



Committee Approver	Operations Committee
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Related Documents	Allocations Procedure Decant Policy Local Letting Plan, Cameron Park & Terrace Mutual Exchange Policy Equality & Diversity Procedure Customer Risk Alert Procedure GDPR Policy
Location of Electronic Copy	<a href="#">V:\Policies and Procedures Shared\Policies\Housing</a>

## **1. Viewpoint's Values**

Viewpoint is here to help people enjoy their later years. Everything we do is about realising this vision, which is supported by the following straightforward set of values:

- Inspire with positive smiles and words;
- Say 'yes I can and I will';
- Celebrate age, experience and wisdom;
- Do according to our customers' wishes and ambitions;
- Treat people (everyone is a VIP) as we would a "loved one";
- Work hard, have fun and laugh;
- Stay courageous, creative and ahead of the game; and
- Work with those that share our values.

These promises shape us. They are a commitment to our residents, staff and suppliers. They are fundamental to every single plan, decision and project we embark on.

Ensuring that we have systems and processes in place to manage risk effectively will support us to deliver those plans, decisions and projects, in accordance with our vision and values.

## **2. Policy Statement**

A key objective for Viewpoint is to be responsive to the housing needs of a wide range of people and to provide high quality affordable rented housing. To achieve this and to make the best use of our housing stock, we have adopted an Allocations Policy, which will identify those applicants in greatest housing need. Through our Allocation Policy we are striving to ensure that access to housing is based on need and that equality of opportunity is available to all applicants.

## **3. Aims, Objectives and Principles**

### **3.1. Aims**

Our aim is to meet housing need fairly, and assist those in the greatest housing need to secure appropriate homes.

### **3.2 Objectives**

We will meet our aims by:

Ensuring priority is given to people who are in most need of housing. This includes specific groups identified in legislation to whom we must give "reasonable preference", such as:

- People who are homeless or are threatened with homelessness and who have unmet housing needs;
- People who live in unsatisfactory housing conditions and who have unmet housing needs
- Social housing tenants who are considered to be under-occupying their home

### 3.3 Principles

This policy follows good practice and our Policy is based on the following key principles:

- **Housing need:** We aim to prioritise the allocation of property to people with high levels of need and support without discriminatory restrictions. Reasonable preference will be given to:
  - persons living in housing below the tolerable standard or living in unsatisfactory housing conditions
  - those living in overcrowded accommodation
  - homeless people or those threatened with homelessness (within the meaning of the Housing (Scotland) Act 1987 as amended by the 2001 Act
- **Choice and empowerment:** We aim to maximise the opportunities for access to our housing and the ability of applicants to make informed choices through the provision of good easy to understand information and advice.
- **Accountability:** We will be accountable to our tenants and communities for our Allocation Policy. Annual reports of performance and activities, and involvement of stakeholders in policy review, will assist us to be accountable to applicants, tenants and partner agencies.
- **Balanced communities:** We aim to make the best use of our housing stock, and use our allocations process to create and maintain sustainable communities where people want to live.
- **Equality of Opportunity:** We are committed through our Equality & Diversity Policy to provide equality of opportunity to all those applying for housing . We aim to allocate property based only on housing need or housing and support needs.
- **Partnership:** We aim to work in partnership with local authorities and other agencies to alleviate housing need. This may involve nomination agreements, participation in common housing registers, referral arrangements including the Edinburgh Council's separate

delayed discharge list, management agreements and leases.

- Customer service: We aim to provide clear, easily understood and open communication systems at all stages of the allocations process and observe confidentiality.
- Compliance: We will ensure that this Policy meets all relevant legal requirements and appropriate Performance Standards.
- Audit trails: We will keep appropriate records to enable us to demonstrate fairness and equality in all our allocation decisions. Our procedures will build in checks to minimise the possibility of inconsistency and discrimination.

