

Local Government &
Social Care
OMBUDSMAN

Housing allocations for Disabled people



*Guide for
practitioners*

July 2025

Introduction

This guide forms part of a suite of documents and resources to help council practitioners make good decisions on housing services for Disabled people.

In the complaints we investigate on this subject, we have seen Disabled people suffering additional injustice simply because of their disability.

We appreciate many of the problems councils face in meeting their duties to Disabled people are caused by a national housing crisis.

But some of the injustice we find could be avoided. Often this comes down to getting the basics of good administration right. This guide will help with this.

Visit [our website](#) to find other documents and resources in this series.

About our good practice guides

Our series of good practice guides share the learning from our investigations on chosen topics, to help practitioners in councils and local service providers make better decisions.

We choose the topics based on where we find common faults, emerging issues or when promoting our findings can help to prevent future injustice.

The guides use summaries of our investigation decisions to highlight common problems, suggest good practice tips based on where things have gone wrong, as well as explain to practitioners our approach to handling complaints on the topics.



Key learning

Councils can improve Disabled people's experiences and avoid adding to the injustice caused by the shortage of suitable housing, by getting the basics right.

In housing allocations, this means:

- > prioritising prompt and accurate assessments of applications for social housing and associated medical assessments
- > carrying out reviews promptly, and giving reasoned decisions which reference the relevant parts of the allocations scheme
- > making accountable decisions about medical priority which do not simply adopt the opinion of a third-party assessor, but reflect all the evidence and the allocations scheme
- > applying the allocations scheme to individual cases fairly and accurately and avoiding blanket claims of what the policy says without direct reference to those policies
- > ensuring housing and social services can work together to identify housing needs and share information



Common issues and complaints

Delay – processing, assessing, and reviewing

Our investigations often find councils at fault for not processing housing applications, completing medical assessments and carrying out reviews of decisions quickly enough.

This disproportionately affects Disabled people because the scarcity of suitable properties means they can remain in unsuitable accommodation

for significantly longer. Delay causes additional frustration and distress that could be avoided.

While there is no statutory timescale, we would normally expect your council to process applications and carry out reviews within eight weeks.



Zach's story

case ref: [22 007 825](#)

Zach applied to join the council's housing register and provided evidence to show his current accommodation was affecting his mental health. The council took three months to assess his application. It gave his application a Band 2 medical award.

Zach requested a review of the council's decision because he believed he should be awarded more priority. He provided medical information to be considered as part of the review, including a letter from his doctor saying he had difficulty using the stairs in his home. The council asked an Occupational Therapist (OT) to assess Zach's mobility. The assessment found Zach needed to move to accommodation suitable for his mobility needs.

It took the council around six months to complete the review. But the review did not consider the outcome of the OT's mobility assessment and so it took the council another month to do that.

Although the council decided Zach's application should remain on Band 2 after considering his mobility, our investigation found the delay in carrying out the review prevented Zach from bidding for suitable properties. Evidence showed he would likely have been offered a suitable property if he had been able to.

Putting it right

We asked the council to offer Zach the next suitable property he bid on. It also agreed to pay Zach to recognise the time he spent in unsuitable accommodation and the frustration and inconvenience he had to endure.



Common issues and complaints

Medical assessments

Councils usually require housing applicants to undertake a medical assessment to qualify for medical or welfare priority. Therefore, most housing applicants who are Disabled will undergo this process.

Your council, like many, may send medical assessments to a medical adviser to consider. However, the decision about priority is the council's responsibility.

Your council should not adopt the recommendation of a medical adviser without considering other information provided by the applicant.

Your council should have regard to all the available information when deciding a medical assessment and clearly explain its decision.

We have published more detailed [good practice tips](#) on this specific issue.



Yolande's story

Case ref: [22 014 655](#)

Yolande has a medical condition which affects her mobility. She lived in a third floor flat with no lift. She applied to join the council's housing register. Yolande provided medical information including a report from an Occupational Therapist recommending a move to a ground floor flat or one with a lift.

The council's medical assessor said Yolande did not provide sufficient evidence demonstrating her condition is made worse by her current home. The council said Yolande had no housing need and it would not include her on its housing register. Yolande asked for a review.

The review upheld the council's decision. The review did not explain why the Occupational Therapist report did not meet the criteria for Yolande to be awarded medical priority on the housing register.

Our investigation found the council failed to properly consider the Occupational Therapist report when making its decision.

