



# HOUSING MANAGEMENT TRANSFER POLICY

This Housing Management Transfer Policy sets out Dartford Borough Council's approach to housing management transfers for Council tenants.

October 2023

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## 1. INTRODUCTION

- 1.1. This Housing Management Transfer Policy (the 'Policy') sets out Dartford Borough Council's ('the Council's') approach to housing management transfers for Council tenants. A management transfer is where an urgent managed move is agreed on the basis that a Council tenant is not safe to remain in their current home due to reasons of domestic abuse, violence, harassment, intimidation, hate crime, or threats of violence likely to be carried out or other urgent management reason.
- 1.2. For housing association tenants, their landlord may have their own scheme for initiating management transfers within their housing stock, or may use the Council's housing allocations scheme to request a transfer. For households living in the private sector, the homelessness application process and/or housing allocations scheme is available to assist in re-housing.
- 1.3. This Policy does not cover moves outside of the borough. Where a move out of the borough is requested or considered to be required, a reciprocal move may be arranged with the authority for the area that the tenant wishes to move to. The Council does not have any influence over the decision made by the receiving authority. The Council is signatory to the Kent High Priority Rehousing Reciprocal Scheme and the Kent Domestic Abuse Reciprocal Scheme which covers such moves.
- 1.4. This Policy does not cover managed moves due to major works required to a property that cannot be reasonably carried out with the tenant in occupation, or the property needs to be demolished, redeveloped or re-designated. Such managed moves are covered under the Council's [Decant Policy](#).

## 2. STRATEGIC CONTEXT

- 2.1. This Policy fulfils the Council's [Corporate Plan](#) aims of 'making Dartford a place of quality, choice and safety. A place where great communities, concern for the environment and a successful economy support people who want to live, work and enjoy leisure time'. Management transfers also play a crucial role in other Council strategies and policies.

### 2.2. Homelessness and Rough Sleeping Strategy

The overarching aim of the [Homelessness and Rough Sleeping Strategy](#) is to set out the Council's strategic approach to preventing and relieving homelessness in the borough. If a person is not safe in their home due to a risk or threat of violence they can make a homeless application. Priority need is given to various categories of applicant, including:

- A person who is homeless as a result of that person being a victim of domestic abuse.
- A person who is vulnerable as a result of ceasing to occupy accommodation because of violence from another person or threats of violence from another person which are likely to be carried out.

Management transfers prevent homelessness by removing tenants from areas where they may face risk or threat of violence and by providing tenants who may have fled their home due to violence, with a permanent address.

### **2.3. Community Safety Strategy**

The [Community Safety Strategy](#) outlines a number of priority areas which aim to make Dartford a safer place to live. One of the priorities is to reduce violent crime, including violence against women and girls (VAWG) and domestic abuse. While the strategy focuses on tackling the criminal aspect of violent 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.

### **2.4. Housing Allocations' Policy**

The [Housing Allocations Policy](#) explains the criteria and procedures the Council uses to prioritise applicants for social housing. Under this policy, applicants who need to move under a management transfer will be placed into Band A (high priority) with a caveat that only one suitable offer will be made for this elevated band.

### **2.5. Anti-Social Behaviour Policy**

The [Anti-Social Behaviour Policy](#) outlines the approach the Council takes to tackle conduct that has caused, or is likely to cause, harassment, alarm or distress to a person. Management transfers may be required where a tenant needs to move due to violence, harassment, intimidation, or threats of violence likely to be carried out due to serious anti-social behaviour and crime, including hate crime.

### **2.6. Vulnerable Adults' Housing Policy**

Vulnerable people can be disproportionately affected by crime and anti-social behaviour. Criminals are known to target and exploit vulnerable people who may be unable to protect themselves from harm. The [Vulnerable Adults' Housing Policy](#) explains how vulnerable adults, who use the Housing Service, are identified; can gain access to services; how the service will adapt to their needs; the safeguards which are in place to protect vulnerable adults; and, how Housing Services staff will signpost and refer vulnerable adults to other organisations when they require additional support.

### **2.7. Safeguarding Policy**

The [Safeguarding Policy](#) sets out the procedures that will be followed when there are concerns or allegations of abuse or neglect towards a child or adult at risk.

