

Environment Scrutiny Committee - 19th March 2012

Report of the Director of Adult, Community & Housing Services

Housing Service

1. Purpose of the report

- 1.1 To update members in respect of Housing Management activity following on from the report received by Select Committee on the Environment 12 months ago.
- 1.2 To identify challenges that face the service that members may wish to scrutinise in more detail and be included in next year's work plan.

2. Background

- 2.1 As part of the Committee's work plan, officers were asked to report back on specific areas of the service that were of particular interest to Members.
- 2.2 The outcomes of the Localism Act and Welfare Reform present officers with a number of challenges in the delivery of its services. The intention of raising them is both to increase Member awareness and determine if Members see any areas of interest for further scrutiny.

3. Tenancy & Estate Management

- 3.1 Home Checks – Our current target is to visit all of our tenants on a rolling 3 year programme of Home Checks. Introduced in 2006 Home Check is a well established method of tenancy management that provides an opportunity for customers who may not otherwise have reason to contact their Housing Manager an opportunity to let them know about any problems, concerns or issues relating to their tenancy or the wider estate. It also provides an opportunity for us as a landlord to ensure our property is being used for its intended purpose and is not being neglected or used for unlawful purposes. We are coming towards the end of the second cycle of Home Checks with 70% of all current tenants having received at least one home check in the last 3 years. When we last reported to this committee we had identified approximately 1300 tenancies that had not received a home check since they were introduced. These tenancies have been prioritised for visits during the last 12 months and there are now less than 400 tenancies that we have not yet visited.

Housing Managers are completing approximately 200 home checks each per month and collectively approximately 6500 each year however we continue to fall short of our intended target of a 3 year cycle across our stock. We are therefore currently reviewing the outcomes they achieve and how many we can realistically deliver with existing resources. Consideration is being given to developing a more targeted approach to

ensure tenancies that are more problematic are given more intensive management than others.

- 3.2 Patch Inspections/Walkabouts – Housing Managers continue to regularly inspect their patches (110 inspections during the current financial year) and where there is demand from within the community will also carry out estate walkabouts with residents and other partner agencies to address specific concerns (62 walkabouts completed in the current financial year). This pro-active approach to estate management ensures issues relating to environmental anti-social behaviour such as fly-tipping are identified and tackled. These methods of working also provide opportunities to identify and solve other community issues.
- 3.3 Anti-Social Behaviour (ASB) - Housing Managers continue to respond to complaints about anti-social behaviour and nuisance involving Council tenants. Housing Managers have responded to 823 ASB service requests received via Dudley Council Plus so far this financial year. Housing Managers have on average a case load of 11 live ASB cases each, although there is significant variation across different patches.

We always challenge unacceptable behaviour but the nature of our response is always appropriate and proportionate to the problem that needs to be addressed with our underlying ambition being to sustain tenancies. However in the most serious cases of anti-social behaviour it is necessary for legal enforcement action to be taken to provide a remedy to the problem. Listed below are the type and number of legal actions taken this financial year, as of the end of December 2011, regarding anti-social behaviour:

- 18 Legal Notices (this is the first stage of any legal proceedings to recover possession of our property).
 - 10 Possession Proceedings issued (this is the application stage to the court for possession)
 - 6 Possession Orders (these are the orders of the court granting us possession of our property)
 - 2 Extended Introductory Tenancies (this is where we have extended the introductory tenancy period from 12 to 18 months)
 - 2 Injunctions (this is an order of the court, the breach of which can result in a fine or imprisonment)
 - 2 Committal Proceedings (this is action taken for breach of the terms of injunctions obtained)
- 3.4 As members are aware there is a Council-wide review of how anti-social behaviour is dealt with. This area of work is within the remit of the Scrutiny Committee on Community Safety & Community Services but attached as Appendix A is a copy of the report that went to that Committee which members may find of interest.

As an outcome from the consultation completed during this review an option appraisal is currently being undertaken on the Housing Manager's role in ASB case management and whether we could make service improvements through the establishment of a specialist team in Housing to respond to ASB as suggested by some of the stakeholders consulted. Consideration will also have to be given to the impact such a change would have on other Tenancy & Estate Management functions when reaching a decision.

