





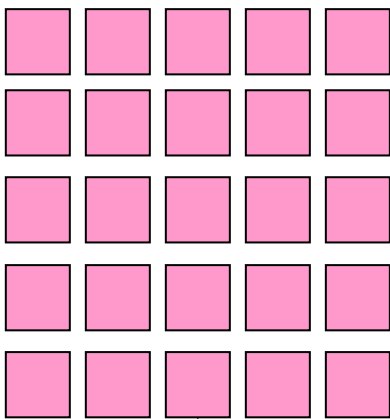
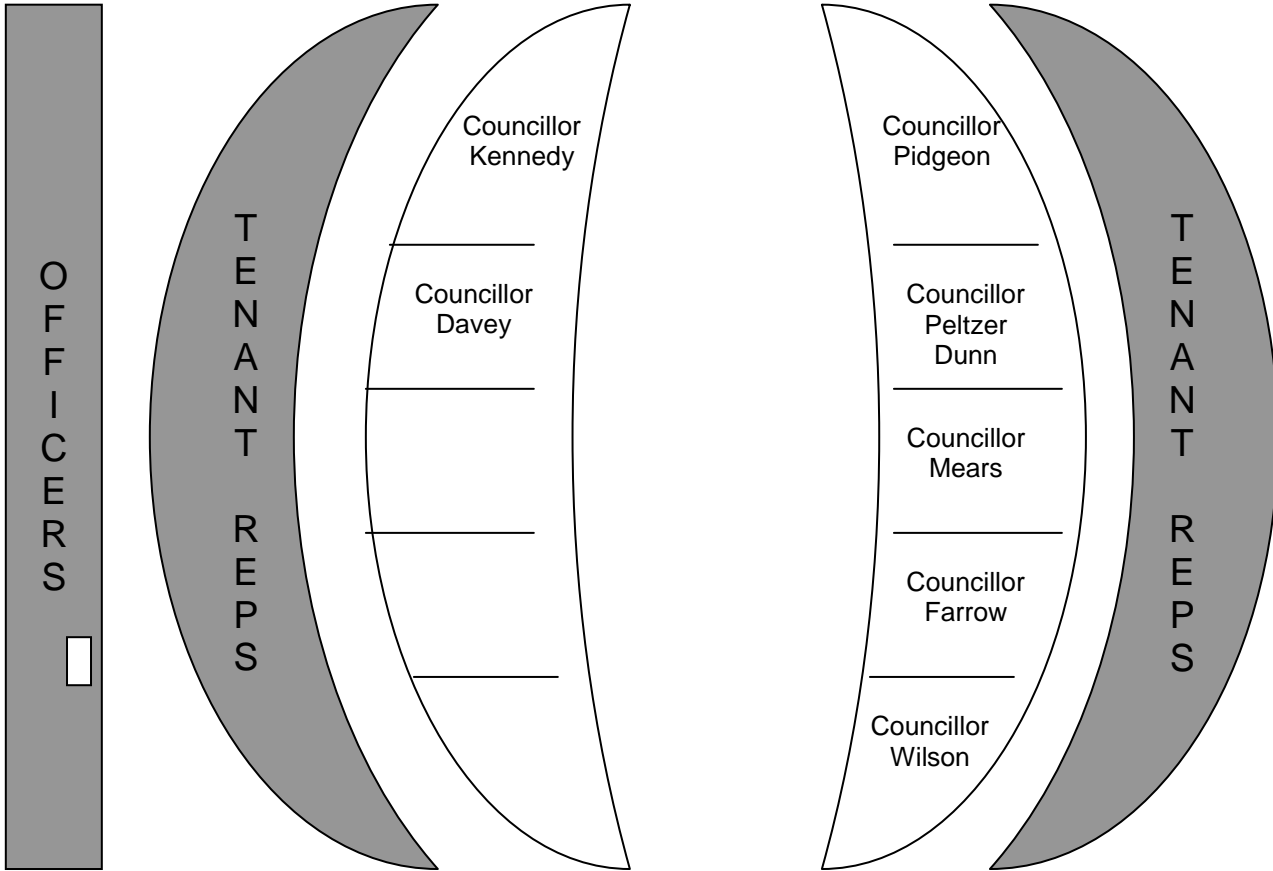
**Brighton & Hove  
City Council**

# Housing Management Consultative Committee

Title:	<b>Housing Management Consultative Sub-Committee</b>
Date:	<b>1 April 2014</b>
Time:	<b>3.00pm</b>
Venue:	<b>Council Chamber - Hove Town Hall</b>
Members:	<b>Councillors:</b> Randall (Chair), Peltzer Dunn (Opposition Spokesperson), Farrow (Group Spokesperson), Davey, Kennedy, Mears, Pidgeon and Wilson
Contact:	<b>Lisa Johnson</b> Democratic Services Manager 01273 291228 lisa.johnson@brighton-hove.gov.uk

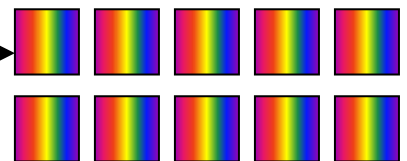
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# Democratic Services: Meeting Layout



Public Seating

Members in Attendance



Press



## **Tenant Representatives:**

### Brighton East Area Housing Management Panel

Chris El-Shabba

Heather Hayes

### Central Area Housing Management Panel

Jean Davis

Alison Gray

### North & East Area Housing Management Panel

Janet Gearing

Vacancy

### West Hove & Portslade Area Housing Management Panel

Roy Crowhurst

Ron Gurney

### Hi Rise Action Group

John Melson

### Leaseholder Action Group

Tony Worsfold

### Sheltered Housing Action Group

Charles Penrose

### Tenant Disability Network

Ann Packham

# AGENDA

## 47 PROCEDURAL BUSINESS

**(a) Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

**(b) Declarations of Interest:**

- (a) Disclosable pecuniary interests not registered on the register of interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

**(c) Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

**NOTE:** *Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

## 48 MINUTES

9 - 18

Minutes of the meeting held on 11 February 2014 (copy attached).

## 49 CHAIR'S COMMUNICATIONS

## 50 CALL-OVER

- (a) The following items will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.

## 51 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions** – to receive any petitions presented to the full council or at the meeting itself;
- (b) **Written Questions** – to receive any questions submitted by the due date of 12 noon on the 25 March 2014;
- (d) **Deputations** – to receive any deputations submitted by the due date of 12 noon on the 25 March 2014.

## 52 ISSUES RAISED BY COUNCILLORS

To consider the following matters raised by councillors:

- (a) **Petitions** – to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions** – to consider any written questions;
- (c) **Letters** – to consider any letters;
- (d) **Notices of Motion** – to consider any notices of motion.

## 53 RESPONSE TO TENANT SCRUTINY PANEL REPORT ON STANDARD LETTERS 19 - 38

*Contact Officer: Ododo Dafe Tel: 01273 293201*  
*Ward Affected: All Wards*

## 54 HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 3 2013/14 39 - 56

*Contact Officer: Tom Matthews Tel: 01273 293234*  
*Ward Affected: All Wards*

## 55 LESSONS TAKEN FROM THE EXPERIENCE OF RELOCATING MANOR PLACE HOUSING OFFICE 57 - 60

*Contact Officer: Tom Matthews Tel: 01273 293234*  
*Ward Affected: All Wards*

## 56 PARK ROYAL - LEASEHOLD ENFRANCHISEMENT 61 - 74

*Contact Officer: Simon Pickles Tel: 01273 292083*  
*Ward Affected: Regency*

## 57 TENANTS AND RESIDENTS ASSOCIATIONS RECOGNITION POLICY 75 - 108

Contact Officer: *Becky Purnell*  
Ward Affected: *All Wards*

Tel: 01273 293022

**58 SECURITY IN HIGH RISE ACCOMMODATION**

**109 -  
116**

Contact Officer: *Richard Jordan-Penswick*  
294650

Tel: 01273

Ward Affected: *All Wards*

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Lisa Johnson, (01273 291228, email [lisa.johnson@brighton-hove.gcsx.gov.uk](mailto:lisa.johnson@brighton-hove.gcsx.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Monday, 24 March 2014

**BRIGHTON & HOVE CITY COUNCIL**  
**HOUSING MANAGEMENT CONSULTATIVE SUB-COMMITTEE**

**3.00pm 11 FEBRUARY 2014**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present**

**Councillors:**

Councillor Randall (Chair), Peltzer Dunn (Opposition Spokesperson), Farrow (Group Spokesperson), Bowden, Davey, Mears and Wilson

**Tenant Representatives:**

Brighton East Area Housing Management Panel: Ms C El-Shabba and Ms H Hayes

Central Area Housing Management Panel: Mr J Williams

North & East Area Housing Management Panel: Mr B Hughes

West Hove & Portslade Area Housing Management Panel: Mr R Crowhurst and Mr R Gurney

Hi Rise Action Group: Mr J Melson

Sheltered Housing Action Group: Mr C Penrose

**PART ONE**

**33. PROCEDURAL BUSINESS**

**33(a) Declarations of Substitute Members**

33.1 Councillor Bowden declared that he was attending as a substitute for Councillor Kennedy

**33(b) Declarations of Interests**

33.2 Mr R Crowhurst, as a board member of Brighton & Hove Seaside Community Homes, declared an interest in item 46.

**33(c) Exclusion of the Press and Public**

33.4 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

33.5 **RESOLVED** - That the press and public be not excluded from the meeting.

#### 34. MINUTES

34.1 The Sub Committee considered the Minutes of the meeting held on 29 October 2013.

34.2 Councillor Farrow referred to item 28, which was a report on Annual Review of Repairs Partnership 2012/13, and asked when an interim report on how effective the proposed action plan had been would be provided. Officers advised that there was a report at this meeting, Item 40, which would provide some information. The next review of the Repairs Partnership would take place in April 2014, and so a report would be provided later in the year.

34.3 Councillor Mears referred to Item 25, which was a report on Sustainable Tenancies Strategy (Welfare Reform), and asked when a report on the review of the closure of Manor Place would be provided.

34.4 Officers agreed that a report would come to a future meeting.

34.5 **RESOLVED** – That the Minutes of the Housing Management Consultative Sub Committee held on 29 October 2013 be agreed and signed as a correct record.

#### 35. CHAIR'S COMMUNICATIONS

35.1 The Chair welcomed Barry Hughes and Jason Williams to the meeting. Barry Hughes had been elected to represent the North & East Area Housing Management Panel at this meeting, and Jason Williams had been elected to represent Central Area Housing Management Panel.

The Chair noted that at the meeting today there would be a presentation on Tenancy Fraud. As a supplement to that item, he said that he had been advised of a number of incidents of fraud. In one case a council tenant had tried to advertise their property for rent by placing an advertising board outside, and in another a family had moved out of a property leaving behind a radically altered and dangerous property. The Authority would be taking the appropriate action against both of those tenants. Mears had agreed to inform the Council if they came across a property where there was concern over tenancy fraud, which would then be investigated.

The refurbishment of the Villas in Preston Road had now been completed. The Chair said it was a fantastic development and thanked all those involved in the development of the property.

The Chartered Institute of Housing would be holding their annual conference in the city in March. The Chair said he would be speaking at the conference.

Mears had recently introduced a new way for tenants to provide feedback on work they had carried out. There had been some concern that tenants were being asked to complete a satisfaction questionnaire and then hand it to the people who had just undertaken the repairs, and so a new method had been introduced which allowed



people to complete and return the survey by post. To encourage people to respond, all those who sent back a survey would be entered into a £50 prize draw. Mears advised that 127 responses had been received. At the meeting the draw to select the winners was taken. The Chair randomly selected two responses, and the winners lived at Turton Close and Wolseley Road.

### **36. CALL-OVER**

36.1 **RESOLVED** – That all items be reserved for discussion

### **37. PUBLIC INVOLVEMENT**

- 37.1 (a) There were no Petitions  
(b) There were no Written Questions  
(c) There were no Deputations

### **38. ISSUES RAISED BY COUNCILLORS**

- 38.1 (a) There were no Petitions  
(b) There were no Written Questions  
(c) There were no Letters  
(d) There were no Notices of Motion

### **39. HOUSING MANAGEMENT PERFORMANCE REPORT QUARTER 2 2013/14**

- 39.1 The Sub Committee considered a report of the Executive Director Environment Development & Housing, on Housing Management Performance Report Quarter 2 2013/14. The report was presented by the Head of Income Inclusion & Improvement, Housing.
- 39.2 Councillor Farrow thanked officers for the report but was concerned that some of the figures weren't accurate. Paragraph 4.2 showed that 99.03% of tenants were satisfied with the repairs undertaken but he had been informed that not all tradespersons were handing out survey cards for the customer to complete, and therefore the response couldn't be accurate. He also noted that 98.26% of homes met the required standard for Decent Homes, and questioned whether that figure was correct. Mr Melson also questioned the high level of satisfaction of repair work undertaken, and said that people would not always give an honest response if they had to return a satisfaction survey direct to the person who had undertaken the work. Mr Cryer (Mears) said that he accepted the concerns about the surveys and that was why the company had introduced a pilot scheme whereby customers could return their survey by post. In addition Brighton & Hove City Council were introducing a scheme whereby selected volunteers from the Home Group would make phone calls and get responses direct from tenants to ensure the level of satisfaction recorded was accurate. With regard to Decent Homes, the figures provided in the report had been collated by the Council on APEX (an asset management system). The council kept records of all housing stock which showed when key building elements such as kitchens and bathrooms were installed. The standard of all properties was constantly monitored. Some tenants had said that they

didn't want a new kitchen or bathroom installed, which is then recorded as having met the standard, in line with government guidance.

- 39.3 Councillor Mears was concerned that the Housing Stock Condition survey was being undertaken by Mears, as it would be difficult for a contractor to survey their own work. The Chair agreed and suggested to officers that the survey should be undertaken by an independent body. The Head of Property and Investment, Housing, said that the survey undertaken was a 'normal' survey and not a Housing Stock Condition one. Councillor Mears said that she was aware of a tenant at Rosehill Court who had received a letter from Mears saying a Housing Stock Condition survey would be undertaken. The Head of Housing said she would look into the matter.
- 39.4 Councillor Peltzer Dunn noted that the average time taken to complete routine repairs had increased 50% over the same quarter last year and asked why that was. Officers informed him that the categorisation of repairs had changed; urgent repairs which were their own category were now categorised as 'emergency repairs'. In order to allow emergency repairs to be prioritised and to provide residents with flexibility of appointment time and any further works which may be required (such as ordering parts or multiple trades) the target for routine repairs to be completed was 20 working days.
- 39.5 Councillor Peltzer Dunn asked whether the 'percentage of appointments kept by contractor' included appointments missed because the tenant was not at home, and whether the 'cancelled repair jobs' included cancellation by the tenant. Officers advised that the appointments kept related only to the contractor, but the cancelled jobs included cancellation by both the tenant and the contractor.
- 39.6 Councillor Wilson noted that 93.93% of repairs to lifts were restored on the same day as the contractor was called out, and asked how long it took to repair the remaining lifts. Officers said they didn't have the information at the meeting but would provide it later.
- 39.7 Ms Hayes raised a question about repairs, and asked why it took two contractors to undertake a straightforward job; recently two people came to repair a wall socket. Mr Cryer suggested it could have been an apprentice as Mears currently had four electrician apprentices.
- 39.8 Councillor Farrow referred to Appendix 2 to the report and said he was concerned at the level of those in arrears with their rent following the changes to Housing Benefit. Officers advised that the figures in the report were correct as of end of September 2013 and the numbers had changed since then. In particular the 'percentage of under occupying council households who are in arrear at month end' had decreased from 77% to 72%; the 'percentage increase in arrears of under occupying household since 1 April' had increased from 44% to 52%; and the 'percentage increase in arrears of all current tenant arrears since 1 April' had increased from 29% to 52%. The Chair added that the number of tenants affected by the changes had reduced from 947 to 749 and the figure was expected to reduce further. The reduction had been achieved through a number of measures including the Tenant Incentive Scheme to move properties and through mutual exchanges.
- 39.9 The Chair asked for officers to prepare a report provide a report for the next Housing Committee meeting providing further information on this matter.

39.10 **RESOLVED** – That the Housing Management Consultative Sub Committee note the report.

#### 40. THE BRIGHTON & HOVE PROPERTY STANDARD

40.1 The Sub Committee considered a report of the Executive Director Environment Development & Housing, on Brighton & Hove Property Standard. The report was presented by the Performance Manager, Property and Investment Team, Housing. The Chair confirmed the report had already been presented to the Area Panels.

40.2 Councillor Davey noted that tenants would have the choice of coloured tiles when a bathroom or kitchen was installed and asked if previously the only option was white tiles. Officers advised it was. Ms Hayes asked when the option to have coloured tiles would be agreed, and was advised it would be for the Housing Committee to decide at its meeting in March 2014. Mr Melson asked whether there would be an additional charge for tenants who selected colour tiles and was advised there wouldn't be.

40.3 Mr Melson asked that consideration be given to extending flooring in kitchens to go from wall to wall and not just up to cabinets. If cabinets had to be removed the flooring would then have gaps. Officers advised that when installing a kitchen the base units could not be laid onto vinyl and therefore any flooring needed to be laid after the cabinets had been installed.

40.4 **RESOLVED** – That the Housing Management Consultative notes the following recommendations which will be considered by the Housing Committee at its meeting on 5 March 2014:

(1) That all residents be offered additional choice of coloured wall tiles, when having a kitchen or bathroom installed.

(2) That all residents be offered additional choice of kitchen cupboard doors and handles when having a new kitchen installed.

(3) That all individual sheltered homes with a street entrance be offered an external security light, when upgrading the electrics to that property.

(4) That all sheltered housing schemes with communal lounges have a hearing loop installed when upgrading electrics to communal areas.

(5) That a change in policy is agreed to allow tenants who have installed their own kitchen or bathroom to have the other room modernised by the council, if it is old or in disrepair (as per the age and condition requirements of the governments DHS).

(6) To run a six to twelve month pilot enabling all 1 bed ground floor flats that become empty and require a bathroom replacement, to be considered for the installation of a level access shower instead of a bath.

#### 41. HOUSING REVENUE ACCOUNT BUDGET 2014/15

41.1 The Sub Committee considered a report of the Executive Director Environment Development & Housing, on Housing Revenue Account Budget 2014/15. The report was presented by the Principal Accountant, Financial Services.

