

CABINET

20 SEPTEMBER 2024

REPORT OF THE PORTFOLIO HOLDER FOR HOUSING AND PLANNING

A.5 - CONSIDERATION AND ADOPTION OF A HOUSING DOMESTIC ABUSE POLICY, NEIGHBOURHOOD MANAGEMENT POLICY AND RENT SETTING AND COLLECTION POLICY

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To present to Cabinet the following housing policies for approval and adoption:

- Domestic Abuse Policy
- Neighbourhood Management Policy
- Rent Setting and Collection Policy

EXECUTIVE SUMMARY

This report presents three housing policies for approval. These policies formalise the work that is already undertaken in the Housing and Environmental Directorate.

The Domestic Abuse Policy acknowledges the devastating impact that domestic abuse has on victims, their families and the wider community and that this can happen to anyone, in any type of relationship. The Policy sets out how the Council will work to identify domestic abuse early and provide support to victims which will help to prevent homelessness and improve the safety and wellbeing of residents.

The Neighbourhood Management Policy recognises that keeping neighbourhoods safe and clean is an important part of providing a better quality of life for residents and can act as a deterrent to anti-social behaviour, neighbour nuisance and crime. The policy sets out how the Council will maintain neighbourhoods by working with residents and partner agencies to keep neighbourhoods safe and clean.

The Rent Setting and Collection Policy outlines the method of calculating fair and affordable Council Housing rents and recognises that it is in the interests of both the Council and tenants to ensure that rent is paid promptly. However, when debts do occur, the Council will consider individual needs and work with partners to offer appropriate support aimed to sustain tenancies and minimise rent arrears. The rent collected enables the Council to maintain and improve our homes and provide effective landlord services.

These policies comply with the Regulator of Social Housing's revised Consumer Standards that came into effect from 1 April 2024.

RECOMMENDATION(S)

That Cabinet:

- 1) adopts the Housing Domestic Abuse Policy, Neighbourhood Management Policy and Rent Setting and Collection Policy;**
- 2) authorises their direct and immediate implementation, subject to call in; and**

3) authorises the Corporate Director (Operations and Delivery) to make future updates or amendments to the policies in consultation with the Portfolio Holder responsible for Housing.

REASON(S) FOR THE RECOMMENDATION(S)

The recommendations are to ensure that the policies are appropriately adopted, in accordance with the Council’s Constitution and to evidence compliance with regulatory standards.

ALTERNATIVE OPTIONS CONSIDERED

The only alternative option considered was to not implement these policies.

The policies are designed to assist the Council in meeting the Regulator of Social Housing’s revised Consumer Standards which came into effect on 1 April 2024 as well as the requirements of the Rent Standard.

Failure to meet the Consumer Standards could result in the Regulator using its enforcement powers which include requiring a registered provider to submit a performance improvement plan or to take particular actions set out in an enforcement notice. The Regulator would also be able to authorise an appropriate person to enter a social housing premises to take emergency remedial action and issue penalties or require the housing provider to pay compensation.

The absence of suitable and published policies makes the day to day operation of the service more difficult with the potential for inconsistencies in approach and increases the likelihood of complaints.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

This policy contributes to a number of themes within the Corporate Plan 2024-28:

- Pride in our area and services to residents
- Raising aspirations and creating opportunities
- Working with partners to improve quality of life
- Financial sustainability and openness

OUTCOME OF CONSULTATION AND ENGAGEMENT

Consultation and engagement has been undertaken with members of the Council’s Tenants Panel. Members of the Tenants Panel will also be involved in the ongoing monitoring of these policies.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	Yes	If Yes, indicate which by which criteria it is a Key Decision	X Significant effect on two or more wards <input type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the	23 April 2024 – Neighbourhood Management Policy 13 May 2024 – Rent Setting and Collection Policy

