



Department for
Communities and
Local Government

Social Housing Choice Framework

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February 2013

ISBN: 978-1-4098-3805-0

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Social Housing: what choices do I have?

Social housing provides homes at below market rents for nearly four million (or one in five) households in England.

As a social housing tenant you may have the opportunity to make choices in a number of areas, including:

- Choosing to move home,
- Choosing to buy your home at a discounted price,
- Choosing to take responsibility for how your home is managed and owned,
- Choosing to be involved in the repair and maintenance of your home.

This guide covers:

- when you have choices about social housing,
- where to get more information to help you choose,
- how to complain if you are not offered a choice.

Choices about social housing

Choosing where you live and the type of house you live in	
<p>What choices do I have?</p>	<p>If you live in a council or housing association property and want to move house, you can swap your home with another council or housing association tenant.</p> <p><i>HomeSwap Direct</i>, the national home swap scheme, links together four internet-based providers of mutual exchange services (HomeSwapper, House Exchange, Abritas and LHS (Locata)) to make it easier for you to see details of every available property across the country.</p> <p>You can choose homes suited to your needs across the whole of the UK, not just those on the website subscribed to by your current landlord.</p>
<p>Is this a legal right?</p>	<p>A new Tenancy Standard came into force on 1 April 2012 and places a requirement on social landlords in England to subscribe to an internet-based mutual exchange service, which participates in a service such as <i>HomeSwap Direct</i>. This means all tenants will be able to register for free.</p> <p>The Standard also requires social landlords to provide adequate support for tenants who do not have internet access so that they can share the benefits of <i>HomeSwap Direct</i>.</p>
<p>When am I not able to make a choice?</p>	<p>If you currently live in council housing it is likely that you have a secure tenancy. Secure tenants have a statutory right to exchange their property. You must follow certain rules and get permission from your landlord.</p> <p>Reasons why a mutual exchange may be refused include if</p> <ul style="list-style-type: none"> • One of the tenants is in rent arrears or under notice to leave, • A property is too big or too small for the people intending to occupy it, or • One of the properties is designated for elderly

	<p>or disabled persons.</p> <p>If you are a tenant of a housing association, it is likely that you have an assured tenancy. An assured tenant's right to assign their tenancy to another person is determined by the tenancy agreement. It would be for the individual landlord to determine their criteria for allowing a mutual exchange, but if a landlord has given their tenant a contractual right to assign they are unable to withhold consent unreasonably.</p>
Who is responsible for offering me this choice?	Your landlord will be able to tell you how you can register on <i>HomeSwap Direct</i> for free.
Where can I get information and support to help me choose?	<p>To apply to swap your home and for further information on <i>HomeSwap Direct</i>, search with your postcode on https://www.gov.uk/apply-swap-homes-council or contact your landlord</p> <p>Providers of mutual exchange services provide information on searching for a new home: http://www.homeswapper.co.uk/ http://www.houseexchange.org.uk/ http://www.abritas.co.uk/housing-options-mobility/mutual-exchange.aspx http://www.locata.org.uk/</p>

Choosing to buy your home	
What choices do I have?	<p>You have a right to apply to buy your social home and obtain a discount of up to £75,000.</p> <p>You can choose to make a joint application with someone who shares your tenancy or up to 3 family members who have lived with you in the last 12 months.</p>
Is this a legal right?	<p>Yes, but there are times when you may not be eligible to take up this right. You probably have the right if you:</p> <ul style="list-style-type: none"> • are living in a council property, and • have been a council or housing association tenant for at least 5 years. <p>If your home used to be owned by the council, but they sold it to another landlord (like a housing association) while you were living in it, you may still have the Right to Buy. This is called 'Preserved Right to Buy'.</p>
When am I not able to make a choice?	<p>You can only apply to buy your social home if:</p> <ul style="list-style-type: none"> • it is your only or main home, • it is self-contained, • you are a secure tenant, • you have had a public sector landlord (e.g. a council, housing association or NHS trust) for 5 years - it doesn't have to be 5 years in a row. <p>Some properties are exempt from Right to Buy, i.e. property which is designed specifically as sheltered housing or for disabled people.</p>
Who is responsible for offering me this choice?	<p>Your landlord must tell you whether you have the Right to Buy within 4 weeks of getting your application (8 weeks if they have been your landlord for less than 5 years). If your landlord says no, they must say why.</p> <p>Once you get your landlord's reply, you have 12</p>