- 41.2 The Chair informed the Sub Committee that the proposed charge for storage of mobility scooters had been reduced from £4 per week to £3 per week.
- 41.3 Councillor Peltzer said he was supportive of the reduction of charges, but felt it was iniquitous to make any charge for the storage of scooters. He also felt that charging for lighting of communal ways was wrong and felt that the Authority, as landlord, had a legal duty to provide safe access to buildings. He suggested that as this report had already been considered by the Housing Committee it would have been useful to have had an extract of the Minutes of that meeting to accompany the report. Councillor Peltzer Dunn asked how many people were likely to want to store their scooter and was advised it was around 100.
- 41.4 Mr Crowhurst asked whether the revenue from the storage of mobility scooters would go to the HRA. The Chair advised it would.
- 41.5 Mr Melson said he did not support the contribution of £145k for discretionary grants. He was also concerned at the proposed charges for mobility scooter storage etc and believed that selecting certain things for an additional charge was wrong; He said he felt that tenants had not been fully consulted on the proposed charges.
- 41.6 Councillor Mears said that she could not support the proposed budget as she felt that the changes suggested would lead to an increase of management costs, and could not agree to a contribution of £145k for discretionary grants.
- 41.7 RESOLVED** - That Housing Management Consultative Sub-Committee note the proposed draft 2014/15 revenue budget reported to Housing Committee on 15 January 2014, for recommendation that Policy & Resources Committee:
- (1) Approves and recommends to Council the budget for 2014/15 as shown in Appendix 1 according to the final year of rent convergence to be confirmed by government in its rent restructuring guidance for 2014/15.
  - (2) Approves individual rent increases and decreases in line with rent restructuring principles as determined by the Government and detailed in paragraphs 3.12 to 3.16, and according to the final year of rent convergence to be confirmed by government in its rent restructuring guidance for 2014/15.
  - (3) Approves the changes to fees and charges as detailed in Appendix 2.
  - (4) Approves the new service charges outlined in Appendix 2 including the phased

## **42. HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME**

- 42.1 The Sub Committee considered a report of the Executive Director Environment Development & Housing, on Housing Revenue Account Capital Programme. The report was presented by Head of Property & Investment, Housing, with additional advice from the Principal Accountant, Housing.
- 42.2 Councillor Mears asked for clarification of the amount of capital receipt from Seaside Homes being received by the HRA, as it was still not clear in this report. Officers confirmed that since November 2011 receipts for the lease premium of £11.8m had been received by the HRA to fund investment in Decent Homes work. Also, that the HRA has received £1.2m capital receipt for refurbishment works where this work was

carried out prior to leasing to Seaside Homes and that, where the works were carried out post-lease, a receipt of £6.2m was due to the General Fund. The actual receipts are recorded in the Council's statement of accounts. Officers advised that current forecasts mean that the Council is still on track to receive lease premium payments of £17.2m for investment in Decent Homes work, with total receipts (including refurbishments fees) of £28m, from Seaside Homes as properties are leased over in batches over the 5 years.

**42.2 RESOLVED** – That the Housing Management Consultative Sub Committee note the HRA Capital programme for 2014-2017 reported to the Housing Committee on 15 January 2014, for recommendation that Policy & Resources Committee approves and recommends to Council the HRA capital programme budget of £28.876m and financing for 2014/15 as set out in the report.

### **43. LETTABLE STANDARD**

43.1 The Sub Committee considered a report of the Executive Director Environment Development & Housing, on Housing Revenue Account Budget 2014/15. The report was presented by the Performance and Improvement Officer, Housing.

43.2 Councillor Mears asked when the Resident Assessors had begun working and how many assessors there were. Officers advised that there were seven assessors, who had been in place for just over a year.

43.3 Mr Melson referred to Appendix 1 and asked why if a property had been surveyed using the decent homes survey, the cost of any work identified would not come out of the Decent Homes budget. Officers said it would depend on the amount of work being undertaken. If it was major works it would come out of the Decent Homes budget, but if it was only minor work such as replacing a door it would come out of the Empty Property budget.

43.4 **RESOLVED** – That the Housing Management Consultative Sub Committee note the recommendations.

### **44. SHELTERED HOUSING REVIEW UPDATE**

44.1 The Sub Committee considered a report of the Executive Director Environment Development & Housing, on Sheltered Housing Review Update. The report was presented by the Older Persons Housing Manager.

44.2 Councillor Mears asked how many self funded tenants would have to pay the new service charge, and was advised it was around 100 people.

44.3 Mr Penrose asked for assurance that this report would be presented for the next meeting of the Sheltered Housing Action Group on the 12 March 2014. The Chair confirmed it would.

44.4 Ms Hayes asked if the Authority had any plans to provide further sheltered housing. The Chair said there was, and cited the Brooke Mead development.

44.5 Councillor Peltzer Dunn referred to Appendix 1 and asked if the information related to tenants or residents of Brighton. Officers confirmed it was related to residents in the Authority's sheltered housing.

44.6 **RESOLVED** – That the Housing Management Consultative Sub Committee note the report.

#### **45. HOUSING TENANCY FRAUD**

45.1 The Corporate Fraud Manager provided a verbal update on Housing Tenancy Fraud. He advised that the team had been set up last June following the enactment of the Prevention of Social Housing Fraud Act. Based on national figures it was estimated that there could be between 240 and 360 council tenants in the city committing fraud. Each case of tenancy fraud had an average estimated value of £18,000.

45.2 Councillor Farrow thanked the officer for the presentation and asked how many properties had been recovered since the fraud team had been set up six months ago, and was advised that it was ten. Councillor Farrow felt that given the very high number of people on the waiting list for social housing, more resources should be directed to tackle fraud.

45.3 Councillor Bowden asked whether the Authority would recover any profit a tenant had made from sub-letting their home. Officers said each case would be considered on its merits and money could potentially be recovered under the Proceeds of Crime Act, but that course of action was time consuming and not appropriate in every case.

45.4 The Chair was pleased that ten properties had been recovered this financial year. The potential savings of around £180,000 would enable more people to be housed. The Chair felt there was a very good argument for some of those savings to be used to enable to more work to be undertaken by the Fraud Manager's team.

45.5 Mr Crowhurst suggested that the new legislation and work of the Fraud Manager be advertised, to ensure that tenants were aware of the current law and that the Authority were actively pursuing those who were abusing the system. The Chair agreed.

45.6 The Fraud Manager was asked whether it was possible to have a council property and a second home elsewhere, and was advised that the council home must be a person's sole or main residence.

45.7 **RESOLVED** – That the presentation be noted.

#### **46. BRIGHTON HOVE SEASIDE COMMUNITY HOMES**

46.1 The Sub-Committee considered the update on Brighton & Hove Seaside Community Homes.

46.2 Councillor Peltzer Dunn noted there was a discrepancy in the total number of refurbishment works not yet completed. Mr Crowhurst said that was a typo and confirmed that all properties had now been refurbished. Mr Crowhurst added that the

next batch of properties to be transferred should be completed in March 2014; the majority of which would already be refurbished.

**46.3 RESOLVED** – That the update be noted.

The meeting concluded at 5.55pm

Signed

Chair

Dated this

day of





<b>Subject:</b>	<b>Response to Tenant Scrutiny Panel report on standard letters</b>		
<b>Date of meeting:</b>	<b>1 April 2014</b>		
<b>Report of:</b>	<b>Executive Director – Environment, Development &amp; Housing</b>		
<b>Contact officer:</b>	<b>Name:</b>	<b>Ododo Dafé</b>	<b>Tel: 293201</b>
	<b>Email:</b>	<b>ododo.dafe@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

1.1 This report sets out the Housing response to the recommendations of the Tenant Scrutiny Panel in their report on standard letters. That report can be found at Appendix 1. The reports went to and were agreed at Housing Committee on 5 March 2014 as part of the agreed Scrutiny Panel process, and are now coming to Housing Management Consultative Sub Committee (HMCSC for information).

**2. RECOMMENDATIONS:**

2.1 That the sub committee notes the evidence, findings and recommendations of the Tenant Scrutiny Panel relating to standard letters used in Housing.

2.2 That the sub committee notes the actions Housing will take in response to the Tenant Scrutiny Panel's recommendations.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

3.1 The Tenant Scrutiny Panel was set up in April 2013 following an externally supported and facilitated recruitment exercise. It was agreed that as part of the panel members' training and development, they would split into two groups, each undertaking a pilot scrutiny review so that in this way involvement and hands on learning could be most effective.

3.2 As its first review, one of the groups looked into and reviewed a sample of standard letters used within Housing. The purpose of this review was to establish whether our letters are:-

- Clearly written
- Consistent in style and tone
- Properly pitched at their target audience
- Free of jargon
- Communicating the right information
- Encouraging residents to respond to housing services and/or resolve the issue

- Presenting a positive impression of the housing service
- Getting results.

3.3 Managers within the service would like to extend their gratitude to members of the Tenant Scrutiny Panel for their vigilance, insight and analysis to the work they have undertaken in this pilot review, and express appreciation for the helpful suggestions and recommendations contained in their report. Housing response to those recommendations is set out below.

#### 4. RESPONSE TO THE RECOMMENDATIONS

##### 4.1 Recommendation 1

***Recommendation 1: The panel believe that all council Housing staff who are involved in writing letters to residents need to communicate in plain English. The panel would like the Housing Service to inform them what steps the service will take to make this happen.***

4.1.1 This recommendation is agreed in full.

4.1.2 Several years ago, all staff in the then Housing Management service were trained in letter and report writing skills, and in the use of plain language. It is now timely, given the passage of time and the range of new staff, to again carry out a large-scale training programme. This training can be effectively carried out in-house, using the skills of managers and other colleagues who have recently attended similar training led by service users and staff of the Learning Disability Team.

4.1.3 As part of this training, we will also ensure that all teams have access to the plain language guide 'The A – Z of alternative words', produced by the Plain English Campaign.

##### 4.2 Recommendation 2

***Recommendation 2: The panel would like the Housing Service to find ways to make sure all their standard letters are of the same quality. The aim would be to make these letters consistent in:***

- ***How to address tenants when writing letters***
- ***How to encourage tenants to contact the council or other organisations who can help them resolve the issue***
- ***Using plain English***
- ***Giving examples of useful sentences, including how to sign off letters.***

***The panel would like the Housing Service to find ways to obtain residents' views on the key standard letters used by the service. It would be particularly useful if the service could get the views of residents who have difficulties with literacy and numeracy.***

4.2.1 This recommendation is agreed in full.

- 4.2.2 Service managers will work with colleagues in our Performance & Improvement Team, along with residents on the Business and Value for Money Service Improvement Group, and additional residents known to experience literacy difficulties, to review all remaining standard letters.

The Head of Income, Involvement & Improvement will also put in place measures to ensure the consistency of quality and tone in the letters, eg by having each template letter accessed from shared computer files once they have been agreed. This will also address the concern raised by the Tenant Scrutiny Panel about version control. In addition letters will be reviewed to ensure consistency in style, font, and font size, removing inappropriate use of underscore, italics or bold font.

### 4.3 Recommendation 3

***Recommendation 3: The panel recommend that all teams in the Housing Service should send out a letter to the resident(s) after every home visit detailing what was discussed, and agreed, at the visit. The panel also feels that it may be good practice to write to tenants where appointments made have been missed. The letter should also encourage the resident to reply to the service with any concerns. This recommendation should be piloted for six months and then feedback on the results be given to the Tenant & Resident Scrutiny Panel.***

- 4.3.1 This recommendation is welcome, and is partially agreed.
- 4.3.2 Housing regularly sends letters to confirm discussions that have taken place at a home visit or on the telephone. Where this is not done as a matter of course, Housing will look at whether confirmation letters should be routinely introduced.
- 4.3.3 There might be some occasions where sending a letter following a home visit will not make good use of staff time, and will involve unnecessary postage costs. Examples of such occasions are where a Neighbourhood Officer has visited to gather information or provide an update on a matter, or where we have undertaken almost 900 visits to residents following an initial letter to ensure people had as much information as they needed on the changes to welfare benefits. We will ensure that communications that need to be confirmed in writing is done, and will ask those tenants who use the internet whether an email, or letter attached to an email, would be their preferred method of confirming discussions of a visit. This would not only save time in them receiving the confirmation, but will be more environmentally sustainable, reducing the use of paper and envelopes. It will also save on ever increasing postage costs.
- 4.3.4 The issue of missed appointments (whether by the resident, or by council staff) is an important one because of the disappointment and inconvenience this can cause to residents, and the inefficient use of staff and operatives time for the council. It is more cost effective for the council to leave a card at the property when the tenant misses an appointment. Where an appointment is missed by staff, the usual practice is to telephone the tenant

at the earliest possible time to inform them of the need to reschedule the appointment – perhaps because a member of staff has been ill. A letter of apology stating the rescheduled time can be sent in some cases, however a commitment to do this in every case might mean that excessive extra work is required of staff at a time that they are already experiencing additional work through not having a team member at work. For many residents the telephone call is likely to suffice.

Housing will monitor the cases where it will, and where it is likely it will not, routinely send confirmation letters, and provide further information on this to the Tenant Scrutiny Panel in the update it has requested after a six month period.

## **5. COMMUNITY ENGAGEMENT AND CONSULTATION:**

- 5.1 The Tenant Scrutiny Panel has highlighted in its report how residents and local organisations were involved in their work. With regard to the recommendations, residents on the Service Improvement Group, those on the involvement database, and residents who have learning disabilities or literacy difficulties will be involved in the review of remaining letters.

## **6. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 6.1 The actions proposed in this report can be met from within the existing HRA employees and staff training budgets

*Finance Officer Consulted:* Susie Allen

*Date:* 24.2.14

### Legal Implications:

- 6.2 The approved ways of working for the Tenant Scrutiny Panel provide for the Panel's recommendations to be presented to the Housing Committee. That Committee has to agree a response to the report/recommendations. The report of the Panel and the Housing Committee's response will then be presented to the Housing Management Consultative Sub-Committee. A summary of the report, recommendations and any agreed actions will also be reported back to the Tenant Scrutiny Panel and published on the council's website.

*Lawyer Consulted:* Liz Woodley

*Date:* 20.2.14

### Equalities Implications:

- 6.3 Housing is very mindful of the need to communicate with residents in a variety of ways in order to meet their needs. For example, a much simplified version of the Tenants' Handbook was co-produced with colleagues from the council's Learning Disabilities Team, and involved users of that service in ensuring the content was understandable. In addition, we provide Housing Update and other communications in a variety of formats. We will need to do some further work to ensure that we gather

and use tenants preferred communication methods when sending standard letters.

Sustainability Implications:

- 6.4 While we will continue to send letters as a major form of communication, we are also mindful to think about the use of paper. For example many residents have commented to us that they would prefer to receive Homing In electronically in order to minimise wasting paper, and we will be considering whether and how we can extend this to standard letters, giving residents the preference.

Crime & Disorder Implications:

- 6.5 There are no direct crime and disorder implications arising from this report.

Risk and Opportunity Management Implications:

- 6.6 There are no direct risk and opportunity implications arising from this report.

Public Health Implications:

- 6.7 There are no direct public health implications arising from this report.

Corporate / Citywide Implications:

- 6.8 There are no direct corporate or citywide implications arising from this report. However, the quality of our communications lies at the foundation of ensuring that residents have the information they need, and are therefore able to fulfil their service needs or meet their obligations.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Tenant & Resident Scrutiny Panel Report – Letters Panel

### **Documents in Members' Rooms:**

1. None

### **Background Documents:**

1. None



## **Tenant & Resident Scrutiny Panel Report**

**February 2014**

### **Letters Panel**

#### **Panel Members:**

**Miriam Binder (Chair)**  
**Liz Collard**  
**Mbye Sohna**  
**Observer**

## **Chair's Foreword**

*This is the first scrutiny of Housing services that this group of panel members has ever undertaken. I am a linguist by training and so it is perhaps not surprising that I elected to join those fellow panel members who decided to look at what is referred to as 'Standard Letters'. The first thing that became evident when we looked at the letters we were given was the register. The register is the means by which the content of a letter is conveyed. In short, the language used which is indicated by the choice of words and the complexity of the sentences.*

*Though Brighton & Hove is held to have a large population of highly literate and numerate residents, this is by and large a consequence of having within our boundaries two large and extremely active universities as well as the expanding City College. Further these factors have led to an overlooking of the fact that we also have a considerable number of individuals who have extremely low levels of effective skills in either one or the other, and in some instances both basic literacy and numeracy skills. A fact we refer to in our report.*

*Before I say a few words about the scrutiny, I would like to thank all those officers who have given so unstintingly of their valuable time. We were further enormously encouraged by the evident willingness that all those officers displayed.*

*An issue that came to light during the process of scrutinising was the lack of appropriate data to evaluate. I refer here to the fact that though the general process of sending letters was recorded, we could not retrieve any information of response rates to given letters. In the case of rent arrears for instance we were informed that a given set of letters were sent, along with home visits between the initial indication of rent arrears and a court date for repossession. However we could not determine at what stage rent arrear concerns were resolved aside from the bald statement that 700+ letters were sent out at what we will call stage one and that only 10 evictions were granted. Though this fact is no doubt highly commendable and to be celebrated, it does little to indicate the effectiveness of given letters within that process.*

*Resident Scrutiny of Housing Services is a very new process for us all. I am encouraged by the high level of motivation by both my fellow panellists and the officers we have met during this process that we can together turn this opportunity into a means of improving matters for Housing Services, its staff and the residents that use these vital services.*

**Miriam Binder**

**Chair of the Letters panel for the Brighton & Hove Tenant & Resident Scrutiny Panel**



## **1. Introduction**

1.1 This panel was one of two pilot reviews set up by the Tenant and Resident Scrutiny Panel (TRSP). The purpose was to look at the standard letters sent out by the Housing Service to see if they are:

- Clearly written
- Consistent in style and tone
- Properly pitched at their target audience
- Free of jargon
- Communicating the right information
- Encouraging residents to respond to housing services and/or resolve the issue
- Presenting a positive impression of the Housing Service
- Getting results.

1.2 If successful, such letters will get a timely response so issues can be resolved sooner.

1.3 The panel also felt it is useful for the Housing Service to continue to use other ways of communicating with residents when these might be more effective. It was important for officers to record each of the ways a resident would prefer to be contacted.

## **2. Why use standard letters?**

2.1 Used effectively, standard letters can be an efficient way of communicating with residents about a range of issues regarding their tenancy: from rent arrears to asking for access to carry out a survey. However, poorly worded standard letters might:

- Discourage residents from resolving the issue
- Force residents to contact the service to ask for more information thereby using up officer time unnecessarily
- Give a negative view of the Housing Service.

2.2 The panel felt it was important to ensure that sufficient controls are in place to ensure that the Housing Service uses effective, consistent and clear standard letters.