#### **4. Legislation / related policies**

This policy has been developed taking into account the following legislation which directly or indirectly affect the allocation of property in Scotland:

##### Housing legislation

- Housing (Scotland) Act 2014
- Housing (Scotland) Act 2010
- Housing (Scotland) Act 2006
- Housing (Scotland) Act 2001
- Housing (Scotland) Act 1987
- Homelessness etc. (Scotland) Act 2003

##### Equality legislation

- Equality Act 2010

##### Other relevant legislation

- Welfare Reform (Scotland) Act 2012
- Adult Support & Protection (Scotland) Act 2007
- Protection of Vulnerable Groups (Scotland) Act 2007
- Management of Offenders etc. (Scotland) Act 2005
- Anti-Social Behaviour etc. (Scotland) Act 2004
- Civil Partnership Act 2004
- Data Protection Act 2018
- General Data Protection Regulations 2018
- Matrimonial Homes (Family Protection) (Scotland) Act 1981
- Immigration and Asylum Act 1999
- Protection from Harassment Act 1997

##### The Scottish Social Housing Charter

The Scottish Housing Regulator (SHR) uses outcomes and standards as set out in The Scottish Social Housing Charter (SSHC) to assess the

performance of social landlords. Viewpoint will ensure that the SSHC and the SHR's technical guidance is considered and followed regarding the relevant points related to allocations. We aim to ensure that this policy meets the required outcomes and standards as follows:

- Outcome 1: 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.
- Outcome 2: 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.
- Outcome 3: Social Landlords manage their businesses so that tenants and other customers find it easy to participate in and influence their landlord decisions at a level they feel comfortable with.
- Outcome 7: People looking for housing get information that helps them make informed choices and decisions about the range of housing options available to them.
- Outcome 8: Tenants and people on housing lists can review their housing options.
- Outcome 9: People at risk of losing their homes get advice on preventing homelessness.
- Outcomes 7, 8 and 9 reflect social landlords' duties to provide information and advice to people looking for housing or those at risk of becoming homeless. These duties include helping tenants and people on housing lists to review their options to move within the social housing sector or to another sector.
- Outcome 10: People looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and their prospects of being housed. It includes actions that social landlords can take on their own and in partnership with others, for example through Common Housing Registers or Mutual Exchange schemes, or through local information and advice schemes.
- Outcome 11: 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.

## **5. Scope**

This policy applies to any person who wishes to apply for one of Viewpoint's social rented properties.

## **6. Types of Housing**

6.1 Viewpoint offers a variety of housing types.

- Sheltered Housing – which has staff based on site to provide assistance to tenants in relation to sustaining their tenancies, a 24-hour emergency alarm system, generally has communal facilities and is designed to meet the needs of older people.
- Enhanced Sheltered Housing – which has the features of sheltered housing but with higher staffing levels and in some cases, the addition of a catering service. Other facilities may be available in these complexes.
- Alarmed/ Amenity Housing – which is designed to meet the needs of older people through technology but without on-site staff. In some complexes there are communal facilities.
- Retirement Housing– This is housing similar to alarmed, has staff on site, and communal facilities.
- General Needs – is housing without the services provided at our other housing types listed above
- Specialist Supported Housing – this is more specialist housing generally developed in partnership with other agencies and aims to meet the needs of particular groups such as those moving out of long stay hospital care. These housing projects will have specific allocation criteria and will be agreed separately with our partners in each project. Where we directly allocate specialist Supported Housing and issue a SST (or short SST) to tenants, an Allocations Agreement will be developed with any appropriate partner agencies and the housing and support needs assessment will be developed by the agency alongside Viewpoint.

## **7. Access to Housing Register**

7.1 We support initiatives, which will improve access to housing for applicants such as the development of Common Housing Registers (CHR).

7.2 Anyone aged 16 years or over is entitled to be admitted to our Housing Register or any CHR where we are an active partner, this includes current Viewpoint tenants who wish to move within our stock. This is the first

step in the process, following which an application will be fully assessed. All applications will be acknowledged and placed on the Register. Offers of accommodation will only be made following a full housing and risk assessment.

