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Blue Triangle (Glasgow) Housing Association Ltd

HM010 Referral policy Housing Management

28 September 2017


Our Mission Statement

“Blue Triangle exists to support, accommodate and assist vulnerable people achieve better lives.”

Revision history

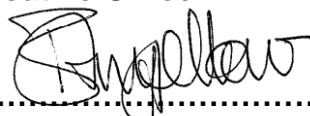
Rev No.	Rev. Date	Consultation Requirements (See Section 4 - Consultation)	Lead Officer	Committee	Approved by COM
001	2005	Allocation Policy	IB	Housing Management	22 September 2005
002	2017	Housing management policy - requirement to consult. (this policy was previously known as the Allocation Policy)	IB	Housing Management	28 September 2017

Chairman

Signed: 

Dated: 28 September 2017

Chief Executive Officer

Signed: 

Dated: 28 September 2017

Contents

	Page	
Section 1	Introduction	4
1.1	Rationale for the policy	4
1.2	Risk assessment statement	4
1.3	Policy context	4
Section 2	Legal and regulatory standards	4
2.1	Legal framework	4
2.2	Regulatory standards – The Scottish Housing Regulator (SHR)	5
2.3	OSCR (Office of the Scottish Charity Regulator)	6
2.4	The Scottish Social Housing Charter	6
2.5	Regulatory standards – the Care Inspectorate	7
Section 3	Policy content	7
3.1	Referral Policy	7
Section 4	Consultation	8
Section 5	Monitoring and review/link with KPIs	8
Section 6	Publishing and availability of policy	8
Section 7	Accessibility	9
Section 8	Other relevant policies and procedures	9
Section 9	Complaints	9
Section 10	Equality Impact Assessment	9

Section 1: Introduction

1.1 Rationale for the Policy

This policy explains how we receive referrals of service users from local authorities and any other partner organisations. This policy is aligned to law and good practice concerning housing and homelessness services. The policy is supported in practice with a range of organisational procedures to ensure that the policy is applied consistently across all of our services.

1.2 Risk assessment statement

This policy is deemed to be of **high risk** within the Association because we must ensure that all service users who are referred receive individual support plans that are tailored to their needs. Information about referrals must, therefore, be detailed and comprehensive so that appropriate services can be delivered. Failure to do so can lead to occupancies not being sustainable and thus being potentially detrimental to the wellbeing of service users.

1.3 Policy context

This policy is needed to meet governance objectives, as well as legal and regulatory standards (Section 2). For example, although the referral policy is a housing management policy, its objectives involve governance aims by:

- promoting social inclusion and equal opportunities through addressing the housing and support needs of individual referrals; and
- maximising our income by having accommodation occupied quickly and to set timescales.

Section 2: Legal and Regulatory standards

The standards referred to in this section have been taken directly from each Regulator's guidance. Each Regulator has written their guidance according to the audience being addressed: service users, staff or board member

2.1 Legal Framework

The legal framework that underpins this referral policy is explained below.

The referral processes that are operated between ourselves and local authorities have no legal status and relate to an administrative process only. This is because the service users involved are not Section 5 referrals (Section 5 of the Housing Scotland Act 2001 stipulates that Registered Social Landlords are required to allocate a certain proportion of their permanent annual lets to statutorily homeless people referred to them by a local authority). Our service users have been assessed by the local authority as being homeless and requiring support for a period of time to gain the right skills for independent living.

We therefore provide temporary accommodation for services users under occupancy agreements to provide housing and support. When the support programme ends, or is ended in terms of the occupancy agreement, then service users may be housed by

other landlords, for example, by other social landlords or private sector landlords. This process is explained in our referral procedures.

In terms of good practice, referral policies should take account of each individual's needs and preferences; this is a core part of each individual housing and support plan that is agreed with service users by our project staff.

A summary of law that we have considered when developing this policy and its related procedures is given in Appendix 1.

2.2 Regulatory standards: the Scottish Housing Regulator (SHR) (Governance and Financial Management)

Regulatory standard 1

The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users

Regulatory standard 2

The RSL is open and accountable for what it does. It understands and takes account of the needs and priorities of its tenants, service users and stakeholders. And its primary focus is the sustainable achievement of these priorities

Regulatory standard 4

The governing body bases its decision on good quality information and advice and identifies and mitigates risk to the organisation's purpose

Significant Performance Failures

The Scottish Housing Regulator (SHR) has a duty to consider issues raised with them about "significant performance failures". A significant performance failure is defined by the SHR as something that the landlord does or fails to do that puts the interests of its tenants at risk, and which the landlord has not resolved. That is something that is a systemic problem that does, or could, affect all of a landlord's tenants. Examples of a significant performance failure could be if social landlords are not:

- delivering the outcomes and standards in the Scottish Social Housing Charter over a period of time; or
- achieving the regulatory standards on governance or financial management

2.3 OSCR (Office of the Scottish Charity Regulator)

The Targeted Regulation Framework

You must act in the interests of the Charity (standard 1)

- You must do what is best for the charity and its beneficiaries not what is best for you, your friends or family or business interests

You must seek in good faith to ensure that the charity operates in a manner consistent with its purposes (standard 1.1)

You must act with care and diligence (standard 1.2)

As charity trustees:

- You are responsible for making sure that your charity complies with any relevant laws. For example, health and safety, employment, data protection and equality laws.

