



Severe Overcrowding Policy

Policy Control

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Owner	Carl Tring-Willis
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1.0 Scope and Applicability

1.1 This policy applies to existing tenants living in homes owned by Derby City Council and managed by Derby Homes. It sets out how Derby Homes will identify, assess, and respond to cases of severe overcrowding within Derby City Council's housing stock, and how it will work in partnership with the Council to ensure that homes remain safe, healthy, and fit for occupation.

2.0 Background

2.1 Statutory overcrowding in England is defined under Part X of the *Housing Act 1985*. A dwelling is considered statutorily overcrowded if it fails either the space standard or the room standard. These standards have remained largely unchanged since 1935 and are based on outdated measures. Consequently, many homes that feel cramped or unsuitable may not meet the legal definition of statutory overcrowding.

3.0 Policy Aim

3.1 The aim of this policy is to identify households living in Derby City Council-owned homes, managed by Derby Homes, which are experiencing severe overcrowding, and to ensure that these homes are safe and healthy. Where health or safety concerns are identified, Derby Homes will take action to address them in line with its management responsibilities.

3.2 In accordance with Derby City Council's Allocations Policy (2020 - 2028) and the Council's statutory duties under Part 6 of the Housing Act 1996 (as amended), severe overcrowding is defined as a situation where a household is lacking two or more bedrooms.

3.3 To enable Derby Homes to focus resources on households experiencing the most severe overcrowding, households must meet the definition of severe overcrowding as defined in the Allocations Policy and be lacking three bed spaces or more.

4.0 Identification of Severely Overcrowded Households

4.1 Derby Homes will use the 'Severe Overcrowding Report' to identify households that meet the criteria as defined in this policy.

5.0 Actions Following Identification

5.1 When a household is identified as severely overcrowded, Derby Homes will first verify that tenancy records are accurate. If the criteria remain applicable, Derby Homes will arrange a visit to the household.

5.2 During the visit, staff will discuss with the tenant the full range of housing and support options available, including:

- Registering or updating applications on Derby Homefinder to bid for larger accommodation in line with the Council's Allocations Policy.
- Encouraging household members able to live independently to explore alternative housing options.
- Promoting mutual exchanges with other tenants to secure more appropriately sized homes.
- Exploring the private rented sector, where feasible and affordable, as an alternative route to larger accommodation.

5.3 Derby Homes staff will carry out a Home Fire Safety Check, using the national framework developed by the *National Fire Chiefs Council*, *Fire Kills*, and *Safelincs*. This involves inspecting each room for potential fire hazards and producing a personalised fire safety action plan for the tenant.

5.4 Where household members are using non-bedroom spaces (e.g., living rooms) for sleeping, Derby Homes will ensure such arrangements are safe — particularly in relation to gas appliances, ventilation, and escape routes.

5.5 Where risks or property deficiencies are identified, Derby Homes will seek advice from relevant specialists (e.g., Fire Safety Officer, Repairs and Maintenance teams). Where necessary, remedial actions may include installing smoke detectors, ensuring safe electrical capacity, or improving escape provisions.

5.6 A Keeping in Touch Survey will be completed during the visit to help identify health and safety concerns such as damp, mould, or required repairs. Derby Homes may also offer referrals to support services such as *Livewell* or to its *Intensive Housing Management Team* where additional tenancy support may be beneficial.

5.7 Derby Homes will maintain a register of severely overcrowded households within Derby City Council's housing stock. Each household will be reviewed annually to monitor progress and ongoing safety.

6.0 Helping to Release Larger Homes

6.1 Derby Homes works in partnership with Derby City Council to make best use of the Council's housing stock.

6.2 Derby Homes will identify households under-occupying by two or more bedrooms and will contact these tenants to inform them of rightsizing initiatives and highlight the benefits of moving, such as reduced energy costs and easier property maintenance, whilst freeing up larger properties for overcrowded families.

7.0 Monitoring and Review

7.1 This policy will be reviewed every three years or earlier if there are significant changes in legislation, government guidance, or the Derby City Council Allocations Policy.

7.2 The Housing Services Management Team within Derby Homes will oversee the policy's implementation on behalf of Derby City Council. The team will monitor outcomes, review cases annually, and ensure the policy continues to reflect best practice and statutory requirements.

8.0 References

- Housing Act 1985 (Part X) – Statutory Overcrowding Standards
- Housing Act 1996 (Part VI) – Allocation of Housing Accommodation
- Derby City Council Allocations Policy (2023)
- Department for Levelling Up, Housing and Communities (DLUHC) – Statutory Guidance on Social Housing Allocations (2023)