



24 October 2017

Dear Sir/Madam

A meeting of the Housing Committee will be held on Wednesday, 1 November 2017 in the New Council Chamber, Foster Avenue, Beeston, commencing at 7.00pm.

Should you require advice on declaring an interest in any item on the agenda, please contact the Monitoring Officer at your earliest convenience.

Yours faithfully

Chief Executive

To Councillors:	S A Bagshaw	J K Marsters
	L A Ball BEM	J W McGrath
	J C Goold	J M Owen
	G Harvey	J C Patrick
	E Kerry (Chair)	A W G A Stockwell (Vice Chair)

## AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest in any item on the agenda.

3. MINUTES PAGES 1 - 3

The Committee is asked to confirm as a correct record the minutes of the meeting held on 20 September 2017.

4. VOID MANAGEMENT POLICY PAGES 4 - 24

To seek Committee approval for a new Void Management Policy.

5. CUSTOMERS WITH ADDITIONAL SUPPORT NEEDS POLICY PAGES 25 - 36

To seek Committee approval for a new Customers with Additional Support Needs Policy.

6. TENURE OPTIONS POLICY CHOICES PAGES 37 - 45

To ask the Committee to determine the policy choices put to it on a review of the Council's existing Tenancy Agreement.

7. PERFORMANCE MANAGEMENT – REVIEW OF BUSINESS PLAN PROGRESS – HOUSING PAGES 46 - 52

To report progress against outcome targets identified in the Housing Business Plan, linked to Corporate Plan priorities and objectives, and to provide an update as to the latest key performance indicators for Housing.

8. WORK PROGRAMME PAGE 53

To consider items for inclusion in the Work Programme for future meetings.

**HOUSING COMMITTEE**  
**20 SEPTEMBER 2017**

Present: Councillor E Kerry, Chair

Councillors: S A Bagshaw      J K Marsters  
                  L A Ball BEM      J M Owen  
                  J Briggs                      J C Patrick  
                  J C Goold                     A W G A Stockwell  
                  G Harvey

An apology for absence was received from Councillor J W McGrath.

9. **DECLARATIONS OF INTEREST**

Councillor L A Ball BEM declared a non-pecuniary interest in agenda item 6 due to being an East Midlands Property Owner, minute 17 refers.

10. **MINUTES**

The minutes of the meeting held on 5 July 2017 were confirmed and signed.

11. **PERFORMANCE MANAGEMENT – REVIEW OF BUSINESS PLAN PROGRESS – HOUSING**

The Committee considered the progress against outcome targets identified in the Housing Business Plan. The performance indicators are produced quarterly and the report was intended to provide the Committee with an overview of progress towards Corporate Plan priorities.

12. **HOUSING SERVICE ANNUAL REPORT 2016/17**

The Committee reviewed the Housing Service Annual Report 2016/17. It was noted that the report was a regulatory requirement of the Homes & Communities Agency's Tenant Involvement and Empowerment Standard. Within this report, the Council must include information on repairs and maintenance budgets and the number of complaints received in regards to social housing.

The Committee was informed that feedback received from residents requested that the information included within the report be streamlined in order to provide more succinct information.

**RESOLVED that the Housing Service Annual Report 2016/17 be approved.**

13. HOMELESSNESS STRATEGY 2017-2021

The Committee received an update on the Homelessness Strategy 2017-2021. The Council is required to produce a new Homelessness Strategy within a period of five years beginning with the day on which the last Homelessness Strategy was published. The latest Homelessness Strategy had been produced in conjunction with Gedling and Rushcliffe Borough Councils. It was noted that new strategy would strengthen the pathways available for service personnel facing homelessness. In addition, the Committee was informed that the Council had entered an into Armed Forces Covenant to reduce the risk of homelessness amongst service personnel.

**RESOLVED that the Homelessness Strategy be approved.**

14. CAPITA PROJECT UPDATE

The Committee was advised of the progress made in implementing the Capita upgrade. It was estimated that the upgrade would be in place by 2018.

**RESOLVED that the progress of the Capita project be approved.**

15. GAS SAFETY AND SERVICING ELECTRICAL SAFETY POLICIES

The Committee reviewed the revised Gas Safety and Servicing Electrical Safety Policies. The policies were revised after consultation with internal staff, Browne Jacobson LLP and an external gas consultant. The policies were revised to take into account the need to ensure vulnerable residents were considered throughout the process and to ensure that best practise was followed.

**RESOLVED that the Gas Safety and Servicing Policy and Electrical Safety Policy be approved.**

16. FUTURE OF THE RETIREMENT LIVING SERVICE

The Committee was informed of the options available for the future of the Retirement Living Service. It was highlighted that the current service needed to be reviewed. This was attributed to the works required to modernise schemes that had aged and Retirement Living Officers being required to care for tenants with more complex health needs. It was proposed that an option study be commissioned.

**RECOMMENDED to the Finance and Resources Committee that a sum of £20,000 be allocated from HRA reserves to fund an options study for the future of the Retirement Living Service.**

17. WARM HOMES ON PRESCRIPTION SCHEME

The Committee was informed of the proposed Warm Homes on Prescription Scheme. It was noted that the Council was exploring the option to join with other authorities within Nottinghamshire to pool resources and allocate funding from Disabled Facilities Grants to fund the Warm Homes on Prescription Scheme. A capital budget could be established for the scheme utilising £20,000 from the 2017/18 Disabled Facilities Grants budget along with an unspent £46,500 from the 2016/17 Disabled Facilities Grants budget for assistive technology.

**RESOLVED that the introduction of the Warm Homes on Prescription Scheme be approved and RECOMMENDED to the Finance and Resources Committee that a budget of £66,500 be allocated to the scheme in the 2017/18 capital programme to be funded from the Better Care Fund.**

18. WORK PROGRAMME

Members considered the Committee's Work Programme and resolved to amend the Work Programme to include further detail on the grants awarded to the Warm Homes on Prescription Scheme.

**RESOLVED that the Work Programme be approved subject to the aforementioned amendment.**

## Report of the Chief Executive

**VOID MANAGEMENT POLICY**1. Purpose of report

To seek Committee approval for a new Void Management Policy.

2. Background

The purpose of this policy is to set out the way in which Broxtowe Borough Council will control and manage empty properties within its housing stock. The Housing Department is committed to meeting housing needs and maximising rental income by having the lowest possible number of empty properties in the stock.

This will help meet the Council's objective for Housing as set out in the Corporate Plan 2016 – 2020: 'A good quality affordable home for all residents of Broxtowe'.

3. Detail

The aims of the Void Management Policy are:

- To minimise the time taken to relet properties
- To maximise rental income
- To minimise the time taken to complete void property repairs
- To ensure properties are repaired to the lettable standard.

The Void Management Policy is included in appendix 1. An equalities impact assessment is included in appendix 2. Attached as appendix 3 is the Storage and Clearance of Belongings Procedure.

4. Financial implications

There are no proposals within the policy which require additional budget allocations. The cost of all activities within the policy will be contained within existing Housing Revenue Account budgets.

**Recommendation**

**The Committee is asked to RESOLVE that the Void Management Policy be approved.**

Background papers

Nil



**VOID  
MANAGEMENT  
POLICY**

## Contents

1.0 Scope .....	7
2.0 Purpose .....	7
3.0 Aims and Objectives.....	7
4.0 Regulatory Code and Legal Framework.....	7
5.0 Policy.....	7
5.1 Tenancy Termination .....	7
5.2 Inspections .....	8
5.3 Property condition.....	8
5.4 Allocation of property .....	8
5.5 Low demand properties .....	9
5.6 Transfers .....	9
6.0 Related Policies, Procedures and Guidelines .....	9
7.0 Review .....	9
8.0 Document History and Approval.....	9



## 1.0 Scope

This policy applies to all properties let by Broxtowe Borough Council, including both general needs and retirement living. It does not apply to the void management of garages which is covered by the Garage Management Policy.

## 2.0 Purpose

The purpose of this policy is to set out the way in which Broxtowe Borough Council will control and manage void properties within its housing stock. The void period is the time between the date of termination of the previous tenancy and start date of the new tenancy.

