

HOMES POLICY DEVELOPMENT GROUP
13 AUGUST 2019

OVERVIEW OF THE HOUSING SERVICE

Cabinet Member(s): Councillor Simon Clist
Responsible Officer: Mrs Claire Fry, Group Manager for Housing Services

Reason for Report: To provide a written briefing on the structure of the Housing Service and the functions for which the housing teams are responsible

RECOMMENDATION: Members to note the report

Financial Implications: The activity of the Housing Service spans both the General Fund and the Housing Revenue Account (HRA). The HRA is ring fenced and subject to specific financial controls.

Legal Implications: Service delivery funded by the General Fund encompasses the prevention and management of homelessness; and the administration of the housing register. There are many statutory obligations associated with these activities arising from provisions of the Housing Act 1996, as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017.

Tenancy management is funded through the Housing Revenue Account. The tenancy agreement defines the Council's relationship with tenants and sets out the rights and responsibilities of both parties. This takes account of legal and regulatory requirements. The Housing Act 1985, the Localism Act 2011 and the Anti-social Behaviour, Crime and Policing Act 2014 contain many provisions which must be taken into account by the Housing Service.

Risk Assessment: Failure to meet statutory obligations relating to homelessness could result in judicial review which could prove costly. Such an outcome also has the potential to impact the reputation of the Council in a negative way.

The landlord service has approximately 3000 homes in management which represents a huge investment. Failure to provide an effective tenancy management service has the potential to result in failure to meet legal and statutory obligations including those relating to health and safety issues, tenancy fraud, and potential negative publicity in the event of, for example, serious anti-social behaviour leading to residents on an estate feeling stigmatised. Failure to collect rental income could impact the ability to fund necessary management and maintenance activities.

Equality Impact Assessment: As stated, the Council has a number of statutory obligations arising from the Homelessness Reduction Act 2017 and therefore all those presenting as homeless to the Council must be assessed regardless of the section of society from which they come to see whether or not the duties apply. Failure to treat homelessness clients who are eligible fairly, could result in judicial review.

The Council uses the Devon Home Choice scheme to manage the Housing Register. The use of the needs assessment framework in all cases helps to ensure that the

scheme is consistent, open and transparent, and monitoring reports are available which demonstrate this.

The Housing Service uses the Devon Home Choice scheme to allocate and let homes in the retained housing stock and in this way no one case is given any more or less favourable treatment than any other.

There is a suite of housing related policies. The use of these helps to ensure that service delivery is consistent, fair and transparent. There is a regulatory requirement for registered providers of social housing to tailor their service to meet the needs of the tenants and the Housing Service requests diversity data from tenants to enable compliance to be monitored.

Relationship to Corporate Plan: Homes are a priority for the Council and this includes increasing supply in the District and also ensuring that those homes in our ownership are managed efficiently and effectively.

Impact on Climate Change: The housing service has actively invested in energy efficiency; extensive use of solar PV and air source heat pumps already exists. The ongoing circa £170M 30 year maintenance programme has a significant focus on ensuring energy efficiency. Where sustainable options are available they are utilised; however, it is acknowledged that where there is a significant cost differential that plays heavily in the choices made.

We recognise that the provision of sustainable communities is important. As part of our commitment to meeting the provisions of the Tenant Involvement and Empowerment Standard within the Regulatory Framework for Social Housing, the Council offers a menu of involvement which provides opportunities for tenants to get involved in service delivery. Tenants scrutinise the work of the Service and are also involved in the development of our newsletter which is published periodically. We use this and social media to promote sustainability and therefore publish information relating to a variety of topics including fuel efficiency, recycling and healthy living.

Officers sometimes have to respond to emergencies such as those associated with the prevention and management of homelessness and also those arising from serious incidents of anti-social behaviour. In such cases, safeguarding concerns will take priority in order to minimise risk and it is accepted that the ability to manage such issues effectively may have an environmental impact which would not occur if work can be planned in advance and managed in a more co-ordinated way.

