
Environment and Housing Scrutiny Panel

TUESDAY, 28TH JANUARY, 2014 at 18:30 HRS - .

MEMBERS: Councillors Alexander, Bloch, Bull, Gibson, McNamara (Chair), Stanton and Weber

AGENDA

8. REGISTERED HOUSING PROVIDER - PARTNERSHIP AGREEMENT (PAGES 1 - 50)

To note and comment on the proposed partnership agreement between the Council and local Registered Housing Providers. To follow

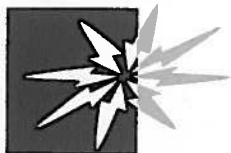
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Haringey Council

Report for:	Scrutiny Panel – 28 January 2014	Item Number:	
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Title:	Registered Provider Partnership Agreement 2014
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Report Authorised by:	Jennifer Dearing, Assistant Director, Strategy and Regeneration <i>Jennifer Dearing</i>
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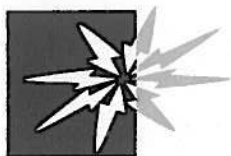
Ward(s) affected: All	Report for Key/Non Key Decisions
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1. Purpose of this report

- 1.1 The Purpose of this report is to introduce the revised draft Registered Provider Partnership Agreement for consideration by Scrutiny Panel before it is circulated to the Council's registered provider partners for consultation.

2. Background

- 2.1 The Council published its first Registered Provider Partnership Agreement in 2010 as a joint protocol to improve partnership working between the Council and registered providers that own and manage stock in the borough.
- 2.2 The purpose of the Agreement is to establish a framework to ensure consistency in how providers deliver new housing, make allocations and manage their stock to ensure they meet the needs and expectations of local residents.
- 2.3 Councils do not have statutory regulatory powers over registered providers. Signing up to the Agreement is entirely voluntary and while it contains specific requirements



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there is no compulsion on providers to comply. Consequently the Agreement must be jointly agreed by the Council and its partners if it is to stand any chance of successfully achieving its aims and objectives. The expectation is that where providers agree to the standards set out in the Agreement, and formally become signatories to it, they will continue to abide by it.

3. Revisions

3.1 The draft agreement has been written to take account of changes to the housing landscape since 2010. The revised draft also seeks to overcome some of the shortcomings of the current agreement by clarifying roles and responsibilities (including those of members) and introducing a formal process for monitoring and dealing with poor performance.

3.2 Specific changes include: -

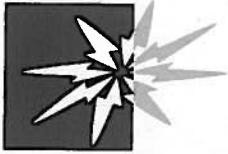
- a) Clarification of the roles and responsibilities of the Council and its partners **(pages 4 to 8)**
- b) A new section on the role of elected members **(page 6)**
- c) A new section on Equalities in light of the Equality Act 2010 **(page 8)**
- d) New sections on Affordable Rent **(page 12)** and Welfare Reform **(page 13)**
- e) A new requirement for registered providers to provide a 12 month rolling schedule of estate inspections **(page 18)**
- f) A new commitment to develop a stock rationalisation strategy for the borough **(page 19)**
- g) A new section on becoming a Preferred Partner of the Council **(page 23)**
- h) A new section on monitoring the agreement including performance data that registered providers must provide to the Council and a requirement for the Council to publish this on an annual basis **(page 28)**
- i) A new section on addressing poor performance including a role for Scrutiny Panel **(page 29)**

4. Consultation and Implementation

4.1 Following comments from Scrutiny Panel, along with any amendments made to the document, it will be circulated to all of the Council's registered provider partners in early February 2014 for a six week consultation period. The final document will then be approved by the Cabinet Member for Regeneration and Housing before being adopted.

4.2 Signatories to the document will be the Cabinet Member for Regeneration and Housing on behalf of the Council and the Chief Executive & Chairman of each registered provider.

4.3 The Partnership will be monitored on an annual basis (as set out in the Agreement) and will be brought forward for renewal every three years. The implementation and monitoring of this Agreement will be carried out within existing resources.



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5. Comments of the Chief Finance Officer and financial implications

- 5.1 This document represents an update of an existing Agreement between the Council and its registered provider partners and as such there are no additional resource implications.

6. Head of Legal Services and legal implications

- 6.1 The Head of Legal Services has been consulted on the content of this report. The report deals with the revision of an existing voluntary Partnership Agreement and does not raise any legal issues at this stage.

7. Equalities and Community Cohesion Comments

- 7.1 The Policy and Equalities Team comment that the content of this report bears no apparent direct implications for the Council's public sector equality duty at this stage. This is because as paragraph 2.3 of the report makes clear, the Council does not have statutory regulatory powers over registered providers. Signing up to the Agreement is entirely voluntary and there is no compulsion on providers to comply with any of its specific provisions.
- 7.2 On its part, and as public body to which it applies, the Council is fully aware of its public sector equality duty and has mechanisms and procedures in place to help it meet the duty when carrying out any of its functions, including in regard to housing.
- 7.3 Schedule 19 of the Equality Act 2010 lists the public bodies that are subject to the public sector equality duty. Social housing providers other than local authorities are included in that list, which means that partners to this agreement are individually subject to that duty and must ensure that in their performance of their functions as social housing providers, they must each ensure that the requirements of that duty are met.
- 7.4 It is therefore advised that any agreement with housing providers operating in Haringey should draw their attention to the duty and encourage those providers to ensure they have due regard to it in all their activities in Haringey.

8. Head of Procurement Comments

NA

9. Policy Implication

NA

10. Use of Appendices

Appendix 1 – Revised Draft Partnership Agreement



Registered Provider

Draft Partnership Agreement 2014

DRAFT

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1. Introduction

- 1.1 This agreement sets out the principles that will guide, shape and influence the way in which Haringey Council and registered providers work together to deliver high quality housing services across the borough.
- 1.2 The principal aim of the partnership is to develop a shared set of objectives that will raise the quality and standard of affordable housing and housing management in the borough.
- 1.3 This agreement outlines the roles, responsibilities and expectations of the partnership, to enable an effective partnership to deliver the highest standards of accommodation and housing management.

2. The Council's Corporate Plan and Priorities

- 2.1 The Corporate Plan is the Council's key strategic document that sets out its vision for the future of Haringey: 'One Borough, One Future'. It is at the heart of everything we do and informs how we will work with partners to ensure that everyone who lives in Haringey has the opportunity to lead a successful and fulfilling life.
- 2.2 There are four key outcomes for the period of the plan:
 - Outstanding for all
 - Safety and wellbeing for all
 - Opportunities for all
 - A better council
- 2.3 There are a number of guiding principles that underpin our vision.
 - A one borough focus – serving all residents in the borough with high quality services
 - Investing in prevention and early help – improving the life chances of residents and reducing costs

- Promoting equality – tackling the barriers facing the most disadvantaged, enabling them to achieve their potential
- Empowering communities - enabling people to do more for themselves
- Working in partnership – leading local partnership so that we achieve more, together

3. Aims & objectives of this Agreement

- 3.1 The principle aim of this Agreement is to raise the quality and standard of the provision of affordable housing in the borough. The objectives are to:
- (a) Establish a partnership approach to the provision, management and maintenance of affordable housing to raise standards across the borough;
 - (b) Contribute towards and support the growth and regeneration of Haringey and enhance the life chances of Haringey residents;
 - (c) Contribute towards a more balanced portfolio of housing across the borough and ensure that everyone has a decent place to live;
 - (d) Help vulnerable households, prevent homelessness and keep households out of bed and breakfast and reduce the use of temporary accommodation;
 - (e) Promote new and cost effective construction methods and that conserve energy, tackle fuel poverty and reduce carbon emissions;
 - (f) Share best practice and expertise amongst the partnership;

4. Roles & Responsibilities

- 4.1 All parties have a shared responsibility to agree to the terms of this Agreement and will adhere to the principles set out within it.

The Council's Strategic and Enabling Role

- 4.2 The Council is responsible for developing a strategic approach to the assessment of housing need and provision of housing services in the borough. This approach is set out in the Council's Housing Strategy. In order to ensure that the objectives of this Strategy are fulfilled, the Council will consult with, promote and facilitate the work of registered

providers and other statutory and voluntary agencies that provide housing and associated services in the borough.

Strategic Role

4.3 The Council will: -

- (a) Assess the operation of the wider housing market, and commission research to identify housing need across the borough and regularly review this data to ensure it is up to date.
- (b) Produce, co-ordinate and consult on a local Housing Strategy and monitor its impact.
- (c) Ensure the needs of all minority groups are considered.
- (d) Endeavour to keep information up to date and provide partners with clear guidance on policy changes.
- (e) Agree and communicate the appropriate tenure split between affordable housing (rent and intermediate) and market homes, based upon identified needs within the borough.
- (f) Promote the effective use and excellent management of existing housing stock.
- (g) Liaise with all statutory and non statutory partners regarding the provision of housing, support and care, and the varying statutory responsibilities particularly under the Community Care Act 1990, the Children's Act 1989, the Haringey Supporting People Strategy and any subsequent legislation.
- (h) Embed housing and related issues into corporate and Partnership Strategies.
- (i) Ensure that partners are appropriately involved at all key stages of strategy development and implementation;
- (j) Ensure that partners are given sufficient lead-in time for providing input to the development of strategies, policies and the provision of data.
- (k) Facilitate partnership meetings, disseminate information and seek to improve relations with strategic bodies.