## 3.0 Aims and Objectives

We are committed to meeting housing needs and maximising rental income by having the lowest possible number of empty properties in our stock. The aims of the Void Management Policy are:

- To minimise the time taken to relet properties
- To maximise rental income
- To minimise the time taken to complete void property repairs
- To ensure properties are repaired to the lettable standard.

## 4.0 Regulatory Code and Legal Framework

Local Government (Miscellaneous Provisions) Act 1982 – Part XII covers the storage and clearance of belongings and will be applicable if belongings are not removed when a tenancy is terminated.

Information on the number of voids and the length of time properties have been vacant is reported annually to the Department for Communities and Local Government through the Local Authority Housing Statistics.

Broxtowe Borough Council's tenancy agreement requires all tenants to provide 4 weeks notice to terminate their tenancy.

## 5.0 Policy

### 5.1 Tenancy termination

Most properties become void following a notice period of 4 weeks given by the tenant. The Council will aim to receive a full notice period wherever possible. During the notice period the property will be advertised, pre-allocated and pre-inspected to reduce the void period. There will be occasions when this is not possible, for example where the void is due to eviction or abandonment. Through effective tenancy management we will ensure prompt identification of any abandoned properties.

## 5.2 Inspections

All properties will be inspected prior to works commencing, inspections will be completed within the notice period whenever possible. When inspecting a property consideration will be given to whether any non-urgent repairs could be completed after tenancy commencement, rather than during the void period.

For all tenancies where notice is given, a pre-termination visit will be completed. The purpose of the visit is to discuss how the property should be left to minimise rechargeable works and to identify any potential issues which may affect the relet of the property.

If after inspection it is identified that a property requires major works, such as a new kitchen or bathroom, it will be considered whether this work should be completed during the void period, or whether it is possible to let the property and complete the works as part of a modernisation programme. It is preferable for the works to be completed after the new tenancy has commenced as this reduces the void rent loss.

## 5.3 Property condition

If a property is not left to the standard agreed at the pre-termination visit the tenant will be recharged for the works, in accordance with the Recharge Policy.

All properties let will meet the Council's lettable standard. Redecoration allowances will be offered as appropriate in accordance with the Decoration Allowance Procedure.

If non-urgent works have been identified for completion following tenancy commencement this will be fully explained to the incoming tenant.

No tenancies will commence without a valid gas certificate (where there is gas at the property), electrical certificate and energy performance certificate (EPC).

## 5.4 Allocation of property

Viewings will be completed as early as possible in the process, taking void works into account. This will allow the property sign up to be completed as soon as the property is ready to let. This also provides an opportunity to reoffer the property early in the process if the property is refused.

Two separate appointments for viewing and sign-up will be completed. A sign-up will only be completed on the same day as a viewing in exceptional circumstances.

Once a property has been allocated, the applicant will be kept informed of progress and expected ready to let date.

The Council aim to ensure that every allocation is sustainable, through effective pre-tenancy checks and referrals to appropriate support. Sustainable lettings will reduce the number of terminations and void properties.

## 5.5 Low demand properties

Through monitoring of refusal reasons and relet times, the Council will identify properties/schemes that are more difficult to let than others. When a 'low demand' property becomes void pro-active steps will be taken to identify extra work that could be completed. This will vary between properties and will take into account previous reasons for refusal.

The Lettings Team will prioritise 'low demand' properties for pre-allocation.

Average relet time and void rent loss will be monitored on a monthly basis and analysed to identify emerging trends.

## 5.6 Transfers

Less than 10% of lettings each year will be to transfer applicants. This will ensure that the number of voids created by transfers is not excessive.

Full inspections will be completed prior to transfer. Only in exceptional circumstances will a tenant be allowed to transfer where there is property damage or rent arrears.

Mutual exchanges will be promoted to reduce the number of transfers. When a mutual exchange takes place gas (where there is gas at the property) and electrical checks must be completed but neither property becomes void. Therefore this policy is not applicable to mutual exchanges.

## 6.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Lettable Standard
- Allocations Policy
- Recharge Policy
- Decoration Allowance Procedure
- Financed Rent Payments Procedure
- Storage and Clearance of Belongings Procedure

## 7.0 Review

This policy will be reviewed every two years. It is not expected that there will be changes to regulation or legislation which will have an impact on the need to review this policy sooner.

## 8.0 Document History and Approval

<b>Date</b>	<b>Version</b>	<b>Committee Name</b>
1/11/2017	1	Housing Committee

## APPENDIX 2

## Equality Impact Assessment

Public bodies are required to have **due regard** to the need to:

- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited under the Act
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it, and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The **public sector Equality Duty** came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new Equality Duty replaces the three previous public sector equality duties, for race, disability and gender. The new Equality Duty covers the following **protected characteristics**:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having **due regard** means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they

design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to **advance equality of opportunity** involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low

**Fostering good relations** involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore **take account of disabled people's impairments** when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they **considered the aims of the Equality Duty**. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

### EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Chief Executive	Lead officer responsible for EIA	Louise Price
Name of the policy or function to be assessed:		Void Management Policy	
Names of the officers undertaking the assessment:		Rachel Shaw	
Is this a new or an existing policy or function?		New	
<p><b>1. What are the aims and objectives of the policy or function?</b></p> <p>The aims of the Void Management Policy are to minimise the time taken to relet properties and to ensure properties are repaired to the lettable standard.</p>			
<p><b>2. What outcomes do you want to achieve from the policy or function?</b></p> <p>The purpose of the policy is to set out the way in which Broxtowe Borough Council will control and manage void properties within its housing stock. The key outcomes of the policy are to ensure that properties are let as quickly as possible and that they are let in an acceptable condition.</p>			
<p><b>3. Who is intended to benefit from the policy or function?</b></p> <p>Applicants on the Council waiting list Tenants of the Council</p>			
<p><b>4. Who are the main stakeholders in relation to the policy or function?</b></p> <p>Lettings and Repairs teams in the Housing Department Applicants Tenants</p> <p>The primary function of the policy relates to the management of properties rather than the people who live in them, therefore the impact on equality issues is minimal.</p>			
<p><b>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</b></p> <p>Quantitative data on housing applicants is available from the Council waiting list. This includes information relating to the different equality strands.</p>			

**6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?**

Feedback from applicants following tenancy commencement, which can be analysed in relation to the different equality strands.

**7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?**

N/A

**8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways?**

**In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:**

- **Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?**

A property will be repaired during the void period to meet the lettable standard, irrespective of the equality group of the incoming applicant.

- **Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?**

Yes

- **Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?**

No

- **Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?**

The policy will have no adverse impact.

- **What further evidence is needed to understand the impact on equality?**

Further evidence will be obtained from feedback from applicants following tenancy commencement, which can be analysed in relation to the different equality strands. It is not expected that there will be an adverse impact.

**9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?**

The policy relates to the use of assets, therefore no impact has been identified for the following equality strands:

- Age
- Disability
- Gender
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sexual Orientation

**Head of Service:**

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

**Signature of Head of Service:**





# STORAGE AND CLEARANCE OF BELONGINGS PROCEDURE

## Contents

1.0 Aims and Objectives.....	16
2.0 Legislation and Guidance.....	16
3.0 Roles and Responsibilities .....	16
4.0 Procedure.....	16
4.1 Left Belongings – initiating procedure.....	16
4.2 Inventory.....	17
4.3 Approval .....	17
4.4 Notice .....	18
4.5 Storage .....	18
4.6 Disposal.....	18
4.7 Selling Belongings .....	19
5.0 Monitoring and Performance .....	19
6.0 Related Policies, Procedures and Guidelines .....	19
7.0 Appendices .....	19
7.1 Appendix 1 – Inventory Form.....	19
7.2 Appendix 2 – Standard Letter .....	19
7.3 Appendix 3 - Disclaimer .....	19
8.0 Document History.....	19

## 1.0 Aims and Objectives

This procedure outlines the actions that will be taken when belongings are left in a property or garage following termination, eviction or abandonment.