- 7.3 Anyone aged 16 or over will only be considered for our general needs properties unless indicated otherwise within their application, however, our other stock has specific age restrictions attached to it.
- 7.4 We will offer applicants, where appropriate, advice on their housing prospects and options.
- 7.5 We reserve the right to check supporting documentation of relevant personal circumstances e.g. proof of residency or evidence of harassment.
- 7.6 Applicants are asked to complete a standard application form; the format of which will vary between Local Authority areas depending on the allocation process in place – details of the current systems operated by Viewpoint are as follows:

<b>Local Authority Area</b>	<b>Type of application form</b>
City of Edinburgh	‘EdIndex’
Midlothian	Midlothian Council (100% nomination agreement in place)
East Lothian	East Lothian Council (100% nomination agreement in place)
Fife	Fife Council – 50% nominations / 50% Viewpoint Housing Register

- 7.7 Applicants who are offered accommodation will generally be offered a Scottish Secure Tenancy Agreement (SSTA). A Short SSTA may be offered in some circumstances, defined in the current Housing (Scotland) Act 2001
- 7.8 There are age qualifying criteria for sheltered, enhanced and alarmed amenity housing, which are as follows:
  - Sheltered Housing and Enhanced Supported Housing: Applicants must be 60 years of age or over (In the case of a couple one partner must be 60 years of age or over). Exceptions may be made where there is a defined medical need and low demand in such cases applications from people aged 50 years of age may be considered.

- Alarmed/Amenity Housing: Applicants must be aged 50 years or over. Exceptions may be made where there is low demand for a particular development or house type. In such cases applications from people aged 45 years of age may be considered.
- In all cases applicants must meet the age restriction and have an understanding of the service and accommodation provided.
- General Needs Housing: Applicants must be 16 years of age or over.
- Specialist Supported Housing: Our specialist supported housing projects are generally developed and managed in partnership with other agencies and due to their specialist nature each project will have its own age criteria. Age restrictions will continue to apply in all accommodations where we have agreements in place, including Alarmed and Sheltered properties. Details of the allocation criteria for each project will be publicised and available on request.

7.9 We will not take the undernoted factors into account when allocating housing:

- The length of time for which a resident has resided in an area;
- Any outstanding liability (for payment or otherwise) attributable to the tenancy of any house of which the applicant is not, and was not when the liability accrued, a tenant;
- The income of the applicant or his family;
- Property ownership, advice will be given in relation to whether or not it is appropriate to sell any current property they own

7.10 Size of Property: Applicants can apply for more than one size of property. The guidelines relating to which size of accommodation applicants can qualify for are:

- A couple will be expected to share a bedroom unless there are medical reasons as to why separate rooms are required.
- Each household member over 16 years of age will be entitled to a bedroom of their own.
- Two children under 16 of the same gender will share a bedroom.
- If over 16, the applicant can opt for them to continue to share a bedroom.
- Two children under 10 of different gender will share a bedroom.
- A single person or a couple with no children may be considered for a 2-bedroom property. However applicants will be made aware of the Welfare Benefits restriction which will apply.



7.11 All applicants will be accepted on to the Viewpoint Housing Register. Applications will only be removed from the Register in the following circumstances:

- Where the applicant requests removal. Such requests must be made in writing to us.
- The death of an applicant

7.12 All applicants are responsible for keeping their applications up to date and notifying us of any change in circumstances that will affect their application. Applications will be reviewed annually to establish if their situation has altered and that they still wish to remain on the list. Failure to respond to review correspondence will result in the application being suspended from the register. In addition any successful applicant will be removed from the Viewpoint Register, and will have to re-apply for alternative housing.

7.13 Applications may be removed from the register where a tenant requests the right to be forgotten in line with GDPR regulations. In such circumstances we will follow our GDPR Policy.

## **8. Assessment of Housing Need**

8.1 When allocating accommodation we will ensure that the accommodation offered is suitable for an applicant's housing needs. We will ensure that our housing stock is put to the best use by taking account of the needs of the applicant and the existing community.

8.2 Priority ranking will be awarded in relation to an applicant's degree of housing need. The priority levels that can be awarded are as shown in Appendix A. We will take the following into account:

- Persons who are homeless or threatened with Homelessness;
- Existing Housing Conditions: Including housing which is below tolerable standard, overcrowding and other unsatisfactory housing conditions;
- Security of Tenure: Homelessness, including those threatened with homelessness;
- Social housing tenants who are considered to be under-occupying their home;
- Health Problems: Which could be alleviated by re-housing;
- Support Requirements: Applicants who have very high care and/or support needs may not be offered a tenancy unless the local

authority agrees to put a care and support package in place to meet these needs. If we are of the view that an appropriate level of support is not available then the application may be deferred. Such a decision

may only be taken by the Housing Team Leader or Head of Housing after a full assessment of an applicant's needs and circumstances and a community care needs assessment has been carried out by the local authority.