	<p>weeks to tell them that you still want to buy.</p> <p>Your landlord then has 8 weeks (12 if you live in a flat) to send you an offer notice (S125), setting out the property value, discount, price you will pay, any structural problems they know about and terms and conditions. For leasehold properties, the landlord will send an estimate of service charges over the next 5 years.</p> <p>If you don't reply within 3 months, the landlord will send you a reminder. You have 28 days to reply to the reminder, or the landlord could drop your application.</p> <p>You can pull out of the sale and continue to rent at any time.</p>
<p>Where can I get information and support to help me choose?</p>	<p>You can find more information on Right to Buy on www.righttobuy.communities.gov.uk</p> <p>You may also want to look at the Right to Buy Facebook page at www.facebook.com/righttobuy</p>

Choosing to take responsibility for how your home is managed	
What choices do I have?	<p>If you are a local authority tenant, you have a Right to Manage. This means you have the choice to take over responsibility for managing housing services from your landlord by grouping together with other tenants to form a Tenant Management Organisation and following the established Right to Manage procedures.</p> <p>Additionally, if you are a local authority or housing association tenant, you can ask your landlord to enter into a voluntary agreement about the management of housing services through a local management agreement.</p>
Is this a legal right?	<p>Yes. Under the terms of the Housing Act 1994, local authority tenants can exercise their Right to Manage.</p> <p>There is no legal right for local authority or housing association tenants to enter into a voluntary management agreement with their landlord.</p>
When am I not able to make a choice?	<p>You will need to work with other tenants in your area to decide the housing services that you wish to manage, and the homes covered as part of the Right to Manage. You will also need to engage with other residents to secure support for your plans, and demonstrate that you are competent to manage housing services.</p>
Who is responsible for offering me this choice?	<p>The Right to Manage is a statutory right. The landlord's consent is not required, nor is any order of court.</p> <p>Social housing tenants can enter into a voluntary management agreement with the consent of the landlord.</p>
Where can I get information and support to help me choose?	<p>The National Federation of Tenant Management Organisations offers information and advice about the Right to Manage and voluntary management</p>

	<p>agreements: http://www.nftmo.com/</p> <p>You can also email tenantempowerment@communities.gsi.gov.uk</p>
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Choosing to be involved in the repair and maintenance of your home	
What choices do I have?	<p>You can choose to take on the management of services, such as maintenance and repairs.</p> <p>Community Cashback gives you the chance to play a bigger role in your community by grouping together to manage small scale communal services. If you deliver an efficient service you will be able to invest any savings in other community projects. Small grants may be available to support tenant groups in getting started.</p> <p>With Tenant Cashback you are able to influence and be involved in repairs and maintenance. Some landlords are piloting tenant cashback where you can take control of the repair budget, for example to carry out your own DIY, and you can then share in any savings made.</p>
Is this a legal right?	<p>A new Tenant Involvement and Empowerment Standard came into force on 1 April 2012 which places a requirement on social landlords in England to involve tenants in the management of repairs and maintenance.</p>
When am I not able to make a choice?	<p>You will need to work in partnership with your landlords and other tenants to decide what is suitable for your area. Cashback schemes come with a great deal of flexibility so that you can find models that suit your local circumstances.</p>
Who is responsible for offering me this choice?	<p>Your landlord will be able to tell you what opportunities already exist for tenant involvement. It may also be helpful to build support among other tenants and tenant groups before approaching your landlord.</p>
Where can I get information and support to help me choose?	<p>For general information on social housing and tenant empowerment opportunities you can visit www.gov.uk/government/policies/improving-the-rented-housing-sector-2 Or</p>

www.gov.uk/browse/housing/council-housing-association

For the most up to date information on activities to promote tenant empowerment you can follow DCLG's official page at:

<https://twitter.com/tenantpower>

Your landlord will be able to give you more information on any of these choices.

What can I do if I am not offered these choices?

If you are not satisfied with the service you have received you can complain to your landlord using their complaints procedure. You can ask your landlord to send you details of how to complain or details may be on their website.

If you are unable to resolve your complaint with your landlord you may wish to consider taking the matter up with the Housing Ombudsman if your landlord is a Housing Association:

- visit www.housing-ombudsman.org.uk
- Phone 0300 111 3000
- Email info@housing-ombudsman.org.uk

Or with the Local Government Ombudsman if your landlord is a Local Authority:

- Visit www.lgo.org.uk
- Phone 0300 061 0614 or 0845 602 1983
- Email advice@lgo.org.uk
- Text '**call back**' with your name and your mobile number to 0762 480 4299

From 1 April 2013 the Housing Ombudsman will deal with complaints from both Housing Association and Local Government tenants.