4.4 The Council is committed to improving access to services for all groups in Haringey and values the work of community based registered providers engaged in specialist and culturally sensitive services to support the diverse communities in Haringey. The Council will work proactively with these organisations and other registered providers in line with the Council's Equal Opportunities Policy 2008.

Enabling Role

4.5 In fulfilling its enabling role the Council will: -

- (a) Maximise available resources to deliver new housing in the borough, including its own capital investment and land where appropriate.
- (b) Identify, assemble and dispose of suitable land in its ownership.
- (c) Utilise planning policies to meet housing need within the borough.
- (d) Promote the work of Registered Providers within the borough.
- (e) Publicise its list of partner registered providers in planning and other documentation to private developers and other relevant parties, and seek to involve partners at the earliest opportunity in effectively negotiating Section 106 agreements;

The Role of Elected Members

4.7 Elected members have a wide range of roles and responsibilities that will both impact on and influence the way in which registered providers operate in the borough.

4.8 As **Community Leaders**, local councillors are best-placed to take a comprehensive overview of the needs and priorities of their local areas and communities and lead the work to meet those needs. This can only be achieved through active partnership with other organisations such as registered providers. In carrying out this role, Members will engage with local residents, communities and organisations to support local projects, initiatives and services, and explain what political decisions and structures mean to local people and service providers. Registered providers should support this role by keeping Members informed of local projects and initiatives, consulting on any changes to local policy and ensuring that they are invited to specific events such as estate walkabouts.

4.9 As **Local Representatives** elected members have a duty to represent their constituents both inside and outside the council. From time to time, this may involve acting on behalf of tenants of registered providers that are unhappy with the service their landlord is providing e.g. if they are having difficulty getting a repair done or the condition of the estate is unsatisfactory. In this case, local councillors may contact the registered provider direct or ask an officer of the Council to do so on their behalf. Registered providers should make

every effort to respond to Member Enquiries within the Council's specified timeframe (10 working days).

4.10 In carrying out their roles, Elected Members may wish to **scrutinise** how registered providers are performing when delivering their services. While Members do not have an official scrutiny role in respect of registered providers they do have the right to ask probing questions and seek information on behalf of their constituents. In addition, Members may, from time to time, request to meet local registered providers to discuss any issues or concerns they may have. Partners to this Agreement will be expected to comply with any such request providing reasonable notice is given.

Principal Responsibilities of Registered Provider Partners

4.11 Registered providers operating in the borough will work closely with the Council and statutory and voluntary sector partners to deliver housing and housing related services.

4.12 In fulfilling their role, registered providers will -

- (a) Comply with all GLA and HCA requirements with regards their operations
- (b) Proactively contribute to the delivery of Haringey Council's strategies and supply such information as is required by the Council for monitoring purposes.
- (c) Advise the Council of sites and property purchases under consideration so as to avoid duplication of effort and inappropriate competition.
- (d) Discuss all development proposals with the Council at the earliest opportunity and deal with development opportunities in accordance with the Council's Developer's Guidance Notes and the Toolkit for Affordable Housing.
- (e) Make best endeavours to complete all legal agreements and comply with all planning conditions in a timely manner.
- (f) Comply with planning agreements drafted by the Council and consider and notify them of the need for any necessary variations at the earliest possible stage.
- (g) Work with the Council and other registered providers to improve the standard and efficiency of housing management and maintenance within the borough
- (h) Work in partnership with the Council on the reduction of Homelessness and the numbers of households in temporary accommodation.

- (i) Have a formal complaints procedure, which is published and freely available to customers.
- (j) Ensure the views and requirements of tenants and customers are fully considered and provide the Council with information on customer satisfaction including new housing developments.
- (k) Inform and, where appropriate, consult the Council of significant areas of new policy.
- (l) Provide consultation comments on Council Strategies and significant documents when invited to do so.
- (m) Participate in liaison meetings with the Council and an Annual Review Process.
- (n) Provide up to date information about their activities in the borough on a quarterly basis (e.g. updated property lists by location and lettings information).

5. Equalities

- 5.1 The Equality Act 2010 introduced the Public Sector Equality Duty (PSED) that requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.
- 5.2 Schedule 19 of the Equality Act 2010 lists the public bodies that are subject to the public sector equality duty. Social housing providers other than local authorities are included in that list, which means that partners to this agreement are individually subject to that duty and must ensure that in the performance of their functions as social housing providers, they must each ensure that the requirements of that duty are met.

6. Tenancy Strategy

- 6.1 The Localism Act 2011 has placed a requirement on each local authority to produce a Tenancy Strategy outlining its approach to social tenancies. Such strategies are particularly helpful in areas of very high housing need and demand such as Haringey. The Council currently offers lifetime tenancies following a satisfactory 12 month Introductory Tenancy. The Council has consulted on other options. The consultation document can be found at:

http://www.haringey.gov.uk/index/housing_and_planning/housing/housingstrategy/tenancy-strategy.htm

- 6.2 The outcome of consultation and any recommendations will be put before Haringey's Cabinet in 2014.

7. Lettings & Nominations

- 7.1 The Council's current allocation policy was revised in 2011 to reflect the adoption of choice based lettings. The policy prioritises households using the reasonable preference categories. Households are ordered by band depending on relative need. Within a band households are prioritised by time waiting. Households under-occupying their accommodation are prioritised for rehousing. The policy also allows for the establishment of local lettings schemes. The current Allocation Scheme can be found at:

http://www.haringey.gov.uk/haringeys_housing_allocations_policy_2011.pdf

- 7.2 The Council has been consulting on proposals regarding changes to the Policy in line with new powers pursuant to the Localism Act 2011 and the revised Code of Guidance on Allocations. The consultation documents can be found at:

http://www.haringey.gov.uk/index/housing_and_planning/housing/housingstrategy/tenancy-strategy.htm

- 7.3 The outcome of consultation and any recommendations will be put before Haringey's Cabinet in 2014.

- 7.4 Registered providers shall :-

- (a) provide the Council with 100% nomination rights for initial lettings on all new developments.
- (b) provide the Council with 75% nomination rights on all subsequent lets of "true void" properties in their housing stock.

- (c) undertake to closely monitor nominations to the Council to ensure that these quotas are met within the financial year (April – March).

7.5 In calculating the proportion of “true void” properties to be made available to the Council, registered providers shall define a “true void” as being:

- (a) Voids within new build, newly acquired or newly rehabilitated schemes.
- (b) Voids created through tenant moves to other landlords where no reciprocal arrangement exists, including moves made under mobility schemes.
- (c) Voids created by registered provider transfers within Haringey where the transfer is to another landlord.
- (d) Voids created through tenant transfers to another borough or another landlord where no reciprocal arrangement exists except when such transfers are made on the grounds of racial harassment or violence.
- (e) Voids created by tenants buying or renting their own property in the private sector, through the Tenants Incentive Scheme, or through making other accommodation arrangements.
- (f) Voids created by the death of a tenant where there is no statutory or contractual right to succession.
- (g) Voids created by eviction or abandonment of the property.
- (h) Voids created by decants once works are completed.

7.6 The following are defined as ‘non’ true voids and would therefore fall outside the nominations agreement.

- (a) Voids created by temporarily decanted tenants
- (b) Voids created by mutual exchanges
- (c) Voids created as a result of tenant transfers within HA own stock and within the borough of Haringey.

7.7 Registered providers shall advise the Council six months prior to completion of new build homes of the size, type, and availability dates of the properties. Where a property has adaptations, details of this must be provided to enable the Council to identify clients with a matching housing need, The provider should facilitate early viewings by professionals such as Occupational Therapists at the request of the Council.