### **3. APPLYING FOR A MANAGEMENT TRANSFER**

- 3.1. Requests for a management transfer should be made to a Housing Officer within the Tenancy Services Team. Applicants are required to complete an Initial Inquiry Form which is available in a number of languages or alternative formats on request. Telephone and face-to-face language interpreting and British Sign Language interpreting services can also be provided upon 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 Solutions & Private Sector Team who will be pleased to assist in making an application.
- 3.2. Applicants will need 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.
- 3.3. Management transfers may also be initiated through the Complex Case Panel. This joint panel between the Tenancy Services and Housing Solutions & Private Sector Teams meets monthly to work together to put in place plans for Council tenants with complex needs who may be at risk of homelessness. The aim is to resolve and support tenants into improving their situation and remain in their tenancy or to explore alternative housing solutions, such as management transfers, where remaining in their current accommodations puts them at personal risk.
- 3.4. Once a request for a management transfer has been made, the Council will write to the applicant within 5 working days setting out the evidence or additional information that is required to support their application. If an applicant fails to provide the evidence or other information reasonably required by the Council in order to process the application within 10 working days, the request will be cancelled.

### **4. HOW A MANAGEMENT TRANSFER DECISION IS MADE**

- 4.1. Once an application for a management transfer 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 Tenancy Services 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.
- 4.2. While supporting evidence from agencies will be considered as part of the management transfer application process, the final decision on whether to approve the management transfer rests with the Council.
- 4.3. 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 all its available powers to deal with domestic abuse, hate crime and anti-social behaviour. If a management transfer is the only option, the Tenancy Services Manager and the Head of Housing will authorise the transfer.

## 5. ACCESS TO TEMPORARY ACCOMMODATION

- 5.1. In extreme cases where it is dangerous for the applicant to remain in their current home whilst they wait for a management transfer, temporary accommodation may be offered. This will only be permitted with the authorisation of a Senior Housing Officer, or in their absence, the Tenancy Services Manager; authorised by the Head of Housing.
- 5.2. Whilst in temporary accommodation, 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.

## 6. SAFETY AND SUPPORT

- 6.1. Throughout the management transfer process the Housing Service will work with the relevant agencies to help ensure the safety of the victim.
- 6.2. Management transfers are part of a multi-agency response to residents at risk of violence, harassment and intimidation. As well as using management transfers as one form of housing option, tenants will have their wider needs assessed and be provided with all necessary support and/or referred to specialist support services as required. For example, high risk victims and survivors of domestic abuse will be referred to the Multi-Agency Risk Assessment Conference (MARAC) and specialist domestic abuse services.
- 6.3. Where a child or an adult with care and support needs is at risk of harm due to violence, harassment, intimidation, or threats of violence likely to be carried out, a child and/or adult, a safeguarding referral will be made in accordance with the Council's [Safeguarding Policy](#).

## 7. OBTAINING A MANAGEMENT TRANSFER

- 7.1. Applicants will be notified in writing whether or not a management transfer has been agreed. If an applicant does not already have an active and verified housing register application, they will be asked to complete and submit one. Once a management transfer has been agreed, then the applicant may bid for a property using Kent Homechoice. This will depend upon the terms of the management transfer and their bedroom need.
- 7.2. At the same time as the applicant is bidding for a property, the Council will also actively seek accommodation outside of the Housing Allocations Policy. Therefore management transfer applicants can be housed by either:
  - a) Expressing a successful interest in a property, or
  - b) The Council making a direct offer of accommodation.
- 7.3. The Council will normally only make **one** direct offer of accommodation, including bidding through Kent Homechoice. This is to ensure that an applicants' urgent housing needs are met as quickly as possible.

- 7.4. Applicants will only be able to bid for properties that are the same size and type as currently occupied unless there are exceptional circumstances or there is a need for smaller accommodation. If applicants are vacating a larger property for a smaller one, they may benefit from the [Downsize for Cash Scheme](#).
- 7.5. In accordance with section 79 of the Domestic Abuse Act 2021, where the Council grants a new tenancy to a victim of domestic abuse who has or had a secure lifetime tenancy, the tenancy offered will also be a secure lifetime tenancy; as specified in the Council's [Tenancy Policy](#).
- 7.6. If an applicant has fled the property they are still responsible for the tenancy, including upkeep and payment of rent up until the time the tenancy is legally ended. Where an applicant has accrued rent arrears, the presence of rent arrears will not be a reason to refuse a management transfer request. However, the Council will carefully consider the circumstances in which the arrears accrued and the options for arrears recovery in line with the [Rent Arrears Policy](#).
- 7.7. Applicants can choose to end the tenancy once they have received notification of the management transfer. If a tenant chooses to do this they must pay the utility bills (up to the time they leave the property), and are responsible for the storage of possessions in the intermediary period between releasing the tenancy and taking up a new one.
- 7.8. Some applicants may have been on the housing register prior to their management transfer for other re-housing reasons, for example an overcrowding need. As a management transfer move is to a property that is the same size and type as currently occupied, such applicants will need to submit a new housing register application once the management transfer move has been completed. The housing register application must be submitted within 28 days of the management transfer move taking place in order to be backdated to the original application date and banding.

