:**

7.18 **Overcrowding** - overcrowding by 1 bedroom

7.19 **Aspirational** - no other recognized housing need

7.20 **All Other Applicants** – applicants who do not qualify to be placed in any of the other 3 applicant groups.

7.20 **Exceptional Circumstances**

7.21 An exceptional let can be granted at the discretion of staff when the circumstances are so extreme or unusual that the Allocations Policy cannot adequately assess and prioritise the applicant.

8.0 Date of Application & Processing Timescale

8.1 The position on the list of each internal transfer applicant is based on length of time on the list through their date of application.

8.2 The Association recognizes the personal, family and financial circumstances of applicants do change. For that reason an internal transfer applicant will be removed from the list of an applicant group for which they no longer qualify and be placed on the list of another applicant group in which they have the best chance of being rehoused.

8.3 For reasons of fairness and transparency no internal applicant should either benefit or be penalized for a change in their circumstances. Their position on this new applicant group will therefore be based on original date of application.

8.4 While 8.3 above is most commonly used to ensure applicants are not penalised, it is agreed securing another tenancy from the Association is not a normal 'change in circumstances'. If the tenant, through their internal transfer application, applies to us and then secures rehousing by us, any future internal transfer application will not of course retain their original application date. Otherwise the applicant is indeed getting a 'benefit' each time over all other applicants if we continued to just keep their date of application as the original date they first applied to us for a home or to another home as an internal transfer applicant.

8.3 Target timescale for processing internal transfer applications is 10 days.

9.0 Target Lets & Yearly Lettings Plan

9.1 The Management Committee believe the best way to achieve the 'Aims of the Internal Transfer Policy' outlined in Section 3 is through a yearly Lettings Plan outlining the target lets of properties to Provanhall residents and other applicants.

The current Lettings Plan for applicants is as follows:

9.2	Provanhall Residents	(55%)
9.3	Section 5 Homeless Referrals	(35%)
9.4	Waiting List Applicants	(10%)

For each of the above % of applicant lets, they will be placed into one of the following four applicant groups and % of target lets as per the Allocations Policy and the current Lettings Plan:

9.5	Homeless & Serious Housing Need Group	(55%)
9.6	Balanced Community Group	(20%)
9.7	Social, Support & Location Group	(15%)
9.8	General Housing Need Group	(10%)

10.0 Relationship Breakdown

10.1 The spouse, civil partner or co-habitee of a tenant may apply to the Association for rehousing in the event of a breakdown in the relationship. Where the couple are not married or in a civil partnership, the Association will have regard to whether or not the partner that is not the tenant would likely be granted occupancy rights by the courts. In making its decision the Association will also take into account and evidence where possible:

- 10.2 If the non-tenant partner was part of the initial household composition
 - 10.3 If the non-tenant partner at a later stage has been added officially, or is known to be, part of the household composition e.g. registered living at the property with other bodies or agencies or local knowledge by staff or others. The Association recognises official Permission to Reside are not always sought.
 - 10.4 how long the couple have been together
 - 10.5 if there are any children
 - 10.6 length of tenancy
- 10.7 To meet its objective of making best use of the stock, the Association believes it is reasonable to take into consideration both the size and type of property the household being left in remains. For instance if the property is going to be

under-occupied by the remaining members of the family (e.g. single person in a four apartment house with a garden) and the applicant's household requires similar size or type of property, the Association may consider instead transferring the tenancy to the applicant and rehousing the original tenant in a more suitably sized house and type.

11.0 Clearance Cases

- 11.1 If the Association has a clearance and demolition programme the Internal Transfer Policy will be suspended.
- 11.2 All voids will in the first instance be offered to clearance cases.
- 11.3 All voids refused by clearance cases can be re-let under the normal Allocations Policy.

12.0 Sensitive Lettings

- 12.1 Sensitive lettings will be used only when necessary to help support the Association aims of building balanced and sustainable communities. Sensitive lettings may be used for a particular part of our area or block(s) where allocating a property in accordance with the Allocations Policy or Internal Transfer Policy may potentially lead to:
 - 12.2 An over concentration of household types
 - 12.3 High turnover of tenancies
 - 12.4 Neighbour disputes
 - 12.5 Lifestyle clashes
 - 12.6 Management difficulties
- 12.7 As sensitive lettings will likely involve bypassing other applicants on the Housing List, their use must be approved by the Housing Services Manager.