1. Introduction/Background

- 1.1 The teams which report to the Group Manager for Housing Services include the Housing Options team which delivers the work required to support the functions of the Council as the Strategic Housing Authority, as required by the Housing Act 1996. In this role, the Council must take action to manage and to prevent homelessness; to manage a housing register which takes account of housing need; and to work with other providers of social housing in an enabling role.
- 1.2 The Group Manager for Housing Services is also responsible for housing management in relation to the Council's retained housing stock. Several teams work together to provide services to the tenants of homes in our ownership. The Group

Manager for Building Services has responsibility for ensuring that these homes are kept compliant with the Decent Homes Standard.

1.3 A structure chart is shown at appendix 1.

2. The Strategic Housing Functions

2.1 Homelessness

- 2.1.1 These functions are funded through the General Fund. The prevention and management of homelessness and the provision of a housing register are both statutory obligations. Registered Providers of Social Housing (RPs), including the Council in the landlord role, are expected to co-operate with local authorities' strategic housing functions and their duties to meet identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting objectives in nominations agreements. In the enabling role, the Housing Service liaises with RPs to help them to deliver more homes and therefore to increase the supply of new housing available to those in housing need.
- 2.1.2 The Homelessness Reduction Act 2017 was implemented in April 2018. The Act introduced a number of significant changes to the way in which those approaching the Council as homeless, or at risk of homelessness, must be assessed. It also introduced a number of new duties which have significantly increased the amount of work required in relation to each case. In summary, the legislation introduced four new duties:
- 2.1.2.1 An extension of the period "threatened with homelessness" from 28 to 56 days
 - 2.1.2.2 A new duty to prevent homelessness for all eligible applicants threatened with homelessness, regardless of priority need
 - 2.1.2.3 A new duty to relieve homelessness for all eligible homeless applicants, regardless of priority need
 - 2.1.2.4 A new "duty to refer"
- 2.1.3 People found to be homeless, or at risk of homelessness, must be issued with a personal housing plan which sets out how they can work with the Housing Service to resolve their homelessness issues. In accordance with this, they may be required to take some specific action. If they fail to do so, the Council may decide to end any duty to that household.
- 2.1.4 The Housing Service recently secured some additional monies from the Ministry of Housing, Communities and Local Government (MHCLG) to support work with rough sleepers. One bid was co-ordinated by Teignbridge District Council on behalf of four Districts. Using this funding stream, the Housing Service will be employing a Navigator to work closely with those who are sleeping rough, or at risk of rough sleeping. Another successful bid involved some joint working with East Devon District Council. The funding received as a result of this is to be used to deliver an outreach service for rough sleepers in both Districts; and to provide intensive support to enable a small number of those who are sleeping rough to move into settled

accommodation.

2.1.5 The budget for this area of work is:

Housing & homelessness advice	£78,160
Housing options staff	£241,100
Total	£319,260

2.2 Devon Home Choice

2.2.1 Devon Home Choice (DHC) is a partnership involving all the local authorities and all the RPs which work in Devon. It provides a framework for assessing housing need. This is used in all cases so that any decisions are fair, open and transparent.

2.2.2 In accordance with the scheme, those in housing need are banded according to their level of need. There are five bands, with those in Band A having the greatest housing need. Those with descending levels of priority for rehousing are placed into Bands B to E.

2.2.3 Housing applicants are able to bid for homes which are advertised on a weekly basis by RPs which work in Mid Devon and elsewhere. When the advertising period closes, the RP which has advertised the property as available for letting, reviews the shortlist. The shortlist shows every applicant who has bid for the home in ascending order of priority for rehousing. Therefore, those in Band A will appear at the top of the shortlist. RPs then work through the list to discount those applicants for whom the property would not be suitable and allocate it to the first suitable household working down. Length of time on the housing register is taken into account when households all in the same band bid for a property. The household that joined the earliest will take priority.