## 2.0 Legislation and Guidance

Local Government (Miscellaneous Provisions) Act 1982 – Part XII covers the storage and clearance of belongings.

## 3.0 Roles and Responsibilities

**Neighbourhood Services Officer** (this includes Housing Officers, Housing Assistants and Retirement Living Officers) is responsible for attending evictions and lock changes for abandoned properties and to take an inventory of any belongings left. It is the responsibilities of the Neighbourhood Services Officer to discuss the case with a Senior Manager to determine the action taken.

**Repairs Operative** is responsible for providing entry to the property for evictions and abandoned properties. When requested by a Neighbourhood Services Officer, the Repairs Operative will assist with the inventory of belongings and provide a second signature on the inventory form.

**Senior Maintenance Officer** is responsible for informing the Lettings Manager if belongings need to be stored or cleared from a property following termination.

**Lettings Manager** is responsible for serving notices, monitoring notice periods and dealing with enquires from owners.

**Senior Manager** (this includes the Neighbourhood Services Manager, Housing Allocations and Options Manager and Repairs Manager) is responsible for making a decision on the storage and clearance of belongings. This includes whether items may be donated to other tenants in need. The Senior Manager must refer the case to the Head of Housing if there are items of significant value.

**Head of Housing** is responsible for deciding if items of significant value should be sold.

## 4.0 Procedure

### 4.1 Left Belongings – Initiating Procedure

Abandonment or eviction (both property and garage) - left belongings will be identified when the locks are changed. The Neighbourhood Services Officer is responsible for starting this procedure by completing an inventory.

Termination of tenancy (both property and garage) – Left belongings will be identified when the property is inspected by a Senior Maintenance Officer. The Senior Maintenance Officer will take photos of any items left in the property and save them

Storage and Clearance of Belongings Procedure within the Housing Repairs Void folder, for the appropriate year. A new folder should be created for each property.

If the items are of little value and are not of personal significance (such as ID) then the property is cleared. If there are a large amount of items, items of value or items of personal significance then the property is not cleared. The Senior Maintenance Officer is responsible for starting this procedure by sending an e-mail to the Lettings Manager to inform them immediately.

## 4.2 Inventory

When left belongings have been identified an inventory must be completed and photographs must be taken. If this is following termination of tenancy then the Lettings Manager will inform the Neighbourhood Services Officer for the appropriate area within 24 hours of being informed by the Senior Maintenance Officer.

The Neighbourhood Services Officer must complete an inventory with another officer. The second officer may be a Neighbourhood Services Officer, Rent Recovery Officer or Repairs Operative depending on how the left belongings have been identified and who is present at the property when the inventory is being completed.

The inventory form in Appendix 1 must be used, and the form must be signed by both officers.

The inventory form and photos must be saved on Anite.

It is the responsibility of the Neighbourhood Services Officer to discuss the case with a Senior Manager and gain approval.

## 4.3 Approval

Following the completion of an inventory, approval to dispose or store items must be obtained from a Senior Manager. They must justify their decision on the Inventory form, included in Appendix 1.

When making this decision the Senior Manager will have consideration for the Local Government (Miscellaneous Provisions) Act 1982 – Part XII which, in summary, states that the authority may sell or otherwise dispose in such a manner as they think fit if:

- Any property is of a perishable nature; or
- To look after it adequately would involve the local authority in unreasonable expense or inconvenience

In any other circumstance it is expected that if the items are of little value or personal significance (such as ID) then the property is cleared. If there are a large amount of items, items of value or items of personal significance then the property is not cleared.

The Senior Manager will decide if the belongings should be removed from the property and stored elsewhere or if the belongings should be left in the property for the period of the notice (as outlined in section 4.4). If the cost of removal and

Storage and Clearance of Belongings Procedure  
storage, including officer time, would be greater than the void rent loss then the presumption should be in favour of storing the belongings in the property.

If the property contains items of significant value then the case should be discussed with the Head of Housing prior to a decision being made about the removal of the belongings.

Once the decision has been made, the Senior Manager will inform the Lettings Manager who will either continue the procedure, if the belongings are to be stored; or follow the usual procedure for void properties, if the belongings are to be cleared.

#### 4.4 Notice

The Lettings Manager is responsible for serving the notice.

In summary, the Local Government (Miscellaneous Provisions) Act 1982 – Part XII specifies that the notice must:

- Be given to the owner in writing
- Specify a date before which the owner is required to collect their property
- Not specify a date that is less than one month from the date of the notice.

The standard letter in Appendix 2 must be used.

The notice must be served on the property or garage and the tenant's current address, if known.

The Lettings Manager is responsible for recording notices that have been served, which properties are being used to store belongings and the notice expiry dates.

#### 4.5 Storage

The decision regarding where to store the belongings has been made by the Senior Manager. It is important that whilst belongings are being stored officers should not visit the property/location alone.

If the owner of the belongings contacts the Council during the notice period and wants to collect the belongings the appropriate Neighbourhood Services Officer should meet the owner at a mutually convenient time to provide an opportunity to collect the belongings. A copy of the inventory should be taken.

If the owner does not remove all belongings or requests that the belongings are disposed of then the disclaimer in Appendix 3 must be completed. The owner must be made aware that they will be charged for any removal and disposal costs.

#### 4.6 Disposal

Once the date on the notice has expired the Lettings Manager will inform the Senior Maintenance Officer that all belongings can be disposed of and the usual procedure for void properties should be followed.

## Storage and Clearance of Belongings Procedure

It is the responsibility of the Senior Maintenance Officer to ensure that Repairs systems are updated accordingly.

### 4.7 Selling Belongings

The Council will not routinely sell belongings, but items of significant value may be sold in exceptional circumstances.

The Head of Housing will decide if belongings should be sold and the most appropriate way for this to be done. The Head of Housing will complete the Inventory form, included in Appendix 1, to justify their decision.

### 5.0 Monitoring and Performance

The Lettings Manager is responsible for the monitoring of notices that have been served, which properties are being used to store belongings, notice expiry dates.

The Lettings Manager should adjust the relet time of the property if the property has been used to store belongings. The period of time where the property has been used for storage should not be included. This will have an impact on the average relet time performance indicator.

### 6.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Garage Management Policy
- Recharge Policy
- Void Management Policy
- Abandoned Procedure
- Eviction Procedure

### 7.0 Appendices

#### 7.1 Appendix 1 – Inventory Form

#### 7.2 Appendix 2 – Standard Letter

#### 7.3 Appendix 3 - Disclaimer

### 8.0 Document History

<b>Date</b>	<b>Version</b>	<b>Amendments made by</b>
1/1/17	1	Housing Strategy Manager

## Property Inventory

<b>Address</b>	
<b>Reason for termination</b>	
<b>Date of Inspection</b>	
<b>Completed by (Officer 1)</b>	
<b>Completed by (Officer 2)</b>	
	<b>Confirm Photos Taken</b>
<b><u>HALL/STAIRS/LANDING (list items including condition)</u></b>	
<b><u>KITCHEN (list items including condition)</u></b>	
<b><u>KITCHEN – PERISHABLE ITEM (list items that have been disposed of as unable to be kept)</u></b>	
<b><u>LIVING ROOM/DINING ROOM (list items including condition)</u></b>	

<b><u>BATHROOM/TOILET (list items including condition)</u></b>	
<b><u>BEDROOM 1 (list items including condition)</u></b>	
<b><u>BEDROOM 2 (list items including condition)</u></b>	
<b><u>BEDROOM 3 (list items including condition)</u></b>	
<b><u>BEDROOM 4 (list items including condition)</u></b>	
<b><u>GARDENS (list items including condition)</u></b>	
<b><u>OUT-HOUSES/SHEDS (list items including condition)</u></b>	

Signed

(Officer 1)

(Officer 2)

**DECISION**

<b>Senior Manager</b>		
<b>Date</b>		
<b>Decision</b>		
Signed:		
<b>Referral to Head of Housing</b>	<b>Yes</b>	<b>No</b>
<b>Date</b>		
<b>Decision</b>		
Signed:		
<b>Date Notice Served</b>		
<b>Date Notice Expires</b>		
<b>Location of Storage</b>		
<b>Approval to dispose</b>	<b>Name:</b>	
	<b>Signed:</b>	
<b>Date property cleared</b>		



Housing Department  
[housing@broxtowe.gov.uk](mailto:housing@broxtowe.gov.uk)

Date

Address

Dear Tenant

**Full property address and post code**

On [date of termination/eviction] your tenancy at [full property address and post code] was terminated. During our inspection of your property on [date of inspection] belongings were found. Please find enclosed photographs to show the belongings that have been found.