- 3.5 Gardening Scheme – Following the loss of Future Skills Dudley, it has been necessary to review the arrangements for providing a clearance and maintenance service for older and vulnerable tenants. Feedback indicated that in many cases tenants wanted the service but were unable to commit to paying their contribution towards the cost. We are currently investigating whether it may be feasible to set up a third sector, possibly community enterprise, scheme where the Housing Revenue Account contribution would be used to provide supervision, equipment and insurance for a volunteer workforce. This has the potential to reduce or where necessary remove the charges to tenants.
- 3.6 Gas Servicing – we encounter problems with some tenants who refuse to allow us access in order for us to meet our statutory requirement as a landlord to undertake an annual gas safety check on properties with gas appliances or gas supply. At the end of January 2012 Housing Managers were actively trying to resolve 145 cases where tenants have refused to allow access to our Gas Contractor. Most of these cases will be resolved through negotiation with the tenant however legal enforcement action is taken where this is unsuccessful. Detailed below is the legal action taken during the first 3 quarters of this financial year against tenants who have continued to refuse access for their gas service.
- 23 Legal Notices have been served where the only breach of tenancy conditions is the failure to allow access for the gas service
 - 9 Legal Notices have been served where the failure to allow access for the gas service is in addition to other breaches of tenancy conditions e.g. condition of property or garden, nuisance etc..
 - 11 Possession Proceedings have been issued with the failure to allow access for the gas service forming part of our grounds for possession
 - 3 Possession Orders have been obtained on these grounds and 4 other cases have been adjourned on terms of the court where the tenant has allowed access after proceedings have been issued
- 3.7 Income Collection – The role of Income Management Officers was established when Housing Management was refocused in 2009. These officers have continued to bring about an improvement on our performance in the recovery of rent arrears.

The figures below show our income rent collection performance:

Measure	08/09	10/11	11/12
Nett arrears	£1,357,473	£1,245,856	£1,035,708
Number of cases £1000+	239	260	198
Rental income as a % of rental debit	97.28%	97.7%	98.2%
Former Tenant Arrears collected	£186,403	£156,331	£156.133

The Income Management Officers are proactive in making every effort to contact tenants who are experiencing difficulty. Evictions are only used as a last resort and we are confident that those that reach that stage are those that won't pay rather than those that can't. Before an eviction (in conjunction with the Homelessness Prevention and Response Team) a visit is made to provide advice and to make a further attempt at preventing the eviction from taking place.

Summer 2011 we put in place welcome packs for each new tenant provided at sign up. The packs include financial advice and gives information about our recovery procedure. We routinely insist on two weeks rent at sign up or a housing benefit application.

On the reverse of the rent statements issued in Autumn 2011 we thanked all of our tenants who maintain a clear rent account and reminded those in arrears of the requirement to continue making rent payments through the two rent free weeks at Christmas. We will continue this efficient method of communicating with our customers.

We are currently preparing for the impact of the welfare reforms. The reforms include a 3 year incremental increase in the non dependant charge. The first increase of 27% came into force last year April and as the figures show our performance was still maintained and improved. The next increase will be coming into force April this year.

- 3.8 Fire Safety – We have introduced our Fire Safety Policy for flatted estates during this financial year and have started to take action on clearing tenant's personal belongings from our communal areas. We have being mindful of the impact of this Policy on tenant's and have attempted to balance our statutory responsibility for fire safety with the desire of some tenant's to make the communal area's more homely. An Equality Impact Assessment has also being completed to ensure our approach to fire safety does not disadvantage any vulnerable groups and budget provision has being made within the Capital Improvement Programme to address specific issues arising from implementation of the Policy including the storage of mobility scooters on landing.
- 3.9 Tenancy Fraud – We have introduced a 'Counter – Housing Fraud Policy' this year aimed at reducing the risk of our properties being obtained and / or used for fraudulent purposes. We have investigated 207 cases of potential housing fraud this year identified through data matching with other local authorities as part of the national fraud initiative. The majority of the cases have been closed with no fraud having being confirmed but a small number, 14, remain under investigation.

We have also signed up to a local data sharing arrangement with Birmingham City Council and other social housing providers in the West Midlands as another mechanism for identifying possible cases of fraud. Housing Managers and other officers are also alert to the risk of fraud and will highlight and investigate cases that they identify through other work. We have recently confirmed a case of housing fraud where a tenant has moved out of the property without notifying us but has allowed a family member to remain in residence. Action has commenced to recover possession of this property. We will be encouraging residents to report anyone they suspect of fraud to the Council's Fraud Hotline in the spring edition of Home Affairs.