2.2.4 Line management responsibility for keeping the Housing Register updated lies with the Housing Options Manager. With regard to the homes in our management, which form the retained stock, the Voids and Allocations Officers in the Neighbourhood Team within Housing Services allocate these homes. For more information, please refer to the Devon Home Choice website at: <https://www.devonhomechoice.com/>

3 The Landlord Service

3.1 As at 20 May 2019, the Council had 3,000 homes in management:

HRA Stock as at 20/05/2019

	General Needs	Accessible	Total
Houses	1,400	0	1,400
Bungalows	476	532	1,008
Flats	456	136	592
	<u>2,332</u>	<u>668</u>	<u>3,000</u>

3.2 The Housing Revenue Account budget summary 2019/20 is in appendix 2.

- 3.3 “Accessible” homes are those let to tenants with vulnerabilities including those arising from age or from other special needs.
- 3.4 The remainder of the housing stock is known “general needs” accommodation.
- 3.5 122 flats have been sold under the Right to Buy scheme and are now leasehold.
- 3.6 The Social Housing Green Paper, “A New Deal for Social Housing” was published in 2018 and contains the Government’s proposals to reform regulation relating to social housing. Currently, RPs have to comply with the provisions of the regulatory framework which is operated by the Regulator for Social Housing (the RSH). This framework contains a number of consumer and a number of economic standards. Currently, the home, tenant involvement and empowerment, the neighbourhood and community standard and the tenancy standard, which are all consumer standards, apply to the Council. The rent standard, an economic one, is being amended so that it will also apply to the Council in due course.
- 3.7 The Green Paper contained a number of core themes:
 - 3.7.1 Ensuring homes are safe and decent
 - 3.7.2 Effective resolution of complaints
 - 3.7.3 Empowering residents and strengthening the regulator
 - 3.7.4 Tackling stigma and celebrating thriving communities
 - 3.7.5 Expanding housing supply and supporting home ownership
- 3.8 Following a restructure which was implemented last year, the Housing Service operates a system of specialist teams to deliver tenancy management (Appendix 1). There is an income team dedicated to collecting rent and other sundry debts and a voids and allocations team to ensure that empty homes are re-let as quickly as possible. These teams are supported by two Community Housing Support Officers whose role is to work with tenants and prospective tenants to help them to sustain their tenancies and to minimise any financial distress. The Neighbourhood Team Leader for this team also manages the work relating to tenant involvement.
- 3.9 The second Neighbourhood Team Leader is responsible for estate management and this includes work relating to fire safety, other health and safety issues, nuisance and anti-social behaviour, tenancy fraud and general tenancy management. This post-holder also manages a caretaker and the Telecare Officers who deliver the Council’s Lifeline Service, which is a service accounted for within the General Fund.
- 3.10 The Housing Service has a Housing Finance and Performance Team which is responsible for rent accountancy. The team also provides suites of reports used to manage performance. The two Systems Administrators who support the integrated electronic housing management system are managed by the Housing Finance and Performance Manager. Responsibility for managing applications under the Right to Buy scheme also lies with this team.

- 3.11 The Housing Business Support team also leads on garage management and meetings, collates information for new tenants and manages telephone queries.
- 3.12 The Housing Service uses a number of different tenancies. The Tenancy Policy sets out the circumstances in which different tenancies will be used. Generally, new tenants are offered an introductory tenancy lasting one year before moving onto a flexible tenancy of 5 years duration. However, the length of tenancy can be varied in certain circumstances and the Housing Service can also offer prospective tenants a secure, or lifetime, tenancy if there is a vulnerability, which can be evidenced. Existing tenants moving into our homes have to be offered a tenancy with a similar level of security as that where they lived previously.
- 3.13 The Housing Service has an adopted suite of policy which is available to view on the Housing web pages <https://www.middevon.gov.uk/residents/housing/council-housing/strategies-and-policies/> In the event of any complaints relating to service delivery, managers will review the case to check that policy has been followed.
- 3.14 The performance of the Housing Service is closely monitored and detailed information is published on the Council's website on a monthly basis. Performance compares well with that of other RPs.
- 3.15 The turnaround time for void properties was 15 days against a target of less than 14 days. Although outside target, this put the Housing Service into the top quartile when compared to other providers using the Housemark benchmarking service. The top quartile includes all those providers who are achieving a turnaround time of 17.96 days or less.

3.16 Maximising Income

- 3.16.1 In order to maintain the revenue stream, Officers work to clear policy and procedures <https://www.middevon.gov.uk/media/114980/income-management-policy.pdf> . They use an integrated housing management system to manage debt and this prompts escalating actions as a debt increases or an arrangement is missed. Tenants are expected to pay rent on time. This means that it is due at the beginning of the week. Therefore, if tenants opt to make payments on a periodic basis, such as fortnightly or monthly, it is due at the beginning of each period and not the end.

