Access to social housing in Scotland

a survey of local authorities' and housing associations' allocation policies

Paul Spicker

Preface

This study is the result of a survey of allocations policies in Scotland undertaken between October and December 1990. Shelter (Scotland) paid for the circulation of material. The University of Dundee was the base from which the work was done.

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Access to social housing

'Social housing' is housing which is provided on a collective social basis, principally by local authorities, development corporations, Scottish Homes, and housing associations. Until fairly recently, most of the housing in Scotland was let by local government. In 1981, this included over a million homes; by the end of 1989, the number had fallen by 15%, to less than 900,000. In the same period, housing associations have expanded to cover 61,000 homes. In total, social housing has been reduced from 54% of Scotland's housing stock to 44%. Waiting lists are lengthening: Shelter's last waiting list survey (1) suggested an average period of four years, but this is only at best a general indicator, because waiting lists reflect the chance people think they have of getting housed, and many of the properties which are likely to be available suffer from serious problems.

Council housing in Scotland is still the main route through which people on low incomes have the opportunity of adequate, secure, low-cost housing. But the way in which it is used is beginning to change. Part of the reasons for the change are social; the demand for housing is not what it was. Councils have become increasingly concerned to make provision for people with special needs, who have little prospect of having those needs met in the private sector; this is important and, in so far as it improves the opportunities of vulnerable and disadvantaged groups for decent housing, welcome. More and more people, particularly younger families, have been buying properties, despite the recent increase in house prices and interest rates. The people who come for council housing tend to be those on lower incomes, who do not have the option of buying. There are over 180,000 households on council waiting lists in Scotland. Shelter's survey of waiting lists suggests that over 60% of these applicants have weekly incomes below #100 per week. 40% of all applicants are over the age of 55. (2)

The supply of housing for these groups is reducing. The policy of central government has been concerned not only to increase the numbers of owner-occupiers, but to run down council housing, through the sale of council housing, the dispersion of local authority stock and limiting the ability of councils to replace the stock which is being lost. No less importantly, the ability of housing agencies to provide housing at affordable rents is increasingly limited. The direct subsidies to council housing have largely disappeared; tenants whose income is limited have to rely on Housing Benefit. Many people receiving Housing Benefit have to pay a proportion of their rent, however, and the actual amounts they are required to pay increase as rents increase.

The loss of the most desirable properties, coupled with the increasing concentration of people who are poor, presents a range of problems for local authorities. Many of the houses which are available in the council sector are undesirable, because of the poverty, physical condition and social problems on the worst estates. One of the local authorities which responded to the survey on which this report is based put the situation as follows:

> "We require to sell up to 1000 houses a year to finance our capital programme from receipts. For every one flat sold 4 cottages are sold. But increasingly, people on waiting lists want cottage type accommodation. Cost Floor rules prevent us from building more cottages (or indeed more flats) because of the right to buy at a discount after five years. Increasingly demand for housing is outstripping supply. Increasingly our remaining supply of stock does not match what people want."

The combined effect of the changes is to reduce the capacity of councils to provide adequate low-cost housing at the same time as the demand for them to do so has become more firmly focussed on those in need.

The issue of access to social housing is clearly very important, if only because it affects so many people's lives. Allocations policies cannot make any real difference to the general speed at which people are housed; that depends on whether the houses exist. The basic reason why people cannot obtain access to decent housing is that there is not enough housing in the right place and at the right price; if there were enough decent houses for everyone, the process of how people got into those houses would matter far less than it does. It is because there is a shortage that problems emerge. Some people will have to accept housing that is unsuitable for their needs; some people will have to accept housing that no-one should have to live in; some people will never be housed. If allocations policies are important, it is not least that they determine who gets which sort of house and where.

The survey

This report is based on a survey of the allocations policies of local government and housing associations in Scotland; Scottish Homes selects tenants on the basis of local authority schemes. All local authorities and housing associations in Scotland have a duty to publish their allocations schemes under the Housing (Scotland) Act 1987. The rules concerning admission to the waiting list and the definition of priority have to be available to members of the public; agencies are allowed to charge for the full rules, but a free summary has to be made available to members of the public. The law is intended not only to make schemes fairer - because openness is important to defend fairness - but also to make publicly funded agencies subject to public scrutiny. Every local authority and housing association should have been able to reply to a request for this information. Two requests were sent; the first in October 1990 and a reminder, to those who had not replied, in December. Out of 56 local authorities, 51 replied. Only two (Inverness and Eastwood) mentioned any charge to applicants, which were 20p and 10p respectively. 5 local authorities said that they were unable to reply, in four cases because their scheme was under review, in one because it had to be reprinted. One authority replied without enclosing details of its scheme.

In the case of housing associations, there were 95 responses to 167 queries. It is difficult to identify exactly what proportion of associations this represents, though it is probably fairly high; a number of associations are interlocked, some associations are managed by other associations (17 of the letters went to the same addresses as another association), some are concerned with home ownership rather than rented housing, some have not yet got off the ground, and some do not let houses. Some recent research in Glasgow, which was able to pursue the details in greater depth, found that six out of 32 registered associations, and 4 out of 13 co-operatives, were not operational in practice (3). Information was received from 81 associations; of the remaining 13, five were new associations which had not yet devised schemes, three were those which did not let houses, two had schemes under review, one gave no details, one was entirely managed by another association, and one asked me to explain "what the published summary of the allocations policy entails". Among those who did reply, the answers did not necessarily include full details of their allocations schemes: one announced that it was "a private charitable organisation and as such has no published policy for allocations"; and another responded as follows:

> "We are only a very small Housing Association and we do not have a published summary of our allocation policy. We also have a very substantial waiting list of applicants for our limited housing stock."

One might have thought that this was just the kind of case in which a published allocations policy was needed most.