- 7.8 Registered providers are expected to achieve a lettable standard for each void property to which the Council has nomination rights. This standard should be set by the provider's published policy and be made available to the Council on request.
- 7.9 Requests from Registered Providers to implement Local Lettings Policies will be subject to negotiation in line with the Council's Allocations Policy and will need to be accompanied by a comprehensive Equalities Impact Assessment.
- 7.10 A copy of the Haringey Council Nominations Agreement is attached at Appendix X.
- 7.11 Registered Providers shall only reject a nominee in the following specific circumstances:
- (a) If the circumstances of the nominated household have changed since they were last assessed by the Council, or, if new information has come to light since the assessment was made, such that the offer is unsuitable.
 - (b) If a property is unsuitable for the nominated household because the household is too large or small for the unit, according to the providers own allocations policy.
 - (c) If the rejection is approved following negotiation with the Housing Assessments & Lettings Manager.
 - (d) Providers shall not offer a nominee a different unit from that originally made available unless previously agreed with the Housing Assessments and Lettings Manager.
 - (e) All cases where a nominee has been rejected should be escalated to the Housing Assessments and Lettings Manager for decision.
- 7.12 Nominees shall have the right of appeal in line with the Council's published lettings policy. The right of appeal relates only to the suitability of the offer.
- 7.13 The Council shall consider sympathetically any requests from registered providers for reciprocal lettings arrangements. These will be considered on a case by case basis by senior officers (after consultation with Homes for Haringey) who will have particular regard to:
- (a) The comparability of the units (e.g. size, quality, area, timetable for availability)
 - (b) Whether it will prevent statutory homelessness

- (c) Whether it is necessary to achieve expenditure within a necessary timescale
- (d) Whether it is necessary to prevent violence/harassment
- (e) Other exceptional circumstances to be agreed by negotiation

- 7.14 Providers must exhaust existing avenues to assist their tenants before requesting consideration of a reciprocal let. The Pan-London Reciprocal Agreement should be the default document.
- 7.15 Any reciprocal arrangements will not fall within the nomination quota outlined in section
- 7.16 A more detailed procedure for the nominations and letting process is included at Appendix xx

Preventing discrimination

- 7.17 Both the Council and its registered provider partners are strongly committed to actively tackling discrimination on the grounds of ethnicity, disability, gender, religion/belief, age or sexuality.
- 7.18 Registered Providers and the Council shall operate equal opportunity policies designed to prevent and eliminate discrimination in the provision of social housing. Equalities information will be collected and will form part of the monitoring information required in the lettings return.
- 7.19 The lettings sub-group shall review the equalities data collected on an annual basis and may jointly set annual targets to ensure appropriate lettings

8. Affordability & Rents

Affordable Rent

- 8.1 The Affordable Homes Programme (2011 to 2015) signaled a significant reduction in government subsidy for affordable housing and introduced Affordable Rent as the main type of new housing supply.

- 8.2 The Council recognises that by receiving less government subsidy for new affordable housing, registered providers have to charge higher rents to tenants (up to 80% of local market rents).
- 8.3 The Council is keen to ensure that Affordable Rents are set at a level that is affordable for local residents and expects registered providers to engage fully with Council officers to agree rents that are realistic and sustainable.
- 8.4 Registered providers can 'flip' existing social rented properties to affordable rent when they become void to support their investment in new supply. Providers must enter into a timely and 'open book' dialogue with the Council if they intend to flip existing social rented units in the borough. Where a provider flips a social rented unit to affordable rent in the borough, the Council expects the additional income to be re-invested in new supply in Haringey.

Welfare Reform

- 8.5 The Council believes that the Government's Welfare Reforms on low income households will have a significant impact on local residents. In Haringey, the cap has, in some cases, made even social rents unsustainable for some households. As a social landlord itself, the Council understands the drivers on income recovery, and expects registered providers to have sensitive and appropriate procedures which go beyond traditional income recovery methods to work with tenants to sustain their tenancies. Registered providers should liaise closely with the Council on all cases where tenants may be at risk of losing their accommodation because of benefit reductions, and that all possible alternatives will have been thoroughly explored before any tenant of a registered provider has to seek assistance from the Council.
- 8.6 In common with many social landlords, the Council is concerned about some of the implications of Universal Credit – in particular the move to monthly payments in arrears and the reduction in the facility for rent to be paid directly to landlords. Both of these measures will inevitably have an impact on rent arrears and the Council would welcome a continuing dialogue and formal sharing of information with its partners as the Universal Credit project moves forward. All registered providers should adapt their income collection procedures and have proactive measures in place to mitigate the impact of

Universal Credit and other benefit reforms. Examples of such measures would include debt and benefit advice, access to IT for some tenants where appropriate, employment advice and the facilitation of credit unions.

9 Use of Existing Stock

Empty Properties

- 9.1 If a Registered Provider has any empty properties that need extensive works to bring them up to a lettable standard, then a detailed programme of works specifying timescales and suitable deadlines should be drawn up and supplied to the Council.
- 9.2 A long term programme should be adopted to bring all empty properties back in to use.
- 9.3 The signatories to this Agreement agree to work with the Council where viable on initiatives to bring empty properties back into use as affordable housing.
- 9.4 Empty properties owned by registered providers should be maintained in a condition that prevents illegal occupation and which deters or does not invite vandalism and other anti-social behaviour. A programme of works or disposal strategy should be in place to ensure that such properties do not remain empty for any significant length of time.
- 9.5 It is acknowledged that there will be occasions when it is appropriate for a registered provider to dispose of some of its existing stock, for example when it is uneconomic to repair. Partners must consult the Council prior to any disposals within the borough, and where appropriate, reinvest the proceeds of any sales into projects within the borough.

Decent Homes

- 9.6 All signatories to this Agreement must actively work to provide decent homes for the residents of Haringey.
- 9.7 The definition of a decent home is defined as meeting four criteria:

- It meets the current statutory minimum standard for housing (and is free from Category 1 hazards as defined by the Housing Act 2004)
- It is in a reasonable state of repair
- It has reasonably modern facilities
- It provides a reasonable degree of thermal comfort

9.8 Registered Providers must have a programme of works set in place to bring their stock up to, and maintain at, a decent home standard.

Stock Condition (Housing, Health and Safety)

- 9.9 In its capacity as a Local Housing Authority, Haringey Council has duties and powers set out in the Housing Act 2004 for the regulation of housing standards. This includes a mandatory duty to take enforcement action to remove Category 1 Hazards in any residential premises¹. Powers are also contained in the Housing Act 1985 as amended and other legislation. This also includes the presence of statutory nuisance as contained within the Environmental Protection Act 1990 and legislation dealing with pests such as mice, rats, cockroaches and bed bugs.
- 9.10 Registered providers should be aware that formal legal action can be taken when an officer of the Council believes that such action is necessary to protect *anyone* affected by the condition of a property and/or land owned or managed by the registered provider.
- 9.11 Should this become necessary the Council will ensure that any legal action will comply with the enforcement policy adopted and published by the Council at the time. It should be noted that the Council may make a reasonable charge as a means of recovering expenses incurred in the serving of certain legal notices.
- 9.12 Partners should be committed to taking action, within agreed timescales, on receipt of a notification of a failure to meet their statutory obligations with regard to housing standards or nuisance caused by their properties or land.
- 9.13 Registered providers should have procedures in place to: -

- ensure that where the Council has received a complaint directly from their tenant or otherwise, to respond to the Council within 48 hours of receipt of such notification, detailing the officer responsible for investigating and resolving the matter;
- ensure the necessary works will be carried out
- act within agreed timescales to attend to repairs or maintenance or remove a statutory nuisance.
- attend case conferences or multi-agency meetings as appropriate
- take the lead on behalf of other partners where a problem on a multi landlord estate involves the majority of its tenants and/or properties.

Sustainability of Existing Stock

9.14 Over 13% of homes in Haringey are owned by registered providers, with an estimated 65,000 tonnes of CO₂ emissions coming from this sector, representing around 6-7% of total emissions in the borough. It is therefore vital that registered providers engage in matters of sustainability and support action to improve environmental performance. In addition to environmental levers there are also financial and social benefits from embedding sustainability into the partnership between RPs and the Council.

9.15 Registered providers will work with the Council to: -

- increase the energy efficiency of housing stock in Haringey and to maximise resources and opportunities for tackling fuel poverty in line with the Council's Affordable Warmth Strategy 2009-19².
- undertake awareness-raising activities through the distribution of information to tenants (where necessary provided by the Council) and the incorporation of sustainability into tenants newsletters, resident panel meetings, Decent Homes workshops and other events, to enable tenants to take action and utilise sources of financial and advisory support available.
- establish partnerships with energy suppliers in order to access funds for energy efficiency projects.
- ensure that any partners such as contractors have robust environmental sustainability policies.

- take into account environmental sustainability when carrying out refurbishment of properties and in new developments, to meet or exceed required building standards/best practice, which may include:
 - Rainwater storage in new developments;
 - Consider converting any flat roofs to living green roofs;
 - Consider the use of automatic timed switch-off devices for lighting in public areas within their properties;
 - Install water metering in all homes
 - Install gas and electricity meters with realtime displays in every home
 - Ensure that dual rate electric meters are replaced with single rate meters, and consider replacing all electric storage heaters
 - Consider installing appropriate micro-renewables (Solar thermal, Ground Source Heat Pumps or Solar PV)
 - Install low level flushes in all new properties or water saving devices in existing properties
 - Install double flush toilets in new and refurbished properties
 - Fit tap and shower aerators and distribute other water saving devices such as shower timers
 - Consider innovative ways of tackling hard-to-treat homes such as Victorian solid wall properties

9.16 The Council will work with registered providers to: -

- provide information and guidance, including relevant literature, to tenants regarding energy and water efficiency and other sustainability issues.
- provide advice and guidance on improving the energy and water efficiency of registered providers stock and the options available for delivering such improvements.

