



Guidance on our Lettings Policy

This leaflet provides guidance on our lettings policy and is intended to supplement our leaflet called 'house letting'.

This leaflet can be made available on request in a variety of different languages and formats such as large print, audio format or Braille.

Lettings Policy

The Council's lettings policy aims to ensure that houses are let to those applicants who have the greatest need of good quality accommodation. For instance, this may be because their house is too small, is in poor condition or has insecure tenure. Alternatively, they could be in housing need by requiring to live near relatives to give or receive support, or have a medical condition that could be improved by living in a different house.

The following is a brief description of the main features of the new lettings policy. A more detailed document is available on request from OIC's Housing Services.

Basis of the Policy

Any applicant who is 16 years or over is entitled to be admitted to the Council's housing list.

In selecting tenants, the Council will implement a lettings system which ensures that the choices of applicants are taken into account as much as possible.

This is done by reference to the principles of:

- Accessibility.
- Choice.
- Sustainable communities and equality.

We are committed to making the best use of available stock and using our lettings policy to assist in the creation and maintenance of sustainable communities. Sustainable communities are places where people want to live and work both now and in the future. Sustainable communities will also contain a broad variety of households, including single people, single parent households and family households and are representative of the wider community.

In compliance with the law, we will not unfairly or unlawfully discriminate in lettings practice against people on grounds of:

- Age.
- Disability.
- Gender reassignment.
- Marriage and civil partnership.
- Pregnancy and maternity.
- Race.
- Religion or belief.
- Sex.
- Sexual orientation.

Eligibility

The Council's rules governing the match between property and household size are as follows:

- Single person – 1 - 2 apartment dwelling (bedsit / 1 bedroom dwelling).
- Single persons wishing to share – 3 apartment (2 bedroom dwelling).
- Couple – 2 - 3 apartment (not with boxroom as well) (1 / 2 bedroom dwelling).
- Applicant(s) with one child – 3 apartment (2 bedroom dwelling).
- Applicant(s) with 2 children – 3 - 4 apartment (2 / 3 bedroom dwelling).
- Applicant(s) with 3 or more children – 4 - 5 apartment (3 / 4 bedroom dwelling).

Note: Apartments taken into consideration are the lounge and bedrooms but not the kitchen and bathroom. For example, a 3 apartment house has a lounge and 2 bedrooms.

Priority Categories

Section 20(1) of the Housing (Scotland) Act 1987, as amended, requires that in selecting tenants for their houses, all local authorities must give reasonable preference to:

- Persons who are occupying houses which do not meet the Tolerable Standard as defined by Section 86 of the Housing (Scotland) Act 1987 and amended by Section 102 of the 2001 Act.
- Persons who are occupying overcrowded houses.
- Large families.
- Persons living under unsatisfactory housing conditions.
- Homeless persons and persons threatened with homelessness (within the meaning of Part II of the Housing (Scotland) Act 1987 (as amended by the Housing (Scotland) Act 2001 and the Homelessness etc (Scotland) Act 2003).

Priority Passes

Each application will be processed according to the policy and if the applicant is resident in Orkney, and is in housing need, a Priority Pass will be issued.

Where an applicant could be considered for more than one priority pass, they will be awarded the one giving the greatest priority. The tables detail the types of pass available and the criteria which need to be met to qualify for them. Where an applicant's situation is such that they may qualify under two categories, the award will reflect the highest priority they would qualify for. Where an applicant would qualify for 3 or more priority passes at the same level, this will be upgraded to the level of pass above. Where an applicant would qualify for 2 priority passes at the same level, this would qualify for a mid-way point between that priority pass and the one above. This is known as a Plus Pass.

The waiting lists will be ranked by level of priority passes in order of Platinum, Gold Plus, Gold, Silver Plus, Silver, Bronze Plus, Bronze, and thereafter by date order of receipt of the Housing Application.

Categories of Priority Pass

There are thirteen applicant categories as shown in the following tables.

Emergency

Platinum.	Awarded in exceptional circumstances where the existing housing situation is seriously affecting the wellbeing of the applicant or members of the household. The allocation of a platinum pass should be considered by a small panel consisting of the Executive Director of Education, Leisure and Housing, Head of Community Learning, Leisure and Housing, Service Manager (Housing and Homelessness) and the panel should be informed by the Team Leader (Housing and Homelessness) to ensure they have all necessary information.
-----------	--

Homelessness

Gold.	<p>You have been assessed by Housing Services at Orkney Islands Council, under the terms of the Homelessness Legislation as being homeless, in priority need and unintentionally so.</p> <p>You have been accepted as homeless by another Local Authority and have been referred to Orkney by that authority and Orkney Islands Council has accepted this referral.</p>
-------	---

Medical Assessments

Gold.	The applicant's present housing is completely unsuitable for their medical condition. The quality of the applicant's life is seriously limited and would be greatly improved by moving to more suitable accommodation. Urgent action is recommended.
Silver.	The applicant has a serious medical condition which would be improved by moving to more suitable accommodation.
Bronze.	The applicant has a medical condition which would be improved by moving to more suitable accommodation, but rehousing is not urgently required.

Note: To ensure a consistent and informed approach, evaluation of needs will be assessed by a health or social care professional with qualifications and experience appropriate to the areas of risk/need identified in the assessment.