I hereby request (under Subsection (3) of section 41 of the Local Government Miscellaneous Provisions Act 1982) that you make arrangements for the removal of belongings left at the property by [must be at least one month from date of letter].

Broxtowe Borough Council reserves the right to remove all items from the property and place in secure storage for collection at any time.

Access arrangements to the property can be made with [name of the Neighbourhood Services Officer] who can be contacted on [telephone number].

Failure to remove the belongings will result in clearance of the property for which you will be charged.

To arrange to collect your belongings or to discuss this matter please contact [name of person sending letter]

Yours sincerely

Officer



# DISCLAIMER

I certify that I [tenant's name]

The former tenant/s of [full address]

I have had the opportunity to collect my belongings. I agree to the clearance of my belongings. I am aware that I may be charged for this.

Forwarding address and contact details:

Signed Tenant \_\_\_\_\_ Date \_\_\_\_\_

Signed Tenant \_\_\_\_\_ Date \_\_\_\_\_

Witnessed by Officer \_\_\_\_\_ Date \_\_\_\_\_

*Copy to disclaimer to be scanned to Anite and sent to the former tenant at forwarding address.*

## Report of the Chief Executive

**CUSTOMERS WITH ADDITIONAL SUPPORT NEEDS POLICY**1. Purpose of report

To seek Committee approval for a new Customers with Additional Support Needs Policy.

2. Background

The purpose of this policy is to set out the approach that Broxtowe Borough Council will take to supporting vulnerable customers. The Council is committed to providing homes and services which meet the needs of all members of the community and recognises, that on occasions, some customers may require additional support when accessing or using its services.

3. Detail

The aims of the policy are:

- To provide tailored services to applicants and tenants who have additional support needs
- To request and manage up to date customer data which identifies customers who have additional support needs
- To develop effective partnerships with support agencies
- To ensure staff have access to appropriate support, training and services which will enable them to provide a tailored service.

The Customers with Additional Support Needs Policy is included in appendix 1 and an Equalities Impact Assessment is included in appendix 2.

3. Financial implications

There are no additional financial implications arising from this report.

**Recommendation**

**The Committee is asked to RESOLVE that the new Customers with Additional Support Needs Policy be approved.**

Background papers

Nil



**CUSTOMERS WITH  
ADDITIONAL SUPPORT  
NEEDS POLICY**

## Contents

1.0 Scope .....	28
2.0 Purpose .....	28
3.0 Aims and Objectives.....	28
4.0 Regulatory Code and Legal Framework.....	28
5.0 Policy.....	29
5.1 Tailored Services .....	29
5.2 Identifying Applicants and Tenants with additional support needs.....	30
5.3 Partnership Working .....	30
5.4 Training.....	30
6.0 Safeguarding.....	31
7.0 Equality and Diversity.....	31
8.0 Related Policies, Procedures and Guidelines .....	31
9.0 Review .....	31
10.0 Document History and Approval.....	31

## 1.0 Scope

This policy applies to all tenants and applicants of Broxtowe Borough Council who require additional support to sustain their tenancy.

## 2.0 Purpose

We recognise that some customers may on occasion require additional support when using our services. This policy identifies how we will tailor our services to be able to offer this support to those applicants and tenants.

## 3.0 Aims and Objectives

We are committed to providing homes and services which meet the needs of all members of the community. The aims of this policy are to:

- Provide tailored services to vulnerable applicants and tenants
- Request and manage up to date customer data which identifies customers who require additional support and those who may need it in the future
- Develop effective partnerships with support agencies who can provide support to potentially vulnerable customers
- Ensure staff have access to appropriate support, training and services to provide a tailored service to potentially vulnerable applicants and tenants.

We acknowledge that it is not possible to identify every scenario in which a customer can be defined as vulnerable or may require additional support.

## 4.0 Regulatory Code and Legal Framework

The Regulatory Code Tenancy Standard states that we should take into account the needs of those households who are “vulnerable by reason of age, disability, or illness and households with children, including through the provision of tenancies which provide a reasonable degree of stability”.

The Housing Act 1996 (as amended by the Homelessness Act 2002) lists a number of categories under which “customer or residents” could be classed as vulnerable. This includes:

- People with a recent history of homelessness, rough sleepers, refugees and those with no experience of independent living;
- Those with substance misuse problems. e.g. alcohol or drugs;
- People in receipt of, or entitled to state retirement pension;
- Ex-offenders;
- Those at risk of domestic abuse;
- People with learning difficulties;
- Those with serious long term, or terminal, illness;
- Young people at risk, including those leaving care as well as teenage parents;

## Customers with Additional Support Needs Policy

- Those people with a mental, physical or sensory disability who are in receipt of a state benefit, or are entitled to such a benefit, as a result of that disability;
- Others with a disability which has an impact upon the performance of normal daily living tasks; and
- People with a child under 12 months old in the household.

Through the Equality Act 2010 the Council as a landlord has a duty 'to make reasonable adjustments'. This includes changing a policy or practice (including the terms of the tenancy agreement) and providing extra aids or services.

The Care Act 2014 introduced a new duty on local authorities to promote the wellbeing of people with care and support needs, and suggests that rather than refer to such people as "vulnerable", their individual needs and aspirations should be recognised and local authorities and their partners should work together to reduce their exposure to the risk of harm and neglect.

We will adopt the existing legal and regulatory framework whilst also acknowledging that vulnerability is complex and can be temporary, periodic, recurring or on-going.

## 5.0 Policy

### 5.1 Tailored Services

The Council will tailor its existing services to meet the needs of customers with additional support needs as required, where it is reasonable and proportionate to do so. This may include (not an exhaustive list):

- providing a flexible repairs service to meet the needs of vulnerable residents
- waiving a recharge where a resident's vulnerability prevents them from adhering to current policy
- providing assistance with claiming financial benefits to which they may be entitled
- signposting to other agencies which may be able to provide relevant support
- help to report behaviour to the Police which may be causing distress or concern
- encouragement to access GP or mental health services
- facilitating discussions with wider family members regarding welfare needs
- conducting a risk assessment to assess and reduce the risk of harm to the resident or nearby neighbourhoods

Some Council housing services have been specifically designed to support customers who require additional support:

- Retirement Living – for customers aged 60 and above, or aged 40 and above with a disability
- Lifeline – for customers who wish to have support available via a 24 hour response call centre
- Aids and adaptations - for customers who require adaptations to allow access to their homes

## Customers with Additional Support Needs Policy

- Assistive Gardens Scheme – for elderly and disabled customers who require additional support to enable them to manage their gardens

We will provide alternative communication formats to support customers who may be need support due to their inability to access or understand the information that we provide. This may include translations, interpreters, Braille formats and large print documents.

### 5.2 Identifying Applicants and Tenants with Additional Support Needs

The Council will aim to identify all applicants and tenants who have additional support needs. Feedback will be sought from the vulnerable person, housing staff and other support agencies in identifying vulnerability.

Information will be collected by the Council at various points during the tenancy including housing application and new tenant sign up.

Through tenancy sustainment support for customers affected by welfare reform and during visits information will be updated and new support needs may be identified.

Customer data will be held in line with Data Protection principles on the housing management system and will help identify individuals and the services that may be required.

### 5.3 Partnership Working

There will be occasions when a customer's complex needs are best met by adopting a partnership approach. The Council will build strong relationships with a variety of support agencies to effectively support the customer. Referrals will be made to external agencies with the consent of the customer and we will participate in case conferencing and the Broxtowe Complex Case Panel to ensure that appropriate support is available.