- 3.10 Housing Waiting List & Allocations – Over the last 18 months, DACHS has completed a lean systems thinking review of its housing voids and lettings service. One of the outcomes has been a more rigorous approach to dealing with applications for housing. Potential tenants now have to sign up to our terms & conditions of business prior to

joining the waiting list, including the commitment that they will be able to comply with our Conditions of Tenancy. All customers are interviewed, so that any potential issues or support needs can be identified and addressed at an earlier stage. During 2011/12, we also developed and implemented Local Lettings Plans for the Council's new build homes which included additional background checks, affordability assessments and home visits, to ensure that these new communities will be successful and sustainable. The new tenants are moving in as each scheme is completed, and Housing staff have worked closely with the Community Team for Learning Disabilities to ensure that the housing and support needs of tenants in the supported apartments will be met.

- 3.11 Empty Homes – The last two years have been particularly challenging in terms of the numbers of high cost voids received, which have been beyond the capacity of available budgets. This year, we will have repaired over 100 of them ourselves, disposed of 10 (as at the date of writing this report), and demolished two, and we have also commenced a pilot programme for people who are on our waiting list and have the skills and experience to undertake their own repairs. Additional budgetary provision will be made in 2012/13, which together with an updated range of options potentially including some grant funded extensions and adaptations is expected to deal with the remaining backlog and new voids.
- 3.12 Housing Support – The DACHS Housing Support team includes eight generic Tenancy Sustainment Officers mainly supporting council tenants, and two Drugs Intervention Programme (DIP) Tenancy Sustainment Officers, who work alongside Atlantic House staff, supporting the accommodation needs of people with substance abuse issues. All of these staff provide floating support to a wide range of tenants with complex and varied needs, who would otherwise be likely to fail in their tenancies and become homeless. Staff each provide housing related support to between twelve and twenty households at a time, assisting them to deal with housing issues which typically involve rent arrears, poor housekeeping and neighbour problems, but also supporting them in a holistic way to meet their individual needs in healthcare, benefits, life skills, training & employment opportunities, parenting where applicable and re-establishing family relationships. Service performance is measured against a range of positive outcomes required in these areas, and overall in terms of the number of people who exit the service in a planned way because they have achieved independence. In the first three quarters of 2011/12, a total of 78 users of this service successfully completed their programme of support to become independent, whilst there were four unplanned/negative case closures.
- 3.13 Mediation – Also within the DACHS Housing Support team are two qualified Mediation Officers, who provide independent and impartial mediation services in community, family and neighbour disputes. Between April 2011 and January 2012, the officers have dealt with 42 neighbourhood and 29 family referrals. The neighbourhood cases seek to provide a resolution where otherwise the conflict would be tackled through court action, or would continue because the threshold for court action is not met. The family cases generally involve young people between the ages of 14 and 18, who through conflict within the family are at risk of becoming Looked After or homeless. The team has also developed an innovative Flashpoint service, delivering group work to teenagers and their parents, and is currently developing a volunteering scheme which will include training peer mediators.
- 3.14 Housing Occupational Therapy – Dudley has been recognised by the Chartered Institute of Housing as an example of good practice for its innovative approach in integrating Occupational Therapists into the housing management service. This team now deals with

the assessment of all housing needs involving disability or health issues, including mental health, and works alongside Housing Managers, Housing Options staff and Building Services to ensure that users of services have as much choice as possible and that their needs are met. This expanded role has been welcomed by professionals and customers and their families and carers. The team is also charged with ensuring that we make best use of any adapted and accessible homes that become vacant, although it has also been noted that in some cases homes have historically been adapted even though they were fundamentally unsuited to disabled living (egg a stairlift or level access shower being fitted in a house with numerous steps up to the front door). Part of the role of this team is also to inform the decision making process for adaptations and ensure that all housing options are explored at an early stage for the benefit of both the customer and the council.

- 3.15 Homelessness – The Homelessness Prevention and Response team continues to reduce the number of statutory acceptances each year by increasing the number and range of preventative interventions. In 2010/11 there were 188 acceptances and 552 preventions, whilst in the first three quarters of 2011/12 there have been 117 acceptances and 485 preventions. Much of this success is due to a strong tradition of partnership working, for example working with the Youth Offending Service and Heantun Housing Association to provide the Crash Pad service for young people, and with CHADD and Heantun to respond to Domestic Abuse. A proactive approach is taken to rough sleeping, with multi agency information-sharing to identify individuals and their locations, and to deliver a tailored solution to their housing and support needs. The aim of the team for all its customers is to find appropriate, sustainable, long term housing, and there have been no repeat homeless acceptances in the borough for several years.
- 3.16 Tenant Participation – Dudley has prided itself on promoting tenant engagement as we believe that our customers are best placed to tell us how effective our services are and where we can make improvements, thereby increasing customer satisfaction. We currently have a database of 478 people who have agreed to take part in one or more of our engagement activities, ranging from, participating in occasional surveys right through the spectrum to being an Area Panel member, or a director of Dudley Federation of Tenants and Residents Associations (DFTRA). Their involvement depends upon how much time they have to give and what method best suits their circumstances.