13.0 Management Transfer

- 13.1 A management transfer for a tenant may be awarded only in very exceptional circumstances where the Association accepts that rehousing is the only means of resolving a serious management problem e.g. avoiding a potentially serious or violent neighbour dispute or lifestyle clash. Before consideration of a management transfer will be given staff must ensure all other options to resolve the problem have been explored.

- 13.2 Use of a management transfer must be approved by the Housing Services Manager.
- 13.3 As a landlord operating in a small geographical location, we are unable to rehouse any tenant who for safety reasons requires to leave the area altogether. Instead the tenant will be given appropriate advice and support regards their immediate safety needs through the option of securing temporary rehousing through Glasgow City Health & Social Care Partnership (HSCP) North East Community Homeless Service. Their longer term rehousing options will also be discussed and explored.

14.0 Size of House Required

- 14.1 Demand for our homes exceeds the supply of available homes for let. We wish to make to make best use of our stock and maximize the use of our houses while meeting the needs and aspirations of applicants:
- 14.2 Internal transfer applicant and partner require 1 bedroom.
- 14.3 Each 2 persons of the same sex under 16 require 1 bedroom if age gap is less than 5 years
- 14.4 Each 2 persons of the same sex under 16 require 1 bedroom each if age gap is more than 5 years
- 14.5 Each 2 persons of different sex over 10 years old require 1 bedroom each.
- 14.6 Each person 16 and over requires 1 bedroom.
- 14.7 Unborn Children
Unborn children will be considered members of the household once official confirmation is received.
- 14.8 Access to Children
If the applicant has expressed a preference for an additional bedroom(s) on their application, internal transfer applicants will be given the option to be placed on the 2 bedroom list. Internal transfer applicants will be given a maximum of one additional bedroom only above the needs of the permanent household members. Although the internal transfer applicant may have access to more than one child, the maximum one additional bedroom aims to strike a balance between the needs of the household while recognising the children are permanently housed elsewhere. Allowing internal transfer applicants with access arrangements to be rehoused in larger properties is not best use of available stock given the small number of larger houses available together with the high demand for such houses from households in which family members will make full use of all rooms permanently. See 14.13 regarding 'under-occupancy charge' implications, discussions and disclaimer the new tenant must sign.
- 14.9 Temporary Members of the Household
Internal transfer applicants, who wish to include as members of the household anyone who requires being away for long periods of time, will require to

provide confirmation their absence is only temporary and their permanent residence is with the household. If affected, see under 'Access to Children' for 'under-occupancy charge' implications, discussions & disclaimer the internal transfer applicant will sign.

14.10 Internal Transfer Applicants Living Apart but Applying Separately

Internal transfer applicants who currently live apart but wish to form a new household together will be assessed as one application. Based on each of their circumstances, the application will be placed on the queue with the best chance of rehousing.

14.11 Medical Conditions

In some circumstances the household may require separate bedrooms for household members who have medical conditions or other issues. If affected, see under 'Access to Children' for 'under-occupancy charge' implications, discussions & disclaimer the internal transfer applicants will sign.

14.12 Single Person & Couple

Due to a severe shortage of 1 bedroom properties, single people and couples will be given the option, if expressed through a preference on their initial application for housing, to be placed on the 2 bedroom list. See 14.13 for further details regarding 'under-occupancy charge' implications.

14.13 Implications & Disclaimer

If given the option when being made an offer of rehousing, the full implications of the DWP's size criteria restrictions on housing benefit or universal credit resulting in an 'under-occupancy charge' will be fully explained to all applicants. All applicants will be required to sign a disclaimer stating they still wish to accept a larger bedroom home despite their requirement to pay an under-occupancy charge. All applicants will sign this disclaimer. Not just those who will require housing benefit or universal credit to help pay their rent from the start of the tenancy. This is so they are fully aware of this charge should there be any future change in their financial circumstances. This disclaimer will also make clear appropriate arrears action, which can include legal action resulting in eviction, will be taken against the applicant for any outstanding rent due including rent due as a result of the under-occupancy charge.