2.4 The Scottish Social Housing Charter

The customer/landlord relationship

1. Equalities

Social landlords perform all aspects of their housing services so that:

- 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

2. Communication

Social landlords manage their businesses so that:

- 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

3. Participation

Social landlords manage their businesses so that:

- Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with

Access to housing and support

7,8,9: Housing options

Social landlords work together to ensure that:

- 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

Social landlords ensure that:

- People at risk of losing their home get advice on preventing homelessness

11. Tenancy sustainment

Social landlords ensure that:

- 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

The Scottish Social Housing Charter Indicators

There are no relevant indicators

2.5 Regulatory standards: The Care Inspectorate

Health and Social Care Standards

Principles:

Dignity and Respect

- My human Rights are respected and promoted
- I am respected and treated with dignity as an individual
- I am treated fairly and do not experience discrimination
- My privacy is respected

Section 3: Policy content

3.1 Referral Policy

The referral policy operates to ensure that referrals are provided with housing and support programmes for designated purposes and specified periods. The Association does not operate a housing list, as such, but receives referrals from local authorities and other sources such as social work services, and other agencies (only by approval of the commissioning local authority).

Although this policy is not based on any specific law, we promote legal duties incumbent on other social landlords to address particular housing needs. For example, we work in partnership with local authorities to provide temporary accommodation under occupancy agreements until these local authorities can secure other accommodation for our service users.

Information and publicity about our referral policy is published on our website and in a range of other public locations such as local authority offices and other social landlords. Other sources that we use are local libraries; agencies representative of equality matters; and any other places where we believe our service users might find

the information, including Websites, Health Centres, and local Colleges and so on. Section 6 outlines other publishing commitments.

Our referral procedure explains in detail our rules on: sources of referrals; initial referral process; accepting or refusing referrals, including appeal rights; and housing options after the housing and support programme ends. This latter stage covers referrals to other organisations/persons to try and secure suitable and sustainable housing opportunities.

Section 4: Consultation

Section 54 of the Housing (Scotland) act 2001 stipulates a requirement of RSL's to consult their tenants on policies and procedures which significantly affect their tenants. BTHA has no tenants but considers this a right which should be given to its service users. The occupancy agreement that we use, therefore, includes a clause which indicates our commitment to consult with service users.

The regulatory standards (Care and Housing) also stipulate that service providers should have robust consultation processes in place in order to comply. This means that if there are proposals or policies which could significantly impact on service users such as those in relation to housing management, repairs and maintenance or more strategic changes that we endeavour to notify service users of this and listen to any concerns. The main vehicle for this will be our service users' forum.

We also operate a policy on consulting with staff and taking feedback on board. Service users and staff will not be consulted on all policies – an assessment will be made at policy review as to what level of consultation (if any) will take place.

Section 5: Monitoring and review/link with KPI's

Policies will be reviewed on a three yearly cycle by the Committee of Management according to a policy programme provided on an annual basis at the start of the financial year. All policy reviews will take into account our Equality Impact Assessment toolkit requirements. Committees will report on performance to Committee of Management at the end of the year. We use a small number of key performance indicators (KPIs) which monitor critical success factors. Our policy monitoring framework tracks any policies which impact on KPIs. Other policies may have indicators which are monitored at departmental level.

The policy and its implementation will be reviewed by the Committee of Management

Section 6: Publishing and availability of policy

This policy is available in electronic format or hardcopy to all staff, service users, Committee of Management members and other customers, as appropriate.

Section 7: Accessibility

We are committed to promoting accessible services that address the needs of individual service users and employees, as appropriate. For example, our policies can be provided in other formats such as in larger print or in audio-format.

Section 8: Other relevant policies and procedures

The Association has a wide range of policies covering corporate services (covers the entire association) and operational services (covers only specific operational areas). It is important that this policy is not viewed in isolation but consideration is given to the wider context in which it operates.

Section 9: Complaints

We follow the Model Complaints Handling System that has been developed by the Scottish Public Services Ombudsman (SPSO). This is a comprehensive procedure that allows for complaints to be dealt with in either one of two stages.

Complaints must be dealt with in line with set timescales so that complaints are dealt with quickly.

If still dissatisfied after Stage 2 has been completed, a dissatisfied customer can take their complaint to the SPSO.

Any service user wishing to complain should ask for a copy of our complaints procedure. A service user, alongside their right to complain to the SPSO, can also complain to the Care Inspectorate, the Local Authority or other commissioner of the service, and they may have the right to complain to the Scottish Housing Regulator. To take their complaint further, a service user generally needs to go through our internal complaints procedure in the first instance.

Section 10: Equality Impact Assessment

Equality Impact Assessments are required when developing or amending or reviewing policies. This is to ensure that the impact of any policy is understood in terms of EO requirements. Our equality impact assessment on this policy indicates that it is likely to promote equality objectives and eliminate unlawful discrimination.