10 Housing Standards

- 10.1 Between them, registered providers and the Council own and manage approximately 30,000 properties across Haringey. Improving the quality of this provision is in everyone's interest.
- 10.2 The quality of the stock and the local estates has a significant impact on the health and wellbeing of the borough's population. It is also a key factor in determining the reputation of the sector in the borough and in signalling how serious individual providers are in helping the Council meet its Corporate Plan aims and objectives.

Estate Walkabouts

- 10.3 Estate walkabouts involve tenants and residents joining officers on regular estate inspections. These inspections should also be attended by other key stakeholders such as elected members. On multi landlord estates the walkabouts should be coordinated between all landlords to ensure they take place at the same time.
- 10.4 The walkabouts should look at all aspects of the estate's condition, including gardens, breaches of tenancy conditions, highways issues, litter and dog fouling and the quality of grounds and planned/cyclical maintenance. By working together in a proactive way, estate walkabouts can contribute towards making the estate a better and more attractive place to live.
- 10.5 A 12 month schedule of dates and times of estate walkabouts covering the period April to March should be produced in advance and forwarded to the Council's Housing Enabling Service who will liaise with elected Members to ensure they are given the opportunity to attend.

Common Management Standards

- 10.6 Partners agree to work proactively with the Council and Homes for Haringey on the development of common management standards. It is anticipated that standards will be set for: -

- Anti social behaviour
- Grounds maintenance
- Repairs
- Empty properties
- Responding to complaints and members' enquiries
- Rent arrears and income management
- Opportunities for resident engagement and involvement

10.7 The Council will collate performance information from partners and publish an annual review of registered providers (please refer to Section 12 – Monitoring the Agreement)..

Stock rationalisation

10.8 There are over 40 registered providers operating in Haringey with varying levels of stock. Three providers have more than 1,000 units in the borough and between them own and manage over half of all the registered provider stock. At the other end of the scale, eight registered providers own and manage fewer than 50 units. The combined stock of these organisations represents just 1.5% of the registered provider stock in the borough.

10.9 It is the Council's preference that local providers have a local presence in Haringey. A review of office locations shows that the average distance between housing estates in Haringey and the nearest housing office is 7 miles, with only a small number of registered providers having a local office in the borough. Registered providers who do not have a local base in Haringey are encouraged to consider how they might provide one through, for example, office sharing. The Council must be be informed of these arrangements.

10.10 The Council believes that a coordinated and strategic approach to stock rationalisation will bring about a number of benefits and improvements: -

- Deliver cost efficiencies
- Contribute to neighbourhood regeneration
- Improve neighbourhood and customer service
- Enable registered providers to concentrate on their core activities and areas

- Generate surpluses to fund new initiatives

10.11 All partners to this Agreement will contribute towards the development of a stock rationalisation Strategy for Haringey. The strategy will not attempt to prescribe a single solution or require registered providers to adopt a stock rationalisation programme but establish a framework to support those providers that choose to rationalise their stock.

10.12 The Council recognises that stock rationalisation for smaller organisations can be challenging. The Strategy will set out how the Council will work with those smaller organisations to safeguard the provision of BME housing and support services in the borough.

Domestic Violence and Victim Support

10.13 The Council has a formal partnership with a provider – Hearthstone – to provide a holistic package of emotional and practical support for survivors of domestic violence with the borough. A range of practical services are provided which include:

- Legal advice for civil remedies such as injunctions
- Housing advice including access to refuge accommodation
- Counseling
- The provision of the Sanctuary home security improvement scheme

10.14 The Council expects registered providers to work with Hearthstone when appropriate to both support survivors of domestic violence and avoid homelessness. The Council would especially encourage registered providers to work with Hearthstone to operate the Sanctuary Scheme which enables survivors to continue to live in their home safely following incidents of domestic violence. If providers are not able to work with Hearthstone then the Council would expect to see plans of comparable alternative service which are available to their tenants.

Anti Social Behaviour

10.15 Anti-social behaviour (ASB) can seriously damage the quality of life for residents and have a negative impact on neighbourhoods and communities. Ensuring that Haringey is

a place where everyone feels safe and has a good quality of life is one of the key outcomes in the Council's Corporate Plan. Both the Council and registered providers have a critical role in achieving this. Registered providers are expected to: -

- Actively combat ASB within their housing stock and on all land they own, and have robust procedures in place to respond to incidents
- Provide intervention services including early mediation to resolve disputes
- Ensure staff are available as witnesses to support enforcement activity through the courts
- Sign the Council/Partnership information sharing protocol (ISP)
- Have in place an ASB Policy that is publicly available on their website
- Provide quarterly data and statistical returns to the Council on ASB activity within stock showing the location, type and nature of ASB as well any enforcement measures taken.
- Participate in Council sponsored problem solving and intervention strategies

10.16 In extreme cases where it is deemed necessary to re-house victims of ASB the registered provider will make all endeavours to re-house affected tenants either temporarily or permanently by sourcing units from their own stock

Waste and recycling storage and collection arrangements

10.17 Registered providers will: -

- provide adequate storage space, in negotiation with the Council for refuse containers. The frequency of collection will be by agreement but will seek to avoid any overflow or spillage. RPs agrees to provide adequate storage space for recycling containers at or near the waste container storage location where it is practicable to do so.
- ensure that refuse and recycling containers are stored at locations that are kept clean and well maintained and are laid out to be convenient and easy to use for tenants and with good access for collection vehicles and operatives.

10.18 The Council will: -

- work with partner RPs to provide advice and guidance regarding the storage of refuse and recycling containers and make collection arrangements that are designed to fit in with the particular nature and characteristics of individual properties and with the council's waste policies.
- carry out collections according to the agreed schedule and to return containers to the recognised storage locations after emptying. Any spillage caused by collectors through their own actions will be cleared by them before leaving site.

Cleansing and Graffiti Removal

10.19 Partner registered providers will put in place arrangements for cleaning external estate areas on a minimum frequency of once per week, or more often where this is warranted, and to make arrangements for dumps to be removed within 24 hours of notification.

10.20 The Council will provide advice and guidance about cleansing and dumps removal arrangements. If required by partners, the Council will work with its own service providers to provide quotes to carry out cleansing services and graffiti removal for registered providers. Where such arrangements are made, the Council will also work with partners to facilitate monitoring of work carried out using its own officers and if required produce reports on standards achieved.

10.21 The Council will also offer similar advice, guidance and assistance in relation to graffiti removal.

Enforcement

10.22 The Council will provide registered providers with advice and guidance to deal with enforcement in relation to waste, cleansing and graffiti.

10.23 Registered providers should: -

- seek to design out crime in locations subject to regular abuse. Contact details for Haringey's Crime Prevention Officers can be found in appendix III.
- ensure full cooperation with the Council in seeking to achieve reversal of unauthorised development e.g. removal of satellite dishes in conservation areas or on developments where this is prohibited by planning regulations.
- seek to maintain pest-free conditions in their stock and land. Arrangements should be put in place for prevention, proofing, monitoring of activity and early intervention/treatment.

11 Housing Development & Investment

Funding & Grant Availability

- 11.1 The Council will actively work with the Greater London Authority (GLA) to maximise the availability grant funding for compliant and viable schemes.
- 11.2 Registered providers must inform the Council if they intend to bid for grant funding. The Council will only support grant bids from registered providers that are signatories to this Agreement.
- 11.3 The Council will fully utilise the process of Continuous Market Engagement (CME) to promote compliant, viable schemes brought forward by partners.
- 11.4 Registered Providers will seek to maximise the input to housing investment in the Borough from private finance and other funding sources.

Preferred Partner Status

- 11.5 The Council is in the process of establishing a list of Preferred Development Partners who it will work more closely with on new development opportunities. The Council will: -
- actively promote only its preferred partners to private developers and house builders

- offer preferred partners land disposal opportunities
- where possible, provide additional funding to preferred partners to facilitate new build opportunities in the borough

Council Owned Land

- 11.6 On Council owned land, site acquisition will be undertaken on an open book basis. Registered providers are required to submit a development appraisal (form of appraisal to be agreed) with initial feasibility drawings prior to exchange of contracts and a further development appraisal once planning permission has been granted and the building contract has been let.
- 11.7 The registered provider should endeavour to work with the Council to secure the site soon after exchange of contracts. This will entail the erection of hoardings/signage and where necessary demolition works.
- 11.8 Prior to exchange of contracts, the registered provider must demonstrate, where applicable, the timetable for securing grant funding from the GLA. The conditional sale of land to a registered provide, subject to funding, will be undertaken at the Council's discretion.

Development Standards

- 11.9 Registered providers that undertake development must adhere to and, where possible, exceed the standards required by the GLA's current design and quality standards irrespective of grant funding.
- 11.10 Development proposals should be submitted to the Council for pre-application assessment and advice. Schemes will be referred to Haringey's Design Panelⁱ for scrutiny and feedback where appropriate.

ⁱ The Haringey Design Panel is made up of external design experts, including architects, urban designers, town planners and transport and landscape specialists who provide independent advice to the Council.