	<p>Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)</p>	<p>25 July 2024 – Housing Domestic Abuse Policy</p>
<p>The Domestic Abuse Act 2021 included a statutory definition of domestic abuse and placed a duty on local authorities in England to provide accommodation based support to victims and their children in safe accommodation.</p> <p>The Social Housing Regulation Act 2023 builds upon the existing regulatory framework for housing and introduces revised Consumer Standards that came into force on 1 April 2024. These standards contain specific expectations registered providers of social housing must comply with and detail the outcomes that providers are expected to achieve and they cover neighbourhood management and domestic abuse.</p> <p>The Council is also required to comply with the Regulator of Social Housing’s Rent Standard which sets out required outcomes for how we set and increase rents for our housing stock as outlined in the Government’s Policy Statement on Rents for Social Housing.</p>		
<p>x</p>	<p>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</p>	
<p>The Monitoring Officer has not reviewed the policies and therefore, will rely upon the Housing Service having ensured that the legislation has been checked and the most up to date legal position is quoted within the policies and the report. Earlier liaison should take place with Legal Services in the development, production and review of policies referring to and relying upon legislation and case law to ensure they are legally compliant.</p>		
<p>FINANCE AND OTHER RESOURCE IMPLICATIONS</p>		
<p>There are no significant financial implications associated with the adoption of these policies as they formalise existing arrangements which are currently funded via existing budgets in the Housing Revenue Account</p>		
<p>X</p>	<p>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</p>	
<p>As highlighted within earlier reports relating to the Housing Revenue Account (HRA) budgets and business plan, the new era of social housing regulation merging from the Social Housing (Regulation) Act 2023 will have a major impact on the overall financial position of the HRA in future years. It is recognised that the impact will likely be due to the aggregation of a number of emerging requirements such as those set out in this report, rather than perhaps any single item. Although the importance of such regulation is acknowledged and reflects the Council’s stated commitment and priority to provide good quality housing, the resulting costs involved either directly or through demand for the necessary additional capacity, were not reflected within the self-financing reforms implemented by the Government in 2012. Such costs therefore represent additional financial pressures that will have to be balanced against the broader challenge of delivering a long term financially sustainable HRA in future years.</p> <p>In respect of the Housing Rent Setting and Collection Policy, as set out in the policy, rents can be increased up to ‘limits’ set by the regulator, which are currently based on CPI + 1%. The level of rent increase each year will be considered as part of developing</p>		

the 30 Year HRA Business Plan and associated budget setting process and will reflect the HRA's wider financial position as part of that review, which in turn aims to balance tenant's expectations with the long term financial sustainability of the HRA.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	The Council has an adopted Financial Strategy.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks,	The Council has a mature constitutional structure and framework of policy for decision-making. It is intended that the appended policies will augment that framework.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The Council has an adopted Financial Strategy.

MILESTONES AND DELIVERY

If Cabinet agrees to the adoption of these policies, they will come into immediate effect, subject to call-in.

The review of these policies will be carried out periodically as indicated with a delegation to the Corporate Director – Operations and Delivery to make future changes and updates to the policy in consultation with the Portfolio Holder responsible for Housing and Planning.

ASSOCIATED RISKS AND MITIGATION

Each of these policies are designed to assist the Council in meeting the Regulator of Social Housing's revised Consumer Standards which came into effect on 1 April 2024.

Failure to meet these standards could result in the Regulator using its enforcement powers which include requiring a registered provider to submit a performance improvement plan or to take particular actions set out in an enforcement notice. The Regulator would also be able to authorise an appropriate person to enter a social housing premises to take emergency remedial action and issue penalties or require the housing provider to pay compensation.

The adoption and implementation of these policies is aimed at minimising the risks of non-compliance and in ensuring that the Council makes the best use of its housing stock.

EQUALITY IMPLICATIONS

In line with the Public Sector Equality Duty, within these policies the Council has due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

An Equality Impact Assessment has been or will be carried out in connection with each of these policies.

SOCIAL VALUE CONSIDERATIONS

Creates healthier, safer and more resilient communities: To build stronger and deeper partnership working arrangements whilst continuing to engage and empower tenants.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030	
<p>The implementation of these policies does not present a direct impact on the Council's target for net zero greenhouse gas emissions from its business operations by 2030. The Council will be mindful of energy efficiency measures, wherever relevant, in the implementation of its policies.</p>	
OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS	
<p>Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.</p>	
Crime and Disorder	<p>An effective Neighbourhood Management Policy supports making neighbourhoods safe and clean providing a better quality of life for residents and can act as a deterrent to anti-social behaviour.</p>
Health Inequalities	<p>People living in poverty are more likely to experience domestic abuse and domestic abuse may lead to poverty with this reducing the ability to escape a situation of abuse. Poverty also increases the likelihood of various mental health conditions. An effective Domestic Abuse Policy aims to improve both the safety and wellbeing of residents.</p>
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance).	<p>The Council will follow subsidy control legislation and regulations, where applicable, in relation to the content and implementation of these policies.</p>
Area or Ward affected	<p>All</p>
PART 3 – SUPPORTING INFORMATION	
BACKGROUND	
<p>The Council has retained its housing stock and currently manages over 3,000 homes as well as more than 400 leasehold properties and 389 garages.</p> <p>The Social Housing (Regulation) Act 2023 aimed to lay the foundations for changes to how social housing is managed. It includes increased regulation of social landlords and new rules for protecting tenants from serious hazards in their homes.</p> <p>Many of the provisions in the Act are responses to the tragedies of the 2017 Grenfell Tower fire and death of two-year old Awaab Ishak, who died in 2020 from exposure to serious mould.</p> <p>The Act allows the Regulator of Social Housing to take action against social landlords before people are at risk and hold landlords to account with regular inspections. It introduces new social housing consumer standards and gives the Secretary of State power to require social landlords to investigate and rectify serious health hazards.</p> <p>The Consumer Standards contain specific expectations registered providers of social housing must comply with and detail the outcomes that providers are expected to achieve. These standards came into force on 1 April 2024.</p>	