## **3. Scope of the panel**

3.1 This review was not carried out because the TRSP had any fixed ideas about the standard letters used by the Housing Service. It was an issue that had been raised at a number of forums. The panel looked at a sample of the Housing Service's standard letters and talked to the relevant officers, as well as independent support and advice agencies like the Citizens Advice Bureau (CAB) and Brighton Housing Trust (BHT).

## **Witnesses**

3.2 The panel spoke to the following council officers:

- Lynn Yule, Housing Income Manager
- Simon Court, Senior Solicitor, Housing & Litigation
- Laura Turner, Housing Performance & Improvement Manager
- Robert Keelan, Housing Neighbourhood Manager
- Dave Arthur, Housing Leasehold Manager
- Siobhan Newman, Housing Recovery Officer.

3.3 Panel members, or scrutiny officers, also met or corresponded with:

- Brighton Housing Trust (BHT)
- Citizens Advice Bureau (CAB)

3.4 The panel sought residents' views on the subject, by:

- Emailing a survey to Chairs of city Area Panels and Resident Associations
- Asking for comments on the BHCC Resident Community webpage
- Emailing all city Councillors to ask whether the subject of standard letters was one that people had contacted them about.

3.5 Unfortunately there was only a limited response from residents. It is clear from this exercise that the TRSP needs to develop more effective methods of engaging with tenants and residents.

## **4. Types of letter reviewed**

4.1 The panel looked at a number of the Housing Service's standard letters, dealing with:

- Rent arrears
- Garden maintenance
- Leaseholder service charges
- Obstructions to common-ways.

4.2 We also looked at sample letters from other local authorities and Registered Social Landlords, including organisations considered to have developed best practice.

## **5. Standard letters**

### **What is a standard letter?**

5.1 Standard letters are letters that have been drafted in advance and then saved as a template on computer systems. The same letter will then be sent out to a large number of people, perhaps with some details added as appropriate.

5.2 Standard letters are commonly used when an organisation needs to:

- Send out a large volume of similar letters
- Save time
- Ensure that the information and advice it gives is consistent and accurate (and can be used if evidence is needed).

Individual letters are written in situations when a standard letter would not be appropriate or does not exist.

5.3 The panel heard from the Housing Income Manager that letter templates were used to '*ensure consistency and equality*'.

5.4 Some standard letters are purely informative: for example the letter sent to welcome new tenants. Other letters are intended to deal with specific problems: rent arrears, blocking common-ways, or having untidy gardens. Therefore many of the standard letters need to deliver negative, or difficult, messages rather than good news. The panel felt that it is vital for the service to remember that the purpose of each of these letters is to resolve the issue as soon as possible.

### **Why look at standard letters?**

5.5 There are a number of problems which are commonly associated with standard letters produced by public sector organisations. These include:

5.6 **Impersonal** – One of the drawbacks of a standard letter is that it can be sent to anyone. A letter which feels that it has specifically been written for you, might have more impact.

5.7 **Tone** – People report finding standard letters threatening. This is not surprising given that some standard letters are meant to be stern – the intention of these kinds of letters is to make people aware that they are, or could be, in breach of their tenancy agreement and how to resolve this. The letter will explain why certain actions are unacceptable, while also warning about what may happen if the issue continues. However, there is an obvious balance between encouraging people to acknowledge there is a problem which needs addressing and causing them unnecessary concern or making them angry.

5.8 **Language** – People can find standard letters hard to understand if they are:

- Too long
- Not written in plain English, or customer friendly language
- Use jargon
- Not using enough positive, or active, language
- Poorly drafted and therefore unclear.

5.9 These things are best avoided in all letters. Any faults in the original letter template will become a big issue if it is a letter that will be sent to large numbers of people. So it is important that standard letters are carefully thought out and checked for sense and readability. A standard letter can be judged a success if it is read and understood by residents, who then take action to resolve the issue.

5.10 **Accuracy** – Some standard letters, particularly those concerning rent arrears and other breaches of tenancy agreements, may need to serve as legal proof that the landlord has acted appropriately. For example by contacting tenants as soon as arrears develop and offering appropriate advice. As this can change over time, these letters must be regularly reviewed and amended. It is important that tenants who may end up facing legal action are given the most up-to-date, accurate and helpful advice possible.

5.11 **Special requirements** – Even clear letters in plain English can be a problematic way of communicating with the following groups:

- People who don't have English as a first language
- Those with literacy problems
- People who have specific mental or physical health issues or learning disabilities which mean that written communications are difficult for them to deal with.

5.12 While standard letters are an important means of communication it is important that they are not the only tool available. Organisations need to have effective means of identifying when standard letters are inappropriate and ensuring that all staff know how important it is to use the most appropriate means of communication for each resident. ***The panel hope that the special requirements of residents are properly logged by officers to make sure that staff contact residents in the most appropriate way.***

5.13 **Monitoring** – Standard letters are a major means of communicating with residents around a variety of issues. However, they are not the only way and only really make sense if they are effective. So it is important that services find ways to monitor the effectiveness of their standard letters. The panel believe that this is particularly important when dealing with potential breaches of the tenancy agreement.

5.14 **Targeting** – People have reported that standard letters have been sent to many people when they might have been better off targeting a much smaller group of residents or even an individual. Many people do find official communications distressing, even if they themselves have done nothing wrong and are not directly being reprimanded for anything. So it is good practice for organisations to think carefully before sending standard letters out to lots of people. The panel heard that this may be the case, for example in the letters sent out to all residents about obstacles in common areas. Another instance is when regular dog fouling occurs in common ways: sending a letter warning of the consequences of this to households without dogs can give a poor impression of the Housing Service and the council in general.

5.15 **The corporate message** - Organisations are very aware of the varied means they can communicate with customers. It is imperative that they view standard letters in the same light. Standard letters are a major form of communication. For some people this may be their main point of contact with the council. It is therefore important that standard letters are written with the same level of care as other means in which the council communicates with its customers.

5.16 **Escalation** – Some of the most important standard letters are not stand-alone but are sent as part of a series of letters asking the resident to contact the Housing Service to address concerns.

5.17 With these 'series' letters, it is important that each letter places increased emphasis on resolving the issue and that the timing of these letters is as effective as possible. If the main aim of the letters is to get an individual to recognise that there is a problem and to contact the service to find a solution, then it is vital to know whether letters sent at daily, weekly or monthly intervals are most successful in getting people to engage.

## **Tone**

5.18 Any social landlord, when communicating generally with tenants and leaseholders, should aim to be courteous. This becomes more complicated with letters designed to get a response from tenants who are potentially in breach of their tenancy. In these instances, the intention is to make the resident aware of the possible consequences of a continued breach of their tenancy conditions: whilst simultaneously seeking to encourage the resident to engage with services and begin to address the concerns. For example the panel thought the fixed notice used regarding removal of items for common ways '*...was stern and would help to eradicate the problem.*'

5.19 It is also important that letters are no more threatening than they need to be: there is nothing to be gained by distressing people. It needs to be remembered that some social housing tenants are particularly vulnerable. The council spends a good deal of time and effort in trying to present a positive image with service users. Where possible the council should remain customer friendly, even when delivering potentially difficult news in its letters.

5.20 According to the panel, some of the letters were thought to be '*awkward*'. An example given by the panel was '*you do not have an outstanding claim for housing benefit*' which it was suggested could be clarified to say '*our enquiries have shown that you do not*'.

5.21 The panel was pleased to hear that Cllr Bill Randall, Chair of the Housing Committee, has personally reviewed some of the council's rent arrears letters, amending them to make them easier to understand and more personal (for instance using "*we*" rather than "*the council*").

5.22 The panel welcome the fact that the council is aware of the importance of tone in its standard letters, and that this awareness is driven by the most senior and experienced people in the Housing Service. ***The panel think it would be good to see similar exercises undertaken with other standard letters. This would also ensure that a consistent tone is taken in standard letters.***

### **Accuracy**

5.23 Some standard letters serve a dual purpose – to encourage tenants to respond to a problem and provide proof that the landlord has followed procedures properly in case the matter ends up in court.

5.24 Again, the panel is pleased that this revision is undertaken regularly. However, given that arrears letters have also been rewritten by the Chair of Housing Committee, there would appear to be a risk that different reviewers end up editing out each others' revisions. ***The panel hopes that there are procedures in place to make sure that this does not happen.***

### **The need to include legal information**

5.25 Standard letters must include legal information if they relate to their tenancy or a breach of tenancy conditions. The Senior Solicitor told the panel that:

*'It was important that the legal terms were in plain English and understood by tenants.'*

5.26 Standard rent arrears letters are regularly reviewed by Housing staff, especially in order to reflect Court feedback. For example, when seeking a Possession Order in the County Court, it is vital for the landlord to be able to prove that it has engaged appropriately with a tenant from the start. Rent arrears letters are key to providing this proof. It is therefore important that the council's standard rent arrears letters accord with what the courts demand. This changes over time, and so the form of the relevant standard letters needs to evolve too.

### **Language/plain English**

5.27 Not all local government officers are fully aware of the importance of writing in plain English. They can produce jargon-filled documents which are not easy to read. This is not a problem for internal communications, where council officers understand each others' language. But it is a problem when those officers are writing letters to residents.

5.28 The panel also heard that Housing staff have had training courses. Recovery Officers and the Performance & Improvement team had received training in letter-writing and using plain English. This type of training is important because writing in plain English is not always easy; this skill usually has to be learnt and used on a regular basis.

5.29 The panel welcomes the fact that some Housing staff have training in letter writing and using plain English. The panel were not clear whether this kind of training was given to all those who need it. If such a programme does not exist then the panel recommend that Housing managers make sure that all relevant officers are able to write clearly using plain English.

***Recommendation 1 – The panel believe that all council Housing staff who are involved in writing letters to residents need to communicate in plain English. The panel would like the Housing Service to inform them what steps the service will take to make this happen.***

### **Special Requirements**

5.30 Some people have particular problems understanding the written language. This may be for a variety of reasons: English is not their first or main language, there are literacy issues, learning disabilities, physical impairments or mental health problems which make reading difficult.

5.31 Standard letters are intended to produce results. If certain residents won't, or can't, respond to standard letters then it is obviously important that Housing staff recognise this and make alternative arrangements. It is also important that information on these service users is shared across Housing services. It makes little sense for rent collection officers to adopt different tactics when trying to engage with tenants than officers in the council's Neighbourhood or Tenancy teams.

### **English as a second language**

5.32 The panel learnt that Housing teams do commonly record information about residents who require translation services on the relevant databases. The council has translations of key rent arrears and tenancy letters in the five most commonly requested languages, and can arrange for translations into other languages on request.

5.33 It is important that some letters are translated for people who have English as a second language, particularly in cases where it may result in legal action, including in the County Court. In other circumstances, less formal approaches may work better, such as relying on family members to act as translators for tenants who need this assistance. The panel were assured that officers:

*'...would always use the translation services when communicating important messages and taking tenancy action.'*

The panel trusts that this is indeed the case.

## **Resident Involvement**

5.34 Since tenants and leaseholders pay for Housing Services, it is important for them to be involved in making decisions about those services. It is now widely recognised that the most effective services are those which make the best use of customer feedback.

5.35 It would therefore appear positive to have resident involvement in standard letters. The panel was delighted to learn that there is a Housing Income Management Group, made up of elected tenants, which does review rent arrears standard letters.

## **Problems with literacy and numeracy**

5.36 Brighton & Hove has an unusually large graduate population, but it also has significant numbers of people with literacy and/or numeracy problems. For instance, it was estimated in the Brighton & Hove Adult Learning Strategy that around 12,000 local adults lack basic literacy skills and up to 60,000 lack basic numeracy skills. It is therefore important that Housing staff always remember that some tenants may struggle to understand written communications, especially letters about rent or benefits where a degree of both literacy and numeracy is needed.

5.37 The panel heard that there were some measures in place designed to make standard letters more accessible for people with literacy problems, For example, the Housing Income Manager said that red type was used in sections of rent arrears letters to emphasise that they contained urgent information. The panel would like the Housing Service to explore whether there are other ways to highlight the importance of certain kinds of letters.

5.38 The Income Manager told the panel that the service felt that people with literacy problems usually ask for help in understanding letters from family and friends. It was felt that sending standard letters to people with literacy problems was not pointless. However the panel would like to point out that literacy issues are still to a degree viewed as something to be hidden. Those who lack literacy skills may be less willing to seek help with written communication than residents who do not have English as their first language.

5.39 People with low literacy skills are going to find some types of letters easier to understand than others. The panel hope that Housing staff are aware that some residents may have literacy problems and write their standard letters accordingly. It is hoped that this information can be picked up and recorded when officers meet with new tenants.

5.40 The panel does think that there may be a role here for the Service Improvement Groups which are currently being set up. One of the roles of these groups could be to think about relevant standard letters in terms of their readability for those with literacy problems. It could be useful if, amongst those represented on those groups, are some residents who themselves have literacy issues. This direct experience could be a very valuable resource for Housing officers drafting standard letters.



**5.41 The panel suggests (if this does not already happen) that the Service Improvement Groups should:**

- **Take an active role in ensuring that standard letters are as accessible as possible for people with literacy and numeracy issues**
- **Be willing to challenge officers to ensure that all standard letters use plain English**
- **Aim to attract a broad range of members, including members with literacy and numeracy issues.**

## **Monitoring**

5.42 The panel were concerned that data on the response rate to the letters was currently 'unavailable', but were pleased to hear:

*'...the response rates as a whole were good.'*

5.43 The panel were unable to evidence this claim and feel it would be beneficial to the service as a whole to maintain response records.

**5.44 The panel felt that it could be useful for the Income Management Team to carry out an exercise to:**

- **Monitor the response rate to each of the rent arrear standard letters**
- **Compare the effectiveness of sending out standard letters to other forms of communication such as telephoning or visiting residents.**

## **Sharing good practice and quality control**

5.45 One of the main concerns of the panel was whether the Housing Service had systems in place to make sure they were sending out the best possible standard letters to residents.

**Recommendation 2: The panel would like the Housing Service to find ways to make sure all their standard letters are of the same quality. The aim would be to make these letters consistent in:**

- **How to address tenants when writing letters**
- **How to encourage tenants to contact the council or other organisations who can help them resolve the issue**
- **Using plain English**
- **Giving examples of useful sentences, including how to sign off letters.**

**The panel would like the Housing Service to find ways to obtain residents' views on the key standard letters used by the service. It would be particularly useful if the service could get the views of residents who have difficulties with literacy and numeracy.**

## **Letters after home visits**

5.46 While this issue was outside the remit of the panel, a cause for concern was discovered by the panel when collecting their evidence for this review.

5.47 Home visits are carried out by the Income Management team at different stages of the rent arrears process. The Housing Income Manager told the panel that any agreement reached during the home visit would be recorded on the electronic database.

5.48 The Senior Solicitor said that courts wanted to see that the council had given the resident enough opportunities to pay their rent arrears, including home visits. However these home visits were not specifically taken into account by the courts. The rent arrear letters would suggest a home visit as well as list the ways to contact the council, including texting or telephoning, to give the resident further opportunities to pay their rent arrears or get advice.

5.49 The panel found out it was not usual practice to send out a follow up letter after the home visit. They believed it was important to confirm the details of the home visit in writing, clearly stating what was agreed by the resident and the officer. This will ensure that the tenant and officer both agree on the outcome of the visit and avoid misunderstandings. In addition, it will serve as evidence that efforts are being made by the service to engage with residents, whether this was during a visit or a telephone call. The panel felt that this was good practice and the information could be referred to at a later date if necessary, especially if the case did end up in court.

## **Recommendation 3**

***The panel recommend that all teams in the Housing Service should send out a letter to the resident(s) after every home visit detailing what was discussed, and agreed, at the visit. The panel also feels that it may be good practice to write to tenants where appointments made have been missed. The letter should also encourage the resident to reply to the service with any concerns. This recommendation should be piloted for six months and then feedback on the results be given to the Tenant & Resident Scrutiny Panel.***

## **6. Conclusion**

6.1 The panel welcomed the very good performance of the Housing Service in important areas such as rent arrears. They felt that standard letters are a useful tool in communicating with residents and can save time and the duplication of effort.

6.2 Their recommendations are aimed at ensuring the consistency and quality control of standard letters. The panel felt as issues facing residents become more complex, such as welfare reform, it is vital for the service to communicate clearly and in a customer friendly way.

6.3 The panel also hope that the service look at other ways of communicating with residents; such as email, telephone and social media. This would depend on the preferences of the resident and the kind of information which was being given to them.

## 7. Recommendations

7.1 While the panel appreciate that the Housing Service is achieving high levels of performance in areas such as rent collection, they felt the following recommendations could help to ensure the quality, effectiveness and consistency of the council's standard letters to residents.

***Recommendation 1 – The panel believe that all council Housing staff who are involved in writing letters to residents need to communicate in plain English. The panel would like the Housing Service to inform them what steps the service will take to make this happen.***

***Recommendation 2: The panel would like the Housing Service to find ways to make sure all their standard letters are of the same quality. The aim would be to make these letters consistent in:***

- ***How to address tenants when writing letters***
- ***How to encourage tenants to contact the council or other organisations who can help them resolve the issue***
- ***Using plain English***
- ***Giving examples of useful sentences, including how to sign off letters.***

***The panel would like the Housing Service to find ways to obtain residents' views on the key standard letters used by the service. It would be particularly useful if the service could get the views of residents who have difficulties with literacy and numeracy.***

### Recommendation 3

***The panel recommend that all teams in the Housing Service should send out a letter to the resident(s) after every home visit detailing what was discussed, and agreed, at the visit. The panel also feels that it may be good practice to write to tenants where appointments made have been missed. The letter should also encourage the resident to reply to the service with any concerns. This recommendation should be piloted for six months and then feedback on the results be given to the Tenant & Resident Scrutiny Panel.***

## 8. Monitoring

8.2 The panel feel it is very important to monitor the progress of these recommendations and would like to receive a report on the outcomes which have been achieved, to go to Housing Committee in 12 months time.



# HOUSING MANAGEMENT CONSULTATIVE SUB COMMITTEE

**Agenda Item 54**

Brighton & Hove City Council

<b>Subject:</b>	<b>Housing Management Performance Report Quarter 3 2013/14</b>		
<b>Date of Meeting:</b>	<b>1 April 2014</b>		
<b>Report of:</b>	<b>Executive Director Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Ododo Dafé</b>	<b>Tel: 293201</b>
	<b>Email:</b>	<b>ododo.dafe@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

## FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This Housing Management performance report covers Quarter 3 of the financial year 2013/14.