We recognise that not all customers who have additional support needs will wish to receive additional support to manage their support needs.

### 5.4 Training and Management Review

It is important that staff have the relevant skills and knowledge to be able to provide support to all customers, including those with additional support needs. Staff will receive training relevant to their roles in a variety of areas relating to vulnerability. This training will be reviewed to ensure that the team's knowledge and skills are kept up to date.

Managers will undertake reviews with the team to ensure the appropriate support was being offered to vulnerable customers.

The safety and wellbeing of staff is important. Staff will be supported in their work with customers with additional support needs.



## 6.0 Safeguarding

Broxtowe Borough Council has policies and procedures regarding safeguarding adults and children identified as being “at risk”. This policy should be read in conjunction with these documents.

## 7.0 Equality and Diversity

Broxtowe Borough Council’s Race Equality Statement advises that as a Council:

- We will ensure fairness in the treatment of customers and employees, and in the delivery of services.
- We will take positive action where necessary to ensure fair access for all.
- We will, in reviewing services, take action to tackle issues arising from poverty, social exclusion and disabilities.

This policy should be read in conjunction with this statement.

An equality impact assessment of this policy has been undertaken.

## 8.0 Related Policies, Procedures and Guidelines

This policy should be read in conjunction with the:

- Safeguarding Adults Policy
- Safeguarding Children Policy
- Anti-social behaviour Policy
- Hoarding Protocol
- Hate Crime Policy
- Aids and Adaptations Policy
- Data Protection
- Race Equality Statement
- Tenancy Sustainment Strategy

## 9.0 Review

This policy will be reviewed every two years. It is not expected that there will be changes to regulation or legislation which will have an impact on the need to review this policy sooner.

## 10.0 Document History and Approval

<b>Date</b>	<b>Version</b>	<b>Committee Name</b>
1/11/2017	1	Housing Committee

## APPENDIX 2

## Equality Impact Assessment

Public bodies are required to have **due regard** to the need to:

- **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited under the Act
- **advance equality of opportunity** between people who share a protected characteristic and people who do not share it, and
- **foster good relations** between people who share a protected characteristic and people who do not share it.

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The **public sector Equality Duty** came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

The new Equality Duty replaces the three previous public sector equality duties, for race, disability and gender. The new Equality Duty covers the following **protected characteristics**:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – including lack of belief
- sex
- sexual orientation

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination.

Having **due regard** means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies, including how they act as employers, how they develop, evaluate and review policies, how they

design, deliver and evaluate services, and how they commission and procure from others.

Having due regard to the need to **advance equality of opportunity** involves considering the need to:

- remove or minimise disadvantages suffered by people due to their protected characteristics
- meet the needs of people with protected characteristics, and
- encourage people with protected characteristics to participate in public life or in other activities where their participation is low

**Fostering good relations** involves tackling prejudice and promoting understanding between people who share a protected characteristic and others.

Complying with the Equality Duty may involve treating some people better than others, as far as this is allowed by discrimination law. For example, it may involve making use of an exception or the positive action provisions in order to provide a service in a way which is appropriate for people who share a protected characteristic.

The Equality Duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should therefore **take account of disabled people's impairments** when making decisions about policies or services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

There is no explicit requirement to refer to the Equality Duty in recording the process of consideration but it is good practice to do so. Keeping a record of how decisions were reached will help public bodies demonstrate that they **considered the aims of the Equality Duty**. Keeping a record of how decisions were reached will help public bodies show how they considered the Equality Duty. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

It is recommended that assessments are carried out in respect of new or revised policies and that a copy of the assessment is included as an appendix to the report provided to the decision makers at the relevant Cabinet, Committee or Scrutiny meeting.

Where it is clear from initial consideration that a policy will not have any effect on equality for any of the protected characteristics, no further analysis or action is necessary.

Public bodies should take a proportionate approach when complying with the Equality Duty. In practice, this means giving greater consideration to the Equality Duty where a policy or function has the potential to have a discriminatory effect or impact on equality of opportunity, and less consideration where the potential effect on equality is slight. The Equality Duty requires public bodies to think about people's different needs and how these can be met.

### EQUALITY IMPACT ASSESSMENT (EIA)

Directorate:	Chief Executive	Lead officer responsible for EIA	Louise Price
Name of the policy or function to be assessed:		Customers with additional support needs policy	
Names of the officers undertaking the assessment:		Rachel Shaw/ Louise Price	
Is this a new or an existing policy or function?		New	
<p><b>1. What are the aims and objectives of the policy or function?</b></p> <p>The purpose of this policy is to set out the approach that Broxtowe Borough Council will take to supporting customers who have additional support needs.</p>			
<p><b>2. What outcomes do you want to achieve from the policy or function?</b></p> <p>The policy highlights to staff the actions that need to be considered and taken when working with a person who has additional needs. The policy sets out the outcomes to be achieved, further procedures will be developed, where necessary.</p>			
<p><b>3. Who is intended to benefit from the policy or function?</b></p> <p>All tenants and applicants of Broxtowe Borough Council who have additional support needs.</p>			
<p><b>4. Who are the main stakeholders in relation to the policy or function?</b></p> <p>Housing applicants Housing tenants Housing staff Partner support agencies</p>			
<p><b>5. What baseline quantitative data do you have about the policy or function relating to the different equality strands?</b></p> <p>Housing is currently aware of applicants and tenants who require additional support, but acknowledges that there needs to be improvement in the recording and sharing of this information. When a vulnerability is identified this can be related to an equality strand. For example, vulnerability due to a disability.</p>			
<p><b>6. What baseline qualitative data do you have about the policy or function relating to the different equality strands?</b></p> <p>The information that applicants include on their housing applications can help identify where people require additional support. Through conversations and visits with tenants the information we hold is regularly updated.</p>			

<p><b>7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?</b></p> <p>N/A</p>
<p><b>8. From the evidence available does the policy or function affect or have the potential to affect different equality groups in different ways?</b></p> <p><b>In assessing whether the policy or function adversely affects any particular group or presents an opportunity for promoting equality, consider the questions below in relation to each equality group:</b></p>
<ul style="list-style-type: none"> <li>• <b>Does the policy or function target or exclude a specific equality group or community? Does it affect some equality groups or communities differently? If yes, can this be justified?</b></li> </ul> <p>The policy does not target or exclude specific equality groups. In the policy it is acknowledged that ‘it is not possible to identify every scenario in which a customer can be defined as vulnerable. Vulnerability is complex and can be temporary, periodic, recurring or on-going’. This acknowledges that many situations are unique and ensures that no vulnerable person is excluded because they do not meet a specific definition.</p>
<ul style="list-style-type: none"> <li>• <b>Is the policy or function likely to be equally accessed by all equality groups or communities? If no, can this be justified?</b></li> </ul> <p>The policy applies to all applicants and tenants, irrespective of their equality group.</p>
<ul style="list-style-type: none"> <li>• <b>Are there barriers that might make access difficult or stop different equality groups or communities accessing the policy or function?</b></li> </ul> <p>It is the responsibility of the Council as a landlord to ensure that they follow the policy and make any reasonable adjustments. It is part of the policy itself to ensure that any barriers to access are identified and removed.</p>
<ul style="list-style-type: none"> <li>• <b>Could the policy or function promote or contribute to equality and good relations between different groups? If so, how?</b></li> </ul> <p>The policy outlines existing tailored services that meet the needs of customers with additional support needs. In some examples, this can contribute to relations between different groups for example within Retirement Living schemes.</p>
<ul style="list-style-type: none"> <li>• <b>What further evidence is needed to understand the impact on equality?</b></li> </ul> <p>The policy includes an aim to identify all applicants and tenants who are potentially vulnerable. The profile of vulnerable people living in our housing will change over time. Therefore we will work to ensure that vulnerability is monitored and the service</p>

adapted if necessary. This will have an impact on each equality strand.