In England, the Homes & Communities Agency (HCA) will take over regulation of social housing from 2012. The changed approach to regulation will be based on the principle of co-regulation and there will be a clear expectation that landlords should be accountable to tenants for the quality of their services. Landlords will be required to provide opportunities for tenants to be involved in the scrutiny of their performance and the making of recommendations about how performance might be improved. It is intended to hold an independently facilitated tenants conference this summer to see what arrangements would best suit the tenants of Dudley.

4. Challenges Facing Housing

- 4.1 Reform of Council Housing Finance – The Localism Act changes the way that social housing is funded and places more power at a local level. The Housing Revenue Account (HRA) subsidy will be abolished meaning that Dudley will no longer have to make 'negative subsidy payments into a national pool (around £22m in 2011/12). In its place is a one-off allocation to local authorities of debt which it will have to service.

- 4.2 The debt allocated to Dudley (HRA) is £335.6m. This level of debt together with current interest rates means the interest payments will be more than offset by the removal of the negative subsidy payment allowing for greater investment in management, maintenance and major reports. The initial Government assessment is around 16%. Certain powers continue to be controlled by Central Government including borrowing limits, rent policy up to convergence in 2015, right to buy legislation (consultation has recently closed on the Government document 'Reinvigorating the Right to Buy and One for One Replacement').
- 4.3 Strategic Tenancy Policy – The Localism Act required Local Authorities to publish a Tenancy Strategy (May/June 2013) that sets out the matters that registered providers of social housing operating in their district must 'have regard' to when formulating policies relating to:
- the kinds of tenancies that they grant;
 - the circumstances in which they will grant a tenancy of a particular kind;
 - where they grant tenancies for a certain term, the lengths of the terms; and
 - the circumstances in which they will grant a further tenancy at the end of an existing tenancy.
- 4.4 Respective Cabinet Members of all Black Country authorities have approved the establishment of a group to develop an over-arching Black Country Strategic Policy which will set out the shared expectations, in order to provide a clear steer for the many registered providers of social housing that operate across the participating Local Authorities.
- 4.5 Reform of Social Housing Regulation – The Act expects landlords to support tenants, possibly through tenants panels in order to give tenants the opportunity to carefully examine the services being offered. It is intended to hold a Tenants Conference early Summer 2012 to consider 'engagement' in more detail.
- 4.6 Welfare Reform – One of the greatest challenges facing Housing, and where the greatest impact will be felt by tenants, is the welfare reform programme. Attached as Appendix B is a table that lists the changes. The financial impact on our tenants cannot be underestimated and it is likely that Housing will have to review the way it delivers its services and reviews policies both in terms of income collection and lettings.
- 4.7 Budget for 2012/13 (as reported to Cabinet on 8th February 2012) – The HRA budget contains £14.7m for management of tenancies including income collection, tenancy enforcement, support for vulnerable tenants, lettings and void management. There is a £24m repairs and maintenance budget to carry out responsive and statutory repairs plus some cyclical maintenance. An interest payment of £20.9m is included to service the additional debt allocation.

A capital budget of £32m is available for 2012/13 to address the following priorities:

- maintaining decent homes;
- energy efficiency;

- investment in empty homes;
- addressing fire safety and the continuation of adaptation for people with disabilities.

4.8 Housing Repairs and Maintenance: Procurement and Delivery of Services – Negotiations that were held at the request of the Leader of the Council between Management and Unions concluded in agreement by the target date of 31st January 2012. Unions are recommending acceptance to its members with ballots being concluded by 22nd February 2012. Acceptance will result in the new terms and conditions being implemented. A no vote will result in procurement for a joint venture organisation.

5. Finance

5.1 There are no direct financial implications associated with this report.

6. Law

6.1 The Council may do anything incidental to, conducive to or which facilitates the discharge of functions under Section 111 of the Local Government Act 1972. This would include anything incidental to the Council's housing powers and duties under various Housing Acts and the Localism Act.

7. Equality and Diversity

7.1 This report in itself has no direct equality implications. Equality impact is considered as part of service reviews and the introduction of changes in legislation.

8. Recommendations

8.1 Members are asked to note the contents of the reports and consider if any issues should be built into next years work programme for additional scrutiny.



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