### 2. RECOMMENDATIONS:

- 2.1 That the Housing Management Consultative Sub Committee notes and comments on the report.

### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The report continues the use of the 'RAG' rating system of red, amber and green traffic light symbols to provide an indication of performance, and also trend arrows to provide an indication of movement from the previous reporting period. Where indicators are red or amber explanations have been provided.

#### 3.2 Key to symbols used in the report:

Status		Trend	
Performance is below target (red)		Poorer than previous reporting period	
Performance is close to achieving target, but in need of improvement (amber)		Same as previous reporting period	
Performance is on or above target (green)		Improvement on previous reporting period	

#### 4.0 Rent collection and current arrears

\*As these targets are year end (rather than for each quarter), no traffic lights or trend arrows will be applied to this table until the Quarter 4 2013/14 report.

Performance Indicator		Target*	Q3 12/13	Year End 12/13	Q3 13/14
1	Rent collected as proportion of rent due each year (arrears of £948,838)	98.66%	98.54% (£47,536,459)	98.66% (£47,559,925)	98.13% (£49,769,392) <b>projection</b>
2	Tenants with more than seven weeks rent arrears	2.85%	2.54% (301)	2.63% (310)	3.37% (393) <b>cumulative average</b>
3	% of those in arrears who have a current Notice of Seeking Possession (NOSP)	27.02%	17.95% (508 NoSPs)	25.87% (722)	19.38% (586) <b>cumulative average</b>
4	Households evicted because of rent arrears	Less than 0.29%	0.03% (3)	0.08% (10)	0.02% (2) <b>year to date</b>
5	Rent loss due to empty dwellings	1.6%	0.68% (£323,000)	0.76% (£357,781)	0.95% (£472,332) <b>projection</b>
6	Former tenant arrears collected (current total £523,876)	18%	12.09% (£62,718)	18.10% (£96,216)	22.41% (£117,389) <b>year to date</b>
7	Rechargeable debt collected (current total £249,398)	11%	5.52% (£12,408)	10.80% (£24,561)	9.6% (£23,932) <b>year to date</b>





##### 4.0.1 Percentage of rent collected as proportion of rent due each year by area

Area	Target	Q3 12/13	Year End 12/13	Q3 13/14
North (includes Sheltered housing)	99.12%	98.89% (£13,531,932)	99.12% (£13,550,150)	98.73% (£14,227,454) <b>projection</b>
West	98.69%	98.61% (£9,600,056)	98.69% (£9,604,919)	98.36% (£10,044,045) <b>projection</b>
Central	98.87%	98.73% (£8,953,237)	98.87% (£8,952,438)	98.40% (£9,392,204) <b>projection</b>
East	98.13%	98.09% (£15,447,391)	98.13% (£15,449,313)	97.30% (£16,105,689) <b>projection</b>
All areas	98.66%	98.54% (£47,536,459*)	98.66% (£47,559,925*)	98.13% (£49,769,392) <b>projection</b>

\*Includes collection from small number of HRA properties used as Temporary Accommodation.

##### 4.0.2 A table presenting information relating to the impact of the reduction in Housing Benefit for under occupying households is attached as Appendix 2.

#### 4.1 Empty home turnaround time

















Performance Indicator	Target	Q3 12/13	Year End 12/13	Q3 13/14	Status	Trend
Average re-let time in calendar days (BV212)	21	11	15	18		
Average re-let time in calendar days (no exclusion periods as per BV212)	32	31	32	39		

- 4.1.1 **Average re-let time in calendar days – no exclusion periods as per BV212**  
 Performance against this indicator, which accounts for periods during which re-let properties underwent major works, remains steady at 39 calendar days. Of the 137 re-lets during the quarter, 45 were long term empty properties (6 weeks or more) that have now been brought back into use. Examples of major works include structural works (eg floors, walls and roofs) and installations of lacking amenities (eg gas, electricity and heating).

Average re-let time for both indicators is higher than last year because of the need to allow time for financial inclusion work to equip prospective tenants for their new home. Nonetheless, the targets remain the same as for 2012/13 in order to ensure our high performance continues despite an increased workload due to under occupying households transferring to smaller properties. There have been 446 re-lets so far this financial year compared to 354 at the same time last year.

- 4.1.2 A table presenting a snapshot of long term empty properties is attached as Appendix 1.

## 4.2 Property & Investment

Performance Indicator		Target	Q3 12/13	Year End 12/13	Q3 13/14	Status	Trend
1	Emergency repairs completed in time	99%	99.74% (2,661)	99.57% (8,281)	99.73% (2,996)		
2	Routine repairs completed in time	98%	99.89% (8,494)	99.78% (33,799)	99.87% (6,723)		
3	Average time to complete routine repairs (calendar days)	15 days	9 days	9 days	12 days		
4	Percentage of appointments kept by contractor	95%	92.32% (6,255)	94.56% (27,434)	97.17% (6,535)		
5	Tenant satisfaction with repairs (respondents from period who were satisfied or very satisfied)	95%	99.03% (1,841)	97.03% (7,493)	99.33% (1,766)		
6	Percentage of responsive repairs passing post-inspection	95%	97.12% (1,518)	95.44% (4,728)	93.58% (1,196)		
7	Percentage of repairs completed right first time	97%	98.10% (11,833)	98.09% (45,717)	99.62% (9,699)		
8	Cancelled repair jobs	Under 5%	9.98% (1,158)	11.04% (4,875)	3.55% (396)		
9	Percentage of homes that are decent	100%	94.13% (11,259)	95.33% (11,347)	100% (11,892)		
10	Energy efficiency rating of homes (SAP 2009)	62.9	61.9	62.5	63.3		
11	Percentage of planned works passing post-inspection	97%	97.12% (1,518)	99.37% (2,221)	100% (345)		
12	Stock with a gas supply with up-to-date gas certificates (of 10,363 requiring one)	100%	99.90% (10,438)	99.97% (10,387)	99.99% (10,362)		
13	Percentage of empty properties passing post-inspection	98%	98.17% (107)	98.99% (591)	100% (151)		
14	Average time taken (hours) to respond to callouts for lift faults	-	-	-	2h 12m	-	-
15	Lifts restored to service on same day as callout	-	-	-	97.58% (161)	-	-
16	Lifts – average time to restore service when not within 24 hours of callout	-	-	-	14 days	-	-



#### 4.2.1 **Percentage of responsive repairs passing post-inspection**

Of the 1,278 jobs that were post inspected, 82 failed. Of these, 66 required further works to complete the repair, 12 were due to poor workmanship, and four were overclaimed (meaning less work was done than stated on the repair order).

#### 4.2.2 **Stock with up-to-date gas certificates**

Only one property did not have a current safety certificate as of 31 December, as the tenant missed two appointments and had to be sent a warning letter, but the check has since been carried out.

#### 4.2.3 **Lifts restored to service within 24 hours of callout**

Of the 165 lift breakdowns during the quarter, 161 were restored to service within 24 hours. The four lifts which took longer than 24 hours to repair were Clarendon House (4 days), Essex Place (5 days), Park Royal (13 days) and Wiltshire House (33 days). These jobs took longer than usual because new parts had to be ordered and fitted, such as new relays and a new timer in the case of Wiltshire House. There were two trap-ins reported during the quarter, both of which were responded to within the one hour target time.

#### 4.2.4 Following queries at recent meetings, further information is provided below regarding tenant satisfaction and 'right first time'.

##### Tenant satisfaction



















Tenant satisfaction is collected by various methods, which are:

- Freepost survey cards left by the operative for the tenant to complete
- PDA handed to the tenant by the operative at the time of the repair
- Phone surveys through the Repairs Desk
- Phone calls made by trained resident volunteers (starting from March 2014).

##### Right first time

'Right first time' (RFT) refers to responsive repairs that are completed during the first visit where access is allowed to the home. Several types of work are classified as non-RFT, such as when the work fails post-inspection and when a second appointment is required to complete the job.

### 4.3 Estates Service

Performance Indicator		Target	Q3 12/13	Year End 12/13	Q3 13/14	Status	Trend
1	Quality inspection pass rate of our cleaning service	98%	97% (144)	98% (719)	99% (150)		
2	Quality inspection pass rate of our minor repairs service	99%	99% (294)	99% (657)	100% (190)		
3	Completion of cleaning tasks (percentage completed out of all tasks due)	98%	98% (14,358)	98% (53,424)	97% (13,287)		
4	Emergency removals of bulk waste completed within 1 working day	100%	100% (4)	100% (17)	100% (109)		
5	Routine removals of bulk waste completed within 5 working days	98%	97% (768)	98% (3,270)	93% (635)		
6	Emergency maintenance and replacement of lights completed within 1 working day	100%	96% (109)	99% (718)	99% (206)		
7	Routine maintenance and replacement of lights completed within 5 working days	97%	98% (528)	94% (1,410)	98% (480)		
8	Neighbourhood Response Team jobs completed within target times	96%	98% (2,612)	97% (8,027)	97% (1,603)		
9	Graffiti removals completed within target times	100%	100% (1)	92% (25)	89% (8)		

**4.3.1 Completion of cleaning tasks (percentage completed out of all tasks due)**  
 Performance narrowly missed the target due to staff leave around the Christmas period. This meant that some tasks (eg removing a sharp objects, cleaning up spills) had to be prioritised ahead of non urgent tasks (eg dusting window ledges) to ensure that all blocks were covered by the cleaning service throughout this time.

**4.3.2 Routine removals of bulk waste completed in time**  
 Of 683 routine jobs to remove bulk waste, 48 were completed after the target date. As routine jobs pose no risk to health and safety (eg the bulk is located in an enclosed area such as a bin room), it is necessary to prioritise these behind emergency jobs – all of which were completed within the 1 working day target time.

**4.3.3 Emergency maintenance and replacement of lights completed within 1 working day**  
 Two jobs missed the 1 working day target because the tenant was not at home at the time of the appointment, but the work has since been done in both cases.

**4.3.4 Graffiti removals completed within target times**  
 One job missed the target in December, just before Christmas, but the work was completed and the graffiti in question was not offensive.

#### 4.4 Anti-social behaviour (ASB)

Performance Indicator	Q3 12/13	Year End 12/13	Q3 13/14
Cases closed without need for legal action	98% (199)	95% (279)	95% (83)
Cases closed resulting in legal action	2% (4)	5% (16)	5% (4)
Cases closed without eviction	98% (199)	97% (286)	99% (86)
Cases closed resulting in eviction	2% (4)	3% (9)	1% (1)
Customer satisfaction with cases managed by the ASB Team*	85% (11)	82% (23)	100% (9)

\*Percentage of victims from complex cases handled by the ASB Team who said they were either 'very satisfied' or 'fairly satisfied' with the way the case was dealt with. Of the 87 ASB cases closed during Quarter 2, 11 were closed by the ASB Team and 76 by the Tenancy Team.











##### 4.4.1 Reports of ASB incidents in wards with 500 properties or more

Ward	Number of incidents	Change since Q2	Incidents per 1,000 properties
Queen's Park	210	-39	121
East Brighton	243	-18	107
Moulsecoomb & Bevendean	97	+25	62
Hollingdean & Stanmer	87	-20	67
Hangleton & Knoll	41	-5	34
Patcham	17	-7	31

##### 4.4.2 Reports of ASB incidents by type

Category	Number	Percent	Change since Q2
Personal (eg verbal abuse, harassment, intimidation)	70	7%	-57
Nuisance (eg noise, pets and animal nuisance)	81	9%	-109
Environmental (eg graffiti and fly-tipping)	801	84%	+83
Total	952	100%	-83

## 4.5 Sheltered housing

Performance Indicator	Target	Q3 12/13	Year End 12/13	Q3 13/14	Status	Trend
Residents with an up to date support plan (of those requesting one)	100%	96% (782)	98% (844)	97% (810)		
Residents who decline a support plan	3% or under	3% (26)	3% (25)	3% (30)		
New residents with a support plan completed within 21 calendar days	100%	89% (17)	95% (76)	89% (17)		
Call each resident personally (if requested)	100%	100%	100%	100%		
Provision of at least one social activity per week (in 21 of our 23 schemes)	100%	100%	100%	100%		

### 4.5.1 Residents with an up to date support plan (of those requesting one)

The target was missed because 27 appointments to review support plans were overdue. This was either because residents were unable to attend appointments to review their support plan (because of hospitalisation or respite care) or because the support plans were still being reviewed and finalised with the resident at the time.

### 4.5.2 New residents with a support plan completed within 21 calendar days

Of the 19 new sheltered residents who moved in, 17 had their support plan completed within 21 calendar days. Of those which took longer, one was due to temporary staff absence and the other because it was necessary to spend longer than usual to put together a support plan which suitably accommodated the new resident's complex needs.

## 5. COMMUNITY ENGAGEMENT AND CONSULTATION:

- 5.1 The performance measures in this report demonstrate whether we are delivering quality service for scrutiny by members, residents and the public at large.

## 6. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 6.1 Changes in most performance areas will have a financial effect. The area with the most significant financial impact is the ability to collect rents from tenants. The rent collection figures in this report at paragraph 4.0 for quarter 3 show collection of rent due to be 98.13%. January figures are now available and show an improved figure of 98.25% although this will still fall short of the target set at 98.66%. This increase in arrears affects the amount needed to contribute to the bad debt provision. This budget for 13/14 is now likely to overspend by an estimated £20,000, although this is currently off-set by other underspends within the HRA. Given the current economic climate and the on-going welfare reform changes, these indicators are being very closely monitored to ensure that any financial implications arising are highlighted in the monthly Targeted Budget Management (TBM) report for the HRA, which is reported quarterly to Policy and Finance Committee.

*Finance Officer Consulted: Monica Brooks*

*Date: 12/03/14*

### Legal Implications:

As this report is for noting, there are no significant legal implications to draw to the Sub-Committee's attention.

*Lawyer Consulted: Liz Woodley*

*Date: 13/03/14*

### Equalities Implications:

- 6.3 Where appropriate, equalities implications are included within the body of the report.

### Sustainability Implications:

- 6.4 Where appropriate, sustainability implications are included within the body of the report. The increase in the energy efficiency rating of homes reflects an improvement towards the council's sustainability commitments, among other objectives such as reducing fuel poverty and deprivation.

### Crime & Disorder Implications:

- 6.5 There are no direct crime and disorder implications arising from this report. Cases of anti social behaviour involving criminal activity are worked on in partnership with the Police and other appropriate agencies.

### Risk and Opportunity Management Implications:

- 6.6 There are no direct risk and opportunity implications arising from this report.

Public Health Implications:

- 6.7 There are no direct public health implications arising from this report.

Corporate / Citywide Implications:

- 6.8 There are no direct corporate or city wide implications arising from this report. However, two performance indicators featuring in this report (the percentage of homes that are decent and the energy efficiency rating of homes) are among those used to measure success against the Corporate Plan Priority of Tackling Inequality.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Appendix 1. Long term empty properties
2. Appendix 2. Outline of under occupation arrears and related information

**Documents in Members' Rooms:**

1. None

**Background Documents:**

1. None

## Appendix 1. Long term empty properties

General needs and sheltered long term empty properties (6 weeks or more)		
Calendar days empty as at 28/02/14	Ward	Status
83	East Brighton	Currently being advertised (Sheltered)
90	East Brighton	With Mears undergoing major works prior to letting
118	East Brighton	Leasing to Seaside Homes in March 2014
146	East Brighton	Leasing to Seaside Homes in March 2014
160	East Brighton	Leasing to Seaside Homes in March 2014
167	East Brighton	Leasing to Seaside Homes in March 2014
174	East Brighton	Leasing to Seaside Homes in March 2014
188	East Brighton	Leasing to Seaside Homes in March 2014
202	East Brighton	Leasing to Seaside Homes in March 2014
209	East Brighton	Leasing to Seaside Homes in March 2014
209	East Brighton	Leasing to Seaside Homes in March 2014
237	East Brighton	Leasing to Seaside Homes in March 2014
237	East Brighton	Leasing to Seaside Homes in March 2014
258	East Brighton	Leasing to Seaside Homes in March 2014
265	East Brighton	Leasing to Seaside Homes in March 2014
272	East Brighton	Leasing to Seaside Homes in March 2014
286	East Brighton	Leasing to Seaside Homes in March 2014
307	East Brighton	Leasing to Seaside Homes in March 2014
307	East Brighton	Leasing to Seaside Homes in March 2014
314	East Brighton	Leasing to Seaside Homes in March 2014
314	East Brighton	Leasing to Seaside Homes in March 2014
328	East Brighton	Leasing to Seaside Homes in March 2014
356	East Brighton	Leasing to Seaside Homes in March 2014

<b>General needs and sheltered long term empty properties (6 weeks or more)</b>		
<b>Calendar days empty as at 28/02/14</b>	<b>Ward</b>	<b>Status</b>
363	East Brighton	Leasing to Seaside Homes in March 2014
384	East Brighton	Leasing to Seaside Homes in March 2014
404	East Brighton	Undergoing extensive major works, along with adjoining property, prior to letting
202	Goldsmid	Leasing to Seaside Homes in March 2014
293	Goldsmid	Leasing to Seaside Homes in March 2014
300	Goldsmid	Leasing to Seaside Homes in March 2014
62	Hangleton and Knoll	With BHCC for extension and refurbishment
83	Hangleton and Knoll	With BHCC for refurbishment - completion due April 2014
139	Hangleton and Knoll	With BHCC for extension and refurbishment
230	Hangleton and Knoll	Leasing to Seaside Homes in March 2014
97	Hanover and Elm Grove	Leasing to Seaside Homes in March 2014
286	Hanover and Elm Grove	Leasing to Seaside Homes in March 2014
48	Hollingdean and Stanmer	Let to new tenant
48	Hollingdean and Stanmer	Currently being advertised (Sheltered)
55	Hollingdean and Stanmer	With Mears undergoing major works prior to letting
69	Hollingdean and Stanmer	Currently being advertised (Sheltered)
76	Hollingdean and Stanmer	With Mears undergoing major works prior to letting
174	Hollingdean and Stanmer	Leasing to Seaside Homes in March 2014
279	Hollingdean and Stanmer	Currently being advertised (Sheltered)
363	Hollingdean and Stanmer	Leasing to Seaside Homes in March 2014