Statutory Overcrowding

Gold.	Your present home is short of one or more bedrooms as defined by the Housing (Scotland) Act 1987.
-------	---

Under Occupancy

Gold.	By moving to a smaller property you will free up a home with one or more bedrooms surplus to requirements. (This only applies to tenants of the Council and OHAL). The Council operates a Removal Grant Scheme to assist those who wish to move into smaller properties. Housing Management staff within the Council will be happy to provide information on the removal grant scheme on request.
-------	---

Unsatisfactory Housing

Gold.	You live in housing which has been inspected by an Officer of the Council's Environmental Health Team and found to be below the tolerable standard, and a written report to that effect has been provided to Housing Services. Below the Tolerable Standard is defined in the Housing (Scotland) Act 1987 as amended.
Silver.	You live in housing which you or another member of your household own or rent from a private sector landlord which although not Below the Tolerable Standard, is in a state of serious disrepair, as determined by an Officer of the Council's Environmental Health Team and Housing Services is satisfied on the basis of evidence provided to it that the repairs are uneconomical or impractical. This may include evidence from the Council's Building Control Section.

Unsatisfactory Living Arrangements

Silver.	<p>A family unit are forced to live apart due to unsatisfactory/overcrowded housing.</p> <p>A household who although not statutorily over-crowded, has living arrangements which are causing difficulties arising from congestion. For example a family of four is occupying a one bedroom property which has caused condensation and resultant health issues.</p>
Bronze.	<p>You require two or more bedrooms but occupy accommodation in which you are required to share kitchen or bathroom facilities with people who are not members of your household.</p> <p>You are part of a couple who have separated but continue to share a property.</p>

Specific Need to be in a Community

Silver.	<p>You need to move into a given area as you have a medical / psychological need and require access to specialist services.</p> <p>You wish to move into a given area for community or social reasons, for example to stimulate local employment or you need to remain in that area for the same reasons.</p> <p>You wish to move into a given area to give or receive support to/from a relative.</p> <p>You wish to move into a given area for employment reasons as detailed below.</p> <p>Alternatively, you need to remain in that area for the reasons given above.</p>
---------	---

In the case of households moving into the area for support reasons supporting information will be required from an appropriate professional such as a Doctor, Community Psychiatric Nurse, Social Worker or Occupational Therapist and the relevant family member. This information should detail the reasons why the household requires to live in the area.

In the case of those moving for employment reasons a letter detailing the offer of employment is required. The employment should be of a type where a pool of suitable labour would not be available in Orkney/within that area of Orkney and quantifiable evidence to support this will be required from the employer. A pass on this basis is time limited to two years. Please note that this would not be applicable where the employment is subject to a relocation package.

In most cases “the area” would constitute Orkney generally (excluding Kirkwall and Stromness) as on mainland Orkney, or the linked south isles, commuting is normally possible. However, in the case of the outer isles this may be refined to that particular island. This is intended to be a rural or island structure to enable the sustainability of fragile communities.

Service Tenancies and Tied Accommodation

Silver.	<p>People in tied accommodation/insecure accommodation provided by their employers, who are forced to leave as a result of unemployment or retirement or health reasons. (Time limited to 2 years from discharge).</p> <p>Service personnel who can establish a local connection with Orkney, leaving the services. (Time limited to 2 years from discharge).</p>
---------	---

Relationship Breakdown

Silver.	Forced sale and division of matrimonial home where partner determines to sell the home of the partner with principal responsibility for the children.
Bronze.	<p>Awarded in the case of relationship breakdown to the parent with least access to the dependent children of the union.</p> <p>N.B. Applicants awarded priority in this category will be restricted to a 3 apartment property regardless of the number of dependent children. (This refers to access arrangements specifically rather than to children who are permanently part of a household on a full-time basis).</p>

Existing Applicants

Bronze.	Applicants who have been on the waiting list prior to 1 October 2003.
---------	---

Insecurity of Tenure

Silver.	<p>Applicants who have been served with valid notice to quit. Notice must be assessed by Housing Services to confirm validity.</p> <p>Applicants whose landlord has been refused registration or had their registration revoked under private sector landlord registration procedures.</p> <p>Applicants who are subject to repossession action by their mortgage lender or other creditors with an interest in the property. Case should be investigated by the Housing Services to identify most appropriate housing option.</p> <p>Applicants who have been served with valid notice to quit on conduct grounds. Notice must be assessed by the Homelessness and Advice Section of Housing Services to confirm validity.</p>
Bronze.	Applicants who have a short term tenancy i.e. short assured tenancy. Tenancy agreement must be assessed by Housing Services to confirm validity.

	<p>Applicants who are lodging with a resident landlord / subtenant (this includes sub-tenants of Council tenants).</p> <p>Applicants who are living in a hostel or a House in Multiple Occupation (HiMO).</p>
--	---

Corporate Parenting

Gold.	Applicants who are entitled to throughcare/aftercare support and who are leaving care. (Please also note our Protocol on Housing and Young People Leaving Care).
-------	--

Emergent Households

Bronze.	Applicants who are residing with parents/guardians and wish to live independently.
---------	--

Further Information

Housing application packs are available from Customer Services, Orkney Islands Council and the Warehouse Building, Stromness. In addition, our housing application forms can be downloaded from our website at www.orkney.gov.uk

If you wish to seek further information or make any comments on this leaflet, please contact our Housing Management Section.

Housing Management Section

- Housing Services, Orkney Islands Council, School Place, Kirkwall.
- Telephone: 01856873535.
- Email: allocations@orkney.gov.uk

Homelessness and Advice Section

- Housing Services, Orkney Islands Council, School Place, Kirkwall.
- Telephone: 01856873535.
- Email: homeless@orkney.gov.uk

Citizen's Advice Bureau

- Anchor Buildings, Bridge Street, Kirkwall.
- Telephone: 01856875266.

Last updated: April 2021.