**9. On the basis of the analysis above what actions, if any, will you need to take in respect of each of the equality strands?**

**Age:** It has been identified that there is a higher proportion of older residents in the borough than the national average. It is also acknowledged that young people, including those leaving care and teenage parents are likely to be vulnerable. Customers of all ages can be vulnerable and therefore applicants and tenants of all ages will be considered under this policy.

**Disability:** The Housing Act 1996 identifies 'people with learning disabilities' and 'people with a mental, physical or sensory disability' as categories where people could be classed as vulnerable. Therefore customers with a disability will be considered under this policy.

**Gender:** It is not anticipated that the Council would need to take any further action for this category. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

**Gender Reassignment:** It is acknowledged that this policy may be applicable to this group, particularly work adopting a partnership approach with other agencies who offer appropriate support.

**Marriage and Civil Partnership:** It is not anticipated that the Council would need to take any further action for this category. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

**Pregnancy and Maternity:** The Housing Act 1996 identifies that 'people with a child under 12 months old in the household' may be vulnerable. By working closely with applicants and tenants temporary vulnerability due to pregnancy and maternity can be identified and extra support offered when necessary.

**Race:** It is not anticipated that the Council would need to take any further action for this category. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

**Religion and Belief:** It is not anticipated that the Council would need to take any further action for this category. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

**Sexual Orientation:** It is not anticipated that the Council would need to take any further action for this category. Regular monitoring and analysis may identify reasons that have not been anticipated. Action will be taken to mitigate any barriers identified.

**Head of Service:**

I am satisfied with the results of this EIA. I undertake to review and monitor progress against the actions proposed in response to this impact assessment.

**Signature of Head of Service:**

## Report of the Chief Executive

**TENURE OPTIONS POLICY CHOICES**1. Purpose of report

To ask the Committee to determine the policy choices put to it on a review of the Council's existing Tenancy Agreement.

2. Background

To date the Council has only issued Tenants with a secure form of Tenancy Agreement. New legislation and the opportunity to review the current terms and conditions of the existing Tenancy Agreement present councillors with the ability to make some policy choices as outlined in the appendix which is attached to this report.

3. Detail

The appendix sets out the policy choice councillors are invited to make and sets out the advantages and disadvantages of the potential change. Paragraphs 1-4 in the appendix outline changes proposed for new tenancies. Paragraphs 5-11 in the appendix outline changes for existing and new tenancies subject to consultation.

4. Financial implications

None of the policy choices would involve the Council in losing rental income. Some of the choices (e.g. changing the start date of tenancies and payment of rent in advance) could improve cash flow and reduce rent arrears. Some of the choices would require some administrative work to introduce, particularly in connection with changes to ICT systems.

**Recommendation**

**The Committee is asked to CONSIDER the policy choices set out in the attached appendix and RESOLVE to consult the Resident's Involvement Group on the proposals.**

Background papers

Nil

Decision	Background	Arguments in favour	Arguments against	Recommendation
<b>Tenancy Type</b>				
<p>1.Does the Council wish to introduce “Introductory Tenancies”?</p>	<p>Introductory Tenancies were created by the Housing Act 1996. An Introductory Tenancy can be granted by a local authority which has "elected" to operate the Introductory Tenancy regime in its district, in which case this will apply to all future lettings to new tenants.</p> <p>The tenancy does not become "permanent" until 12 months after it starts. During the introductory period it is easier for the Council to obtain possession of the property should the tenant fail to comply with the terms of their tenancy (e.g. fails to pay rent or causes Anti-Social Behaviour).</p>	<p>The Introductory Tenancy gives a greater opportunity for the local authority to assess (12 months which can be extended to 18 months) if the tenant has the ability to sustain a secure tenancy before one is granted.</p> <p>During the introductory period, the tenant will receive regular visits and support from the Housing team. This will be focused on helping the tenant to maintain their tenancy and become a secure tenant.</p> <p>It is much harder for the landlord to obtain possession of a secure tenancy if the tenant breaches the terms of their tenancy.</p>	<p>Introductory tenants do not have security of tenure during the introductory period.</p> <p>Introductory tenants have fewer tenancy rights than a secure tenant and for example cannot mutually exchange or take in a lodger.</p> <p>An Introductory Tenancy does present the tenant with some uncertainty about their future.</p>	<p>Introduce 12 month Introductory Tenancies for all new tenants.</p>



Decision	Background	Arguments in favour	Arguments against	Recommendation
<p>2. In addition to the new Introductory Tenancy (see above), would the Council like to start using Flexible Tenancies now?</p>	<p>Through the Localism Act 2011 (and the consequential amendments to the Housing Act 1985), local authorities were granted a new power to offer Flexible Tenancies to all new tenants after 1<sup>st</sup> April 2012.</p> <p>Flexible Tenancies are secure fixed-term tenancies with a minimum term of five years or exceptionally a tenancy for a minimum of two years in addition to the probationary tenancy period.</p> <p>If requested, a court must grant possession at the end of the fixed term when the landlord serves a notice stating it is not proposing to grant a new tenancy and specifying the reasons why and notifying the</p>	<p>It is much easier for a landlord to regain possession at the end of a fixed term.</p> <p>The local authority has greater flexibility over how to best use its stock – e.g. in cases of under-occupation.</p> <p>A Flexible Tenancy can follow an Introductory Tenancy so the benefits of both regimes can be combined.</p> <p>Since it is likely the mandatory fixed term tenancy regime will be imposed. It makes sense for the Council to adopt this approach whilst reviewing its tenancy options.</p>	<p>Flexible Tenancies do not give as great a measure of tenant security as secure tenancies.</p> <p>It may be considered unnecessary to introduce Flexible Tenancies in addition to Introductory Tenancies.</p> <p>Some additional legal requirements are imposed on landlords when Flexible Tenancies are proposed to be terminated and additional legal defences are available to tenants when this is contemplated.</p>	<p>Introduce five year Flexible Tenancies after the one year Introductory Tenancy period for new tenants.</p>

Decision	Background	Arguments in favour	Arguments against	Recommendation
	<p>tenant of their right to review and where it has served the tenant with a two month notice stating it requires possession.</p> <p>In 2016, the government introduced a requirement for all local authorities to grant flexible fixed term tenancies instead of the current form of secure tenancy. This provision has not yet been brought into force.</p>			
<b>Start of tenancy</b>				
3.Would the Council like to use any day start date tenancy agreements?	<p>Currently the Council grants weekly secure tenancies that operate Monday to Sunday.</p> <p>An any day start date would allow the tenancy to start on any day of the week. The initial period would be from the start date to the</p>	The current arrangement presents some difficulties with mid-week lettings which results in either the letting being delayed and increasing the void period until the following Monday or having a few days uncertainty if tenants are allowed to	Some work will be required to enable ICT systems to cope with the change.	Use any day start date Tenancy agreements for new tenants.

Decision	Background	Arguments in favour	Arguments against	Recommendation
	following Sunday and then weekly thereafter.	<p>move in before the official Monday tenancy start date.</p> <p>Mid-week lettings can minimise void times and increase income from lettings.</p>		
<p>4. Would the Council like to include provisions about contents that may be included within the property let? Would the Council like to attach pictures recording the condition of the property at the start of the tenancy to the tenancy agreement?</p>	<p>Having an inventory attached to the tenancy agreement with photographs provides a good evidence base as to the condition of the property when it was originally let.</p>	<p>Having a clear evidence base as to the condition of the property when originally let can make it easier to recover charges in relation to properties left in a poor condition.</p>	<p>The introduction of this element requires some more bureaucracy and potential delay at the letting stage.</p>	<p>Include an inventory and photos of the condition in which the property is let in tenancy agreements to new tenants.</p>
<b>Rent and charges</b>				
<p>5. Does the Council wish to charge any other amount under the tenancy agreement in addition to rent and service charge?</p>	<p>The current tenancy agreement sets out a rent and service charge. Additional charges cannot be made.</p>	<p>The Council may wish to enable the introduction of additional charges in the future e.g. support services in relation to the retirement</p>	<p>Some work will be required to enable ICT systems to cope with the change.</p>	<p>Allow other charges in addition to rent and service charges to be charged within the new tenancy agreement.</p>