<b>General needs and sheltered long term empty properties (6 weeks or more)</b>		
<b>Calendar days empty as at 28/02/14</b>	<b>Ward</b>	<b>Status</b>
125	Moulsecoomb and Bevendean	Leasing to Seaside Homes in March 2014
132	Moulsecoomb and Bevendean	Currently being advertised (Sheltered)
146	Moulsecoomb and Bevendean	Currently being advertised (Sheltered)
188	Moulsecoomb and Bevendean	Leasing to Seaside Homes in March 2014
195	Moulsecoomb and Bevendean	With BHCC for extension and refurbishment
223	Moulsecoomb and Bevendean	Leasing to Seaside Homes in March 2014
230	Moulsecoomb and Bevendean	Leasing to Seaside Homes in March 2014
251	Moulsecoomb and Bevendean	With Mears undergoing major works prior to letting
293	Moulsecoomb and Bevendean	Leasing to Seaside Homes in March 2014
314	Moulsecoomb and Bevendean	Leasing to Seaside Homes in March 2014
342	Moulsecoomb and Bevendean	Let to new tenant
349	Moulsecoomb and Bevendean	Leasing to Seaside Homes in March 2014
181	Patcham	Leasing to Seaside Homes in March 2014
258	Patcham	Leasing to Seaside Homes in March 2014
279	Patcham	Leasing to Seaside Homes in March 2014
356	Patcham	Leasing to Seaside Homes in March 2014
391	Patcham	Leasing to Seaside Homes in March 2014
48	Portslade South	With BHCC exploring option to convert property into flats, subject to planning permission
202	Portslade South	Leasing to Seaside Homes in March 2014
83	Preston Park	Currently being advertised (General Needs)
90	Preston Park	Currently being advertised (General Needs)
125	Preston Park	Leasing to Seaside Homes in March 2014
48	Queens Park	Let to new tenant

<b>General needs and sheltered long term empty properties (6 weeks or more)</b>		
<b>Calendar days empty as at 28/02/14</b>	<b>Ward</b>	<b>Status</b>
55	Queens Park	Currently being advertised (Sheltered)
90	Queens Park	Leasing to Seaside Homes in March 2014
118	Queens Park	Leasing to Seaside Homes in March 2014
146	Queens Park	Leasing to Seaside Homes in March 2014
160	Queens Park	Leasing to Seaside Homes in March 2014
160	Queens Park	Leasing to Seaside Homes in March 2014
195	Queens Park	Leasing to Seaside Homes in March 2014
195	Queens Park	Leasing to Seaside Homes in March 2014
202	Queens Park	Leasing to Seaside Homes in March 2014
209	Queens Park	Currently being advertised (Sheltered)
216	Queens Park	Leasing to Seaside Homes in March 2014
223	Queens Park	Leasing to Seaside Homes in March 2014
279	Queens Park	Leasing to Seaside Homes in March 2014
356	Queens Park	Leasing to Seaside Homes in March 2014
356	Queens Park	Leasing to Seaside Homes in March 2014
391	Queens Park	Leasing to Seaside Homes in March 2014
258	St Peters and North Laine	Leasing to Seaside Homes in March 2014
356	St Peters and North Laine	Leasing to Seaside Homes in March 2014
552	Westbourne	Leasing to Seaside Homes in March 2014.
48	Woodingdean	Let to new tenant
90	Woodingdean	Leasing to Seaside Homes in March 2014
265	Woodingdean	Leasing to Seaside Homes in March 2014
293	Woodingdean	Leasing to Seaside Homes in March 2014
349	Woodingdean	Leasing to Seaside Homes in March 2014
<b>Total of 90 dwellings</b>		

<b>Temporary accommodation long term empty properties (6 weeks or more)</b>		
<b>Calendar days empty as at 28/02/14</b>	<b>Ward</b>	<b>Status</b>
1,615 to 1,868	Central Hove (1 property containing 2 flats)	With BHCC undergoing major refurbishment to merge two small studio dwellings into one flat. Completion due April 2014
933 to 1,931	Goldsmid (1 property containing 2 flats)	With BHCC undergoing major refurbishment to merge two small studio dwellings into one flat. Completion due April 2014
1,615 to 1,952	Queens Park (block of 9 flats)	To be redeveloped. Site of proposed Brooke Mead Extra Care Scheme - planning permission granted.
933	Westbourne (2 properties containing 3 flats)	One flat to be leased to Seaside Homes in March 2014 (along with the general needs property in Westbourne on page 4 of this appendix). Discussions are underway with Pre-Planning team to merge the other two dwellings, which are adjacent, into one flat.
934	Withdean (4 prefab bungalows within above land)	To be redeveloped, as agreed at Housing Committee in November 2013.
<b>Total of 20 dwellings</b>		



## Outline of under occupation arrears and related information (December 2013)

Item	Indicator	Baseline (end March)	End Oct	End Nov	End Dec (Q3)	End 2013/14 forecast
1	Number of council households affected by the under occupation charge at month end	949	812	763	780	670
3	Percentage of under occupying council households who are in arrears at month end (numbers in brackets)	29% (277)	75% (607)	75% (570)	74% (577)	79% (526)
4	Average arrears per under occupying council household at month end	£122	£166	£170	£169	£227
5	Total arrears of under occupying households at month end	£84k	£135k	£129k	£132k	£152k
6	Percentage increase in arrears of under occupying households since 1 April (amount of arrears in brackets)	0% (£84k)	61% (£135k)	54% (£129k)	57% (£132k)	82% (£152k)
7	Percentage increase in arrears of all current tenant arrears since 1 April (amount of arrears in brackets)	0% (£639k)	28% (£817k)	37% (£872k)	49% (£949k)	54% (£984k)
8	Arrears of under occupying households as a percentage of arrears of all current tenants	13%	17%	15%	14%	15%
9	Cumulative number of under occupying households who have moved through a mutual exchange	0	33	33	33	52
10	Cumulative number of under occupying households who have moved through the Transfer Incentive Scheme	0	37	45	45	67

**Source:** all data is from OHMS, the database of council tenants and properties used within housing management. Details of which households are affected are continuously updated onto this database using records provided by Revenues and Benefits.



<b>Subject:</b>	<b>Lessons taken from the experience of relocating Manor Place Housing Office</b>		
<b>Date of meeting:</b>	<b>1 April 2014</b>		
<b>Report of:</b>	<b>Executive Director – Environment, Development &amp; Housing</b>		
<b>Contact officer:</b>	<b>Name:</b>	<b>Ododo Dafé</b>	<b>Tel: 293201</b>
	<b>Email:</b>	<b>ododo.dafe@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report provides Housing Management Consultative Sub Committee with information on how the experience and learning from the relocation of the Manor Place Housing Office has informed work to close the Selsfield Drive Housing Office.

**2. RECOMMENDATIONS:**

- 2.1 That the sub committee notes the learning taken from Manor Place and applied to the planning of the Selsfield Drive Housing Office.

**3.1 RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1.1 The Manor Place Housing Office closed on 31 March 2012 with services being relocated to the Whitehawk Hub. The cash office did not transfer, however, and closed when the office shut.
- 3.1.2 The Selsfield Drive Housing Office is due to close on 28 March 2014 and all remaining cash desks across the city will close this year following the decision made at Housing Committee on 13 November 2013.
- 3.1.3 This paper outlines the lessons that have been taken from the Manor Place move and closure of the cash desk and applied to the work being undertaken to close the Selsfield Drive Housing Office.

**3.2 Communications and support**

- 3.2.1 Our approach to supporting customers to change the way they pay their rent and other charges as a result of Selsfield Drive closing has been targeted, based on records of who currently use the office.

- 3.2.2 Leading up to the Manor Place closure we wrote to all residents in Whitehawk and Manor Farm, and carried out surveys with residents who came into the office during the weeks preceding the close date. The mass communication approach did alert residents to the relocation of services; however the message could have been stronger if followed up by more personal contact with tenants who did not call into the office during that period. This time we have written to all residents who have used Selsfield Drive Housing Office in the past six months and offered further advice in person when these residents have come into the housing office. We are also telephoning those customers who have not visited the office since we first contacted them.
- 3.2.3 As with Manor Place, this has meant that we have been able to provide specific information and support to help with the switch to alternative service access and payment methods. We have also asked residents more questions about access to the internet, financial inclusion and, where appropriate, their support networks. This has helped us better identify the need for financial inclusion and other support.
- 3.2.4 We have taken a more thorough and systematic approach than we did at Manor Place, using the knowledge of local staff to also carry out home visits to older and vulnerable residents. This has formed part of our targeted approach to help residents plan for the change in service provision and to address concerns raised that some residents who visit housing offices do so to combat issues such as loneliness or isolation. Through our one to one visits we have been able to provide information on local groups and activities that may be of interest, and in some cases also established links with residents' family and carers.
- 3.2.5 We will complete this detailed work by the end of March as we want to have as much knowledge and contact as possible with residents before Selsfield Drive closes.
- 3.2.6 We have also used posters to advertise the closure in housing offices, local sheltered schemes, community venues, and at Moulsecoomb Library.
- 3.2.7 As with Manor Place, officers have attended Tenant and Resident Associations meetings, briefed ward councillors and advertised the closure on the council's website. Other council services that residents can access through housing offices (ie Council Tax, Housing Benefit and Homemove) have also been notified. As the date for the closure approaches, we will use social media to reiterate the message.
- 3.2.8 During March, Housing staff are working with colleagues in the Moulsecoomb Library to promote this venue as a place where customers can visit to access information about council services and to learn new skills, such as accessing the internet.



### **3.3 Payment methods**

- 3.3.1 A further lesson we have learned from the Manor Place closure is that while many tenants used Paypoint as an alternative payment method, there were some tenants who preferred to pay at another housing office. For the Selsfield Drive closure, while tenants will be able to make their payments at a different housing office in the short term because cash desk closures will be staggered, we are making additional efforts to encourage alternatives that will be more sustainable in the longer term. This will also enable us to support those tenants who are able to, to set up standing orders or direct debit arrangements in readiness for when Universal Credit comes in.
- 3.3.2 We are in much more communication with residents now, than we were for the Manor Place closure. For example, tenants who have expressed a wish to pay by Paypoint are currently being contacted to ensure their payments cards (which are ordered from an external supplier) have arrived.
- 3.3.3 We will analyse switches in payment methods and trends across the city and are working with colleagues in the Corporate Banking and ICT teams to take a more proactive approach to contacting residents whose accounts show delayed activity in April.

### **3.4 The office location**

- 3.4.1 We are aware that the work to redevelop the site at Manor Place has taken longer than expected, with demolition planned for spring 2014. The lesson we have taken this time around is that our Property & Investment Team has already made assessments of the Selsfield Drive site so that decommissioning of services to the site and consultation around its future use can begin earlier than at Manor Place.
- 3.4.2 All learning from the Selsfield Drive closure will be taken forward to the next part of our office accommodation project, Victoria Road, which is due to be relocated to the Portslade Town Hall during the summer 2014.

## **4. COMMUNITY ENGAGEMENT AND CONSULTATION:**

- 4.1 Tenants have been consulted at Area Panels prior to decisions regarding the Selsfield Drive office and cash desk closures being taken at Housing Committee in November 2013.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The financial implications relating to the closure of the Selsfield Drive office were considered as part of the report to Housing Committee on 13<sup>th</sup> November 2013. Any costs associated with communication of the closure to residents will be met from existing budgets within the HRA.

*Finance Officer Consulted: Monica Brooks*

*Date 12/03/14:*

Legal Implications:

- 5.2 There are no direct legal implications arising from this report.

*Lawyer Consulted: Liz Woodley*

*Date: 11/03/14*

Equalities Implications:

- 5.3 There are no direct equalities implications arising from this report

Sustainability Implications:

- 5.4 There are no direct sustainability implications arising from this report

Crime & Disorder Implications:

- 5.5 There are no direct crime and disorder implications arising from this report.

Risk and Opportunity Management Implications:

- 5.6 There are no direct risk and opportunity implications arising from this report.

Public Health Implications:

- 5.7 There are no direct public health implications arising from this report.

Corporate / Citywide Implications:

- 5.8 There are no direct corporate or citywide implications arising from this report. However, the quality of our communications lies at the foundation of ensuring that residents have the information they need, and are therefore able to fulfil their service needs or meet their obligations.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. None

**Documents in Members' Rooms:**

1. None

**Background Documents:**

1. None

<b>Subject:</b>	<b>Park Royal – leasehold enfranchisement</b>		
<b>Date of Meeting:</b>	<b>1 April 2014 – Housing Management Consultative Sub-Committee</b> <b>2<sup>nd</sup> April 2014 - Central Area Panel</b> <b>30 April 2014 – Housing Committee</b> <b>1 May 2014 – Policy &amp; Resources Committee</b>		
<b>Report of:</b>	<b>Executive Director of Environment, Development and Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Simon Pickles, Housing Stock Review Manager</b>	<b>Tel: 29-2083</b>
	<b>Email:</b>	<b>simon.pickles@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Regency</b>		

## **GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To inform Committee of the legal enfranchisement process which leaseholders have invoked.
- 1.2 To explain the council's new role of 'tenant' resulting from enfranchisement. From Thursday 20<sup>th</sup> March 2014 the council is no longer the freehold owner of these two blocks of flats.
- 1.3 The report recommends the disposal, on the open market, of the remaining tenanted flats as and when they become empty, in order to fund additional affordable council accommodation across the city.

### **2. RECOMMENDATIONS:**

- 2.1 That Housing Management Consultative Sub-Committee and Central Area Panel note the contents and recommendations in this report.
- 2.2 That Housing Committee note the completion of sale of the freehold and the change of freeholder and management of the two Park Royal buildings.

- 2.3 That Housing Committee recommends to Policy & Resources Committee that the council agrees to dispose of its remaining interest in 24 flats in nos 1 – 44 and 45 – 85 Park Royal, when they become empty, investing the capital receipts into the provision of additional affordable council accommodation across the city.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 A summary of the leasehold enfranchisement process is at Appendix 1.
- 3.2 The council and the nominee purchaser, Park Royal Brighton Ltd, have agreed the terms of enfranchisement for the two council properties 1-44 and 45-85 Park Royal, Montpelier Road, Brighton. Completion took place on Thursday 20<sup>th</sup> March 2014.
- 3.3 The council was served two Initial Notices under the Leasehold Reform, Housing & Urban Development Act 1993 by lawyers acting for Park Royal Brighton Ltd., on 9 January 2013.
- 3.4 The transaction includes both of the buildings and the boundary curtilage of the buildings including the car parking spaces. The site plan is at Appendix 2.

### **4. BACKGROUND - NEW ROLES**

- 4.1 Completion of the transaction means that the qualifying group of leaseholders in each building has successfully 'enfranchised' from the council as freeholder, and is now the freeholder of the two buildings with the obligation to keep them in repair and to provide insurance and services.
- 4.2 The council has taken mandatory leasebacks of the tenanted flats in the building, effectively becoming the leaseholder of the ex-leaseholders, with rights to be consulted on high cost works and the obligation to pay the service charge.
- 4.3 The council remains the landlord of its weekly rent paying tenants in the building and is still responsible for the interior repair of their flats, excluding the windows and window frames.
- 4.4 The council needs the prior written consent of the freeholder to carry out any structural alterations within flats that have been leased back.
- 4.5 Impact on future maintenance and management:
- a. Responsibility for keeping the exterior of the premises in repair along with any structural elements, common parts and the building as a whole has passed with the freehold ownership to Park Royal Brighton Ltd. The leaseholders' managing group has appointed a managing agent, Jacksons based in Hove, to manage the building and the leases.

b. The council is only responsible for the repairs and planned maintenance to the tenanted flats, e.g. new kitchens and bathrooms, rewiring.

4.6 A summary of the wider housing management roles is at Appendix 3.

## **5. PROPOSED DISPOSAL OF THE 24 REMAINING FLATS**

5.1 Officers are currently reviewing the HRA Asset Management Strategy. This review has so far concluded that detailed consideration, on a case-by-case basis, will be required to agree whether disposal occurs when a unit in a block where the freehold has been relinquished, becomes vacant through normal turnover.

5.2 The arguments in favour of the disposal of vacant properties are:

- They will lead to significant capital receipts which will fund the development of new replacement properties
- The council will not be able to guarantee service standards to its tenants, that relate to the management and maintenance of communal parts (because of having to rely on a third party provider, accepting legal action can be taken to enforce action).

5.3 On the evidence of the last 12 months, one tenanted flat has become available. Were the council to sell the next empty flat on the open market, we could expect to receive a capital receipt of some £200,000. The average cost of providing a replacement similar sized property would be approximately £150,000.

## **6. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

6.1 The argument against disposal is there would be a loss of social housing accommodation until the replacement homes have been built, which would not be supporting the council's housing strategy, which states: 'Retaining our Council housing stock is a cornerstone of our City-wide Housing Strategy and commits us to making best use of Housing Revenue Account (HRA) assets, building new council homes and increasing housing supply in order to address the shortage of affordable housing in the City'.

However, as our housing development programme gains momentum, new council homes are likely to be under construction all the time.

6.2 If members are interested in offering financial incentives to tenants to encourage them to move to alternative accommodation, further work on this can be undertaken by officers and brought back to committee.

6.3 Of the remaining 24 flats, 23 are 2 bedroom flats and one is a 1 bedroom flat.

## **7. COMMUNITY ENGAGEMENT & CONSULTATION**

- 7.1 Now that we have completed we will be writing to all tenants, and also to any leaseholders who are not participating in the management group, to explain the change of management and the implications and continuity for them. We will offer meetings with individuals.
- 7.2 This report has been considered by the Central Area Panel on 2<sup>nd</sup> April and Housing Management CSC on 1<sup>st</sup> April.

## **8. CONCLUSION**

- 8.1 Leasehold enfranchisement is a legal process which the council cannot prevent. The impact on our remaining tenants will be managed to ensure, as far as possible, they continue to receive high standards of service.
- 8.2 There is a decision to take with respect to disposing of our remaining tenanted flats. This report recommends disposal as and when the flats become available, and re-investing the proceeds in new affordable council homes.

## **9. FINANCIAL & OTHER IMPLICATIONS**

### **9.1 Financial Implications:**

- a. The purchase of the freehold provides a receipt of £135, 592 (Front block, Flats 1-43: £45,532; Rear block, Flats 44-85: £40,060; Appurtenant land: £50,000) which is available to re-invest in the Housing Capital Programme or be placed/ kept in HRA reserves to pay for future costs of major works at Park Royal, which will be chargeable under the terms of the Lease to the council, as leaseholder for the 24 remaining flats.
- b. The Housing Capital Investment programme 2013/14 included an amount of £0.414m to be spent on Major works at Park Royal. This budget will be re-invested elsewhere within the Housing Capital Investment Programme with the capital variation being reported to Policy & Resources Committee through the TBM process.
- c. The council has become the leaseholder of the remaining 24 flats across the two buildings and as such is responsible for paying annual service charges. It is anticipated that the annual service charges for these flats can be met from a reduction in the current expenditure on common ways. This will be monitored as part the TBM process.