11.11 Registered providers will approach the planning and design of new schemes with a view to minimising future management and maintenance issues e.g. communal satellite/cable connectivity, community safety, use of good quality and low maintenance external components and finishes etc. Satellite/cable connectivity should be as such that it is able to receive all the stations that future occupants are likely to require.

11.12 Registered providers should use reasonable endeavours to ensure that at least 25% of the workforces carrying out the development live within the London Borough of Haringey. This might involve pooling and sharing of information sub regionally by registered provider partners to facilitate the process.

Secured by Design

11.13 All parties of this agreement recognise the importance of ensuring that all new development adheres to the 'Secured by Design' principles.

11.14 Registered providers agree to consult with Haringey's Crime Prevention Officers (Met Police) at Pre Planning stage (see appendix III for contact details). This consultation can be facilitated by the Council's planning officers.

Lifetime Homes

11.15 The Council aims to meet the target of 100% Lifetime Homes as set by the GLA's London Plan for all new housing in the borough and expects all partners to co-operate in the achievement of this target.

Wheelchair accessible housing

11.16 As a minimum 10% of all general needs rented housing should be designed and constructed to be suitable for occupation by wheelchair users. 100% of supported extra care schemes should be suitable for wheelchair user occupation. The levels of wheelchair adapted housing in other schemes shall be the subject of negotiation and agreement with the Council.

- 11.17 Given the nature of disability and the changing nature of needs, registered providers are required to consult with the Council – in particular Occupational Therapists, Lettings and Medical Advisors – during the design and construction phases of any development. The Council appreciates that it is impossible to predict future needs exactly, but the increasing levels of obesity in society make it wise, in the Council's opinion, to design wheel chair adapted properties with the space and facilities for such a client group.
- 11.18 The Council will endeavour to pre allocate to wheelchair adapted properties, but given that need may not match demand at any particular moment in time, would like, following negotiation with the registered provider, to have the facility to offer wheelchair adapted properties on short term tenancy agreements to none wheel chair users to avoid void losses and to potentially retain access to the properties for future need.
- 11.19 The Council will endeavour to pre-allocate to properties designed for occupation by a wheelchair user.

Building for Life

- 11.20 It is expected that on registered provider led projects CABE Building for Life standards³ are used to assess proposals at an early stage and throughout the planning process to ensure effective place shaping.
- 11.21 Registered providers will work with the Council to assess proposed schemes against the Building for Life Standards to ensure that the highest possible score is achieved taking into account scheme viability issues.

Car Parking

- 11.22 Registered Providers should ensure that prospective tenants and leaseholders of car-free developments are advised of area car-parking regulations.

12 Safeguarding

Safeguarding Children

- 12.1 Safeguarding children is everyone's responsibility. The London Child Protection Procedures⁴ stress the need for all agencies and partners to work together to safeguard children. The procedures provide clear guidance on what is expected of all agencies who work with children or adults who are parents.
- 12.2 The Council is committed to working with its partners to ensure that safeguarding responsibilities are delivered. Registered providers are expected to flag situations where there are safeguarding concerns to Children's Services through agreed referral routes and to work co-operatively with Children's Services on cases, sharing information as appropriate.
- 12.3 It is a requirement of registered providers operating in the borough to ensure that their organisations have regard to their responsibilities in relation to s.11 of the Children's Act 2004⁵ and have policies and procedures in place which promote child welfare and safeguarding. Registered providers agree to work with the Council to ensure that their staff are competent in identifying child protection issues and concerns.
- 12.4 The Council will provide advice and support as required to ensure that compliance with s.11 is achieved. The Council will provide contact details for a Nominated Safeguarding Officer who will act as a link person between the Council and registered providers in cases of child protection.
- 12.5 In situations where a serious case review is commissioned by the Local Safeguarding Children Board (LSCB)⁶ following the death or serious injury to a child, registered providers will co-operate fully with the review process to ensure that any learning can lead to improvements in safeguarding arrangements.
- 12.6 The Council will work to facilitate training and provide materials on safeguarding children for registered providers.

Safeguarding Adults

- 12.7 Working to safeguard vulnerable adults is also an important area of responsibility for the Council and RP's operating in the borough.
- 12.8 Registered providers will work with the Council to ensure that their staff are aware of issues concerning the safety of vulnerable adults and are able to raise alerts in situations of concern. Information will be shared as appropriate to allow cases to be investigated and for appropriate measures to be put in place.
- 12.9 The Council will work with registered providers to support the delivery of appropriate training and provide materials to promote the importance of safeguarding adults.

13 Monitoring the Agreement

- 13.1 Each registered provider shall complete the Haringey lettings return on a quarterly basis. Providers with small stock holdings (fewer than 50) of a very low turnover of units (fewer than 10 per year) shall be asked to submit an annual return only.
- 13.2 All registered providers are required to provide the Council with annual performance monitoring data. Data should be provided for each 12 month period (April to March) no later than 30 June following year end (i.e. 31 March). The following information should be provided:-
- Number of new developments started on site (expressed as an absolute number and percentage of planned programme)
 - Number of practical completions (expressed as an absolute number and percentage of planned programme)
 - Percentage of completions built to wheelchair standard
 - Percentage of family homes with three or more bedrooms
 - Average rent for new properties (expressed by bedroom size)
 - Average re-let time for existing homes (days)
 - Percentage of Emergency repairs completed within target time (please state your target)

- Percentage of Urgent repairs completed within target time (please state your target)
- Percentage of Non-urgent repairs completed within target time (please state your target)
- Percentage of routine repairs where an appointment was made and kept
- Percentage of lettings to BME households
- Percentage of customer of customers that are fairly/very satisfied with overall service
- Percentage of customer of customers that are fairly/very satisfied with repairs service
- Number of formal complaints received
- Percentage of complaints satisfactorily resolved
- Percentage of all complaints referred to the Ombudsman
- Percentage of Member Enquiries replied to within 10 working days

13.3 The Council will work with each registered provider to review its performance against the requirements set out in this Agreement on an annual basis. This will also consider how Improvements can be made and problems resolved.

13.4 In addition, each registered provider shall attend a meeting notified by the council every three months to consult and examine progress with their development programme.

14 Addressing Poor Performance

14.1 In the event that a registered provider continually fails to meet the standards set out in this Agreement, the Council will meet with the individual provider concerned within 14 days of notification by the Council.

14.2 The registered provider shall use its best endeavours to agree an action plan with the Council that sets out timescales for achieving the performance requirement and a date for a further review to ensure standards are maintained.

14.3 If a registered provider fails to improve and maintain its performance, a referral may be made to the Council's Overview & Scrutiny Panel. Registered providers should use their best endeavours to comply with the outcome of the Scrutiny Panel.

DRAFT

¹ Section 5 Housing Act 2004 http://www.opsi.gov.uk/acts/acts2004/ukpga_20040034_en_4#pt1-ch5

² Affordable Warmth Strategy 2009-19
http://www.haringey.gov.uk/index/housing_and_planning/housing/housingadvice/homeheatloss/affordablewarmthstrategy.htm

³ Building For Life <http://www.buildingforlife.org/>

⁴ London Child Protection Procedures <http://www.londonscb.gov.uk/procedures/>

⁵ Children Act 2004 (s.11) http://www.opsi.gov.uk/acts/acts2004/ukpga_20040031_en_3#pt2-pb1-l1g11

⁶ Haringey LSCB <http://www.haringeylscb.org/index.htm>

**Registered Housing Provider Stock in Haringey
January 2014**

Name & Address	Stock (miles to local office)
London & Quadrant Housing Trust, 10 Grove Crescent Road, Stratford, E15 1BJ	2630 (11.6 miles)
Metropolitan Housing Trust, The Grange, 100 High Street, London N14 6PW	2497 (2.9 miles)
Circle 33 Housing Trust, 1-7 Corsica St., London, N5 1 JG	1386 (4.6 miles)
Sanctuary Group 88-96 High Road, Lymington Avenue, Wood Green London N22 6HE	848 (0.5 miles)
Newlon Housing Trust Newlon House, 4 Daneland Walk, Hale Village, London N17 9FE	835 (3.3 miles)
Family Mosaic Albion House 20 Queen Elizabeth Street London SE1 2RJ	745 (8.4 miles)
Notting Hill Housing Bruce Kenrick House 2 Killick Street, London N1 9FL	498
Peabody 45 Westminster Bridge Road, London SE1 7JB	396 (8.5 miles)
Viridian Housing Colwell House, 376 Colwell House, London SW9 9AR	334
One Housing Group 100 Chalk Farm Road London NW1 8EH	173 (5.2 miles)

