

Housing Services Management Transfer Policy

Department	Housing Services
Responsible Person	Director of Housing
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1. Definitions

NTQ	Notice to Quit
CBL	Choice Based Lettings

2. Legislative Framework

The Housing Act 1985.

3. The Policy

- 3.1 The London Borough of Barking and Dagenham (the council) are committed to housing those in greatest need. In some circumstances tenants may require urgent rehousing due to serious threats or property-related risks. These are referred to as a Management Transfer. Management Transfers are not standard practice and must be justified by compelling evidence, as they override the standard allocation process and impact housing resources.
- 3.2 Each case will be assessed individually, with decisions made by a panel consisting of senior housing managers and monitored for consistency and fairness.
- 3.3 Approving management transfer awards a higher priority transfer status to a council tenant because of the tenant's exceptional circumstances which requires the tenant to move urgently out of their home. It is not designed as an alternative route to the transfer process.

4. Aims and Objectives

- 4.1 The aim of this policy is to ensure that tenants of the Council who are facing exceptional and urgent circumstances are considered for rehousing outside of the standard Choice Based Lettings (CBL) process. The objectives are to:
 - Provide a clear and fair framework for assessing requests for management transfers.
 - Prioritise tenant safety, health, and wellbeing in cases of serious risk or property-related hazards.
 - Minimise deviations from the housing allocations policy while responding appropriately to emergencies.

- Ensure decisions are evidence-based, consistent, and subject to monitoring and review. Evidence may include Police reports, safeguarding referrals, medical documentation, or support from relevant agencies.
- Balance the urgent needs of individuals with the wider demand for social housing.

5. Criteria for a Management Transfer

5.1 Management Transfers may be approved under the following circumstances:

Threat to Life or Limb: A transfer may be considered where there is a credible and immediate risk of physical harm to the tenant and/or their household members. This includes:

- Verified threats of violence or assault.
- Domestic abuse.
- Severe anti-social behaviour, involving harassment and/or intimidation.
- Escalating incidents suggesting a serious assault is likely.

The Council will seek to take action against the perpetrator(s) in most cases using available legal and tenancy enforcement powers. A transfer will not be seen as a substitute for addressing the behaviour, and efforts will be made to ensure the safety and stability of affected tenants while holding perpetrators accountable.

Property Issues Impacting Safety or Habitability: A transfer may be approved where the property presents a serious risk to health or safety, including:

a. Fire or Flood Damage

- The property has been damaged by fire or flood to the extent that it is unsafe or uninhabitable.
- Repairs cannot be completed with the tenant in occupation.

b. Damp, Mould, or Structural Defects

- Severe damp or mould that poses a health risk, especially to vulnerable tenants (e.g. children, elderly, or those with respiratory conditions).
- Structural issues that compromise the safety or stability of the property.

- Where remedial works are extensive and cannot be conducted with the tenant in residence.

Council's interest: Please refer to the Allocations Policy for applications under this part.

6. Supporting Evidence

- 6.1 Where the tenant can supply supporting information and/or evidence to support their request, officers are required to give due consideration to them. However, the onus must not be placed on the tenant to supply the information required to support the request for management transfer.
- 6.2 Officers are required to use all available resources to obtain relevant information needed to conduct adequate assessment of the request. In so doing, they should consult with all relevant agencies e.g. Repairs, Police, Adult/Children Services etc, where relevant.

7. Temporary Management Transfer for Repairs

- 7.1 In circumstances where tenants must be relocated to facilitate essential repairs within a reasonable timeframe, the panel reserves the right, at its discretion, to approve a temporary placement in alternative accommodation. This may involve placing the tenant in alternative accommodation such as a hotel, hostel, or vacant dwelling under a licence agreement. The tenant will be expected to return to their tenancy upon completion of the repair works.

8. Timeline for Permanent Management transfer

- 8.1 A management transfer is only awarded upon acknowledgement that there is an identified risk for a tenant to remain in their property and that a move is required.
- 8.2 Once a management transfer has been agreed, the tenant will be required to submit a Notice to Quit (NTQ) (four weeks' notice) which closes the tenancy of their previous home.
- 8.3 The level of risk determines what action will be taken such as installing equipment and safety measures into the tenant's existing property to mitigate risks, serving of a non-molestation order, or moving the tenant to alternative accommodation.
- 8.4 All new management transfer cases are reviewed fortnightly by the Management Transfer Panel which is chaired by the Service Lead Housing and Neighbourhoods.

- 8.5 Ongoing Management Transfer Cases which have been agreed by the Management Transfer Panel are then monitored by Housing Managers.

9. Areas of Choice

- 9.1 Tenants should be given the opportunity to choose their preferred areas and within reason, exclude certain areas where they might feel threatened. Where the choices and exclusions significantly reduce the possibility of re-housing within six months, officers should use their discretion and add other areas.
- 9.2 The safety of tenants is of paramount importance, and they should not be re-housed within the same area where there is a risk of violence. If a tenant insists on being offered alternative accommodation in the same area, then the reason for a management transfer is questionable and, in these instances, they should be advised and assisted to obtain the legal remedies available to ensure their safety in their current home.

10. Police Advice on Safety Within the Borough

- 10.1 Where supporting information is provided by the Police indicating that it is not safe for the applicant or their household to remain within the borough due to risks such as threats, harassment, or violence, the Council will consider a management transfer. However, it is important to note that the Council does not have control over housing allocations in other boroughs, which also face high demand and competing priorities.
- 10.2 Tenants wishing to relocate outside the borough will need to make their own approach to the relevant local authority. In such cases, the Council will support the household by offering alternative housing options, which may include access to private rented accommodation, mutual exchange schemes, or platforms such as Homeswapper, an organisation that provides social housing outside of London.
- 10.3 Should the tenant decide to remain in the borough against the advice of the Police, the Council will still consider the request for rehousing. However, the risks and implications of this decision must be clearly reiterated to the tenant and documented as part of the case assessment.

11. Rent Arrears/History of Arrears

- 11.1 The safety of the tenant and their household is of paramount importance and should supersede any arrears issues. This should not therefore be a reason to refuse a management transfer request. Having said that, an arrangement must be reached with the tenant, before they move on paying whatever arrears they have at their new address.

12. Action against the cause of the move

- 12.1 With every decision made to award a management transfer status on the grounds of personal safety, there should be a clear action plan against the perpetrator/s because, unless the problem is resolved, new tenants could be subjected to the same violence/harassment. In cases of domestic abuse and where the survivor is a joint tenant of the property, a NTQ will be required from the survivor unilaterally ending the tenancy for both. Upon expiry of the Notice should the person remain in situ the account will be placed on a Use and Occupation account, and action to recover possession will commence.

13. Decision Making

- 13.1 The decision to award a management transfer must be taken with regard to the Housing scheme of delegation.

14. Refusal of Management Transfer

- 14.1 Any refusal of a management transfer request will be communicated in writing and will include details of the right to appeal. Appeals must be submitted within 14 calendar days from the date of the refusal letter. All appeals will be reviewed by a senior manager who has had no prior involvement with the original decision-making panel, ensuring impartial consideration.

15. Equality Impact

- 15.1 Applying this policy consistently and sensitively will ensure that all tenants and their household members in Council owned homes who have protected characteristics and/or are deemed vulnerable for other reasons receive services that are based on a recognition of their vulnerability. The Council will make all appropriate adjustments to the services they receive in order to mitigate any potential negative impacts on them and to ensure they receive fair and equal treatment from the Council as their landlord.