

Approval for the following TLS policies:

- 2 x new policies
- 3 x Reviewed policy

Cabinet	14 March 2024
Report Author	Sally O'Sullivan, Head of Tenant and Leaseholder Services
Portfolio Holder	Cllr Helen Whitehead, Deputy Leader and Cabinet Member for Housing
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes.
Reasons for Key	An Executive Decision that involves the approval of 2 x new policies and amendments to 3 x reviewed policy to be adopted and published by the council's tenant and leaseholder service (TLS)
Ward:	N/A

Executive Summary:

This report seeks authority for the council to adopt 2 x new policies:

- Compensation Policy
- Write Off Policy

And accept amendments to 3 x reviewed policies:

- Disabled Aids and Adaptations
- Antisocial Behaviour Policy
- Rechargeable Works Order Policy

Recommendation(s):

Cabinet is asked to:

1. Approve the adoption of the 2 new policies and accept the amendments of 3 x reviewed policy.
2. Delegate authority to the Head of Tenant and Leaseholder Services, in consultation with the Cabinet Member for Housing to make minor operational changes to the policies, as required

Corporate Implications

Financial and Value for Money

There are no financial implications arising directly from this report, as although there is a mix of new and amended policies, processes are already in place to manage the associated financial implications, and therefore:

- **Compensation Policy:** Applies a consistent approach to the way compensation is awarded. We do not expect there to be an impact on the revenue budget for this as TLS current work by these principles and award compensation where they deem appropriate.
- **Write off Policy:** This policy sets out how we identify and manage Former Tenant Arrears (FTA). Detailing what we will do to try and recover money owed to the council, in what circumstances we will write off FTA and the officer that may authorise various values of debt to write off. There is provision in the HRA to cover bad debt which is reviewed annually.
- **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 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.

Legal

The policies being considered in this report support the Council to meet its duties as a social landlord. They allow tenants clarity in relation to the matters addressed in each policy and provide for a consistent approach in respect of each matter. Where legislation is relevant to the application of a policy it has been referenced in this.

Cabinet must have regard to the Council's equality duties when making a decision in relation to each of these policies and Comprehensive Equalities Impact Assessments have been carried out in relation to each.

Corporate

The council's Corporate Statement sets out its commitment to, 'Improve standards and safety in homes across all tenures'

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:

- *To keep our district safe and clean*
- *To deliver the housing we need*
- *To work efficiently for you*

1.0 Introduction and Background

1.1 The council's Tenant and Leaseholder Service (TLS) manages the council's social housing stock.

1.2 New policies are introduced into the service following lessons learnt exercises identifying a gap or when legislation/regulations change. Current policies require review on a regular basis. They can be subject to revisions after an analysis of how they have been performing during the period or if there is a change in legislation.

1.3 There are 2 x new policies seeking approval to be adopted and published on the councils website by cabinet and 3 x policies that have been subject to a review.

2.0 The Policies

2.1 The 2 new policies are

- Compensation Policy

- Write Off Policy

3 x policies that has been reviewed:

- Aids and Adaptations policy
- ASB Policy
- Rechargeable Works Order Policy

- 2.2 **Compensation policy** - This policy sets out the circumstances in which we will award compensation or offer a goodwill gesture. The policy will ensure our approach is consistent and empowers our officers to resolve issues without escalation.
- 2.4 **Write Off Policy** - There are circumstances in which, when a resident ceases to be a tenant of TDC, they leave a debt against their rent account. This policy is for officers, giving guidance on the steps that must be taken to recover former tenant arrears and in what circumstances we can write off the debt. Due to the varying values that can be written off, we need to ensure there is appropriate escalation to authorise write off's as detailed in this policy.
- 2.5 **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. The revisions made in this policy are:
- to remove rent arrears as a reason to not carry out an adaptation
 - to simplify the dispute process by guiding tenants to the complaints process
 - removing the timescales for completion of various adaptations
 - add our methodology for prioritisation of cases
- 2.6 **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. The revisions made to this policy are:
- Addition of an equalities statement
 - Revising the review/dispute process
- 2.7 **Rechargeable Works Order 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. The revisions made to this policy are:
- Include costs for missed appointments
 - Include costs incurred for abuse of the repairs service
 - Addition of an equalities statement

3.0 Consultation

- 3.1 The Thanet Tenants and Leaseholders Group (TTLG) were consulted on the all policies by way of review and discussion of the drafts during TTLG meetings. The lead manager for each policy was in attendance to answer any questions, give expert advice, listen and act upon any recommendations.
- 3.3 TDC's Housing CAG have reviewed these policies in their meetings held 8/11/23. There was some useful discussion and a suggestion made for the ASB policy that has been incorporated. All other policies were noted by the group.

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 policies annexed to this report and has the following options:
1. Agree all 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 12/3/24 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, Head of Tenant and Leaseholder Services
Reporting to: Bob Porter, Director of Place

Annex List

Annex 1 - Compensation policy
Annex 2 - Compensation policy EIA
Annex 3 - Write Off Policy
Annex 4 - Write Off Policy EIA
Annex 5 - Disabled Aids and Adaptations policy
Annex 6 - Disabled Aids and Adaptations policy EIA
Annex 7 - ASB policy
Annex 8 - ASB policy EIA
Annex 9 - RWO policy
Annex 10 - RWO EIA

Background Papers

N/A

Corporate Consultation

Finance: Matthew Sanham (Head of Finance and Procurement)

Legal: Ingrid Brown (Head of Legal and Democracy & Monitoring Officer)