Name & Address	Stock (miles to local office)
Southern Housing Group Fleet House 59/61 Clerkenwell Road London EC1M 5LA	70
Innisfree Housing Association 190 Iverson Road London NW6 2HL	49
Lien Viet Housing Association 102 Blackstock Road London N4 2DR	42
Agudus Israel 206 Lordship Road London N16 5ES	20
Home Group Limited Unit 2 Mitre Buildings Kitson Way Harlow CM20 1DR	19
St Mungo Community Housing Association Griffin House 161 Hammersmith Road London W6 8BS	11 (16.8 miles)
Housing 21 The Triangle Baring Road Beaconsfield Bucks HP10 9NG	10
Anchor 2 nd Floor Bedford Street London	6
Asra Housing Group, Asra House, 1 Long lane London SE1 4PG	164 (8.2)

Name & Address	Stock (miles to local office)
Christian Action Housing Benedict House 61 Island Centre Way Enfield EN3 6GS	138 (8.7 miles)
Shian Housing Association Ltd 76 Mare Street Hackney London E8 3SG	130 (6.4 miles)
Network Housing Group (London Strategic Housing) Olympic Office Centre 8 Fulton Road Wembley HA9 0NU	129
Network Housing Group (Network Stadium Housing Association) Olympic Office Centre 8 Fulton Road Wembley HA9 0NU	25
Genesis Housing association Capital House, 25 Chapel Street, London, NW1 5DT	839
Riverside 2 Estuary Commerce Park Liverpool L24 8RF	24
Hill Homes 2-4 Broadlands Road Highgate London N6 4AN	65
New Swift Housing Co-operative Ltd 12 Pine Grove London N4 3LL	34
Teachers Housing Association Rugby Chambers 2 Rugby Street London WC1N 3QU	112
Hanover Housing Association	60

Name & Address	Stock (miles to local office)
Hanover House 1 Bridge Close Staines,TW18 4TB	
Origin Housing St Richard's House' 110 Eversholt Street London NW1 1BS	62
Hornsey Housing Trust Ltd 62 Mayfield Rd Hornsey N8 9LP	385
Places for People 305 Gray's Inn Road London WC1X 8QR	111
Arhag Housing Association 54 -74 Holmes Road Kentish Town London NW5 3AQ	92
Habinteg Housing Association, Holyer House 20 – 21 Red Lion Court London EC4 3EB	81
Wollaston & Pauncefort Almshouse Charity	6
Methodist Society	2
Stroud Green Unit 1, The Mews Albert Rd N4 3RD	62
Apna Ghar 1 Olympic Way, Wembley, Middlesex HA9 0NP	
Abbey Field 33 Eardley Rd London 020 8677 6255	23

**Overview & Scrutiny Committee
Evidence Gathering Session (#1) – Under Occupancy and Social Housing
Local Policy and Practice
13th December 2013 (Haringey Civic Centre)**

Present: Cllr Adamou, Cllr Bull (Chair), Cllr Newton, Cllr Weber and Cllr Winskill and Yvonne Denny (Co-optee)

Also in attendance: Lexanna Anderson-Brown (Metropolitan), Sean Gardiner (Homes for Haringey), Phil Harris (Haringey Council) Bill Henderson (Newlon), Dawn Mcalla – Hunte (Metropolitan), Pat Lee (L &Q), Clive Meredeen (Family Mosaic), Daren Nowlan (Sanctuary) and Laura Stokes (L & Q).

1. Apologies

- 1.1 Apologies were received from Cllr Alexander, Cllr Bloch and Cllr McNamara.

2. Introduction

- 2.1 The Chair welcomed all those attending. It was noted that aside from holding decision takers to account, scrutiny has an important role in assisting the Council in policy formulation. Through its independent, investigative and evidence based project work, the Committee aims to produce recommendations that guide and support the policy and practice in the council.
- 2.2 The Committee has been very keen to contribute to the Welfare Reform agenda here in Haringey, and after careful scoping, has agreed with services that it would be beneficial to look at housing benefit changes for those deemed to be in under occupation. This is an important local issue that has an impact on a large number of local residents and has direct consequences for the Council and local housing partners.

3. Scope

National

- 3.1 A key national policy driver for changes to under occupancy was the need to reduce welfare spending. It was noted expenditure on housing benefit had doubled to £21billion in the ten years to 2011.
- 3.2 It was estimated that there were up 1.5 million spare rooms in social rented sector and the introduction of new size criteria for Housing Benefit would:
- Affect 660,000 tenants
 - Save £500-950million p.a.

Size criteria

- 3.3 New rules for Housing Benefit (April 2013) stipulated that those deemed to be in under occupation would have a reduction in their Housing Benefit entitlement. This was a national rate:
- 14% where under occupying by 1 bedroom
 - 25% where under occupying by 2 or more bedrooms.

3.4 The Housing Benefit reduction for under occupation would only apply to those households of working age (e.g. those of pensionable age were exempt). There are also other exceptions (additional rooms allowed):

- non resident carer for overnight care
- Registered foster parents
- Parents of children in the armed forces

3.5 Changes to HB rules for under occupancy were expected to deliver the following policy outcomes:

- Reduce Housing Benefit expenditure by between £500-950million per annum
- Encourage greater mobility in the social rented sector
- Make better use of existing housing stock (ease overcrowding as larger properties become available);
- Improve work incentives for working age claimants;
- Establish parity in Housing Benefit rules with the private rented sector (where under occupancy rules already exist).

3.6 The introduction of the under occupancy HB change has a number of possible implications for both social landlords and their tenants. These are summarised below:

Implications for Policy and Practice of social landlords	Possible actions for affected tenants
(1) Rent arrears and debt collection	(1) Absorb cut from existing (benefit) income
(2) Allocations Policy	(2) Discretionary Housing Payment (DHP)
(3) Re-designation	(3) Move to a smaller home
(4) Lodger policy	(4) Take in a lodger
(5) Dedicated support programmes	(5) Increase income
(6) Inter-related policy	
(7) Impact on wider housing market	
(8) Impact and support for vulnerable groups	

Aim of scrutiny involvement

3.7 There were three overarching aims of scrutiny involvement:

- Assess how under occupancy changes to HB has impacted on local tenants;
 - Identification and support provided;
 - Vulnerable groups;
- Evaluate the effectiveness of actions taken by social landlords;
 - Outcomes;
 - Local partnerships;
- Identify priorities for Council and partners;
 - Reassess local policies and practice
 - How other policy programmes interrelate (back to work)

3.8 In evidence to the Committee evidence and subsequent discussions at this session, the Committee would seek to address the following questions:

- What has been the impact of this reform on local tenants, in particular, vulnerable tenants?

- What approaches are landlords taking to rent arrears and how are tenants with arrears being supported?
- How effective have Discretionary Housing Payments been in supporting local tenants and is this sustainable?
- What opportunities are there for improved partnerships among local housing providers (e.g. housing transfers and swaps)?
- Are there services which can be provided in a more coordinated way (e.g. debt advice, income maximisation, access to employment and training schemes)?
- How (if at all) has this development affected wider housing issues such as homelessness, the need for temporary accommodation, the housing allocation register or demand for smaller housing units?

4. Under occupancy data

4.1 Prior to this evidence session, under occupancy data had been gathered from social housing providers including Homes for Haringey (which manages the Councils housing stock) and the five largest registered social landlords in the borough. Collected data included:

- the number of tenants affected by 14% and 25% reduction) April 2013 position and current position;
- cumulative financial loss of the HB reduction;
- increase in rent arrears by those affected tenants;
- those tenants claiming Discretionary Housing Payments (DHP);
- tenants affected and able to transfer to smaller housing;
- staffing to support under occupancy administration; and
- Perceptions of the most effective intervention to support affected tenants.

4.2 The following provides a summary of the key data collected from local social landlords (full report attached).

Tenants affected as of April 2013

4.3 As of April 2013 (when the under occupancy change came in to effect) from those social landlords that provided data:

- 1,512 Homes for Haringey tenants were subject of a spare room deduction 1,150 (76%) had a 14% reduction (one spare room) and 362 (24%) had a 25% reduction (two or more spare rooms);
- Similar pattern of deductions was seen amongst registered social landlords: 531 tenants affected of which 412 (78%) were subject to a 14% reduction and 119 (23%) to a 25% reduction.

4.4 The estimated cumulative loss of Housing Benefit as a result of the above change in the first week of April 2013 was:

- £29,060 among Homes for Haringey tenants – equivalent to £1.5m per annum
- £8,584 among tenants for four largest RSL tenants - equivalent to £446,000 per annum
- Based on the above, total cumulative annual HB losses could exceed £2.25 million if including remaining RSLs;

4.5 Among those social landlords able to provide data (Homes for Haringey and four other RSLs), just 37 (2%) of tenants were no longer subject to the HB restriction

because they had moved to a smaller property. This was facilitated by direct transfers (internal and external) as well as exchanges.

