

Housing Allocation Policy

June 2013



**Renfrewshire
Council**

Renfrewshire Council – Housing Allocation Policy – June 2013

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1 Introduction

The allocation policy sets out the rules we follow when allocating people our empty houses. By allocating, we mean the process of selecting people from our housing list, offering them a house and, if they accept, signing a tenancy agreement with them.

We developed this policy after consulting tenants, residents, representatives of community groups and other stakeholders, for example, voluntary groups and other council departments. We have designed the policy to allocate housing to people mainly according to housing need.

We will regularly review the policy every three years, or sooner if legislation changes, and publish any changes to these rules within six months of the changes happening. We will consult our tenants in line with our tenant participation strategy and will take account of the views of people who have applied to us for housing.

This policy replaces all previous allocation policies.

2 Aims

We have designed the policy to follow the law and to meet the following aims.

- Be open, fair and consistent in allocating properties.
- Make sure we offer people accommodation that meets their needs.
- Make best use of the available housing.
- Give people as much choice as possible.
- Contribute towards helping communities to stay together and promoting access to housing to all sections of the community.
- Meet the conditions of all relevant laws.
- Meet standards of good practice.

3 Legal framework and good practice

The allocation policy takes account of the following laws.

- The Housing Scotland Act (1987) as amended
- The Race Relations Act (1976) and the Race Relations (Amendment) Act 2000
- The Sex Discrimination Act 1975
- The Anti-Social Behaviour Etc (Scotland) Act 2004
- The Homelessness etc (Scotland) Act 2003
- Disability Discrimination Act 1995
- Human Rights Act 1998
- Data Protection Act 1998
- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- NHS and Community Care (Scotland) Act 1990
- Children (Scotland) Act 1995
- Protection from Harassment Act 1997
- Civil Partnerships Act 2004
- The Scotland Act 1988

It also takes account of:

- performance standards set out by the Scottish Government;
- guidance issued by the Scottish Government and
- relevant good practice issued by organisations such as the Scottish Federation of Housing Associations and the Chartered Institute of Housing.

4 Equal opportunities

We are committed to providing equal opportunities for everyone who applies to us for housing and preventing discrimination. We will allocate houses in line with our equal opportunities policy and the Housing (Scotland) Act 2001. We will not discriminate against anyone because of their age, sex, marital status, sexuality, disability, race, nationality, language or social origin or other personal features including beliefs or opinions such as religious beliefs or political opinions.

Please ask us if you would like housing information in different formats and languages. We will be able to help applicants fill in the Housing Application Form if necessary, and arrange for an interpreter if an applicant speaks a language other than English.

5 Access to the housing list

Access to the housing list is set out by Section 19(1) of the 1987 Act (as amended by section 9 of the 2001 Act). Anyone aged 16 years or over is entitled to apply and be placed on the list. However, the right to go on the housing list is not the same as the right to be allocated a house. We will assess and prioritise the application according to the rules set out in this policy.

We offer a housing options service for anyone who wants to apply to be put on the list. Applicants can choose up to five main areas in the Renfrewshire council area where they would consider housing. These areas are listed on the application form.

Application forms are also available from any of our Customer Service Centres. Or applicants can e-mail hps@renfrewshire.gov.uk for more information. (Please see contact details at the end of this document.)

6 Conditions for selecting and allocating housing

Under the Housing (Scotland) Act 2001, when allocating housing, we must give reasonable preference to applicants who fall into any of the categories listed below.

- Are living in below-tolerable standard housing (see appendix 1 for a definition)
- Are living in overcrowded housing
- Have large families
- Live in unsatisfactory housing conditions
- Are homeless or threatened with homelessness

Also, we will not consider the following factors when allocating housing.

- a How long an applicant has lived in the area.
- b Any debt relating to a house which the applicant was not a tenant of.
- c Any rent or other debt the applicant built up on a previous tenancy which has now been paid.
- d Any amount which still needs to be paid where:
 - the amount owed is not more than $\frac{1}{12}$ of the yearly amount due (or which was paid) by the applicant to the landlord for the tenancy; or
 - the applicant has an agreement in place with the landlord to repay the money, has made payments in line with the arrangement for at least three months, and is continuing to make these payments.
- e Any outstanding debts (including missed Council Tax payments) which do not relate to the tenancy of a house.
- f The age of the applicant, as long as he or she is 16 or over except when allocating:
 - houses which have been designed or substantially adapted for a particular age group; or
 - houses for people who are, or will be, receiving housing support services for people of a particular age group.
- g The income of the applicant and his or her family.
- h Whether the applicant or any member of their family owns or has owned a property.

6.1 Group plus priority system

We run a 'group plus priority' system for allocating housing that aims to make sure that we give reasonable priority to the applicants listed below. We will assess applicants as falling into one of five groups, and give a priority in that group which reflects the level of housing need. These groups and priorities are listed below.

Group 1 Homeless	Group 2 Mobility	Group 3 Housing need	Group 4 Exchanges	Group 5 General
Statutory homeless - unintentionally homeless	Priority A Critical mobility need	Priority A Critical housing need	Priority A Tenants under occupying ranked in order of number of extra bedrooms	Applicants with no housing need
	Priority B Urgent mobility need	Priority B Urgent housing need	Priority B Other tenants	
	Priority C Mobility need	Priority C Housing need		

6.2 Allocation targets

We will allocate housing according to targets set for each group. Each group will be given a target percentage of overall lettings in the year, based on the profile of housing, the waiting list profile, property types and need. The targets are not rigid, but rather a figure we will aim to meet. The groups and targets are listed below.

Group 1	Group 2	Group 3	Group 4	Group 5
Homeless	Mobility	Housing need	Exchanges	General
Target 45%	Target 5%	Target 40%	Target 9%	Target 1%

We will set and review the percentage target every year, and may change it depending on the analysis of patterns of housing need and demand.