Decision	Background	Arguments in favour	Arguments against	Recommendation
<p>6. How does the Council want to charge rent (and other payments)?</p> <p>A: As currently: fortnightly, one week in arrears and one week in advance;</p> <p>B: Weekly in advance;</p> <p>C: Weekly in arrears;</p> <p>D: Monthly in advance; or</p> <p>E: Monthly in arrears.</p>	<p>The Council's existing terms and conditions require rent to be paid fortnightly one week in arrears and one week in advance.</p> <p>The current method used by the Council causes practical difficulties in terms of reconciliation of rent accounts.</p>	<p>living service.</p> <p>A payment requirement weekly in advance is simpler for the tenants to understand and establishes the principle of a "rent first" culture.</p> <p>Trying to align with the roll out of universal credit timelines may result in increased rent arrears which will impact negatively on the Council's cash flow and business plans.</p>	<p>Some work will be required to enable ICT systems to cope with the change.</p> <p>Any change to the existing pattern of payment risks disrupting tenants' personal financial management plans.</p>	<p>Require rent and other payment to be made weekly in advance for all new tenancies and encourage existing tenants to pay weekly in advance.</p>
<p>7. Would the Council like to remove rent free weeks?</p>	<p>The Council currently operates four rent free weeks per year.</p> <p>Many landlords have moved away from this traditional practice.</p>	<p>The overall rent payment each week would reduce.</p> <p>If rent free weeks were reduced there would be a greater alignment with the housing benefit and universal credit regimes</p> <p>Tenants would have</p>	<p>A change to the existing system would bring about transitional difficulties for tenants.</p> <p>Some work will be required to enable ICT systems to cope with the change.</p>	<p>Maintain the current 4 weeks rent free at the present time.</p> <p>Consult with the Residents Involvement Group on working toward deleting rent free weeks.</p>

Decision	Background	Arguments in favour	Arguments against	Recommendation
		<p>more flexibility to manage their own budgets.</p>		
<p>8. Would the Council like to insert an obligation on tenants to make rent payments by direct debit?</p>	<p>Direct debit payments increase the likelihood of payments of rent. The Council does not currently allow this method of payment for rent.</p> <p>Legally there is no obstacle to the Council requiring this method of payment (however see disadvantages column).</p>	<p>Payment through direct debit minimises the risk of rent arrears.</p> <p>Transaction costs are lower when paying by direct debit.</p>	<p>Regard must be had to the provisions of the Consumer Act 2015 in relation of unfair contract terms. There is an argument that the requirement to pay by direct debit may be difficult to enforce.</p>	<p>Introduce the possibility of payment by direct debit and encourage tenants to view this as our preferred method of payment. However stop short of making it a legal obligation.</p>
<p>9. Would the Council like to insert provisions relating to former occupancy arrears?</p>	<p>Currently there is no provision in our tenancy agreement to require payment of former occupancy arrears and recharges for a Council tenancy, i.e. that if the tenant is moving from another Council property any existing arrears become payable under the new tenancy.</p> <p>Adding former</p>	<p>The introduction of this measure would help in the reduction of rent arrears and help to ensure a “rent first” culture.</p>	<p>Some tenants may struggle to manage their finances to consistently manage to pay rent plus arrears.</p>	<p>Include a provision for payment of rent plus former occupancy arrears and recharges but ensure support from financial inclusion and tenancy sustainment officers to help these tenants maintain their obligations and claim all their financial entitlements.</p>

Decision	Background	Arguments in favour	Arguments against	Recommendation
	<p>occupancy arrears to the tenancy agreement would ensure that if a tenant failed to repay this debt it would constitute a breach of tenancy, and could be pursued by possession proceedings.</p>			
<b>Succession rights</b>				
<p>10. Would the Council like to limit rights of succession to spouses, civil partners and partners, only?</p>	<p>Under section 86A of the Housing Act 2016 local authorities now have discretion as to whether to include rights of succession to anyone other than a spouse, civil partner or partner, and the conditions that would have to be met to enable them to succeed. Previously the right extended to members of the tenant's family who had lived with the tenant for 12 months ending with the date of the tenant's death. The more limited right of</p>	<p>The Council could manage its stock more efficiently (eg in relation to under-occupation) if the right of succession was more limited.</p>	<p>In practice the number of people who would be eligible to succeed within the criteria of having lived for 12 months with the tenant is limited, so it may be considered there is not too much to be gained from the change.</p>	<p>Limit the rights of succession in the tenancy agreement to spouses, partners and civil partners but enable the exercise of discretion in exceptional circumstances.</p>

Decision	Background	Arguments in favour	Arguments against	Recommendation
	<p>succession would be set out in the tenancy agreement.</p>			
<b>Energy Efficiency Equipment</b>				
<p>11. Would the Council like to insert provisions about energy efficiency equipment, giving flexibility to fit such equipment in the future?</p>	<p>The introduction of measures such as solar panels means that the landlord can benefit from feed-in tariffs provided this is spelt out in the tenancy agreement. This equipment is excluded from the demise if the tenant exercises the right to buy so the capital value of the equipment is not lost.</p> <p>The landlord would also want to retain responsibility for repair given the technical nature of the equipment.</p>	<p>There is the potential for the local authority to benefit financially from the introduction of energy efficiency devices.</p>	<p>The tenant could benefit from the introduction of energy efficient devices should the local authority wish to achieve this outcome as an alternative proposition.</p>	<p>Introduce provisions in the tenancy agreement giving the landlord rights to install energy efficiency equipment such as solar panels, and provisions excluding existing energy efficiency equipment such as solar panels and the right to benefit from feed in tariffs from the tenancy agreement.</p>

## Report of the Chief Executive and Interim Senior Housing Manager

**PERFORMANCE MANAGEMENT – REVIEW OF BUSINESS PLAN  
PROGRESS – HOUSING**1. Purpose of report

To report progress against outcome targets identified in the Housing Business Plan, linked to Corporate Plan priorities and objectives, and to provide an update as to the latest key performance indicators for Housing.

2. Background

The Corporate Plan 2016-2020 was approved by Cabinet on 9 February 2016. Business Plans linked to the five corporate priority areas of Housing, Business Growth, Environment, Health and Community Safety are reviewed and refreshed annually. This Committee approved the latest Housing Business Plan on 17 January 2017.

3. Performance management

As part of the Council's performance management framework, each committee receives regular reports during the year which review progress against their respective Business Plans. This will include a detailed annual report where performance management and financial outturns are considered together following the year-end.

This quarterly report is intended to provide this Committee with an overview of progress towards Corporate Plan priorities from the perspective of the Housing Business Plan. It provides a summary of the progress made to date on key tasks and priorities for improvement in 2017/18 and the latest data relating to Key Performance Indicators (KPI). This summary is detailed in appendix 1.

**Recommendation**

**The Committee is asked to CONSIDER the progress made in achieving the Business Plan for Housing and to NOTE the current Key Performance Indicators for 2017/18.**

Background papers

Nil



## APPENDIX 1

**PERFORMANCE MANAGEMENT**1. Background - Corporate Plan

A new Corporate Plan for 2016-2020 was approved by Cabinet on 9 February 2016. It has been developed setting out the Council's priorities to achieve its vision to make "Broxtowe a great place where people enjoy living, working and spending leisure time." Over the next few years, the Council will focus on the priorities of Housing, Business Growth, Community Safety, Health and Environment.

The Corporate Plan prioritises local community needs and resources are directed toward the things they think are most important. These needs are aligned with other local, regional and national plans to ensure the ambitions set out in our Corporate Plan are realistic and achievable.

2. Business Plans

The Business Plans are linked to the five corporate priority areas, including Housing, and were approved by the respective Committees at meetings held in January and February 2017.