- Harassment: Which could be alleviated by re-housing.

8.3 Assessment Procedure: The assessment will be done by our staff or, where we are a partner in a CHR, other partner's staff. The assessment will be carried out either face to face in the applicant's home or at an office interview, by telephone, or by video conferencing if the applicant has appropriate compatible software, whichever is most appropriate.

8.4 The Housing & Risk Assessment will include an assessment to determine an applicant's ability to sustain a tenancy and highlight any support requirements and other factors such as a history of anti-social behaviour, which may have an adverse impact on the existing tenants if the applicant were to be housed by us.

## 9. Allocations

Following registration with Viewpoint either onto its own Housing Register, or in Edinburgh onto Edindex the person will be noted on the system as either a starter or a mover based on the information given on the application form.

The definition for starter and mover is given below:

### STARTER

- Homeless households
- People in hostel, supported or temporary accommodation
- People staying care of friends or family
- New households
- Private rented sector tenants
- People in a relationship breakdown

### MOVER

- Current Viewpoint tenants
- Council tenants (including joint tenants)
- Registered Social Landlords or other social rented sector tenants

- Owner occupiers
- Households in tied accommodation

A quota system will be used to promote balanced communities by having a mix of tenants from different housing circumstances. This avoids concentrations of same situation households which good practice dictates does not engender balanced or settled communities. We will strive to achieve the % quota stated below and these targets will be monitored by staff. Quotas may not be achieved as demand from applicants and stock turnover will fluctuate, however, monitoring and outcomes will be recorded and published on an annual basis.

The following quota systems will apply:-

<b>EDINBURGH AREA</b>	
Starters	40%
Movers	50%
Transfers (Viewpoint tenant priority)	10%
<b>FIFE</b>	
VHA Housing Register	40%
Council Nominations and Section 5 Referrals	50%
Transfer (Viewpoint tenant priority)	10%
<b>EAST LoTHIAN AND MIDLoTHIAN</b>	
Council Nominations and Section 5 Referrals	100%

- 9.1 Decants: We reserve the right to use an unlimited number of our properties as decant accommodation for existing tenants who need emergency re housing, or who need to move to other accommodation whilst their property is undergoing repair or improvement.
- 9.2 Management Transfers: Where in exceptional circumstances, tenants may be considered for a transfer on management grounds (for example, serious Anti-social Behaviour) such transfers will be dealt with outwith this policy and be subject to consideration and approval by the Director of Housing and Support
- 9.3 In all other circumstances when a vacancy occurs it will normally be

offered to the applicant with the highest priority level who has indicated a wish to be considered for that area or complex.

- 9.4 Refusal of an offer in Edinburgh, East Lothian and Midlothian will not affect the status of an application and there is no limit on the number of offers which may be made to an applicant.

## **10. Suspensions**

- 10.1 Suspension from Viewpoints Housing Register: Applicants may be suspended from the Register if any of the following applies:

- Has engaged in anti-social behaviour, including in the vicinity of the house; harassment of others; anti-social behaviour towards a social landlord's employees when applying for housing
- Has a conviction for using their home for immoral or illegal activity or any other offence punishable by imprisonment committed in the locality of their home (also applies to someone who has resided with the applicant)
- Previously lost a tenancy as a result of abandonment of a property or previously lost their interest in a tenancy as a joint tenant via abandonment in accordance with sections 18(2) and 20(3) of the Housing (Scotland) Act 2001
- A court had granted an eviction order against the applicant
- Has or had rent arrears with a tenancy and certain specified steps had not been taken to pay back the debt
- Made a false statement in any application for housing to a social landlord
- Has already refused offers of housing and the landlord considers the refusal of that number of offers to be unreasonable.
- Has been evicted as a result of the deterioration of the condition of a previous tenancy or furniture supplied (grounds 3 and 4 of Part 1 of Schedule 2 to the Housing (Scotland) Act 2001)

- 10.2 Where appropriate, applicants suspended will be advised in writing the reason for their suspension, the duration of their suspension before review and what action they are required to demonstrate in order to have this suspension lifted. Applicants suspended will be reviewed annually.