Properties in high-demand areas do not become available very often. When they do become available, to make sure that all groups have access to these properties, we will set a 'mini target', which mirrors the Renfrewshire-wide targets.

6.3 The process of allocating a house

When a property becomes available, we will check that it is suitable for people with mobility needs or for applicants whose properties are going to be demolished.

If the property is not suitable for either of these groups, the system will work out which target group the property should be offered to. We will then choose applicants from that group in order of priority. When the system generates more than one application from the group with equal priority, we will prioritise the applications according to the date which that priority applies from.

We will contact applicants and check their circumstances before we offer housing. We may ask for evidence to confirm details on the application form.

We will carry out a tenancy inspection for applicants who are currently living in the Renfrewshire area (or ask for a tenancy report from the landlord for applicants who are currently living outside Renfrewshire). If we find that the property is not being kept in line with any conditions of an applicant's tenancy agreement, we may not make an offer (see 7.3).

If the house is still not let after going through the lists for the empty property, we may publicly advertise the house and offer the available house to any suitable applicant.

6.4 Eligible house size

The size of accommodation we will offer will generally be based on the eligible house size we work out according to the following rules.

Generally there should be a separate bedroom for:

- 1) couples living as husband and wife, partners, and a single parent;
- 2) children of different sexes aged 10 or over;
- 3) children of the same sex aged 16 or over; and
- 4) any other person living as part of the household aged 16 or over.

Household size	Eligible house size
Single person	One bedroom or bedsit
Couple	One bedroom
Couple or a single parent with one child	Two bedroom
Couple or a single parent with two children	Two or three bedrooms (depending on the age of the children)
Couple or a single parent with three or more children	Three or four bedrooms (depending on the age of the children)

For pregnant women, we will include their unborn child or children when working out the size of the house they will need (from three months before the due date).

Applicants who do not have a full residence order for their children but have contact agreements for overnight stays may ask for smaller accommodation than we would consider they are eligible for if they had full custody.

We will normally allocate housing based on the guidelines above. However, because there is a limited supply of certain house types and sizes and low demand for some house types and areas, we have the right to allocate accommodation outwith these guidelines.

Only in exceptional circumstances, in the interests of avoiding overcrowding, will we offer someone a property with fewer bedrooms than they need.

6.5 Separated households

If members of the applicant's household are living at different addresses, we may assess the housing need, such as overcrowding, assuming that the whole family are living together at the more suitable accommodation.

Suitability will usually relate to the applicant's housing need, the size of the property or mobility needs. We may also consider the applicant's right to stay in the house.

6.6 Tied cases

If two applicants have equal priority and that priority is from the same date, we will consider both applicants' general needs and housing need.

We will give first priority to the applicant who we consider the property to be most suitable for.

We will decide suitability by looking at a number of factors such as household size, medical needs, the age of the family and the type of accommodation available.

6.7 Definition of groups and priority bands

6.7.1 Group 1 – Statutory homeless

Unintentionally homeless

Our Housing Advice and Homeless Services will assess applicants for this category.

Under Part 11 of the Housing (Scotland) Act 1987, as amended by the Housing (Scotland) Act 2001 and the Homelessness etc (Scotland) Act 2003, we must assess applicants who are homeless or threatened with homelessness. If the applicant is assessed as being unintentionally homeless, or unintentionally threatened with homelessness, we must give them advice and support, provide temporary accommodation if necessary, and find them permanent accommodation.

When offering accommodation to applicants in this group, we will take account of what housing is available, how close housing is to schools, family support and their place of work, and any support needs.

Homeless applicants will be entitled to two reasonable offers of accommodation. In deciding what a 'reasonable offer' is, we will take account of the factors listed in the Homelessness Code of Guidance 2005 and any future amendments.

If a homeless applicant refuses a second offer, they will lose their homeless priority and be placed in the appropriate needs group. Homeless applicants have the right to appeal against these decisions, under the homelessness procedures, and we will write to them to tell them how to appeal. You can get details of the appeals procedure from Housing Advice and Homeless Services (please see the contact details at the end of this document).

6.7.2 Group 2 – Mobility

This group refers only to applicants who have a mobility problem and who need housing that suits their mobility needs, for example, ground floor or an adapted property, including housing for people who use wheelchairs. We will award a priority band A, B, or C after assessing the level of need. These are:

Priority A	Critical mobility need - where current accommodation makes it impossible to perform day-to-day tasks or poses a danger to life
Priority B	Urgent mobility need – where current accommodation severely restricts ability to carry out day-to-day tasks
Priority C	Mobility need – where moving will improve the ability to carry out day-to-day living

If more than one person in the applicant’s household is placed in a mobility category, we will only take account of the highest priority when allocating housing.

The assessment process will include a recommendation of suitable house types or adaptations needed in the house to meet the applicant’s mobility needs, and we will make offers in line with this recommendation.

If an empty property has been ‘substantially adapted’ to meet the needs of a person with certain disabilities, we will try to match this property to an applicant household, within the mobility group, with similar needs. By ‘substantially adapted’, we mean it has one of the following adaptations.

- Doorways widened for wheelchairs to fit through
- Internal vertical lift
- Ramp (inside or outside, or both)
- Wet floor area
- Changed heights and positions of kitchen units

If we cannot find a suitable applicant for the adapted property within a reasonable timescale, we will follow the normal route of offering a property.

Applicants who ask to live in an area where there are no suitable houses may be offered the most appropriate accommodation available in line with the recommendation and invited to review their application, with a view to amending their choice of areas.

Applicants with a mobility priority who consider that their condition has changed may send us more evidence to review.

6.7.3 Group 3 – Housing need

6.7.3.1 Priority A – critical housing need

Group 3 – priority A – Domestic abuse

In defining domestic abuse, we will adopt the Scottish Government's definition.

“Domestic abuse (as gender-based abuse), can be perpetrated by partners or ex-partners and can include physical abuse, sexual abuse and mental and emotional abuse.”

