

Management Transfer Policy

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1. Introduction

The Dartford Borough Council Choice Based Lettings Policy defines management transfers as:

'A move agreed in exceptional circumstances due to significant issues associated with the tenant's occupation that has resulted in imminent personal risk to the household if they remain'

Management transfers (MT) which are urgent moves to permanent accommodation, are available to Dartford Borough Council tenants and, at the request of a housing association, to housing association tenants.

This policy is intended to provide information regarding management transfers and also to highlight the service that can be expected by those who apply for a transfer.

2. Strategic Context

This Management Transfer Policy fulfils two aims of Dartford Borough Council's Corporate Plan, by ensuring an effective, efficient, proactive and high performing frontline housing Landlord service; and ensuring that local people are able to obtain housing in Dartford.

Management transfers also play a crucial role in other Dartford Borough Council strategies and policies. A summary of this is shown below:

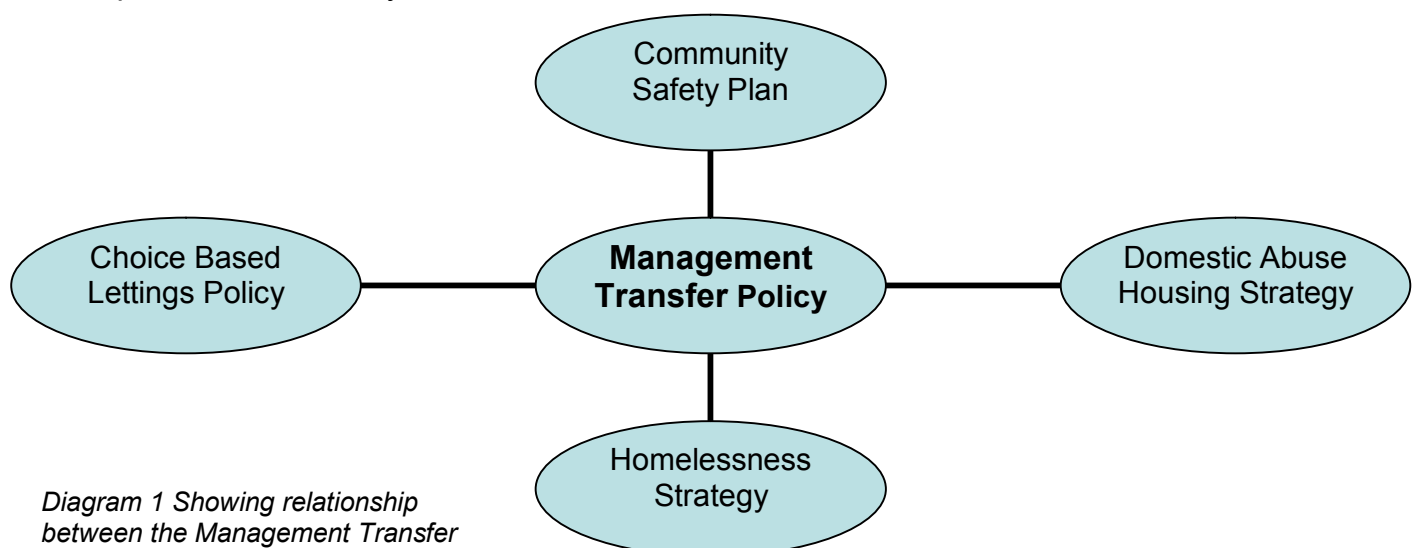


Diagram 1 Showing relationship between the Management Transfer Policy and other Dartford Borough Council policies and strategies

2.1 The Domestic Abuse Strategy 2008-2011

The vision of the strategy is that: 'No one should live in a home where they fear domestic abuse. Victims of domestic abuse will be aware of services that can help; and will be supported as they choose to leave abusive relationships.' The strategy highlights a number of ways in which victims of domestic abuse can be protected from domestic abuse. In extreme cases, where tenants are suffering from domestic abuse and cannot stay in their own homes, management transfers may be used to move them into safe accommodation.

2.2 Homelessness Strategy 2003-2008

The basis of this strategy is an action plan which aims to prevent homelessness. A person is defined as homeless if they have no accommodation to occupy but also if they have accommodation but are unable to live there due to violence or threats of violence. Management transfers prevent homelessness by removing tenants from areas where they may face domestic abuse and by providing tenants who may have fled their home due to violence, with a permanent address.

2.3 Choice Based Letting Policy

This policy provides a context for tenants who wish to move to council owned accommodation. In particular the policy explains how management transfers are part of Choice Based Lettings and how those who qualify for a management transfer can bid for a property.

2.4 Dartford and Gravesham Crime and Disorder Reduction Partnership Community Safety Plan (2008-2011)

The Community Safety Plan outlines a number of priority areas which aim to make Dartford and Gravesham safer places. One of the priorities is to reduce violent crime, including sexual offences, and repeat incidents of domestic abuse. Where other methods may be ineffective in tackling such crime, management transfers can help to reduce the risk of further violence, either to a family or an individual, therefore helping to lower the number of reported violent crimes.