The kind of information contained in the replies varies enormously. Housing agencies are not always explicit about the ways in which their properties are allocated, not because they are attempting to conceal information, but because the procedures are so complex. Most large authorities operate not one scheme or 'waiting list' but a whole set of schemes designed to deal with the range of problems the authority faces. The quality of information did, however, seem rather better than it seemed the last time I undertook this exercise, with a national survey of allocations in 1983 (4). This may perhaps reflect some of the pressures which have been put on housing agencies to be more explicit about the criteria they use; it probably reflects the difficulties which otherwise arise in trying to explain to applicants and tenants when rules are not clearly stated.

The tone of the published schemes is often legalistic, and the language seems more often to be designed to stand up in court than it does to explain the rules to applicants. Argyll and Bute DC, for example, explain in their summary that people might be excluded from the housing list if

> "the applicant has any outstanding liability (for payment of rent or otherwise) attributable to the tenancy of any dwellinghouse of which the applicant is, or was, tenant when the liability accrued ..."

while the Shetland Islands Council begins (oddly) with "Tenants' Rights, Etc. (Scotland) Act 1980" in large lettering. Even where attempts have been made to explain things in simple language, the schemes can still be very difficult to understand, because long lists of who can get housed do not make for easy reading. There are, in fairness, different criteria which need to be applied to the full set of rules and the summaries made available for people who apply. The summary needs to be clear, accessible and sufficient to understand in broad terms how the scheme will affect people who apply. The full set of rules, where it is different, can be much more specific, so that anyone who wants to know how the system works for them can find something in it which relates directly to their own circumstances. None of the schemes was really outstanding in this respect: the best effort was probably Stirling DC's, which attempted to explain a detailed scheme with separate, well produced leaflets for different classes of applicant.

Style, of course, is much less important than substance. It is not really possible to know, without going through the process of application for housing with each agency, what the experience is like for people who do apply. What the style of the leaflets does show, though, is something about the views of the different agencies - how important they perceive the information to be, and the kinds of efforts which have been made to take different kinds of need into account. This is the kind of information which is being reviewed in this report.

The policies which are published are liable to be less than fully informative about the procedures which the agency follows, if only because the procedures are complex. There are five main stages to the process of allocations (5). They are:

- *Admission to the list of applicants.* People have to be accepted onto the list before their application can be dealt with, In many places, there are restrictions on who can apply, based on such factors as residence or age.
- *Determination of categories of applicant.* People who have applied for rehousing are placed into categories, mainly according to the location and size of property available.
- *Identification of priority groups.* In all authorities, some categories of people have a special status and are treated differently from others on the list - for example, homeless people, people displaced by clearance, or those with special medical needs. Some authorities have 'group' schemes, in which groups are ranked in order of priority.
- *Assessment of priority within groups.* Once the groups are established, it has to be decided which person has the greatest priority. This is commonly done in three ways: 'date order' schemes, or first come, first served; 'points' schemes, which give people different weights according to their circumstances; and 'merit' schemes, which deal with cases 'on their merits'.
- *Matching of applicants with available property.* Even if a particular case appears to have priority, the process of matching individual people to particular properties commonly involves some further considerations. The considerations most often taken into account are the choices and preferences of applicants, the standards of housekeeping of the applicant, and the need to balance other management considerations.

It is common to find that published schemes refer only to two or three of these categories. The practice of referring to 'date-order' schemes, 'points' schemes and so forth usually conveys information only about the fourth stage of the process of allocations.

1. Access to council housing

Admission to the list of applicants

Local authorities no longer have the power to impose most restrictions on their waiting lists: the Housing (Scotland) Act 1987 allows only a few fairly limited restrictions. This, in general, is what they do. Dumbarton, Kirkcaldy and Renfrew had gone beyond the law's minimum demands to introduce a completely open list; Clydesdale, which formerly had an open list, has just decided to restrict it to the statutory requirements, because of excess demand. There may be some restrictions or qualifications which go outside the law; two authorities, for example, still restrict applications to people over 18 (rather than the 16 specified by law); a number of others had '18' changed to '16' by hand. A recent case in Inverness suggests that 16-18 year olds are unlikely to be housed there (6). The council takes the view that 16-18 year olds generally require special support, but has no accommodation which provides it; by default, young people are kept in the hostel for the homeless. Other councils have reservations about different groups: Bearsden and Milngavie DC refuse applications from people who are satisfactorily housed, and Hamilton retains a discretion not to admit applicants. The provisions are not indefensible, but they are not in the authority's power to decide. In general, the law seems in most cases to be working. This is significant if only because when Shelter conducted a national survey in Scotland in 1982 (7) many local authorities had chosen to ignore the rules introduced in 1980; it suggests that the law can be effective, even if it takes some time for people to come into line.

Where there are restrictions, they apply mainly to people who are thought likely to present problems for managers and other tenants. Clydebank, for example, refuses applications from people in arrears, or those who it feels are liable to be a nuisance; Nithsdale declines to include those with a bad report from previous tenancies. An alternative restriction, adopted by, for example, Dunfermline and West Lothian, is to apply a sanction at the point when an offer might be made. There is clearly a conflict here between the demands of estates management and meeting need; the incomes of people applying for council housing are often very low, and half the families on benefit run out of money most weeks (8), which means that arrears of rent are not uncommon amongst those who are most vulnerable. The restriction can cause considerable distress. The Shelter Housing Aid Centre in Aberdeen provided two examples. One concerned a woman who, while in rent arrears, had been subject to domestic violence which forced her to leave her home. The Council declared that she wuld only be considered for 'difficult to let accommodation' because of the rent arrears. The second was the case of a severely disabled man, whose disorder had made it impossible to for him to climb the stairs to his accommodation. He had been separated from his wife, who returned to him after his application was made. He was refused accommodation because his wife had accumulated rent arrears at her former address.

