Dear Margaret

Housing (Scotland) Bill – Section 5 – Proposed lifting of age restriction in allocations

You will be aware of the campaign led by Shelter Scotland to see Section 5 of the Housing (Scotland) Bill removed so that the existing prohibition on taking age into account in allocations is retained.

ALACHO, CIH Scotland, COSLA, GWoSF and SFHA wish to assert our strong support for the lifting of the age restriction and so we are keen to urge you not to amend this part of the Bill.

This measure will help deal with very specific situations and will not in any way lead to social landlords ignoring their important duties under the Equality Act 2010. Indeed the Bill helpfully reinforces the requirement for landlords not to contravene equalities legislation by unfairly discriminating on the grounds of age.
Landlords have no interest in somehow seeking to make fewer lets to younger people across their overall allocations policies. In fact we strongly suspect that the current age profile of those in housing need – not least since the abolition of the ‘priority need’ rationing system – is such that landlords are generally expecting to be housing a greater proportion of younger people than in the past.

Contrary to the claims being made, lifting the age restriction does not mean that people will be housed solely on the basis of their age. People who get housed are those in significant housing need. This measure will allow sensible, practical approaches to complex neighbourhood issues in highly specific situations. One example which social landlords have cited to us is where there may be a disproportionate concentration of younger, inexperienced, complex or vulnerable households within close proximity to each other and where an interim policy is needed to achieve a more sustainable balance of age groups in housing need.

Some landlords have also suggested that the provision will encourage investment in support and facilities for older people in particular mainstream (non-specialist) blocks or areas, thereby facilitating a significant contribution to keeping older people safe at home for longer. This is a key objective of the recent Public Bodies (Joint Working) (Scotland) Bill.

As the only unified social sector tenancy in the UK, Scotland can be proud of the Scottish Secure Tenancy and the strong rights that it offers. But it has lacked flexibility in some key respects and, as you know, a primary objective of the Bill is to enhance flexibility in some very specific areas. Lifting the age restriction to promote successful allocations and sustainable communities is the right thing to do and we urge you to retain Section 5 of the Bill at Stage 2.

Yours sincerely

Jim Hayton, Policy Manager, Association of Local Authority Chief Housing Officers

Alan Ferguson, Director, Chartered Institute of Housing Scotland

Councillor Harry McGuigan, COSLA Spokesperson for Community Well-Being and Chair of COSLA’s Elected Member Task Group Housing (Scotland) Bill

Colleen Rowan, Membership and Policy Officer, Glasgow and West of Scotland Forum of Housing Associations

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