## **11. Letting Initiatives**

- 11.1 Local Letting Initiatives (LLI) will be developed from time to time to enable specific sustainability issues to be addressed. For example, where there is low demand for a particular area or property type. All LLI will be approved by the Director of Housing and Care—and when appropriate tenants will be consulted on proposed LLI's.

## **12. Equal Opportunities**

- 12.1 We welcome applications from people in housing need from all sections of the community regardless of their sex, age, ethnic or national origin,

religion, marital status, sexual orientation, health condition. We operate an Equality and Diversity Policy to ensure that it does not discriminate directly or indirectly against any applicant and all applicants are asked to complete a form stating their ethnicity and disability. This is to allow us to record and monitor applications in order to demonstrate accountability. Completion of the form is voluntary and no applicant will be penalised for not providing this information.

### **13. Mutual Exchanges**

- 13.1 A separate policy statement is available on this. Provided they satisfy certain criteria, tenants will be able to arrange mutual exchanges with other Viewpoint tenants, other housing association tenants or local authority tenants subject to the prior approval of both landlords.

### **14. Local Authority Nomination Arrangements/Section 5 Referrals (Homelessness Duty)**

- 14.1 We have a statutory duty under the terms of the Housing (Scotland) Act 2001 to provide accommodation for homeless people (known as Section 5 referrals). In line with the Act a local authority may ask us to provide accommodation for a homeless household in priority need. In Edinburgh we meet our obligations towards homeless applicants through the silver priority given under the choice based letting system system. We will also seek to have a nomination arrangement with all other Local Authorities. Nomination arrangements will be subject to written agreements with each local authority in whose area we operate and specific details may be subject to local variations. In East Lothian and Midlothian, due to our limited stock numbers, we currently have a 100% nomination agreement. All nominees/homeless referrals will be assessed in accordance with our Allocation Policy. In Fife we operate a 50% nominations agreement where 50% of all vacancies can be nominated by Fife Council.

### **15. Housing of Offenders Managed Under the Multi Agency Public Protection Arrangements (MAPPA)**

- 15.1 As outlined above (section 11.1) in some circumstances Viewpoint will have an obligation to house a homeless person where a referral is made directly by the Local Authority (Section 5 referrals) and a homeless applicant may also be a registered offender. The National Accommodation Strategy for Sex Offenders (NASSO) sets out the arrangements to be followed when housing registered offenders. Viewpoint has a duty to cooperate with the Police, Local Authorities and Scottish Prison Service in the assessment, management and housing of offenders. The Management of Offenders Etc (Scotland) Act 2005 specifies that a housing association is one of the key agencies who has a duty to cooperate with the Local Authority and Police in terms of housing offenders. Whilst the 2005 Act does not impose any legal obligations on Viewpoint to provide housing for registered offenders Viewpoint does have duties in line with the Housing (Scotland) Act 2001 and this Policy to house applicants who meet the criteria set out in this

Policy. Our housing and management arrangements for registered offenders are detailed in a separate procedure which ensures that we are included in the risk assessment and decision making processes.

## **16. Confidentiality**

- 16.1 All information provided in connection with an application will be treated as confidential and only made available to those members of staff who require to see it. Information will only be passed onto a third party with the written permission of the applicant.

## **17. Viewpoint Board Members and Staff**

- 17.1 In line with Section 15 of the Housing (Scotland) Act current staff, current Board members, former staff and former Board of Management members, (whose employment or Board membership terminated less than 12 months prior to their application for housing) and close relatives of those in the above categories are able to apply for housing. However, such applicants will only be granted a tenancy if they meet the criteria of this Allocation Policy. In addition, before any offer of tenancy is made it will be formally considered and approved by our Board. Any tenancies granted will be recorded in our Register of Grants of Benefit and will be recorded in the appropriate Board minutes. Applicants for housing will be asked to declare on their application form if they fall into any of the above categories to enable us to properly maintain our Register of Grants of Benefits.
- 17.2 Those whose employment or Board membership terminated more than 12 months prior to the date of application for housing are exempt from the above requirements. Any tenancy granted need not be referred to the Board for prior approval and will not be recorded in the Register of Grants of Benefits.