If an applicant gives domestic abuse as the reason for applying for a house, we will follow the standards set out in the Homelessness Code of Guidance 2005 and any future amendments. This means that we will collect information to support the applicants' case, but will not contact the person that is responsible for the abuse. If it is impossible to get confirming evidence, the applicant's fears about the current situation will be enough.

Group 3 – priority A – Harassment

Harassment may result in an applicant not being safe in or around their current accommodation. This may include cases where:

- applicants or members of the household have been victims of a physical attack;
- the applicant (or a member of the applicant's household) is the target of harassment where there is a major threat; or
- the police recommend a move for safety reasons.

Group 3 – priority A – Property below the tolerable standard

We will use the current legal definition in deciding if a house is below tolerable standard. The current definition is set out in the Housing (Scotland) Act 1987 (as amended by the Housing (Scotland) Act 2001) and will include things such as houses that do not have a sink with a supply of both hot and cold water, and houses that do not have an effective system for getting rid of waste water and surface water. The full definition is contained in appendix 1.

Our Community Resources must confirm in writing that the house is below the tolerable standard.

Group 3 – priority A – Statutorily overcrowded

We will use the current legal definition of overcrowding. This is contained in sections 136 and 137 of the Housing (Scotland) Act 1987, which say that a house is overcrowded when the number of people sleeping in the house affects either the room standard or the space standard. There is a full definition of the room standard and the space standard in appendix 2.

Group 3 – priority A – Community Care

Community Care priority is awarded by the Community Care Panel. The Community Care Panel aims to meet the housing and support needs of people so they can live in the community. The Panel includes senior officers from our Development and Housing Services and Social Work, together with representatives from the Health Board or the health professions and the local housing associations. Applicants with a community care need can be referred to the Panel by staff from Development and Housing Services, Social Work or health professionals. See appendix 3 for further details on the Community Care Panel.

Applicants will include those who:

- are elderly;
- have a physical disability;
- have a learning disability;
- have mental-health needs;
- have HIV or Aids; or
- were previously in the care of a local authority.

The Panel will give an 'A' award to people whose needs are critical, where current accommodation makes it impossible to carry out day-to-day tasks.

The Panel will decide the type and location of appropriate accommodation, and we will try to make offers in line with the Panel's decision.

If more than one person in the applicant's household has a Community Care award, we will only take account of the highest priority when allocating housing.

Group 3 – priority A – Relationship breakdown

We will only award an 'A' priority for relationship breakdowns if there is a critical housing need (that is, the applicant can provide evidence that he or she cannot stay in his or her current accommodation, has no other accommodation, and where there are exceptional circumstances that prevent the applicant applying as being homeless).

Housing Advice and Homeless Services will normally refer applicants in this category.

We will give applicants suffering a relationship breakdown advice and support, including telling them about any rights they may have under the Matrimonial Homes (Family Protection) (Scotland) Act 1981.

Group 3 – priority A – Leaving institutions

Applicants in this category will include people who are:

- leaving the armed forces;
- leaving prison; and
- leaving hospital or long-term residential care where there is no need for ongoing support;

and who have a date to leave but have nowhere to live when they leave.

Group 3 – priority A – Insecure tenure

Applicants in this category will include people who are potentially homeless, through no fault of their own, as a result of insecure tenure, for example:

- a repossession order has been granted by the court; or
- the applicant lives in accommodation connected to their job and has received notice to leave the property.

Housing Advice and Homeless Services will normally refer applicants in this category.

6.7.3.2 Priority B – urgent housing need

Group 3 – priority B – Overcrowding

Applicants in this category include households which are overcrowded, but do not meet the conditions outlined in 'Group 3 Priority A – Statutorily overcrowded'.

This includes applicants who are overcrowded, with two or more bedrooms short, when we work out the number of bedrooms needed in line with the maximum eligible house size. (See section 6.4.)

Group 3 – priority B – Sharing facilities

Applicants who share facilities (that is, a bathroom or kitchen (or both) with hot and cold water) with four or more people outside their own household.

Group 3 – priority B – Harassment

Applicants who are experiencing harassment that is specifically targeted at them or members of their household, in or around their current accommodation, but where they are safe in their current accommodation. Or, applicants who fear violence and this fear is justified.

Applicants in this category may include:

- members of minority groups who suffer verbal or physical abuse; and
- members of ethnic-minority groups living in an area where there are racial attacks.

Group 3 – priority B – Relationship breakdown

Applicants experiencing a relationship breakdown who no longer want to live together.

Group 3 – priority B – Receive or provide support

Applicants who need to move to provide or receive support so the applicant or the person they are caring for can carry out day-to-day tasks (with that support), but who do not meet the conditions for the community-care priority-A award. This also includes community-care priority-B awards.

Due to the nature of this priority award, we may restrict the offer to a property within the allocation area in the same town or nearest village as the person receiving or giving support.

Group 3 – priority B – Take up or stay in employment

Applicants in this category include people who:

- need to move so they can keep their job; or
- have an offer of employment and who need to move to take up the offer.

6.7.3.3 Priority C – housing need

Group 3 – priority C – Overcrowding

Applicants who are overcrowded by one bedroom, when we work out the number of bedrooms needed in line with the maximum eligible house size. (See section 6.4.)

Group 3 – priority C – Sharing facilities

Applicants who share facilities (that is, a bathroom or kitchen (or both) with hot and cold water) with one to three people outside their own household.

Group 3 – priority C – Leaving home to live independently/Applicants with no accommodation

Applicants in this category include people:

- aged 16 or over who want to leave the family home to set up home themselves;
- without accommodation to live in their own right; and
- with nowhere permanent to live.

Group 3 – priority C – Non-secure accommodation

Applicants in this category include those:

- living in armed forces accommodation;
- currently in prison;
- staying in hospital long-term; and
- living in a private rented flat with a short secure tenancy;

and who do not have a date to leave but would have nowhere else to live on leaving their accommodation.