15.0 Confirmation

- 15.1 Only when considering offers of rehousing will staff request confirmation of relevant information e.g. employment or training if in socio-economic group or voluntary work or community activity if in community, social and locational group.

16.0 Offers of Housing

- 16.1 There are no limits on the number of offers of rehousing an internal transfer applicant can receive. Please see section 18 'Suspensions' for further details of unreasonable refusal of rehousing offers.

- 16.2 In order to fully meet the needs of the internal transfer applicant a full discussion following each refusal must take place to make sure their application is updated to reflect their actual wishes and requirements regarding type of house and location etc. This discussion should make clear to the internal transfer applicant their prospects for rehousing and establish if the Association can in fact meet their wishes and requirements.

17.0 Failure to Provide Information or Access for Tenancy Inspection

- 17.1 At the initial application stage the Association does not require from any internal transfer applicant confirmation of information provided in order to be placed on the internal transfer list.
- 17.2 In order to ensure an internal transfer applicant is placed in the most appropriate applicant group or to clarify any other issue, a request may be made for the internal transfer applicant to provide additional information at the application stage.
- 17.3 Confirmation of relevant information e.g. employment or training if in socio-economic group or voluntary work or community activity if in community, social and locational group will be required when considering offers of rehousing.
- 17.4 A joint house visit by both Housing Services and Technical Services staff to complete a tenancy inspection for an internal transfer applicant must be carried before considering offers of rehousing. This is to assess whether or not the tenant has been carrying out their responsibilities as contained in their Tenancy Agreement. Also to give as much advance warning as possible of repairs required to be carried out prior to offers of rehousing. See Voids Policy and Procedure for more information.
- 17.5 Failure to provide requests for additional information or failure to allow access for the tenancy inspection will result in the internal transfer application being moved to an inactive status. The internal applicant will be advised that while their application still remains on the Internal Transfer List, they will not be considered for rehousing. Their application can be reconsidered when information is received or access allowed.

18.0 Suspended Applications

- 18.1 There are circumstances in which internal transfer applicants can be suspended from receiving offers of housing for a period of time. Internal transfer applicants can be suspended for the following reasons:
- 18.2 current or former rent arrears or other rechargeable tenancy related costs of more than the equivalent of one month's rent outstanding and no payment

agreement is in place, or the full payment agreement has not been paid for at least a three months period

- 18.3 evidence of antisocial behaviour or harassment, regardless of whether legal action seeking eviction has been instigated or carried out or ASBO granted
- 18.4 tenant, or anyone residing with the tenant, has been convicted of using the house for immoral or illegal purposes.
- 18.5 tenant, or anyone residing with the tenant, has been convicted of an offence punishable by imprisonment which was committed in or near their tenancy
- 18.6 tenant has displayed threatening or violent behaviour towards staff of the Association or its representatives including committee members and contractors
- 18.7 order for recovery of possession has been made against the tenant
- 18.8 false statement has been made in any application for housing by the tenant
- 18.9 tenant has unreasonably refused one or more offers of housing
- 18.10 The responsibilities of the tenant, in relation to their legal and/or contractual duties regarding their tenancy, are clearly not being adhered to. Examples of this may include:
- 18.11 very poor condition of the tenant's home with evidence of vandalism and examples of abuse over and above general wear and tear
- 18.12 tenant not taking their turn of cleaning and keeping tidy their garden or other common areas such as landing and stairs
- 18.13 tenant not controlling pets etc.
- 18.14 Each internal transfer application will be considered on its own merit with clear, reasonable and justifiable reasons for suspension. Each internal transfer applicant suspended will be notified in writing together with details of why the suspension has been applied, length of time the suspension will be in force and what action can be taken to end the suspension. Details confirming their right to ask for a review of this decision and information on how to make a complaint will also be included.

