

**HOMES POLICY DEVELOPMENT GROUP
15 SEPTEMBER 2020**

HOUSING SERVICE DELIVERY REPORT

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

Reason for Report and Recommendation: To provide an update to Members on enforcement and other activity undertaken by Officers in the Housing Service

Members are asked to note the report

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

Budget and Policy Framework: Policies agreed by the Homes Policy Development Group govern the work of the Housing Service. There are budgets set aside within the General Fund to finance work relating to homelessness and strategic rehousing. Additional funding to support work with rough sleepers has also been obtained in partnership with East Devon District Council for use this year. The HRA is funded in large part by rental income and therefore maintaining the revenue stream must be a key priority for the Housing Service.

Legal Implications: 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.

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.

Risk Assessment: 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, a serious fire or 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.

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.

Equality Impact Assessment: There is a suite of housing related policies. The use of these helps to ensure that service delivery is consistent and fair. 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.

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.

Relationship to Corporate Plan: Homes and the environment are a priority for the Council and this includes increasing the supply of affordable homes in the District and also supporting and growing active tenant engagement.

Impact on Climate Change: 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. We use social media to promote sustainability and publish information relating to a variety of topics including fuel efficiency, recycling and healthy living.

With regard to the homes in our management, our repairs and improvements strategies are informed by the need to reduce carbon emissions; and the need to reduce fuel poverty is also a key consideration.

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.

1.0 Introduction/Background

- 1.1 The rationale for this report is to show the range of work being undertaken across the Housing Service with regard to enforcement and safeguarding activity.
- 1.2 Going forward, this report will be refined and provided to the Homes Policy Development Group (PDG) on a regular basis to show activity undertaken during each previous quarter of the year.
- 1.3 Members of the PDG are asked to advise Officers if there are any additions or amendments required to inform work on the further development of the report.
- 1.4 Appendix 1 shows a summary of enforcement and other related activity and appendix 2 shows a summary of safeguarding activity undertaken in connection with the wellbeing of tenants, members of their households or

anyone else, regardless of whether they live on our estates, where a concern has been identified.

2.0 **Enforcement Activity**

- 2.1 The Regulator for Social Housing operates the regulatory framework which contains a number of standards which set out the required outcomes and specific expectations associated with the performance of registered social landlords (RPs).
- 2.2 The Neighbourhood and Community Standard contains provisions relating to the management of anti-social Behaviour and in line with these, RPs are expected to work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes.
- 2.3 Neighbourhood Officers in the Housing Revenue Account (HRA) Estates team are responsible for managing nuisance and anti-social behaviour. This work can be resource-intensive involving as it does the need to investigate complaints, provide support to complainants, and to take appropriate action. Officers often experience conflicting demands when trying to resolve such cases and can find some of the delicate and sensitive issues with they may be called upon to manage, particularly challenging.
- 2.4 The report in appendix 1 shows the range of work associated with the management of anti-social behaviour under the heading: "Neighbourhood and Community Standard".
- 2.5 Neighbourhood Offices in the HRA Income Team are responsible for maintaining the revenue stream. From the beginning of April 2020 until 23 August 2020, there has been a "pause" with regard to the commencement of possession proceedings and evictions. This was due to the Government trying to mitigate the impact of lockdown and to aid sustainable tenancies. Procedures relating to possession actions are about to change in order to provide more protection for those tenants who may be experiencing financial difficulties as a result of the economic impact of the pandemic.
- 2.6 For this reason, there was very little enforcement activity undertaken during the pandemic by the HRA Income Team. Instead, Officers modified their style in order to provide a more supportive response to those experiencing financial issues and a more collaborative approach was implemented. The aim was to ensure that those who were unable to pay their rent approached the Housing Service at an early stage in order to obtain advice and support as appropriate. Our Officers were able to signpost and refer those in need to other agencies which could help. In addition, they endeavour to create a payment culture by ensuring that any arrangements for repayment were realistic and achievable.
- 2.7 Members are likely to see an increase in enforcement activity relating to the need to protect the interests of the Council with regard to rent debt as the year goes on.
- 2.8 The Housing Options team is responsible for managing temporary accommodation which is used by those who have presented as homeless.