Group 3 – priority C – Looking for work in the area

Applicants in this category include people who are looking for work in the area.

Group 3 – priority C – Receive or provide support

If a move to receive or provide support would substantially improve the ability of either the person giving or receiving support to carry out the tasks associated with day-to-day living. This also includes community-care priority-C awards.

Due to the nature of this priority award, we may restrict the offer to a property in an allocation area in the same town or nearest village as the person receiving or giving support.

6.7.4 Group 4 – Exchanges

4A - Existing Renfrewshire Council tenants under occupying (ranked in order of number of extra bedrooms) who want to move but who do not fall into any of the groups listed above.

4B - Other existing Renfrewshire Council tenants who want to move but who do not fall into any of the groups listed above.

6.7.5 Group 5 – General

Applicants with no housing need.

6.8 Placing applicants within a group

We will assess the information an applicant gives us using the conditions described previously. We may need more information or evidence to support the application.

If an assessment leaves an applicant in more than one category of housing need within a group, the higher category will apply.

If an applicant has needs in different groups, the highest need will apply. However, if an applicant has mobility priority, he or she will stay in group 2 – Mobility, as they will need a specific type of property.

Applicants will be listed within each group and priority band according to the date which that priority applies from.

6.9 Number of offers to applicants placed within groups

We aim to work with applicants to help them make the best choices that suit their level of need. Generally, applicants will not receive more than two offers before a housing options review is held, in which staff will provide realistic housing advice and help applicants change their application as necessary.

After receiving this housing advice, if an applicant refuses a further two reasonable offers, we may suspend them from the list for up to six months to allow them to consider their housing options. We will not make any more offers while they are suspended from the list. If an applicant changes their choices within this period, the suspension will be lifted.

We will offer suitable alternative accommodation to applicants needing rehousing due to our regeneration programme (see section 9.1).

7 Suspending applications for housing

Under the Housing (Scotland) Act 2001, there are a limited set of circumstances where we can suspend applications, during which time we will not make any offers of housing.

We will try not to suspend applications where possible. If we suspend an application, we will write to the person to tell them why it is being suspended and the period of suspension. We will tell applicants how they can have the suspension lifted and their rights of appeal.

The circumstances in which we may suspend applications include the following.

7.1 Housing-related debt

We may suspend an application if an applicant owes rent or has any debt related to a tenancy (for example, rechargeable repairs or service charges) of more than $\frac{1}{12}$ of the yearly amount they owe, and where no repayment arrangements are in place or have not been maintained.

We will lift the suspension when either the debt is repaid or the applicant has kept to a repayment arrangement for at least three months and is continuing to make the agreed payments. This applies to both existing Renfrewshire council tenants and any other applicants.

Officers will have discretion not to suspend an application for housing where the tenant's housing debt has been caused through under occupation reductions and where the tenant is engaging with the Council and wishes to downsize to a property of a size where the under occupancy reduction would not apply.

7.2 Antisocial behaviour

We may suspend applications if there is clear evidence that the applicant, or any person who wants to be housed with the applicant, has caused or is causing serious antisocial behaviour and it is related to a tenancy.

Applications in this category will include:

- applicants who have an Acceptable Behaviour contract;
- Renfrewshire residents or members of their household who are being investigated by our Antisocial Investigations Team (ASIST);

- applicants (or people who want to be housed with the applicant) who have an antisocial behaviour order or interim antisocial behaviour order made against them;
- applicants (or any people who want to be housed with the applicant) who have been evicted for antisocial behaviour in the last three years;
- applicants who have had an interim or full antisocial behaviour order made against them in the past three years; and
- applicants from other landlords whose tenancy reference provides clear evidence they have been responsible for causing serious antisocial behaviour.

We will review suspended cases every three months. We will lift the suspension when there is evidence available that the decision is no longer valid because of a change in circumstances or a change in behaviour. The evidence may be from social workers or probation officers, or in the case of Renfrewshire residents, a report from ASIST.

In some circumstances, instead of suspending the application of someone who has caused antisocial behaviour, we may offer them a tenancy with a Short Scottish Secure Tenancy. See section 8.2.

7.3 Failure to keep to the conditions of a tenancy agreement

We may suspend applications if the tenancy reference or tenancy inspection shows that the applicant has not kept to the conditions of the tenancy, for example, if they have not controlled their pets or looked after the garden.

We will review suspended cases every three months. We will lift the suspension when the applicant provides evidence that there has been an improvement in tenancy conditions. This may be through a letter from their landlord, or in the case of transfer tenants, a housing management report.

7.4 Putting an application on hold

There may be circumstances where an applicant wants to join the housing list but is not in a position to receive an offer. Applicants in the following categories may have their application put on hold and then considered six months before they need housing.

- People in tied accommodation (linked to their job)
- Prisoners
- The armed forces
- Asylum seekers waiting for a decision on their right of leave to remain

In the case of asylum seekers, we will consider the application once leave to remain has been granted.

If an applicant does not want to be considered for housing due to personal reasons, for example, they are too ill to move, they should tell us that they want to put their application on hold. Applicants should tell us when they are ready to be considered for housing.

8 Tenancy agreements

8.1 Scottish secure tenancy

Generally, we will offer successful applicants a Scottish secure tenancy.

8.2 Short Scottish secure tenancy

In some cases, under the Housing (Scotland) Act 2001, we may offer the applicant a short Scottish secure tenancy (for example, where the applicant has been evicted for antisocial behaviour within the past three years). We will offer these tenancies with appropriate support measures, and review them every six months.

We will only offer a Scottish secure tenancy when we are satisfied the conditions of the tenancy are being met.

8.3 Joint tenancy

We will normally offer joint tenancies to partners, or two or more adults aged 16 or over.

9 Allocations that can be made outside the priority group system

9.1 Applicants who have a closing, demolition or other statutory order made against them

Applicants who need permanent rehousing because their houses are under a closing, demolition or other statutory order, or part of our regeneration programme, will be offered suitable alternative accommodation.