Putting it right

We asked the council to complete a new assessment of Yolande's housing need. It also agreed to apologise to Yolande and pay her to recognise the avoidable distress it had caused.



Common issues and complaints

Allocations scheme

Allocations schemes can be long and complex, covering a variety of scenarios. But staff deciding priority on applications must be familiar with it.

Your council should have regard to its scheme when making decisions on allocating housing. This is vital where the scheme covers rare or unusual situations, such as those affecting Disabled people's housing needs.

Your council should avoid the “policy creep” that can happen when the detail of the scheme is lost to a more general view of “we don’t do that”. The scheme should allow sufficient discretion for your council to consider the circumstances of individual cases.



Judy's story

Case ref: [22 015 713](#)

Judy has severe and enduring mental health conditions and, as a result, she has care and support needs which vary daily.

Judy made a housing application. She asked the council to allow her to bid for two-bedroom properties despite its allocations policy saying that a household of one adult can normally only bid on one-bedroom properties. Judy said she needed an extra bedroom for her carer to support her when her needs were most severe.

The council's allocations scheme says that applicants can apply for an extra bedroom because of their medical or social needs. The scheme also gives guidelines for assessing requests for an additional bedroom for a carer to live in. It says that if the applicant does not need 24-hour care or intensive support, an additional bedroom would not normally be considered – but it will consider the supporting evidence and individual circumstances of each case.

The council refused Judy's request and said she needed to provide proof she needed a full-time live-in carer. Judy asked the council to review its decision and provided evidence from professionals involved in her care, which supported her request. The council considered the evidence but said its policy required proof Judy

needed a full-time live-in carer for it to decide she could bid for two-bedroom properties.

Our investigation found fault by the council. In considering the evidence, the council said that its policy required proof Judy needed full-time, live-in care to consider an extra bedroom. This is not what the allocations scheme says. It says “[t]heir circumstances will be considered” and “an individual assessment will be made”. Therefore, the council assessed Judy's case against the wrong criteria.

Because it applied the wrong test to Judy's application, the council did not properly consider the evidence provided by the professionals supporting her. Had it done so, the council might have made a different decision. This uncertainty was an injustice to Judy.

Putting it right

We asked the council to make a new decision about Judy's need for an extra bedroom, to apologise in writing and to pay her a symbolic amount to recognise the avoidable distress and uncertainty it caused.



Working together

Disabled applicants for social housing are more likely to have needs relevant to adults or children's social services.

Your council should ensure these services understand each other's roles and functions, share appropriate information and work together effectively.

For example, where housing services need an assessment of care and support needs, to inform an allocations decision, it should have a procedure in place with the relevant social care service to address this.



Gloria's story

Case ref: [23 015 462](#)

Gloria lives with her husband, but they need separate bedrooms because of their medical needs. Gloria asked the council to increase her bedroom entitlement so she could have an extra bedroom. She provided a letter from her GP supporting her request. The council refused Gloria's request. It said she had not provided an Adult Social Care report stating she and her husband had nighttime care needs, as required in its allocations scheme.

Gloria asked the council's Adult Social Care team to carry out an assessment for her. The Adult Social Care team said it did not provide such reports. Gloria told the council's Housing team that Adult Social Services would not provide her with a report and asked how she could get the evidence it said she needed. The council told Gloria it was her responsibility to provide supporting evidence.

We found fault by the council because its Housing team did not ask its Adult Social Care team why it had refused to carry out an assessment. It left Gloria unable to get the evidence, which the council required to consider her request. She was effectively "passed from pillar to post".

Putting it right

We asked the council to apologise to Gloria and to carry out an assessment of her care needs, which, once completed, should be passed to its Housing department so it could decide if she qualified for an extra bedroom.



Councils' duties on housing allocations

Councils are required by law to have an allocations scheme that sets how it will prioritise and assess social housing applications. The scheme must explain the procedure the council will use to allocate accommodation. The council must allocate housing in accordance with its scheme.

Most allocations schemes use either a points or banding system to prioritise between applicants.

The [Localism Act 2011](#) gave councils the power to develop their own allocations schemes, reflecting local priorities. That means every scheme is different.

However, Section 166A(3) of the Housing Act 1993 sets out that councils must give reasonable preference to applicants in the following categories:

- > homeless people;
- > people in insanitary, overcrowded or unsatisfactory housing;
- > people who need to move on medical or welfare grounds;
- > people who need to move to avoid hardship to themselves or others.



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