



# Priority Moves Policy

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<b>Effective Date:</b>	<b>23<sup>rd</sup> July 2019</b>	<b>Policy owner:</b>	<b>Assistant Director of Operations</b>
<b>Policy reviewer:</b>	<b>Head of Commercial Head of Relationships Head of Community</b>	<b>Review period</b>	<b>3 years</b>
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## 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 when it is necessary for us to move residents from their homes due to a need for extensive major works where it is being demolished or refurbished which is covered by the Decants policy.

## 2. Definitions

- 2.1 We may consider a 'priority move' for our tenant(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 unsuitable, and where the resultant vacancy is required to assist another household in exceptional housing need
- 2.5 Other exceptional circumstances may require a move, these would be determined at our discretion.
- 2.6 Each case will be considered / investigated on its individual merits.

## 3. Responsibilities

- 3.1 The overall ownership of this policy is held by the Assistant Director of Operations
- 3.2 The Heads of Service for Commercial, Relationships and Community are responsible for managing, monitoring, reviewing and implementing this policy through the



process's which Heads of Service will ensure staff are aware off and any required training will be arranged and undertaken as required and relevant.

#### **4. Legal Framework**

4.1 The main pieces of legislation are as follows:

- Housing Act 1998  
<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.

#### **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.

Agreeing to a priority move is exceptional as the need for accommodation far outweighs the supply, and such a decision also overrides the Choice Based Lettings process and other applicants registered on Bucks Home Choice who may also have high needs.

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.

- 6.2 Any permanent priority move will be counted as part of the transfer agreement with Wycombe District Council that we can allocate 25% of our empty homes directly.

This is a limited proportion that we will endeavour to maintain and there may be further restrictions on directly letting new build homes, including Section 106



restrictions. The circumstances of the applicant will therefore need to be considered exceptional to justify such a decision.

6.3 We will consider every case on its individual merits, and ensure our approach is transparent, fair, non-discriminatory and effectively controlled and monitored.

6.4 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

If a priority move is not seen as the right course of action, the applicant will be informed verbally and in writing.

The applicant will have the right of review if they feel that this policy has not been considered when the decision was made.

6.5 If a permanent priority move is agreed only one reasonable offer will be made unless we feel there are very exceptional circumstances.

The type of property offered, and number of bedrooms will be in accordance with the Bucks Home Choice Allocations Policy and our Allocations Policy.

Any offer can only be made from within the homes we manage.

6.6 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 district due to the risk of harm (physical or mental)

6.7 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

6.8 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 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 specialised, we may not have the resources 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 seven 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
- Housing Adaptations and Lettings Panel (HALP) Terms of Reference and Guidance