9.2 Sheltered housing

In general, sheltered housing is open to applicants aged 60 or over. Applicants can say if they want us to consider them for sheltered housing when they fill in the Renfrewshire Housing Application Form. We will assess applicants and then award a priority A, B, or C depending on the level of need, ('A' being the highest category). Applicants with the highest priority will be offered accommodation first.

9.3 Guaranteed rehousing

If a council tenant gives up a tenancy to move to residential accommodation, a hospital, a group tenancy, or to live with a close relative to receive or provide essential support or to go to prison, we may guarantee to rehouse them. Applicants should apply in writing before giving up their tenancy.

If we give a guarantee and the former tenant wants to move back to a council tenancy, we will offer them accommodation, which is not in higher demand than the one which they left.

9.4 Special lets

There may be exceptional circumstances where it is not appropriate to offer housing in the normal way, for example, special requests from the police or Social Work. In these cases, we will offer housing by looking at the applicant's needs and searching for a suitable property. Due to the exceptional nature of these lets, the numbers involved will be very low and will be clearly documented for audit purposes. A senior officer must authorise any special lets.

9.5 Management transfers

We will temporarily house our tenants in alternative accommodation in case of fire, flood or major repairs.

We will consider a tenant's request to make the temporary move a permanent let if:

- the property is of similar type, and similar or lower demand;
- the property meets the conditions of any mobility award;
- the tenant is aged 60 or over or their current property is too big for them; and
- the tenant has lived in the property for more than eight weeks.

There may be circumstances where Development and Housing Services chooses to reduce or ignore the time period and arrange for a direct transfer, as long as the applicant meets the conditions. If these conditions are met, we will normally grant a permanent tenancy. The Neighbourhood Services Co-ordinator will decide whether to grant a permanent tenancy or not.

In appropriate circumstances, where an existing tenant wants to move but does not fall into any of the priority groups or meet the conditions above, and where the move would free up a property in equivalent or higher demand that would then become available to other groups, we may move the person through a management transfer. An example where we may do this is for a single person living in a large family home in a popular area.

9.6 Mutual exchange

The Housing (Scotland) Act 2001 gives every Scottish secure tenant the right to swap their house with another Scottish secure tenant, but only with the permission of their landlords. Through the mutual-exchange process, applicants may be able to get the kind of house they want without having to wait on our waiting list.

People can apply to swap homes using a mutual-exchange application form, which is available at any of our Customer Service Centres. By law, we must give the applicant a decision within a month, and we cannot refuse permission without good reason.

We will allow exchanges between our tenants and tenants of a private landlord, as long as we have permission in writing from the Neighbourhood Services Co-ordinator of their housing office and the private landlords. See appendix 6 for details on mutual exchanges.

You can get more information about mutual exchanges from any of our Customer Service Centres and on our website at www.renfrewshire.gov.uk.

10 General conditions

10.1 Delegated powers

The Director of Development and Housing Services and the appropriate Heads of Service are authorised to run the system for allocating houses in line with our policy.

10.2 Change in housing circumstances

The applicant is responsible for telling us about any change in their circumstances, such as members of the household leaving or moving in, change of address and so on. It is important that applicants keep their details correct and up to date as this may affect their chances of receiving an offer of housing. We will write to applicants if their amendment changes their grouping or priority banding.

If an applicant changes address, they should fill in a Renfrewshire Housing application form. They should fill it in within 28 days of telling us about the change. If we do not receive it within 28 days, we will send a reminder letter. If after sending the reminder letter we still do not receive the new form, we will cancel the application.

If an applicant has a joint application, and decides they do not want to be housed together, they should tell us. We will give them a date of application from when their name first appeared on the joint application.

10.3 Deliberately making housing circumstances worse

If an applicant changes address, the assessment of his or her circumstances may alter. However, if we consider that a move or an act was done deliberately to increase the chances of being rehoused, we will assess the application on the previous circumstances and will not consider the extra housing need for six months.

10.4 False or misleading information provided knowingly or recklessly

If we offer an applicant a property based on false or misleading information provided knowingly or recklessly, we may withdraw the offer and reassess the application based on accurate information.

If an applicant becomes a tenant based on false or misleading information, we have the right to take action to recover the property.

10.5 Cancelling or removing applications from the list

We may remove applications from the list if the applicant:

- has asked us to remove them from the list;
- has died;
- has failed to respond to the yearly review of the housing list (see section 10.6);
- has not returned a new application form after telling us about a change of address (see section 10.2); or
- has failed repeatedly to respond to written correspondence or requests for home visits.

Applicants who have had their application cancelled have the right to appeal against this decision. We will reinstate a cancelled application up to a year after the date we cancelled it, if the applicant can give good reasons for not replying to the review. However, applicants who contact us more than one year after the date of cancellation will need to fill in a new form and will not be entitled to have their application backdated to the date of the original application.

If an applicant chooses not to keep Renfrewshire Council as one of their choices on the application form, we will cancel the application from our list. If they decide to add Renfrewshire Council back in as a choice later, we will treat this as a new application, and their application will be stored from the date of this new application.

10.6 Reviewing applications

We will ask applicants if they want to stay on the list for housing every year on the anniversary of the date they applied for housing. We will send applicants a registration slip which they must return within six weeks. We will send a reminder letter to applicants who have not registered within one month.

If an applicant does not register within six weeks, we will cancel the application. We will always tell an applicant when we cancel their application.

10.7 Allocations to members of the council and housing services staff

We will tell the Housing, Environment and Community Safety Policy Board if we allocate housing to members of the council and housing services staff or their close relatives. Close relatives, including step relatives, means husband, wife, partner, father, mother, sister, brother, son or daughter.

10.8 The role of councillors

The role of councillors in making decisions about housing is restricted by section 20 (3) of the Housing (Scotland) Act 1987, although they are still entitled to provide relevant information in support of or on behalf of a housing application.