3. Eligibility

Applicants are eligible for a transfer if they are at imminent risk of harm, such as those suffering from domestic abuse, severe harassment or for households placed under the witness protection programme.

Dartford Borough Council and Housing Association tenants may qualify for management transfer however the transfer must be approved by their estate officer first.

3.1 Ineligibility

The Choice Based Letting Policy makes applicants ineligible for a transfer under certain circumstances as listed below. ***However a management transfer will not be refused if this puts the applicant's safety at risk.***

- Applicants who have a history of rent or other debt still owing to the Council or any Private Sector Landlord (applicants may be asked to settle their debt before a transfer is granted).
- Applicants, whose property is not in an acceptable state of decoration and cleanliness, bearing in mind the need to meet the conditions set out in the Tenancy Agreement.

- Applicants with a history of behaviour which affects their suitability to be a tenant. This will include applicants where they, or a person living in their household, have a history of anti-social behaviour, threatening or violent behaviour and/or damage to their own or other's property.

Applications from owner occupiers or former owner occupiers who have a capital asset will not be able to bid for a property until their circumstances are such that they fall within one or more of the reasonable preference categories.

4. Access to Management Transfers

Those requesting a management transfer must contact their Housing Officer. They will be required to fill in an Initial Inquiry Form which is available in a number of languages on request. Applicants may nominate a friend, relative or advocacy worker from an appropriate agency to apply on their behalf or they can contact the Housing Options and Advice Section of the Council where a Housing Advisor will be pleased to assist in making an application.

Applicants will also be asked to supply contact details from an independent agency, such as Social Services, Disability Team, Elderly Care, Police (above the rank of constable), Domestic Abuse Unit or a Hospital Consultant. Agencies will be contacted to provide supporting evidence for the management transfer. In some cases the Housing Officer will need to apply for a Police disclosure.

All information shared will comply with guidelines set by the Kent and Medway Information Exchange Protocol, which stipulates that information shared must be proportionate, relevant, accurate, up to date, the minimum necessary and only used for the specific purpose for which it is being shared. Information will not be shared where disclosure would prejudice ongoing proceedings or sensitive cases unless there is an overriding public safety requirement to do so.

5. Procedure

How a Management Transfer decision is made

Once an application form has been submitted and the evidence has been verified by the disclosure or appropriate agency, a panel of senior officers, including the relevant Senior Housing Officer and the Housing Manager will decide upon the action to be taken and will consider the full implications of the transfer ensuring that the applicant's needs are taken into account.

The panel will make every effort to resolve the situation without having to move the applicant, and may use a range of legal remedies, such as Exclusion Orders, Possession proceedings and Anti Social Behaviour Orders (ASBO'S). If a management transfer is the only option the Housing Manager and the Head of Housing will authorise the management transfer.

Access to temporary accommodation

In extreme cases where it is dangerous for the applicant to remain in their current home whilst they wait for a management transfer, there may be a need for temporary accommodation to be arranged. This will only be permitted with the authorisation of a Senior Housing Officer, or in their absence, the Housing Manager as sanctioned by the Head of Housing.

The applicant's situation will be reviewed weekly to ensure that they either bid for, or are made aware of properties they are eligible to bid for, while they remain in temporary accommodation. Additionally the Management Information Officer will send a list detailing the applicants who are still awaiting a transfer the Housing Manager will review this list frequently.

Throughout the management transfer process Housing services will work with other agencies to seek to ensure the safety of the victim.

Obtaining a Management Transfer

Once a management transfer has been agreed, then the applicant is able to bid for a property under the Choice Based Letting scheme (see Choice Based Lettings Policy for more details).

At the same time as the applicant is bidding for a property, the Council will also actively seek accommodation outside of the banding system.¹ Therefore management transfer applicants can be housed by either

1) Expressing a successful interest in a property

Or:

2) The Council making a direct offer of accommodation

Applicants will only be able to bid for properties that are comparable to their previous property, for instance if the applicant leaves a 1 bedroom flat, they will be transferred to a 1 bedroom flat, although they may be able to move to a smaller property and thus benefit from the Downsize for Cash Scheme.

If the management transfer applicant has fled their property they are still responsible for their tenancy, including upkeep and payment of rent up until the time the tenancy is legally ended.

Applicants can choose to end their tenancy once they have received notification of the Management Transfer. If a tenant chooses to do this they must pay their utility bills (up to the time they leave the property), and are responsible for the storage of their possessions in the intermediary period between releasing their tenancy and taking up a new one.

6. Notification Process

Tenants will be notified in writing whether or not a management transfer has been agreed.

If our Management Transfer list shows that after 3 months, eligible transfer applicants have still not obtained a property, we will review their case and advise them accordingly.

¹ Choice Based Lettings Policy 2008 Section 10.6