



## **PRIORITY MOVES POLICY**

## 1. Purpose

- 1.1 This policy sets out our approach to managing emergency situations where one of our tenants is unable to remain living in their home for a period, or where they may require urgent permanent re-housing due to exceptional circumstances.
- 1.2 This policy does not cover situations when it is necessary for us to move tenants from their home due to a need for extensive major works where it is being demolished or refurbished, as this situation is covered by the Decant policy.

## 2. Definitions

- 2.1 We may consider a 'priority move' for our tenants(s) when at least one of the following criteria have been met:
- 2.2 **Serious Risk of physical harm** – This can often be determined via information sharing with other agencies such as Thames Valley Police.
- 2.3 **Serious Risk of mental harm** – This can often be determined via information sharing with other agencies such as the Community Mental Health Team and Social Care or the applicant's GP.
- 2.4 **Property is unsuitable** – Where there is exceptional housing need and may include:
  - When a succession has taken place, but the successor occupies an unsuitable property
  - Where the tenant/s requires a suitable adapted or partially adapted property
  - Where a tenant/s needs to move for their wellbeing or safety e.g. to sheltered housing
  - When an under-occupying tenant/s home is no longer suitable, and where the resultant vacancy is required to assist another household in exceptional housing need
- 2.5 Other exceptional circumstances may require a move which would be determined at our discretion.
- 2.6 Each case will be considered and investigated on its individual merits.

## 3. Responsibilities

- 3.1 The Head of Community has overall responsibility for this policy.
- 3.2 The Heads of Service for Relationships and Community are responsible for managing, monitoring, reviewing and implementing this policy. They will ensure that processes are in place to support the policy, staff are aware of the requirements of the policy and training will be given and undertaken as required and relevant.

## 4. Legal Framework

- 4.1 The main pieces of legislation are as follows:

- Housing Act 1988  
<https://www.legislation.gov.uk/ukpga/1988/50/contents>
- Localism Act 2011  
<http://www.legislation.gov.uk/ukpga/2011/20/part/7/chapter/1/enacted>
- Equality Act 2010  
<https://www.legislation.gov.uk/ukpga/2010/15/contents>

## **5. Key Principles**

- 5.1 To provide clear guidance as to when one of our tenants may be given a priority to move to another home.
- 5.2 To enable a tenant/s to move quickly where there are exceptional circumstances.
- 5.3 To enable a direct offer to be made without the requirement to register on Bucks Home Choice or another Choice Based Lettings scheme in an area in which we operate.

## **6. Policy Statement**

- 6.1 When letting our homes, we aim to house those in greatest need of housing. We recognise that occasionally there will be exceptional situations where our tenant/s may require urgent re-housing.
- 6.2 Agreeing to a priority move is exceptional as the need for accommodation far outweighs the supply. A decision to make a direct offer also overrides the Choice Based Lettings process where there are other applicants registered on Bucks Home Choice who may also have high needs.
- 6.3 There is also a considerable cost to our business, as each move will result in associated void costs and loss of rent, as well as staff time and administrative costs.
- 6.4 Any permanent priority move will be counted as part of our 25% direct allocation quota permitted under the nomination agreement with Buckinghamshire Council. Similar arrangements will apply in other local authority areas in which we operate.
- 6.5 Our direct allocation quota is a limited proportion of all empty homes that become available. In addition there may be further restrictions on directly letting new build homes, including Section 106 restrictions. As we have very few homes that we could make available for a direct offer the circumstances of the applicant will therefore need to be considered exceptional to justify such a decision.
- 6.6 We will consider every case on its individual merits, and ensure our approach is transparent, fair, non-discriminatory and effectively controlled and monitored.
- 6.7 All applications will be recorded and considered by Housing Adaptations and Lettings Panel (HALP). Where a priority move is recommended by HALP as the right course of action, the application will need to be approved and signed off by a Head of Service.
- 6.8 If a priority move is not seen as the right course of action, the applicant will be informed verbally and in writing.
- 6.9 The applicant will have the right of review if they feel that this policy has not been considered when the decision was made.