10.9 Data protection

We will process all the information given on the Renfrewshire housing application form in line with the Data Protection Act 1998. We will keep the information secure and use it for the purposes outlined in the data protection declaration on the application form. In line with the act, if an applicant wants to see information held on their record, they can apply in writing to us and will receive a reply within 40 days. There is a fee for this service which should be included with any request.

10.10 Local lettings scheme

One of the aims of the allocation policy is to contribute towards improving communities. If it becomes clear that the allocation policy is not contributing to creating balanced communities where people want to live, we may decide to put into practice a local lettings scheme.

Local lettings schemes allow us to change the conditions for allocating empty houses in a specific area to meet specific aims. We will consult tenants about any local

lettings schemes. Any local lettings schemes will meet statutory requirements, be published, and will run for a fixed period of time.

10.11 Choice-based lettings

We are committed to continually improving access to housing for people who apply to us. In the future, we may develop a system of choice-based lettings. This is a system where people can choose from a range of empty properties, usually advertised for a specific time period. We will give priority to applicants who have the greatest housing need. We will consult tenants about introducing the system, and will still give priority to homeless people and other people in housing need.

10.12 Housing support

We provide support to households in council, housing association, privately rented or owner-occupied accommodation to help them stay in their home.

We provide housing support to a range of vulnerable people, including but not limited to older people, young people, people with mental-health issues, people with addiction issues, people with learning disabilities, people with sight and hearing difficulties, and people with a physical disability. People can be referred by Housing, Social Work, Health, the voluntary sector and individuals.

We will assess the person's need for housing support services and then produce a support plan. The team will identify the most appropriate provider to meet the identified needs of the individual. The team will aim to make sure that the applicant receives the appropriate level of support and help needed to help them to stay in their accommodation.

We encourage people to use the support services we offer, but we cannot offer a tenancy on the condition that the tenant accepts a support package.

We recognise that young people setting up home on their own may be vulnerable and need extra support. Housing support services are available to young people who want to have their own tenancy. The team can offer support and help on how to set up and maintain a tenancy.

11 Working with other housing providers

We recognise the importance of working closely with other partner organisations to improve the housing options for applicants and to make the process of accessing public housing in Renfrewshire easier.

11.1 Nomination agreements

We are currently working with other housing associations in the Renfrewshire area to review nomination arrangements. The nomination arrangements mean that we can put forward applicants from our list for a percentage of empty properties as agreed with the housing associations. Applicants interested in housing association properties must show this on the housing application form.

11.2 Referring homeless applicants to other landlords

We also have arrangements with local registered social landlords in terms of section 5 of the Housing (Scotland) Act 2001.

The aim of the arrangement is to prevent homelessness in the Renfrewshire local authority area, and to help registered social landlords meet our requests to house homeless households.

We will agree with the housing associations the target of lets we predict the associations will be asked to make for section-5 referrals.

12 Information and advice

Please ask us if you would like information on the allocation policy in different formats and languages.

We have more applicants on our housing list than housing available, and the demand for certain types of property and areas far outstrips supply. Some applicants, especially those who choose the more popular areas and house types, may be waiting for a long time for us to find them housing. We will give people realistic advice about the likelihood of being rehoused according to their choices. We will provide information on opportunities to find housing with other providers.

Applicants who are homeless or threatened with homelessness should contact our Housing Advice and Homeless Services for information and advice. (Please see the contact details at the end of this document.)

We will write to applicants within 20 working days of receiving the information relevant to the application. We will tell them:

- the housing need group and priority they have been awarded;
- their choice of area;
- the types of property they have asked for;
- the size of accommodation we have assessed them as needing;
- their responsibility to let us know about any change in circumstances;
- contact details for any questions; and
- how to appeal against the assessment of their circumstances.

13 Customer-service pledges and timescales

We set customer-service pledges for all our main areas of work in terms of housing.

If someone applies for housing, we will:

- tell them which group we have put them in, and their priority in that group, within 20 working days of receiving all the information relevant to their application for housing;
- contact them again within 15 working days of telling them their group and priority, to give them realistic advice on their housing prospects based on their level of need and choice; and
- contact everyone on our waiting list every year to update their application.

14 Complaints and appeals

Applicants who are not satisfied with the way we have handled their application, may make a complaint under our complaints procedure. You can get details of how to make a complaint from any of our Customer Service Centres, our website at www.renfrewshire.gov.uk or by phoning the customer contact centre on 0300 300 0300.

15 Right to appeal

Applicants also have the right to appeal against decisions we make about their housing application. The appeal process is as follows.

15.1 Stage 1

First, applicants should contact the Housing Needs Co-ordinator to try and sort out the matter. Housing Needs Co-ordinator will acknowledge the contact within three working days and will write to the applicant within 10 working days of the acknowledgement to tell them his or her findings. The case will be assessed by a senior officer not involved in the original decision.

15.2 Stage 2

If the applicant is not satisfied with the result of his or her appeal, he or she can appeal to the Head of Housing Services. Again, an acknowledgement will be sent within three working days and a detailed reply will be sent within a further 10 working days.

15.3 Stage 3

If the applicant is still not satisfied, they can write to the Director of Development and Housing Services. The appeal will be acknowledged within three working days and a reply sent within 10 working days of the acknowledgement.

If after following the above procedure applicants are still not satisfied, they may refer their case to the Scottish Public Services Ombudsman. (See the contact list at the end of this document for details.)

An applicant can contact their local councillor, or an advice agency, or get legal advice, at any time.

If a person is not happy with an offer of housing made under the homeless legislation, they can follow the homelessness appeals procedure.

We will not release details of another person's application to anyone else.

An applicant who needs help in making a complaint can ask for help from any member of staff. We also offer interpreting and translation services for applicants whose first language is not English.