- d. If the committee approve the disposal of the remaining 24 flats when they become empty, the capital receipt will be available for investment in building council homes. This could potentially realise a total capital receipt in the region of £4.5 million to £5 million.

Finance Officer Consulted: Susie Allen, Principal Accountant  
Date: 12/3/2014

## 9.2 Legal Implications:

- a. The Council is legally obliged to comply with Part 1 Chapter 1 section 1 to 38 of the Leasehold Reform, Housing & Urban Development Act 1993 (as amended), which is the governing piece of legislation. Thomas Eggar Solicitors were instructed to act on behalf of the Council in connection with the collective enfranchisement process.
- b. The General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 – 2013 would enable the council to dispose of the 24 flats, once empty, provided a consideration equal to its market value is obtained.
- c. It is not considered that any Human Right Act rights would be adversely affected by the recommendations in this report.

Lawyer Consulted: Joanne Dougnaglo/ Liz Woodley     Date: 24/12/13 and  
14/2/14

## 9.3 Equality Implications:

There are no significant Equality and Diversity issues to report.

## 9.4 Sustainability Implications:

- a. The Council retains some influence on the choice of building materials in communal areas, as tenant (under consultation requirements) and where any Building Control involvement is required for works.
- b. The Council retains direct control over use of materials in the remaining tenanted flats.

## **SUPPORTING DOCUMENTATION**

**Appendix 1:** A summary of the leasehold enfranchisement process

**Appendix 2:** Plan of Park Royal

**Appendix 3:** A summary of the wider housing management roles.







## **Appendix 1**

### **Leasehold enfranchisement procedure: Park Royal**

Long leaseholders of flats have the right, as a group, to buy the freehold of the building, if they and their building qualify. This is known as 'collective enfranchisement'.

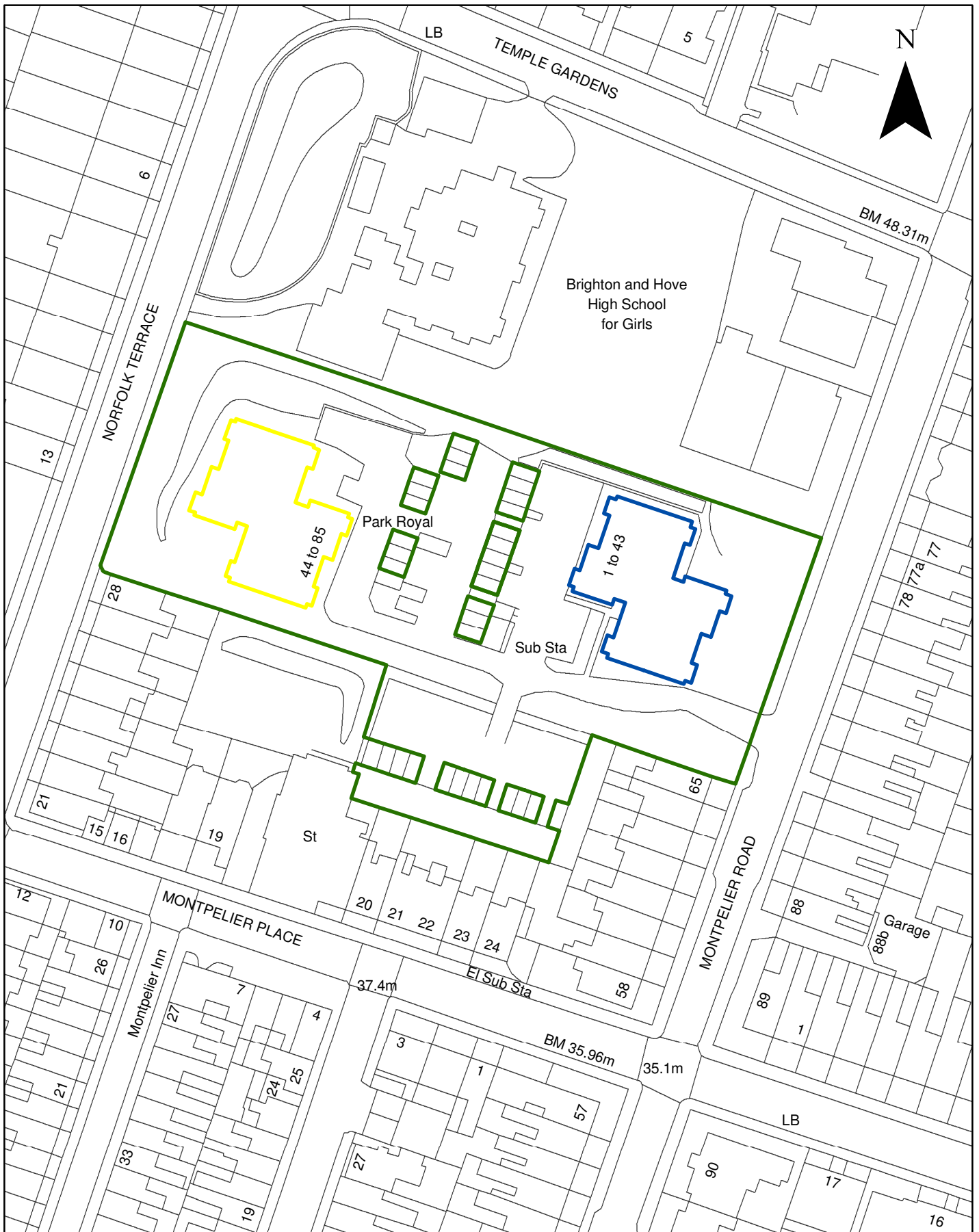
To qualify, certain conditions have to be met:

- at least two-thirds of the flats in the block must be leasehold
- leaseholders numbering at least half the flats in the building must participate in the purchase of the freehold
- the group of leaseholders purchasing is properly constituted in line with the law.

Where there are secure council tenancies in the building and there is enfranchisement, the council must take leasebacks of the tenanted properties on 999 year leases on much the same terms as other leases in the building and at a peppercorn rent.



# Flats 1 to 43 , Park Royal, 66 Montpelier Road, Brighton.



Scale: 1:1,000



- Park Royal Estates Boundary
- Block 44 to 85
- Block 1 to 43



### **Appendix 3**

#### **Wider housing management roles after leasehold enfranchisement:**

- a. **The council will continue to be the landlord of our secure tenants.** We will continue to be responsible for repairs within their flats and for the enforcement of tenancy terms. Tenants should still report any tenancy or building management issues to the Repairs Desk (Mears).
- b. **Health and safety:** At Lee Bank, a smaller enfranchisement precedent, the Neighbourhood Officer carries out estate inspections and visits the block on a regular basis to ensure the health and safety of our one remaining tenant there.
- c. **Services provided by the Tenancy Enforcement and Antisocial Behaviour (ASB) Teams:** We will continue to provide the standard level of service to our tenants, but if there are ASB issues involving leaseholders that would be managed by the Community Safety Team.
- d. **Lettings:** the Rehousing Team will continue to manage the change of tenancy process for all non-leasehold flats.
- e. **Caretaking and cleaning:** Housing Customer Services will continue to provide support for tenants only, by reporting any concerns to the new managing agent. BHCC will not be responsible for cleaning the block.





<b>Subject:</b>	<b>Tenants and Residents Associations Recognition Policy</b>		
<b>Date of Meeting:</b>	<b>01/04/2014 Housing Management Consultative Sub Committee 30/04/2014 Housing Committee</b>		
<b>Report of:</b>	<b>Executive Director of Environment, Development and Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Becky Purnell</b>	<b>Tel: 29- 3022</b>
	<b>Email:</b>	<b>becky.purnell@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

## **FOR GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The Policy outlines the requirements for a tenants or residents association in a council housing area to be recognised by the council.
- 1.2 The Policy updates the existing Recognition Policy and Model Constitution and brings the Policy in line with the Code of Conduct agreed at Housing Management Consultative Sub Committee in December 2012.

### **2. RECOMMENDATIONS:**

- 2.1 That the Housing Management Consultative Sub-Committee comments on the proposed Recognition Policy, including Appendices, and recommends them to Housing Committee for approval. .

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Associations that are recognised by the council are eligible to have a place on the Housing Management Area Panels and receive a grant to cover running costs.
- 3.2 The Recognition Policy ensures that associations that are involved in making decisions on behalf of residents are able to show they are democratic, accountable and representative.
- 3.3 The Policy also ensures that associations abide by the Model Constitution; the main amendment to this is that rather than four committee meetings a year associations should hold a minimum of four general meetings a year, one of which can be the AGM.

- 3.4 It brings the Policy in line with the Code of Conduct; the layer of appeal regarding a breach of the Code of Conduct by a Joint Adjudication Panel has been removed.
- 3.5 The Code of Conduct applies to all aspects of housing's resident involvement, and in particular behaviours at meetings and when acting in a representative capacity.
- 3.6 The Resident Involvement Team and the Resource Centre provide support and training and de-recognising an association would be the last resort in serious circumstances.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Continuing with the existing Recognition Policy and Model Constitution could save staff and association time; however bringing it in line with the Code of Conduct enables a more robust approach to financial responsibility, dealing with breaches and inappropriate behaviour, and ensuring compliance with current legislation.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The resident Housing Management Area Panels and Involvement & Empowerment Service Improvement Group have considered these papers and their comments are below for the consideration of the committee.
- 5.2 **East Area Panel held 20/01/14**
- 5.3 What does the council do about people who throw away their Tenancy Agreement and say it doesn't matter? **Response:** Tenancy Agreements are a legally binding contract and if there are any breaches the council will consider appropriate action.
- 5.4 I'm not a tenant, how can I find out about what is in the Tenancy Agreement **Response:** We can send you one and if you look up Tenant Handbook on the council website a lot of the information is there.
- 5.5 Agreement that there should be four general meetings a year rather than four committee meetings in the Model Constitution, but would you expect us to leaflet every household or are the notice-boards ok? **Response:** We would encourage associations to publicise meetings as much as they can, but appreciate they are all different, to leaflet one high-rise doesn't take long, while 300 households in Coldean is more of a challenge. You are voluntary organisations and we have left this open, although we would encourage you to do as much as you can, if you just put up posters talk to people as well and get the word out. Use newsletters eg we are meeting with the Moulsecoomb LAT to see how we can work better together – we can promote each other's meetings in each other's newsletters.

- 5.6 Is there a Code of Conduct for Staff? **Response:** Yes there is and there is one for elected members, these were looked at when this Code of Conduct was written – we can send you copies
- 5.7 **Central Area Panel held 22/01/14**
- 5.8 One resident didn't agree that all Associations must elect to the Area Panel  
**Response:** It states in the existing Model Constitution that the Area Panel representative will be elected at the AGM
- 5.9 One resident felt that the Code of Conduct should refer explicitly to emails and use stronger language **Response:** We could add "by email" to "verbally, on web postings, or in writing" under the Discrimination and Harassment section.
- 5.10 **North & East Area Panel held 23/01/14**
- 5.11 What if the complaint about behaviour came from the RIO at the meeting, would the Resident Involvement Team be judge and jury? **Response:** There is an Unacceptable Conduct Complaints Form and the aim is that residents can use this if they feel unable to raise the issue at the meeting. The Code of Conduct talks about the relevant service manager looking into the complaint and the Communities and Equalities Team could be asked for their opinion.
- 5.12 The Recognition Policy states that during the appeals process an Association would not be eligible to financial or consultation provisions made for recognised associations. **Response:** It wouldn't be appropriate to give funding if the Association is under criminal investigation. The Resident Involvement Team can provide support to enable Associations to continue to be recognised; de-recognition is the ultimate sanction and has been very rarely used.
- 5.13 Residents felt that the requirement to have ten signatures to call an Emergency General Meeting is too high. **Response:** The quorum for numbers required to attend a general meeting for decision making is agreed locally. The number of signatures required to call the Special General Meeting in the current Model Constitution states ten, although we are aware this does vary in existing constitutions.
- 5.14 **West Area Panel held 24/01/14**
- 5.15 Apart from a few changes in wording it's not much different, it's what we already do.
- 5.16 **Involvement & Empowerment Group held 20/02/14**
- 5.17 Agreement should add "by email" to "verbally, on web postings, or in writing" under the Discrimination and Harassment section.
- 5.18 Anti social behaviour should be reported via Housing Customer Services; the Code of conduct is about behaviour at meetings or workshops or when acting as a representative of a group.

- 5.19 Agreement that there should be four general meetings a year with one being the Annual General Meeting.
- 5.20 Speaking from the BME communities some people don't like to complain or need help filling in forms. **Suggestion:** Add to the form that the Resident Involvement Team can help with filling in the Complaints Form and explain this when the Code of Conduct and Model constitution are rolled out.
- 5.21 What happens if it is the Chair who is not abiding the Code of Conduct at the meeting? **Response:** The Code of Conduct could be referred to at the meeting; the Complaints Form could be used after the meeting. Part of the Recognition Policy Equalities Impact Assessment Action Plan is a city-wide session for Chairs on running effective meetings. A vote of no confidence that explains the reason can be raised at a general meeting.

## 6. CONCLUSION

- 6.1 Following a survey at the City Assembly, on the consultation portal and in Homing In, 87% of respondents supported a Code of Conduct that clearly explains unacceptable behaviours and possible actions if not followed. This was the top answer.
- 6.2 Agreeing the draft Recognition Policy enables this to happen.
- 6.3 The Housing Management Consultative Sub Committee will consider the proposed Policy and associated documents in the Appendix called the Draft Recognition Policy and this report will be updated if required.
- 6.4 The proposed Policy and associated documents the Appendix called the Draft Recognition Policy will go to the Housing Committee for decision.
- 6.5 If agreed Housing will work with associations to adopt the Code of Conduct and if necessary review their constitutions.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 Any costs of revising the policy such as staff time will be met from current budgetary provisions within the resident involvement team.

*Finance Officer Consulted: Monica Brooks*

*Date: 06/03/14*

### Legal Implications:

- 7.2 The Housing Management Consultative Sub-Committee acts in a consultative capacity in the discharge of the Council's functions as a housing landlord. It is therefore appropriate for the Sub-Committee to be given an opportunity to comment on the new Recognition Policy before Housing Committee is asked to approve it.

*Lawyer Consulted: Liz Woodley*

*Date: 19/03/14*

Equalities Implications:

- 7.3 The Equalities Impact Assessment is attached as an appendix to the Draft Recognition Policy, it ensures that there will be training and support for residents

Sustainability Implications:

- 7.4 Supporting associations to be democratic and run effective meetings will help further develop a sense of community and place. Respectful behaviour will contribute to the health and happiness being of residents and staff.

Any Other Significant Implications:

None

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Draft Recognition Policy
- 2.

**Documents in Members' Rooms**

*None*

- 1.
- 2.

**Background Documents**

1. Everyone Counts Report 2012
2. Recognition Policy and Model Constitution 1999





## HOUSING POLICIES

### TENANTS AND RESIDENTS ASSOCIATIONS RECOGNITION POLICY

#### **1. Introduction**

- 1.1. The aim of this policy is to set out the requirements that all tenants and residents associations must follow in order to be recognised by Brighton & Hove City Council.
- 1.2. This policy aligns with the Code of Conduct that was an appendix of the Everyone Counts Report (agreed December 2012) and was the priority identified by residents during the consultation process.
- 1.3. This policy was developed through a review of the Recognition Policy consulted on at the resident Area Panels and Involvement & Empowerment Group.

#### **2. Aims and Objectives**

- 2.1 To ensure that associations that are involved in making decisions on behalf of residents are able to show they are democratic, accountable and representative.
- 2.2 To ensure that associations abide by the Code of Conduct.
- 2.3 To ensure that associations hold four general meetings a year one of which can be the Annual General Meeting (AGM).
- 2.4 To ensure that associations elect a representative to the Area Panel.

#### **3. Scope**

- 3.1 This policy applies to all the recognised tenants and residents associations in council housing areas.
- 3.2 This policy applies to all the recognised tenants and residents associations that receive a grant from council housing.

## **4. Relevant legislation and regulatory compliance**

4.1 We will ensure that the associations are run in accordance with best practice and relevant policy

- Tenancy Agreement
- Tenant Handbook
- Code of Conduct
- Model Constitution for Associations
- Regulatory Framework for Social Housing

## **5. Requirements for recognition**

5.1 A launch meeting.

5.2 An up to date Constitution in line with the Model Constitution (APPENDIX 4).

5.3 An Annual General Meeting.

5.4 Acceptance of and compliance with the conduct requirements of the Code of Conduct (APPENDIX 5).

## **6. Launch Meeting**

6.1 An association must be formed through a public meeting called for this purpose.

6.2 Each household living in the area of benefit of the association must receive an invitation to the launch meeting.

6.3 Residents living in the area of benefit must be elected at this meeting to administer the association.

6.4 The meeting must be recorded and a copy of the notes sent to the Resident Involvement Team.

## **7. Constitution**

7.1 All associations must agree a written constitution that fits with the Model Constitution recognised by Brighton & Hove City Council. (APPENDIX 4)

7.2 Membership is limited to residents living in the area of benefit and residents can't join an association outside the area they live in.



- 7.3 The council will only recognise one association in a given geographical area.
- 7.4 An association can agree to extend its area of benefit at a general meeting, but this has to be a neighbouring area without a recognised association.
- 7.5 The constitution must require each group to have an equal opportunities statement and a means of dealing with residents who do not abide by it.
- 7.6 Where there is a conflict of interest (this can be personal or financial or due to membership of a particular group) this should be declared and the member concerned should not take part in the debate or the vote.

## **8. Annual General Meeting**

- 8.1 An AGM must be held within three months of the date due.
- 8.2 All households in the area of benefit must receive an invitation to the AGM.
- 8.3 A ballot of all members will not be accepted in place of an AGM.
- 8.4 A copy of the examined accounts available at the meeting.
- 8.5 A copy of the minutes to be sent to the Resident Involvement Team.

## **9. Recognition**

- 9.1 The association will have an Area Panel representative.
- 9.2 The association will be able to apply for a council housing grant for running costs.
- 9.3 The association will be able to bid for the Estates Development Budget.

## **10. De-recognition**

- 10.1 If an association no longer complies with the Recognition Policy and Code of Conduct action will be taken to de-recognise the association.
- 10.2 Correspondence will be sent to the Chair and Secretary of the association setting out the reasons for de-recognition.
- 10.3 The association will have four weeks from the date of the correspondence to comply with the Recognition Policy.
- 10.4 If no action is taken, the association will automatically be de-recognised by the council. Housing will write to all households in the area of benefit informing them of this decision.