Determination of categories of applicant

The type of housing available largely determines the way in which allocations policies work. In practice, there is almost never one single 'housing list' which applies to all applicants. Applications are classified by the stock which is available. The size of accommodation and its type have to be taken into account; for example, single pensioners are not usually considered to be in competition with young families with children. Sheltered housing seemed, in most schemes, to be run distinctly from other kinds of housing. There is a case to have separate

lists and property for people with some kinds of physical disability, although it may also be possible to adapt existing housing. There may be further divisions according to location: Sutherland inform tenants that they can only be entered on one such list, and people who transfer lose all credit for waiting time. Many councils run, in reality, a large number of different lists.

Because of the pattern of subsidy arrangements in the past, most local authorities have their stock mainly concentrated in two and three-bedroomed dwellings; there are relatively few properties with one bedroom, or four or more bedrooms. One difficulty pointed to in some of the returns was the growing number of single applicants, where there were not houses available. One authority, which reported that the numbers of single applicants had more than trebled since 1981, described its stock in relation to its waiting list in terms of the size of stock and size 'required' in such a way that most single applicants could stand very little chance of being rehoused. There are two options. One is to be grant people larger property; a 'spare' room is widely available in owner-occupied housing, and some kinds of property, like high rise blocks, are often substantially more suitable for single people than they are for families with children. The table which follows shows what the effect of a change in policy in this authority might be on average waiting time; it assumes, for convenience, a vacancy rate of 5%. If, instead of insisting that single people or couples should have only one or two rooms, the authority allowed for one more room, the effect should be to cut their average waiting time by nearly fifteen years; the effect on families who needed larger housing would be that they had to wait eight months longer.

Table 1.1: Effects of using the stock differently on waiting time in one local authority

Size of house required	Stock	Waiting list	Current average wait (years)	The list classified differently	Average wait on a revised list (yrs)
1-apt	129	-	-	-	
2-apt	2813	2688	18.3	-	
3-apt	12584	334	0.5	2688	3.46
4-apt	8737	63	0.14	334+25	0.82
5-apt	1061	6	0.11	6+38	0.83
6-apt	4	-	-	-	-

A second option might be to develop single sharers schemes, though it is not what every single person wants, and there are important management problems in getting solutions of this sort to work; it could (in theory) cut the waiting time of single people in this area to under two years.

Identification of priority groups

In all authorities, some categories of people have a special status and are treated differently from others on the list - for example, homeless people or people displaced by clearance. Homelessness is generally the most important of these, both in the urgency of the need and in the numbers of cases which are dealt with in this way. The problem of homelessness has been

growing, particularly in the large urban districts, though it is no less serious in areas which have very limited stocks of housing to meet needs, like Orkney, Skye or North East Fife.

Most of the authorities were explicit about many of the groups dealt with outside the general scheme (though not always all): examples of such groups include those with special medical needs, people in disasters, key workers (needed to bring employment into an area) and services personnel. Even if the groups are not explicitly defined, the priority is sometimes given in practice nevertheless; for example, recent research in England and Wales found that over a quarter of local authorities replied that they offer support to discharged psychiatric patients, though this scarcely featured in the allocations schemes they published (9). This suggests that, in the interests of simplicity, the local authorities are not being completely explicit about the operation of their policies. One finds the same in Scotland: for example, Edinburgh, which has what seems to be a fairly active involvement in community care, does not mention the provision in its general introduction to its allocations policy, though it is mentioned in other documents. At the same time, there may be problems which arise from other aspects of the allocations scheme: I was told by a psychiatrist of the difficulty of discharging patients who had previous arrears before their admission to hospital.

Some authorities have 'group' schemes, in which different groups are ranked in order of priority. In most cases, this amounts to little more than the kind of priority given in almost every scheme; the 'priority groups' usually include are homeless people, people in redevelopment areas, people going into sheltered housing and so forth. In the case of Dundee, the 'groups' are defined into five main categories, but once the usual special categories are taken into account, the grouping does very little more to distinguish applicants, and the bulk of selection is left to date order rather than to priority according to need. Even in Cunninghame, where there are nominally fourteen priority groups, the grouping could only be expected to act as a rough sieve, because elderly people, young single people and overcrowded families, who are in different priority categories, are not necessarily in competition for the same accommodation. Overall, the use of priority groups does very little work in separating out classes of applicant; schemes of this type are mainly defensible in the few authorities with enough houses not to have to discriminate too finely between applicants.

Assessment of priority within groups

Once the groups are established, it has to be decided which person has the greatest priority. This is commonly done in three ways: 'date order' schemes, or first come, first served; 'points' schemes, which give people different weights according to their circumstances; and 'merit' schemes, which deal with cases 'on their merits'. A substantial majority of schemes - 35 out of 45 - are points schemes. This represents, since 1982, a noticeable movement in favour of using points schemes, which probably reflects the pressure to be explicit about policy. Of the others, 6 used date order, and 3 used 'merit'; one did not say.

The kinds of factor included in the points schemes were as follows:

Housing need

Overcrowding	34
Condition	28
Amenities	26
Insecurity	21
Underoccupation	15

9

Shared facilities	15
Remoteness	6

Personal factors

Waiting time	31
Medical	28
Social factors/discretion	10
Local connection	7
Family size	7

Other factors included support for relatives (Stirling, Renfrew, Clackmannan), advanced age or retirement (Moray, Badenoch and Strathspey, Kilmarnock and Loudon - though this is technically illegal), and children living at a height (Stirling, North East Fife, Edinburgh; Renfrew gives points for children in 'buildings with a common entrance'), as well as some of the groups - like key workers or services personnel - mainly dealt with in priority groups.