16 Monitoring and assessment

We will monitor the allocation policy to make sure it is meeting our aims, is effective, non-discriminatory and promotes equal opportunities. We will collect information and report every year on:

- the number of Renfrewshire Housing Application Forms we process;
- the number of applicants on the waiting list (by group);
- offers made to groups, compared to targets;
- the needs of applicants and those we have offered housing to;
- information we use to monitor equal opportunities;
- performance against our customer-service pledges;
- the number of empty properties, how long it takes us to let them, and how much rent we lose as a result of empty properties; and
- the number of complaints we receive, and appeals and outcomes.

The information we use to monitor equal opportunities will include:

- details of the background, age, sex and disability of the people applying to us for housing, compared to the ethnic background, age, sex, and disability of the people we offered housing to, and the ethnic background, age, sex and disability of the general population within Renfrewshire.

17 Contact list

Renfrewshire Council Customer Service Centres

Paisley Customer Service Centre Renfrewshire House Cotton Street, Paisley PA1 1AN	Johnstone & Villages Customer Service Centre Johnstone Town Hall 25 Church Street, Johnstone PA5 8FA
Renfrew Customer Service Centre Renfield Street Renfrew PA4 8RN	

Alternatively, if you have a housing enquiry and wish to contact us by telephone on: 0300 300 0222

Housing Advice and Homeless Services
15 Abercorn Street
Paisley
PA3 4AA
Telephone: 0300 300 0222
Freephone: 0800 121 4466 (out of hours emergency service)
Email: housingadvice.hps@renfrewshire.gov.uk

Other useful contacts

<p>Bridgewater Housing Association 1st Floor Bridgewater Shopping Centre, Erskine PA8 7AA Phone: 0141 812 2237</p>	<p>Ferguslie Park Housing Association The Tannahill Centre 76 Blackstoun Road, Paisley PA3 1NT Phone: 0141 887 4053</p>
<p>Linstone Housing Association 17 Bridge Street Linwood PA3 3DB Phone: 01505 382 383</p>	<p>Paisley South Housing Association 64 Espedair Street Paisley PA2 6RW Phone: 0141 889 7105</p>
<p>Williamsburgh Housing Association Ralston House Cyril Street Paisley PA1 1RW Phone: 0141 887 8613</p>	<p>Carers Centre Unit 55/Embroidery Mill/Abbey Mill Business Centre Paisley PA1 1TJ 0141 887 3643</p>
<p>Renfrewshire Womens Aid Violet House 3 Violet Street Paisley PA1 1PA Phone: 0141 561 7030</p>	<p>Scottish Public Services Ombudsman Freepost EH641 Edinburgh EH3 0BR Phone: 0800 377 7330</p>
<p>Barnardos Paisley Threads 4 Lochfield Road Paisley PA2 7RG Phone: 0141 884 6696</p>	<p>Renfrewshire Law Centre 67-71 George Street Paisley PA1 2JY Phone: 0141 561 7266</p>
<p>Renfrewshire Alcohol Centre Back Sneddon Centre 20 Back Sneddon Street Paisley PA3 2DJ Tel: 0300 300 1199 Option 2</p>	<p>Renfrewshire Association for Mental Health 41 Blackstoun Road Paisley PA3 1LU Phone: 0141 847 8900</p>

Below tolerable standard

The tolerable standard is set out in the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001

A house will, for the purposes of the Act, meet the tolerable standard if the house:

- a) is structurally stable
- b) is substantially free from rising or penetrating damp
- c) has satisfactory provision for natural and artificial lighting, for ventilation and for heating
- d) has an adequate piped supply of wholesome water available within the house
- e) has a sink provided with an adequate supply of both hot and cold water within the house
- f) has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house
- g) has a fixed bath or shower and a wash-hand basin, all with a satisfactory supply of hot and cold water suitably located within the house
- h) has an effective system for the drainage and disposal of foul and surface water
- i) has satisfactory facilities for the cooking of food within the house
- j) has satisfactory access to all external doors and outbuildings

**Statutory Definition of Overcrowding – section 136 and 137 of the Housing
(Scotland) Act 1987**

A house is overcrowded when the number of persons sleeping in the house is such as to contravene:-

- (a) the room standard,
- (b) the space standard

Section 136 the room standard.

- (1) The room standard is contravened when the number of persons sleeping in a house and the number of rooms available as sleeping accommodation is such that two persons of opposite sexes who are not living together as husband and wife must sleep in the same room.
- (2) For this purpose:
 - (a) children under the age of 10 shall be left out of account, and
 - (b) a room is available as sleeping accommodation if it is of a type normally used in the locality either as a bedroom or as a living room.

Section 137 the space standard.

- (1) The space standard is contravened when the number of persons sleeping in a house is in excess of the permitted number, having regard to the number and floor area of the rooms of the house available as sleeping accommodation.
- (2) For this purpose:
 - (a) no account shall be taken of a child under the age of one and a child aged one or over but under 10 shall be reckoned as one-half of a unit, and
 - (b) a room is available as sleeping accommodation if it is of a type normally used in the locality either as a living room or as a bedroom.
- (3) The permitted number of persons in relation to a house is whichever is the less of:
 - (a) the number specified in Table 1 in relation to the number of rooms in the house available as sleeping accommodation, and
 - (b) the aggregate for all such rooms in the house of the numbers specified in column 2 of Table 2 in relation to each room of the floor area specified in column 1.

No account shall be taken for the purposes of either table of a room having a floor area of less than 50 square feet.

- (4) The Secretary of State may prescribe the manner in which the floor area of a room is to be ascertained for the purposes of this section; and the regulations may provide for the exclusion from computation, or the bringing into computation at a reduced figure, of floor space in a part of the room which is of less than a specified height.

- (5) Regulations under subsection (4) shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) A certificate of the local authority stating the number and floor areas of the rooms in a house, and that the floor areas have been ascertained in the prescribed manner, is evidence for the purposes of legal proceedings of the facts stated in it.