## **18. Complaints and Appeals**

- 18.1 All applicants have the right of appeal against the assessment of their application. An appeal in the first instance should be addressed to the Head of Housing. The appeal will be considered by the Head of Housing who will respond in writing, normally within 14 days of receipt of the appeal.
- 18.2 If, after this, an applicant remains dissatisfied they can appeal to the Director of Housing and Support. The Director will respond in writing, normally within 21 days of receipt of the appeal.
- 18.3 If an applicant feels that we have not complied with the terms of our Allocations Policy or they are dissatisfied with the way in which their application has been handled, they may initiate a complaint by following our Complaints Procedure. Copies of our Complaint's Procedure are freely available and will be issued to applicants on request.

## 19. Compliance & Support

It is the responsibility of all staff to familiarise themselves with the content of this policy to ensure that they comply with the policy and associated procedures and guidance notes.

If advice or support is required, this is available through the Housing Team Leaders in the first instance. Appropriate training and support will also be provided, as required.

### Equality Impact Assessment (EIA)

20.

Viewpoint will treat all customers with fairness and respect in line with its Equality and Diversity Strategy. Viewpoint recognises that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination.

Where any group has difficulty in understanding this process staff will assist to ensure that the policy is available in other formats, if required, and that groups are supported through the process. This policy is available in other formats, including large print, if required.

An EIA has also been carried out. Some of the negative impacts identified are based on factors specific to certain accommodation types. These also have positive impacts at the same time. New data gathering tools due to be implemented will assist in data gathering for impacts identified as 'unknown'.

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### Privacy Impact Assessment (PIA)

Risks associated with data retention will be assessed and mitigated by Viewpoint's Data Protection Officer, through ongoing data protections audits and reviews of Viewpoints data Estate, conducted in conjunction with all relevant functions.

## Monitoring & Evaluation

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22.1 Statistical information on applications and allocations will be recorded by us and reported on, as follows:

- To Viewpoint's Board
- In our Annual Report
- In our Tenants' Newsletter

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- Our annual returns to the appropriate regulatory bodies
- Within our benchmarking network

22.2 In addition, this Allocation Policy and the allocations process will be subject to our internal quality monitoring systems.

### **Policy Review**

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23.1 This Policy will be reviewed at least every 3 years to ensure the aims of the Policy are being achieved and to ensure compliance with all relevant legislation. If the Policy is amended with the approval of the Board all applicants will be informed where appropriate and reassessed if necessary. In addition, our tenants will be involved in any significant review of this Policy in accordance with our Tenant Participation Strategy.

## Appendix A

### PRIORITY GRADING & ASSESSMENT EDINDEX

#### Priority Categories

Following the assessment some applicants will be awarded a priority status. Priority status can be awarded to either starter or movers as set out below.

##### 1. Urgent Gold Priority

This is the highest level of priority and is awarded where there is an urgent health need or impairment.

##### 2. Gold Priority

This is awarded where there is a health need or impairment.

##### 3. Silver Priority

This level of priority can be awarded for different reasons

- Homeless and in priority need. (starters only)
- Where re housing is required due to demolition or regeneration works in an area.
- Exceptional housing need such as overcrowding, or serious harassment

##### 4. Other applicants

All other applicants who do not fall within the above categories will have this ranking. Within this category the length of time of the application (Starters only) or the length of time at their current address (Movers only) will determine their position within this category.

All of these categories can be awarded to both starter and mover people (unless otherwise specified).

#### Health Assessment

If the applicant has told us on their application form that they have a health problem or impairment, an assessment to determine possible entitlement to Urgent Gold or Gold priority will be carried out by the Local Authority in Edinburgh. They will be informed of the outcome of this and will also be advised on their right of appeal.