19.0 Cancelled Applications

- 19.1 The Association will only cancel and remove an internal transfer application from the list in the following circumstances:
- 19.2 The internal transfer applicant has requested removal from the Internal Transfer List. If possible the Association should attempt to have written confirmation of this request
- 19.3 The internal applicant has failed to respond to the periodic review of the Internal Transfer List
- 19.4 Death of an internal transfer applicant

20.0 Vulnerable Tenants

- 20.1 Staff need to identify, discuss and agree with an existing tenant any vulnerability or additional support needs. This information will be recorded. This information is important to ensure all staff are fully aware of any vulnerability or support issues. Staff can then work closely with the tenant, family members, carers, friends, or other partner organisations, to ensure the most appropriate action is taken to keep the tenant in their home and avoid court action and eviction if at all possible.
- 20.2 We recognise that tenants can become vulnerable or require additional support for many reasons during their tenancy. So all staff in contact with tenants have a role to play in identifying vulnerable tenants and additional support. The offer and pre-transfer of tenancy stage and sign up process all offer ideal opportunities to identify, discuss and record any vulnerability or support issues.

21.0 Tenancy Sustainment

- 21.1 Tenancies can be brought to an end by the tenant choosing to end their tenancy for positive reasons such as moving in with a partner, transferring to a more suitable larger or smaller home, buying their own home or relocating as a result of a new job. Tenancies also end for natural reasons such as a tenant passing away. Tenancy turnover does not therefore reflect a failure of a tenancy.
- 21.2 Unfortunately not all tenancies end through the choice of the tenant. Tenancy sustainment simply means keeping tenants in their home for as long as they wish to remain. This helps to reduce the number of failed tenancies and potential homelessness. A failed tenancy is when the tenancy ends for negative reasons and the tenant does not necessarily choose or wants the tenancy to end. This can happen for many reasons. For example, financial reasons, drugs or alcohol dependency issues, mental health issues or simply

not being able to cope with managing their home. Shelter defines tenancy sustainment as *'preventing a tenancy from coming to a premature end by providing the necessary information, advice, and support for tenants to be able to maintain their tenancies'*. It is for these reasons meeting the aims of this policy are so important.

- 21.3 The Association will do all it possibly can to make sure tenants remain in their home and that potential homelessness is prevented. For this reason relevant policies emphasise working closely with the tenant, and in partnership with others, as being vital in successfully sustaining tenancies by keeping tenants in their home and preventing potential homelessness. As a result different policies and procedures of the Association already include many tenancy sustainment measures:
- 21.4 housing options & prospects for rehousing applicant interviews
- 21.5 house visits and tenancy inspections prior to an offer of rehousing
- 21.6 pre transfer of tenancy viewings and discussions
- 21.7 establishing a good relationship with new tenants from the start
- 21.8 identify, discuss and agree any support needs or vulnerability issues
- 21.9 furniture provision information
- 21.10 money and benefits advice
- 21.11 simple and clear communication with tenants
- 21.12 direct and personal contact via house visits or telephone
- 21.13 new and existing tenancy visits
- 21.14 partnership working
- 21.15 fuel poverty and energy advice referral (e.g. Home Energy Scotland / G-Heat)

22.0 Partnership Working

- 22.1 To meet fully all the aims of this policy, the Management Committee believe this can only be achieved by working in partnership with other statutory or voluntary organisations. The main local partner organisations under this policy we purchase or receive services from, refer tenants to and have regular contact and meetings with include:
- 22.2 Glasgow City Health & Social Care Partnership (HSCP) North East Community Homeless Service

- 22.3 HSCP Departments: Community Addiction Services, Children & Family Services, Mental Health Services, Adult Services, Older People Services, Physical Disability Services
- 22.4 Loretto Care Support Service – Tenancy Support Service
- 22.5 Cordia – Home Care Services
- 22.6 Connect Community Trust - Income Maximisation Advisor & Peoples Gateway Officers
- 22.7 Addaction – Alcohol and Drug Support Service
- 22.8 Greater Easterhouse Alcohol Awareness Project (GEAAP)
- 22.9 GENR8 (Action for Children) – Youth Homelessness & Tenancy Sustainment Project
- 22.10 Glasgow's Advice & Information Network (GAIN) – UC & Benefit Advice
- 22.11 Shettleston Job Centre Plus (JCP) – Employment & Training Advice