- 10.5 The de-recognised association can appeal in writing to the Executive Director of Environment, Development and Housing against de-recognition on the grounds that it complies with the policy. During an appeal period the association shall not be entitled to the financial or consultation provisions made for recognised associations.

## **11. Resources**

- 11.1 The effective delivery of this policy is dependant upon the skills and knowledge of committee members.
- 11.2 They will be supported in this by the Resident Involvement Team and the Resource Centre.
- 11.3 The number of associations has reduced over the past five years, a number of them had not been meeting; but there are currently 55 thriving associations. The Resident Involvement Team also undertakes outreach, promotes the Menu of Involvement and involvement in the new Service Improvement Groups. Work has been done in areas without associations to enable access to the Estates Development Budget and a number of informal small blocks groups have been established, for example residents at Noorwood and also Northerly are applying for new main doors, Hawkaway are applying for a storage area.

## **12. Monitoring and Review**

- 12.1 We will monitor and review this policy in conjunction with residents to ensure its effectiveness and relevance to the council's stated aims and objectives.
- 12.2 The Head of Housing has overall responsibility for the on-going monitoring of the policy through the work of frontline staff, particularly those engaged in resident involvement directly. The policy will be reviewed if there is a change to the Model Constitution or Code of Conduct by the Executive Director of Environment, Development and Housing.
- 12.3 In implementing this policy staff will refer to corporate and Housing strategies and policies outlined in Appendices 1 and 2. These are subject to their own review processes.

## **APPENDIX 1: Relevant Corporate Strategies and Policies**

- 1.1 Complaints Policy
- 1.2 Community Engagement Framework
- 1.3 Equalities and Inclusion Policy
- 1.4 Data Protection
- 1.5 Health and Safety
- 1.6 Housing Strategy
- 1.7 Safeguarding Children and Adults Policies and Procedures
- 1.8 Social Inclusion Strategy
- 1.9 Sustainable Community Strategy
- 1.10 Reducing Inequalities Review

## **APPENDIX 2: Housing and Social Inclusion Strategies and Policies**

- 2.1 Tenancy and Occupancy Agreements
- 2.2 Anti social behaviour procedures
- 2.3 Everyone Counts Report

## **APPENDIX 3: Council Housing Service Pledge**

### **Getting involved**

We will:

- provide a wide range of opportunities for you to be involved in what we do and how we do it
- involve you in setting our standards and making sure we meet them

## **APPENDIX 4: Model Constitution**

### **Council Housing Model Constitution**

#### **1. Name**

The name of the Association or group shall be .....

#### **2. Aims**

The aims of the Association or group are:

- To work for and represent all those living in .....
- To promote the exercise of tenants rights and the maintenance and improvement of their housing conditions, amenities and environment.
- To organise or assist the organisation of social activities as agreed by the Committee or General Meeting of the Association, which will be open to all members.
- To uphold equal opportunities and work for good relations amongst all members of the community.

### 3. **Membership**

Membership shall be open to all residents and their households living in the area of benefit.

The Association will not discriminate on the grounds of gender, gender reassignment, race, ethnicity, sexuality, disability, religion, belief, marital status, or age.

Membership of the Association will be free and all residents will automatically become members of the Association unless they indicate in writing to the Secretary that they do not wish to be a member.

### 4. **Committee**

The committee is elected at the Annual General Meeting to carry out business on behalf of the Association in accordance with the wishes of general meetings.

All elected committee members will have full voting rights.

The committee shall consist of a Chair, Secretary and Treasurer and a minimum of ..... other members. (Housing is encouraging Associations to insert here the role of Social Media Officer if agreed at a General Meeting.)

The Association will hold four general meetings a year one of which can be the Annual General Meeting (AGM).

If vacancies occur among the Officers of the Association, a General Meeting will be held to fill the positions until the next Annual General Meeting.

Committee meetings will be open to any member of the Association wishing to attend who may speak but not vote.

No member of the Association can make an agreement on behalf of the Association without the formal decision of the Committee or a General Meeting, this includes all serving Committee Members.

**5. Annual General Meeting**

The Committee will call an Annual General Meeting in the month of .....

An AGM must be held within three months of the date due.

Fourteen days notice of the AGM must be given to members

All households in the area of benefit must receive an invitation to the AGM.

A ballot of all members will not be accepted in place of an AGM.

A copy of the minutes to be sent to the Resident Involvement Team.

**At this meeting:**

The committee will present an annual report of the Association for the previous year.

The committee will present the examined accounts of the Association for the previous year.

The elections of the Officers and committee for the next year will be run by an independent person.

Any proposals given to the Secretary at least seven days in advance of the meeting will be discussed.

**6. Special General Meeting**

The Secretary will call a Special General Meeting at the request of the majority of the Committee, or ten members of the Association giving a written request to the Chair or Secretary stating the reason for their request. At least fourteen days notice will be given of the Special General Meeting, which will take place within twenty-one days of the request.

**7. Conduct of business**

At all meetings any offensive behaviour, including racist, sexist or inflammatory remarks, will not be permitted. Anyone behaving in an offensive way or breaching the Code of Conduct may be asked not to attend further meetings or to resign from the Association if an apology is not given or if the behaviour is repeated.

The quorum for Committee Meetings of the Association will be ..... members.  
The quorum for all General Meetings of the Association will be ..... members.

Amendments to the constitution may be proposed at the Annual General Meeting or any other General Meeting having been given in writing to the Secretary. Brighton & Hove City Council (Resident Involvement Team) will be notified of the changes.

8. **Area Panel**

The Association representative to the Area Panel will be elected at the Annual General Meeting.

9. **Finance**

The Treasurer will keep an account of the finances of the Association and will open a bank account in the name of the Association. Three cheque signatories will be nominated by the Committee (one to be the Treasurer). Any two of these must sign every cheque. The signatories must not be related nor members of the same household. Signatories must never sign blank cheques.

The Residents Association books will be available for scrutiny at all general and committee meetings. Any member, who is not on the Committee, may inspect the books at any other time having submitted a request in writing.

As part of its function the Residents Association will be responsible for the monitoring of all financial transactions for and on behalf of the members.

All money raised by or on behalf of the Association is only to be used to further the aims of the Association.

10. **Dissolution**

The Association may be dissolved at any time with a two-thirds majority vote at a General Meeting. At least fourteen days notice must be given to all those eligible for membership. For the sole purpose of dissolution a quorum need not apply.

After all debts have been paid any grant monies remaining will be repaid to funders and any social monies will be given to a local charity.

**Signed:**

**Position: chair**

**Date:**

## **APPENDIX 5: Code of Conduct**

### **Draft Code of Conduct**

#### **What is a code of conduct?**

A code of conduct is a common sense list of guidelines that describes the way residents are expected to conduct themselves generally, but particularly when participating in the resident involvement structure.

Brighton & Hove City Council staff are required to abide by the [Code of Conduct for Employees](#) and are accountable to the public as are Councillors who have their own [Code of Conduct for Members](#).

#### **What do you mean by resident involvement?**

Resident involvement is a mix of the set up, the processes, the people, the activities and the resources that go into hearing from, involving, working with and understanding residents, and enabling them to have more influence over their housing services if they want to.

This code applies to all residents involved in these ways – eg as a tenant and residents association representative, a member of a working group or other group or committee, or as a participant on a training course, workshop or at a meeting.

#### **Why have a code of conduct?**

The aim of this overarching code of conduct is to promote positive attitudes and behaviours, and a respectful approach to resident involvement.

A Code of Conduct will be available at meetings. New members to a group will be asked to ensure they are familiar with it and sign a copy or a register to that effect.

#### **General behaviour and courtesy**

When taking part in resident involvement activities or groups you are expected to:-

- Not bring resident involvement in Brighton & Hove City Council, their group or tenant and resident association (TRA) into disrepute.
- Comply with your tenancy agreement conditions. The council reserves the right not to work with and involve residents who are in breach of their tenancy agreement.
- Be polite, reasonable and courteous to other residents, council officers, councillors, contractors and other people you come into contact with.

- Not expect to receive preferential treatment from councillors, officers or contractors as a result of being involved.
- Always use the established and publicised procedures to report issues such as repairs, complaints, request for service, etc even if they have been reported before.
- Communicate in a respectful and helpful way, especially when offering constructive criticism or challenge

### **Conduct in meetings and communications**

It is the responsibility of the chair or organiser of the meeting to ensure that the Code of Conduct is available at the meeting.

You are respectfully expected to:

- Support the meeting process by following the agenda, not talking when someone else is speaking but waiting for the Chairperson's permission to contribute, respecting the position of Chair, being courteous, and helping each other to reach effective decisions.
- Make new residents, visitors and observers feel welcome, and give new participants the opportunity to speak and become involved.
- Remember that the purpose of a meeting is to benefit residents generally and not specific individuals so please do not raise personal matters at a meeting unless at an association meeting.
- Operate within the rules laid down in the Code of Conduct.
- Give the opportunity to anyone affected by any remarks made, even if it is not about them, to say why they are offended without interruption so that the matter can be looked into or rectified.
- Disclose any **conflict of interest**, whether personal or on behalf of any group you represent, that you consider may affect or influence your approach to the matter under discussion.
- Accept that, although consensus will be sought wherever possible, not everyone will be happy with all decisions all of the time. There will need to be space for differing opinions to be evaluated, and joint approaches should be sought to arrive at win-win solutions. Once an issue has been decided, it should be respected by all present.

### **Discrimination and harassment**

Harassment means improper comment or conduct that a person knows or ought to know would be unwelcome, offensive, embarrassing or hurtful. It is important that people attending meetings, or otherwise being part of resident involvement activities or initiatives, feel comfortable, safe and free from discrimination or harassment. In order to ensure that this happens, we will challenge, and will support residents who challenge unacceptable or offensive behaviour and language.

You must not verbally, on web postings, by email or in writing:



- Use discriminatory language, harass or discriminate against people on the grounds of their age, ability/disability, race/ethnicity, colour, religion or belief, gender, marital or civil partnership status, sexual orientation or any other matter that might cause offence.
- Behave in an abusive way towards other residents or staff. For example, initiating or spreading hurtful rumours, making a false damaging statement about a person, swearing, or using insulting or threatening behaviour.

Not only is this unacceptable, but it is also illegal, and will not be tolerated.

The recognition policy for tenants' and residents' associations requires each one to have an equal opportunities statement and a means of dealing with residents who do not abide by it.

### **Confidentiality**

Residents must:

- Respect all individual tenants'/residents' confidentiality, whether present or not.
- Refrain from mentioning in public specific individual cases which may cause embarrassment or the identification of an individual.
- Not disclose any information shared with or by the officers that is of a confidential or commercially sensitive nature.

### **Financial responsibility**

Residents who are acting on behalf of other residents (eg as a committee member of a TRA) are in a position of trust. They must, where money is involved:

- Take reasonable care in management and accounting of funds.
- Ensure that accounts are accessible and available for audit.
- Consult with the residents being represented on expenditure.
- Control the use of funds for their proper use.
- Not obtain a personal gain or achieve ulterior objectives.
- Take reasonable care and precautions where property or facilities are made available for use (eg equipment should be stored properly so it is not stolen).

If an investigation is required, the relevant residents may be required to stand down from their position temporarily while the matter is looked into. Where a committee member or an involved resident has been proven to have deliberately fraudulently obtained funds, benefits, or property, they will be excluded from any further involvement with a recognised resident group. The council may also involve the police and its legal section.

Where mismanagement has resulted from a lack of information or training, the resident(s) will be expected to attend appropriate book keeping training.

## **Political affiliation**

Participating residents may be associated with, or be part of a political party; however they may not represent this party or its views within the role as a tenant representative

## **Specific areas for tenant representatives**

You must:

- Gather views on issues and proposals put forward by housing services that affect all residents in your area and represent the views accurately and fairly to the council or other organisations.
- Remember in meetings and correspondence that you are representing the views of, and are accountable to, your community or residents' association.
- Not speak or write on behalf of a group without its prior agreement. Correspondence, sent on behalf of any group, should be known in advance and available to all members of the group to check before it is sent out in order to give members an opportunity to contribute to it.
- Send apologies if you are unable to attend meetings and consider whether your position should be replaced if attendance is difficult. Non attendance at three meetings without apologies will automatically result in a replacement as the representative on a specific group or committee being sought.

**Behaviour that is unacceptable, offensive or in breach of this code could lead to an individual or association being investigated. In the case of associations it could also lead to it being derecognised.**

Examples of behaviours in breach of this code of conduct include:

- Behaviour that breaches of the council's policy on equal opportunities eg making jokes about people because of their age, race, gender, disability, faith, religion or sexual orientation, or because they are 'different' to you.
- Making assumptions and generalising about people because they belong to a particular group (for example: 'all young people...', 'all Asians...', 'all single parents...', 'all travellers...', 'all white people...').
- Describing people in a way that may be seen as an insult or a threat.
- Behaving in an aggressive manner towards other people or in such a way that they feel threatened or intimidated – including threatening to get someone sacked shouting and using offensive language.
- Verbal or physical assault upon any person or persons.
- Criminal behaviour, including fraud.

- Financial mismanagement.
- Conflict between committee members that means the group ceases to operate effectively and is no longer representative
- Abuse of power - threatening to have an officer sacked or another tenant evicted instead of using appropriate channels to make a complaint
- Abuse of power – public accusations about an individual in a meeting or by petition or by email and copying in senior managers, councillors and MPs instead of using the appropriate channels to make a complaint

Please note that ‘people’ referred to above includes residents, officers, councillors, contractors and other people you come into contact with.

### **Challenging unacceptable behaviour**

Any participant can challenge unacceptable or offensive behaviour through the chair or agreed lead person at a meeting.

Outside of meetings any participant can challenge through a tenant representative or a council officer, or by completing the ‘**Unacceptable conduct complaints form**’. (This can be obtained through resident representatives, Resident Involvement Officers, or by telephoning the Housing Customer Services or found on the council housing pages of the council’s website).

## **Breach of the Code of Conduct**

### **Breach at a meeting**

1. Person asked to apologise and modify behaviour
2. If person refuses they are asked to leave
3. Person written to within one week, given the opportunity to apologise in writing within two weeks
4. Person offered to attend training where relevant
5. If a potential breach of tenancy may be referred to the Tenancy Team
6. If actions not taken up by the person the organisers of the meeting are notified

### **Breach outside of a meeting**

Behaviour when acting on behalf of the association or in capacity as a member of a housing management group

1. Attempt to resolve amicably when it occurs
2. Refer to the service manager or Resident Involvement Team as soon as possible

3. Relevant Officer investigates and informally meets the person
4. If a potential breach of tenancy may be referred to the Tenancy Team
5. In most cases person apologises and commits to not repeating behaviour
6. If the behaviour is repeated person asked to withdraw involvement

**Anti- social behaviour (ASB)** is defined on the council website and in the Tenant Handbook.

It is any behaviour that unreasonably disrupts the peace and comfort of other residents or adversely affects their health and safety. ASB can be anything that prevents another person from enjoying their home, garden, estate or neighbourhood. If experiencing ASB

1. Report the behaviour online or to Housing Customer Services
2. In an emergency call the police on 999
3. The Neighbourhoods or Tenancy Teams decide on action

### **Outcomes**

Depending on the circumstances, potential outcomes could be:

1. An apology is accepted
2. An undertaking is agreed - eg to complete specific training or to stop a particular action
3. The person might be removed from the working group
4. The association might be asked to remove the person from the committee
5. Tenancy action
6. Referral for mediation
7. Temporary de-recognition of a TRA
8. Permanent de-recognition of a TRA
9. Withdrawal of membership of the Area Panel
10. Withdrawal of eligibility of Housing grant funding
11. Withdrawal of eligibility to bid for the Estates Development Budget

### **Right to appeal**

1. The person or residents' group who reported the breach, or the person or residents' group who have been asked to act in response to a breach of the Code of Conduct have the right to appeal.
2. In the first instance this should be to the Resident Involvement Manager or relevant service manager.

3. If not satisfied with the response refer the matter to the council's Standards and Complaints Team who will follow the complaints process.
4. Person or residents' group can contact and MP or local councillor to talk to Housing about the concern.
5. If have been through the complaints process and not satisfied can contact the Local Government Ombudsman.

#### **Right to appeal if an association is de-recognised**

1. It is open to a de-recognised association to appeal in writing to the Director of Environment, Development and Housing against de-recognition on the grounds that it complies with the policy.
2. During an appeal period the association shall not be entitled to the financial or consultation provisions made for recognised associations.

#### **Contact details for the Resident Involvement Team**

Resident Involvement Team  
Housing  
**Brighton and Hove City Council**  
The Housing Centre  
Unit 1, Fairway Trading Estate  
Eastergate Road  
Brighton, BN2 4QL  
Tel. (01273) 29 2112  
**RIT@brighton-hove.gov.uk**



## APPENDIX 6: Equality Impact Assessment

### Equalities Impact Assessment

<b>EIA Title:</b>	<b>Recognition Policy</b>	<b>Reference Number:</b>	<b>HM</b>
<b>Aim of Policy or Scope of Service:</b>	To ensure that associations that are involved in making decisions on behalf of residents are able to show they are democratic, accountable and representative; it applies to all the recognised tenants and residents associations in council housing areas.		
<b>Approach to the Impact Assessment:</b>	The purpose of this EIA is to consider the possible positive or negative impact introduction of this policy may have on the council's tenant and leaseholder residents associations.		