In the 1983 survey, I was critical of most point schemes. They include factors which are irrelevant, exclude factors which are important, and often give inappropriate weightings to minor factors. Less than half the schemes at that time made any allowance for insecurity of tenure, social factors or problems in coping with property, and less than a tenth consider heating, environmental problems, or problems in obtaining alternatives in the private market (10). These criticisms still largely hold, though some are not as important as they used to be; problems in coping with property are increasingly being dealt with through alternative systems for allocating special needs housing, with the development of housing associations there are new options for people unable to afford private sector housing, and many social factors are now being considered outside the normal run of allocations. There is still a case for including such considerations within a points scheme, so as to reduce the number of exceptions which have to be made within a scheme.

The points for 'local connection', generally measured in terms of length of residence are the most disturbing inclusion; these are strictly illegal in terms of the 1987 Housing (Scotland) Act, and should not be part of any scheme. An internal working party in Glasgow, which has points for local connections within parts of the district, has argued strongly against their inclusion on the basis that they were not only illegal, but that they act to produce racial disadvantage, and work against applicants from the undesirable peripheral estates. At the same time, they probably do less damage than the heavy weighting given in most authorities to waiting time, which can act substantially to disadvantage those in need. This comment applies more forcefully, of course, to those authorities which allocate primarily by date order within groups.

Whatever the deficiencies of points schemes, they are certainly better than the main alternatives. 'Date order' does not work fairly, if only because schemes cannot work on the basis of 'first come, first served'. There have to be exceptions, which will be seen as 'jumping the queue'. One authority, which operates a 'date order' policy and publishes in each area office a list of people waiting for housing in order of priority, commented that the effect of other priority allocations was to create confusion; the problem was not that they did not explain about the exceptions, but that it seemed to run counter to the implicit promises contained in the date order list. The housing manager wrote:

"The policy is complicated, difficult to explain and difficult to understand. Many members of the public give up trying to understand and simply feel that the rules are unfair".

'Merit' schemes have the problem that they cannot be clearly published, and cannot be seen to be fair. At the same time, the changing role of council housing means that some elements of discretion are important, in order to deal with the kinds of cases in community care and social work support which councils increasingly have to deal with. Many of these problems, for example those relating to discharged psychiatric patients or children at risk, rely on a specialised professional assessment, but there is always some room for uncertainty. (11) There are two important tests. One is that the kinds of criteria which are being used as the basis for the exercise of discretion have to be clearly identified. The second is that this kind of discretion should be properly monitored, which is not possible when the councillors themselves exercise it, or when they are involved as individuals in the decision making process. Midlothian, for example, states that

"allocation of all houses will be dealt with by the appropriate House Letting Sub-Committee. Tenancies will be allocated at their discretion and, in general, according to date of application. Certain cases may be dealt with as priority."

The direct involvement of councillors in decisions was substantially criticised in the 1982 Shelter (Scotland) report (12). Councillors may feel, understandably, that the issues are too important to be delegated; but their role is collectively to establish and monitor a policy rather than to become personally involved in the administration of allocations. A legal case against a Welsh authority, which arose out of an abuse of power by councillors, recently declared that the allocation of a tenancy must by law be delegated to the Chief Officer (13); it is difficult to be confident that the same conclusion would be reached in Scotland, but the legal basis is very similar, and a decision of this kind should be influential.

Matching of applicants with available property

Even if a particular case appears to have priority, the process of matching individual people to particular properties commonly involves some further consideration. The process is not always explicit, but it can have a significant effect on individual applicants. Moray retains the right not to rehouse applicants, without giving any reason for doing so. Badenoch and Strathspey allocates by a sub-committee of councillors (apparently Kincardine and Deeside do the same, though it is not within the published scheme), and some authorities allow councillors the power to vet and object to certain offers within their wards (e.g. Argyll and Bute, North East Fife); this is subject to the same kinds of objection which are made to the involvement of councillors in 'merit' schemes.

The practice of 'grading' tenants according to their standards of housekeeping and cleanliness is reputedly dying, but if so it is taking a long time to do so. Most local authorities are not explicit about the process: exceptionally, Annandale and Eskdale, and West Lothian, give notice that people who fall below acceptable standards may be penalised. The practice is probably far more widespread than this, though; the Shelter Housing Aid Centre in Aberdeen, for example, reports the case of a single person refused accommodation on the basis of the decorative order of his bedroom, which was his parent's responsibility. The Institute of Housing survey in England and Wales found that 44% of authorities use visits to assess the

housekeeping standards of applicants, so that a person judged to be of low standards will not be offered new or desirable housing (14).

Most councils are not very explicit about how many offers they might make before some kind of penalty is imposed: Bearsden and Milngavie, and Banff and Buchan, offer one property, Kirkcaldy two, Angus three, and Clackmannan four. Clydesdale, unusually, states that there is no limit. It is difficult to judge this without seeing how the policy works in context. Choice is generally a good thing for applicants, but it can also work to favour those who can afford to hold on for something better, against those who are under most pressure (15). Much depends on where houses become available, the number of houses which the council has to let, the type of offer which will be made, and a tenant's subsequent prospects of moving.

The social effects of allocations policies

The houses which councils have to let are not necessarily a representative sample of all of their stock. They rely mainly on houses which have become vacant. Housing which is pleasant to live in is much less likely to be available than undesirable housing, both because of sales - people who live in good housing are more likely to buy it - and because people choose to live in good property longer even though the size of their family is changing. By contrast, the worst estates have a rapid turnover, often as much as 20-25% in a year; a poor estate with 200 properties might well see more vacancies than a settled estate with 1200. The sort of housing which people are likely to be offered as new applicants tends to be the poorer housing.

The people who move into the worst houses tend to be those with the least choice. Research in Glasgow has shown that, where people have lower incomes, they are also likely to be allocated the worst housing (16). The problems do not have to be caused by discrimination, deliberate or otherwise. People with lower incomes are often in worse housing to begin with, and they are less able to wait for something better. If estates become stratified socially, it is not simply the result of local authority allocations policies; it happens in the private sector as well.