The Council's priority for Housing is "A good quality affordable home for all residents of Broxtowe". Its objectives are to:

- Increase the rate of house building on brownfield sites (Ho1)
- Become an excellent housing provider (Ho2)
- Improve the quality and availability of the private rented stock to meet local housing need (Ho3)






The Business Plans detail the projects and activities undertaken in support of the Corporate Plan for each priority area. These cover a three-year period but will be revised and updated annually. Detailed monitoring of progress against key tasks and outcome measures in the Business Plans is undertaken regularly by the relevant Committee. This will include a detailed annual report where performance management and financial outturns are considered together following the year-end as part of the Council's commitment to closely align financial and performance management.









3. Performance Management

As part of the Council's performance management framework, the Housing Committee receives regular reports of progress against the Business Plan. This report provides a summary of the progress made to date on key tasks and priorities for improvement in 2017/18 (as extracted from the Pentana Performance management system). It also provides the latest data relating to Key Performance Indicators (KPI).




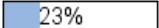

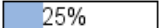


The Council monitors its performance using the Pentana Performance management system. Members have been provided with access to the system via a generic user name and password, enabling them to interrogate the system on a 'view only' basis. Members will be aware of the red, amber and green traffic light symbols that are utilised to provide an indication of performance at a particular point in time.





The key to the symbols used in the Pentana performance reports is as follows:

Action Status Key		
	Completed	The action/task has been completed
	In Progress	The action/task is in progress and is currently expected to meet the due date
	Warning	The action/task is approaching its due date (and/or one or more milestones is approaching or has passed its due date)
	Overdue	The action/task has passed its due date
	Cancelled	This action/task has been cancelled or postponed







Key Performance Indicator and Trends Key			
	Alert		Improving
	Warning		No Change
	OK		Getting Worse
	Unknown		Data Only






















**Key Tasks and Areas for Improvement - 2017/18****Housing Key Tasks and Priorities for Improvement 2017/18**







Status Icon	Action Code	Action Title	Action Description	Progress Bar	Due Date	Comments
	HS1520_03	Policies and procedures for housing management	Actions & PIs Policies and procedures for housing management		31-Oct-2017	This action relates to housing management procedures which have been completed. Further policies and procedures have been identified which require updating. The Void Management Policy and Vulnerable Person's Policy are on the Committee agenda.
	HS1520_04	Accreditations	Accreditations		31-Mar-2018	Housing has signed up to charters for Repairs and Equalities. Following the approval of a new post of Research Officer at Policy and Performance Committee on 3 October 2017. The new post holder will be reviewing available accreditations and timescales.
	HS1520_13	Modernisation of Retirement Living facilities	Modernisation of Retirement Living facilities		31-Mar-2018	This action has been superseded by the review of Retirement Living which was approved at Housing Committee on 20 September 2017.
	HS1520_14	Health and Housing Partnership work	Health and Housing Partnership work		31-Mar-2018	Work continues through the Health and Housing Commissioning Group. Officers have been working with housing colleagues in other districts and borough and from health on a hospital discharge scheme.

Status Icon	Action Code	Action Title	Action Description	Progress Bar	Due Date	Comments
	HS1520_18	Private Lettings Agency	Private Lettings Agency	<div style="width: 37%;"><div style="background-color: #4F81BD; height: 10px;"></div></div> 37%	31-Mar-2018	The Homelessness Reduction Act will come into force in April 2018. The post of Social Lettings Officer will work with private landlords to discharge our homeless duty and ensure positive outcomes for homeless applicants.
	HS1520_19	Improved partnership working with registered providers	Actions & PIs Improved partnership working with registered providers	<div style="width: 25%;"><div style="background-color: #4F81BD; height: 10px;"></div></div> 25%	31-Mar-2018	Partnership working continues through our membership of the Nottinghamshire Social Housing Forum. The meeting on 10 October 2017 focussed on Health and Housing and Welfare Reform.
	HS1520_23	IT system improvements	Actions & PIs IT system improvements	<div style="width: 4%;"><div style="background-color: #4F81BD; height: 10px;"></div></div> 4%	31-Mar-2018	Work continues to implement the Capita Open Housing System.
	HS1520_24	Value for money analysis	Actions & PIs Value for money analysis	<div style="width: 16%;"><div style="background-color: #4F81BD; height: 10px;"></div></div> 16%	31-Mar-2018	Analysis and benchmarking will be completed when the annual HouseMark report is received.

**Key Performance Indicators Housing – 2017/18**

Traffic Light Icon	PI Code & Short Name	2015/16	Q1 2017/18	Q2 2017/18	Current Target	Short Term Trend	Long Term Trend	Notes
	BV213a Preventing Homelessness - number of households where homelessness was prevented as a result of housing advice	420	75	156	200			The number of people requesting housing advice has decreased in the first two quarters of the year.
	NI 155 Number of affordable homes delivered (gross)	20	-	-	85			Data collected annually.

Traffic Light Icon	PI Code & Short Name	2015/16	Q1 2017/18	Q2 2017/18	Current Target	Short Term Trend	Long Term Trend	Notes
	NI 158 Percentage of non-decent council homes	0.11%	-	-	0.20%			Data collected annually.
	HSTOP10_01 Overall Satisfaction	93.39%	87.55%	89.86%	87%			Based on 437 surveys completed during Quarter 2 2017/18.
	HSTOP10_02 Gas Safety	100%	99.80%	99.98%	100%			Full compliancy was achieved in both July and September. One property was non-compliant in August due to the tenant being on holiday when the inspection was due.
	HSTOP10_03 Average Relet Time	25.77	25.46	28.40	23			83 properties were let in Quarter 2. The cumulative average relet time to end of Quarter 2 is 26.9 days. The increase in relet time is due to a longer void period for retirement living properties, which was 41 days in Quarter 2. In contrast, general needs properties had an average relet time of 20.6 days.
	HSTOP10_04 Void Rent Loss	0.65%	0.52%	0.68%	1.2%			In Quarter 2 £33,335.87 was lost in rent due to void properties. This is below target.
	HSTOP10_06 Staff Engagement	7.73	7.73	7.73	8.55			Staff engagement surveys have not been completed this quarter so the score remains the same as the previous quarter. A staff conference has been arranged for December 2017.
	HSTOP10_07 Complaints Upheld at Stage 1	26.32	37.04	26.67	35.80			15 complaints were received in Quarter 2. 4 of these were upheld (1 Repairs and 3 Neighbourhood Services).

Traffic Light Icon	PI Code & Short Name	2015/16	Q1 2017/18	Q2 2017/18	Current Target	Short Term Trend	Long Term Trend	Notes
	HSTOP10_08 Keeping in touch visits	1,687	331	340	1,600 pa			The greatest number of visits this year were conducted in July 2017 with 186 visits completed in the month. The Council is making good progress on the commitment to visit every tenant to complete a visit. Properties identified as 'high risk' have all been visited.
	HSTOP10_10 Tenancy Turnover	7.10	1.98	3.63	0.78			76 properties were terminated in Quarter 2, which is below target.

## Report of the Chief Executive

**WORK PROGRAMME**1. Purpose of report

To consider items for inclusion in the Work Programme for future meetings.

2. Background

Items which have already been suggested for inclusion in the Work Programme of future meetings are given below. Members are asked to consider any additional items that they may wish to see in the Programme.

3. Work Programme

17 January 2018	<ul style="list-style-type: none"> <li>• Rent Recovery Policy</li> <li>• Allocations Policy consultation</li> <li>• Repairs Policy</li> <li>• Tenancy agreement</li> <li>• Compensation</li> <li>• Homelessness Reduction Act</li> <li>• Grenfell response action plan</li> </ul>
13 March 2018	<ul style="list-style-type: none"> <li>• Allocations Policy approval</li> <li>• Leasehold management</li> <li>• Tenancy management</li> <li>• Retirement Living Options review</li> </ul>
June 2018	<ul style="list-style-type: none"> <li>• Garage Management Policy</li> <li>• Private Sector homelessness</li> <li>• Lifeline Policy</li> </ul>

4. Dates of future meetings

Dates of future meetings are to be confirmed.

(All meetings to start at 7.00 pm)

**Recommendation**

**The Committee is asked to consider the Work Programme and RESOLVE accordingly.**

Background papers

Nil