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## Scope of the Assessment

Different groups included in scope	Potential impacts (positive and negative) on this group	Existing data / information (inc. relevant legislation)	Current action to minimise negative impacts and maximise positive impacts	Potential new actions to: <ul style="list-style-type: none"> <li>• obtain missing data &amp; info</li> <li>• minimise negative impacts</li> <li>• maximise positive impacts</li> </ul>
<p style="text-align: center;"><b>All</b> (impacts that apply to all groups)</p>	<p>(-) Associations are independent organisations and many of the committees have long standing members and some may find change a challenge.</p> <p>(-) Chairs may find enforcing the Code of Conduct to be a challenge.</p> <p>(+) Ensures that the council only recognises associations that keep to the terms of their constitutions and abide by the Code of Conduct.</p> <p>(+) Potential impact on all groups is that their involvement will increase due to associations running effectively and that people will be treated with politeness and respect.</p>	<p>Tenant &amp; Leaseholder Involvement Questionnaire</p> <p>Tenant profiling data</p> <p>Age Regulation 2006</p> <p>United Nations Convention on the rights of the child – Article 12</p> <p>Children’s Act 1989</p> <p>Equality Act 2010</p> <p>Tenant Census 2006</p> <p>20/20 Engagement Framework</p> <p>Information available on 6 equality strands.</p>	<p>Everyone Counts Report Dec 2012.</p> <p>Support from the Resident Involvement Team.</p> <p>Free committee skills and publicity training and printing at the Resource Centre.</p> <p>Support available for associations to use social media and set up web sites.</p> <p>Establishment of the Involvement &amp; Empowerment Group Nov 2013</p>	<p>Resident Involvement Team to attend association meetings and go through the Code of Conduct and Model Constitution.</p> <p>Set up peer to peer support sessions for the chairs around how to challenge difficult behaviours.</p> <p>Equalities awareness training for tenant representatives.</p> <p>Provide training workshops for resident groups to look for ways to increase involvement.</p> <p>Pin numbers of all committee members to be obtained so equalities monitoring reports can be run.</p>



Different groups included in scope	Potential impacts (positive and negative) on this group	Existing data / information (inc. relevant legislation)	Current action to minimise negative impacts and maximise positive impacts	Potential new actions to: <ul style="list-style-type: none"> <li>• obtain missing data &amp; info</li> <li>• minimise negative impacts</li> <li>• maximise positive impacts</li> </ul>
<b>All</b> (impacts that apply to all groups) cont.	(+) Provides tenants and leaseholders with an opportunity to give feedback on Housing reports at Area Panels and to scrutinise our performance against agreed standards.			
<b>Race</b> (BME people, asylum seekers/refugees)	(+) Potential impact on all groups is that their involvement will increase due to associations running effectively and that people will be treated with politeness and respect	Tenant profiling data	As above	As above
<b>Gender</b> (men, women)	As above	Tenant profiling data	As above	As above
<b>Gender Reassignment</b>	As above	Tenant profiling data	As above	As above
<b>Marriage</b>	As above	-	As above	As above

<b>Different groups included in scope</b>	<b>Potential impacts (positive and negative) on this group</b>	<b>Existing data / information (inc. relevant legislation)</b>	<b>Current action to minimise negative impacts and maximise positive impacts</b>	<b>Potential new actions to:</b> <ul style="list-style-type: none"> <li>• obtain missing data &amp; info</li> <li>• minimise negative impacts</li> <li>• maximise positive impacts</li> </ul>
<b>Civil Partnership</b>	As above	-	As above	As above
<b>Pregnancy &amp; Maternity</b>	As above	-	As above	As above
<b>Disability</b> (people with a physical or mental health issue, long term limiting illness, learning disability, or physical/sensory impairment)	As above	Tenant profiling data	As above	As above
<b>Age</b> (older, younger people)	As above	Tenant profiling data	As above	As above
<b>Religion or belief</b> (faith communities, including no belief)	As above	Tenant profiling data	As above	As above
<b>Sexual orientation</b>	As above	Tenant profiling data	As above	As above

Different groups included in scope	Potential impacts (positive and negative) on this group	Existing data / information (inc. relevant legislation)	Current action to minimise negative impacts and maximise positive impacts	Potential new actions to: <ul style="list-style-type: none"> <li>• obtain missing data &amp; info</li> <li>• minimise negative impacts</li> <li>• maximise positive impacts</li> </ul>
(lesbian, gay, bisexual and unsure people)				
<b>Other groups</b> (carers, socially or financially excluded people, people experiencing domestic violence or abuse, etc)	As above	-	As above	As above
<b>Staff</b>	(-) Changes to the way officers engage with residents over the Code of Conduct may be challenging.	Recognition Policy Model Constitution Tenant Rep's Handbook Grants procedure	Resident Involvement Team have gone through the Code of Conduct and know how to signpost people to the ASB Team or Standards and Complaints where relevant.	All communications relating to the Recognition Policy and Code of Conduct will be saved in one folder and matters arising will be discussed at Team meetings. The Breach of the Code of Conduct form will be circulated.

*New actions to be transferred to Action Plan*



## Consultation

What consultation has been used or taken?	Date	Methods used	Findings
Staff session on Innovation Development	April 2012	Workshop style group discussion with Managers.	Behaviours were identified as a key barrier to resident involvement.
Innovation Group	April 2012	Research about methods / examples used by other housing providers was used. Scenarios of behaviours were discussed. Feedback from staff and residents was included in discussions.	Feedback from this group used to develop the Code of Conduct and Recognition Policy.
Survey on key areas of the Innovation (Everyone Counts) Report	April 2012	Article in Homing In, email to 3,000 on database, online consultation	87% agreed change <b>Code of Conduct</b> to clearly explain unacceptable behaviours and possible actions if not followed
Workshop at City Assembly on Code of Conduct	May 2012	Workshop style small group discussion.	Feedback that the Chair needs to be strong and enforce, support and training should be provided, and include a list of sanctions
Service Improvement Groups	Oct 2013	Copies of Code of Conduct circulated with welcome packs.	No objections raised.
Area Panels	Jan 2014	Full Report sent to the Area Panels and feedback collected for the consultation section of the Housing Report.	The Model Constitution needed amending as said tenants, it has been amended to residents. Comments from the Panels are in the consultation section of the covering report.
Involvement & Empowerment Service Improvement Group	Feb 2014	Feedback from Area Panels and rollout discussed	Agreement with Area Panel that should add "by email" to the Discrimination and Harassment section.  Some people don't like to complain or have trouble with forms, so the Resident Involvement Team will explain that they can help with the form and this is now added to the form.

## Action Plan

Agreed action	Timescale	Lead officer	Review date
Resident Involvement Team to attend association meetings and go through the Code of Conduct and Model Constitution.	May to October 2014	Becky Purnell	May 2015
Set up peer to peer support session for the chairs around how to challenge difficult behaviours.	July to October 2014	Becky Purnell	May 2015
Equalities awareness training for tenant representatives.	July to October 2014	Becky Purnell	May 2015
Provide training workshops for resident groups to look for ways to increase involvement.	July to October 2014	Becky Purnell	May 2015
Pin numbers of all committee members to be obtained so equalities monitoring reports can be run.	July to October 2014	Becky Purnell	May 2015

## Sign Off / Approval

Lead Equality Impact Assessment Officer:

Date:

Departmental Equalities Lead:

Date:

Head of Delivery Unit / Lead Commissioner:

Date:

Communities & Equalities Team:

Date:



## **APPENDIX 7: Current Recognition Policy**

### **TENANTS' & RESIDENTS ASSOCIATIONS**

#### **Recognition**

Brighton & Hove City Council has set out some requirements that all tenants and residents associations must follow if they wish to be recognised. This is to ensure that associations that are involved in making decisions on behalf of residents are able to show that they are democratic, accountable and representative.

Once an association is recognised, it will be able to:

- Hold quarterly meetings with the local Housing Officer
- Send a voting representative to Area Panel and other meetings for resident participation
- Apply for a grant towards the cost of running the association

#### **Requirements for Recognition**

1. A Launch meeting
2. An up-to-date Constitution in line with the Model Constitution (attached).
3. An Annual General Meeting
4. Acceptance of and compliance with the conduct requirements of the Tenant Participation Compact and of this policy.

#### **Launch Meeting**

- 1.1 A tenants and residents association must be formed through a public meeting called for this purpose.
- 1.2 Each household living in the area of benefit of the association must receive an invitation to the launch meeting.
- 1.3 Residents living in the area of benefit must be elected at this meeting to administer the association.
- 1.4 The meeting must be minuted and a copy of the minutes sent to the Resident Involvement Team.

## **Constitution**

- 2.1** All tenants and residents associations must agree a written constitution that is recognised by Brighton & Hove City Council.
- 2.2** The constitution must include the following:
  - Provision for an Annual General Meeting including the month in which it will be held
  - The area which the association will cover i.e. names of streets, blocks of flats
  - An equal opportunities statement and a means of dealing with anyone who does not abide by it
- 2.3** Membership is only open to residents and their households living in the area of benefit. Subject to 2.4 below residents will not be able to join an association outside the area they live in.
- 2.4** A local association may, by agreement of a general meeting, extend rights to residents of a neighbouring area that does not have a recognised association but must not recruit members from an area that has a recognised association or from areas not bordering on the area of benefit.
- 2.5** Where there may be a conflict of interest, the member concerned must declare this; they must leave the room for the debate and cannot vote on the issue.

## **Annual General Meeting**

- 3.1** An Annual General Meeting must be held within three months of the date due.
- 3.2** All households in the area of benefit must receive an invitation to the Annual General Meeting.
- 3.3** A ballot of all members will not be accepted in place of an Annual General Meeting.
- 3.4** A copy of the minutes of the meeting must be sent to City Services.

## **De-recognition**

- 5.1** If a tenants and residents association no longer complies with the Recognition Policy action will be taken to derecognise the association.



- 5.2** Correspondence will be sent to the Chair and Secretary of the association setting out the reasons for de-recognition.
- 5.3** A further four weeks from the date of the correspondence will be given to the association to comply with the Recognition Policy.
- 5.4** If no action is taken, the association will automatically be de-recognised by City Services. Correspondence will be sent to all households in the area of benefit informing them of this decision.
- 5.6** It is open to a derecognised association to appeal in writing to the Director against de-recognition on the grounds that it complies with the policy. During an appeal period the association shall not be entitled to the financial or consultation provisions made for recognised associations.

## **Equal Opportunities**

Brighton & Hove City Council is committed to equality of opportunity for all residents of the city. This commitment is reflected in all areas of the council's work.

The recognition criteria for tenants' associations require each group to have an equal opportunities statement and a means of dealing with residents who do not abide by it.



<b>Subject:</b>	<b>Security in High Rise Accommodation in the Kemp Town area.</b>		
<b>Date of Meeting:</b>	<b>1 April 2014</b>		
<b>Report of:</b>	<b>Executive Director for Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Richard Jordan - Penswick</b>	<b>Tel: 294650</b>
	<b>Email:</b>	<a href="mailto:Richard.Jordan@brighton-hove.gov.uk">Richard.Jordan@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>Queens Park</b>		

## **FOR GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 There have been a number of unauthorised intrusions into council owned high rise accommodation which has given rise to a review of how such intrusions can be prevented and recommended actions to address the situation.

### **2. RECOMMENDATIONS:**

- 2.1 That the information set out in the report be noted; and
- 2.2 That Housing Officers be requested to undertake the actions identified in paragraph 4 of the report below and to report back to the respective Area Panels as necessary.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 There are problems of misuse of the common ways of a number of blocks in Kemp Town. The main concerns are regarding St James House, Warwick Mount, Hampshire Court car park, St John's Mount, Wiltshire House, Hereford Court and Ecclesden. The degree of the problems varies from block to block and over time. At present the clear focus of incidents is St James House, High St.
- 3.2 Problems are unauthorised intruders using drugs and or alcohol or rough sleeping and drug litter. Similar problems have been identified in other high rise blocks across the city. Intruders tailgate residents unchallenged or are let in by residents some of who could be users or dealers. Residents do not feel confident in challenging strangers.
- 3.3 A number of agencies including Sussex Police, Safe in the City, housing teams, residents and their representatives have been gathering information and the issues of misuse of the common ways appear to fall into two areas: residents

causing the problem by suspected drug dealing and allowing drug users into the block, and opportunistic use by unauthorised intruders.

- 3.4 Housing management officers use appropriate robust legal interventions where there is evidence that a tenant is engaging in drug related activity that breaches the terms of their tenancy agreement. This may include applying to the county court for an injunction to address such behaviour and obtaining specific prohibitive terms in possession action in order to reduce, minimise and end incidents.
- 3.5 Housing works closely with Sussex Police and shares information on drug related issues in housing managed properties. Housing has supported Sussex Police in their applications to close down properties where there have been high levels of drug activity e.g. in 2012 a housing officer worked with Sussex Police providing witnessed statements from residents and attended court regarding drug nuisance in Tyson Place and the court ordered two properties in the block to be closed down and possession action followed.
- 3.6 It has been identified that the principal problem regarding misuse is that of members of the general public accessing blocks in order to take drugs or rough sleep and that whilst a number of agencies are undertaking extensive work this is insufficiently coordinated through Housing
- 3.7 It has been established that individual blocks may experience upsurges in incidents at different times. At the present time the primary concentration is taking place at St James House.

### **St James House**

- 3.8 Officers within the Cleaning and Neighbourhoods teams report regular discovery of drug related debris in common ways and occasional disturbance of individuals sleeping in or engaged in drug related activity in the common ways.
- 3.9 On the morning of 11/2/14 at the bottom of the stairs by a south fire exit door, a Neighbourhood Officer spoke to individuals who were using a stairwell area to inject drugs. They ran to get away and pushed him aside as they left which caused him to stumble down and against the stairs.

### **St James House car park**

- 3.10 The car park is managed by corporate parking although the building is owned by Housing. The car park has been used by rough sleepers and drug users causing noise and disturbance. There has been a considerable amount of drug related litter found in the area. Multi agency working has agreed major works to start soon to brick up or fence off small spaces insufficient for car parking, relining the car park and installation of a police box. Lighting has already been upgraded. Sussex police regularly patrol. Visible rough sleeping has decreased and the number of complaints to the police has markedly reduced but high levels of drug use litter continue. Security sweeps of the car park are currently being carried out every 3 hours day and night and the problem monitored.

#### 4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

##### St James House

4.1 Key areas of concern were the ways in which individuals accessed the block and how to reduce this:

- Fire door – it was identified that a ground floor external fire exit door was catching and wedging on the ground leaving it open and allowing access to intruders. Housing have now repaired the door and no one can now access the block via this route. The door and external railings will be upgraded in the longer term with the installation of a much more powerful magnetic lock.
- A nearby door to the front of the building leads into an external area with static railing creating a corral. This door will be fitted with a lock so that residents do not use it but the cleaners can sweep the corral area.
- Trade access The front door trade button appears to operate from approx 8am to 1pm. Housing will discuss restricting trade access time with the residents association
- Tailgating. The double entry door/ lobby has a slow entry door close time allowing people to more easily tailgate residents. Housing will discuss the possibility of restricting the door closure time with the Tenant Disability Network and the residents association.
- Housing will remind all council staff and contractors to wear identifying name badges.
- Meter cupboards meter cupboards in the block have been fitted with locks and keys have been distributed to residents to stop the problem of the cupboards being used by unauthorised individuals.
- Security interventions Housing have authorised a security company to carry out regular sweeps every three hours to check for, and resolve, situations of misuse and unauthorised individuals. This arrangement will be reviewed in week commencing 24<sup>th</sup> March. Sussex Police will be asked to increase their level of patrols for a period of time
- CCTV / fixed image cameras Housing will investigate the possibility of extending the CCTV system to other areas within St James House
- Fob access Housing will investigate the possibility of installing fob access to internal doors and lifts to restrict the ability of unauthorised individuals to move around the block
- Staff visits council staff will visit in pairs until further notice

Essex Place, Warwick Mount, Hereford Court, Wiltshire House, Tyson Place, St Johns Mount, Ecclesden

- 4.2 The proposed interventions at St James could be used as a model for interventions at another block should this become necessary.
- 4.3 Housing is undertaking a security survey of the external routes into each block.
- 4.4 Security sweeps day and evening are being undertaken on a short term basis in some of the blocks as this intervention deters intruders but moves the problem to other blocks. The target blocks change as the drug and intruder problem moves from block to block.
- 4.5 Housing is currently investigating the costs of a longer term solution of a roving day and night patrol in blocks which report higher levels of activity.

#### Longer term capital interventions

- 4.6 Consideration needs to be given to the potential of introducing concierge service and an integrated city wide CCTV system. Both of these options are likely to be very costly and a feasibility study and cost benefit analysis would need to be undertaken.

### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Officers from Housing visited all residents in St James on 27/2/14 to discuss the situation and offer information and reassurance. Those residents who were not at home were provided with an information letter and contact details.
- 5.2 Housing will meet with High Rise Action Group to consult and inform them of intended actions. Housing will contact the St James House tenant association to inform and consult regarding trade access and external door opening times.
- 5.3 Housing will meet with the Tenant Disability Network to consult regarding reducing external door opening times

### **6. CONCLUSION**

- 6.1 The proposals will reduce crime and disorder and improve the security within high rise accommodation in the Kemp Town area.

### **7. FINANCIAL & OTHER IMPLICATIONS:**

#### Financial Implications:

- 7.1 The costs of the security sweeps at St James' House and St James' car park are estimated at £1000 per month. For the remainder of 2013/14 financial year, these costs can be met from forecast underspends elsewhere in the HRA. For 2014/15 the on-going effect of these costs will be monitored as part of the monthly Targeted Budget Monitoring (TBM) process. If service pressures arise then a cost reduction plan will be needed to ensure that the HRA does not overspend. It

is hoped that the security sweeps will have a deterrent effect and costs will reduce over time.

- 7.2 Staff are currently gathering financial estimates for the key fob system and extra CCTV installations and also the possibility of introducing a concierge service to blocks. These projects have wider implications and the costs are likely to be more significant. Prior to expenditure being committed, budgets will need to be identified and approvals sought (using a business case) from senior officers and/or members as necessary.

*Finance Officer Consulted:* Monica Brooks

*Date:* 012/03/14

Legal Implications:

- 7.4 Section 2 of the Health & Safety at Work etc Act 1974 imposes a duty on the council as an employer to ensure so far as is reasonably practicable, the health, safety and welfare at work of all its employees. The council's secure/introductory tenancy agreement provides, "All residents, visitors and businesses have the right to enjoy the city, live peacefully in their homes and neighbourhoods, feel safe, and enjoy the resources and culture that the city has to offer, free of concerns for their well-being. Brighton & Hove City Council, together with its partners, is committed to tackling nuisance and anti-social behaviour in the city." The measures outlined in the report will assist the council in both discharging that duty and meeting that aspiration. It is not considered that the measures taken/being taken adversely affect any individual tenant's Human Rights Act rights.

*Lawyer Consulted:*

*Name* Liz Woodley

*Date:*20/03/14

Equalities Implications:

An Equalities Impact Assessment has not been carried out as the proposals are a set of security measures applicable to all residents within St James House and high rise accommodation in the area

7.3

Sustainability Implications:

7.4 Any Other Significant Implications:

- 7.5 In 1998 the Crime and Disorder Act, imposed a duty on local authorities and the police to "do all it reasonably can to prevent crime and disorder in its area".

**SUPPORTING DOCUMENTATION**

**Appendices:**

1.

2.

### **Documents in Members' Rooms**

1.

2.

### **Background Documents**

1.

2.



Crime & Disorder Implications:

1.1

Risk and Opportunity Management Implications:

1.2

Public Health Implications:

1.3

Corporate / Citywide Implications:

1.4

