

## SPSO decision report

**Case:** 201501632, Charing Cross Housing Association Ltd

**Sector:** housing associations

**Subject:** applications, allocations, transfers & exchanges

**Outcome:** upheld, recommendations

### Summary

Ms C made a request for consideration under the special circumstances clause of the housing association's allocation policy. This was refused but Ms C felt the reason she received for this decision contradicted the wording of the policy. She then made a formal complaint and the association reviewed their decision, but again refused her request. The reason given in the final complaint, which signposted Ms C to the SPSO, was that they felt the points available through this clause would have been excessive in her circumstances. She then complained to us about this decision, and that they had failed to respond fully to her complaint.

The association told us that the clause was intended to be totally discretionary, and that they felt they had acted correctly in exercising this discretion. However, on reviewing the policy, we found that the wording did not grant them the discretion to deem the points to be excessive. We therefore upheld Ms C's complaint, and also found that the association had not responded fully to her complaint.

### Recommendations

We recommended that the association:

- apologise to Ms C for the failings identified in this investigation;
- review the wording of the special circumstances clause in their allocation and transfer policy to clarify its intended function;
- reconsider Ms C's application for special circumstances points and provide a response giving detailed reasons for their decision; and
- respond fully to Ms C's complaint.