- 6.10 If a permanent priority move is agreed only one reasonable offer will be made unless we feel there are very exceptional circumstances.
- 6.11 The type of home offered, and number of bedrooms will be in accordance with the Bucks Home Choice Allocations Policy and our Allocations Policy.
- 6.12 Any offer can only be made from within the homes we manage.
- 6.13 The following criteria will not be considered as part of any priority move request:
- medical issues which can be assessed as part of a choice-based lettings application
  - overcrowding
  - under occupancy
  - transfer to another landlord
  - or where a mutual exchange would resolve the issue
  - when an applicant needs to move out of the area due to the risk of harm (physical or mental)
- 6.14 We may consider the following where the request for a priority move relates to Anti-Social Behaviour (ASB):
- How serious the incidents are, how often the incidents occur and their impact
  - If the incidents are happening more frequently or getting worse
  - If a party (and/or associates) is actively intimidating the applicant and causing harm (either physical or mental)
  - If the incidents are specifically targeted to affect the applicant
  - If there is domestic abuse, hate crime or other crime or ASB that is linked to the applicant's faith, age, sexuality, ethnicity, gender, mental or physical disability
  - The likelihood/severity of any risk to the applicant or members of their household
  - If the applicant has been actively working with us and/or other partners to try to resolve the issue, such as going to mediation and/or being a witness in legal proceedings
  - If there is independent/supporting evidence of the alleged ASB
  - If there are alternatives that would resolve the issue such as a mutual exchange
- 6.15 For all applications consideration will be given to some or all of the following, depending on the circumstances:
- If the applicant is at risk or vulnerable
  - The impact the situation is having upon the applicant and their household
  - The support the applicant and applicant's household has or could be signposted to
  - If there are any safeguarding concerns
  - The conduct of the tenancy up to this point including any arrears, condition of the home or other tenancy breaches. We expect any outstanding debt to be cleared before a move takes place

- If a permanent move would completely resolve the issue for the long-term
- Whether the applicant's circumstances mean another tenancy would be sustainable
- If the tenant/s or their household or visitors have in any way contributed to the circumstances that have led to the reason why they wish to move
- The likelihood that we can offer the type of property that is required e.g. if the requirements are very specific, we may not have the resources or type of home required to assist in a reasonable period of time, in which case the applicant will have to consider alternative remedies to their situation
- Any issues that may mean a move would incur a significant cost or risk to the business
- If there is a more economical way of resolving the issue
- The reasonableness of the costs e.g. does it offer value for money, would it solve a problem which couldn't be solved any other way
- Whether there are other sources of funding
- Action we have taken previously in similar cases to ensure consistency
- If a move would be in line with our other policies
- Whether the move and associated costs would discriminate against someone else
- All information will need to be evidenced, including validation with the appropriate partner agencies.

The final decision for any priority move is made by us.

## **7. References**

- 7.1 The Regulator of Social Housing (RSH) sets out its expectations of registered providers in its regulatory standards.
- 7.2 The standards relate to providers being viable, properly governed and properly managed.


## **8. Related Policies & Procedures**

- Allocations Policy
- Priority Moves Procedure
- Safeguarding Policy
- Bucks Home Choice Allocations Policy
- Decant Policy (and procedure)
- Anti-Social Behaviour Policy (and procedure)
- Tenancy Policy (and procedures/guidance)
- Tenancy Changes Policy (and procedure)
- Transfer Agreement with Wycombe District Council 2011 (now Buckinghamshire Council)
- Housing Adaptations and Lettings Panel (HALP) Terms of Reference and Guidance



Staff roles listed in the **Competency Standards section** must be acquainted with contents of this document and have had documented instructions and training on its use. Authority to amend can only be undertaken by the **Process owner** with the relevant **Delegated approvals**.

For information on interpretations and instructions staff should contact the **Subject Matter expert** or **Process owner** and under no circumstances should any deviation be permitted without prior approval as above.

Document Controls			
<b>Version:</b>	4	<b>Effective date:</b>	July 2022
<b>Subject Matter expert drafter:</b>	Head of Community	<b>Process owner:</b>	Head of Community
<b>Related Pod</b>	Community Relationship	<b>Related Policy</b>	<ul style="list-style-type: none"> <li>• Allocations Policy</li> <li>• Safeguarding Policy</li> <li>• Bucks Home Choice Allocations Policy</li> <li>• Decant Policy</li> <li>• Anti-Social Behaviour Policy</li> <li>• Tenancy Policy</li> <li>• Tenancy Changes Policy</li> </ul>
<b>Review period</b>	3 years	<b>Next review due by:</b>	July 2025
Delegated approvals			
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