23.0 Benchmarking

- 23.1 The Association is a member of the Scottish Federation of Housing Associations and Easterhouse Housing & Regeneration Alliance (EHRA). The Association benchmarks against EHRA and ARC data published by the Scottish Housing Regulator each year. We also work together on a range of issues to continually improve not just the external services delivered to applicants, residents and tenants, but to also improve internal management processes and performance.
- 23.2 The Association will benchmark its performance and use this to set, monitor and report targets. This will be done via Management Committee, Annual General Meeting, Scottish Housing Regulator Landlord Report, Annual Report and newsletters.

24.0 Equality & Diversity

- 24.1 Provanhall Housing Association is committed to promoting an environment of respect, understanding, encouraging diversity and eliminating discrimination by providing equality of opportunity for all. The Internal Transfer Policy in its operation will adhere to all parts of the Equality & Diversity Policy.
- 24.2 The Association wishes to ensure there are no barriers in accessing its services. Relevant documents can therefore be translated into a range of languages on request. We will also ensure that translation services are available for those who wish more detailed information and to assist those who wish to make personal enquiries. For anyone with visual or audio impairment

relevant documents can also, on request, be made available in larger print, on tape, in Braille or on any format required.

25.0 Legal Framework

25.1 All aspects of the Internal Transfer Policy and procedures adhere to the following Equality & Housing legislation:

25.2 Equality Act 2010

25.3 Housing (Scotland) Act 2001

25.4 Housing (Scotland) Act 2010

25.5 Housing (Scotland) Act 2014

25.6 Homelessness etc. (Scotland) Act 2003

25.7 Human Rights Act 1998

25.8 Data Protection Act 2018 (incorporates GDPR 2016)

25.9 Matrimonial Homes (Family Protection) (Scotland) Act 1981

25.10 Domestic Abuse (Protection) (Scotland) Act 2021

25.11 Housing (Scotland) Act 1987

25.12 Housing (Scotland) Act 2006.

25.13 The Children (Scotland) Act 1995

25.14 Looked After Children (Scotland) Regulations 2009

25.15 Mental Health (Care and Treatment) (Scotland) Act 2003

26.0 Guidance and Good Practice

26.1 Every effort has been made to develop the policy with regards to the following guidance and good practice:

26.2 Scottish Social Housing Charter Technical Guidance for Landlords (Scottish Housing Regulator, 2021)

26.3 Social Housing Allocations in Scotland: A Practice Guide 2019 (Scottish Government, 2019)

- 26.4 A Scottish Housing Guide for People Leaving the Armed Forces & Ex-Service Personnel (Scottish Government, 2018)
- 26.5 Scottish Social Housing Charter Indicators & Technical Annex (Scottish Government, 2017).
- 26.6 The Legal Framework for Social Housing Allocations: Statutory Guidance for Social Landlords Housing (Scotland) Act 2014 (Scottish Government, 2016)
- 26.7 Affordable Rented Housing: creating flexibility for landlords and better outcomes for communities (Scottish Government, 2012)
- 26.8 Social Housing Allocations Guide (Scottish Government, 2010)
- 26.9 Tenancy Sustainment – Not just The Latest Buzz Word! (Shelter, 2011)
- 26.10 Tenancy Sustainment in Scotland (Shelter, 2009)
- 26.11 Preventing Homelessness, Sustaining Tenancies (Shelter, 2009)
- 26.12 Regulatory Standards in Governance and Financial Management (Scottish Government, 2012).
- 26.13 Suspending Housing Applicants: A Practical Guide (Chartered Institute of Housing, 2009)
- 26.14 Housing (Scotland) Act 2001 – Housing Lists and Allocations (Scottish Executive 2002)