3.17 Neighbourhood Management

- 3.17.1 The Neighbourhood Officers in the Estates Team undertake regular neighbourhood walkabouts every six months. The dates for these estate inspections are published in advance so that Councillors, tenants and other stakeholders can participate.
- 3.17.2 The objective of these inspections is to identify areas on our estates which are in need of attention or improvement; and to ensure that tenants and other private occupiers are made aware of their responsibilities regarding estates management. These inspections also allow Officers to speak with tenants with a view to increasing tenant involvement.
- 3.17.3 In accordance with the relevant policy, <https://www.middevon.gov.uk/media/85031/neighbourhood-management-policy-v3->

[september-2018.pdf](#) neighbourhood walkabouts allow Neighbourhood Officers to identify:

3.17.3.1 Breaches of tenancy

3.17.3.2 Grounds maintenance issues

3.17.3.3 Repairs

3.17.3.4 Any health and safety issues including trip hazards

3.17.3.5 Security issues, including those relating to fences/ boundaries and security doors

3.17.3.6 Tenancy issues including those relating to property condition, property improvements, untidy gardens and pets

3.17.3.7 Anti-social behaviour, including graffiti/ vandalism, drugs, abandoned cars, fly tipping

3.17.3.8 Issues relating to communal areas, car parks and garages

3.17.4 Those Neighbourhood Officers responsible for estate management also undertake Tenancy Home Checks and the Tenancy Inspection Policy applies. <https://www.middevon.gov.uk/media/191652/tenancy-inspection-policy-v18.pdf> In accordance with this policy, officers will make unannounced inspections at properties. They will check that tenants are complying with the terms and conditions of their tenancy agreements. The visits enable officers to increase our knowledge about those who are living in our homes; and to provide support to those tenants who may need it by signposting or referring them to other agencies which can help.

3.18 Fire Safety

3.18.1 The Housing Service has a clear policy relating to fire safety in communal areas, which is available to view on our webpages. We operate a zero tolerance policy on belongings in communal areas in order to minimise the fire risk. Our policy was drafted in consultation with the Devon and Somerset Fire and Rescue Service. In accordance with the policy, officers working in Public Health undertake fire risk assessments at each block on a regular basis. <https://www.middevon.gov.uk/media/344294/mddc-fire-risk-in-communal-areas-policy.pdf>

3.19 Tenancy Fraud

3.19.1 The Housing Service needs to ensure that homes are available for those who need them the most. Tenancy fraud is a crime under the Prevention of Social Housing Fraud Act 2013. Prospective tenants have to provide photo identification before a home can be let to them. Tenants are encouraged to report tenancy fraud and the Housing Service is committed to taking action against those who have obtained housing by making a false or misleading statement. Other work, including that undertaken as part of the Tenancy Home Checks also helps support our approach.

The Housing Service also works in partnership with other agencies in relation to tenancy fraud and is a member of the Devon Tenancy Fraud Forum.

3.20 Anti-social Behaviour

3.20.1 The Housing Service is committed to preventing, investigating, recording and monitoring incidents of anti-social behaviour on our estates in accordance with our policy. <https://www.middevon.gov.uk/media/1184/asb-policy-v1-4-approved-by-pdg-160615.pdf> Officers will investigate and evaluate all incidents received and take appropriate action. They will categorise complaints according to the level of risk and if they are deemed to be of low level, they will recommend mediation. Those cases which involve a clash of lifestyle and other nuisance arising from neighbour disputes will be assessed as being of low risk and therefore non-urgent.

3.20.2 Officers work in partnership to manage and to resolve more serious complaints. The Housing Service is involved in many multi-agency partnerships including Early Help, Youth ASB and others which respond to issues relating to domestic violence and safeguarding.