Tenants affected as of November 2013

- 4.6 As of November 2013 (7 months after the implementation);
- 1,984 tenants were affected by the under occupancy penalty, a reduction of 2.85% from when the change was introduced (2,042).
 - 1,468 Homes for Haringey tenants were subject of a spare room deduction a (2.9% reduction from April 2013) of which
 - 1,122 (76%) had a 14% reduction (one spare room) and 346 (24%) had a 25% reduction (two or more spare rooms);
 - Among other social landlords, 516 tenants continued to be affected of which 399 (77%) were subject to a 14% reduction and 117 (23%) to a 25% reduction.
- 4.7 The estimated cumulative loss of Housing Benefit as a result of the above change as of November 2013;
- £28,509 among Homes for Haringey tenants and equivalent to £1.48m per annum (a £200k drop from April 2013 estimate);
 - The average losses for Homes for Haringey tenants affected was £19.42 per household, though amongst individual RSLs this was slightly higher ranging from £21.32 to £24.05 per household.
- 4.8 In total, over 240 tenants affected by the under occupancy penalty were in receipt of Discretionary Housing Payment (financial assistance to mitigate the impact of the reform), equating to approximately 10% cases. There was wide variation for take up and receipt of DHP among different RSLs: just one tenant affected from Newlon Housing was in receipt of DHP compared to 42 tenants from Sanctuary Housing.
- 4.9 In respect of accruing rent arrears resulting from the under occupancy penalty:
- 352 (24%) of Homes for Haringey tenants had seen rent arrears increase by £250 or more;
 - 245 (47%) of RSL tenants had seen rent arrears increase by £250 or more (twice as many as for Homes for Haringey). There were again significant differences among individual RSLs.
- 4.10 Nearly all those social landlords consulted indicated that additional staff had been taken on to deal with the impact of the social housing size criteria. Among this sample of responses almost 50 staff have been employed to deal with this and (other) welfare reforms. The range of posts recruited to support this work included:
- Financial inclusion/ income maximisation;
 - Housing options (swap);and
 - Generic welfare reform.
- 4.11 There was some consistency in the responses of social landlords to questions about the effectiveness of individual interventions to support affected tenants. The top three interventions to support tenants were:
- Award of DHP #1
 - Income maximisation =#2
 - Budget advice =#2.

5. Community Housing Service

- 5.1 The Assistant Director of Community Housing gave a presentation to the Committee on the strategic implications of the under occupancy penalty (attached). The following provides a summary of the key themes and discussion points within this presentation.
- 5.2 It was noted that the council developed a new Housing Allocations Policy in 2011 in which local housing needs were grouped in to 5 distinct bands (A to E). Applicants to the local housing register are placed in respective bands according to their needs and personal circumstances.
- 5.3 It was noted that there are approximately 10,900 people on the local housing register of which 288 are in Band A, those in highest housing need (with a critical medical or welfare issue). A full breakdown of applicants to housing register by banding is given below:

Housing Allocation Band	No of Applicants
Band A - the most urgent or critical housing need	288
Band B - a high priority housing need	3,427
Band C - an identified housing need	1,342
Band D identified housing need but have a lower priority than Band C or no local connection	5,913
Band E - no identified housing need or local connection	

- 5.4 Of those applicants in Band A, almost all (81%) are looking for a 1 bedroom apartment.
- 5.5 In relation to those tenants in currently in Band A:
- There are 695 households living in a 2 bedroom home of which 53 (7%) may be subject to losing 14% of HB entitlement (under occupying by one bedroom);
 - There are 357 households living in a 3 bedroom home of which 33 (9%) may be subject to losing 25% of HB entitlement (under occupying by more than 1 bedroom).
- 5.6 The potential net impact of tenants seeking to move as a result of the under occupancy penalty was discussed. It was concluded that the council would:
- Require an additional 1,000 one bedroom homes;
 - Require an additional 40 two bedroom homes;
 - Gain an additional 860 three bedroom homes;
 - Gain an additional 190 four bedroom homes;
 - Gain an additional 30 five bedroom homes.
- 5.7 The Committee noted that the annual turnover of 1 bedroom flats in the borough was in the region of 400-450, and additional 450-500 flats would be needed to support any tenant flow arising from the under occupancy penalty.

- 5.8 Conversely, basic modelling from the under occupancy reform would suggested that over 1,00 larger properties could be 'freed up' if affected tenants chose to smaller property (and were able to do so). Whilst it is acknowledged that this there were families on the housing register who require larger properties (3 bed and over) other options for these homes could be considered, such as conversion to smaller units.
- 5.9 It was noted that the national under occupancy figures in the social rented sector tend to be inflated as they include tenants of non-working age, who are exempt from the under occupancy penalty. The general move to keep older people independent in their own home and not in to (smaller) sheltered housing units was also creating a ceiling, which constrained the availability of larger properties.

6. Social Landlords

- 6.1 Homes for Haringey (which managed housing stock on behalf of the Council) and 5 other social landlords attended the evidence gathering session to discuss how under occupancy had impacted upon their respective organisations and how they had responded. The following summarises these response.

Homes for Haringey

- 6.2 Initial data supplied from Revenue and Benefits (April 2012) suggested that there was in the region of 3,800 under occupied homes managed by Homes for Haringey, 1,950 of which were tenants of working age and 1,800 non working age.

Action: To provide the Committee with current data on under occupation among those of non-working age.

- 6.3 A Welfare Reform group undertook a notification, advice and support process with those (1,950) tenants of working age in under occupation. Affected tenants were categorised in to high risk (housing benefit losses of greater than £20pw with other risk factors such as vulnerability, arrears, disability), medium risk (housing benefit losses of less than £20pw and 2 or fewer compounding circumstances) and low risk and contacted in risk group order from September to December 2012 to:
- Make them aware of the possible impact of HB change;
 - Identify housing and other options;
 - Further identify higher risk or vulnerable tenants.
- 6.4 Further work with the HB Service to march 2013 clarified the number of HfH tenants affected by the under occupancy penalty, thus the number of affected tenants was revised downward from 1,950 to 1,520. All these tenants were contacted by letter and most (80%) spoke to a HfH officer (approximately 20% of tenants did not respond to any contact or correspondence). Of those tenants that had been contacted by HfH (1,039):
- 34% had not decided on their response;
 - 33% indicated that they would fund the difference themselves;
 - 11% indicated that they were hoping to move through the Home Connection letting schemes;
 - 6% indicated that they would hope to move through the Homeswapper Scheme (a national mutual exchange scheme).

- 6.5 Further detail on the impact and response of affected tenants was noted including:
- Home swapping or transfer was complicated by tenant expectations: that a 'better' home would be available; preference was for properties in the west of the borough and in smaller lower rise blocks.
 - There was a significant increase in arrears among those affected – 352 increased by more than £250.
- 6.6 The Committee noted that HfH had made a number of interventions to support those tenants affected including:
- Two events for local tenants to provide advice, information and support;
 - Membership of Homeswapper scheme – 1,200 tenants had signed up;
 - Provision of money advice through CAB (Moneywise Support Project) – officer funding
- 6.7 Where appropriate, tenants affected by the under occupation penalty were encouraged to apply for DHP. In total, 189 HfH tenants have been assisted in this way (including reapplications). It was clear to the Committee however, that this option was not sustainable, given that total rent losses were in the region of £2.1million per annum, whilst DHP allocation to support affected tenants was £218k. Thus whilst other LA's were known to have a DHP under spend, Haringey clearly did not.
- 6.8 Re-designation of units was being used but only on a case by case basis and where this was clearly the best use of property (i.e. would be impractical to move tenant living in an adapted property). Re-designation could not be used more broadly as this would substantially reduce rental income for the organisation.
- 6.9 A borough wide home swapping event was planned for all tenants in the social rented sector to further support transfer and mutual exchange.
- 6.10 The Committee noted some of the unintended repercussions of the under occupation penalty:
- Forcing people to move away from area and away from social support networks;
 - Impact on those services supporting such tenants;
 - Require people to move to a less secure tenancy.

Family Mosaic

- 6.11 The Committee noted that the under occupancy penalty was generally and commonly referred to as the 'bedroom tax', and use of other terms was confusing for tenants.
- 6.12 Family Mosaic (FM) manage approximately 23,000 homes of which 16,000 are general needs properties. Around 750 general needs properties which they manage are in Haringey. It was estimated that of all the housing stock managed by FM, between 1,400 and 2,000 homes would be affected by the 'bedroom tax'. The majority of affected properties would be in London (approximately 1,300), about 7.5% of the stock.
- 6.13 It was noted that FM had a number of services to support tenants and help them adjust to the impact to the introduction of the 'bedroom tax', these included:

- A contact centre which filters call to specialist advice and support
- A financial inclusion team – providing monetary advice and support
- Employment team – advising on employment, training and skills to increase opportunities to gain work and increase income;
- Annual walkabout to raise awareness of this and other welfare reforms.

6.14 Initial assessments by FM indicated that a majority of tenants wanted to stay on in their home and find other ways to meet the shortfall. In this context, support services should, in the short to medium term, focus on money management, income maximisation and increasing work opportunities.

6.15 The Committee noted that although early identification had helped, rent arrears had increased among affected tenants.

6.16 A number of tenants had been referred to apply for DHP, and some had been successful. It was noted however, that access to this service could be improved through the provision of a dedicated contact and line. Whilst it was acknowledged that DHP was a limited resource, more could be done to encourage and support further applications.