27.0 Good Governance

- 27.1 The Association will meet the standards outlined in ‘Regulatory Standards in Governance and Financial Management’ published by The Scottish Housing Regulator and its own ‘Entitlements, Payments and Benefits’ policy and ‘Financial Regulations’ policy. These cover the types of payments and benefits that landlords can make to their employees, committee members or close relative of employees or committee members. This includes any former employees or committee members within the previous 12 months. These are designed to make sure none of the above either abuse their position or benefit in any way from their connections with the Association. They therefore play an important part in maintaining the Association’s good reputation. The Association will aim to exercise at all times good governance and judgement and maintain high ethical standards of honesty, integrity and probity. There is however circumstances under which payments can be made and benefits granted and these are allowed in the following ways:
- 27.2 The Association may grant a tenancy, transfer of tenancy or mutual exchange to an employee, former employee, committee member or former committee member providing that the person:
 - 27.3 fully meets the Association’s published allocations criteria
 - 27.4 has had no involvement in or influence over the process by which the Association has allocated the tenancy in question

27.5 There is a duty on all internal transfer applicants to declare if they are related or connected to any staff or committee member in the appropriate section of the Housing Application Form. Any internal transfer application that falls under this criteria being considered for a tenancy will be formally referred to the Management Committee for approval prior to any offer of housing being made. If necessary, a special meeting of the Management Committee will be called to avoid delay in an allocation that would result in rent loss. Any such allocation will be recorded.

28.0 Role of the Management Committee

28.1 Staff will undertake the day to day operation of every aspect of the allocations process. The role of the Management Committee is to agree associated policies and procedures, monitor their outcomes and review accordingly. The Management Committee will also consider any special cases or lets under the 'Good Governance' section.

29.0 Delegated Authority

29.1 The Management Committee has delegated the Housing Services Sub-Committee authority to monitor the allocation policy, and other associated policies, outcomes.

30.0 Decision Review

30.1 An internal transfer applicant dissatisfied with any decision taken regarding their application, or any part of the allocation process, has the right to request a review of the decision. All internal transfer applicants are advised of the review process which is as follows:

30.2 Internal transfer applicant can request a review of the decision to the Housing Services Manager of the Association. Their review request can be made in person or by phone, in writing, by email or via our website. The Housing Services Manager will provide a written response within 5 working days.

30.3 If the internal transfer applicant does not agree or accept the decision of the Housing Services Manager, they have the right to make a final review request to the Director of the Association. Their review request can be made in person or by phone, in writing, by email or via our website. The Director will provide a written response within 5 working days. The Director's decision will be final.

31.0 Complaints

- 31.1 A tenant has the right to complain if they are unhappy. We value any complaint a tenant may have as this can help improve the service we provide. See the Complaints Policy and Procedure for details.

32.0 Confidentiality

- 32.1 Any information, including sensitive information, provided by an internal transfer applicant, or sought by the Association in assessment of an internal transfer application, will only be seen by staff directly involved. Information at all times will be treated with the strictest confidence.
- 32.2 Information which is required to reach Committee level, will be provided in a way that protects the identity of the applicant. The internal transfer applicant's name and address shall not be used.
- 32.3 The Association will not divulge any details of any internal transfer application to a third party without the applicant's written consent.

33.0 Review of Internal Transfer List

- 33.1 The Association will review all applications on the Internal Transfer List on a yearly basis or sooner if necessary.

34.0 Monitoring and Reporting

- 34.1 It is important for the Association through the Management Committee to establish whether the aims of the Internal Transfer Policy and Allocations Policy are being met. Regular monitoring and reporting of the Housing List, allocations, rehousing outcomes and benchmarking help to establish whether or not these aims are being met. This also assists review of performance indicators and targets and future policy reviews.
- 34.2 Scottish Social Housing Charter indicators relating to allocations and reported annually through the Annual Return on the Charter (ARC) requirements will also be provided to the Management Committee.

35.0 Audit Trail

- 35.1 An audit trail shall be maintained for every allocation to clearly show why any given let was made to that particular applicant.

36.0 Notifiable Events

- 36.1 Anything that arises from the execution of this policy that is a notifiable event, shall be reported to the Scottish Housing Regulator immediately, by the appropriate person, via the required channels.

37.0 Review of Policy

- 37.1 This policy will be reviewed every three years or sooner due to legislative, guidance or good practice requirements.