However, allocations policies can reinforce the problems. Policies which penalise people in rent arrears, which give more priority to people who are able to wait, which give preference to people who have connections with 'good' areas, or which grade people according to 'standards', are all likely to work against the people who are poorest and most vulnerable. One of the tests of a good allocations policy is that it should improve the prospects for people who have least choice. This means keeping lists open; avoiding the grading of tenants, implicitly or explicitly; and reducing or eliminating emphasis on residence and waiting time. Most important, it means that the greatest priority has to be given to the people in the greatest need.

2. Housing associations

Housing associations - housing's voluntary 'movement' - cover a wide range of different kinds of activity. These include not only social housing for rent, but co-operatives, management of schemes in the private sector, and special schemes for home ownership. The housing association movement in Scotland is still relatively small, though the experience of England and Wales, where housing associations have been permitted to develop when councils have not, suggests that housing associations will become progressively more important as time goes on.   Of the 89 associations who provided sufficient details in the survey to tell - this includes some who did not provide schemes - 72 were primarily associations for general needs, virtually all locally or community based; 12 of these were co-ops. 17 mainly dealt with special needs, 7 with elderly people. These included some larger organisations, like Hanover or Bield, which have a wider geographical remit precisely because they offer in sheltered housing a particular kind of service, as wel as some very small associations. It is difficult to do justice to the variety of types of association without outlining them in detail. Among the respondents to the survey, for example, were New Lanark HA, an association set up to assist the work of conservation of a major part of the history of planning and socialist thought; Key HA, an association existing to make provision for mentally handicapped people, which often uses the stock of other housing agencies; and Culdion HA, which provides for women who have been at risk of violence.

In so far as housing associations are different in their scope and function from local authority housing, it is neither fair, nor appropriate, to judge them by the same criteria as local authorities. They offer diversity rather than comprehensiveness, and the scope for innovation rather than a safety net. That proposition itself needs to be considered more closely, because often housing associations are being developed in the place of local authorities. A local authority has up to now had a large amount of housing to provide for the needs of its area. Housing associations are generally small, and they can only make a limited contribution, often for a particular community, a specialised group or set of needs. As local authority provision declines, this might well mean that holes appear in the net - not because there has been any clear failure on the part of any individual agency, but because there will not necessarily be the provision in every area for the kinds of needs which people have. The process is most evident with specialised needs, like those of people discharged from psychiatric institutions, people with disabilities, or women at risk of domestic violence. Those in an area where such provision exist, and are able to gain access to them, are fortunate; but one has to question whether issues like this can be left to special initiatives and voluntary effort.

Access to housing association property

Although there are wide differences between the procedures of housing associations and local authorities, in general, the process of allocations follows (necessarily) the pattern of allocation of local authority stock: that is, the association has to decide about admission to the list, determination of categories of applicant, identification of priority groups, the assessment of priority within groups, and matching applicants with available property. The differences arise from the differing scope and purpose of housing association properties.

Housing associations tend to have relatively few properties, where local authorities have many. The generalisation is not as true as it once was; where a housing association takes over a

portion of local authority housing, as a number have done in Glasgow, the local effect may be to give dominance to an associaton within a narrowly defined geographical area. But the role of associations has to be seen in the context of local authority housing. Housing associations are concerned principally to provide an alternative route to adequate housing. Their role may be supplementary to local authorities - in the sense of providing additional property to meet needs - or complementary, because they are meeting needs which a local authority does not.

The effect of provision by housing associations has to be seen in the context of local goverment policy, of the type of area in which the association works, the purposes of the housing association, or the types of needs to which it is addressed. Possil Housing Co-operative, for example, have points for community balance, continuous tenancy in one house, and people with a record of positive participation in the community. It would be difficult to defend this within the policies of most local authorities - because it disregards equity, and could work against many people in serious need. But the context in which this policy is formed is different; it is intended to try to establish community links in a seriously deprived area where the idea of community has been undermined.

Access to the list

Like local authorities, housing associations are liable to place a number of restrictions on potential applicants. There are restrictions, for example, on the age of applicants, which for local authorities would be illegal - Langstane only accepts applications for those age 16-60, Castlehill refuses single people under the age of 55 and couples, and Legion Housing Scotland takes applications only from those over 60. This kind of restriction means something very different in the context of a housing association than a local authority. A local authority which limited its list in this way would substantially limit the opportunities for rehousing of significant sectors of the community, precisely because the local authority has such a preponderance of available housing. A housing association, by contrast, can usually only make a limited contribution and may legitimately concentrate on particular groups who are seen as having special needs.

The demand for housing can far exceed the capacity of most housing associations, which have very limited numbers of vacant properties, to deal with it. Associations have often been reluctant to advertise, because this will raise the expectations of many people whose needs cannot be met. However, a list which relies on word of mouth to draw applications is likely to exclude many people who will not learn about it - like old people without supporting families, ethnic minorities, people without roots or those who live outside the area. These are also likely to be the people missed or excluded by local authorities, which makes it doubly important for housing associations to reach them. Scottish Homes and the SFHA have recently published performance standards for the management of housing associations which require associations to spread the net more widely. "It is not sufficient for an association to demonstrate that it is housing those in serious housing need who happen to know of its existence and apply. It must show that, given its size, spread and type of stock, it is taking reasonable steps to seek out those in most serious need." (17)

Part of the pool of applicants often comes from other agencies. Special needs associations, like Horizon or Ark, can depend heavily on referrals from Social Work, Health Boards or similar agencies in the voluntary sector. Most, however, come from the local housing department. Key HA, which specialises in provision for people with mental handicap, accepts nominations for all its property from the local authority, but then applies its own criteria to

those who are nominated. This is equivalent to using the local authority's waiting list, which has to be open by law. More typically, though, nomination rights mean that the housing department has the right to allocate housing association properties, usually for some 25-50% of the vacancies; Scottish Homes considers 50% to be usual (18). Where local authority policy conflicts with the association's objectives, the association may feel that its aims are likely to be frustrated: one association wrote that the effect of local authority nominations was to direct large numbers of elderly people towards its property when many of those referred had a very limited priority from the association's point of view. They had responded by limiting the number of allocations they actually gave - but commented that "how long the District Council will accept this situation remains to be seen". Not all housing associations accept nominations on this basis: West Motherwell, or Gorgie-Dalry, for example state that nominations will be ranked according to the association's priorities. Gap's policy reads as follows:

> "the criteria for housing allocation will be housing need only, as defined by the Association in its allocation policy. This may not equate directly with the priority which that application has on the waiting list of the local authority."