The Council has a number of statutory obligations to such people and this includes accommodating them whilst their circumstances are being investigated and assessed; and then, if a duty is owed, until such time as they can be rehoused.

- 2.9 During the pandemic, other individuals were accommodated as part of the initiative to minimise rough sleeping.
- 2.10 As shown in appendix 1, there were some evictions from temporary accommodation during the first quarter of 2020/21.
- 2.11 All Officers in the Housing and Building Services are required to escalate safeguarding issues, as appropriate, if there are any concerns about an individual, a member of their household or anyone else. This is in accordance with the corporate policy on safeguarding. Safeguarding issues can arise for many reasons and these may be associated with relationship breakdown, mental or other health issues, neglect and so on.
- 2.12 The HRA Estates team is the main point of contact for other agencies in relation to any safeguarding issues relating to tenants or anyone else, which have been escalated due to concern relating to risk of harm. The Neighbourhood Officers in that team will attend Team Around the Family (TAF) and other relevant meetings, as appropriate, on behalf of the Housing Service. As with enforcement activity, work relating to safeguarding can be very difficult and upsetting, and may involve inter-agency dialogue, joint working and involvement in many meetings. Officers are sometimes required to prioritise their work in order to ensure that they have the time available to manage cases where safeguarding is an issue. For this reason, activity relating to this work-stream has been included within this report; with an additional table demonstrating the extent of the current caseload.
- 2.13 Anecdotally, an increase in safeguarding issues has been noted during the pandemic. The inclusion of relevant data in this report will enable Members to monitor the situation as the year progresses.

3.0 Recommendation

- 3.1 Members are asked to note the report.

Contact for more Information: Mrs Claire Fry, Group Manager for Housing Services, telephone: 01884 255255, email: cfry@middevon.gov.uk

Circulation of the Report: Councillor Bob Deed, Leader of the Council; Councillor Bob Evans, Cabinet Member for Housing; other Members of the Cabinet & Leadership Team; Corporate Management Team & other Group Managers

List of Background Papers:

The Regulatory framework for social housing:

<https://www.gov.uk/government/collections/regulatory-framework-requirements>

Appendix 1

Service Delivery – Enforcement Activity

Neighbourhood & Community Standard – Housing Revenue Account Estates team						
	Quarter1	Quarter2	Quarter3	Quarter4	Year to Date	Commentary
Fraud cases opened	3					3 x cases being investigated for fraud
Fraud cases referred to an external investigator	1					1 x case referred to an external investigator
Acceptable Behaviour Agreements signed	0					
Good Neighbourhood Agreements signed	0					
Community Protection Notice warnings issued	2					
Community Protection Notices issued	0					
Possession Actions commenced on grounds of ASB	4					4 x cases in connection to extension of closure orders
Closure Orders – obtained	4					4 x cases - Extension of Closure orders
Injunctions sought	1					Legal advice obtained. 1x case - collating evidence for civil injunction
Evictions on grounds of anti-social behaviour/ other tenancy breach	0					
Income Recovery – Housing Revenue Account Income Team						

	Q1	Q2	Q3	Q4	YTD	Commentary
Notice of Seeking possession served	0					
Judgement obtained	0					
Warrants issued	2					Warrants issued are pending an eviction date due to the pause on evictions during the pandemic
Evictions on grounds of rent arrears	0					
Management of Temporary Accommodation - Housing Options team						
	Quarter1	Quarter2	Quarter3	Quarter4	Year to Date	Commentary
Evictions from temporary accommodation	6					These cases arose from the need to evict individuals who had threatened staff, caused nuisance to other residents or where the duty to accommodate had ended.

Appendix 2

Service Delivery – Safeguarding Activities

Neighbourhood & Community Standard – Housing Revenue Account Estates team						
	Quarter1	Quarter2	Quarter3	Quarter4	Year to Date	Commentary
Domestic abuse cases opened	10					10 x Domestic Violence (DV) cases reported to the Neighbourhood Officers.
Domestic abuse cases referred to Multi-agency Risk Assessment Conference (MARAC)	5					5 x MDDC Cases referred by other agencies. None referred by MDDC Reports provided to MARAC for all cases
Safeguarding referrals made (to all agencies)	6					2 x cases referred to Adult Safeguarding 4 x cases referred to General Practitioner (GP)