One of these Consumer Standards – the Neighbourhood and Community Standard sets out the following specific expectations in relation to neighbourhood management and domestic abuse:

Registered providers, having taken account of their strategic objectives, the views of tenants and their presence within the areas where they provide social housing, must:

a) identify and communicate to tenants the roles registered providers play in promoting social, environmental and economic wellbeing and how those roles will be delivered; and

b) co-operate with local partnership arrangements and the strategic housing function of local authorities where they are able to assist local authorities in achieving their objectives.

Registered providers must have a policy for how they recognise and effectively respond to cases of domestic abuse.

Registered providers must co-operate with appropriate local authority departments to support the local authority in meeting its duty to develop a strategy and commission services for victims of domestic abuse and their children within safe accommodation

In addition to the Regulator's Consumer Standards, the Council is also required to comply with its Rent Standard. This sets out the required outcomes in relation to how the Council sets and increases rents for its housing stock as outlined in the Government's Policy Statement on Rents for Social Housing. Annual rent increases for current tenants are applied in line with the applicable guidance which currently allows local authority landlords to increase rents on an annual basis using September's Consumer Price Index (CPI) figure plus 1%. Rent caps are applied to the adjusted rents to ensure that they remain affordable.

To hold housing providers accountable, the Regulator of Social Housing will inspect larger landlords (those with more than 1,000 properties) regularly, scrutinise tenant satisfaction data and use enforcement powers when necessary. The goal is to drive continuous improvement in social housing and ensure tenants receive the best possible service.

CURRENT POSTION

The proposed new policies are attached.

The purpose of the Housing Domestic Abuse Policy is:

- To set out how the Council will protect victims of domestic abuse and prevent homelessness by providing safe and secure accommodation to tenants and those who approach the Council for housing assistance;
- To enable an early intervention to tackle domestic abuse and prevent further abuse and facilitate the necessary help and support for victims and their children
- To set out how perpetrators will be held to account for their actions in a way that is prompt, decisive and proportionate, with a focus on rehabilitation and maintaining the safety of the victim and their children;
- To raise awareness of the issue of domestic abuse and enable relevant employees to provide appropriate support and guidance

- To ensure that a consistent approach is adopted to responding to any resident who is the victim of domestic abuse
- To ensure that all statutory and regulatory requirements are met

The purpose of the Neighbourhood Management Policy is:-

- To develop a pro-active approach to the management of Council owned properties and neighbourhoods.
- To ensure the grounds and communal facilities the Council manage are well maintained.
- To involve residents and other parties to understand neighbourhood needs and requirements to create sustainable neighbourhoods.
- To ensure that all residents are aware of their respective responsibilities and encourage local initiatives to resolve long-term or entrenched issues impacting individual areas.

The purpose of the Rent Setting and Collection Policy is

- To outline the method of calculating fair and affordable rents to maximise income and provide an efficient and effective housing service.
- To ensure tenants prioritise their rent payments.
- To work in partnership to support and signpost tenants to maximise their income, manage debts, sustain tenancies and prevent rent arrears.
- To keep rent arrears to a minimum by intervening early and minimising the risk of homelessness.
- To operate a firm but fair approach to provide tenants in arrears with support and advice and offering practical, affordable repayment plans.
- To take action appropriate to the level of rent arrears.
- To record our rationale in accordance with the Public Sector Equality Duty (s.149 of the Equality Act 2010).

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None.

APPENDICES

Appendix A – Housing Domestic Abuse Policy
Appendix B – Neighbourhood Management Policy
Appendix C – Rent Setting and Collection Policy

REPORT CONTACT OFFICER(S)

Name	Emma Norton
Job Title	Senior Housing Manager
Email	enorton@tendringdc.gov.uk