This approach is recommended practice in the guidance recently issued by Scottish Homes (19).

Unlike housing departments, housing associations do not always accept applications from every person who wishes to be housed.   The Scottish Federation of Housing Associations recommends associations to restrict their lists to people in need, inviting others to re-apply if their circumstances change (20); this does not prejudice applicants where there is no priority for waiting time (and interestingly, in most HAs there is not), although the process of being rejected once may deter further application. Some (e.g. Servite, Milnbank) hold only a limited number of applications on the list at any time, on the basis that they would be wasting the time of others. A number (e.g. Sandyford, Barrhead, Philemon or Granton) use their points scheme as a sieve, retaining only those applications which seem to be in the most serious need.

The excess of demand over supply tends to make policies restrictive. Some associations refuse applicants they believe are unable to help - Fountainbridge, for example, has so little family accommodation that it refuses applications from families, and Lister Co-op closes its list because it has too few allocations each year (5-8) to justify soliciting applications. Some close their list altogether to new applications: East Motherwell, for example, opens its list for new applications only once for a two-week period every year, and Cathcart closes its list from time to time, re-advertising when the list is open. The advantages of closing lists are that a closed list is easy to administer, because it is not necessary to keep track of applicants; that in holding down the number of cases it does not give the impression to people with no chance that they will be housed; and that it is possible for officers to build up a relationship with the prospective tenants.

The disadvantages of closed lists are, however, important. First, needs are relative. Priority should be given to the greater need, but this cannot judged without knowing the range of problems. This is not an objection to the practice of keeping only the cases in the most serious need, but it does imply that there are problems where lists are only open for limited periods. Second, it is difficult with a closed list to respond adequately to urgent needs; even if the agency is willing to bend or break its own rules, it may by that time have deterred people in the most serious need. Third, it is difficult to gauge the demand for housing, or the extent of the need that the association is responding to, without the information an open list provides.

For agencies which deal with special needs, or needs which are not adequately dealt with by the local authority, this information can be vital for planning developments and for making the case for resources.

Determination of categories of applicant.

Housing associations are usuaLly less concerned than local authorities to sub-divide their lists formally, if only because the small size of many associations, and the limited range of their stock, makes such a sub-division pointless. Where an association has a range of different types of provision, for example for families and for old people, subdivisions are recognised of necessity; Castle Rock effectively runs distinct management units between special need and general needs housing. A number of special needs associations keep separate lists for each development.

The identification of priority categories

The variety of roles which housing associations play make it possible to justify a very wide range of priority categories. A number of schemes are presented as 'group' schemes, with broad priority categories being defined (e.g. Hillcrest, West Motherwell); a couple of associations (Hanover and James Watt) have adopted quotas.

A number of HAs have given partial priority to facilitating improvement programmes (e.g. Cloch, Dalmuir Park, Yoker, Victoria). Specialised HAs clearly wish to focus on the needs which they were created to meet: Ark, for example, focuses mainly on mentally handicapped people, who are rehoused on one set of criteria, but also makes provision for housing for others on a different set of criteria, including their willingness to live and socialise with people who are mentally handicapped. Community based HAs are often greatly concerned to foster a sense of community, and alter priorities accordingly: Milnbank states that

> "A major aim of the association is to retain and rebuild the sense of community living"

and gives some priority to tenants' sons, daughters and relatives needing support.

It has to be said that the special role of HAs justifies some apparent idiosyncrasy. Many needs are not dealt with by local authorities. They include, for example, people who fail age or residence requirements, homeless people excluded by council policies, and owner occupiers. Single people, single parents and ethnic minorities are likely to be disadvantaged. Housing associations are in a position to identify local deficiencies and to respond accordingly. If there is a problem, it is that some of the kinds of priority represented in the schemes - priority for local people, for relatives or people employed in an area - may work inadvertently against others who are disadvantaged.

Priority for rehousing

Within categories of applicant, most of the associations which responded (59 out of 82 with identifiable schemes) used a points scheme. Most of the others seemed to rely primarily on discretion, or 'merit schemes', though the information is sometimes sketchy.

SFHA describes merit schemes as 'outdated and inappropriate as they fail to demonstrate objectivity, consistency and housing allocations based on need' (21). The comment is directed

at the kind of paternalistic and unaccountable practice found in many local authorities. But the case for applications on 'merit' by HAs is fairly strong, despite the many reservations one might wish to make about merit in other contexts. Some HAs allowed explicitly for special lettings to groups offering community care support (e.g. Whiteinch and Scotstoun or James Watt) - though this is probably more common than the published schemes state; often they use personal assessments and criteria more similar to social work - cited, for example, by Barony or Horizon. Housing associations have taken an important role in the development of special initiatives for community care - important in what the provisions signify, rather than the amount of accommodation being provided; flexibility and innovative arrangements are vital to the development of options for some of the most vulnerable members of the community.