Table 1

No of rooms	No of persons
1	2
2	3
3	5
4	7.5
5+	2 for each room

Table 2

Floor area of room	Number of persons
110 sq. ft. or more	2
90 sq. ft. or more but less than 110 sq. ft.	1½
70 sq. ft. or more but less than 90 sq. ft.	1
50 sq. ft. or more but less than 70 sq. ft	½

Community Care Panel

The Community Care Panel has been set up to assess the housing and support needs of people who need care in the community and who we have a legal duty to find accommodation for. Applicants who need both housing and support will be referred to the Community Care Panel. Development and Housing Services, Social Work, and health professionals can refer people. The Panel is made up of senior staff of Development and Housing Services, Social Work, Health and local housing associations.

The Panel considers each case that has been referred to them in order to provide appropriate housing and support. This should help applicants to keep their tenancy in the long-term, taking account of things such as:

- their wider support network;
- their ability to use community facilities; and
- particular needs outlined by the agency that referred them.

The Community Care Panel is one of a range of options we have to help people with particular needs to live in the community. As a result, the Panel may not always be the most appropriate option.

Successful applicants are given a priority for the type and location of housing appropriate to their needs. The aim is that applicants are then put on a waiting list for a particular type of accommodation where they can get appropriate accommodation within a reasonable timescale.

Succeeding to a tenancy

If a tenant dies, the tenancy will pass to a qualified person in order of priority, as follows.

- The first priority goes to a tenant's surviving husband or wife or civil partner (living in the property as their only or main home at the time of the tenant's death) or partner (as long as the house has been their only or main home for the six months before the tenant died), or a joint tenant. (A civil partnership is a formal arrangement that gives same-sex partners the same legal status as a married couple.)
- If no-one in the above category qualifies or chooses to succeed, the second priority goes to a member of the tenant's family aged 16 or over, as long as the home was their only or main home when the tenant died.
- If no-one in the above category qualifies or chooses to succeed, the third priority goes to a carer who is providing, or who has provided, care for the tenant or a member of the tenant's family. The carer must be aged 16 or over, and have given up his or her previous only or main home, to be qualified to succeed.
- **In all cases, the house of the tenant who has died must have been the only or main home for the qualifying person.**
- If a house has been designed or substantially adapted for a person with special needs to use, only their husband or wife or civil partner (living in the property as their only or main home at the time of the tenant's death) or partner (as long as the house has been their only or main home for the six months before the tenant died), joint tenant or a person with special needs can succeed to the tenancy.
- Other people who would otherwise be qualified to succeed have a right to alternative suitable accommodation. When deciding whether accommodation is reasonably suitable to the needs of the applicant and the applicant's family, we will take into account the following.
 - a How close it is to the place of work (including a school or college) of the applicant and of members of the applicant's family, compared with the existing house.
 - b What accommodation the applicant and the applicant's family needs.
 - c The character of the accommodation offered compared to the existing house.
 - d The conditions on which the accommodation is offered to the applicant, compared with the conditions of the existing tenancy.
 - e If the landlord provided any furniture to use under the existing tenancy, whether furniture will be provided under the new tenancy.
 - f Any special needs of the applicant or the applicant's family.

Assigning tenancies

A tenant may assign (transfer) their tenancy to another person as long as they get their landlord's permission in writing. Applications should be made in writing to you local housing office.

We will not unreasonably withhold permission, unless there are justified reasons for this. We will deal with all applications individually.

Examples for refusing an application are listed below

- A notice of proceedings for possession has been served on the tenant warning that we may evict them.
- We have a court order to evict the tenant.
- The tenant still needs to carry out some repairs which they are responsible for.
- The tenant has asked for unreasonable rent.
- The planned move would result in overcrowding.
- The property is much larger than the person who wants to take over the tenancy needs (up to one bedroom more than would be offered under the allocation policy).
- There are plans to carry out work on the house or building.
- The accommodation is designed for a person with special needs, and the person who the property is to be transferred to, including family members, does not have any special needs.

Mutual exchange

Council tenants have the right to exchange their tenancy with another secure tenant, as long as they get their landlord's permission in writing. Applications should be made to your local housing office.

We will not unreasonably withhold permission, unless there are justified reasons for this. We will deal with all applications individually.

Examples for refusing an exchange are listed below

- The tenant is under a court order giving us possession of the property.
- Notice of proceedings for possession have been issued for any of the following reasons.
 - The rent has not been paid or the conditions set out in the lease have been broken.
 - A nuisance is being caused to neighbours by anyone living in the property, or anyone concerned is using it for immoral or illegal purposes.
 - Anyone living in the house has damaged it or has damaged shared areas.
 - Anyone living in the house has damaged our furnishings.
- The accommodation is much larger than the tenant's family need.
- The accommodation is not suitable to the needs of the tenant's family.
- The accommodation was provided as a result of the tenant's employment with the council.
- The accommodation was designed for a physically disabled person, and if the exchange was allowed there would no longer be a disabled person in the house.

If we do not let the applicant know the outcome of the request within one month, they can assume we have agreed to their request.

If we refuse a request for a mutual exchange, the applicants have the right to appeal against our decision.

Joint tenancy

A council tenant can apply for a joint tenancy with one or more other people. Applications for a joint tenancy should be made in writing to your local housing office.

Joint tenants will be jointly and separately liable for their responsibilities under the tenancy, including paying rent. All joint tenants must live in the property as their only or main home.

We will not unreasonably withhold permission for a joint tenancy, unless there are justified reasons for this.

We will deal with all applications individually.

Examples for refusing a joint tenancy are listed below.

- Where one of the future tenants owes a lot of rent or has any other tenancy-related debt.
- Where one of the future tenants has been evicted for antisocial behaviour or an interim or full antisocial behaviour order has been made against them.
- Where one of the future tenants refuses to give up their interest in another tenancy.
- Where a notice of proceedings for recovery of possession has been issued.


If you would like information in another language or format please ask us

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

 0300 300 0222