6.17 The Committee noted that FM had changed local policies and practice to help the organisation and tenants adjust to implications of the 'bedroom tax'. This included:

- 'Beefed up' affordability assessment for those taking on a new tenancy to ensure that they can afford now and in the future;
- Additional priority is given to downsizing tenants wishing to transfer or move;
- More generous regulations around what constitutes a single or double bedroom and designation (only a small number have been re-designated).

6.18 It was noted that the option of taking in lodgers to increase the income of affected tenants had not been pushed or promoted as this was perceived to present a number of issues including:

- Potential complications for income assessment and benefit entitlement (with a turnover of lodgers possible)
- Possible links to fraud;
- Safeguarding implications where vulnerable adults or children were present.

6.19 FM was however supporting a major push on mutual exchanges and were providing a number of incentives to tenants. £500 was offered toward removal costs and a further £500 for those downsizing. Those in arrears were also being considered for such exchanges. As a result there has been a 50% increase in exchanges, though numbers were still relatively small (n=11).

Metropolitan

6.20 Metropolitan manages approximately 38,000 properties of which 2,400 are subject to the 'bedroom tax'. Most of those affected properties were again in London, with about 145 of these being in Haringey.

6.21 Metropolitan has invested in existing staff to help inform, educate and re-skill workforce so that they are better able to assist tenants affected by the 'bedroom tax'.

It was noted that there are 4 dedicated financial inclusion officers to support tenants, 2 of which are based in London.

- 6.22 The Income team have visited every tenant affected by this reform, to provide face to face advice and support in housing options. From these assessments it was noted that 85% of affected tenants wanted to 'stay and pay', though more than half (52%) may not be able to meet all the shortfall.
- 6.23 Metropolitan has also been working closely with Credit Unions to help provide additional financial support for tenants (and to discourage use of payday loans).
- 6.24 Metropolitan is a member of the G15 partnership (of larger RSLs) and this is a good forum for exchanging good policy and practice. On the whole, it would appear that the approach that major RSLs have taken in response to the 'bedroom tax' is broadly consistent.
- 6.25 One service area identified for possible improvement was joint working with local Housing Benefit Services. In particular, it was noted that improved arrangement to share and exchange data would be beneficial in developing a more coordinated response.

Sanctuary

- 6.26 Sanctuary Housing manages approximately 800 units in Haringey of which 66 tenants were affected by the 'bedroom tax' (as of April 2013). The average loss to tenants affected is approximately £19 per week.
- 6.27 Like other social landlords, Sanctuary has developed a range of support services to provide information and advice tenants affected by the 'bedroom tax'. This has centred on the provision of income maximisation advice and money management advice.
- 6.28 The most successful intervention has been the referral of tenants to claim for DHP. It was noted that there have been over 40 successful claims for DHP, which has helped tenants to meet the shortfall brought on by the under occupancy deduction. This was far higher than other RSLs where there were at most a handful of successful applications. The future availability of DHP was cited as a major risk for tenants going in to and accruing larger rent arrears.
- 6.29 It was noted that $\frac{3}{4}$ of those tenants affected by the 'bedroom tax' were in arrears and arrears was increasing by approximately £6 week. This would suggest that many tenants are struggling with the 'stay and pay' approach. The approach of Sanctuary is that eviction is the last resort and would only be taken up if there was no communication or engagement by the tenant to help resolve the shortfall.
- 6.30 As with other social landlords, the proportion of Sanctuary tenants which have, so far, managed to move to help avoid the under occupancy penalty (e.g. downsize) is very small. It was estimated that just 3% of affected tenants had secured a downsize move. Similarly in relation to tenants taking in a lodger, it was reported that there were no examples of this in Sanctuary.

- 6.31 Further and improved liaison with HB service would also help to minimise the instances of over payment of benefits, which is also a contributing factor to money problems of affected tenants.
- 6.32 One further area of concern, where it is clear that more work need to be done, is the preparation for the introduction of Universal Credit system. This will replace all existing benefits, including Housing Benefit, with one payment direct to the claimant. All applications will be on-line, so digital inclusion needs to be taken in to consideration for future planning of local benefit administration.

L & Q

- 6.33 The Committee noted that there were 200 affected tenants in L & Q homes in Haringey, the majority (3/4) of which were subject to a 14% reduction in their housing benefit (under occupying by 1 bedroom). Across the organisation, there is a dedicated welfare support team providing advice and support to tenants affected by this and other welfare reforms; this service has a caseload of approximately 600 tenants.
- 6.34 It was noted that arrears among affected tenants had increased since the introduction of the 'bedroom tax' from 4.18% to 5.87%, though this did appear to have reached 'a plateau'. L & Q seeks to minimise evictions where possible and usually 5 attempts are made to contact and resolve the issue with the tenant over a 28 day period. The Committee were informed that no tenant in Haringey had been evicted because of the 'bedroom tax'.
- 6.35 L& Q operates its own hardship fund to support tenants. It also has an Energy Save Project to help reduce the fuel and energy outgoings of tenants (to help make up the shortfall from the 'bedroom tax'.
- 6.36 As with other RSLs, there has been little if any take up of tenants taking in lodgers to increase household income (although there have been lots of enquiries. This will be followed up at a later date for verification. It was noted that some other RSLs (FM) had distributed leaflets which promoted an agency for spare rooms in the social rented sector (spareroom.co.uk).
- 6.37 There are a number of tenancy obligations that have to be undertaken to support housing swaps (this can take a minimum of 32 days):
- Exchange of references between landlords;
 - Property visit to assess and make good any repairs (unauthorised alterations);
 - Agree and arrange a signing exchange.
- 6.38 There is greater capacity for home swapping and transfers given the scale of the housing trust (it managed about 2,000 properties in Haringey). It also offers standard incentives for people to downsize to free up larger properties. In addition, it has aimed to remove barriers to swaps by relaxing rules to allow tenants to move with rent arrears.

Newlon Housing

- 6.39 In total, Newlon manages 8,000 properties, the majority of which are in London. Of these, 850 properties are Haringey most of which (450) are general needs dwellings.

There are 48 tenants affected by the 'bedroom tax' in Haringey, which equates to 11% of GN properties managed in the borough.

- 6.40 The panel noted that the majority of Newlon homes are new and recently built, thus there is a general reluctance among tenants to move or home swap. Out of 4,000 GN properties managed by Newlon there were just 40 swaps or transfers last year, which represents just 15 of housing stock. That being said, there are twice as many mutual exchanges this year compared to previous years, but again, these figures remain small.
- 6.41 Homes swapping and transfers remains the way forward here and more need to be done to facilitate and support this process in the borough. Critical to this process is that tenants should be encouraged to be 'active', rather than passively existing on a list. Organisations should make this process easier
- 6.42 As with other RSLs:
- re-designation has occurred but on a very limited scale and only where there is a clear case (there has only been one re-designation as a result of this reform)
 - rent arrears were slightly up (overall from 4.85% to 5.1%);
 - there has been no legal action as a result of the 'bedroom tax' (this can be very lengthy process).
- 6.43 It was noted that there had been problems with the Housing Benefit department in relation to data and processing of claims. Contacting the service was particularly problematic which was frustrating for officers. Whilst it was noted that the service had improved, further improvement in accessibility and performance was needed.
- 6.44 It was noted that other LA's had introduced on-line applications for DHP, which had caused a number of accessibility issues.

7. General Discussion Points

- 7.1 A final round table discussion was held at the end of the meeting to highlight particular areas of concern. These are summarised below:
- There have been a number of clarifications since April 2013 which has led to a number of exemptions, nonetheless, this group experience particular issues for transfer or swaps given that there may be home adaptations. As a general rule, it was noted that such cases would be unlikely to transfer where there had been substantive adaptations to the property which would need to be re-applied if the tenant should move to a new property.
 - DHP offers a short term solution to a small number of tenants. This is however, not a sustainable option and only really buys some time for the tenant to make more substantive changes swap, transfer, increase income etc). It is likely that funding for this will be further reduced next year.
 - Communication and direct engagement by officers was felt to be most successful in helping tenants to adjust to new HB rules for under occupancy. This helped to make tenants aware and of the possible options available to them to respond.
 - Similarly, money handling and budgeting skills training was felt to be effective in supporting tenants in managing a shortfall in their housing benefit. RSLs often

had dedicated teams to support tenants, or worked with other agencies (CAB, Moneywise) to help support tenants to manage their money.

- The one major concern that many social landlords had was the increasing rent arrears arising from this benefit reform. Whilst this has been relatively small to date, it clearly was increasing and the likelihood that this would increase further for some tenants who were not able to make changes (to income/swap etc) and with the probably reduced access to DHP. Social landlords may have to look at their arrears policies to ensure that these are not a barrier to further actions by the tenant.
- Universal Credit is due to be rolled out in 1-2 years time. It is anticipated that this will bring in a less generous funding regime, in addition, all applications will be on line via DWP and benefits will be paid direct to tenants monthly. This may place additional pressures on tenants to apply for and manage benefits.