The factors taken into account in points schemes include:

Housing need
Lack of amenities	52
Overcrowding	52
Condition	44
Insecurity and homelessness	44
Sharing	43
Underoccupation	36
Children living at a height	6

Personal factors
Medical factors	52
Discretionary/social	35
Local connection/residence	20
Support for relatives	18
Risk of domestic violence	10
Waiting time	10
Advanced age	5

Other factors included community involvement (Lister, Avalon Corner and Possil Co-ops); child care needs (Philemon, Sandyford); ability to cope with property (Kirk Care, Granton); Shettleston also gives points for pensioners living at a height), employment (Eildon) and travel to work (Castlebone, Southdeen and Hunter Village Co-ops, Sandyford), and financial hardship (Castlehill, Lister Co-op). Most of the points schemes are fairly simple, and it seems likely that they are treated flexibly; there are substantial elements for discretion in most schemes, and in others provision is allowed for exceptions or special cases.

One of the most positive features is the little weight which seemed to be given to waiting time, which featured in only 10 of the 59 points schemes. On the other hand, priority for existing residents - which is illegal in local authority schemes - features strongly. The figure for 'local connection' conceals, however, some diversity. In cases where the points are tied to particular needs, like support for relatives, I have classified them separately. Some of the co-operatives working in deprived area give points for residence to encourage a sense of community; Southdeen Co-op also gives points for people who are relatives of the Co-op's members. Lastly, there is a feeling in some rural areas that priority should be given to 'local people' because local people are disadvantaged in the housing market overall, and because (as I was told by one housing officer) the local authority allocates property to 'outsiders'. This last point

is more questionable, and perhaps represents myth as much as reality. People usually have to have some connection with a district to stand any real chance of being considered for rehousing, most rural authorities are hard pressed to house any significant number of applicants, and local people already have very substantial advantages in the process of allocations; as a result, in the few cases where 'outsiders' are housed it usually represents either the application of special criteria, like the housing of key workers, or the most serious and pressing kind of need.

Selection of tenants

Once an applicant emerges as having the greatest priority, it is not certain that an offer will be made directly. Local authorities usually have several houses from which an offer might be made; housing associations, because they are small, may only have one at a time. In the allocation of particular houses, a housing association may be more concerned with management considerations, or with the needs of a particular development or group of tenants, than with strict equity in the operation of their scheme. A desire to find someone who will contribute to a community, for example, may alter priorities.

One consideration that is often important for small associations concerns the ability of the tenant to pay rent; the smaller the association, the more limited is its ability to bear the losses caused by rent arrears. Overall, associations have played an important part in housing people on low incomes - not least because this is where the demand for housing, and the problems of need, are most pressing. However, a number of associations declare that they will not house people with existing arrears; others express reservations about accepting people when they do have arrears, though they do not want to make an absolute bar. The caution is understandable, though the disadvantage of this approach is that it limits the ability of the associations to deal with need.

A number of associations rely on home visits to confirm details before an offer is made (Reidvale, Castle Rock, Paisley South End); Old Town HA takes the details back to a committee for consideration, whereas the visit by Castlebrae Co-op is done by committee members. It is impossible to know from the published schemes whether anything like the grading of local authority housing takes place, but there are certainly some associations who explicitly reserve the right not to take in disruptive or difficult tenants (e.g. Cloch, Dalmuir Park). Scottish Homes, in making recommendations about nomination rights, state that 'associations should not avoid nominees who might prove to be difficult tenants' (22) - which suggests that the problem does arise.

General considerations

It is difficult to know exactly how many of these schemes really work in practice. Part of the problem is that the circumstances of housing associations are so individual that generalisations become difficult. The associations have few houses to let: Gorgie-Dalry, for example, with 595 properties, had 834 applications, accepted 152 on its waiting list and housed 37; while New Lanark with 43 properties had 26 applicants on its waiting list and let 2 or 3. If one allows for a 5% vacancy rate (which would be low for undesirable property, and fairly high for settled or desirable areas), one might look for 25 houses a year in an association with 500 houses, and 13 of these might go on local authority nominations unless the housing association is prepared (as some are) to be very firm. The question of who gets housed seems

to owe a great deal to good fortune - who is around and in the position to be rehoused at the time when properties become available.

But it is not possible to describe the situation purely in terms of 'luck' when certain kinds of systematic disadvantage have in the past crept into the allocations process. The evidence on research into allocations for ethnic minorities, for example, has shown that ethnic minorities are likely to be denied housing, not necessarily because of overt discrimination, but because of institutional factors which reinforce disadvantage (23). Allocations to council housing have placed the poorest people in the housing which is least desirable. How far, then, does the allocation of housing association property avoid some of the pitfalls which are evident from that experience?

The answer seems, depressingly, to be that they are not immune. Despite the spring of goodwill which is evident in much of what is written by and about housing associations, there is nothing in most of the policies which can avoid the types of structural disadvantage experienced in local authority housing. The most positive element is the refusal of many associations to take waiting time into account; the effect of waiting time has been shown clearly to disadvantage those with the most pressing needs who are least able to wait. But it seems doubtful this can be enough. The importance of local connection, knowledge about options for rehousing, or even being in conditions stable enough to apply at the right time, seem only too likely to disadvantage those who are most vulnerable. Where research has been done into the work of housing associations, it seems to confirm that they do not necessarily escape the kinds of problem which have plagued council housing (24). Monitoring is important as a means of ensuring that the properties are going to people in need, but it is also important to consider how their needs compare with others which are not being met; housing associations have to devise ways to reach out to people in need.

Because local authorities make general assessments of need, and because the demand for local authority housing is usually greater - reflecting the relative importance of district councils in the supply of rented housing - there is at least a case for associations to work in close co-operation with the local authorities, so that policies offer as full a response to need as is possible. Different agencies could pool their housing lists. There are, however, obstacles to doing so. The purpose of encouraging co-operation is to increase responsiveness to need, and it can happen that co-operation requires agencies to compromise on that principle. The problem with developing closer co-operation between housing associations and local authorities, as the reservations which housing associations express about local authority nominations show, is that not every agency considers need to be the most important ground for priority.