## **8. REQUESTING A REVIEW OF THE SUITABILITY OF AN OFFER OF ACCOMMODATION**

- 8.1. If an applicant refuses a direct offer or a successful bid of accommodation, the applicant may request a review of the offer. The request may be made at the time of viewing the property or no later than two days of the viewing. If no request for a review is made, the management transfer status will end and no further offer will be made on this basis.
- 8.2. Any request for a review must be made in writing and clearly set out the reasons why an applicant disagrees with the Council's decision on the suitability of the accommodation. A form will be provided at the viewing for this purpose.
- 8.3. Formal reviews will be conducted by a team leader or manager within the Council's Housing Service, with no previous involvement in the case, who will notify the applicant of the outcome of the review, including the reasons for their decision. During this process, the Council may seek any further information it requires, including advice from medical and other specialist advisors, if necessary.



- 8.4. If, based on the evidence submitted by the applicant, the Council concludes that the applicants' reasons for refusal of the offer of suitable accommodation are not valid, the applicant will be given five further days to reconsider the offer. If the offer is still not accepted, the offer of accommodation will be withdrawn and the management transfer status will end.

## **9. COMPLAINTS**

- 9.1. If an applicant is not satisfied with the service they have received regarding the way the Housing Service has dealt with their management transfer application, the Council's [Corporate Complaints Procedure](#) can be followed. Complaints leaflets are also available from the Council offices.
- 9.2. The [Housing Ombudsman](#) can be contacted if further advice and support is needed on making a complaint to the Council.

## **10. DATA PROTECTION**

- 10.1. The Data Protection Act 2018 and the UK GDPR regulate the processing of information relating to individuals, which includes the obtaining, holding, using or disclosing of such information.
- 10.2. The Council needs to collect and use certain types of information about its service users in order to carry out its everyday business and to fulfil its objectives and its statutory functions.

The Council's:

- [Data Protection Policy](#) sets out how it will protect special category and criminal convictions personal data; and
  - The [Housing Services \(Landlord and Tenant\) Privacy Notice](#) explains that the Council collects personal information to administer these services.
- 10.3. The Council is signed up to the [Kent and Medway Information Sharing Agreement](#) and will abide by the conditions set out in this document that applies to all Council directorates. The Agreement ensures that appropriate information is securely exchanged between the agencies when dealing with management transfer cases, and that such information is used appropriately in accordance with the Data Protection Act 2018, UK GDPR, and the Human Rights Act 1998.
- 10.4. The Council will treat all information received with the strictest of confidence wherever possible. Information relating to management transfer cases may however be shared with other agencies for lawful purposes such as the purpose of preventing domestic abuse, anti-social behaviour, crime or if there is a safeguarding concern.

## **11. EQUALITY AND DIVERSITY**

- 11.1. The Council is committed to welcoming and valuing diversity, promoting equality of opportunity and tackling unlawful discrimination in accordance with the Equality Act 2010. The Council, in delivering this policy, will have regard to the Public Sector Equality Duty and ensure that no individual is discriminated against based on their sex, sexual orientation, marital status, pregnancy and maternity, gender reassignment, race, religion, belief, disability or age.
- 11.2. The Public Sector Equality Duty is a duty on the Council and that responsibility cannot be delegated to a contractor/service provider and is a continuing duty.
- 11.3. A Customer Access Review has been undertaken to assess the impact this policy will have on affected persons with protected characteristics. The review concluded there were no known circumstances of a negative equality impact.

## **12. REVIEW**

- 12.1. This Policy will be reviewed every three years, or sooner, in the event of major legislative or operational changes.