

Approval for 4 x TLS policies

Overview and Scrutiny Panel	15 March 2022
Report Author	Sally O’Sullivan, TLS Manager
Portfolio Holder	Cllr Jill Bayford, Cabinet Member for Housing
Status	For Information
Classification:	Unrestricted
Key Decision	No
Ward:	All

Executive Summary:

This report invites members of the Overview and Scrutiny Panel to review four new policies to be adopted by Tenant and Leaseholder Services (TLS), ahead of seeking approval at Cabinet.

The draft policies are as follows:

- Aids and Adaptations policy
- Rechargeable Works policy
- Antisocial Behaviour Policy
- Income Recovery, including evictions and enforcement policy

Recommendation(s):

Members of the Overview and Scrutiny Panel are asked to:

1. To scrutinise the contents of the following policies and the accompanying Equality Impact Assessments (EIA):
 - Aids and Adaptations policy - Annex 1:
 - Aids and Adaptations policy EIA - Annex 2:
 - Rechargeable Works policy - Annex 3:
 - Rechargeable Works policy EIA - Annex 4:
 - Antisocial Behaviour Policy - Annex 5:
 - Antisocial Behaviour Policy EIA - Annex 6:
 - Income Recovery, including evictions and enforcement policy - Annex 7:
 - Income Recovery, including evictions and enforcement policy EIA - Annex 8:

Corporate Implications

Financial and Value for Money

All drafted policies have financial implications:

- Aids and Adaptations policy: Tells our residents and officers when we will and will not carry out aids and adaptations to our tenanted properties. The TLS has an annual budget for Aids and Adaptations which comes from the Housing Revenue Account (HRA).
- Rechargeable Works policy: This policy sets clear expectations for officers and tenants as to which services are rechargeable, ensuring the council recharges for work in a fair and consistent way, giving an appropriate mechanism for reclaiming the costs of work that remain the tenant's responsibility.
- Antisocial Behaviour Policy: Antisocial behaviour often impacts on our revenue budget when removing fly tipping from communal areas or fixing property that has been damaged by our tenant. The policy tells residents and officers how we will deal with antisocial behaviour.
- Income Recovery, including evictions and enforcement policy: This policy tells our residents and officers how we will collect our rent income and what we will do in cases of rent or service charge arrears to prevent debt to the council and deficit to the HRA

Legal

As a landlord of residential buildings, the council has a regulatory responsibility to ensure there are appropriate policies in place that let our tenants and leaseholders know how we operate in certain situations.

Corporate

The council's Corporate Statement sets out its commitment to, 'Improve standards and safety in homes across all tenures' and to 'Work with our partners to deliver a range of community safety initiatives across the District, taking tough action to tackle anti-social behaviour.'

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

This report relates to the following aim of the equality duty: -
(Delete as appropriate)

- *To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.*

The council's tenants and leaseholders include residents that have protected characteristics as set out in the Public Sector Equality Duty. Each of the new policies is subject to a completed Equalities Impact Assessment (EIA), attached to this report.

In addition authors are required to conduct a Customer Impact Assessment where proposals affect customers or staff. Topics such as:

- *the introduction/change/cessation of a service*
- *introduction/increases in fees and charges*
- *staff restructures*
- *creation/amendment of policy or strategy documents*
- *introduction of new initiatives/schemes*

are examples of where an assessment should be carried out.

Compliance can only be achieved if we can evidence that due regard is given in substance, this means starting your assessment at the beginning of your piece of work and updating it throughout. Completing the assessment at the end or after a decision is taken will not satisfy the Duty.

Where an assessment is required please summarise the key findings here and append your full analysis to the report with any personal data redacted.

Please see the equality compliance toolkit on TOM or contact the Legal Department for assistance.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -
(delete as appropriate)

- *Communities*

1.0 Introduction and Background

- 1.0 The Council's new tenant and leaseholder service was launched on 1 October 2020.
- 1.1 As part of the pledged service improvement, the council must develop new operational policies across a range of services. The Regulator for Social Housing tells us that some policies are required as part of the Consumer Standards.

- 1.2 The four policies presented are the first in a suite of policies that we want to draft, adopt and publish on the Council's website.

2.0 The Policies

- 2.1 There are four policies presented to OSP today:

- Aids and Adaptations policy
- Rechargeable Works policy
- Antisocial Behaviour Policy
- Income Recovery, including evictions and enforcement policy

- 2.2 **Aids and Adaptation policy** - enables TDC to provide housing which best meets the assessed needs of tenants with disabilities. It also guides Occupational Therapists and other professionals to understand what TDC will and will not be able to assist with in terms of adaptations to a tenant's home.

- 2.3 **Rechargeable Works policy** - The aim of this policy is to fairly and responsibly apply charges and collect debt for works that are the responsibility of the tenant, as per the tenancy agreement. For example; we will need to carry out works on behalf of a tenant and recharge them if the work required is a matter of health and safety or when a property is handed back to us on termination of a tenancy with damage caused by the tenant.

- 2.4 **Antisocial Behaviour (ASB) Policy** - supports TDC to tackle Anti-Social Behaviour in a responsive, proportionate and robust manner. It outlines the measures we will take to investigate reports of ASB, providing clear expectations to complainants and alleged perpetrators and the actions we will take to stop ASB by prevention, early intervention and where we will take legal action.

- 2.5 **Income Recovery, including evictions and enforcement policy** - This policy is designed to increase financial stability by developing a culture of responsibility through empowering tenants and leaseholders to manage their own accounts. And by addressing the arrears of our tenants and leaseholders along with former tenants of HRA managed stock. Working with our tenants and leaseholders to clear debt in an affordable way.

3.0 Consultation

- 3.1 The Thanet Tenants and Leaseholders Group (TTLG) were consulted on the four policies by way of review and discussion of the drafts during the monthly TTLG meetings in October and December. The lead manager for each policy was in attendance to answer any questions, give expert advice, listen and act upon any recommendations.

- 3.2 In general the policies were well received as the TTLG found them to be fair, cost effective, clear, easy to read and free of jargon

- 3.3 Useful feedback was given to a couple of points within the policies, leading to word changes to reduce assumptions which served to enhance them. The recognition that perpetrators of ASB may also need support was welcomed.

- 3.4 The Group felt the policies do not discriminate against protected characteristics, provide equal opportunity to accessing services and promote good relations between TLS, contractors and residents. The TTLG comments have been used to inform the EIAs.
- 3.5 All feedback was responded to, to let the group know how it was used or the reason why we did not use the feedback if this was the case. We found feedback from the TTLG to be very useful in the development of these policies and EIAs.

4.0 Equality Impact Assessment (EIA)

- 4.1 All policies have been subject to an EIA completed by a panel of 3 officers from the tenant and leaseholder service, together with the relevant lead officer for the policy.

Contact Officer: Sally O’Sullivan, Tenant and Leaseholder Services Manager
Reporting to: Bob Porter (Director of Housing and Planning)

Annex List

Annex 1: Aids and Adaptations policy
Annex 2: Aids and Adaptations policy EIA
Annex 3: Rechargeable Works policy
Annex 4: Rechargeable Works policy EIA
Annex 5: Antisocial Behaviour Policy
Annex 6: Antisocial Behaviour Policy EIA
Annex 7: Income Recovery, including evictions and enforcement policy
Annex 8: Income Recovery, including evictions and enforcement policy EIA

Background Papers

Corporate Consultation

Finance: *(Insert name and job title)*

Legal: *(Insert name and job title)*