3.20.3 The Housing Service has a pets and animals policy and, in accordance with this, tenants are expected to seek written permission to keep a pet at their property. <https://www.middevon.gov.uk/media/85030/pets-and-animals-policy-v45-approved-at-pdg-160615.pdf>

3.21 Tenant Involvement

3.21.1 The RSH expects the Housing Service to offer opportunities to tenants to get involved in the work of the Council as a landlord. This includes offering them a chance to scrutinise performance, to influence policy and to participate in decision-making regarding how housing-related services are run. The Tenant Involvement & Empowerment Standard also requires the Housing Service to tailor service delivery to meet the needs of tenants; and to have an approach to complaints which is clear, simple and accessible. This approach must ensure that complaints are resolved promptly, politely and fairly. <https://www.middevon.gov.uk/media/345683/ti-strategy-220518-final.pdf> <https://www.middevon.gov.uk/media/345682/tenant-involvement-policy-final.pdf>

3.22 Complaints

3.22.1 All complaints received by the Housing Service are dealt with in accordance with the corporate Complaints and Feedback policy. <https://www.middevon.gov.uk/your-council/customer-services/customer-feedback-and-complaints/> This is a two-stage process. If, once the original decision has been reviewed, the complainant remains dissatisfied, they can escalate their complaint. Complaints relating to the strategic housing functions of the Council need to be referred to the Local Government and Social Care Ombudsman. Complaints related to service delivery associated with the landlord service can be referred to the Housing Ombudsman Service. However, if a complainant wishes, they can refer the matter to a Designated Person before taking this action. The Designated Person can be an MP, a local Councillor or a Tenant Panel. The role of the Designated Person is to try to resolve disputes between landlords and tenants. The Designated Person may decide to refer the issue to the

Housing Ombudsman Service. Alternatively, the complainant themselves can refer the matter eight weeks after the Housing Service has sent the final response.

4 Recommendation

4.1 Members to note the report.

Contact for more Information: Mrs Claire Fry, Group Manager for Housing Services, tel: 01884 234920, email: cfry@middevon.gov.uk

Circulation of the Report: Councillor Simon Clist, Cabinet Member; Leadership Team

List of Background Papers:

Link to Housing Act 1996:

<https://www.legislation.gov.uk/ukpga/1996/52/contents>

Link to Council tenancy agreements:

<https://www.middevon.gov.uk/residents/housing/council-housing/strategies-and-policies/tenancy-agreements/>

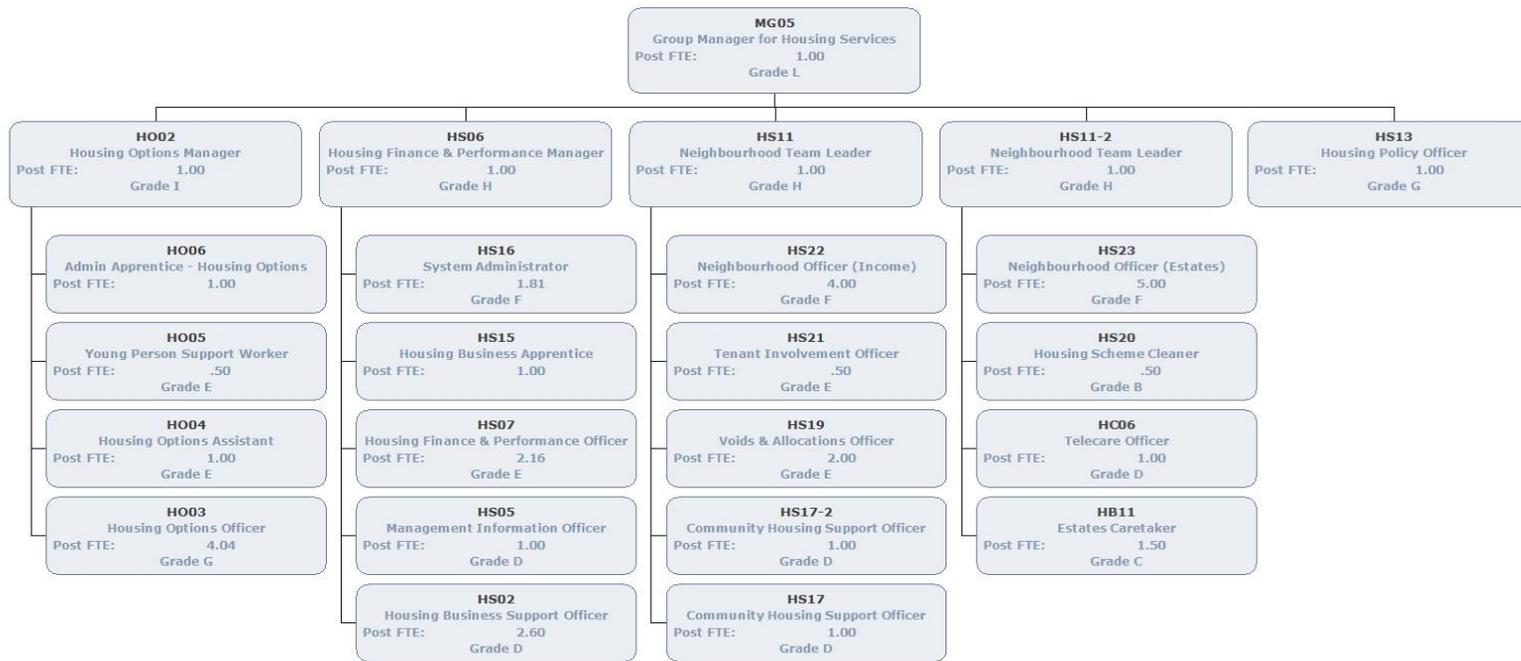
Link to Housing policies:

<https://www.middevon.gov.uk/residents/housing/council-housing/strategies-and-policies/>

Link to Housing Ombudsman Service website:

<https://www.housing-ombudsman.org.uk/>

Housing Services Structure



Creation Date 28/06/2019

Appendix 2

HOUSING REVENUE ACCOUNT BUDGET SUMMARY 2019/2020

Description	Code	2018/2019	Movement	2019/2020
		Annual Budget		Annual Budget
		£	£	£
Employee Cost	1000	2,409,300	212,250	2,621,550
Premises	2000	187,970	6,800	194,770
Transport	3000	224,840	41,670	266,510
Cost Of Goods And Services	4000	7,891,170	(532,990)	7,358,180
Income	7000	(13,151,700)	162,330	(12,989,370)
TOTAL NET DIRECT COST OF SERVICES		(2,438,420)	(109,940)	(2,548,360)
Net recharge to HRA	5000	1,447,160	123,950	1,571,110
Capital Charges	6000	991,260	(14,010)	977,250
NET BUDGET		-	-	-

Direct Costs Detail	2018/2019	2019/2020	Movement	+/- %
	Annual Budget	Annual Budget		
	£	£	£	
Income				
SHO01 Dwelling Rents Inc	(12,118,490)	(11,977,170)	141,320	-1.2%
SHO04 Non Dwelling Rents Inc	(584,130)	(564,870)	19,260	-3.3%
SHO07 Leaseholders' Ch For Serv	(21,640)	(21,640)	-	0.0%
SHO08 Contributions Towards Exp	(41,470)	(27,720)	13,750	-33.2%
SHO10 H.R.A. Investment Income	(59,000)	(83,000)	(24,000)	40.7%
SHO11 Misc. Income	(19,350)	(7,350)	12,000	-62.0%
Services				
SHO13A Repairs & Maintenance	3,120,450	3,174,000	53,550	1.7%
SHO17A Housing & Tenancy Services	1,415,540	1,732,360	316,820	22.4%
Accounting entries below the line				
SHO29 Bad Debt Provision	25,000	53,000	28,000	112.0%
SHO30 Share Of Corp And Dem	194,590	199,100	4,510	2.3%
SHO32 H.R.A. Interest Payable	1,165,610	1,178,580	12,970	1.1%
SHO34 H.R.A. Trf To/From EMR	2,448,470	1,676,350	(772,120)	-31.5%
SHO36 H.R.A. R.C.C.O.	130,000	-	(130,000)	-100.0%
SHO37 Capital Receipts Res Adj	(26,000)	(26,000)	-	0.0%
SHO38 Major Repairs Allowance	2,101,000	2,285,000	184,000	8.8%
SHO45 Renewable Energy Transactions	(169,000)	(139,000)	30,000	-17.8%
NET DIRECT TOTAL	(2,438,420)	(2,548,360)	(109,940)	4.5%