

## Approval for 4 x TLS policies

<b>Cabinet</b>	17 March 2022
<b>Report Author</b>	Sally O'Sullivan, Tenant and Leaseholder Services Manager
<b>Portfolio Holder</b>	Cllr Jill Bayford, Cabinet Member for Housing
<b>Status</b>	For Decision
<b>Classification:</b>	Unrestricted
<b>Key Decision</b>	Yes.
<b>Reasons for Key</b>	An Executive Decision that involves the approval of 4 x policies to be adopted and published by the council's tenant and leaseholder service (TLS)
<b>Ward:</b>	N/A

### Executive Summary:

This report seeks authority for the council to adopt 4 x new policies:

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

### Recommendation(s):

Cabinet is asked to:

1. Approve the adoption of the 4 new policies.

### 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: -

- *To advance equality of opportunity between people who share a protected characteristic and people who do not share it.*

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, attached to this report.

## CORPORATE PRIORITIES

This report relates to the following corporate priorities:

- *Communities*

### 1.0 Introduction and Background

- 1.1 The Council's new tenant and leaseholder service was launched on 1 October 2020.
- 1.2 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.
- 1.3 The 4 x policies looking for approval by cabinet today 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 4 policies recommended to cabinet 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 4 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 policies Equality Impact Assessments (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.

### **5.0 Options**

- 5.1 Cabinet is asked to review the 4 policies annexed to this report and has the following options:
1. Agree all 4 policies as recommended.
  2. Agree one or more of the recommended policies. This option is not recommended as all policies are required for the effective operational delivery of the service and to satisfy the requirements of the Regulator for Social Housing for registered landlords to publish policies that impact on the services to tenants and leaseholders.
  3. Amend one or more of the policies. This option is not recommended as the policies have been developed by front line staff delivering these services and have been the subject of consultation with the TTLG.
- 5.2 This report has also been considered by the council's Overview and Scrutiny Committee at its meeting on 15 March 2022 and any significant observations made by the committee will be shared with members of the cabinet prior to the decision.

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**

N/A

### **Corporate Consultation**

**Finance:** Chris Blundell (Director of Finance)

**Legal:** Estelle Culligan (Director of Law and Democracy)