In some cases, the work of the housing association has to be seen in parallel with that of local authorities; an association concerned with revitalising an area, for example, has aims in its allocations which are probably similar to those of a local authority. In others, for example where the housing association is relatively small, the assessment of needs might be complementary: housing associations can identify gaps and pick up people who the local authority is not able to deal with. It is probably not realistic, although some assessment of need is required in an association's 'business plan', to put the onus of investigating local needs comprehensively on small organisations which are often considerably stretched financially. Housing associations need to monitor the outcome of their policies, but they can only do so within the constraints of their own remit; in order to place their work in a wider context, it requires a broader consideration of their role in the provision of housing overall, and that

broader consideration is the responsibility of other organisations - in respect of housing, the district council, for community care Social Work or Health Boards, and for the overall work of housing associations Scottish Homes. As associations grow, however, they will have to take increasing responsibility for the effect of their policies, and become accountable as significant providers of social housing in their own right.

Overview

Allocations policies have to balance a range of competing and conflicting factors. They include

- *the needs of applicants and tenants.* These relate not only only deficiencies in housing, but also physical needs and social needs.
- *the needs of communities.* At one level, communities need employment, social and community services. At another level, the allocation of social housing has an effect on both the use of the housing stock and on the development of community networks in both the public and the private sectors.
- *the aspirations of applicants and tenants.* Social housing has to respond to what people want as well as what they are held to 'need'.
- *the management of the stock.* Housing managers have to ensure that property is occupied, that it is properly maintained, that rent is received and that the books are balanced.

It is difficult, on the evidence of the published schemes, to state with any confidence how well these aims are being achieved. There is little ground for optimism, though; a shrinking housing stock and increasing waiting lists leave housing agencies with very little scope for manouevre. There are some options, though they are limited. Housing agencies have to try to adapt the use of their stock to meet needs. This means, first, more provision for the groups from whom there is most demand: single people, through greater flexibility in allocations and perhaps through schemes for sharers; old people, through the development of special schemes (including conversion of flats); and people on low incomes. Second, it means greater flexibility in the way the stock is used, particularly for people with special needs. Third, it implies planning to meet needs which are not going to be met through the private sector. In many ways, this implies a change in some of the traditional patterns of allocation in favour of a recognition of the range of social needs.

Housing is a scarce resource, and the competition for good housing is fierce. In response to the different pressures, there has been a powerful emphasis, particularly in local authorities, on equity and procedural fairness in allocations. Housing associations are freer than local authorities to establish different kinds of pattern, because they are usually addressing only a small part of housing problems of an area, but they are limited simply because of their limited size. The task of allocating houses was impossible enough when the supply of housing was relatively good; if committees and housing managers sometimes seem uncertain about how to balance the conflicting demands which are being made of them, it is not altogether surprising. One local authority, replying to the survey, apologised that its allocations policy was so obviously out of date.

"The whole issue of allocation policy is the subject, at present, of a fundamental review as we are not satisfied that the policy addresses issues of housing need and nor is it flexible enough to meet the challenges of the 1990s."

The problems are being recognised; the task now is to deal with them.

Summary and conclusions

1. This report is concerned with the allocations policies of social housing agencies in Scotland. The decline in the supply of social housing has put greater pressure on the agencies to become responsive to need, in particular homelessness and special needs like those associated with community care. Allocations policies have to take this into account, which implies a change in some of the traditional patterns of allocation in favour of a recognition of the range of social needs.

2. A survey was undertaken in October and December 1990 asking every local authority and housing association for a copy of the allocation schemes which they are required by law to publish. 51 out of 56 local authorities, and 95 housing associations, replied. The published schemes vary in quality and clarity. Some are legalistic; most are incomplete in some ways. A number of housing associations have not yet published their schemes.

2. Local authorities no longer have the power to impose most restrictions on their waiting lists: the Housing (Scotland) Act 1987 allows only a few fairly limited restrictions. Housing associations can be more restrictive, which reflects their special functions; but the closing of their waiting lists can exclude people in need and make it difficult to obtain the information needed for future planning.

3. Because people want housing of different types in different locations, schemes rarely make up a single waiting list. In deciding who can be registered for which kind of housing, local authorities tend to be restrictive; opportunities for single people in particular can be greatly increased by a more flexible approach.

4. Most housing agencies use points schemes to decide who within certain group will be housed. It was not possible to identify how all of the schemes worked, but among local authorities 35 out of 45 schemes, and in housing associations 59 out of 82, were points schemes. Most of these schemes are fairly basic, including points for housing need (e.g. overcrowding, condition, lack of amenities) and personal factors (like medical or social problems).

5. The kinds of factor taken into account for priority do not always reflect needs. Most local authorities depend to some degree on the length of time people wait for housing, despite the evidence that this disadvantages the people who are least able to wait. Only 10 out of 59 housing associations with points schemes give priority for the length of time on the list; 20, however, gave priority to people who has established residence in an area. Local authorities are forbidden by law to give priority on the basis of length of residence, though a few (seven) still do it.

6. Whatever the deficiencies of points schemes, they are generally better than the alternatives. Date order schemes do not work fairly, and they disadvantage people in need; and although some element of discretion is important to deal with certain kinds of social need, 'merit' schemes are difficult to operate fairly, cannot be monitored and can be subject to personal bias.

7. Allocations policies can reinforce social disadvantage. Policies which penalise people in rent arrears, which give more priority to people who are able to wait, which give preference to

people who have connections with 'good' areas, or which grade people by their 'standards', are all likely to work against the people who are poorest and most vulnerable. One of the tests of a good allocations policy is that it should improve the prospects for people who have least choice. The greatest priority has to be given to the people in the greatest need.

8. Although allocations policies are important, they cannot make up for the shortage of decent housing to rent. There has to be much more investment in social housing.

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